



NORTH AND EAST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 16th May, 2013
at 1.30 pm

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

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – 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>LATE ITEMS</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>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</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			APOLOGIES FOR ABSENCE	
6			MINUTES To approve the minutes of the North and East Plans Panel meeting held on 18 th April 2013 (minutes attached)	3 - 10
7	Kippax and Methley		APPLICATION 12/05140/RM - GRANGE FARM GREAT NORTH ROAD MICKLEFIELD LS25 To consider a report of the Chief Planning Officer on a Reserved Matters application for the erection of 10 houses with landscaping (report attached)	11 - 22
8	Kippax and Methley		APPLICATION 13/00068/FU - LAND TO THE REAR OF 44 MAIN STREET METHLEY LS26 To consider a report of the Chief Planning Officer on an application for the erection of a detached house with integral garage (report attached)	23 - 32
9	Moortown		APPLICATION 13/00565/FU - 41A STAINBURN CRESCENT LS17 To consider a report of the Chief Planning Officer on an application for a two storey, single storey side/rear extension and re-siting of steps with railings above to rear (report attached)	33 - 40

Item No	Ward	Item Not Open		Page No
10	Harewood		<p data-bbox="676 181 1406 286">APPLICATION 12/00450/FU - THE COACH HOUSE CARR LANE THORNER LS14 - APPEAL SUMMARY</p> <p data-bbox="676 331 1378 472">To consider a report of the Chief Planning Officer setting out the Inspector's decision on an appeal lodged against the refusal of planning permission for a detached garage with first floor office</p> <p data-bbox="676 517 916 546">(report attached)</p>	41 - 52
11			<p data-bbox="676 689 1235 719">DATE AND TIME OF NEXT MEETING</p> <p data-bbox="676 763 1187 792">Thursday 13th June 2013 at 1.30pm</p>	

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To all Members of North and East
Plans Panel

Chief Executive's Department
Governance Services
4th 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 vis
Date 8th May 2013

Dear Councillor

SITE VISITS – NORTH AND EAST PLANS PANEL – 16TH MAY 2013

Prior to the meeting of the North and East Plans Panel on Thursday 16th May 2013, the following site visits will take place:

9.55am		Depart Civic Hall
10.20am	Kippax & Methley	Land rear of 44 Main Street Methley LS26 – erection of detached house with integral garage – 13/00068/FU
10.55am	Kippax & Methley	Grange Farm Great North Road Micklefield LS25 – 10 houses with landscaping – 12/05140/RM
11.35am	Moortown	41A Stainburn Crescent LS17 – two storey, single storey side/rear extension and re-siting of steps with railings above to rear – 13/00565/FU
12.00 noon approximately		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at **9.55am**. Please notify David Newbury (Tel: 247 8056) if you wish to take advantage of this and meet in the Ante Chamber at **9.50am**.

Yours sincerely

Angela M Bloor
Governance Officer

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NORTH AND EAST PLANS PANEL

THURSDAY, 18TH APRIL, 2013

PRESENT: Councillor D Congreve in the Chair

Councillors R Grahame, M Harland,
C Macniven, A McKenna, J Procter,
E Taylor, G Wilkinson, B Selby and
J Bentley

59 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

60 Late Items

There were no formal late items. It had been noted that several reports had small amounts of text missing from them when they had been copied. A schedule was circulated to Panel prior to the meeting which provided the paragraphs in full (minutes 65; 67,69 and 70 refer)

61 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

62 Apologies for Absence

Apologies for absence were received from Councillor Campbell who was substituted for by Councillor J Bentley

63 Minutes

RESOLVED - That the minutes of the North and East Plans Panel meeting held on 21st March 2013 be approved as a correct record subject to amending the attendance to reflect Councillor Taylor's absence from the meeting

64 Application 13/00011/FU - Two storey side extension - 28 Penlands Crescent LS15

The Chair requested that this application be withdrawn from the agenda to enable further discussions to take place

RESOLVED - That the report be withdrawn from the agenda

65 Application 12/05178/FU - Change of use of part of the ground floor surgery to form pharmacy and to construct a two storey and single storey rear extension to the rear - Crossley Street Surgery, Crossley Street Wetherby LS22

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

Officers presented a report which sought permission for alterations and extensions to a GP surgery at Crossley Street LS22, which was situated in the Wetherby Conservation Area

Members were informed that the proposals were to provide better space standards for patients and staff and would not increase the number of staff at the surgery. To provide better facilities for the patients, many of which were older people, a lift to the first floor consulting rooms would be provided and the pharmacy currently sited on the opposite side of Crossley Street would be relocated into the surgery

The proposals would not impact on the level of car parking to be provided and the existing kerb line would remain unchanged. The bin store would be relocated to the car park which was considered to be an improvement on the existing situation

In terms of the design of the scheme, Officers were of the view that it was sympathetic and in keeping with the existing building

Concerning local objections about loss of light, overlooking and dominance, it was accepted that there was the potential for overshadowing to occur but this would be in the late afternoon. As the rear extension was stepped in and was single storey it was not felt to be unduly detrimental to residential amenity

The receipt of a further letter of objection from the resident of the property closest to the surgery was reported

Members were informed that a larger scheme had initially been proposed but this had been scaled down. To avoid the expansion of the medical staff at the surgery a condition had been included to restrict the numbers of doctors and nurses on site at any one time and in terms of the pharmacy, a condition was proposed to ensure this was ancillary to the surgery

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

Members discussed the following matters:

- the need for the proposed improvements and that money was being spent on other NHS facilities in the area
- the impact of the proposals on the residents living closest to the surgery
- that the scheme had been well planned and was sympathetic to the area

Panel considered how to proceed

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

66 Application 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 - The Bungalow, Main Street Linton LS22

Further to minute 55 of the North and East Plans Panel meeting on 21st March 2013 where Panel deferred consideration of the application to enable a site visit to take place, Members considered a report of the Chief Planning Officer in respect of proposals for alterations and extensions to an existing bungalow to form a house at The Bungalow Main Street Linton LS22

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

Officers presented the report and referred to an extant permission for the demolition of the existing bungalow and its replacement with a 5 bedroom house. Members were informed that as the extant scheme was too costly to be implemented the revised proposals before Panel had been submitted which if approved, would be for a 4 bedroom property

The proposals would see the height of the property increased, with the new roof being 2.1m higher than the existing roof. The footprint of the existing building would be largely retained although a double garage would be built to the side of the dwelling. An improvement to the existing entrance to the property was proposed by widening the initial entrance by approximately 1.5m to provide improved access

The Panel's Highways representative stated that the existing access was substandard in terms of visibility and that it was not possible to access and exit the site in forward gear. The proposals improved the situation by maximising visibility in one direction, improving accessibility from Main Street and increasing the amount of hardstanding up to the garage enabling two vehicles to access the site and garage and turn within the site

If minded to approve the application, the Panel's Lead Officer suggested an additional condition relating to details of boundary treatment and retaining structures during and post construction to be agreed. Condition no 5 'details of conditions for contractors prior to commencement of any works' was clarified, with this to include details of construction management incorporating delivery, uploading and storage of plant, machinery and building materials; the management of removal of material from the site and parking of contractors' vehicles together with days and hours of building operations

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

Members commented on the following matters:

- the impact of the proposals on the boundary wall to the neighbouring property, Old Rose Cottage
- the possibility of setting the first floor element of the two storey rear extension further back into the site
- that a second vehicular access would serve a purpose
- that concerns had been expressed locally about water run off

- that timber framed windows were not being sought and the reasons for this

Officers provided the following responses:

- that an additional condition was proposed in respect of the boundary treatment which might require some survey work to be undertaken and possibly replacement boundary treatment to be provided
- that the previous appealed applications had an alternative access towards the northern extent of the site but that such an access on the site was not compatible with the current proposals as a result of the site levels, and would require the existing building to be demolished
- that to address concerns about water run off, a condition could be added to require the use of porous materials for the full extent of the hardstanding
- window treatment, that the existing building contained uPVC window frames and that it was not possible to require these to be converted to timber frames. On this point, the Panel noted the comment of the applicant's agent that timber framed windows could be provided throughout the whole property

The Panel considered how to proceed

RESOLVED - To defer and delegate approval of the application to the Chief Planning Officer subject to the conditions set out in the submitted report, plus additional conditions relating to details of boundary treatment and retaining structures during and post construction to be submitted and approved; use of porous materials for all of the hardstanding to be provided and use of timber framed windows throughout the whole of the property and that further negotiations should take place to explore further the possibility of setting back the first floor element of the two storey rear extension

67 Application 13/00369/FU - Single storey front extension - 2 St Peter's Garth Thorner LS14

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 related to proposals for a single storey front extension to the existing property at 2 St Peter's Garth, Thorner LS14. Having considered the application, Officers were recommending it be refused, with the detailed reason being set out in the submitted report for Members' consideration

The level of local support for the proposals was outlined and the number of similar extensions in the local area to the one proposed were highlighted. Officers explained that many of these dated back to the 1970s and before the introduction of the Householder Design Guide and if assessed today, would not be granted planning permission. Although negotiations had taken place with the applicant to consider revisions to the proposals which could be supported by Officers, this had not been achieved and that it would be a decision for Panel to make having regard to the character of the area and whether the extension was harmful to that

The Panel heard representations from the applicant who attended the meeting

Members discussed the application and commented on the following matters:

- the varying styles of properties and extensions in the local area
- the lack of a coherent streetscene in the area
- the two skylights in the extension; that these were not in keeping with surrounding properties and that it would better for them to be omitted, with mixed views on this

RESOLVED - That the Officer's recommendation to refuse the application be not accepted and that the application be deferred and delegated to the Chief Planning Officer to enable conditions relating to commencement and materials to be attached to an approval

68 Applications 12/05296/FU and 13/00694/FU - Site of Allerton House Harrogate Road Chapel Allerton LS17 - Joint position statement

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

Members considered a report of the Chief Planning Officer providing a position statement on two applications for the demolition of the existing building, Allerton House, and the erection of a supermarket with associated access, car parking, servicing and landscaping, one application showing a location of the store at the rear of the site; the other application having the store sited the front of the site

Members were informed that both proposals would need to be determined on their merits when the formal applications were ready for determination

The site was a key site in the Chapel Allerton Conservation Area and was within an S2 centre

Application 12/05296/FU

- this application was for a store to be positioned at the rear of the site and that an application for a store to the rear had been refused under delegated powers in June 2012
- although the design of the scheme was predominantly unchanged from the previous scheme, additional landscaping would be provided, although a car-dominated frontage was still being created
- the access to the store was located close to the residential properties at 3 and 5 Grosvenor Park

Application 13/00694/FU

- this application was for a store to the front of the site
- a bespoke design which would include a significant amount of clear glazing was being proposed
- whilst the access to the store was in the same location as that on the other application, the delivery area was sited adjacent to the boundary of 1 Grosvenor Park and that the applicant

proposed an acoustic enclosure to mitigate against noise from deliveries. Hours of delivery were proposed as being 6am – midnight, for both applications, with discussions continuing on this matter

