



SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 23rd May, 2013
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	J Bentley	P Wadsworth	R Finnigan
M Coulson		R Wood	
C Gruen			
J Harper (Chair)			
C Towler			
P Truswell			
J Walker			

Agenda compiled by:
Andy Booth
Governance Services
Civic Hall
Tel: 0113 24 74325

AGENDA

Item No	Ward	Item Not Open		Page No
1			<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> <p>No exempt items or information have been identified on the agenda</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>	

Item No	Ward	Item Not Open		Page No
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER 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 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 25 APRIL 2013</p> <p>To confirm as a correct record the minutes of the meeting held on 25 April 2013.</p>	3 - 8
7	Hyde Park and Woodhouse		<p>APPLICATION 13/01215/FU - ASH GROVE SOCIAL CLUB, 16 ASH GROVE, LS6 1AY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use of ground and first floor of social club to form 6 flats.</p>	9 - 20
8	Calverley and Farsley		<p>APPLICATION 13/00212/FU - 36 TOWN STREET, FARSLEY, PUDSEY, LS28 5LD</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for change of use of retail unit to estate agency.</p>	21 - 28
9	Horsforth		<p>APPLICATION 13/01368/FU - 2 ST MARGARET'S DRIVE, HORSFORTH LEEDS, LS18 5BQ</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a two storey and single storey front, side and rear extension including canopy to front and patio area to rear.</p>	29 - 36

Item No	Ward	Item Not Open		Page No
10			DATE AND TIME OF NEXT MEETING Thursday, 20 June 2013 at 1.30 p.m.	

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To:

Members of Plans Panel (South and West)
Plus appropriate Ward Members and Parish/Town Councils

Chief Executive's Department
Democratic Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Andy Booth
Tel: 0113 247 4325
Fax: 0113 395 1599
andy.booth@leeds.gov.uk
Your reference:
Our reference: ppw/sitevisit/
2013

Dear Councillor

SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY, 23 MAY 2013

Prior to the next meeting of Plans Panel West there will be site visits in respect of the following;

- 1 11.10 a.m. Change of use of retail unit to estate agency – 36 Town Street, Farsley, Pudsey – Leave 11.15 a.m. (if travelling independently meet outside shop unit)
 - 2 11.35 a.m. Two storey and single storey side and rear extension including canopy to front and patio to rear – 2 St Margaret's Drive, Horsforth – Leave 11.40 a.m. (if travelling independently meet outside 2 St Margaret's Drive)
- Return to Civic Hall at 12.00 p.m. approximately

A minibus will leave the Civic Hall at 10.45 a.m. prompt. Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 10.40 a.m.

Yours sincerely

Andy Booth
Governance Officer

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SOUTH AND WEST PLANS PANEL

THURSDAY, 25TH APRIL, 2013

PRESENT: Councillor J Harper in the Chair

Councillors J Akhtar, J Bentley,
D Congreve, M Coulson, R Finnigan,
C Towler, P Truswell, P Wadsworth,
J Walker and R Wood

77 **Declarations of Disclosable Pecuniary and other Interests**

There were no declarations of interest.

78 **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Caroline Gruen. Councillor David Congreve was present as substitute.

79 **Minutes of the meeting held on 28 March 2013**

RESOLVED – That the minutes of the meeting held on 28 March 2013 be confirmed as a correct record.

80 **Application 09/055553/OT - Land Off Royds Lane, Lower Wortley**

The report of the Chief Planning Officer referred to an outline application for residential development at land off Royds Lane, Lower Wortley. Members were reminded that the application had been deferred by Panel in February 2013 to allow for further information to be sought in relation to the use of the land for waste management and to get further information in relation to the education contribution part of the Section 106 agreement.

Members were shown photographs and plans of the site.

Issues highlighted in relation to the application included the following:

- The full amount for the education contribution for this site would usually be £740,000 with over £500,000 being used towards primary school provision. Due to the nature of the site and additional costs involved the developer had offered £300,000 towards the education contribution. It was reported that should there be market improvements then a further contribution could be made possibly against a further contribution to affordable housing.
- Since the previous meeting, the applicant had submitted a case for the overriding need to develop the site as opposed to the use of the site for waste management. Only a small part of the site had been allocated

for waste management and it had never been used for this purpose. The permission for waste management had only 11 months left to run and the site was classed as brownfield and had a previous permission for residential development.

