



## NORTH AND EAST PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 21st March, 2013  
at 1.30 pm

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### MEMBERSHIP

#### Councillors

D Congreve  
(Chair)  
R Grahame  
M Harland  
C Macniven  
A McKenna  
E Taylor  
B Selby

C Campbell

J Procter  
G Wilkinson

Whip's nominee

# AGENDA

Item No	Ward	Item Not Open		Page No
1			<p><b>SITE VISIT LETTER</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	

Item No	Ward	Item Not Open		Page No
5			<b>APOLOGIES FOR ABSENCE</b>	
6			<b>MINUTES</b>  To approve the minutes of the North and East Plans Panel meeting held on 21 <sup>st</sup> February 2013  (minutes attached)	3 - 8
7	Harewood		<b>APPLICATION 12/04456/FU - DENE COTTAGE LINTON LANE LINTON WETHERBY LS22</b>  Further to minute 36 of the North and East Plans Panel meeting held on 20 <sup>th</sup> December 2012, where Panel deferred determination of the application for a two storey extension to front; side and rear including dormer with Juliet balcony to side; raised terrace and enlarged area of hardstanding to front; open porch to rear; raised terrace with balustrading above to front and new bay window to other side, to consider a further report of the Chief Planning Officer  (report attached)	9 - 20
8	Wetherby		<b>APPLICATION 12/05021/FU - THE VETERINARY SURGERY HALLFIELD LANE WETHERBY LS22</b>  To consider a report of the Chief Planning Officer on an application for demolition of existing buildings and development of nine dwellings with associated works  (report attached)	21 - 34

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9	Harewood		<p><b>APPLICATION 13/00160/FU - THE BUNGALOW MAIN STREET LINTON WETHERBY LS22</b></p> <p>To consider a report of the Chief Planning Officer on an application for new first floor to existing bungalow to form house; two storey side/rear extension with terrace to rear and steps to side; canopy to front; widened vehicular access and enlarged area of hardstanding to front</p> <p>(report attached)</p>	35 - 44
10	Harewood		<p><b>APPLICATION 13/00252/FU - LITTLE ACRES, LINTON LANE LINTON WETHERBY LS22</b></p> <p>To consider a report of the Chief Planning Officer on an application for swimming pool to side/rear</p> <p>(report attached)</p>	45 - 52
11	Killingbeck and Seacroft		<p><b>APPLICATION 13/00459/FU - LAND AND BUILDINGS FORMERLY PETROL FILLING STATION - YORK ROAD LS14 - POSITION STATEMENT</b></p> <p>To consider a report of the Chief Planning Officer setting out the current position in respect of proposals for a new fire station with associated access, car parking and landscaping</p> <p>(report attached)</p>	53 - 62
12			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Thursday 18<sup>th</sup> April 2013 at 1.30pm</p>	

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To all Members of North and East  
Plans Panel

**Chief Executive's Department**  
Governance Services  
4<sup>th</sup> Floor West  
Civic Hall  
Leeds LS1 1UR

Contact: Angela M Bloor  
Tel: 0113 247 4754  
Fax: 0113 395 1599  
angela.bloor@leeds.gov.uk  
Your reference:  
Our reference: n&e pp site visits  
Date 13<sup>th</sup> March 2013

Dear Councillor

**SITE VISITS – NORTH AND EAST PLANS PANEL – THURSDAY 21<sup>ST</sup> MARCH 2013**

Prior to the meeting of the North and East Plans Panel on Thursday 21<sup>st</sup> March the following site visits will take place:

10.25am		Depart Civic Hall
10.40am	Killingbeck and Seacroft	Former Petrol Filling Station York Road LS14 – Position Statement in respect of new Fire Station with associated access, car parking and landscaping – 13/00459/FU
11.20am	Wetherby	The Veterinary Surgery, Hallfield Lane Wetherby LS22 – Demolition of existing buildings and development of nine dwellings and associated works – 12/05021/FU
12.00 noon Approximately		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at **10.25am**. Please notify David Newbury (Tel: 247 8056) if you wish to take advantage of this and meet in the Ante Chamber at **10.20am**.

Yours sincerely

Angela M Bloor  
Governance Officer

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# Agenda Item 6

## NORTH AND EAST PLANS PANEL

THURSDAY, 21ST FEBRUARY, 2013

**PRESENT:** Councillor D Congreve in the Chair

Councillors C Campbell, R Grahame,  
M Harland, C Macniven, A McKenna,  
E Taylor, G Wilkinson, B Selby and G Latty

### 40 Chair's opening remarks

Whilst the intention had been to hold the meeting in committee rooms 6 and 7 of the Civic Hall, in view of the number of public present for the meeting, the Chair announced that the meeting would take place in the Council Chamber and there was a short delay to enable the move to take place

Following the relocation, the Chair asked Members and Officers to introduce themselves for the benefit of the public in attendance

### 41 Late Items

There were no late items

### 42 Declarations of Disclosable Pecuniary and other Interests

There were no declarations of disclosable pecuniary or other interests

### 43 Apologies for Absence

Apologies for absence were received from Councillor J Procter who was substituted for by Councillor G Latty

### 44 Minutes

**RESOLVED** - That the minutes of the North and East Plans Panel meeting held on 20<sup>th</sup> December 2012 be approved

### 45 Application 12/03250/FU - Change of Use of vacant public house to community and welfare centre with ancillary accommodation and additional car parking - The Lingfield - Lingfield Drive Moortown LS17

Draft minutes to be approved at the meeting  
to be held on Thursday, 21st March, 2013

Plans, photographs and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented a report of the Chief Planning Officer on an application for a change of use of a vacant public house to a community and welfare centre with ancillary accommodation and additional car parking at The Lingfield, Lingfield Drive LS17

The location of the premises was outlined in respect of the surrounding area, with Members being informed of the location of nearby shops and residential properties

The proposed uses of the premises were outlined with Members being informed that the community rooms would be available for hire with discounts being proposed for groups in the LS17 postcode area. The planned opening hours would be 8.30am – 10.30pm, except during Ramadan, where the prayer room would be open after 10.30pm but the numbers using the prayer room would be restricted to 65 people

Outside the premises, an area of unmarked hardstanding would be marked out for 73 spaces which would include cycle parking and disabled parking spaces. An unauthorised fence had been removed and a close-boarded fence and planting was proposed

Members were informed that the main issues related to:

- Principle of development – that the proposal was for a community building; this was an appropriate use in principle and would bring a disused building back into use, although this would need to be weighed against concerns, for example, highways safety
- Parking – that the amount of parking being proposed was acceptable subject to a condition regarding the layout
- Noise and amenity – that the previous use of the premises was as a public house. In terms of the opening hours, LCC Environmental Health had been consulted who were satisfied with the proposed conditions and the restriction of the numbers able to access the prayer room after 10.30pm during Ramadan

Members were informed that a key consideration was community cohesion and equality and that concerns had been raised locally. The Council had a duty under Section 149 of the Equality Act 2010 to foster good community relations between people who shared a protected characteristic and people who do not share it. "Protected characteristics" covered by the Equality Act include race and religion or belief. This duty was a material planning consideration, to which the Panel would need to have due regard when reaching a decision on the application

Members were informed of the receipt of an additional 60 letters of objection which repeated previous issues which had been raised regarding highways safety, noise and disturbance, not a sustainable form of development and impact on the character of the area

If minded to approve the application, it was recommended to reword condition 6 to delete the reference to prohibiting PA systems within the building and to add a further condition requiring that if such systems were installed, details of use, specification etc be submitted and approved in writing prior to use

Members were also informed that condition 15 specifying the building should not be used for weddings or other functions be deleted as 'other functions' was not sufficiently precise and issues regarding noise, floorspace for use by visitors etc were covered in other conditions

The Chair stated that in this case, he would allow each side a maximum of 5 minutes to make representations to Panel

The Panel heard from an objector and two representatives of the applicant who attended the meeting

The Panel commented on the following matters:

- the objector's statement that the Panel did not have the authority to determine the application
- a leaflet about the application which had been circulated locally
- whether the Police had indicated they had concerns about the proposed use of the premises
- the conditions relating to numbers and opening hours
- the ways in which the local community would become involved in the centre
- the possibility of granting a temporary planning permission and for this to be reviewed at a later date
- condition 21 – a scheme for community use – and that further details were required including how it could be enforced
- condition 15; the need to set a capacity for the building at other times and whether the previous public house use enabled wedding receptions to take place
- highway issues and the a possibility of requiring the applicant to fund a TRO if car parking occurred outside the nearby shops. The Panel's Highways representative stated that the Council's Traffic Department would monitor the situation and advise if a TRO was necessary, with this being dealt with by way of a planning obligation rather than a condition

Officers provided the following information:

- regarding the comment of the objector that he would query whether it was in the Panel's powers to grant planning permission to this applicant, the Panel's Legal adviser stated that Panel should consider the applicant at their face value and that unless there were any real evidence presented by the objector that the applicant had associations with terrorism then it was lawful for the Panel to consider the application
- that the Police was not a statutory consultee for planning applications so it was not necessary to seek a view from them. The Panel's Lead Officer stated that Members had heard emotive language during the meeting and that he would advise Members to concentrate on the planning aspects of the case, i.e. highways and amenity issues, along with community cohesion which was a planning consideration and for Members to decide on the weight of that in this case
- concerning granting a temporary planning permission, the Head of Planning Services stated that a temporary planning

permission would be unlikely to be considered in view of the refurbishment required to the building which would result in much capital expenditure

- in respect of condition 21, scheme for community use, the intention had been to cover what was included in the Design and Access Statement, this being the gym, job seeking and IT facilities and room hire at discounted rates for local organisations, although the formal documentation for this element had not been received. The condition would be capable of being enforced but the detailed wording for this would need to be drawn up. It was suggested that this be done in consultation with Ward Members
- in relation to condition 15, the building could accommodate 200 people and that whilst there was no proposal to extend the building, a condition had been included which would prevent the caretaker's flat being converted to public use

The report author was congratulated on the thoroughness of her report

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report, subject to a rewording of condition no 6 to delete the reference to prohibiting PA systems within the building and that a further condition be added instead requiring that, if such systems are to be installed, details of their use, specifications etc should be submitted for approval in writing before they are used, to ensure that any such systems are acceptable and that any appropriate or necessary noise mitigation measures are incorporated within the building prior to their use; the deletion of condition 15; an amendment to condition 21 to require a scheme of community use to be drawn up and in place prior to use and in consultation with Ward Members and completion of a planning obligation for a TRO.

**46 Applications 12/03915/FU and 12/03916/LI - Change of use involving alterations and single storey side extension of vacant public house to form 7 flats and erection of detached retail unit with flat above at the site of - Royal Oak Cross Hills Kippax LS25**

Plans, photographs and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which sought full planning permission and Listed Building consent for the refurbishment of the vacant Royal Oak Public House at Kippax LS25

Members were informed that the premises had been vacant since early 2011 and was a prominent building in the Kippax area

The building would be stripped back to its existing frontage and recent additions at the rear would be removed. This would also provide an opportunity to extend the footpath

An earlier scheme had proposed a modern extension to contain 6 flats but this had now been deleted from the scheme

A previous concern raised by English Heritage had been withdrawn on receipt of the revised plans. A room by room assessment would be made of the building's original features

A dual-fronted retail unit was proposed with a 2 bedroom flat above this, with a separate entrance. The design of this unit had also been revised and was a more simple proposal than previously submitted

Members were informed that the deletion of the modern extension had removed many local concerns about the proposal, although concerns remained about the loss of a local pub, with Councillors Wakefield and J Lewis raising this issue. Members were informed that other pubs existed in the area and the proposals would bring a Listed Building back into use. Additional benefits from the proposals would be the widening of the footpath and the provision of a green area around the site

If minded to approve the application, an extra condition was proposed for the Listed Building application to require the reinstatement of the missing chimney. Condition no 9 was proposed to be reworded to take into account the footpath widening

Members commented on the following matters:

- highways safety issues
- loss of another public house
- the concerns of the Parish Council and whether these had been addressed
- the importance of retaining the balance of the property by the requirement of reinstating the missing chimney
- the need to consider possible opening hours of the retail unit if it was to be an Off Licence

Officers provided the following responses:

- that moving the wall back into the site would improve the visibility splay
- that the detailed wording of some of the conditions had taken on board concerns raised by Kippax Parish Council
- that opening hours of the retail unit would be controlled by condition and whilst these had not been specified, they were likely to be the standard hours of 08:00 – 22:00

The Head of Planning Services suggested that a condition in respect of materials for the retail unit be added and the design of any security grills on the shop unit to be agreed with the applicant. In the event that the retail unit was not constructed, some treatment be included for that part of the site

**RESOLVED** - That the planning application and Listed Building consent be granted subject to the conditions set out in the submitted report, with an additional condition on the Listed Building application to require the reinstatement of the missing chimney with a scheme to be submitted and agreed in writing; rewording of condition no 9 to specify the width of the footpath an additional condition relating to a scheme for treatment of the retail unit if this was not developed and a condition relating to the materials of the retail unit including security shutters

#### **47 Application 12/04634/FU - Single storey detached outbuilding forming ancillary living accommodation to rear of - 30 Upland Road LS8**

Draft minutes to be approved at the meeting  
to be held on Thursday, 21st March, 2013

Plans and photographs were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which sought permission for a single storey detached outbuilding to form ancillary living accommodation on land at the rear of 30 Upland Road LS8

Members were informed that the proposed conditions had been drawn up to restrict the use of the building as a separate dwelling unit, which had been a particular concern to local people

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report

**48 Application 12/05169/FU - Part single storey and part two storey side extension with Juliet balcony to rear of 10 Montagu View LS8**

Plans, photographs and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which sought permission for extensions to the existing property at 10 Montagu View LS8

Whilst the plans showed the presence of windows in the side elevation, these were at a high level and would be obscure glazed and fixed shut

In terms of the proposed Juliet balcony, whilst not being a feature seen extensively in the area, one other such balcony existed close by so this could not be considered as being alien to the area

The receipt of further representations from local residents were reported with Members being informed that these representations contained additional conditions. Having considered these, Officers were of the view they could not be recommended to Panel as they were not felt to be reasonable

The Panel heard representations from an objector and the applicant who attended the meeting

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report

**49 Date and Time of Next Meeting**

Thursday 21<sup>st</sup> March 2013 at 1.30pm in the Civic Hall, Leeds



Originator: David Newbury

Tel: 0113 247 8056

## Report of the Chief Planning Officer

### NORTH AND EAST PLANS PANEL

Date: 21<sup>st</sup> March 2013

**Subject: APPLICATION 12/04456/FU – Two storey side, front and rear extension including dormer window with Juliet balcony to the side and dormer to rear; raised terrace with balustrading above to front and new bay window to other side at Dene Cottage, Linton Lane, Linton, Wetherby, LS22 4HL**

#### APPLICANT

Mr Mike Jamieson

#### DATE VALID

24<sup>th</sup> October 2012

#### TARGET DATE

19<sup>th</sup> December 2012

#### Electoral Wards Affected:

Harewood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission;
2. Approved plans;
3. Matching materials;
4. No further insertion of windows to the side;
5. Landscape/management plan for trees.