- an active frontage to Harrogate Road would be created

Members were informed that both applications included the provision of public realm and a pedestrian crossing

Concerning public consultation, a public meeting had been held earlier in the week, with around 150 people attending, with split views on the appropriateness of the applications

Members discussed the applications and commented on the following matters:

- the vehicular access arrangements, with the Panel's highways representative stating that Officers had concerns about the HGV movements to the store at the rear of the site as customer manoeuvres close to the site access would be held up to accommodate delivery vehicles, affecting the whole site. Although there would still be some shared vehicular access with customers on the proposals for a store to the front, this would be less of a problem as the delivery area would be further from the site access
- possible noise nuisance, with Members being informed that the Council's Environmental Protection Team would be consulted on the proposed delivery hours and the acoustic mitigation measures which were being proposed for the front location
- the need for the site to be developed but that the local community was unsure whether a supermarket on the site was the most appropriate proposal
- the likely levels of employment the proposals would create, with Members being informed this level of detail would be provided at a later stage
- car parking levels, with these being stated as being 84 parking spaces on the scheme to the front of the site and 71 spaces on the scheme to the rear

In response to the specific issues raised in the report for Panel's consideration, the following comments were provided:

- there were no further comments on the highways issues
- that in terms of layout both had positive and negative elements. There was concern about the layout to the rear of the site with the car park at the front and there were concerns about the access to the store and car park when HGVs were delivering which would lead to hold ups and congestion. Concerns were also expressed about pedestrian access and the lower amount of car parking in the scheme to the rear. The streetscene of Harrogate Road was one of rows of shops and terraces and the introduction of a large car park at the front of the site was not in keeping with the Conservation Area
- the store located at the front of the site had less impact on the Conservation Area and the delivery arrangements were safer,

however this option would have an impact on nos 1 and 2 Grosvenor Park and therefore mitigation measures would need to be looked at carefully and good sound attenuation measures would be required on the boundary with the residential dwellings

- in terms of design, both applications had positive elements to them although it was felt that the store to the front of the site benefitted from better materials and design, although more glazing was required to the street scene but that this should provide an active frontage rather than being covered in stickers and posters
- hours of delivery were a concern with 7am – 9pm being considered to be more appropriate than the 6am –midnight being proposed
- in terms of public realm, it was noted that the local community required an area of open space at the junction of Harrogate Road and Stainbeck Lane and that this should be explored further
- that Morrisons Supermarket was expected to become involved with the local community and that the provision of public open space was an opportunity for them to show their commitment to the area
- that parking limits of a maximum of 3 hours was acceptable as it would discourage commuter parking on the site and enable shoppers to visit other local shops and facilities in the area
- the need for the landscaping scheme to be considered in detail
- that the applications should be determined by Panel rather than being delegated to the Chief Planning Officer

The Head of Planning Services stated that the proposals provided an opportunity to add something to Chapel Allerton but stressed the importance of the scheme being well accessible to people; relating well to the local centre and the Stainbeck area. The location of the store and how it integrated was a primary consideration. Pedestrian access into the development was also an important element and the desires set out in Neighbourhood Plan should also be taken into consideration

Reference was made to the positive effects a new supermarket could bring to an area, as seen in Rothwell where new businesses were opening following the delivery of a new supermarket

69 Application 13/01321/FU - First floor side extension with window to side and new roof to enlarged dwelling - 60 Jackson Avenue Gledhow LS8

Further to minute 19 of the North and East Plans Panel meeting held on 1st November 2012 where Panel approved a side extension at 60 Jackson Avenue LS8, Panel considered a further report

Plans, photographs and drawings were displayed at the meeting

Members were informed that a further application had been submitted which sought permission for a first floor side extension, increased roof height and additional window which would be covered by a pitched roof. As the

applicant was a senior Highways Officer, the application fell to Members to determine

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

70 Application 11/05186/FU - Bengal Brasserie 2 Victoria Court Wetherby LS22 - Appeal summary

Further to minute 189 of the Plans Panel East meeting held on 22nd March 2012, where Panel resolved not to accept the Officer's recommendation to approve a change of use of restaurant to restaurant and takeaway at 2 Victoria Court Wetherby LS22, the Panel considered a report of the Chief Planning Officer setting out the Inspector's decision to the appeal which had been lodged by the applicant

Panel noted that the appeal was allowed

RESOLVED - To note the report

71 Date and Time of Next Meeting

Thursday 16th May 2013 at 1.30pm in the Civic Hall, Leeds



Originator: Paul Wilson

Tel: 0113 395 0325

Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 16th May 2013

Subject: Reserved Matters application 12/05140/RM –10 houses with landscaping, Grange Farm, Great North Road, Micklefield, Leeds LS25 4AG

APPLICANT

Arncliffe Homes Ltd

DATE VALID

4 December 2012

TARGET DATE

5 March 2013

Electoral Wards Affected:

Kippax and Methley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER AND DELEGATE APPROVAL to the Chief Planning Officer subject to the conditions specified and following the expiry of the revised publicity period and subject to no representations being received which raise new significant material planning considerations:

1. Approved plans
2. Side windows to be obscure glazed, fixed or top opening only (plots 1, 2, 5 to 10)
3. Landscape details including future maintenance scheme to be agreed
4. Highway to extend to the edge of the site boundary
5. Removal of permitted development for rear dormers (plots 6 & 7)
6. FFL to houses and road levels to be provided as specified

Full details of conditions (including any amendments/additions) to be deferred and delegated to the Chief Planning Officer.

Reasons for approval: The application is considered to comply with UDPR policies GP5, GP7, GP11, GP12, N2, N10, N25, N12, N13, N39a, N51, T2, T5, T6, T24, H3-3A.32, BD5, LD1 as well as guidance contained in the National Planning Policy Framework and supplementary planning guidance/documents. Having regard to the above, and all other

material planning considerations including the comments made by third parties, the application is considered on balance to be acceptable and accordingly can be supported.

1.0 INTRODUCTION:

- 1.1 The application is reported to Plans Panel at the request of Councillor James Lewis who has raised concerns regarding the separation distances between the existing and proposed dwellings and therefore the potential for overlooking.

2.0 PROPOSAL:

- 2.1 This application seeks approval of reserved matters in relation to outline planning permission granted in June last year under reference 12/00845/OT. Only access was applied for although the indicative layout did show a development comprising of 10 houses. On this basis a Section 106 Agreement was entered into to secure a commuted sum towards greenspace improvements in the event the subsequent reserved matters application still comprised of 10 houses. A contribution per unit was calculated and accordingly this current application generates a contribution of £28,074.32 towards local greenspace improvements.
- 2.2 The submitted layout shows a total of 10 houses fronting a new road layout. The main access road from Great North Road runs north to south and is designed to link into the remainder of the wider greenfield housing allocation to the south. This stretch of road serves 6 houses, 5 of which are large, detached family houses. The 6th property is an end of terrace. A small, private cul-de-sac would also be formed off the main access road and would serve the remaining 4 houses (2 x detached and the remaining 2 terraced properties). The first section of road leading to the cul-de-sac is designed as a turning area for vehicles.
- 2.3 The design of the houses is traditional and includes the use of simple cills to the windows with mostly arched, brick on end details proposed for the heads. The final choice of external materials has not been applied for at this stage although the use of brick and render is shown generally. In terms of scale, the houses would be two storey although some include rooms within the roof space served by dormer windows.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site extends to approximately 0.59 hectares and consists of part of the former Grange Farm which is located in the village of Micklefield on the eastern edge of Leeds close to the A1 (M) motorway.
- 3.2 The site accommodates two vacant dwellings set back from the road including a two storey stone built farmhouse and a red brick bungalow. The farmhouse is situated in the north west corner of the site and is screened by high fir trees to the rear and along the adjacent Public Right of Way (PROW) which cuts through the site. The bungalow is situated in the south-eastern part of the site, on the other side of the PROW. Originally, the site also included three large detached agricultural barns although these have recently been demolished.
- 3.3 The southern, front section of the site is situated adjacent to Great North Road and is largely overgrown. From this part of the site, the land slopes gently downwards towards in the south-eastern corner beyond the bungalow and along the farm

track/PROW towards the motorway. There is also a steep drop in levels between where the most northerly agricultural building was positioned relative to the site's rear boundary.

- 3.4 Micklefield itself is a rural village of two parts, with the original village situated to the north and the more modern part situated to the south. As such, the wider village consists of a varied mix of property types including character properties and more modern builds comprising of detached, semi-detached and terrace properties. A mixed palette of materials can also be found including the use of stone, brick and render albeit the traditional building material used in the original part of the village is natural magnesian limestone.
- 3.5 The character of the area immediately around the application site is also mixed in that it contains detached, semi-detached and terraced properties which themselves utilise various materials including brick, render and stone. The dominant wall material is nevertheless red brick and almost all properties face the road. A mixture of two storey (some with rooms in the roof served by dormers) and bungalows surround the site on three sides although the rear boundary still opens out onto agricultural land. This land forms part of a wider greenfield housing allocation which extends behind the properties which front onto Great North Road in either direction.

4.0 RELEVANT PLANNING HISTORY:

12/00845/OT – Outline application for residential development approved subject to a Section 106 Agreement in respect of commuted sum for greenspace provision in the locality. 18/06/2012

PREAPP/11/01097 – Residential development comprising of 10 dwellings.

Neighbouring site:

07/01571/FU – Redevelopment of Manor Farm to provide 14 houses, approved 23/07/07.

5.0 NEGOTIATIONS:

- 5.1 The scheme has been revised during the course of the application in order to achieve a better relationship with the existing properties and to respond to some of the comments made by the objectors. These alterations have comprised of moving some houses further away from the common boundary and also amending the internal layout and window arrangements to ensure problems of overlooking do not occur.

6.1 PUBLIC/LOCAL RESPONSE:

- 6.1 This application was originally advertised by site notices posted 21/12/12. The date by which any representations should be made was 11/01/13.
- 6.2 Ward Members have also been briefed about the proposals on 13/02/13. At the briefing Members expressed concern about the prospect of overlooking from the development which had been raised by a local resident. The case officer provided a detailed note in respect of the separation distances achieved but Councillor Lewis

maintains his original request for the application be reported to Plans Panel. In addition, Councillor Wakefield indicated a preference for the maintenance of any street landscaping to be undertaken by the Council rather than a private management company.

6.3 Three letters of representation have been received from Local residents in relation to the original plans. Comments have also been received from Micklefield Parish Council.