- Extraction of coal – coal had been extracted at the site in the past. The remaining coal was of poor quality and would be too costly to extract.
- Members were asked to defer and delegate the application for approval subject to the conditions as outlined in the report.

In response to Members comments, the following issues were discussed:

- Concern regarding the reduced education contribution, particularly due to the lack of available school places.
- An appropriate trigger figure would be agreed with the developer and if this was reached then further money towards affordable housing, or an education contribution would be available.
- Officers did have access to financial details as part of the negotiations with the applicant.
- The need to develop brownfield sites – whilst it was accepted there was a significant shortfall in the education and affordable housing contributions; there were other regeneration benefits with this proposed scheme.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions specified in the report.

81 Application 13/00620/FU - 151a Otley Road, LS16 6HN

The report of the Chief Planning Officer presented an application for the change of use of a ground floor office to form a hot food takeaway with a flue to the rear at 151A Otley Old Road, LS16 6HN

Photographs and proposed plans for the site were shown at the meeting.

Issues highlighted in relation to the application included the following:

- The proposed flue would not be visible from Otley Road and diagrams of how the flue would appear were displayed.
- The change of use of the premises would have some impact on amenity including fumes and odours from cooking and some noise disturbance from the extraction unit and people attending the premises.
- Objections received from adjoining properties which were for used for commercial purposed did not have the same impact on amenity as residential properties would.

The panel heard representations in objection to the application on behalf of residents and the adjoining commercial premises. These included the following:

- A fast food takeaway was not within the keeping of the area.
- The rear car park was used by the occupant health practitioner and shared access to this was frequently blocked.
- Noise disturbance would increase.
- The car park adjacent to the premises was full on an evening.
- There would be an increase in rubbish and this may attract vermin.
- A takeaway would be damaging to the health clinic and dental practice.
- Vehicular access for the disabled would be impaired.
- Traffic congestion could be caused.

In response to Members comments and questions, the following issues were discussed:

- Concern that the application did not meet with National Planning Policy Framework.
- Car parking – there would be no customer parking at the rear of the premises; there was room to park on the road at the front and there had not been any objection from highways.
- The applicant planned to provide a delivery service.
- The hours of opening would not exceed those of the neighbouring restaurant.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions specified in the report.

82 Application 11/03324/FU - Former Cookridge Hospital, Silk Mill Way, Cookridge

The report of the Chief Planning Officer referred to the application for a residential development of 143 houses and 12 flats; restoration of The Lodge to form 1 house; alterations and extensions to hospital buildings to form residential care home comprising 20 apartments and 35 bedspaces (C2 use); alterations and extensions to former Ida Wing building to form 56 'extra care' housing units (C3 use) at the former Cookridge Hospital, Silk Mill Way, Cookridge.

The application had been brought back to the Panel at the request of the applicant to change the Section 106 package that was previously agreed.

Site plans and photographs were displayed at the meeting.

Issues highlighted in relation to the application included the following:

- Development at the site had commenced but had now come to a halt whilst the issue surrounding the Section 106 package could be resolved.
- It was reported that the potential operator of the 'extra care' housing units would not be able to deliver this at social rent levels as opposed

to sub market rent levels and the Panel was asked to consider a proposal to change the Section 106 agreement to this effect.

- It was felt that this was still a good arrangement for the provision of affordable housing and met the strategic needs of the city and the area.

In response to Members comments and questions, the following was discussed:

- Support would be available for people on benefits.
- Catering facilities in extra care housing were optional.
- There was a recognised need for this kind of provision in the area and Members spoke in support of the application.

RESOLVED – That the proposed changes to the affordable housing element of the Section 106 package be agreed.

83 Application 06/01712/FU - Land off Station Lane, East Ardsley

The report of the Chief Planning Officer presented an application to discharge/amend a planning obligation under Section 106a of the Town and Country Planning Act 1990, relation to planning permission ref no 06/01712/FU, for 247 houses and flats at land off Station Lane, East Ardsley.