#### Reason for approval:

The proposal is considered to be an appropriately designed and scaled extension which, on balance, does not cause harm to the character and appearance of the conservation area and would not unreasonably impact upon neighbours. As such the development is considered to comply with policies GP5, BD6, N19 and LD1 of the Unitary Development Plan Review (2006) and HDG1 and HDG2 of the Householder Design Guide SPD.

#### 1.0 INTRODUCTION

- 1.1 The application was discussed at Plans Panel in December of 2012 and Members resolved:

That determination of the application be deferred to enable further negotiations regarding the projection of the extension with a view to making this more subservient to the host dwelling and to reduce the impact on the neighbouring dwelling and that a further report be presented to Panel in due course, for determination of the application.

The main area of concern related to the rear (northern) extension with the other elements of the scheme found to be generally acceptable.

- 1.2 As a result of Member concerns the previously proposed rear gable which was situated close to the boundary with Willow Cottage has been amended to a hip and a dormer inserted. The revised plans have been publicised and this report addresses the revised proposal.

## **2.0 PROPOSAL**

- 2.1 Retrospective permission is sought to construct a two storey extension to the front, side and rear. The extension includes a dormer window with Juliet balcony to the front portion (southern end) facing east into the front garden of the host property. This balcony faces away from the nearest property 'The Willows'. The garden is also be regraded with an enlarged terraced area and steps to the lower portion.
- 2.2 The extension is essentially a transverse wing which has been appended to the west side of the dwelling. It is 6.4m in width and extends forward of the front (southern) wall of the dwelling by approximately 7.3m and 4.0m to the rear (northern). It has a gabled roof form to the south and a hip with a dormer to the north. A new gable end is also added to the dwelling to create a continual span of ridge line from the main house and across the extension running in line east-west parallel to the boundary with the footpath. Much of the proposed extension has its back to the property to the west ('The Willows') however, a 4m portion projecting northward lies forward of the 'Willows' front elevation.
- 2.3 The raised terrace area extends the previous patio so that the bulk of the garden area which lies close to the dwelling is now a patio area, with steps leading to a lower grassed area.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a detached, single storey cottage which is sited just north of Linton village core and within the conservation area. The property is largely rendered with a stone plinth and has a gabled, tiled roof which is augmented by dormers to the front and rear. The dwelling is typical of the Linton vernacular, displaying a self consciously quaint character and is assumed to reflect the influence of Alban-Jones within the village. This exaggerated Arts and Crafts influence is reflected in the proportions and scale of the dwelling as well as details such as the mock-leaded windows, mock-Tudor detailing and the peaked roof of the entrance hall. The property is assumed to have been a simple two bay dwelling with the hall being a central entrance point. The dwelling has subsequently been extended to the side and rear. Other additions include the glazed entrance porch to the front of the hall and the detached garage.



- 3.2 The property is sited within a generous plot and is set back from Linton Lane and is orientated side-on to the highway with its principal elevation facing toward its main amenity space which is to the front of the property. The house lies close to its western boundary and thus is close to 'The Willows', a newer build dwelling which lies behind a substantial evergreen hedge. This property fronts onto Muddy Lane. Muddy lane fades into a public footpath at this point. The "Willows" forms the last property fronting onto Muddy Lane. Views of the application site from this dwelling are possible over this tall hedge and also from the footpath which lies to the rear of the site that beyond the hedge. The Conservation Area Appraisal and Management Plan notes that the view from the footpath across the application site is an important key view.
- 3.3 The plot and wider area are very verdant and this is an important part of the semi-rural character of the area. The bank of trees and vegetation to the north of the site are visible from Linton Lane and form an important backdrop to this section of the village.

#### 4.0 RELEVANT PLANNING HISTORY:

31/2/97/FU	Part two storey and part first floor side extension with new dormer windows <b>Approved</b>
31/148/04/FU	Two storey side extension with balcony to front <b>Refused</b>
31/281/04/FU	Part two storey part single storey side extension with balcony to side of first floor <b>Approved</b>
09/01910/FU	Part single storey and part two storey side, front and rear extension with balcony over part, dormer windows to side and rear of extension, and new raised terrace area to front <b>Approved</b>
12/02122/FU	Two storey extension to front, side and rear with balconies to side, new entrance porch to front, raised terrace to rear and replacement bay window to side <b>Withdrawn</b>

#### 5.0 HISTORY OF NEGOTIATIONS:

- 5.1 An application for a substantially similar development was submitted in May of 2012. This application was withdrawn as officers were minded to refuse the scheme. Concerns were expressed about the impact of the extension upon the character of the house and the area as well as the impact upon the neighbouring dwelling 'The Willows'.
- 5.2 Discussions were held with the case officer and the conservation officer who suggested that:
- the ridge line of the dwelling be extended to the west to create the impression of a larger dwelling;
  - that the front extension be narrowed and its ridge line dropped so that it resembled an extension to the enlarged dwelling;
  - that the rear extension be wholly omitted;

- that the design of the proposal be simplified and its glazing pattern amended.

- 5.3 Further discussions were held with the Head of Planning Services which has resulted in the current submission. This has reduced the projection of the rear extension by approximately 3.0m.
- 5.4 Enforcement officers visited the site on 20<sup>th</sup> September and verbally advised that works were not authorised, that building should cease and that continuing works would be at the applicant's own risk. Building works did not cease and a letter was sent on 28<sup>th</sup> November which reiterated the previous verbal advice.
- 5.5 Following the panel meeting in December 2012 the previously proposed rear gable which was situated close to the boundary with Willow Cottage as been amended to a hip and a dormer inserted.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application (original plans) was advertised by neighbour notification letter, site notice and a notice in the paper. Five objections were received to the previous plans and twenty letters of support, the majority from outside the area. These were summarised in the previous panel report with a verbal update provided to Panel.
- 6.1 Following receipt of the revised plans all neighbours and contributors have been reconsulted by letter. To date the following responses have been received.

Concerns have been raised by;

- The Parish council who note that planning permission has not been granted, that the works may not conform with guidance or the Conservation Area.
- The occupants of 'The Willows' who lie immediately to the west of the site who remain concerned in respect of dominance and impact upon the Conservation Area. Attention is drawn to the fact that the footprint of the extension has not been reduced and that the reduced mass of the roof is compromised by the insertion of the dormer. Attention is also drawn to the fact that the extension still fails to comply with the 45 degree code.
- The occupants of 'Beck House' who raise concern regarding the impact upon the streetscene of Muddy Lane, loss of view and the impact upon 'The Willows'.
- The occupants of 'Pinheiros' who raise concern regarding the commencement of works without planning permission, impact upon the footpath, loss of view and the impact upon 'The Willows'.
- The occupants of 'High Pointe' who raise concern regarding the visual impact of the development, impact on the Conservation Area and adverse impact upon neighbours.

A letter of support has been received from:

- 'Stonelea' who consider that the works are in keeping with the area, that the materials are appropriate and who also note that the extensions are screened by vegetation and likely to result in envy.

Five letters of support from outside the immediate area have been received which consider that the application is an in-keeping addition and draw attention to the recommendation of approval in the previous panel report.

Two further letters without addresses consider that the application is an in-keeping addition, is to be constructed of appropriate materials and is partly screened by vegetation.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 Public Rights of Way note that the extension does not interfere with the footpath and thus express no objection.
- 7.2 The Conservation Officer raised concerns regarding the original proposal and the projection to the rear (north elevation), the scale of the extensions relative to the original building and concludes that the building fails to preserve or enhance the special character and appearance of the conservation area.
- 7.3 Following receipt of revised plans the Conservation Officer maintains the previous objections and notes that the dormer introduces further visual clutter to the north (rear) elevation.

## **8.0 PLANNING POLICIES:**

- 8.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006).
- 8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.
- 8.3 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.
- 8.4 Within the Publication Draft Core Strategy the following policy is relevant:

### Policy P10: Design

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has

evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

Proposals will be supported where they accord with the following key principles:

- (i) The size, scale and layout of the development is appropriate to its location and respects the character and quality of the external spaces and the wider locality;
- (ii) The development protects the visual, residential and general amenity of the area including useable space, privacy, noise, air quality and satisfactory penetration of daylight and sunlight;
- (iii) The development protects and enhance the district's historic assets in particular existing natural site features, historically and locally important buildings, skylines and views;
- (iv) Car parking, cycle, waste and recycling storage are integral to the development;
- (v) The development creates a safe and secure environment that reduce the opportunities for crime without compromising community cohesion;
- (vi) The development is accessible to all users.

## 8.5 UDP Policies:

### N19

All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area by ensuring that:

- i. The siting and scale of the building is in harmony with the adjoining buildings and the area as a whole;
- ii. Detailed design of the buildings, including the roofscape is such that the proportions of the parts relate to each other and to adjoining buildings;
- iii. The materials used are appropriate to the environment area and sympathetic to adjoining buildings. Where a local materials policy exists, this should be complied with;
- iv. Careful attention is given to the design and quality of boundary and landscape treatment.

### LD1

Any landscape scheme should normally:

- i. Reflect the scale and form of adjacent development and the character of the area;
- ii. Complement and avoid detracting from views, skylines and landmarks;
- iii. Provide suitable access for people with disabilities;
- iv. Provide visual interest at street level and as seen from surrounding buildings;

v. Protect existing vegetation, including shrubs, hedges and trees. Sufficient space is to be allowed around buildings to enable existing trees to be retained in a healthy condition and both existing and new trees to grow to maturity without significant adverse effect on the amenity or structural stability of the buildings;

vi. Complement existing beneficial landscape, ecological or architectural features and help integrate them as part of the development;

vii. Be protected, until sufficiently established, by fencing of a type appropriate to the prominence of the location, around all those parts of the landscaping susceptible to damage.

GP5 Refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

BD6 All alterations and extensions should respect the scale, form, detailing and materials of the original building.

## 8.6 Householder Design Guide SPD:

Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> April and carries significant weight. This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seeks to protect and enhance the residential environment throughout the city.

HDG1 All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality/ Particular attention should be paid to:

- i) The roof form and roof line;
- ii) Window detail;
- iii) Architectural features;
- iv) Boundary treatments
- v) Materials;

HDG2 All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

45° Code This code is used as a way of assessing the impact that an extension will have upon the amenity of neighbours. The code does not take account of all factors on a site and is used as a guide which informs planning judgements.

## 8.7 National Planning Policy Framework

This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design. In respect of heritage local planning authorities are encouraged to sustain and enhance the historic environment.

## 9.0 MAIN ISSUES

- 1) Conservation Area/Design and Character
- 2) Neighbour Amenity
- 3) Vegetation

## 10.0 APPRAISAL

### Conservation Area/Design and Character

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy N19 notes that extensions within conservation areas should preserve or enhance the character or appearance of the area, and further general guidance in respect of design is given in policies GP5 and BD6 of the UDP and also the Householder Design Guide. Some additional guidance in respect of the Conservation Area is contained within the Linton Conservation Area Appraisal which notes the footpath to the rear of the site is a key pedestrian link within the village and also that the view across the western end of the application site is a key long distance view. It is noted however, that views across this part of the site have for some time been obscured by tall conifer trees predating the 2010 designation of the conservation area.
- 10.2 As outlined above concern was raised by Panel regarding the scale of development proposed and the relationship of the extension to the previous cottage; members requested that the scheme be reduced so that it appears more subservient to Dene Cottage. In response to this request the proposed rear gable has been removed and a hipped roof with a dormer is now proposed. The footprint of the building and its overall length and width have not been reduced. The introduction of the hip has reduced the length of the extension ridge by approximately 3.0m and thus whilst the extension remains the same size as on the previous plans, the overall visual massing of the extension has been reduced.
- 10.3 The loss of the gable and its replacement with a hip and hipped roof dormer does have an impact upon the character of the house. The hipped roof dormer is a new element to the building, with all other dormers being gabled, and the hipped roof is also different to the gables which are present on all other elevations. The Conservation Officer maintains an objection to this element of the scheme, however the loss of the gable has also improved the relationship of the extension to the footpath at the rear and views along Muddy Lane, with the hipped roof resulting in a softer, less visually intrusive development.
- 10.4 As such the amendments are considered, on balance, to be acceptable in this regard.

### Neighbour Amenity

- 10.5 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposal should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted”.

- 10.6 As outlined above concern was raised by panel regarding the impact of the development upon the amenity of neighbours members requested that the scheme be amended to reduce its impact upon the nearest affected neighbour. In response to this request the proposed rear gable has been removed and a hipped roof with a dormer is now proposed.
- 10.7 This neighbouring property in question is 'The Willows' which lies to the immediate west of the application site and, as previously noted the extension introduces 18.5m of two storey built development within 1.5-2.0m of the boundary. The main area of concern related to the projection to the rear of the application dwelling (north) which relates to the front of the neighbouring property. Previously two storey development with a gabled roof was proposed which projected approximately 4.0m forward of the front wall of the neighbour. As now proposed the development is still two storey and still projects 4.0m forward, however the bulk and massing of the roof has been reduced through the loss of the gable and the introduction of a hip. This then introduces a greater sense of space and reduces the visual dominance of the extension. Thus although the extension still does not conform with the 45 degree code as set out in the Householder Design Guide, the impact of this development must be weighed against the presence of 5.0 - 6.0m high hedging to the front section of the boundary which does currently help to soften the impact of the proposal and already restricts light to the neighbour's window. In addition beyond the hedge there was previously a double garage which had its particularly tall gable facing the boundary which would have already affected outlook from these windows. As such the impact upon the neighbour is considered to have been lessened to a reasonable degree.
- 10.8 As has been previously noted the application raises no significant concerns in respect of overlooking. Additional windows are proposed to all elevations of the scheme. Those to the north overlook the footpath and allow views toward Muddy Lane but will not have a significant impact upon neighbouring dwellings. Those to the east (which include the Juliet balcony) face into the applicant's front garden and toward Linton Lane and again will not have an impact upon neighbour amenity.
- 10.9 The windows which are proposed within the south elevation do face toward the common boundary with Hillfoot Cottage and serve a bedroom at first floor and a playroom at ground floor and thus would be considered secondary windows. These windows retain approximately 8.0m to the common boundary with guidance suggesting that a minimum of 7.5m is required. The site does slope to the south meaning that the impact of the windows will be heightened by the level changes, however the occupants of Hillfoot Cottage have previously commented on the scheme and have offered their support.
- 10.10 Windows are also included in the west facing elevation that look toward The Willows. These include high level windows to an open plan kitchen-dining area and standard glazing to a study room. The high level windows to the kitchen-dining area will not allow views of the neighbour's site and both these windows and those to the study are largely screened by the applicant's hedge and the neighbour's fence. It is acknowledged that the presence of windows along this side elevation could lead to the perception of increased surveillance and that the upper portions of the high level windows are visible over the fence line, however as there is unlikely to be any demonstrable overlooking, this perception of overlooking can only be given very limited weight. As the fence which screens these windows is within the control of the neighbour it is not considered necessary to impose its retention through a condition.