6.4 Micklefield Parish Council:

Supports the application in principle but raises concerns regarding the following:

- The elevations should all be natural magnesian limestone with slate or clay pantile roofing materials.
- Issues relating to the existing foul and surface water drains on the site.
- Consideration to the long term maintenance of the amenity space adjacent to the public footpath required.
- Consideration of the surface of the PROW
- Relationship of dwellings proposed to plots 6 and 7 with adjacent existing dwellings
- Chimneys to be provided to the Regent House type

6.5 The letters of representation from local residents object to the proposal due to the following concerns:

- The indicative layout does not show the relationship with all of the adjacent properties in particular no.132 Great North Road.
- Impact of plots 6 and 7 on no.132 and 134 Great North Road in terms of privacy and views and value of property. These plots should be replaced with single storey properties so as not to adversely affect nos.132-134.
- the materials proposed to construct the houses
- the effect of the route of the PROW on plot 8
- Concern regarding Surface Water Drainage

6.6 Following receipt of revised plans, the application has been re-advertised. The revised consultation period expires on 24/05/13 and at the time this report was prepared no additional representations had been received. Members will be updated verbally in the event further representations are received in advance of the Panel date.

7.0 CONSULTATIONS RESPONSES:

Statutory:

None

Non-statutory:

Highways

Original comments - The principle of development of this scale and type was accepted at the outline application stage. Minor revisions required.

Revised comments - Amendments are acceptable and small landscaped areas adjacent to the main access road can be adopted as part of the highway.

Yorkshire Water

- 3 metre easement either side of private disposal drain required. Conditions on the outline permission still need to be addressed.

Public Rights of Way

– no objection as the proposal incorporates the footpath into the site, but request that the footpath at this point should have a tarmac or similar hard surface.

Flood Risk Management

– no objection in light of the FRA submitted with the outline application. Full details to be agreed as part of future condition discharge application.

Land Contamination

– standard conditions were applied to the outline permission and these will be dealt with through the discharge of conditions.

Transport Policy –

No issues of concern for local air quality management as a result of the development.

Sustainability – Environment Quality

– Information provided by the applicant is considered acceptable

8.0 PLANNING POLICIES:

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The Development Plan for the area consists of the adopted Unitary Development Plan Review (UDPR), along with relevant supplementary planning guidance and documents.
- 8.3 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.
- 8.4 As the Council has submitted the Publication Draft Core Strategy for 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. Delivering new housing is a key objective of the Core Strategy.
- 8.5 The application site is part of Phase 3 Housing Allocation H3-3A.32 in the UDPR proposals map. This policy identifies that developments should also address the following issues:
- i) Extensive off-site foul drainage works and improvements
 - ii) Satisfactory access
 - iii) An agreed planning framework to include locations for housing, landscaping, access, greenspace and local facilities
 - iv) Provision of an extension to the adjacent primary school and contributions to secondary school(s)
 - v) Provision of a green wedge between old and new Micklefield

- vi) Realignment of the A1
- vii) Appropriate noise attenuation measures
- viii) Satisfactory flood risk assessment and drainage strategy

8.6 Other relevant policies are as follows:

- Policy GP5 – seeks to resolve all detailed planning considerations including design, access and amenity.
- Policy GP7 – relates to legal agreements being used to secure appropriate contributions
- Policies GP11/GP12 – encourages sustainable construction measures/measures
- Policy BD5 – all new buildings should be designed with consideration given to both their own amenity and that of their surroundings.
- Policy H3 – Phased housing land release.
- Policies N2/N4 – Concerns greenspace provision for residential developments
- Policy N10 – Seeks to ensure PROW are not compromised by new development
- Policy N12 – Urban Design.
- Policy N13 – Design and new buildings.
- Policy N25 – Site boundaries.
- Policy N39a – Relates to drainage requirements
- Policy N51 – Nature conservation, enhancement of wildlife habitats.
- Policy LD1 – Landscape and retention of existing trees.
- Policy T2 – Highway safety considerations.
- Policies T5/T6 – Pedestrian and cyclists safety and disabled access requirements
- Policy T24 – Parking requirements.

8.7 Supplementary Planning Guidance/Documents:

- Neighbourhoods for Living: A guide for residential design in Leeds.
- Greenspace relating to new housing development.
- Street Design Guide.

8.8 National Planning Policy:

National Planning Policy Framework (NPPF, March 2012) gives a presumption in favour of sustainable development and has a strong emphasis on high quality design.

9.0 MAIN ISSUES

1. Principle
2. Layout (including residential amenity considerations)
3. Appearance and scale
4. Landscaping
5. Other matters
6. Conclusion

10.0 APPRAISAL

Principle

- 10.1 This application seeks approval of reserved matters pursuant to the outline permission granted in June 2012. As the outline permission includes a Section 106

Agreement to secure a commuted sum towards greenspace improvements in the locality the development is considered to be acceptable in principle.

- 10.2 The matters for consideration as part of this application therefore relate to those details not originally agreed including the development's appearance, landscaping, layout and scale. The means of access has already been agreed at the outline stage.

Layout (including residential amenity considerations)

- 10.3 The main guidance for assessing residential layouts is provided within the Council's 'Neighbourhoods for Living' document. This specifies various minimum distances between dwellings/windows although it is still necessary to consider a site's context to ensure the overall layout responds appropriately to the character and appearance of an area.
- 10.4 In considering the above, the development adopts a simple layout whereby the properties would be served by and front onto the newly formed access road and cul-de-sac. This basic arrangement follows the pattern of development found within the area and the mix of detached and a single short terrace of three properties also picks up on the general character of development found to the front of the site. For these reasons and noting the development replaces not only two domestic properties but also three large scale agricultural buildings, one of which had a particularly poor relationship with the existing properties facing Great North Road in terms of restricting outlook, the overall design approach to the layout is considered to be acceptable.
- 10.5 With respect to more detailed matters, the presence of the PROW running through the site and the requirement for the road layout to link into the remainder of the greenfield housing allocation beyond the site boundary are clearly important issues. In dealing with these matters, the layout is such that the route of the PROW would be retained more or less along its existing alignment and would be positioned to the side of the new access road which extends up to the site's boundary. Highway officers consider this approach to be acceptable and the arrangement also allows the PROW to be provided with a landscaped setting which can ultimately be adopted.
- 10.6 In terms of relationships with neighbouring properties, it is noted the three properties fronting Great North Road all have very limited gardens. The shortest garden depth available is recorded as circa 7m from the main house whereas Neighbourhoods for Living would normally expect a distance of 10.5m to be provided. Although the sub-standard nature of the existing neighbouring gardens is clearly something which it would be unreasonable to expect the applicant to resolve, it is still appropriate for this tighter than normal relationship to be considered when laying out any new housing.
- 10.7 The plans as originally submitted did consider this relationship but noting the amount of space available within the application site and the fact some residents (and Cllr Lewis) were still concerned about the total separation distances achieved, officers have sought further improvements by requesting plots 6 and 7 be moved further away. As such, the full 21m separation distance between buildings has now been achieved in accordance with Neighbourhoods for Living by providing the new properties with rear garden depths of 14m. This improved relationship (which is approximately 1.5m greater than originally shown) is therefore considered to strike an appropriate balance in terms of mitigating the existing situation for the benefit of those residents. A condition is also proposed to restrict future occupiers ability to construct dormers windows in the rear roof slopes facing these properties (under permitted development rights) without their acceptability having been first assessed by a formal planning application.

- 10.8 The relationship between the existing houses and plot 8 is somewhat different as this property would be side on and replaces the large agricultural building previously located at the common boundary. As such, the domestic scale of the replacement building, its positioning off the common boundary and the absence of any main windows in the side elevation are all such that this relationship is a substantial improvement over the historic situation. The siting of plot 8 is in any event considered to be acceptable as it falls between the two properties fronting Great North Road. As such, the outlook for the existing residents is still considered to be acceptable.
- 10.9 Elsewhere, the separation distances achieved between both existing and proposed houses are considered to be acceptable and the internal layout of the house types has been altered to ensure all main windows now face forwards and backwards in order to avoid problems of overlooking. Most side windows will also be conditioned to be obscurely glazed again to avoid potential privacy issues. Subject to these restrictions, the development's layout is therefore considered to be acceptable.

Appearance and scale

- 10.10 The development comprises a mix of 10 detached and terraced family houses. As already discussed, the basic layout of the properties is considered to be appropriate for the area and overall the simple design of the properties themselves relates well to the surrounding area.
- 10.11 In respect of the materials proposed, brick and render is identified and this is entirely consistent with the materials used on the buildings which set the backdrop for this part of Micklefield. It would therefore be difficult to substantiate a refusal on this basis as magnesial limestone is not proposed as suggested by the Parish Council. Indeed, the wider housing allocation projects further into the countryside beyond this application site and as such its future development will provide a more modern context and a distinct move away from the original part of Micklefield adding further weight to the opinion that the use of natural limestone cannot be justified.
- 10.12 With respect to scale, the two storey and mostly detached properties proposed are not dissimilar to the larger properties found in the area and front onto Great North Road. The use of both hipped and gabled roof forms can also be found in the area and is replicated in the proposed house types. With respect to the development's relationship with the smaller scale bungalows to the south east, clearly a step up in terms of eaves and ridge lines would occur however the closest property would be plot 6 which itself is set off the side boundary by 6.5m. This gap between buildings combined with the property being set well back from the smaller scale properties is such that it would not appear prominent within the street scene and accordingly this relationship can be accepted.

Landscaping

- 10.13 A detailed landscape scheme has been prepared for the site and includes planting both within the private gardens and the areas adjacent to the route of the PROW. As such, the general desire to achieve a 'green' route through the site has been achieved and is a theme that can be continued when the remainder of the housing allocation is brought forward for development.
- 10.14 Whilst most landscaping is to be maintained by the householders themselves, the areas adjacent to the PROW would not. Highway officers have indicated these spaces can be adopted by the Council as highway verges and accordingly Councillor Wakefield's general comment about future maintenance can be accommodated.

Other

10.15 One of the objectors referred to drainage issues in respect of surface water discharge from the site. This is a matter that will be addressed through the future discharge of conditions as drainage was conditioned as part of the outline approval.

11.0 CONCLUSION

11.1 This is a reserved matters application for the construction of 10 houses following the grant of outline permission last year. The means of access from Great North Road and the requirement to contribute towards greenspace improvements were also approved at the outline stage.

11.2 The overall layout and design of the housing proposed is considered to be compatible with the general character and appearance of the area. Furthermore, the proposed layout and the resulting relationship with the surrounding properties is not considered to adversely impact on the occupiers living conditions to a level that warrants refusal. As the detailed layout retains the existing PROW and also ensures unrestricted access into the wider greenfield housing allocation would be provided the application is considered to be acceptable and is recommended for approval. A defer and delegate recommendation is however advanced to allow for the revised publicity period to expire.

Background Papers:

Application file (12/05140/RM)

Certificate of Ownership – (not necessary as RM application – OT identified Wheatley Construction as the land owner at that time)

12705'40 W



PROPOSED PUBLIC FOOTPATH TO REMAIN (width 2.0m)



23.8m x 6.35m 8.0M line

GREAT NORTH ROAD

HOUSE TYPES

- BL - BELMONT - 1939 sq ft
- CH - CHATSWORTH - 1697 sq ft
- NB - NEWBURY - 1082 sq ft
- RE - REGENT - 1320 sq ft

6/11/12 : drawing revised to reflect boundaries shown on deed plan.