It was reported that the applicant was looking to re-negotiate the Section 106 agreement. This would reduce the overall sum from £1,480,000 to £350,000 and the applicant had submitted a detailed financial assessment. It was estimated that the scheme would make a loss of £3,000,000 and the reduced Section 106 package would enable continuation of the development.

Further issues discussed in relation to the application included the following:

- Asset management had studied the financial assessment.
- Ward Members had been consulted and were supportive of the proposals.
- The pressure on local schools and the need to secure the education contribution of the Section 106 agreement.
- It was suggested that it would have been useful for the Panel to have seen the financial assessment.

RESOLVED -

84 Little London PFI Regeneration Project

The report of the Chief Planning Officer gave the Panel a position statement on the Little London PFI regeneration project.

It was reported that following a Government spending review, the community hub proposals for the development would no longer be included in the project and the Panel was informed of revised proposals that would include community facilities, retail provision and expansion of Little London Primary School.

Draft minutes to be approved at the meeting
to be held on Thursday, 23rd May, 2013

RESOLVED – That the report be noted.

85 Application 13/00874/FU - Haigh Hall Farm, Batley Road, Tingley, Wakefield

The report of the Chief Planning Officer presented a position statement for planning application 13/00874/FU for the development of a solar farm on the site of Haigh Hall Farm, Batley Road, Tingley.

Some Members had visited the site prior to the meeting and site plans and photographs were displayed.

Issues highlighted in relation to the proposals included the following:

- Due to the value of the installation there would be a need for fencing and CCTV. The Panel was shown photographs of similar installations.
- There would be supplementary planting to screen the fencing but this would not have to over shadow the installation.
- The installation would not be visible from homes on Batley Road.
- Proposals for vehicle movement during the development of the site.

In response to Members comments and questions, the following issues were discussed:

- Renewable energy was encouraged to be viewed as positively as possible within the National Planning Policy Framework.
- The scheme would provide enough energy to power up to 2,500 homes which was comparable to 5 wind turbines.
- The Highways Agency had been contacted regarding the possibility of glint and glare for traffic travelling on the M1. No concerns had been received.
- It was requested that the fencing and CCTV be as unobtrusive as possible.
- Members supported the proposals and agreed that the application should be deferred to officers subject to further discussion with Ward Members and the Panel Chair should significant objections be made.

RESOLVED – That the report be noted.

86 Date and time of next meeting

Thursday, 23 May 2013 at 1.30 p.m.

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Originator: Terry Moran

Tel: 0113 39532110

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 23rd May 2013

Subject: APPLICATION 13/01215/FU – CHANGE OF USE OF GROUND AND FIRST FLOOR OF SOCIAL CLUB TO FORM 6 FLATS CAR PARKING AT ASH GROVE SOCIAL CLUB, 16 ASH GROVE, LEEDS. LS6 1AY, Leeds

APPLICANT

Cotech Investments

DATE VALID

13th March 2013

TARGET DATE

8th May 2013

Electoral Wards Affected:

Hyde Park and Woodhouse

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PLANNING PERMISSION subject to the following conditions

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. All existing metalwork and framework relating to the fire escape on the Ash Grove elevation and the wooden balcony and staircase to the south elevation shall be completely removed and the building made good in matching materials as necessary prior to first occupation of the flats hereby approved.
4. Details of windows to be provided
5. New brickwork to match existing brickwork
6. Details of bin and cycle storage to be approved and carried out on site.
7. Boundary treatment to be approved and to include removal of existing steel palisade fencing.

8. In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, H15, N19
Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION

- 1.1 This application has been submitted following the refusal of a similar scheme by Members of the South and West Plans Panel at the meeting of 28 February 2013. The application differs from the previous refusal in that the scheme now proposes a total of six flats - 2 one bed and 4 two bed - whereas the previous scheme comprised a total of four flats – 2 one bed and 2 four bed. Although the number of flats has increased, the number of bed spaces remains the same at 10. The applicant states that the revised proposal is intended to offer a higher standard of accommodation aimed at young professionals and not students.
- 1.2 This application is brought before Members following representations from Ward Councillor Gerry Harper who is concerned that the proposal results in too many self-contained units being created, and from Councillor Neil Walshaw who is concerned that the proposal will have an unacceptable impact on the amenity of local residents.
- 1.3 Representations have also been received from local residents and Action Groups which express concern that the proposal represents overdevelopment of the site and fails to provide a conversion which would prove attractive to professionals or non-students, thereby exacerbating problems of social imbalance by increasing the student population relative to permanent residents. Concerns are also raised that the proposal is thus too similar to other recent schemes including that recently refused by Plans Panel, and that it fails to address the concerns of local residents.