## Vegetation

- 10.11 Policy LD1 notes that “sufficient space [should] be allowed around buildings to enable existing trees to be retained in a healthy condition”. As has been discussed above the presence of vegetation along the boundary with the footpath helps to mitigate the impact of the extension on view toward Muddy Lane, and the boundary hedge between the application site and The Willows helps to mitigate the impact upon neighbour amenity. The appropriateness of a condition to retain the hedges along the boundary with the ‘Willows’ has been considered however, officers mindful of the fact that a High Hedges challenge could result in this hedge being reduced to a significantly lower height of approximately 1.8-2.0m as opposed to the 5.0 - 6.0m which currently exists, and therefore consider it is not appropriate for this section in this case.
- 10.12 The hedging which provides mitigation along the footpath can be protected by a standard condition which will also ensure replanting for a period of 5 years should the hedge die back. The tree along the footpath is trickier to retain as it does not have a sufficient amenity value in the wider area to warrant protection, however a special condition which requires the submission of a management plan and, in the event of its loss, replacement specimens to be provided, can be imposed. These conditions should ensure that the vegetation is maintained reasonably long term.

## **11.0 CONCLUSION**

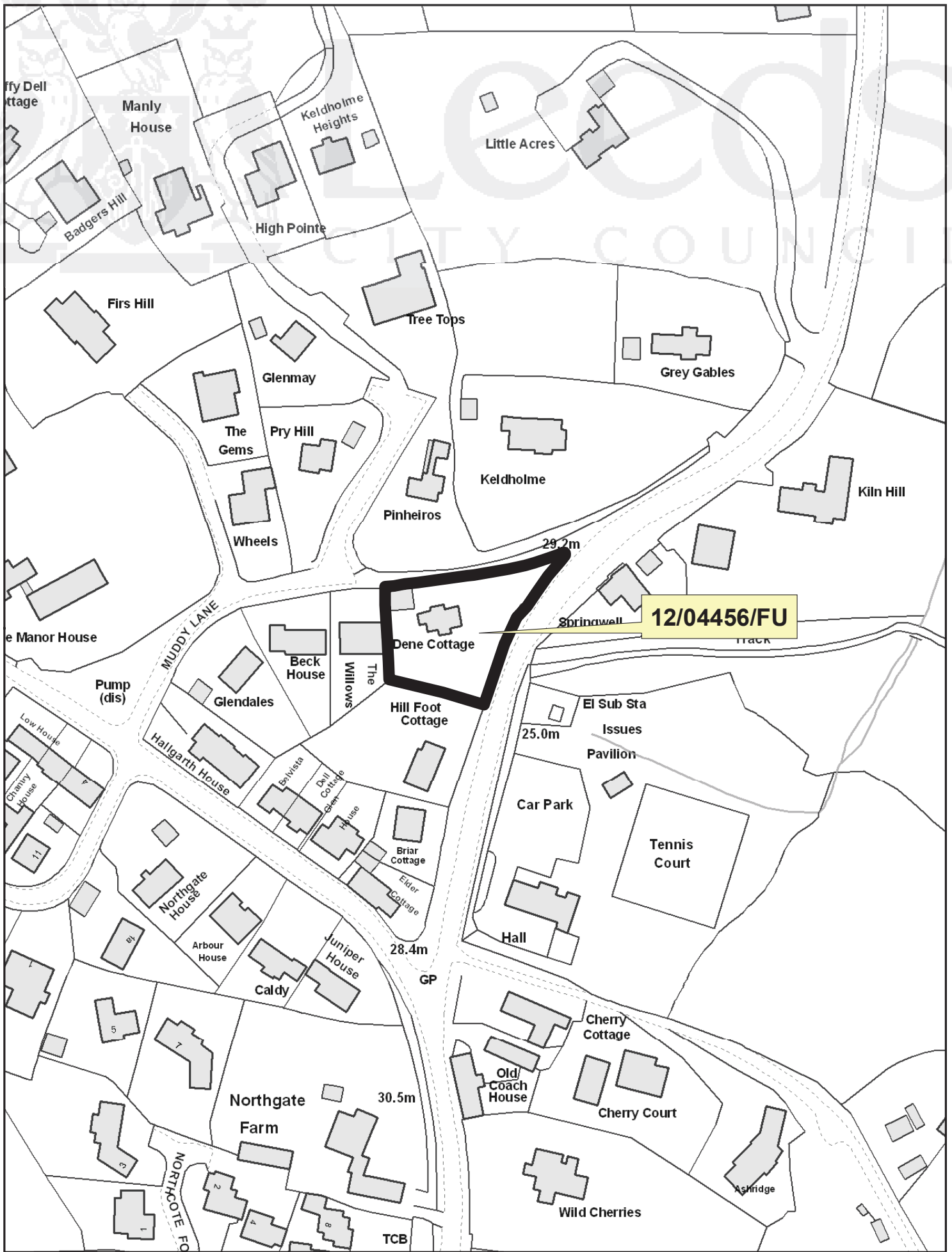
- 11.1 The planning application is, on balance, considered to be acceptable. It is not considered that the changes to the character of the dwelling and the new hipped roof with dormer harm the character and appearance of the conservation area. It is considered that the design of the extension sits comfortably with the remodelled dwelling and with the established character of the area. Having regard to the specific circumstances of this site it is considered that the impact upon the amenity of neighbours in respect of overlooking and overdominance is acceptable and thus the application is recommended for approval.

### **Background Papers:**

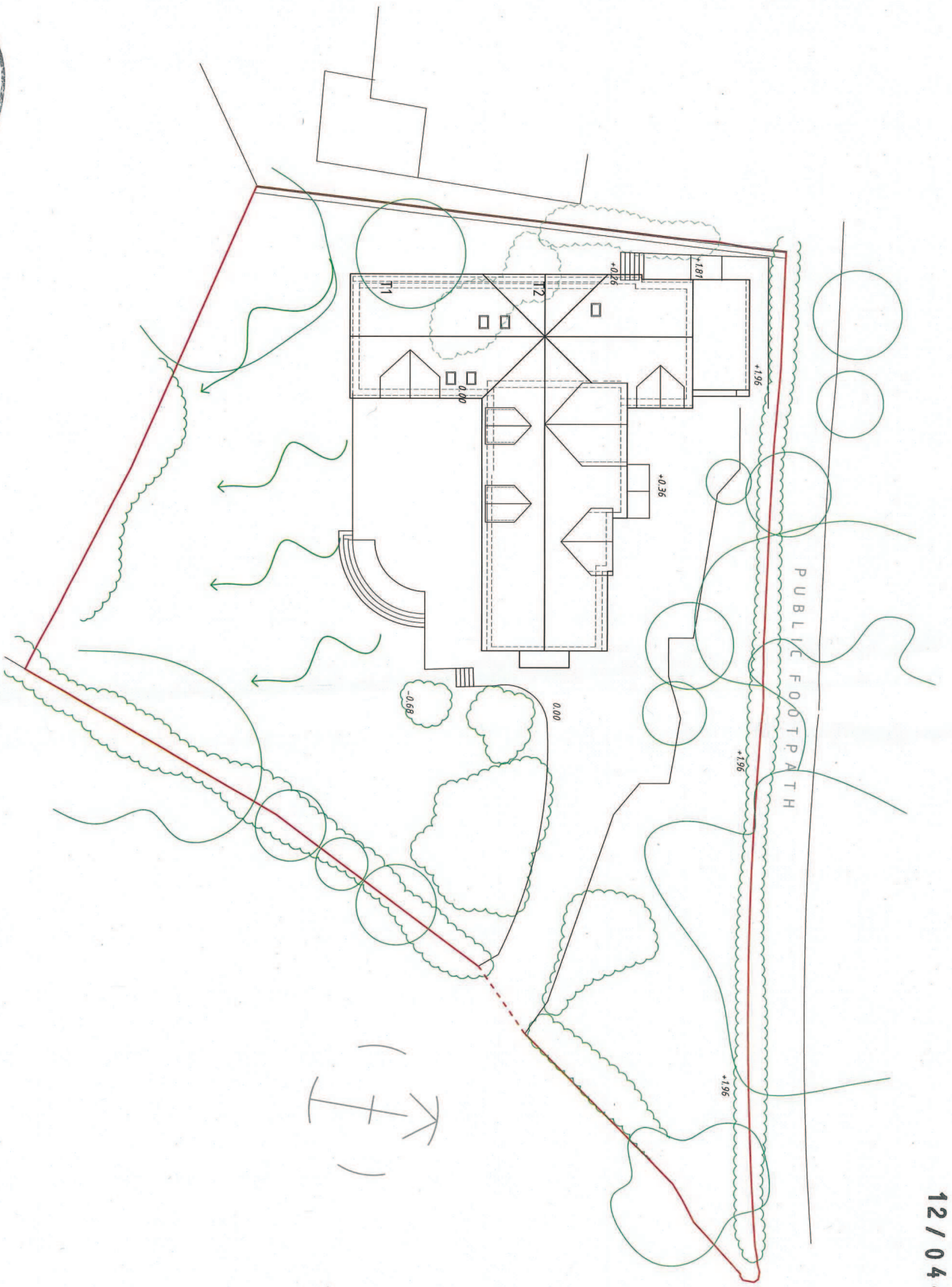
Application files 12/04456/FU

Certificate of ownership: Certificate A signed by agent





# NORTH AND EAST PLANS PANEL



PLOTTED USING OVERHEAD IMAGERY.

**Holdsworth Design Practice Ltd.**  
 Architectural Design & Services, 07769700912 / 01434 380002  
 Thortleigh, Nenthead, Cumbria, CA9 3PD. REG. NO. 00009 VANTAS 08/03/08  
 hdp@hdsdpr.co.uk

**Survey site plan.**

project Two storey side extension with internal alterations.  
 client Mr & Mrs M. Jamieson, Dene Cottage, Linton Lane, Linton, LS22 4HL.  
 dwg no JAM412 / PL4 rev I date OCT 2012 scale A3 @ 1:200



Originator: Aaron Casey

Tel: 0113 247 8059

## Report of the Chief Planning Officer

### PLANS PANEL NORTH & EAST

Date: 21st March 2013

Subject: **APPLICATION 12/05021/FU - Demolition of existing buildings and development of nine dwellings and associated works at Hallfield Lane, Wetherby.**

**APPLICANT**  
CFK Developments

**DATE VALID**  
3 December 2012

**TARGET DATE**  
28 January 2013

#### Electoral Wards Affected:

Wetherby

Yes Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **RECOMMENDATION: GRANT PERMISSION subject to the following conditions:**

1. Time limit
2. Development to accord with approved plans
3. Samples of all external materials including window materials (frames, cills, heads and the dormer windows) to be submitted for written approval
4. Landscaping Scheme to be submitted for written approval (hard and soft)
5. Implementation of landscaping
6. Retention of landscaping
7. Details and samples of surfacing to be submitted for written approval
8. Details of the proposed method of closing off and making good all existing redundant accesses to the development to be submitted for approval
9. The access(s) hereby approved shall not be brought into use until works have been undertaken to provide the visibility splays shown on the approved plans to an adoptable standard. These sight-lines shall be retained clear of all obstruction to visibility greater than 600mm in height above the adjoining carriageway for the lifetime of the development.
10. Prior to occupation all areas used by vehicles to be fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway.
11. The boundary wall of plots 1 and 2, fronting Hallfield Lane shall not exceed 600mm.

12. Retention of garages for use for parking of motor cars for the benefit of the occupant of the dwellings for the lifetime of the development.
13. The visitor parking shall be retained for the life of the development.
14. The works to widen and introduce the access and driveways to the development frontage will involve required works to the whole frontage. These works shall be carried out to adoptable standards and the widened area dedicated as public highway.
15. Development shall not commence until a scheme detailing the existing drainage layout of the site and details of a scheme detailing the proposed foul and surface water drainage works including details of any balancing works and off-site works have been submitted to and approved in writing by the LPA.
16. Unexpected contamination to be reported to the LPA
17. Remediation to be carried out as approved by the LPA
18. Removal of permitted development rights in respect of extensions, outbuilding and dormer windows.
19. Details shall be submitted for the approval in writing of the Local Planning Authority of the proposed means of minimising dust, mud, grit and dirt onto the public highway, caused by the permitted operations.
20. Details of all boundaries to be submitted for written approval.
21. Management plan showing satisfactory details of provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials, and the parking of vehicles of the workforce. A timetable of when works, collections and deliveries will occur during the week shall also be included in the management plan.
22. Notwithstanding the submitted details full details (including siting, materials and means of enclosure) of the proposed bin store(s) shall be submitted for written approval
23. Obscure glazing to all side elevation windows with the exception of house type B

**Reasons for approval:** The site is located within a sustainable location and planning permission has previously been granted for the residential redevelopment of the site. The scale, form and detailing of the proposed dwellings follow the simple architectural forms and details of the surrounding residential properties and in this regard would amalgamate within the local vernacular. Acceptable levels of private amenity space is proposed as is the level of off-street parking for each property. Accordingly the application is recommended for planning permission.

## **1.0 INTRODUCTION**

- 1.1 This application is brought to the Plans Panel for consideration at the request of Councillor John Procter, who has provided his planning reasons as concerns regarding highways safety as a result of the driveways facing Hallfield Lane.
- 1.2 Members are advised that in January 2007 outline permission was granted to erect nine dwellings. This outline application sought permission for the layout and access with all other matters to be considered at reserved matter stage. An extension of time application was approved in February 2010.

1.3 In terms of the differences in layout the approved outline and the scheme before Members is similar in respect of the position of the units. The clear difference is that the approved outline scheme proposed two courtyard arrangements providing off-street parking areas for all nine units whilst the current proposes only one courtyard which would serve a third of the development with all other units having private driveways accessed from Hallfield Lane.

## 2.0 PROPOSAL

2.1 This application seeks to construct nine, three bedroom dwellings on the site of a former veterinary surgery and a residential dwelling 'Hallfield Grange' which comprises two apartments.

2.2 The properties would be set out as a terrace of three, two pairs of semi-detached properties and two detached properties (although one of the detached properties is linked by its garage to a semi-detached property).

2.3 Each dwelling would have designated parking; plots 1 -2 and 7 -10 would have on-plot parking in respect of driveways and garages whilst the dwellings that form the terrace would have courtyard parking within the development except for plot 5 which has a driveway and garage. Each property would have private garden space. External materials would be brick, artificial slate, with white uPVC windows. Hard and soft landscaping is also proposed.

2.4 The applicant proposes three house types; A, B and C but Members will note that A and C are the same externally with the same internal layout. For clarity the house types have been address as A, B and C as submitted.

House Type	Height	Height to the eaves	Width	Depth
A	9.1m	5.0m	4.9m	9.0m
B	8.2m	4.9m	8.5m	6.5m
C	9.1m	5.0m	4.9m	9.0m

2.5 The proposed layout shows indicative planting within the plots to the fronts and rears as well as within the courtyard area.

2.6 The proposed layout shows the terrace set to the rear of the site fronting a courtyard arrangement that includes parking for the units and visitor parking as well as a covered cycle store. The remaining units would front Hallfield Lane with plots 1 – 2 being set back from the highway whilst plots 6 – 9 are set a little closer but all have landscaping to the front boundaries along with metal railings to provide a level of defensible space. Six punctuations would be made to the site frontage creating the driveways for units 1-2 and 6-9.

## 3.0 SITE AND SURROUNDINGS

3.1 The application relates to an L-shaped plot of land measuring 00.02 ha located on Hallfield Lane, Wetherby. The site housed a veterinary surgery and residential dwelling known as Hallfield Grange. The land has a gentle gradient raising from north to south.