Arncliffe
 ARNCLIFFE HOMES LIMITED
 Arncliffe House, 1 Acorn Business Park,
 Killingley Drive, Leeds LS14 4UP.
 TEL: 0113 278 9338 FAX: 0113 252 0254

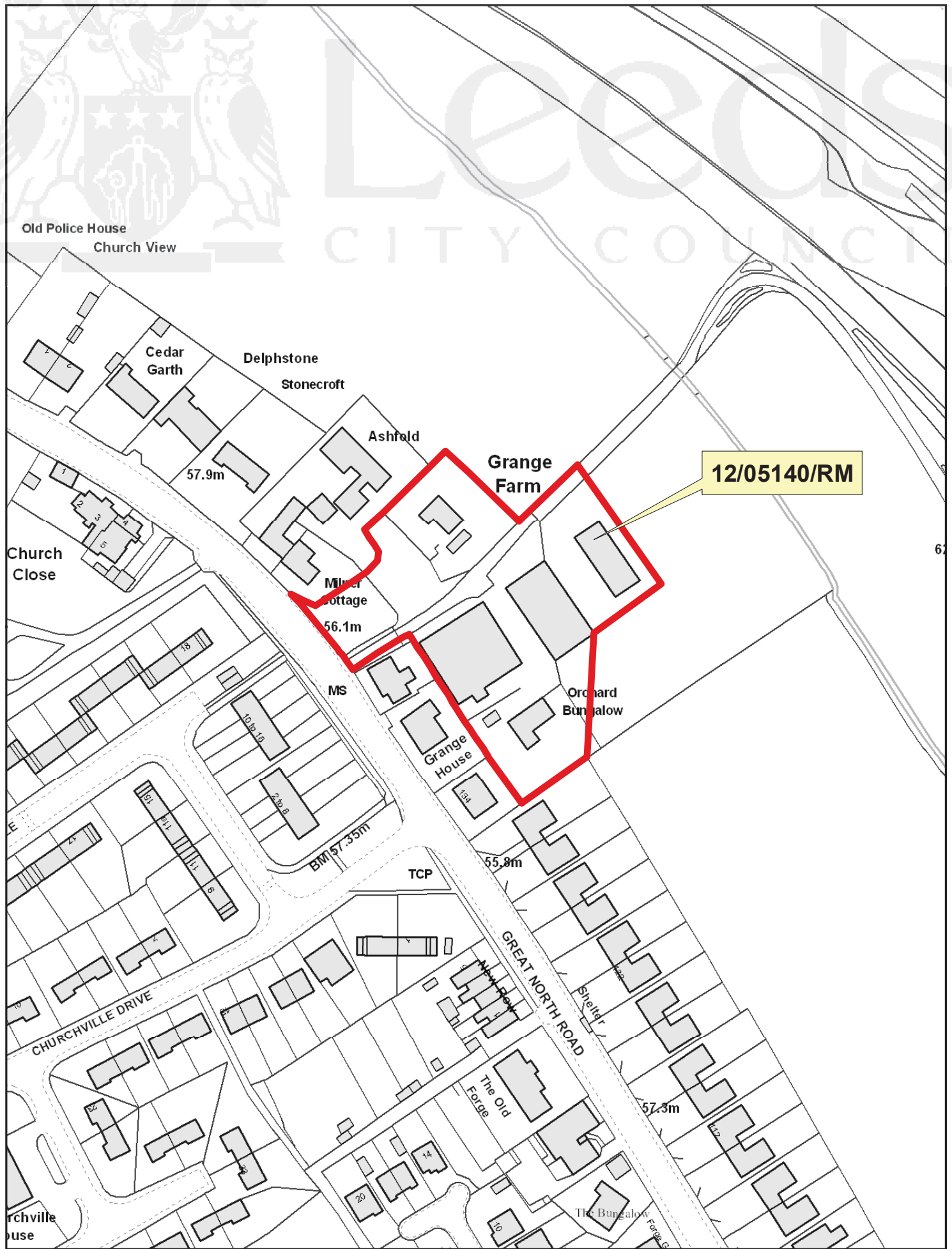
Proposed Residential Development

GRANGE FARM
 MICKLEFIELD
 LS 25 4AG

SITE LAYOUT

SCALE 1:500
 DATE 17-09-12 DRAWN

DRG. NO. 278/SL/1 REV. A



NORTH AND EAST PLANS PANEL



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Originator: Chris Marlow

Tel: 0113 222 4409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 16th May 2013

Subject: Application 13/00068/FU – Demolition of workshop and erection of detached house with integral garage at land to the rear of 44 Main Street, Methley.

APPLICANT

Mr A Dixon

DATE VALID

13th February, 2013

TARGET DATE

10th April, 2013

Electoral Wards Affected:

Kippax and Methley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE for the following reasons:

1. The proposed development would by reason of its siting, scale and design represents development that lacks architectural continuity and is contrived in appearance thereby resulting in an incongruous feature when viewed in context with the site and its surroundings. As such the proposed development represents harm to the interests of visual amenity thereby conflicting the Policies GP5, N12 and N13 of the Leeds Unitary Development Plan Review (2006) and the design advice contained in the National Planning Policy Framework (NPPF).
2. The proposed development would by reason of its siting, scale, design and overall height result in overlooking, overshadowing and represent development that is intrusive and over dominant to the occupants of the properties at Nos. 40, 42, 44 and 46 Main Street. The future occupants of the proposed dwelling would also suffer from being unduly overlooked. As such the development would be prejudicial to the living conditions of the occupants of existing dwellings and future occupants of the proposed development. As a consequence, the proposed development is contrary to

Policies GP5 and BD5 of the Leeds Unitary Development Plan Review (2006) and the guidance contained in the City Councils Residential Design Guide - Neighbourhoods for Living.

1.0 INTRODUCTION:

- 1.1 This application is presented to Plans Panel at the request of Councillor Keith Wakefield on grounds that the proposal would represent visual improvement of the site.

2.0 PROPOSAL:

- 2.1 The application seeks to demolish an existing building previously used as a workshop and replace it with a 3 bedroom detached house with integral garage.
- 2.2 The new house would be part single, part two storey property containing a garage, wc and open-plan kitchen/dining room/lounge to the ground floor. Two bedrooms (one with en-suite) and the house bathroom are shown on the first floor and the third bedroom would be within the roof space served by three roof lights.
- 2.3 A main aspect window is shown to the southern elevation with the remaining main aspect windows to the north and east elevations. There are four parking spaces proposed, one to the rear of No 44, two to the eastern boundary of the site and the garage that forms part of the new dwelling house.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is situated to the north side of Main Street. The site includes a narrow unmade access (situated between Nos. 44 and 46 Main Street) leading to the bulk of the site. The site comprises a somewhat dilapidated part single, part two-storey workshop/store constructed in a mixture of materials including brick, concrete blocks and corrugated metal sheeting. Part of the building has no roof. There is a blue metal storage container situated to the north east side elevation of the building. The remainder of the site appears to have a domestic garden use and is predominantly laid to grass with a number of mature outbuildings hard-standings and decorative walling features. The site up to the rear of the building is level however the remainder of the site slopes downwards to the northern boundary of the site.
- 3.2 The surrounding area is predominantly residential and includes both old and modern housing in a variety of styles. Red brick or render are nevertheless the dominant choice of external materials although the properties off Nelson Court are noted to be built in art stone. Some commercial uses are pepper potted within buildings (sometimes residential in original design) along Main Street and serve the local community e.g. hair dresser.
- 3.3 In terms of the general layout of the area, the character immediately surrounding the application site is that of dwellings fronting onto the road they are served by - albeit some are hard up to the pavement whereas others are set back and have front gardens. The exception to this is the former church building which is set back and sideways onto Main Street as it was designed to front a side access road which is now little used. This building was purpose built as a church and accordingly is well

detailed and has a scale and massing that is much greater than the surrounding, mainly residential buildings.

4.0 RELEVANT PLANNING HISTORY:

4.1 08/05268/FU – bakery with dwelling above. Withdrawn although likely to have been refused on amenity grounds.

4.2 Enforcement:
09/01021/UNB3 – unauthorised works to building. Building secured 26 October 2009.

5.0 HISTORY OF NEGOTIATIONS:

5.1 PREAPP/11/00668: Proposal for a replacement dwellinghouse - officers unable to support the proposal

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by site notices posted adjacent to the site dated 22 February 2013. 2 letters of representation have been received in response to the public notification process supporting the proposed development on the following grounds:

- Improved visual appearance of the site; and
- Existing building a potential safety hazard

6.2 Councilor Wakefield has also commented and considers the proposal to represent a visual improvement to the area. A Plans Panel determination is therefore requested.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Environment Agency:

No objection in principle, subject to compliance with the findings of the submitted Flood Risk Assessment. In addition, the applicant is recommended to include flood risk precautions before occupation.

Non Statutory Consultations:

Highway Development Services:

Objection difficult to justify given previous commercial use of the site.

Nature Conservation Officer:

Bat report satisfactory. Recommendation that the existing building is not demolished during the bird nesting season.

Flood Risk Management:

No objection subject to the implementation of the recommendations contained in the submitted Flood Risk Assessment.

Contaminated Land:

No objection subject to conditions.

8.0 PLANNING POLICIES:

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The Development Plan for the area consists of the adopted Unitary Development Plan Review (UDPR), along with relevant supplementary planning guidance and documents.
- 8.3 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.
- 8.4 As the Council has submitted the Publication Draft Core Strategy for 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.
- 8.5 The application site is not allocated within the UDPR proposals map. Nevertheless, the following policies are considered to be of relevance:

GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

N12 development should respect the following fundamental priorities for urban design.

N13 design of all new buildings should be of high quality and have regard to the character and appearance of their surroundings.

N23 incidental space around built development should provide a visually attractive setting.

N24 where development proposals abut ...other open land, their assimilation into the landscape must be achieved as part of the scheme.

N25 boundaries of sites should be designed in a positive manner, using walls, hedges or railings where appropriate to the character of the area.

N38a relates to the prevention of flooding

N38b requires the submission of FRA's.

N39a specifies that sustainable drainage should be used where possible.

LD1 requires landscape schemes as part of development proposals.

H4 relates to residential development on sites not identified for that purpose.

BD5 requires new buildings to give consideration to both their amenity and that of their surroundings.

T2 developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T24 parking provision to reflect the guidelines set out in UDP Appendix 9.

- 8.6 Supplementary Planning Documents
SPG4 – Greenspace relating to new housing development
SPG13 - Neighbourhoods for Living
SPG22 – Sustainable Urban Drainage
SPD Street Design Guide.

- 8.7 National Planning Policy:
National Planning Policy Framework (NPPF, March 2012) gives a presumption in favour of sustainable development and has a strong emphasis on high quality design. Guidance is also provided in respect of avoiding the risk of flooding.