2.0 PROPOSAL:

- 2.1 The application is to change the use of a Social Club on the ground and first floors of the building to form six flats, with external alterations to form new windows and laying out of parking and landscaping.

- 2.2 A rear extension approved under an earlier permission is currently under construction and this will form a further 6 small flats. If the current application were approved the following mix of accommodation would result: -

Current application - 6 flats within the club area on ground and first floors –
2 x one bed – 2 beds
4 x two bed – 8 beds

Upper floor - 3 flats within building on 2nd floor and in roof space –
1 x five bed - 5 beds
2 x four bed – 8 beds

Approved extension – 6 flats
1 x 2 bed – 2 beds
5 x 1 bed – 5 beds

Total -15 flats with 30 bed spaces and 14 car parking spaces.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application property is the Ash Grove Social Club at 16 Ash Grove. The property is a large and impressive three to four storey red brick building at the end of a row of terraced Victorian houses and is an attractive and positive building within the Headingley Conservation Area. It has until recently functioned as a social club on ground and first floors with flats above. There is a hard standing area adjacent which has provided car parking for the club and the flats.
- 3.2 To the south is a two storey row of flats dating probably from the 1960's and to the rear is a site formerly used as sports facilities by the then Leeds Girls High school. Brick buildings on that site comprise a sports hall and swimming pool and there is an adjacent grass pitch.
- 3.3 Ash Grove otherwise comprises mainly terraced traditional Victorian terraced brick houses, many of which are in use as HMOs.

4.0 RELEVANT PLANNING HISTORY:

12/04984/FU – Change of use to form 4 flats. Refused, 12/03/2013. Reason:

The proposed change of use of the club to 4 flats would result in an unacceptable loss of amenity to nearby residents as a result of increased activity, and noise and disturbance from the proposed flats combined with existing housing offering similar accommodation, contrary to part (ii) of policy H15 of the Revised Unitary Development Plan 2006 and to part (iv) of emerging core strategy policy H6 and to guidance in the National Planning Policy Framework

12/01131/FU – Extension to erect 6 flats to side of Club. Approved, 28/05/12. This scheme is currently under construction.

10/04134/FU – 3 storey extension to social club to erect 5 flats. Refused, 05/11/2010. Appeal dismissed on design grounds on 23/05/11.

10/01462/FU – 3 storey extension to erect 5 flats. Refused, 26/07/10. Appeal dismissed on design grounds on 23/05/11.

07/03877/FU – 4 storey block of 6 flats. Refused, 31/08/07

26/97/98/FU - 4 storey extension to erect 4 flats. Refused
Dismissed at Appeal, 29/09/99.

26/10/97/FU – Change of use and four storey extension of social club to 4 five bedroom 1 four bedroom and 2 one bedroom flats Approved, 11/11/97. Condition 5 of this permission states that:

There shall be no more than 26 people residing at the property at any one time.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Following the recent refusal of an application for a change of use of the club to flats by the Plans Panel. The agent for the scheme produced this revised scheme in which the larger flats become 2 bed flats. The plans for this were put to the South Headingley Community Association, which acknowledges that this is a slight but the Association still strongly opposes this planning application for the reasons summarised in this report.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been publicised by press and site notices as development affecting the character of the Headingley Conservation Area.

Site notice posted 05/04/2013

Press advert in YEP placed on 05/04/2013 expires 26/04/2013

6.2 The following objections have been received:

Councillor Gerry Harper - Objects to the application on grounds of an already high proportion of HMOs and flats, noise and on-street car parking.