- 3.2 The veterinary building was a single storey structure constructed in stone and was an architecturally simple building with hard-standing that offered informal off-street parking for users of the vets. Since this application was submitted this building has been demolished. Hallfield Grange is set back into the site and appears to date from the mid-Victorian period, constructed in stone with a slate roof and is of moderate attractiveness set within garden land.
- 3.3 Landscaping extended to boundary hedging and individual trees of limited status within the plot. Hallfield Grange would also be demolished to accommodate the proposed development as would the existing stone boundary wall that runs along the front boundary of Hallfield Grange.
- 3.4 The site is flanked by two storey detached properties that vary in scale, style and design as well as period of construction, the residential development continues to the south and sees one detached two storey property, then a pair of two storey semi-detached properties the form of development then becomes terraced bungalows, some with rooms in their roof. These bungalows are set relatively close to the highway and have an open aspect to their front gardens.
- 3.5 Hallfield Lane is predominantly residential in character containing a variety of styles of property also the bulk of residential development is mid-20<sup>th</sup> century; there is a school with associated playing field opposite the site and sheltered housing (Hallfield Court) to the rear, whilst further to the south are two attractive stone built chapels (St James). Notwithstanding Hallfield Grange and the chapels and a few other sporadic buildings, the architecture in the immediate area is of simple forms with little detailing.
- 3.6 The application site is within walking distance of Wetherby town centre with the Horsefair centre some 600m from the application site. In addition there are schools, medical facilities close by and bus stops within the area demonstrate that there are good public transport links. The site is in a sustainable location.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 12/02592/FU - Demolition of existing buildings and development of 10 dwellings and associated works – Withdrawn 5 October 2012 as a result of the scheme being considered to represent over-development, having poor rhythm within the street-scene and harming the living conditions of occupants of Hallfield Grange in respect on the proposed terrace which had 4 units.
- 4.2 09/05385/EXT – Application to extend the January 2007 for the outline application to erect nine dwellings. Planning permission was granted February 2010
- 4.3 06/06639/OT - Outline application to erect nine dwellings. This outline application sought permission for the layout and access with all other matters to be considered at reserved matter stage. Planning permission was granted January 2007
- 4.4 06/03897/OT - Outline application to erect 11 dwelling houses. Permission was refused October 2006 as the scheme was considered to represent an overdevelopment of the site including the built form and the level of hard-standing, thereby resulting in a development that would be out of character within the area and act to significantly harm the residential amenity of future occupiers. The scheme also provide sub-standard levels of parking.

4.5 31/526/03/FU - Detached two-storey veterinary surgery. This application was refused September 2004 due to the impact on residential amenity. The applicant subsequently appealed and that appeal was dismissed April 2005.

4.6 31/409/02/OT - Outline application to erect veterinary surgery and two-storey block of six flats. This application was refused on the grounds of highways, residential amenity and character in December 2002. The applicant subsequently appealed and that appeal was dismissed April 2003.

## **5.0 THE HISTORY OF NEGOTIATIONS**

5.1 Notwithstanding the extant outline permission for the site in respect of the layout and access (with the scale, appearance and landscaping to be considered at reserved matters stage) pre-application discussions were entered into between the applicant and officers. Advice was given that proposed dwellings should generally respond in height to existing development and that any formal scheme should be mindful of providing acceptable levels of amenity space in line with guidance contained within Supplementary Planning Guidance -Neighbourhoods for Living.

5.2 Initially a scheme for 10 units was submitted and subsequently withdrawn for the reasons cited in the planning history section of this report . This current scheme for nine units is in response to the previous concerns.

5.3 Further to the amendments Councilor John Procter request a senior officer review in respect of the implications on highway safety. This was undertaken on the 6 February 2013 and no objections were raised in principle but further amendment were requested with regards to sightlines from plot 9. A change in house type satisfied this point and the scheme before Members is supported by highways.

## **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 Three site notices were posted; one on Hallfield Lane, one on Freemans Way and one on Montagu Road the 14 December 2012 advising that any representations should reach the LPA by the 4 January 2013.

6.2 The Town Council were notified on the 4 December 2012.

6.3 No letters of representation have been received from local residents and Wetherby Town Council have raised no objections to the proposed development but have requested that a condition be added to restrict HGV's delivering to the site between the hours of 08:30 to 09:00 and 15:30 to 16:00 to coincide with school children arriving and leaving the nearby school.

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Contaminated Land:**

No objections have been raised by the Contaminated Land Team subject to conditions.

### **7.2 Highways:**

A senior officer review was undertaken regarding highways implications and no objections have been raised subject to conditions. Full details of highways matters are covered in the appraisal section of this report.

### **7.3 Drainage:**

No objections subject to conditions

7.4 Yorkshire Water:  
Yorkshire Water have not responded to this application but their comments regarding the previously withdrawn scheme are considered to be relevant. YW did not object to the scheme but suggested conditions in line with those of the Councils Drainage Engineers.

**8.0 PLANNING POLICIES:**

8.1 The development plan includes the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and Supplementary documents. The emerging local plan will eventually replace the Leeds UDP (2006) but at the moment this is still undergoing production.

8.2 Draft Core Strategy - The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.3 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

The application site is not identified within the Leeds UDP (2006) for any specific purpose.

8.4 The below UDP policies, supplementary development documents and national guidance are considered to be relevant to this application.

**Local**

Policy GP5 - refers to development proposals should seek to avoid loss of amenity.

Policy H4 - refers to housing on other sites not identified in the LUDP (2006).

Policy BD5 - refers to new buildings be designed with consideration to both own amenity and surroundings.

Policy N12 – refers to urban design

Policy N13 – refers to design of new buildings

Policy LD1 – refers to landscaping

Policy N23 – refers to open space and the retention of existing features which make a positive visual contribution.

Policy N25 – refers to boundaries around sites

Policy N26 – refers to the requirement to provide landscaping details.

Policy T24 – refers to parking

Policy T2 – refers to highway safety

Supplementary Planning Guidance- Neighbourhoods for Living: A guide for residential design in Leeds (Dec 2003).



- 8.5 National Planning Policy Framework (2012):
- Promotion of sustainable (economic, social and environmental) development.
  - Encourage the effective use of previously developed land.
  - Secure high quality design.
  - Promote the delivery of housing to meet local needs (5 year supply and affordable housing).

8.6 Circular 11/95 – The use of conditions in planning permissions

## 9.0 MAIN ISSUES

- Principle of development
- Effect on Character
- Effect on residential amenity
- Highways
- Representations
- Conclusion

## 10.0 APPRAISAL

### Principle of development

- 10.1 The application site is located within a wider established area of a residential settlement and is not identified within the Leeds Unitary Development Plan (review 2006) for any specific purpose. The site is close to local facilities and as such is considered to be in a sustainable location. The National Planning Policy Framework (NPPF) identifies one of its core principle as encouraging the effective use of land by reusing land that has been previously developed (Brownfield land). This application refers to residential development on land that has previously been developed in terms of the existing built structures and hard-standing areas, as such it can in part be regarded as Brownfield. The garden land is however classified as Greenfield (following changes made by the then Government in June 2010).
- 10.2 Section 6 of the NPPF deals with the need of housing and para. 53 states that LPA's should set out policies to resist inappropriate development of residential gardens, i.e. where development would cause harm to the local area. Thus, the emphasis on local character is still a paramount consideration when dealing with residential development on garden sites, as such the NPPF reflects the Council's approach in seeking to resist inappropriate development and placing emphasis on design and protecting the character of an area. It is however also important to note that each planning application must be judged on its own individual planning merits.
- 10.3 The principle of residential development on the site has previously been accepted (see planning history) with the granting of outline planning permission in January 2007 and the extension of this outline permission granted in February 2010. This planning permission is still extant.

- 10.4 In respect of the impact on local character; it is not considered that the loss of the garden area would effect the character of the locality which is a relatively high density residential area as the garden only forms a portion of a larger site. The existing development is built up to the highway in terms of the veterinary building and set into the site in respect of the existing house 'Hallfield Grange' and the garden area is well screened from the public realm and does not form what can reasonably be regarded as a constant theme within the grain of the local character. The proposed development would include private garden areas for each dwelling thereby reinstating Greenfield land on the site albeit as reduced pockets of garden when measured against the existing garden area.
- 10.5 It is considered that the proposed level of housing, its scale and architectural appearance is consistent within the spatial context of the immediate area. Furthermore the loss of the large garden is considered to be acceptable as such features are not common within the area.
- 10.6 In light of the above and notwithstanding the previous approval for residential on site the principle of the proposed residential development on the site is considered to be acceptable.

#### Effect on Character

- 10.7 The southern part of the application site is currently occupied by Hallfield Grange, which is a large dwelling built in natural stone. Hallfield Grange is a property of moderate attractiveness and whilst its loss is regrettable, however its demolition has already been accepted in principle (see planning history). Hallfield Grange is set towards the rear of the site with a strong boundary screen to the front acting to partially screen the property from the highway. To the northern part of the site a single storey stone built building and associated hard-standing extends up to the highway; this formed the veterinary surgery.
- 10.8 The application proposes three house types, identified on submitted plans as house type A, B and C. The proposed dwellings would include two pairs of semi-detached properties (plots 1 -2 and 7 -8) two detached properties (plots 6 – 9) although plot 9 would be linked to plot 8 by their respective garages; and a terrace of three properties (plots 3 – 5). Plot 9 does break the rhythm a little on the proposed street-scene but on balance in achieving a better solution in highway safety in respect of visibility when entering and upon egress of the driveway as well as moving the building away from the northern boundary, the house type to plot nine and the resulting street-scene is considered acceptable.
- 10.9 The NPPF identifies assessment variables when considering design to ensure that new development should take the opportunities available for improving the character and quality of an area and the way it functions, the NPPF goes on to say that good design is a key aspect of sustainable development and is indivisible from good planning.

- 10.10 There is good separation between each property proposed and those that already exist, including the flanking properties and Hallfield Court to the rear. Each property would have private garden space and associated parking. The site would be laid out with the main aspects of units on plots 3 - 5 facing onto a courtyard area set within the development. This part of the site has the terrace of three properties. Units on plots 1 – 2 and 6 -9 would have their main aspects facing out onto Hallfield Lane with pedestrian access and a planted boundary demarking the plots. The proposed layout utilises the sites constraints in terms of its shape and size with good affect so that the character of the Hallfield Lane and the surrounding area is preserved.
- 10.11 The proposed scale, form and massing of the dwellings is considered to respond to the local vernacular, where properties take an array of forms, scale, height and architectural detailing, the local properties are set within small to medium plots representing the scale of the property that occupies the plot. The proposed design ethos has taken reference from the surrounding area where the urban architecture is simple and utilitarian. Therefore the proposed design offers a conventional approach with pitched roofs, gable features with artstone window heads to the front and flat arching at the rear of the properties. Pitched roofed dormer windows are proposed on house type A and C to the front roof-slope whilst porches to the front elevations of house type A and C and gable features to the front of house type B creates some level of visual interest to the frontages. External materials would be brick with artificial slate roofs; all external materials can be secured by condition.
- 10.12 Plots 6 – 9 are relatively close to the highway which is not thematic within the locality in terms of existing residential development however the existing veterinary building does sits right up to the highway. Whilst this existing building is single storey in height and the proposed dwellings would terminate at a height in excess of the existing building, they would be set slightly back from the highway with landscaping to the front providing demarcation and some level of defensible space. It is considered that the properties located in near proximity to Hallfield Lane would not be unduly harmful to the character and appearance of the area and properties in similar locations have already been accepted under the approved outline application. Moreover, the remaining properties would be set further into and to the rear of the site going some way to reflect the set back nature of Hallfield Grange. The separation distances between dwellings, proposed and existing, is considered to be generally in line with those provided as guidance in SPG -Neighbourhoods for Living resulting in a layout that avoids appearing overly cramped and convoluted.
- 10.13 The submitted site layout plan shows an indicative landscaping scheme which indicates a good level of planting to bring a sense of visual balance in relation to the level of hard-standing. A planning condition can secure that a landscaping scheme be submitted for written approval by the Council prior to any works ensuring important points of the site are suitably landscaped to an appropriate level.
- 10.14 Boundary treatments within the locality fronting Hallfield Lane take the form of low level fencing, mature hedging with some properties having open aspect fronts. The existing stone wall that acts as the boundary to Hallfield Grange is of limited character but its retention in some small part would be of benefit. It is accepted that some of this wall would be lost but the applicant has agreed to retain the wall as far as possible, re-using existing stone where necessary. A condition can secure such details.

- 10.15 SPG -Neighbourhoods for Living provides guidance that private garden space for family use should have a minimum area of 2/3 of total gross floor area of the dwelling excluding vehicular provisions. Acceptable sized rear private garden areas are proposed and those proposed generally accord with those of the extant outline planning permission for layout and access.
- 10.16 The proposed layout shows provision for the storage of bins off the highway and away from the public realm. Details of bin stores can be secured by condition.
- 10.17 In light of the above it is considered that the siting and physical relationship of the proposed development to surrounding properties is considered compatible with the spatial character of the immediate locality and therefore the design approach, whilst acutely simplistic and conventional, is considered acceptable in planning terms.

#### Effect on residential amenity

- 10.18 Guidance contained within Neighbourhoods for Living states that a separation distances of 10.5m from main windows (living and dining rooms) to boundaries and 7.5m from secondary windows (bedrooms and ground floor kitchens) to boundaries are acceptable. Guidance also details that a separation distance of 21m between main aspect windows and main aspects, and 18m between secondary windows and main aspect windows. Although it is noted that it is inappropriate to simply apply the minimum distances as outlined in the SPG.
- 10.19 It is considered that the development, within the context of the local area, proposes a layout that enables acceptable spacing between dwellings without creating any infringement onto the residential amenity of future occupants of the proposed houses. Separation distances to the boundaries and main aspects are considered to be comparable with existing development already found within the area.
- 10.20 It is not considered that the proposed front and rear elevation windows would offer outlooks that would infringe on the privacy of future occupants or that of existing residents of neighbouring properties. A separation distance of approximately 22m would exist between the front elevation of plots 3 – 5 and the proposed properties to the west plots 1 and 2. This exceeds the distances provided in Neighbourhoods for living. All other proposed front elevation windows would face onto the highway and the playing fields of the school opposite the site.
- 10.21 Hallfield Court is located to the north of the application site and is a residential development of retirement apartments and units within that building would face onto the proposed development. The southern elevation of Hallfield Court would be some 15m from the side elevation of proposed plot 5; this distance exceeds the 12m detailed in guidance (the separation between main aspect windows and side walls). To the western elevation there is a distance of 13m between Hallfield Court (at its closest point) and the rear elevations of proposed plots 7 -9. The windows to the western elevation of Hallfield Court appear to be side elevation windows and guidance states that 9m should be retained between secondary windows and side elevation windows, therefore the 13m can be accepted. Acceptable boundary treatments around the proposed scheme would screen ground floor windows thereby adding to the protection of the living conditions of existing residents.