9.0 MAIN ISSUES

1. Principle of development
2. Visual amenity and character
3. Residential amenity
4. Highway safety
5. Flood risk
6. Others

10.0 APPRAISAL

Principle of development

- 10.1 In context with the relevant national and local planning guidelines the site includes attributes that make it both brownfield and greenfield from a policy perspective. In this respect, the scheme's impact on the open but green character and appearance of part of the site, as well as the remainder of the site is critical. The siting of the proposed dwelling is such that the greenfield component would form its main private garden and accordingly the character of this area could remain relatively unchanged subject to the retention of appropriate landscape features. As the garden area proposed for the new house is very generous, sufficient useable garden space would still exist even if it was deemed appropriate to retain most landscape features. However, as this issue could ultimately be secured by condition, the scheme can be accepted in principle. Other, more detailed considerations still nevertheless need to be addressed and are discussed below.

Visual amenity and character

- 10.2 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". Local UDPR policies GP5, N12 N13 as well as the advice contained within Neighbourhoods for Living repeat this general message about the need to achieve good design.
- 10.3 The proposed dwelling has been designed to share some characteristics of the building it seeks to replace in that it would also have a gabled roof and be a part single and part two-storey construction. The design however, is heavily influenced in order to avoid prejudicing the living conditions of the occupants of neighbouring residential properties, resulting in one virtually blank elevation, an elevation over-dominated by windows and an elevation with an artificial window feature. This design approach is not reflective of the surrounding properties and is considered to represent a contrived design that is also lacking in architectural continuity. Whilst the proposal would result in the removal what is generally recognised as a poor building, the new dwelling fails to improve the character or appearance of the area as required by the NPPF and accordingly it should be refused.

Residential Amenity

- 10.4 The form of the proposed dwelling, locating the single storey garage to the west side of the proposed building is understood, as this would lessen the impact on the rear garden area of No 46. However, whilst the two storey element is 4m from the boundary with No.46 the overall two storey mass of the dwelling is likely to have a much greater impact than the current building due to its larger scale. In addition, the proposed dwelling would be positioned some distance beyond the rearmost elevation of No. 46 and with its positioning directly to the east of its garden area is likely to appear as an over-dominant feature and result in overshadowing to the detriment of its occupants living conditions.
- 10.5 As already discussed, the rationale behind the somewhat unconventional design of the new dwelling is understood in terms of trying to avoid windows directly overlooking the rear elevation of No 44 and the garden area of No 46. However, the relationship between the new dwelling and the existing property (44) is still considered to be poor as only 15m separation between the two is provided. This distance is substandard when assessed against the Council's guidance as contained in Neighbourhoods for Living as at least 18m should be required. As such, the potential of overlooking still occurs and a poor outlook for existing residents would also result.
- 10.6 With respect to the eastside elevation of the proposed dwelling, it contains several large windows serving the open plan-style kitchen/lounge/dining room at ground floor level and bedroom windows at the first and second floor levels. Whilst these do not overlook the rear elevation of No 44 they do, albeit at an oblique angle, overlook the rear garden area of No 40 and to a lesser extent No 42. They would also overlook the remaining garden area of No 44 that abuts the bulk of the eastern boundary of the application site. As such the proposed development would prejudice the existing residents ability to use their main private garden areas without being unduly overlooked, a situation which cannot be accepted.

Highway Safety

- 10.7 Highway officers are mindful the existing access is sub-standard in terms of visibility for vehicles exiting the site but the development does seek to replace a previous commercial use. As the historic use has the potential to generate more vehicular activity than a single dwelling it would be difficult to justify an objection on highway safety grounds. Accordingly no highway objection to the development is raised.

Flood Risk

- 10.8 The site falls in an area that is affected by three different flood zones. As such the risk of flooding ranges from "high probability" (Flood Zone 3a) to the northern part of the site, to "medium probability" (Flood Zone 2) for the area occupied by the existing workshop, culminating with a "low probability" (Flood Zone 1) for the vehicle access road between Nos. 44 and 46 Main Street. Under the Flood risk vulnerability classification (NPPF – Technical guidance, Table 2) the proposed development of a dwelling represents a more vulnerable use. For the purposes of assessing the appropriateness of such a use, all development is appropriate in Flood Zone 1; development within Flood Zone 2 should be accompanied by a Flood Risk Assessment; and within Flood Zone 3 the development needs to pass the sequential and exceptions tests.
- 10.9 The only part of the site that lies within Flood Zone 3 would be used as ancillary private amenity space for the new and existing dwellings. Due to the new dwelling being sited in Flood Zone 2 the applicant has submitted a Flood Risk Assessment that the Environment Agency have considered to be acceptable subject to conditions relating to finished floor levels and the implementation of post-development safety

procedures. The access road in Flood Zone 1 is not constrained as all development is considered appropriate in this area. As such it is considered that the proposed development accords with the relevant policy objectives in seeking to direct development away from areas at the greatest potential risk of flooding.

Others

- 10.10 It is noted the proposed development has received support from local residents and a Ward Member. The potential benefits which flow from replacing the existing unsightly building have already been discussed but is not considered to be sufficient to justify a new development which itself is poorly designed. In terms of the concern about public safety, it is the responsibility of the applicant to ensure the building is secure and not in danger of collapse.

11.0 CONCLUSION

- 11.1 Officers consider the development to be poorly designed resulting in visual detriment to the character and appearance of the site and the surrounding area. Furthermore, the new dwelling would harm the living conditions of existing residents due to concerns relating to overlooking, overshadowing and over dominance as well as being unduly overlooked itself. As a consequence, the application cannot be supported as currently submitted and is recommended for refusal for the reasons stated.

Background Papers:

Application file: 13/00068/FU.

Certificate of Ownership A completed.

13/00068

LEEDS CITY COUNCIL

- 3 APR 2013

ADDITIONAL

The changes shown on this plan do not need further public comment

Location Plan.
1:1250.



ST. MARGARETS AVENUE.

MAIN STREET.

MAIN STREET.

HICKS LANE.

Site Layout.
1:500.



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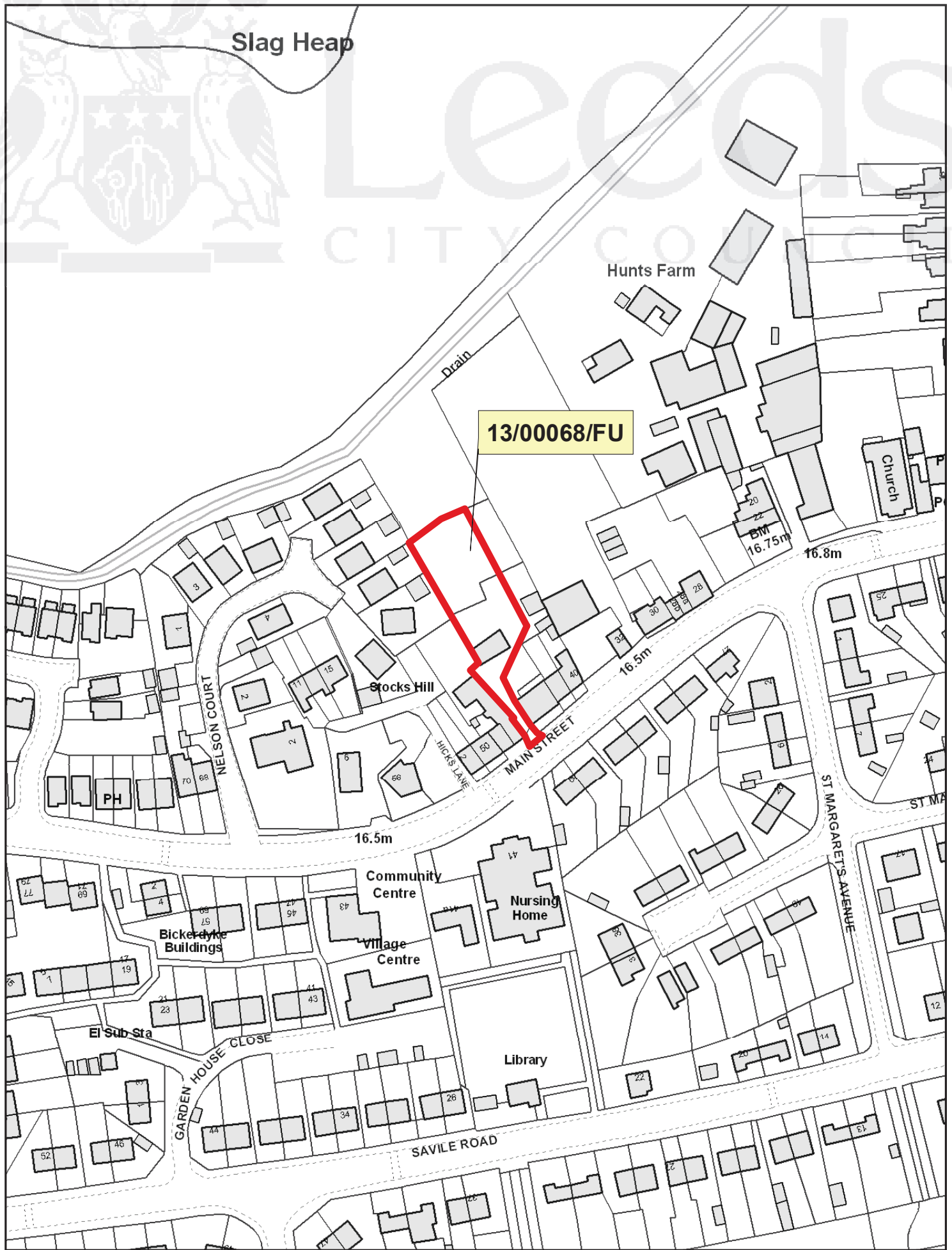
168 Leeds Road, Wakefield, WF1 2QA
T: 01924 60250
M: 07954 040707
E: info@domesticarchitecture.co.uk

Title
Site Location Plan as Proposed

Client
Mr. A. Dixon.
Project
Proposed Dwelling,
44, Main Street,
Methley, LS26 9JE.

Scale
1:500
Date
10/12/12
Checked
SAW
Drawing No.
LS26-005
Rev.

domesticarchitecture.co.uk
residential solutions



13/00068/FU

NORTH AND EAST PLANS PANEL

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Originator: J Riley

Tel: 0113 222 4409

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 16th May 2013

Subject: 13/00565/FU – Two storey, single storey side/rear extension and re-siting of steps with railings above to rear at 41A Stainburn Crescent, Leeds 17.

APPLICANT
Mrs S Yousaf

DATE VALID
4 February 2013

TARGET DATE
1 April 2013

Electoral Wards Affected:

Moortown

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 side windows
5. High level windows to be obscure glazed
6. railings painted black
7. Existing raised patio to be removed prior to the extension being brought into use.

Reason for approval: It is considered that the proposed extension is an acceptable form of development as it will not harm the character of the application dwelling, the wider streetscene nor harmfully impact upon the amenity of neighbours. As such the development is considered to comply with policies GP5 and BD6 of the Leeds 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 by Councillor S Hamilton due to the concerns of local residents which include:
- Impact on amenity;
 - The use of the dwelling as a House in Multiple Occupation;
 - Impact on character of the host dwelling and wider streetscene and parking issues.