Councillor Neil Walshaw Objects as Chair of the Inner North West Planning Group and as a Headingley Ward Member. The Panel is asked to strongly consider the written representation made by the South Headingley Community Association that this particular street is the most severely stressed in terms of noise and anti-social behaviour within the Hyde Park and Headingley area.

Hilary Benn MP – This Application is little different from the one submitted in November 2012 which was so resoundingly turned down by the Plans Panel, except that the 2 additional 4 bed HMOs have now been changed to 4 x 2 bed flats..Considers that more family accommodation is required.

Objections have been received from 11 local residents and the South Headingley Community Association and the North Hyde Park Neighbourhood Association. In summary, these are: -

- The demographic imbalance of Ash Grove. Students already comprise 80% of the population of the street – more flats let to students will add to this imbalance.

- This gives rise to significant problems – most notably noise – street noise late at night and music from parties through the night.
- The change in balance of community has continued since consent was granted for flats in 1997 such that there is now a higher proportion of student residents than then.
- Increase in on-street car parking.
- Although there has been a community consultation exercise, the applicant did not allow time for residents to properly respond before submitting the application.
- It is suggested that the applicant should remove the existing three large student flats at upper levels so as to reduce the number of tenants and make the development more family-friendly
- If permission is granted restrictions are requested which would restrict use to C3, not C4 (Minor HMO) use.

7.0 CONSULTATIONS RESPONSES:

STATUTORY

7.1 None.

NON-STATUTORY

7.2 Highway Authority – No objections, as there will be no increase in demand for car parking relative to the existing club use.

Neighbourhoods and Housing – No objection.

8.0 PLANNING POLICIES:

DEVELOPMENT PLAN

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

UDPR POLICIES:

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

Policy T2 – this aims to avoid any undue impact on highway safety.

Policy T24 – this sets out recommended car parking guidelines.

Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas

Policy H15 – this refers to the Area of Housing Mix and sets out a range of criteria aimed at promoting mixed communities

DRAFT CORE STRATEGY

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012.

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 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.

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.

Draft Core Strategy Policy H6 (Incorporating pre-submission changes) states that:

POLICY H6: HOUSES IN MULTIPLE OCCUPATION (HMOS), STUDENT ACCOMMODATION, AND FLAT CONVERSIONS

A) within the area of Leeds covered by the article iv direction for houses in multiple occupation (HMOs), development proposals for new HMOs will be determined:

i) to ensure that a sufficient supply of HMOs is maintained in Leeds,

ii) to ensure that HMOs are distributed in areas well connected to employment and educational destinations associated with HMO occupants,

iii) to avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities.

iv) to ensure that proposals for new HMOs address relevant amenity and parking concerns.

v) to avoid the loss of existing housing suitable for family occupation in areas of existing high concentrations of HMOs.

RELEVANT SUPPLEMENTARY GUIDANCE:

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

Neighbourhoods for Living – Sets out the Council's guidelines and aspirations for well-designed residential accommodation.

NATIONAL PLANNING POLICY:

The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

9.0 MAIN ISSUES:

9.1 It is considered that the main issues are:

- Differences between the current proposal and the recently refused scheme
- Impact of the proposal on residential amenity and demographic balance
- Provision of car parking
- Preservation or enhancement of the Headingley Conservation Area.

10.0 APPRAISAL:

Differences between the current proposal and the recently refused scheme

10.1 As discussed above, the Plans Panel has only recently refused a similar scheme and the only difference with the current proposal is that the two larger 4 bed flats are split into four 2 bed flats. This does mean that none of the units can, in planning terms, be classed as HMO's as such classification means 3 or more unrelated residents.

Impact of the proposal on residential amenity

10.2 The existing Social Club has operated from the site for a number of years, and is clearly located in an area unsuitable for a use of this nature. It has an extensive history of complaints to the Council from local residents relating to noise and disturbance, from both loud music and noise from patrons in the street, the latter has been an issue in particular since the smoking ban came into effect. The residential use proposed is, however, considered compatible with this residential location. The existing flats within the building are understood to be let to students and whilst the student market is clearly likely for the flats currently proposed, it is pointed out that the application is not specifically for students flats and they would be available to other types of occupier. As student occupation is clearly a possibility however and

as the site lies within the defined Area of Housing Mix, the application has been tested against UDPR policy H15.