- 10.22 Moreover, all proposed side elevation windows can be conditioned to be obscurely glazed to avoid outlooks onto flanking properties private amenity areas. Although the side elevation windows of House Type B (plot 6) would not create outlooks harmful to privacy and is therefore considered exempt from the need for opaque glazing. The proposed gardens sizes are adequate to ensure that no harmful levels of overlooking would occur from main ground floor windows. A number of garden depths fall below the 10.5m detailed in guidance but the separation distances between buildings and the requirement for adequate screening along boundaries is considered to mitigate for this. Boundary screening would form part of the landscape scheme. Landscaping and boundary treatments can be secured by condition.
- 10.23 It is not considered that the proposed development would create unacceptable levels of shade onto existing amenity areas of the flanking properties and Hallfield Court that would be significantly harmful to residents living conditions. Nor would the proposed built development create what can be reasonably considered as detrimental levels of shade onto the proposed gardens areas from neighbouring properties as proposed.
- 10.24 The proposed height of the dwellings more or less reflects the height of 'Moonfleet' and Hallfield Court. It is considered that adequate separation between the existing surrounding development is achieved. At two storey level proposed plot 2 would be some 3.5m from the boundary of 'Moonfleet' to the south of the site with plot 9 having 4.5m to the side boundary, both these figures are considered acceptable and are in accordance with the 3.5m provided in guidance.
- 10.25 Therefore on balance the separation distances that would be retained between the proposed and the existing developments in terms of the dwellings and the associated garages of plots 5 and 2 are considered to deal with avoiding proposed built development that would be harmful to living conditions of neighbouring occupants. Activities associated with the use of the proposed dwellings would be unlikely to be unduly harmful to the living conditions of neighbouring occupants.

#### Highways

- 10.26 A technical view was sought from Highways who considered that the scheme is acceptable subject to conditions. An issue was raised by Cllr John Procter regarding the parking options for plots 6 -9 particularly the implications of parent parking associated with the nearby school (St James C of E School) and how such parking would affect access to the driveways serving the proposed development. In response to these concerns a Senior Highways Officer conducted a review of the original highways assessment.
- 10.27 Hallfield Lane is 5.5m to 5.6m wide in the vicinity of the site, which is sufficient to accommodate two large vehicles passing. On the western flank of Hallfield Lane and opposite the development site is St James C of E School. The footway varies in width between 1.7m and 1.85m along the school frontage. The development would widen the currently substandard footway to a consistent 2m across the site frontage. The speed limit along Hallfield Lane has very recently been reduced to 20mph.
- 10.28 The eastern footway on the frontage of the development site varies in width between 1.2m and 2m. For much of its length the width is 1.2m and substandard by current standards. Approximately 50% of the existing footway is a dropped crossing associated with the former vets.

- 10.29 Plots 6 -9 are served directly from Hallfield Lane, the remaining 3 units (plots 3 to 5) are served from a shared access giving access to the rear of the site. All the dwellings have at least 2 off-street car parking spaces. Visitor car parking spaces are provided within the shared access, and Hallfield Lane (at 5.5m width) is of a suitable width to accommodate on-street parking. Highways consider that the development has appropriate levels of off-street parking and sufficient opportunities for visitor parking.
- 10.30 Specific concern raised by Cllr Procter is that future residents will have difficulty accessing their drives when on-street parking occurs as a result of parent parking associated with the nearby school. School Zig-Zag markings are present on the western frontage of Hallfield Lane encompassing the vehicular and pedestrian accesses to the school and an informal pedestrian crossing with tactile paving. The Zig-Zags extend only slightly into the development frontage, the majority of the development frontage (western and eastern flank) is therefore unrestricted. The afternoon parent pick-up is typically the worst case which was observed on the 6 February when the highways review was carried out. During the site visit two cars were present throughout the duration of the stay outside No.48 Hallfield Lane (on the eastern flank) and were not associated with the school. All parking associated with the school parked on the western flank of Hallfield Lane. A maximum of 10 cars were observed north of the school Zig-Zags (covering the development frontage) and 5 to the south of the Zig-Zag markings. The first vehicle arrived at 3:05 with the majority arriving immediately before 3:15. All vehicles had left by 3:25. A parent stated that the levels of car parking observed were what was typical at the school.
- 10.31 As previously advised the width of the Hallfield Lane carriageway is 5.5m and the presence of continuous on-street parking reduces the effective width so that two way passing was no longer possible during the school pick up period. It was observed that this caused only minor inconvenience to passing traffic and tended to act as traffic calming. Although car parking would be present across the frontage of the proposed development, the remaining width, together with the width of the widened footway and wider than typical drive widths would be sufficient to enable vehicles to leave and enter their drives. Parent parking therefore could only be considered an inconvenience that occurs for a short period twice a day, and affecting only a small number of potential trips.
- 10.32 In respect of accident statistics, Council records show that there have been no recorded injury accidents in the vicinity of the site in the last 5 years, which is the normal period of review. Vehicular tracking diagrams have been submitted by the applicant which confirm that access to the driveways would be possible.
- 10.33 It is also noteworthy that south of the existing Zig-Zag markings, a number of properties have individual driveways (comparable to the proposal) in the area that parent parking occurs.
- 10.34 Notwithstanding the above, an area of concern was raised in terms of the visibility from the driveway of plot 9. Visibility from this plot is restricted to the north as a result of the narrow footway north of the site and the adjacent site boundary planting. The visibility from this driveway is restricted to approximately 2.4m x 8m rather than the 2.4m x 25m required by the Council's adopted Street Design Guide SPD. Given that the site is to be cleared this issue was designed out by changing the house type from B to C (only as a detached unit rather than a semi).

10.35 In light of the above it is not considered that an objection to the principle of the several driveways along Hallfield Lane could be sustained.

Representations

10.36 No letters of representation have been received from local residents and the Town Council have raised no objections subject to a condition regarding collection and delivery times to the site. A management plan can be submitted by the applicant that contains details of works operations that include collection and delivery times at the site. A management plan can be secured by condition.

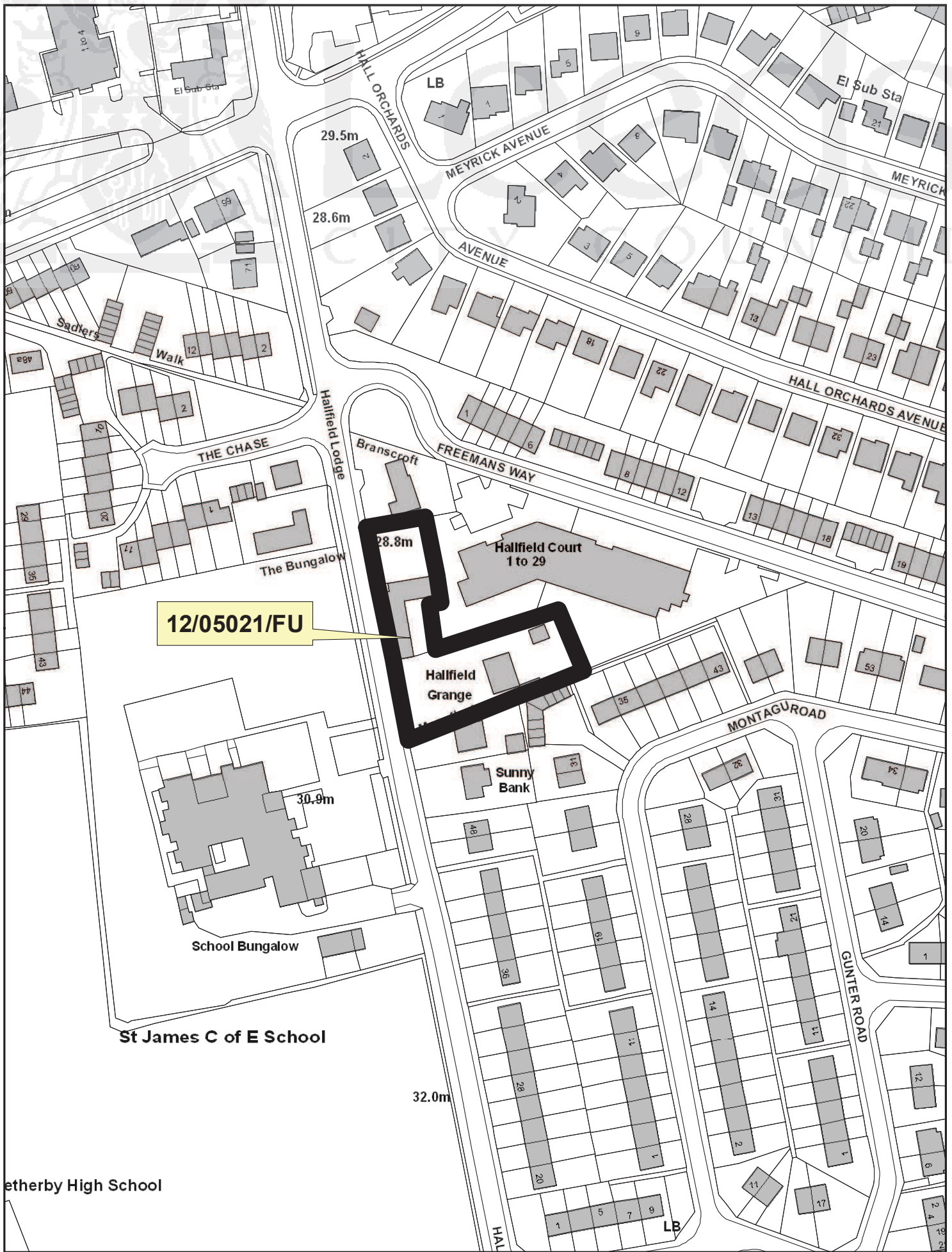
**11.0 CONCLUSION**

11.1 After due consideration this application is recommended for approval for the above reasons and subject to the conditions at the head of this report. It is considered that the principle of development fits with planning policy and that the design, scale and spatial setting of the development sits comfortably with the established residential character of the area and meets the guidance set out in Neighbourhoods for Living. The scheme has been amended to meet concerns in respect of pedestrian and highway safety. It is considered that the cumulative effect of the proposed housing would not be significantly greater than the scheme approved subject to the appeal. Accordingly the application is recommended for planning permission.

**Background Papers:**

06/06639/OT and 09/05385/EXT

Certificate of Ownership (Cert B) signed by the agent for the applicant : 26 November 2012



# NORTH AND EAST PLANS PANEL





Originator: J Thomas

Tel: 0113 222 4409

## Report of the Chief Planning Officer

### NORTH AND EAST PLANS PANEL

Date: 21<sup>st</sup> March 2013

**Subject: 13/00160/FU – New first floor to existing bungalow to form house; two storey side/rear extension with terrace to rear and steps to side; canopy to front; widened vehicular access and enlarged area of hardstanding to front at ‘The Bungalow’, Main Street, Linton, LS22 4HT**

#### APPLICANT

Mr and Mrs A Audsley

#### DATE VALID

22<sup>nd</sup> January 2013

#### TARGET DATE

19<sup>th</sup> March 2012

#### Electoral Wards Affected:

Harewood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission;
2. Stone sample panel;
3. Slate to the roof;
4. Widening of access carried out prior to commencement of extension;
5. Details of conditions for contractors prior to commencement of any works;
6. Garage and hardstanding retained;
7. Boundary treatment installed/retained;
8. No insertion of windows to side gables.

**Reasons for approval:** It is considered that the proposed extensions are an acceptable form of development as they will not harm the character of the application dwelling, the wider conservation area nor harmfully impact upon the amenity of neighbours. As such the development is considered to comply with policies GP5, BD6 and N19 of the Unitary Development Plan Review (2006) and HDG1 and HDG2 of the Householder Design Guide SPD.

## 1.0 INTRODUCTION

- 1.1 This application is brought to Panel at the request of Councillor Rachael Procter due to the objections of local residents and the fact that the previous application was determined by Panel.

## **2.0 PROPOSAL**

- 2.1 The applicant seeks permission to create a new first floor to an existing bungalow and construct a two storey side extension. Permission was granted in 2010 for the demolition of the existing bungalow and its replacement with a five bedroomed house. This current application is essentially an amendment to that permission which seeks to extend the bungalow rather than demolish; the overall footprint, height and massing of the extended dwelling are similar to the replacement house.
- 2.2 The new first floor is created by increasing the ridge height of the dwelling by approximately 2.1m and adding a large wall dormer to the rear. The side extension is located to the south-western elevation of the cottage and lies beyond the existing extension. This new extension will be set back from the front wall of the dwelling by approximately 1.25m and extends 9.5m back into the site. It will be 5.5m in width and its gabled roof will be 4.3m and 7.3m to eaves and ridge. This creates a garage and store to the ground floor and additional living accommodation to the upper floor. An oriel window is proposed to the front with feature glazing to the rear. The land level changes within the site are such that to the rear this first floor accommodation allows level access to the garden. A canopy is also proposed to the front and new steps at the side to give access to the rear garden.
- 2.3 Works are also proposed to the driveway to widen the existing access point and provide additional turning and parking areas to the front of the dwelling.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a detached, single storey cottage which is set just off Main Street, close to the historic core and within Linton Conservation Area. The property is constructed from locally quarried magnesian limestone and is partly rendered. The gabled roof is constructed from red pantiles.
- 3.2 The property is set up from Main Street and is accessed by a steeply sloping driveway. This severe gradient, in which the land is rising from the level of the Wharfe, continues throughout the site with the land rising to the north-west and the garden areas of the property being set above the finished floor levels of the dwelling. The main garden areas are set to the rear and are bounded by vegetation of varying densities. A detached shed is situated on the common boundary with Old Rose Cottage which lies to the south.
- 3.3 The surrounding area is largely residential and is part of the historic core of the village which extends along Main Street to the north and incorporates part of Northgate Lane. The majority of houses around the application site are two storey and constructed of stone. Those opposite the application site being pavement fronting and those to the same side of Main Street often set back from the highway and within more spacious grounds. A stone retaining wall fronts the highway and this, coupled with the houses opposite creates a sense of enclosure and restricts visibility along Main Street.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 07/07530/FU Detached 4 bedroom dwelling with integral double garage  
**Refused**  
**Appeal Dismissed**
- 07/07531/CA Conservation area application for demolition of bungalow  
**Refused**  
**Appeal Dismissed**
- 09/01815/FU Detached 4 bedroom dwelling with integral double garage  
**Refused**  
**Appeal Dismissed**
- 09/01814/CA Conservation area application for demolition of bungalow  
**Refused**  
**Appeal Dismissed**
- 10/03171/FU Detached 5 bedroom dwelling with integral double garage  
**Approved (Panel)**
- 10/03172/CA Conservation area application for demolition of bungalow  
**Approved (Panel)**

## 5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application advice was sought with officers of the opinion that as the proposed extensions were of a similar size and scale to those previously approved an application would be viewed favourably, subject to the outcome of consultations.

## 6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by neighbour notification letter, site notice and newspaper advert. Objection letters have been received from:

The Parish Council who raise concerns regarding the access and highway safety and impact upon drains.

The occupants of Rose Cottage who raise concerns regarding loss of view, the proposed new access steps, potential damage to property, loss of vegetation, drainage, highway safety, loss of the front boundary wall and disruption during construction.

The occupants of Linton Old Farm who raise concerns regarding damage to property from water run-off and disruption during construction.

The occupants of Wharfe View who raise concerns regarding window materials, works to the front boundary wall, highway safety and disruption during construction.

## 7.0 CONSULTATIONS RESPONSES:

- 7.1 Highways raised initial concerns regarding the proposal noting that there was insufficient hardstanding within the site to allow vehicles to enter and exit in a forward gear. Revised plans have been received which provide additional hardstanding and also widen the existing access. Highways now express no objection to the proposal provided conditions are imposed which:

Retain the garages;  
Ensure provision for contractors during construction;  
Ensure the access is widened prior to the start of construction.