2.0 PROPOSAL

- 2.1 The applicant seeks consent to amend a permission from 2012 to include a single storey rear extension at the lower ground level and new access steps and resiting of railings to the rear.
- 2.2 This proposal includes a single storey side extension that runs along the full depth of the house. A rear extension is also proposed. The rear extension projects 3m. That part adjacent to the common boundary with the adjoining property (No.41) is single storey. A two storey element is set 3.5m away from the common boundary with No.41. The rear extension ties into the side extension so that the proposed extensions combine to wrap around the side and rear of the house. It should be noted that this is achieved as the ground levels to the rear are a storey height below that at the side and the front of the house. This enables the roof of the side extension to tie into the roof of the two storey rear extension.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site relates to a semi-detached property set on a street of similar houses in terms of size, style and design. Built using brick and concrete tiles the house has a simple form with few features. The site is set near the Gledhow valley and consequently it slopes sharply downwards towards the rear and the front of the property is higher than the rear elevation. When viewed in the garden a lower ground floor is visible and this leads to a raised patio area. To the side of this is a 1.8m high fence separated the property with the adjoining house. On the opposite side steps lead to a raised area set at the end of the driveway, a neighbouring garage adjoins this. The neighbouring house at no.43 is set at a lower level than the application site by approximately 0.5m.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Two applications were refused at Plans Panel in 2010 and 2011 for larger extensions. Ref nos. 10/02814/FU and 11/01477/FU. Following these decisions a planning application for a reduced scheme was approved under delegated powers on 21st June 2013. That proposal was for the construction a single storey side and rear extension, and re-siting of steps with railings above to the rear. The single storey side extension will project approximately 2.5m in width from the existing side elevation of the dwelling and then drop back approximately 11.5m in depth before wrapping around to the rear. The side extension has a hipped roof which will measure approximately 2.8m to eaves and 3.8m to ridge. The two storey rear element (relating to lower ground floor and lower ground floor levels) will measure approximately 5.3m across the rear of the dwelling and project approximately 3m in

depth with a hipped roof which measures approximately 4.1m to the eaves and 5.3 to the ridge from lower ground floor level.

- 4.2 A hip to gable extension and a dormer have been added under permitted development rights. Work is underway on the previously approved extension.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application advice was sought from officers prior to the submission of this application.

- 5.2 Following concerns raised by a neighbour regarding the accuracy of the plans submitted, a site visit was made by LCC Compliance Service to take some measurements, this resulted in a request for accurate plans being made before the application could be considered at plans panel. The revised plans now submitted are considered accurate and show the width of the extension at 2.15m which is correlates with the width of 2.2m measured by Compliance Services.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by neighbour notification letter.

- 6.2 Following the receipt of accurate plans, neighbours and contributors were given a further 7 days to make any comments in relation to the revised plans.

- 6.3 Five letters of objection have been received from No.43, No.45, No.47, No.47A and No.49, Stainburn Crescent. The neighbours raise various concerns including depth, roof design, overdominance, massing and impact on residential amenity, loss of privacy, impact and dominance, maintenance/building works, access, loss of light and overshadowing, impact on the streetscene, cramped and over development of the site and size of the dwelling, inaccurate plans, the permitted development fall back position, the use of a dwelling as a House of Multiple Occupation (HMO). Other concerns surround sewerage, change in neighbouring land levels, emergency access, parking and traffic congestion.

7.0 CONSULTATIONS RESPONSES:

- 7.1 None

8.0 PLANNING POLICIES:

- 8.1 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.

- 8.2 As the Council has submitted the Publication Draft Core Strategy for 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.

8.5 Householder Design Guide SPD:

Leeds City Council Householder Design Guide was adopted on 1st 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.

9.0 MAIN ISSUES

- 1) Design and Character
- 2) Residential Amenity
- 2) 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”. This advice is elucidated and expanded within the Householder Design Guide.

- 10.2 As has been outlined above the application seeks to add a lower ground floor extension with a 3m projection at the rear of the dwelling and remove an existing elevated patio area and replace it with a set of steps down into the rear garden. All the other major extension works to the dwelling.
- 10.3 The proposal is considered acceptable in terms of design and character. The lower ground floor summer room is of modest dimensions with a mono-pitched roof and matching materials. It is acknowledged that neighbouring dwellings do raise concerns regarding the design of the extension and the impact of the extension on the host dwelling and character of the streetscene. However the conversion of the lower ground floor to form a summer room is not considered detrimental to the character of the application site and cannot be seen from the wider streetscene. Concern has been expressed by local residents about overdevelopment of the site, however the plot is generous in size and the proposal is a small additional to a previously approved scheme. An objection for overdevelopment cannot be sustained.
- 10.4 The proposal also involves removing the existing concrete patio area and relocating the associated steps and railings to the rear of the single storey side extension which forms the kitchen. The alterations are considered to be an improvement on the previously approved scheme as the existing raised patio was not considered to be ideal. Furthermore the proposed access steps and associated railings will not be visible from the streetscene and a condition will be imposed on the railings to ensure they are painted a dark colour to lessen any impact on the application site. It is noted that the local residents do raise concerns regarding design and impact on the character of the dwelling and wider area, however it is acknowledged that these concerns largely relate to the previously planning history and approved application and as discussed above the amended scheme is appropriately scaled and is not considered detrimental to the character of the host.

Residential amenity

- 10.5 The proposal involves a 3m projection close to the boundary with the attached dwelling. It will have a maximum height of 2.6m with a sloping roof. There is presently a solid 1.8m-2m high fence along the boundary. The projection of 3m is deemed acceptable within the guidance contained in the Householder Design Guide and the impact of such an addition is not significant on the residential amenity of the attached neighbour through dominance or overshadowing. No windows are proposed and this will be conditioned.
- 10.6 Turning to the resiting of the steps, the ground level is already raised and a garage base is used as a raised patio. This was to be retained as part of the previously approved application. The scheme now before Members includes a narrow walkway from the kitchen door and a set of steps leading down into the rear garden. The opportunities for overlooking are much reduced from the situation now and the previously approved scheme as there will be no elevated sitting out area. There will be no loss of residential amenity from this current proposal.

Neighbour Representations

10.9 The majority of the planning considerations which have been raised through representations have been discussed above. The majority of the concerns relate to that part of the scheme which already has planning permission. If the house is converted to a House in Multiple Occupation, this would require its own planning permission and would be considered on its own merits. The difference in land levels between the application site and no.43 is acknowledged and has been taken into account during the consideration of this application. The submitted plans do not show the rear dormer that has already been constructed, but this is not part of this application and this does not effect the ability to judge the impact the proposal has on the application site or neighbouring dwellings. A neighbour disputes that there the application plans accurately shown the space between the side of the house and the common boundary with No.43. However, the council does not hold records of land ownership or the position of boundaries and consequently this is a private matter. The applicant has confirmed that they own all the land to which the application relates and has amended the submitted plans to accurately show the proposal. Finally, a point has been raised that development has already commenced on site. The applicant already has a planning permission in place for a similar but smaller form of development and their representative has confirmed that the applicant has started to implement that permission.

11.0 CONCLUSION

11.1 The application is therefore considered to be acceptable. There will be no adverse impact on the streetscene nor the residential amenity of nearby residents.

Background Papers:

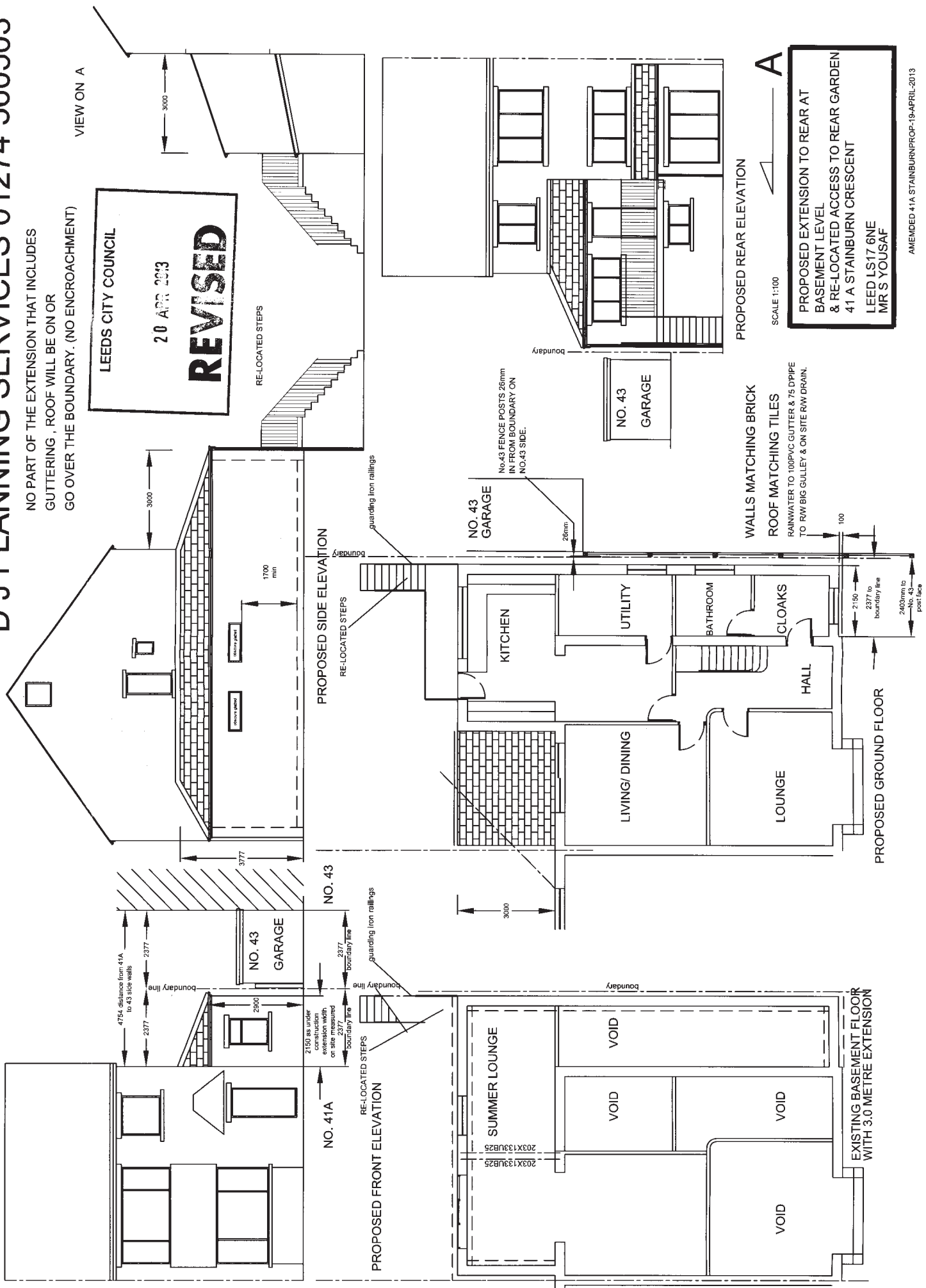
Application files: 13/00565/FU

Certificate of ownership: Certificate A signed by agent

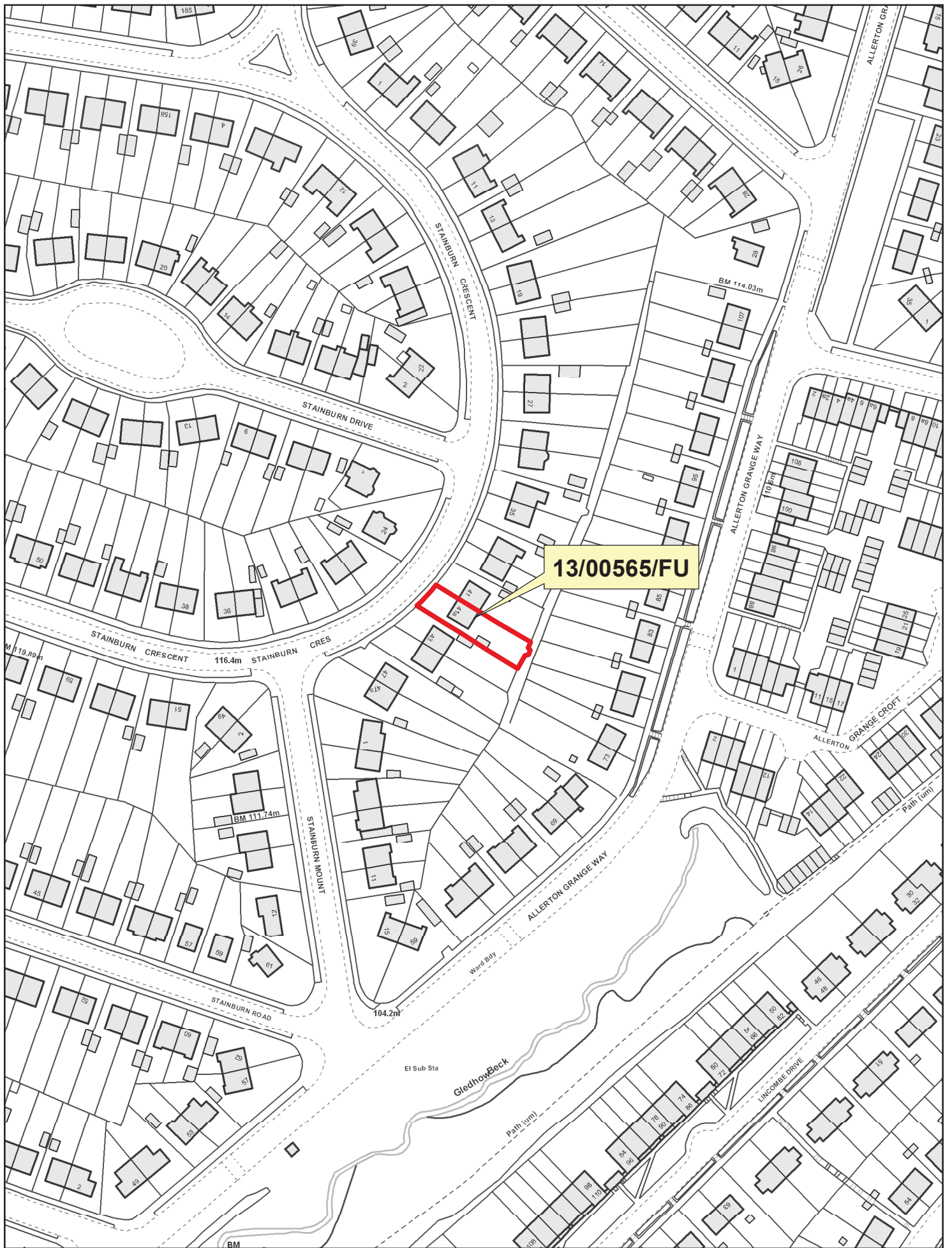
NO PART OF THE EXTENSION THAT INCLUDES GUTTERING , ROOF WILL BE ON OR GO OVER THE BOUNDARY. (NO ENCROACHMENT)

VIEW ON A

LEEDS CITY COUNCIL
20 APR 2013
REVISED



SCALE 1:100
PROPOSED EXTENSION TO REAR AT BASEMENT LEVEL & RE-LOCATED ACCESS TO REAR GARDEN 41 A STAINBURN CRESCENT LEED LS17 6NE MR'S YOUSAF



NORTH AND EAST PLANS PANEL





Originator:	J Thomas
Tel:	0113 2224409

Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 16th May 2013

Subject: APPEAL SUMMARY

Planning Application 12/00450/FU – Appeal by Mr S Squires against the decision of Leeds City Council to refuse planning permission for a detached garage with first floor office at The Coach House, Carr Lane, Thorner, LS14 3HF

The appeal was dismissed.

<p>Electoral Wards Affected:</p> <p>Harewood</p> <p><input type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION:

Members are asked to note the following appeal decision and costs decision.

1.0 BACKGROUND

1.1 The appeal decisions relate to the refusal of planning permission for a detached garage with first floor office at The Coach House, Carr Lane, Thorner, LS14 3HF for the following reason;

The Local Planning Authority considers that the proposed detached outbuilding by virtue of its overall height, size, scale and siting, coupled with the existing extensions to the dwelling, represents a disproportionate addition to the dwelling which would also harm the openness and character of the Green Belt, and which is therefore considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and as no very special circumstances have been demonstrated, the proposal is considered contrary to the aims and intentions of policy N33 of the Leeds Unitary Development Plan (Review) 2006, policy HDG3 of the Householder Design Guide as well as guidance contained within the National Planning Policy Framework.

- 1.2 The application for the detached garage with first floor office above was first discussed at the meeting of Plans Panel East on 19th April. The main issue in relation to the development was the impact on the openness of the Green Belt and compliance with the approved policy for house extensions in the Green Belt.
- 1.3 At that meeting members resolved not to accept the officer recommendation to refuse planning permission and were minded to approve the application subject to appropriate conditions. In reaching their decision the Panel noted that the City Council's planning policy allowed for extensions to dwellings that increase their size by up to 30% above that of the original dwelling. The proposal before Members would result in a 133% increase. It was also noted that no objections had been raised by neighbours and that that the use of the garage could be controlled by planning conditions.
- 1.4 The application was reconsidered at the meeting of Plans Panel East on 17th May. The report presented to Members asked the meeting to consider further information before coming to a final decision. This information was:
- the council's Green Belt Policy;
 - the need to make decisions which were complaint with the development plan;
 - recent Inspectors decisions relating to the Green Belt;
 - consistency of decision making;
 - an ombudsman case relating to Bolton Council.
- 1.5 Following further discussion and contributions from the Legal Officer members resolved to refuse planning permission for the reason noted in para 1.1

2.0 ISSUES IDENTIFIED BY THE INSPECTOR

- 2.1 The Inspector identified the main issues to be whether:
- the garage/home office is inappropriate development in the Green Belt;
 - there would be any other harm to the Green Belt and;
 - whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

3.0 SUMMARY OF COMMENTS BY THE INSPECTOR

Inappropriate Development

- 3.1 The Inspector noted that The Coach House was created in 1995 from an 18th century coach house and that extensions were allowed at the time of conversion, with an additional extension allowed in 2000. The Inspector summarised the national and local policy situations, noting the NPPF, the UDP and policy HDG3 of the Householder Design Guide. Particular attention was drawn to the use of the phrase 'original building' within the NPPF and the thirty percent threshold of the Design Guide.
- 3.2 The Inspector considered that the volume of The Coach House prior to its conversion should be taken as the original dwelling and all additions from that point forth, including those allowed at the time of conversion, should be considered extensions. Both parties calculated the cumulative volume increase to be

significantly above the thirty percent threshold and the Inspector noted that adding the garage/home office to the other extensions would result in an building significantly larger and disproportionate to the size of the original building. Consequently the garage/home office would be inappropriate development that is, by definition, harmful to the Green Belt and in conflict with the NPPF, Policy N33 and Policy HDG3.

Any other issues

- 3.3 The Inspector noted that the footprint of the garage was large, and that landscaping was proposed and that it was also intended to set the building slightly into the ground. However, the Inspector considered that a building of the size proposed and in the position proposed would be a prominent addition and that its size and bulk would reduce, and consequently harm, the openness of the area.

Any Other Considerations

- 3.4 The Inspector noted that the appellant had presented personal circumstances as a consideration which should outweigh the harm to the Green Belt caused through inappropriateness. Whilst acknowledging that the garage/home office would make the house into a more suitable property for the appellant's family the Inspector noted that planning permissions relate to land and property and not the current occupiers. He went on to note that in such a situation the personal circumstances of residents will seldom outweigh general planning considerations and drew attention to the fact that this was explained within the council's Green Belt policies.

Conclusion

- 3.5 The inspector therefore concluded that the garage/home office would be inappropriate development and would cause harm to openness and that the benefits of the other considerations, including the personal circumstances of the appellant did not clearly outweigh the significant harm the structure would cause.

4.0 COSTS DECISIONS

- 4.1 Both parties had submitted costs claims against the other. Both costs claims were dismissed.

- 4.2 In the case of the appellant it was claimed that the council had acted unreasonably by;

- presenting a second report to the panel after the first meeting;
- not allowing the applicant to personally address the second panel meeting and;
- through a change in the composition of Plans Panel between the two meetings.

- 4.3 In dismissing the costs claim the Inspector noted that the authority did not determine the application at the first meeting and that further discussion was not unreasonable. The Inspector also drew attention to the need for councils to determine like cases in a like manner and specifically noted that care is needed, through debate and discussion, involving both Councillors and officers, to ensure properly considered decisions are made. The Inspector also noted that the appellant had been kept informed throughout and that although the decision making process may have appeared convoluted it was not unreasonable nor procedurally at fault.

- 4.4 The Inspector noted that the decision not to allow the appellant to speak was compliant with the council's adopted procedures and although the composition of the panel had changed following the local elections, the two new members did not vote. In reaching his conclusion the Inspector considered that the council had substantiated its reason for refusal with clear reference to the relevant local and national policies and that the decision was reasonably made. As such unreasonable behaviour resulting in unnecessary expense had not been demonstrated.
- 4.5 In the case of the council it was claimed that the appellant had acted unreasonably in;
- pursuing an appeal clearly contrary to nation and local policy;
 - pursuing an appeal for inappropriate development in the Green Belt without adequate supporting evidence, and;
 - pursuing an appeal which relies upon substantial new evidence not made available at the time the council considered the application.
- 4.6 In dismissing the costs claim the Inspector noted that decision to dismiss the appeal involved two judgements; whether inappropriate development was involved and, if so, whether other considerations outweighed the harm. The Inspector noted that there is some ambiguity in advice regarding inappropriate development, relating in part to the definition of 'original', particularly in instances where dwellings have been formed from non-residential buildings. It was also noted that the thirty percent threshold did not represent a definite figure which would be applicable in every case. As such the Inspector considered that because some judgements needed to be made pursuing the appeal was not unreasonable and that because the appellant's case was not entirely without merit sufficient evidence had been presented.
- 4.7 The inspector considered that although the personal circumstances put forward by the appellant did not amount to very special circumstances, it was not unreasonable to submit that they might be. The Inspector also noted that the appellant would have been encouraged in his appeal by the Plans Panel deliberations which indicated that the Council formally felt the appellant's personal circumstances had some merit. As such unreasonable behaviour resulting in unnecessary expense had not been demonstrated.