10.3 Policy H15 deals with student housing proposals and states that:

Within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:

- i) the stock of housing accommodation, including that available for family occupation, would not be unacceptably reduced in terms of quantity and variety;*
- ii) there would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;*
- iii) the scale and character of the proposal would be compatible with the surrounding area;*
- iv) satisfactory provision would be made for car parking; and*
- v) the proposal would improve the quality or variety of the stock of student housing.*

Taking these policy points in turn:

i.) The site has been used as a Social Club for a number of years. Consequently, the proposal will therefore not result in the loss of any existing family accommodation.

ii) It is considered that the levels of activity produced by up to 10 residents will be less than that previously generated by the use of the building as a Social Club, particularly given that the existing use as a Social Club has a long track record of creating noise disturbance.

lii) Six additional flats within the existing building could not be argued to be incompatible in scale and character with the surrounding area.

iv.) The site has 14 off-street parking spaces which is sufficient for the proposed use, particularly as the social club would go.

v.) The proposed bedrooms are of a reasonable size with good natural light and would provide an acceptable standard of accommodation within a building already occupied by students.

10.4 It is noted that Draft Core Strategy policy H6 (to which some weight can now be attached) includes that within the Area of Housing Mix proposals should seek:

iii) to avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities.

10.5 In addressing the issue of residential amenity and whether this proposal would cause harm to neighbouring permanent residents, it must be considered whether the 10 additional occupiers would add to noise and disturbance to the extent that permission should be refused.

10.6 More significantly, the effect on existing residents of the proposed flats must be considered in the context that the lawful planning use of the premises is as a club, which has a track record of creating noise disturbance. Whilst noting that there is a possibility that some student residents may on occasion indulge in anti-social

behaviour; this seems unlikely to be comparable in potential impact to the impacts of a social club licensed for 150 patrons.

- 10.7 Some objections refer to the social imbalance within the area resulting from the high proportion of transient student residents. This concern is noted but it is not considered that the current proposal will have an impact on this relative to the current use of the building as a social club. In an appeal decision relating to the property into the Council's refusal of an extension to form 5 two bed flats dated 23 May 2011, the Inspector said that 'as to the proportion of student accommodation in the locality, whilst it may be high, I have seen no clear evidence to show that the proposals would increase it to the extent that the housing mix or community cohesion would be materially harmed'
- 10.8 Some objectors have requested that if permission is granted for the flats then they should be restricted to occupation by families. This is not recommended for a number of reasons: -
1. There is no planning policy basis on which to do this. Policy H15 supports student accommodation subject to the criteria set out and discussed above, where there is no loss of accommodation suitable for occupation by families.
 2. It would result in a block of flats some of which could be occupied by students and some of which could not. It would not be possible to monitor and ensure compliance with such a condition.
 3. Accommodation a block partially occupied by students is unlikely to be attractive to family occupiers.
- 10.9 In coming to the view that there is no sound basis on which to refuse planning permission for the 4 flats proposed, officers have had very careful regard to the strong concerns of local residents. Clearly the lifestyle of student residents has a significant impact on the lives of local residents. These concerns relate to an existing situation however to which there is no simple solution and the current application must be considered on its own merits. Taking this approach, officers take the view that the 4 flats proposed represent a net benefit to the community as compared with the current social club use and that permission should not be withheld in the particular circumstances of this case.

Provision of car parking

- 10.10 The proposal indicates 14 car parking spaces within the site. This is an increase on the approved layout for the 6 flats extension currently being built for which 11 car parking spaces are provided. Objections have been received on grounds that the proposed flats will add to off-street car parking.
- 10.11 In the first instance given that there is an existing use as a club; parking provision for the proposed flats must be considered relative to the potential parking demands generated by the club.