## **8.0 PLANNING POLICIES:**

8.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006).

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.3 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

8.4 UDP Policies:

GP5 Refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

BD6 All alterations and extensions should respect the scale, form, detailing and materials of the original building.

N19 New development should preserve or enhance the character and appearance of the Conservation Area.

LD1 Any landscape scheme should normally:

i. Reflect the scale and form of adjacent development and the character of the area;

ii. Complement and avoid detracting from views, skylines and landmarks;

iii. Provide suitable access for people with disabilities;

iv. Provide visual interest at street level and as seen from surrounding buildings;

v. Protect existing vegetation, including shrubs, hedges and trees. Sufficient space is to be allowed around buildings to enable existing trees to be retained in a healthy condition and both existing and new trees to grow to maturity without significant adverse effect on the amenity or structural stability of the buildings;

vi. Complement existing beneficial landscape, ecological or architectural features and help integrate them as part of the development;

vii. Be protected, until sufficiently established, by fencing of a type appropriate to the prominence of the location, around all those parts of the landscaping susceptible to damage.

## 8.5 Householder Design Guide SPD:

Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> April and carries significant weight. This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seeks to protect and enhance the residential environment throughout the city.

HDG1 All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality/ Particular attention should be paid to:

- i) The roof form and roof line;
- ii) Window detail;
- iii) Architectural features;
- iv) Boundary treatments
- v) Materials;

HDG2 All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

## 8.6 National Planning Policy Framework

This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

In relation to heritage, local planning authorities are encouraged to sustain and enhance the historic environment.

## 9.0 **MAIN ISSUES**

- 1) Design and Character/Conservation Area
- 2) Highway Safety
- 3) Neighbour Amenity
- 4) Representations

## 10.0 **APPRAISAL**

Design and Character/Conservation Area

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”, whilst policy N19 seeks to persevere or enhance the character, or appearance of the area. This advice is elucidated and expanded within the Householder Design Guide.
- 10.2 As has been outlined above the existing dwelling is a vernacular cottage built of traditional materials. It is a neutral building within the conservation area and as such demolition or substantial alteration could be acceptable. The history of appeals on the site have established that the visual impact of development on the site is a significant consideration and both appeals were dismissed as they were considered to harm the character of the conservation area; views across the site were of particular concern. Following the two dismissed appeals consent was granted for the demolition of the existing dwelling and replacement with a five bedroomed house. This permission allowed a long, one and a half storey gabled dwelling which stretched across the width of the site with a strong transverse gabled feature to its south-western end. An additional peaked gable provided some articulation to the frontage whilst dual peaked gables were included to the rear. This was considered acceptable as its design reflected the gabled vernacular of the village and its one and a half-storey height reflected the scale of other dwellings within the village and retained views through the site.
- 10.3 The proposal under consideration has a very similar design. The roof of the existing cottage is raised to a similar height as the approved scheme and although marginally higher (300mm) this increase is not considered to have a significantly different material impact upon views. The existing cottage is retained as a long building stretching across the width of the site and a strong, transverse gable is added to its south-western elevation. The existing front gable is retained and to the rear a wall dormer is also included. The design is therefore very similar to the approved scheme and is considered to adequately reflect the vernacular style of Linton Village. The overall footprint, siting, size, scale, height and massing are also similar to the approved scheme. The materials which are proposed are also considered to be appropriate. The walling materials will match the existing and will be stone with painted render with the existing out of character concrete tiles are to be replaced with slate. A sample panel condition will be imposed to ensure that the new stonework harmonises with the existing.
- 10.4 Concern has been raised by neighbours with regarding to the proposed use of uPVC windows; wooden windows were imposed by condition on the previous approval. Although the use of uPVC windows within a conservation area is regrettable and does lead to a general diminution of character, because the current application is for an extension to an existing dwelling and not a new build property the policy tests are slightly different. Where existing houses are being extended the materials must usually match the existing and the authority is not able to impose conditions which do not reasonably relate to the development. The existing windows to the property are uPVC and the plans shows that many are to be retained in situ and the authority cannot reasonably impose a condition which would require the applicant to replace all the existing windows. As such imposing a condition which sought to achieve wood windows for the new areas of glazing would

lead to an unfortunate mix of window materials. As such whilst the use of uPVC is not encouraged, in this instance it is not considered appropriate to insist upon timber windows.

- 10.5 Concern has also been expressed regarding the loss of part of the front boundary wall through the widening of the access. The existing boundary wall forms a part of the street-scene of the conservation area, and as noted above (site and surroundings) this section of Main Street has a sense of enclosure and the boundary wall and gradient of the application site contribute to this character. The wall itself is not particularly historic and although the wholesale loss of the boundary wall is unlikely to be considered acceptable, the loss of a small section to facilitate a safer access point raises no significant concern. It is also noted that the authority has limited powers to control partial demolition within a conservation area, and thus the loss of a small section of the wall cannot easily be controlled.
- 10.6 As such the proposal is considered acceptable in this regard.

#### Highway Safety

- 10.7 Significant concern has been raised by local residents in respect of highway safety who note that the existing access is substandard and ask that a second access point to the north-east of the existing be considered. Whilst highway safety is an important material consideration it should be noted that neither of the two dismissed appeals considered highway safety a significant concern in relation to this site, and the approved five bedroomed dwelling did not seek to amend, alter or improve the access. As noted by the previous case officer, because the access is existing and the use of the site is not being intensified it is difficult to demonstrate that there is any increase in harm. Introducing a second access would require significant works to alter the gradient to an acceptable standard and this would significantly affect the landscape character of this section of the conservation area.
- 10.8 However, this said, the applicants have sought to improve the existing situation, by widening the existing access to increase visibility and also increasing the hardstanding to allow vehicles to turn within the site. The number of parking spaces has also been increased with the site having provision for three cars to be parked without impinging upon the turning area. Highways officers, initially uncomfortable with the proposal, now considered the revised scheme acceptable, subject to conditions. It is noted that one representation suggests a condition be imposed which prevents vehicles turning right out of the site. This condition cannot be imposed as it does not pass the tests of circular 11/95, being neither reasonable or enforceable.
- 10.9 Concern has also been raised regarding the impact of construction traffic upon highway safety. Although it is not usual to impose any restrictions upon building works relating to house extensions, in this instance the imposition of a condition is considered to be justified. There is no space within the immediate vicinity for the road to accommodate the on-street parking which often occurs during construction. The disruption which would occur would affect all traffic passing through the village and could narrow the carriageway to a point where busses and other large vehicles were unable to pass. As such a condition requiring the upgrade works to the access prior to the commencement of construction and another requiring details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles to be provided prior to construction will be imposed.

- 10.10 As such, subject to the conditions requested by highways, the proposal is considered to be acceptable in this regard.

#### Neighbour Amenity

- 10.11 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposal should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overdominance, overshadowing or overlooking will be strongly resisted”. These will each be discussed in turn.
- 10.12 The extensions which are proposed do significantly increase the mass of the dwelling, with the works projecting close to the common boundary with Rose Cottage who raise concerns regarding the loss of view from a portion of their side garden. Although the new two storey extension is situated very close to this area of garden and will partially restrict views, the impact will be no greater than the approved five bedroomed house which proposed a similar increase in massing to this area. As such although there will be some loss of view from a portion of the garden, the right to a view is not protected in planning legislation, with the main concern of the authority being to protect against unreasonable overdominance and to allow existing windows to retain sufficient outlook. Although close to a portion of the garden the impact of the extension is mitigated by the change in land levels and the fact that the roof form falls away from the common boundary. The distances from the windows of Rose Cottage to the new extension are sufficient to allow reasonable outlook.
- 10.13 The occupants of Rose Cottage have also raised concerns regarding the new steps which are to be constructed close to the common boundary. Increased activity levels close to neighbouring boundaries can also be intrusive and lead to a sense of dominance through unreasonable proximity. Although the new steps may well increase levels of activity close to the boundary such a relationship to neighbouring gardens is not uncommon. Furthermore the use of the steps is transitory and will not lead to a prolonged or unreasonable awareness of activity. It is also noted that in and of themselves the creation of steps or small terraces within a sloping rear garden would not normally require planning permission. Their inclusion on the plans is for the sake of completeness rather than consent. As such the proposal is considered acceptable in respect of overdominance.
- 10.14 The proposal is also considered acceptable in respect of overshadowing as the orientation of the property means that the majority of the impact will affect the applicant’s own north-west facing garden. Some additional overshadowing may occur to a portion of the garden of Low Gap, however this will affect a small portion of the garden and is unlikely to have a significant impact upon the enjoyment of the garden. A sufficient distance is maintained to the dwelling of Low Gap to prevent harm to the main windows of the property. As such the proposal is acceptable in this regard.
- 10.15 The proposal is also considered acceptable in respect of overlooking. Additional ground and first floor glazing is proposed to the front and rear as well as the north-east side elevation of the new two storey extension. A terrace area is also proposed to the rear of this extension. The windows to the front do not raise a significant concern as these are not set forward of the existing and thus retain a similar relationship to the existing windows of neighbours. Those to the rear are also acceptable as whilst they will allow oblique views towards neighbouring gardens such views are not unexpected within a residential context and cannot be



considered significantly harmful. The gradient of the land also helps to mitigate against harm.

- 10.16 The side facing windows and the new first floor terrace raise greater concern as these can allow direct views towards neighbouring gardens. This said, the windows are set 16.0m from the common boundary, a distance which is considered sufficient to prevent harm and which complies with the minimum distances outlined within the Householder Design Guide. Were windows to be inserted into the side gables of the enlarged dwelling this could raise concern and thus a restrictive condition will be imposed. In respect of the new terrace area it is noted that due to the gradient of the site, although set to the first floor of the dwelling it is flush with the garden level. As such a condition which seeks to impose a solid form of boundary treatment would prevent harm.
- 10.17 As such the proposal is considered acceptable in this regard.

#### Neighbour Representations

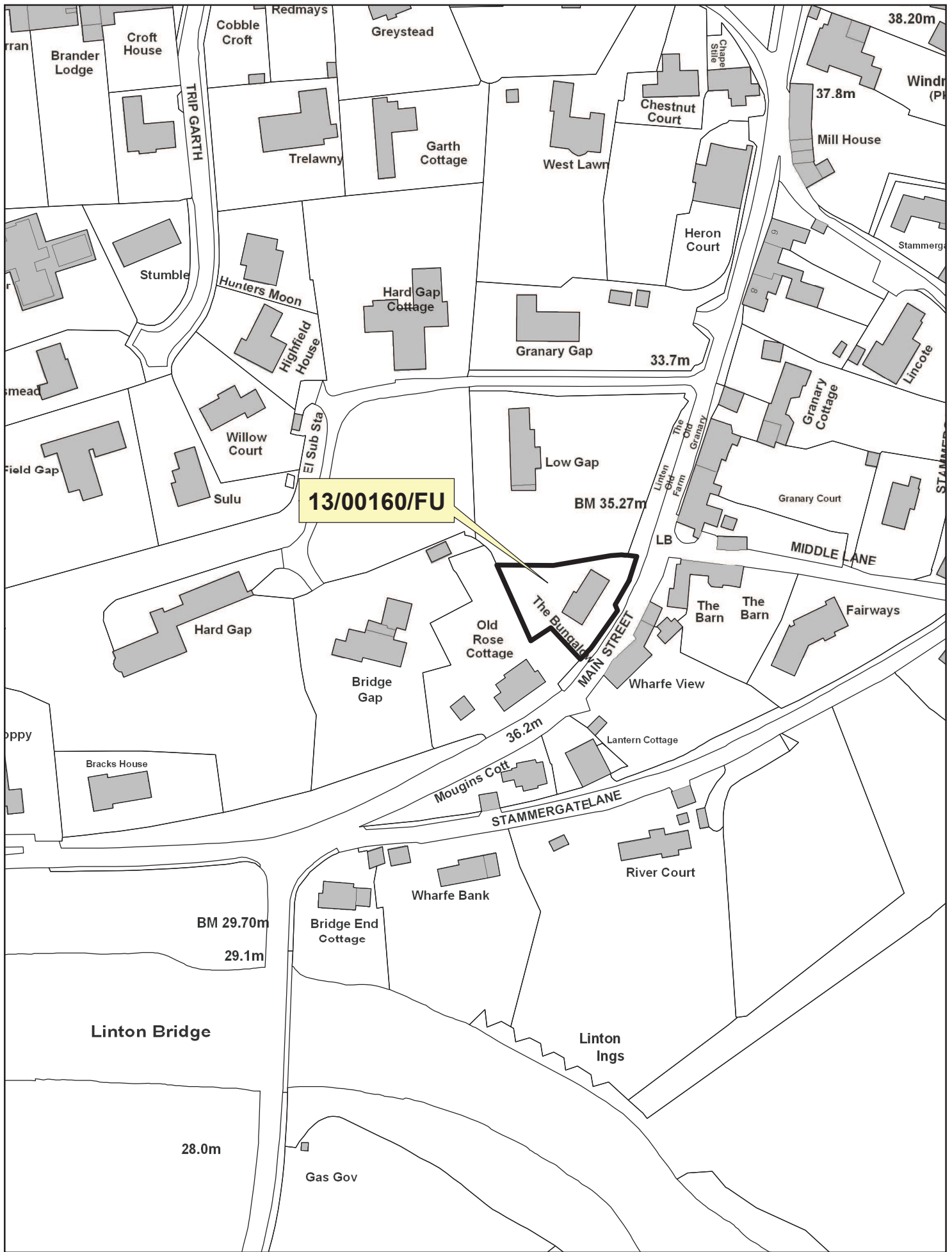
- 10.18 All material considerations which have been raised through representations have been discussed above. The concerns of local residents regarding potential damage to property and/or services are noted, however this is a civil matter which must be resolved outside the planning process. Concerns regarding drainage are also noted, however this is a matter for building control.

### **11.0 CONCLUSION**

- 11.1 The application is therefore considered to be acceptable. The extensions to the property will not negatively affect the character of the application dwelling nor that of the wider conservation area and will not have an unreasonable impact upon neighbours. The works to the access and the creation of additional hardstanding have improved the situation in respect of highway safety, and as such the proposals are compliant with the relevant policies and guidance and approval is recommended.

#### **Background Papers:**

Application files      13/00160/FU  
Certificate of ownership: Certificate A signed by agent



# NORTH AND EAST PLANS PANEL





Originator: J Thomas

Tel: 0113 222 4409

## Report of the Chief Planning Officer

### NORTH AND EAST PLANS PANEL

Date: 21<sup>st</sup> March 2013

Subject: 13/00252/FU – Swimming pool to side/rear at ‘Little Acres’, Linton Lane, Linton, LS22 4HL

#### APPLICANT

Mr Dan Butters

#### DATE VALID

18<sup>th</sup> January 2013

#### TARGET DATE

15<sup>th</sup> March 2012

#### Electoral Wards Affected:

Harewood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission;
2. Approved plans;
3. Landscaping implementation;
4. Hardstanding restriction.

**Reasons for approval:** It is considered that the proposed swimming pool is an acceptable form of development as it will not harm the character of the application dwelling, the wider conservation area nor harmfully impact upon the amenity of neighbours. As such the development is considered to comply with policies GP5, BD6, N19 and LD1 of the Unitary Development Plan Review (2006) and HDG1 and HDG2 of the Householder Design Guide SPD.