4.0 IMPLICATIONS

- 4.1 The dismissal of the appeal for the detached garage with office over continues a pattern of successfully defending inappropriate development within the Green Belt. The Inspector was clear the tests the council apply are correct and gave significant weight to the adopted policies of the council, including policy HDG3 of the Householder Design Guide. The Inspector provided useful clarification on the starting point for calculating the 'original' house when dealing with applications to converted dwellings, noting that the NPPF made reference to the 'original building' and that this should be considered the building prior to its conversion.
- 4.2 The Inspector was also clear that the personal circumstances of appellants will seldom outweigh general planning considerations and that authorities must make robust and properly considered decisions in line with the adopted development plan.

Background Papers

12/00450/FU

Inspector's Decision Letter

P/13/00565/FU/HE

P/13/00565/FU/HE

Mrs S Yousaf

41A Stainburn Crescent
Leeds
LS17 6NE

Two storey, single storey side/rear extension and re-siting of steps with railings above to rear

Library:

Ward: Moortown

Decision by:

1 April 2013

Publicity Expires: 8 March 2013

Valid: 4 February 2013

Actions Taken	Date	Initials
Initial Documents Scanned	8/2/13	LS
All Docs and Decision Scanned		





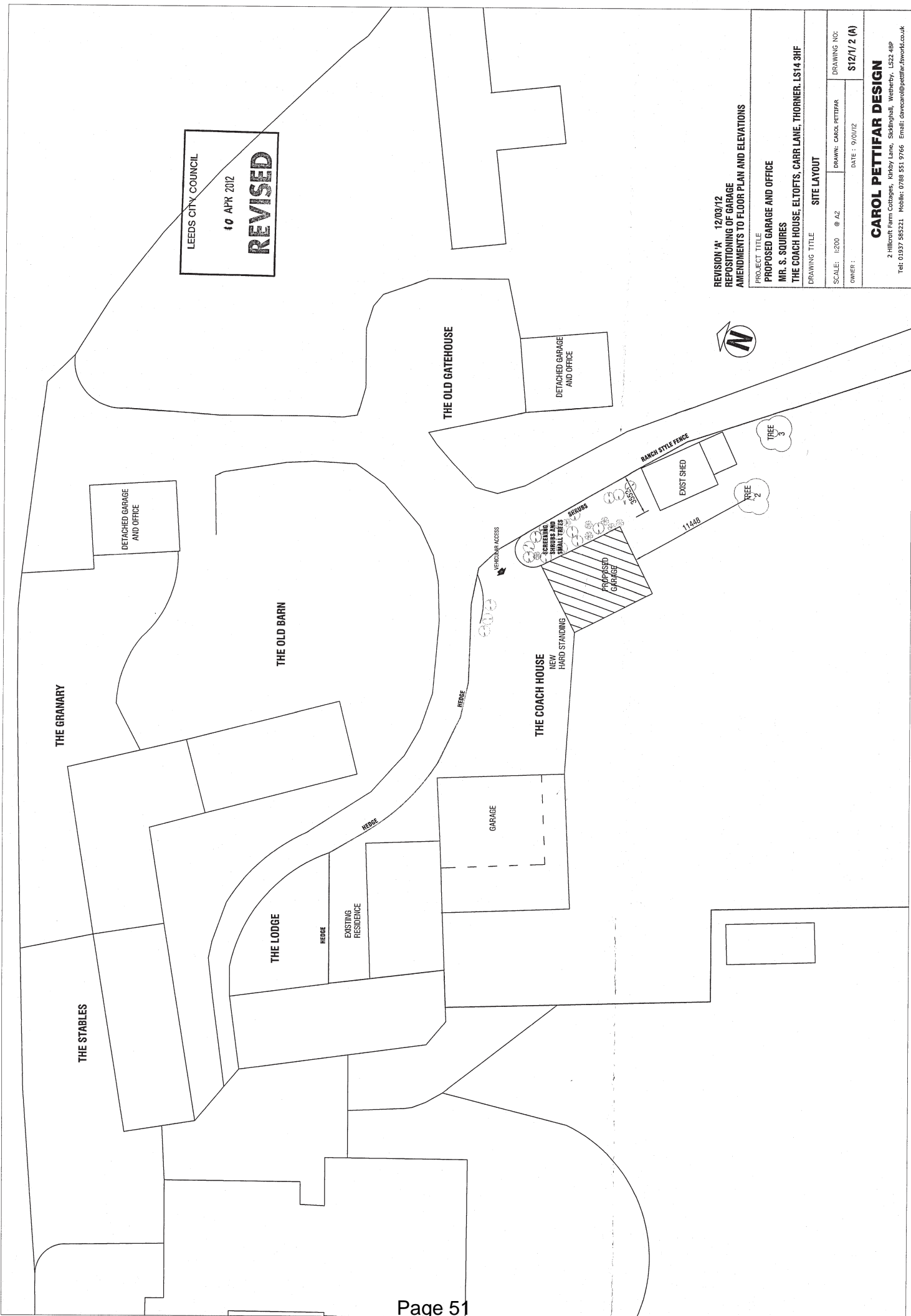








LEEDS CITY COUNCIL
10 APR 2012
REVISED



REVISION 'A' 12/03/12
REPOSITIONING OF GARAGE
AMENDMENTS TO FLOOR PLAN AND ELEVATIONS

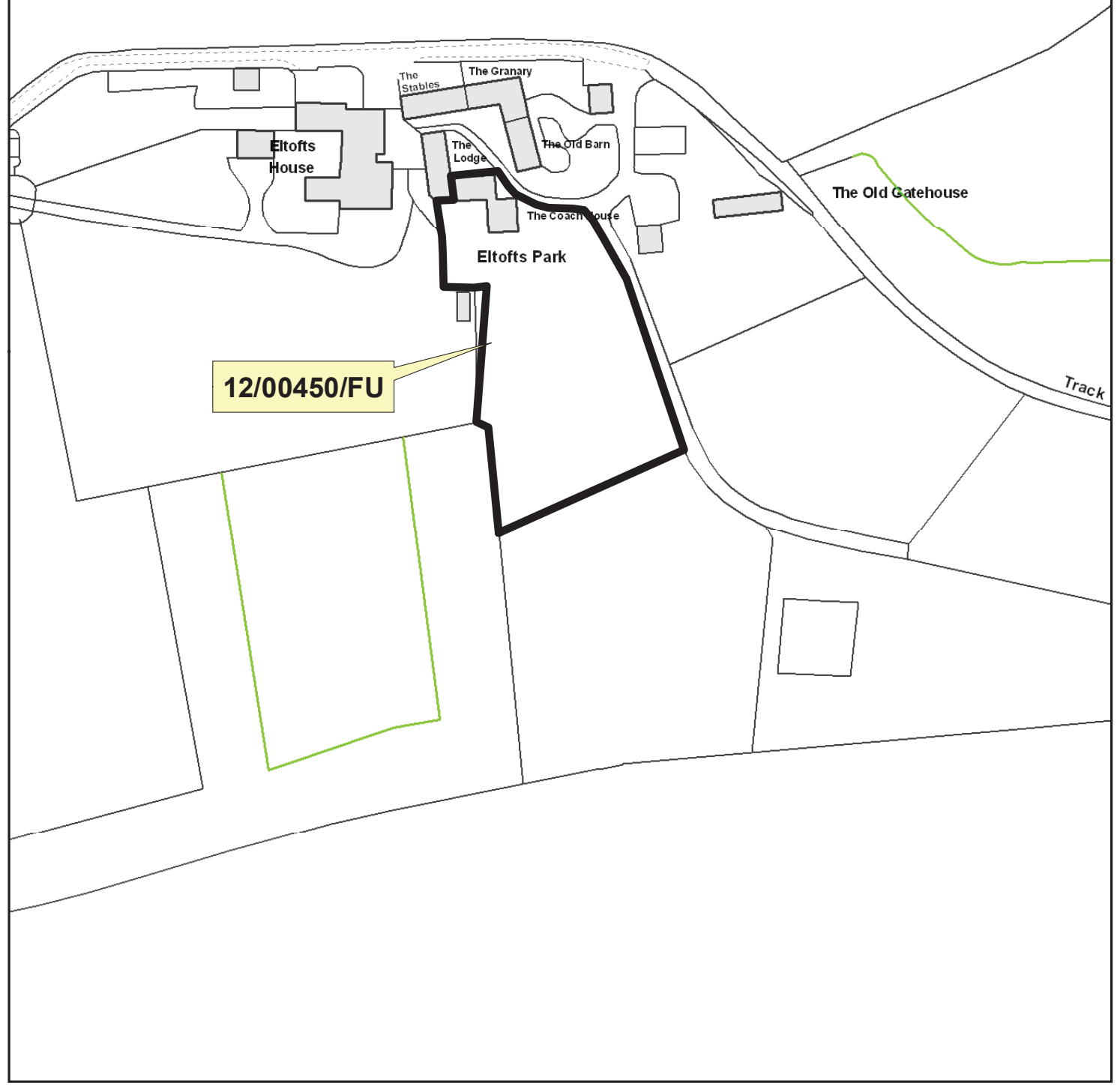
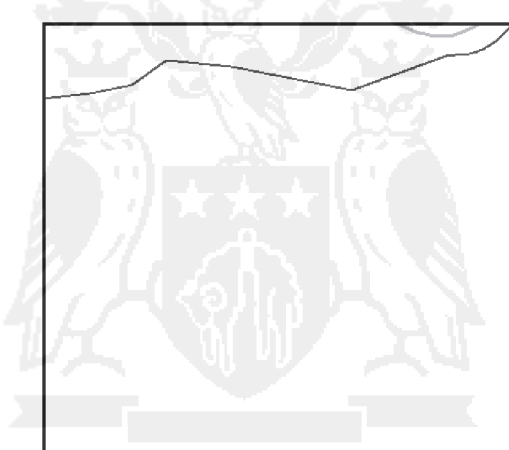
PROJECT TITLE
PROPOSED GARAGE AND OFFICE

MR. S. SQUIRES
THE COACH HOUSE, ELTOFTS, CARR LANE, THORNER, LS14 3HF

DRAWING TITLE
SITE LAYOUT

SCALE: 1:200 @ A2	DRAWN: CAROL PETTIFAR	DRAWING NO:
OWNER :	DATE : 9/01/12	S12/1/2 (A)

CAROL PETTIFAR DESIGN
2 Millers Farm Cottages, Kirby Lane, Spidingshall, Wetherby, LS22 4BP
Tel: 01537 585221 Mobile: 0788 551 9766 Email: carol@pettifar.co.uk



EAST PLANS PANEL