UDPR Parking Guidelines:

Student Accommodation – 1 space per 4 bed spaces
10 bed spaces equating to :
3 car parking spaces

Social Club – no specific guidelines

Class A3 food and drink Outside S2 Centres

1:2 - drinking area, for customers;

1:4 - dining area, for customers;

1.25 - per resident staff, for staff;

0.33 - per non-resident staff, for staff

As the club had a licence for 150 patrons this would equate to a parking requirement of over 70 spaces. A club of this nature is unlikely to require that level of car parking and although residents point out that past patrons have often been students arriving on foot, there can be no guarantee that the club would operate in this manner in the future.

Some objectors have asked that the flats, if granted permission, should be restricted to family occupants. In this instance, parking guidelines would require: -

1.5 spaces per dwelling equating to :

6 car parking spaces

- 10.12 The property in any event is considered to be in a sustainable location. A bus stop at Brudenell Road within 100m of the site provides services to Leeds City Centre with a more extensive range of services available within 400m from stops on the A660. The property is also within 20 minutes walk of the Universities area.
- 10.13 In dismissing the appeal to erect new flats on design grounds, (application references 10/01462/FU and 10/04134/FU); the Inspector concluded that the erection of additional flats would not result in any undue impact on highway safety. In addition, the proposed four flats would be expected to create less demand for car parking than the existing Club use and it is concluded that the 14 car parking spaces provided will meet the needs of the development in this instance.

Preservation or enhancement of the Headingley Conservation Area

- 10.14 As part of the proposals the unsightly metal fire escape at the front of the property would be removed (although this is also a condition of the permission for the 6 flats currently under construction) and also the timber staircase and balcony to the south elevation. Doorway openings to that elevation would be adapted to windows in a manner sympathetic to the existing original elevation. The car park would be laid out and surfaced and landscaped such that overall the development would serve to enhance the Headingley Conservation Area.

11.0 CONCLUSION:

- 11.1 Members of the Panel have only recently resolved to refuse a similar application for conversion of the club to flats and will therefore wish to consider whether this amended proposal for 6 flats in place of the 4 approved, which are smaller units not capable of being HMOs, merits a different decision to that of the previous refusal.

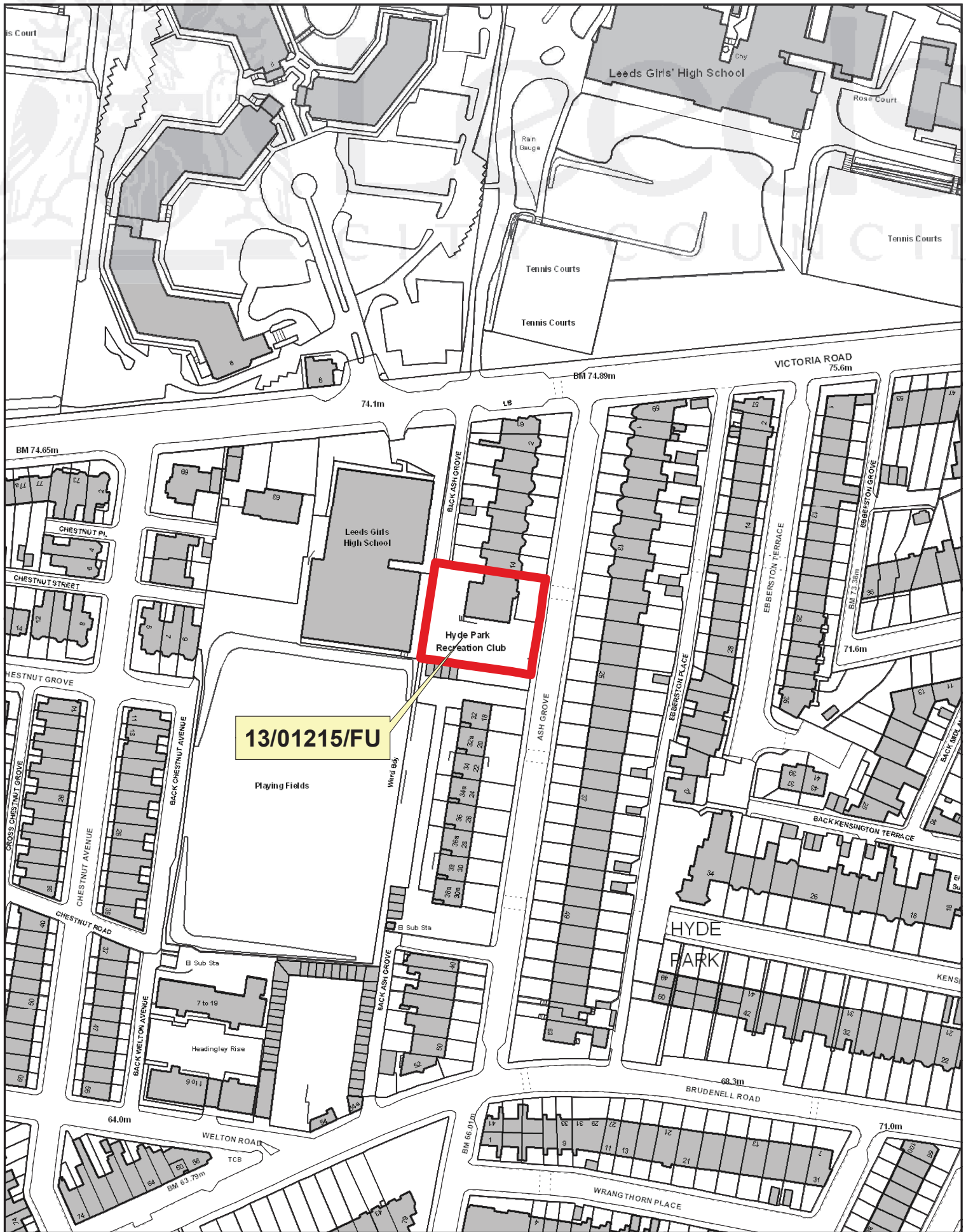
The view of officers is that the planning considerations remain very similar to those relevant to the previous application. The building is in a residential area and residential use is appropriate. It is acknowledged that if the additional flats were let to students, that there is a possibility that this could add to a degree to the issues of disturbance to permanent residents currently experienced. In overall terms however the impact is likely to be limited and has to be weighed against the possibility of