#### 1.0 INTRODUCTION

- 1.1 This application is brought to Panel as all recent applications for development of the site have been determined by Panel.

#### 2.0 PROPOSAL

2.1 The applicant seeks permission to construct a pool to the side/rear of the dwelling. This is to be sited on an existing lower terrace and measures approximately 6.0m in width and 14.2m in length. Stone paving is proposed to its sides and a plant room is to be built into the hillside.

2.2 Landscaping is proposed to the verges of the terrace which has partly been previously agreed under application reference 11/00343/RM. This includes a beech hedge and railings, new trees and shrubs and additional garden planting.

### **3.0 SITE AND SURROUNDINGS:**

3.1 The application relates to a detached, two storey built dwelling with a hipped, rosemary tiled roof. The dwelling is an early twentieth century property built in the vernacular Arts and Crafts style and the dwelling is a positive building within Linton's Conservation Area. A recent application in 2011 gave permission for the construction of two storey and single storey extensions to the front, side and rear. These permissions have been implemented and work is in progress on site. The 2012 permission for a detached garage has not yet been implemented.

3.2 The property is set up from Linton Lane just above Linton Village and is located within extensive grounds. There is a reasonably severe gradient within the site with the land rising from the road level toward the dwelling. These land level changes are such that only the upper portions of the property are visible from Linton Lane.

3.3 The main garden areas are set to the rear and east side of the property and include a lower, terraced area to the west which is formed by two existing dry-stone walls. The garden is bounded by residential dwellings to the south and by the access drive to the east. The open nature of the garden areas make a positive contribution to the conservation area and form part of the transition from the finer grain of the village core to the more open nature of the greenbelt which lies to the east. There are a number of protected trees within the site.

3.4 The property is associated with a previous planning application which granted permission for three detached dwellings within the grounds; works have commenced in relation to this permission.

### **4.0 RELEVANT PLANNING HISTORY:**

4.1 08/02240/OT Outline application to erect 3 detached dwelling houses to garden site  
**Approved**

11/00343/RM Three detached houses to garden  
**Approved**

11/00340/CA Conservation Area Application for partial demolition of front entrance, gables and canopy to rear, bay window to side  
**Approved**

11/00341/FU Two storey and single storey extensions to front, side and rear  
**Approved**

11/03316/FU Detached house with double garage (amendment to previous application 11/00343/RM)  
**Approved (Panel)**

12/01466/FU Detached double garage to front; conversion of existing detached double garage to habitable room with link extension to main house  
**Approved (Panel)**

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 Pre-application advice was sought with officers of the opinion that a pool could be acceptable provided that appropriate landscaping was included with the scheme to ensure that it did not adversely affect the character of the wider conservation area.

## **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 The application has been advertised by neighbour notification letter, site notice and newspaper advert. No responses have been received.

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None

## **8.0 PLANNING POLICIES:**

8.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006).

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.3 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

8.4 UDP Policies:

GP5 Refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

BD6 All alterations and extensions should respect the scale, form, detailing and materials of the original building.

N19 New development should preserve or enhance the character and appearance of the Conservation Area.

## LD1

Any landscape scheme should normally:

- i. Reflect the scale and form of adjacent development and the character of the area;
- ii. Complement and avoid detracting from views, skylines and landmarks;
- iii. Provide suitable access for people with disabilities;
- iv. Provide visual interest at street level and as seen from surrounding buildings;
- v. Protect existing vegetation, including shrubs, hedges and trees. Sufficient space is to be allowed around buildings to enable existing trees to be retained in a healthy condition and both existing and new trees to grow to maturity without significant adverse effect on the amenity or structural stability of the buildings;
- vi. Complement existing beneficial landscape, ecological or architectural features and help integrate them as part of the development;
- vii. Be protected, until sufficiently established, by fencing of a type appropriate to the prominence of the location, around all those parts of the landscaping susceptible to damage.

## 8.5 Householder Design Guide SPD:

Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> April and carries significant weight. This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seeks to protect and enhance the residential environment throughout the city.

HDG1 All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality/ Particular attention should be paid to:

- i) The roof form and roof line;
- ii) Window detail;
- iii) Architectural features;
- iv) Boundary treatments
- v) Materials;

HDG2 All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

## 8.6 National Planning Policy Framework

This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

In relation to heritage, local planning authorities are encouraged to sustain and enhance the historic environment.

## **9.0 MAIN ISSUES**

- 1) Design and Character/Conservation Area
- 2) Neighbour Amenity
- 3) Representations

## **10.0 APPRAISAL**

### Design and Character/Conservation Area

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”, whilst policy N19 seeks to persevere or enhance the character, or appearance of the area. This advice is elucidated and expanded within the Householder Design Guide.
- 10.2 As has been outlined above the existing dwelling is an early twentieth century Arts and Crafts style dwelling which makes a positive contribution to the character of Linton’s Conservation area. Its gardens extend to the east and south of the dwelling and their open character also contributes positively to the wider conservation area. The swimming pool which is proposed is located to the south-east of the dwelling to a lower, terraced portion of the garden which lies close to the access drive and also portions of Linton Lane. As such it is important to ensure that the swimming pool is not only an acceptable addition to the property but that it also does not harm the character of the wider locality.
- 10.3 In respect of its impact upon the character of the dwelling the pool causes little concern. Although not a usual addition within the majority of rear gardens, a swimming pool is not an inappropriate addition within a domestic context. The scale of the gardens associated with the house are such that a pool can be easily accommodated without becoming an overdominant feature. The pool is to be set a little away from the main dwelling and to a lower portion of the garden, and thus its impact upon the historic dwelling and its wider setting is limited. As such the development is considered acceptable in respect of its impact upon the dwelling.
- 10.4 The impact upon the character of the conservation area is also considered to be acceptable. Although the pool is to be located on a lower portion of the garden which lies between the main house and Linton Lane because the structure is to be dug into the landscape very little will be visible above ground level. The associated machinery and the plant room are also be dug into the hillside and, as noted in the Design and Access statement, the pool cover will also be housed below ground level. The most visually intrusive aspect of the scheme is potentially the additional hardstanding around the edges of the pool and the access steps up to the higher levels of the garden, however the soft landscaping will help to mitigate this impact. As such appropriate conditions will ensure that the character and appearance of the wider conservation area is maintained.

10.5 As such the proposal is considered to be acceptable in this regard.

Neighbour Amenity

10.6 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposal should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted”.

10.7 The pool is to be sited to the south-east of the property and thus is set a little closer to Grey Gables to the south than the current dwelling. A pool use also intensifies the use of this area of the garden and thus could have an impact upon the amenity of neighbours. However, although set closer to the neighbour than the main dwelling, the 20m which is retained from the edge of the new pool area to the common boundary is considered sufficient to prevent unreasonable intrusion. Were this distance to be shortened by the hardstanding around the pool being enlarged this would cause concern, particularly as there is little boundary screening along the southern edge of the site. Because the garden and dwelling at Grey Gables is set a lower level than the application site a condition which imposes solid boundary screening could harmfully affect outlook and/or the use of garden areas. As such a condition will be imposed which restricts the extension of the hardstanding without planning permission; this will then allow the authority to assess the impact of this change upon neighbours.

10.8 As such the proposal is considered to be acceptable in this regard.

Neighbour Representations

10.9 No comments have been received in relation to the application.

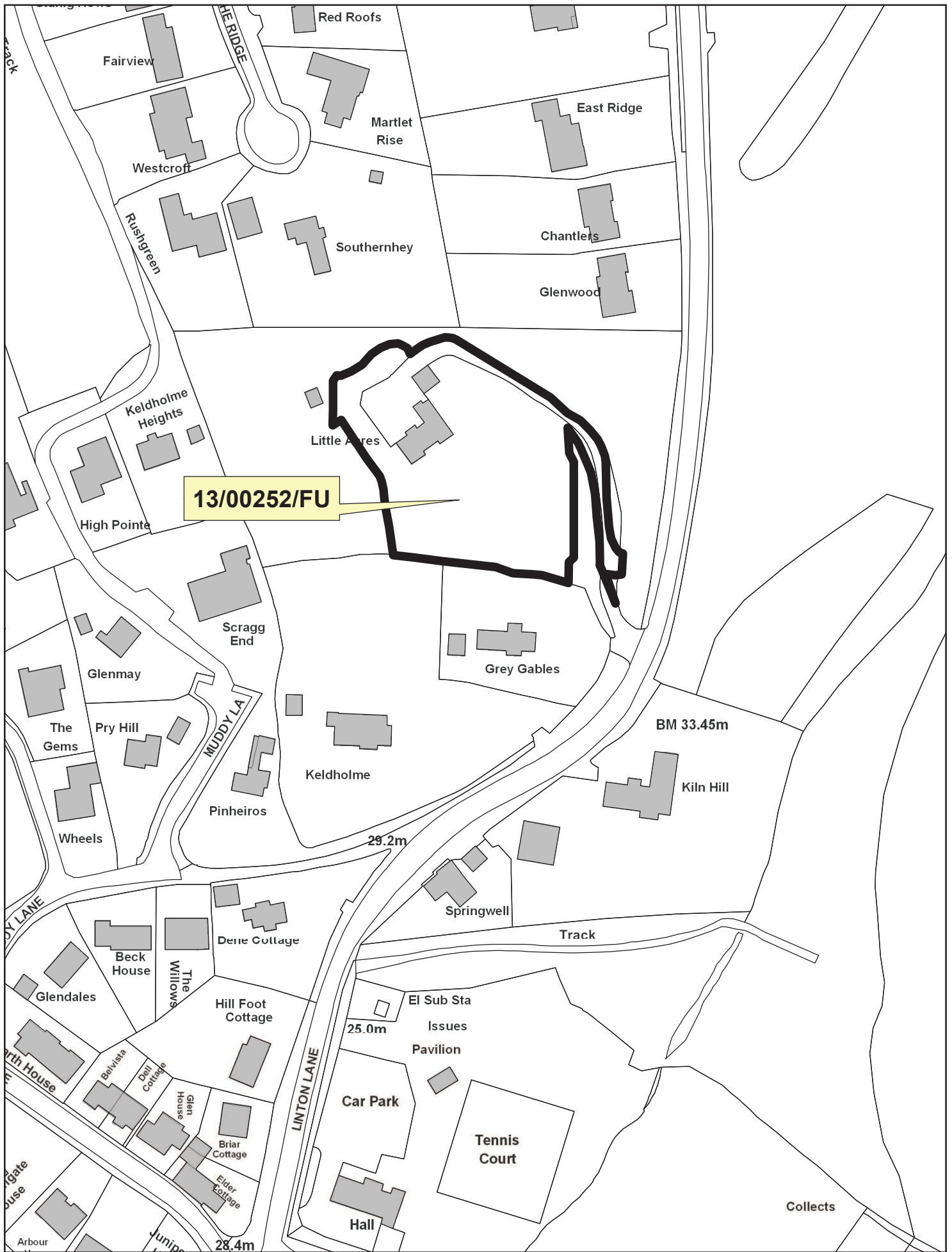
**11.0 CONCLUSION**

11.1 The application is therefore considered to be acceptable. The pool area will not negatively affect the character of the application dwelling nor that of the wider conservation area and will not have an unreasonable impact upon neighbours. As such the proposals are compliant with the relevant policies and guidance and approval is recommended.

**Background Papers:**

Application files      13/00252/FU  
Certificate of ownership: Certificate A signed by agent





# NORTH AND EAST PLANS PANEL



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Originator: Andrew Crates

Tel: 0113 222 4409

## Report of the Chief Planning Officer

### *NORTH AND EAST PLANS PANEL*

Date: 21<sup>st</sup> March 2013

**Subject: Planning Application 13/00459/FU (POSITION STATEMENT) – New Fire Station with associated access, car parking and landscaping on land adjacent to York Road (including the former petrol filling station site), Leeds, LS14**

#### **APPLICANT**

West Yorkshire Fire and Rescue Authority

#### **DATE VALID**

4<sup>th</sup> February 2013

#### **TARGET DATE**

6<sup>th</sup> May 2013

#### **Electoral Wards Affected:**

**Killingbeck and Seacroft**

Yes

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: For Members to note the content of the Position Statement and to provide feedback on the questions posed at section 11.0 of this report.**

## **1.0 INTRODUCTION:**

1.1 This full planning application is presented to Plans Panel as the proposals represent a significant departure from the adopted development plan. The application site (excluding the site of a former petrol filling station) is allocated as greenspace under Policy N1 of the Leeds Unitary Development Plan (UDP) Review 2006. Leeds City Council is also the current land owner.

1.2 In common with other public services, West Yorkshire Fire and Rescue Service is required to implement efficiency measures, a key component of the Authority's Community Risk Management Strategy 2011-15. This considers staffing, relocation of resources, flexible working patterns, improved ways of working and improvements in resilience. Following the production of an integrated risk management plan, the recommendations include the closure of ten stations across West Yorkshire and the construction of five new ones. The Gipton and Stanks business case indicates that

'the existing stations at Gipton and Stanks are just 3.7 miles apart and consolidating resources at a new fire station which is at a central location is an economic, effective and efficient way of providing fire and rescue services for these areas'. The provision of two front-line fire appliances constantly crewed by whole-time fire fighters is deemed appropriate for this area. The report also highlights the need to preserve the Young Fire Fighters Scheme which offers a variety of courses to engage Year 10 school children who are referred through the Leeds Probation Services and Signpost. The courses have a strong focus on the consequences of anti-social behaviour and are understood to be well regarded.

- 1.3 The submitted documents indicate that the Gipton and Stanks fire stations are both dated in terms of physical appearance and functionality and are not situated within the best locations to serve the catchment area. Subject to planning permission being granted, the fire service are aiming to occupy the new station by August 2015. The existing stations at Gipton and Stanks will remain in use until the new station is available. Currently, it is understood that the plan is to dispose of the existing stations once they are vacant, but at this stage nothing else has been decided. It is also understood that there is currently a listing application with English Heritage for the Gipton fire station.

## **2.0 PROPOSAL:**

- 2.1 This is a full planning application proposing the erection of a new fire station with associated access, car parking and landscaping. The proposed development will provide for a new three bay operational fire station plus accommodation to provide for the Young Firefighter Scheme. The fire station will be a two-storey building which will provide all of the necessary operational accommodation for the fire service personnel and associated vehicles. The accommodation will comprise of a three bay vehicle (fire tender) garage, offices, sleeping facilities and rest and recreation areas. Ancillary to the building will be a service yard / training area to the rear and side. Car parking for staff and visitors is also to be provided within the site. A training tower is also to be located towards the western end of the site, to a height of 13.89m.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site lies to the north of York Road (A64), at its junction with Moresdale Lane, to the east of Killingbeck Police Station. Approximately one third of the application site comprises the site of a former petrol filling station, although all that remains are areas of hardstanding, small areas of walling and self seeded vegetation. The other two thirds of the site are comprised of grassed areas of public open space, including a gas governor unit surrounded by palisade fencing. York Road, to the south, is in an elevated position and the site slopes downwards in a northerly direction. The maximum fall across the site is approximately 3.5m difference in levels. The greenspace also contains two public rights of way which are hard surfaced and lit. One is a definitive right of way linking York Road to Studfold View, straddling the boundary with the Police Station. The other is a claimed right of way which runs in front of the houses to the north of the greenspace and links Moresdale Lane to Studfold View.
- 3.2 Killingbeck Police Station is located to the west of the site and comprises commercial two-storey office buildings of a significant scale. The Police Station site is bounded by railings and includes soft landscaped areas containing trees and shrubs. The area to the north of the application site is predominantly residential in nature with two short terraces of two-storey dwellings, Skelwith View, located immediately to the north of the greenspace. An arrangement appears to exist whereby occupiers of these properties park on the area of greenspace immediately in front of their properties due to the addition of a grass-crete surface. These properties do not otherwise have

anywhere to park and access this area from Studfold View. The area to the east of the site and to the east of Moresdale Lane comprises residential areas, with a swathe of open greenspace along the York Road frontage. The area to the south of the site and to the south of York Road comprises a mixture of residential properties and commercial premises.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 No relevant planning applications.

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 Pre-application discussions have taken place between the applicant, Ward Members and Officers regarding the principle of development and the location of the new fire station.

5.2 The applicant has subsequently submitted this full planning application. Officers have held an initial meeting with Killingbeck and Seacroft Ward Members (Cllrs Graham Hyde, Veronica Morgan and Brian Selby). Ward Members were generally comfortable with the proposed use, layout and design. However, key issues for them included ensuring that there was a satisfactory level of soft landscaping, including colourful shrubs and trees, in order to mitigate the visual impact of the proposals when viewed from the properties to the north. Members were also concerned that full cognisance is taken of the impact that the existing traffic lights may have on the ability for fire service vehicles attending emergency call outs. It was requested that highways officers seek advice from Urban Traffic Control (UTC).

#### **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 5 site notices have been displayed, posted 15<sup>th</sup> February 2013. The application has also been advertised in a local newspaper, published 21<sup>st</sup> February 2013. The formal consultation period expired on the 14<sup>th</sup> March and at the time of writing, no letters of representation have been received.

#### **7.0 CONSULTATION RESPONSES:**

##### **7.1 Statutory:**

Highways: - No objections in principle, although further advice has been sought from UTC on the acceptability of the proposed traffic signals and central reservation crossing facility outside the site on York Road. Detailed technical issues are now being considered by the applicant's highway consultant. There is no requirement for a Travel Plan in this instance.

##### **7.2 Non-statutory:**

Flood Risk Management Team: - No objections, conditions are recommended. It is noted that a number of sewers cross the site and these will need to be diverted, including a surface water culvert which will require a separate consent from Flood Risk Management.

Public Rights of Way: - The proposed development is in close proximity to a definitive and a claimed right of way which run along the western and northern sides of the greenspace. No objections are raised as the proposals do not affect these routes.

Environmental Studies Team: - No objection in relation to air quality issues.

Contaminated Land: - Given the proposed end use, no objections are raised and conditions are recommended.

## **8.0 PLANNING POLICIES:**

8.1 The development plan comprises the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage.

### 8.2 Leeds Unitary Development Plan (UDP) Review:

Part of the application site relates to an area of land allocated as greenspace under Policy N1 which states that:

Development of land identified on the proposals map and city centre inset map II as protected greenspace, will not be permitted for purposes other than outdoor recreation, unless the need in the locality for greenspace is already met and a suitable alternative site can be identified and laid out as greenspace in an area of identified shortfall.

Other relevant policies include:

SA1: Secure the highest possible quality of environment.

GP5: General planning considerations.

N38b: Flood Risk Assessments.

N39a: Sustainable drainage.

T2: New development and highways considerations.

T2C: New development and Travel Plans.

T2D: Public transport contributions.

T5: Safe access for pedestrians and cyclists.

T24: Car parking provision.

BD5: General amenity issues.

LD1: Landscape schemes.

### 8.3 Supplementary Planning Guidance / Documents:

SPG10 Sustainable Development Design Guide (adopted).

SPG22 Sustainable Urban Drainage (adopted).

SPD Sustainable Design and Construction (adopted).

### 8.4 National Planning Guidance:

National Planning Policy Framework.

### 8.5 Emerging Policy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.6 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

## 9.0 MAIN ISSUES

1. Principle of development
2. Highway issues
3. Design
4. Landscape design and visual impact
5. Drainage and flood risk
6. Impact on residential amenity

## 10.0 APPRAISAL

### Principle of development

10.1 Part of the application site is on land allocated as N1 greenspace in the Leeds (UDP) Review 2006. As per the wording of the policy set out in section 8.2 of this report, development of greenspace is not normally permitted for purposes other than outdoor recreation, unless the need in the locality has already been met and a suitable alternative site can be laid out as greenspace in an area of identified shortfall.

10.2 In considering the above, officers have sought to assess the quality of the greenspace area affected by the development and importantly the role it performs, both individually and also collectively due to the existence of other similar spaces in the area. Individually, the space is essentially given over to grass and provides a generous, open aspect for the occupiers of Skelwith Walk but does not perform any specific sporting function or have a high recreational value. With respect to its relationship to other greenspace areas, these can be found to both the east and west and when combined provide a green corridor between the historic centre of Seacroft to the east and Killingbeck Fields to the west which forms part of the Wyke Beck Valley. With this in mind, it is important that the green corridor function of the site remains. The fire station's siting towards the York Road frontage achieves this.

10.3 Whilst the proposal will clearly reduce the actual greenspace area available, the scheme does offer the opportunity to remove and remediate the former petrol filling station area. Furthermore, the wider area is not deficient in greenspace provision. Having considered all these factors including the need for the replacement fire station and the specific access requirements which it has, officers are of the opinion the development can be supported in principle providing the loss of the greenspace area is adequately mitigated. Officers are still in negotiations about the extent of mitigation required and what form this could take although any improvements sought will clearly be directed towards the local area.

10.4 **Do Members have any views on the loss of greenspace and/or the principle of development?**

### Highway issues

10.5 The proposals include an entrance and egress from the site onto York Road for the purposes of fire tenders leaving the site to answer emergency call outs and return. The fire tender entrance also includes three car parking spaces as part of the Young Fire Fighters drop off zone. A further general access is proposed from Moresdale Lane, leading to a staff car park containing space for 14 cars and cycle parking in the form a 5 secure cyclepods. A separate visitor's car park proposes 9 car parking

spaces, including one disabled space. It is understood that the level of car parking provision reflects the experiences of the Fire Authority on other operational sites of a similar size. Highways Officers do not raise objections to the principle of development, but have stated that the application should not be approved at this stage until further clarification has been sought from UTC regarding the acceptability of the proposed traffic signals and central reservation crossing facility on York Road. The technical feedback received from UTC to date has been fed back to the applicant's highway consultant for a response.

### Design

- 10.6 The layout of the development is dictated by the operational requirements of the fire station. Specifically, these dictate that fire tenders must re-enter the site at the rear (via the westernmost access to the site from York Road) thus allowing them to drive forward into the vehicle bays within the building. The vehicles will then be in the required location and in the correct orientation for the next emergency turn out.
- 10.7 Broadly speaking, the fire tender garage and Young Fire Fighters accommodation are provided for in the single-storey element of the building, whilst the offices, recreational areas, sleeping accommodation and other requirements are housed within the two-storey element. The overall maximum height of the fire station building, over the two-storey element, is approximately 9.2m (to the highest part of the roof slope).
- 10.8 In terms of materials, the external walls are to be constructed of clay facing brickwork (mid red multi) with some areas of silver Trespa wall cladding. The roof is to be finished with light grey colour coated standing seam composite roof panels. Windows and doors will be colour coated aluminium construction (mid grey), interspersed with coloured infill panels to add an element of visual interest. It is recognised that some aspects of the building such as the colour and design of the fire tender access / egress doors are a fundamental requirement and are typical of a fire station.
- 10.9 **Do Members have any comments on the layout and/or design of the proposals?**

### Landscape design and visual impact

- 10.10 A small amount of new soft landscaping will be provided along the boundary with York Road and is proposed to be low rise and low maintenance. There is a need to avoid vegetation that could impact on visibility splays for the various vehicular egress points. The exact specification of the soft landscaping is currently unknown, but could otherwise reasonably be secured through a planning condition.
- 10.11 In terms of boundary treatments, it is accepted that the rear of the fire station must be secure, but it is also important that the proposed development does not have an unacceptable impact on nearby properties by way of noise. Accordingly, a 2.5m high acoustic fence is proposed to contain the site from the fire tender access, all the way around the western side and rear of the site to a point level with the eastern end of the building. This would then contain the noisy activities associated with service yard, vehicle washing and training areas. The staff car parking area at the eastern end of the site would be bounded by a 2.4m high weldmesh security fence and security gate.
- 10.12 It is acknowledged that, if approved, the proposed development would result in a significant change in outlook from the front aspect of the residential properties to the north, particularly given the elevated plateau on which the development would sit. It is therefore considered necessary that soft landscaping is introduced to help mitigate the visual impact of both the acoustic fence and the building beyond. This is a point which is also an area of concern for Ward Members, who have specifically requested robust tree and shrub planting. The acoustic fence around the western end of the site



would also be prominent in the streetscene of York Road, particularly when travelling east along the A64, a key route into and out of the city. It is therefore considered that further soft landscaping around this area is important in order to create an acceptable setting for the development.

**10.13 Do Members have any comments on the landscaping proposals and boundary treatments?**

Drainage and flood risk

10.14 Following consultation with the Flood Risk Management Team, no objections are raised to the proposals subject to the imposition of drainage conditions. It is noted that three sewers currently cross the site, east to west, which will therefore require diversion. The applicant is aware of this and has submitted plans showing diversions around the north of the site boundary, but still within the remainder of the greenspace. At the time of writing, a consultation response is still awaited from Yorkshire Water.

**10.15 Do Members have any comments in relation to drainage?**

Impact on residential amenity

10.16 The application has been submitted with drawings showing detailed sections and relationships between the proposed development and the existing houses to the north of the site. The nearest property, No. 2 Skelwith Walk, is sited 25m away from the two-storey element of the building, at its nearest point and accordingly no issues regarding loss of privacy are considered to exist. The outlook from the fronts of these properties will be to the remainder of the greenspace and banking (to be soft landscaped as described earlier in the report) in the first instance and then the 2.4m high acoustic fence (approximately 23.5m away) followed by the remainder of the building above. Officers consider this level of separation combined with the introduction of soft landscaping on the newly created banking to be reasonable. Given the change in levels and the fact that the new development must sit on a flat plateau, approximately 3m higher than the houses, the proposed building will be roughly one storey higher. As such, any landscaping at the boundary will be essential to help filter views of the station, its boundary treatment and also its overall visual impact.

**10.17 Do Members have any views on the relationships between the existing properties and the proposed development?**

**11.0 CONCLUSION**

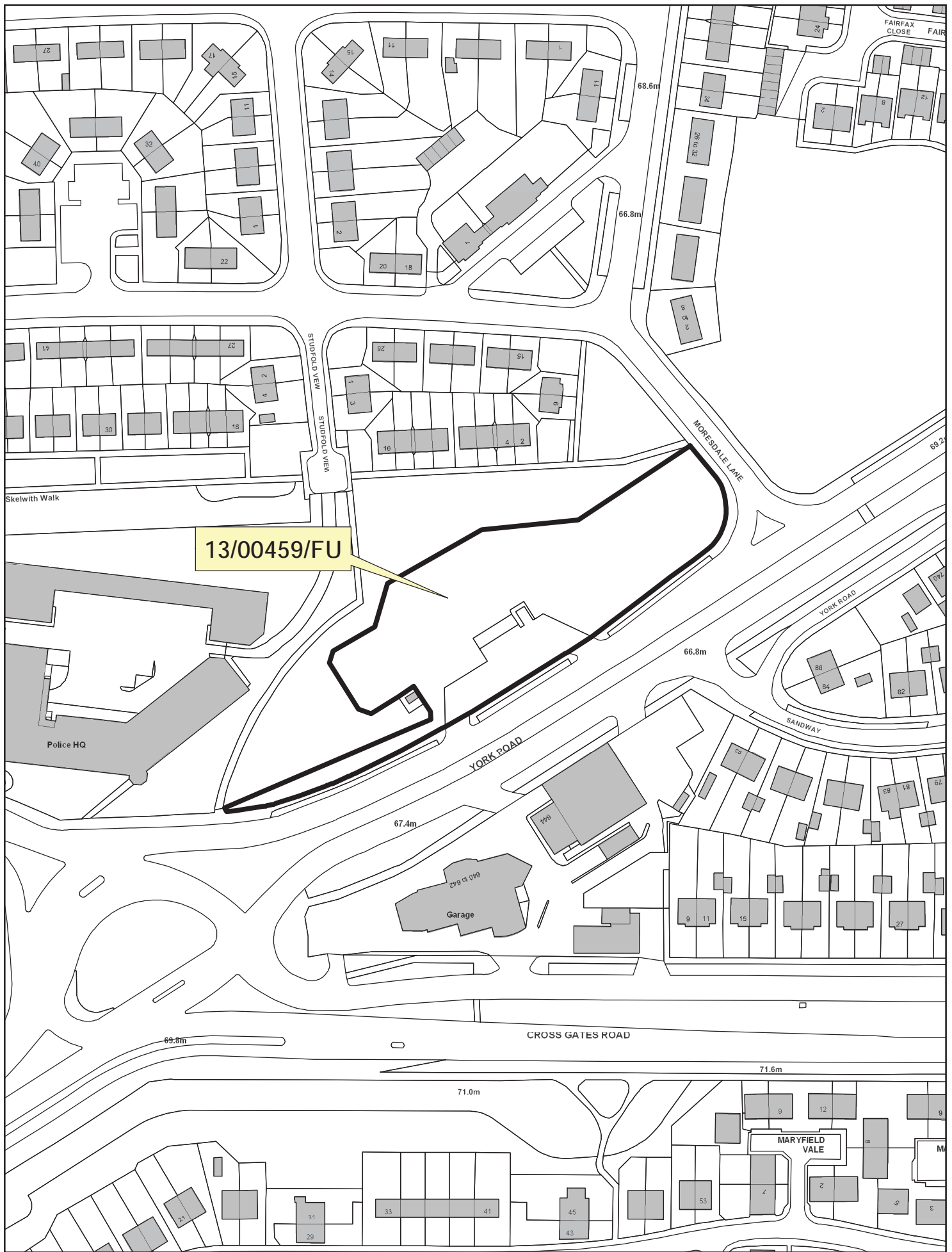
11.1 Members are requested to consider all the matters raised within this report in order to provide officers with appropriate comments and / or advice on the proposal. Specifically, feedback is requested from Members on:

1. Do Members have any views on the loss of greenspace and/or the principle of development?
2. Do Members have any comments on the layout and/or design of the proposals?
3. Do Members have any comments on the landscaping proposals and boundary treatments?
4. Do Members have any comments in relation to drainage?
5. Do Members have any views on the relationships between the existing properties and the proposed development?
6. Are there any other comments that Members wish to make?

11.2 In the event Panel Members are broadly comfortable with the proposals as presented and any outstanding issues can be adequately addressed by officers, are Members happy to agree the application in principle and defer and delegate approval to the Chief Planning Officer?

**12.0 Background Papers:**

12.1 Application and history files.  
Notice served on Leeds City Council.



# NORTH AND EAST PLANS PANEL



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