resumption of the club use which has a history of noise complaints. The removal of the unsightly external staircases would in addition improve the appearance of this attractive property and enhance the character of the Headingley Conservation Area. Approval is recommended.

Background Papers:

Application and history files.

Certificate of Ownership.



SOUTH AND WEST PLANS PANEL



Originator: Rajinder Hare

Tel: 247 8019

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 23 May 2013

Subject: **PLANNING APPLICATION 13/00212/FU**

Change of use of retail unit to estate agency at 36 Town Street, Farsley, Pudsey, Leeds

APPLICANT

Mr David Naylor

DATE VALID

15.01.2013

TARGET DATE

12.03.2013

Electoral Wards Affected:

Calverley & Farsley

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Approval recommended subject to specified conditions.

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with approved plans

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, N19, S2, SF7, SF10a, BC9.

Farsley Conservation Area Appraisal and Management Plan

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 Introduction:

- 1.1 This is a retrospective application is for a change of use of previously vacant retail unit to an estate agency at 36 Town Street, Farsley, Pudsey, Leeds. This is considered acceptable and would not have a detrimental impact on the viability and vitality of Farsley Town Centre. It would not reduce the proportion of primary frontage units below 30% limit laid out within policy SF7, and is therefore recommended for approval.

2.0 Proposal

- 2.1 This retrospective application seeks permission for the change of use of the previously vacant retail unit at No. 36 Town Street to the A2 letting Agents.
- 2.2 Other than a new fascia sign, there will be no external alterations to the premises. Internally there are no physical alterations.
- 2.3 The remainder of the floor area has become a sales area. The upper floors will remain in use as a separate dwellings, the stairwell to the rear will no longer be used as such and forms a store area.
- 2.4 There are 3 full-time employees and 2 part-time employees.
- 2.5 There proposed opening hours are 0900 hours to 17.30hours Monday to Friday and 0900hours to 1600hours Saturday.

3.0 Site and Surroundings-

- 3.1 The site is a 3 storey stone building with a shop unit below which was previously in A1 use and has subsequently become a A2 shop unit, last used as Belle Maison 'home furnishings'. (With residential above on both floors).
- 3.2 The site is located within the Primary Shopping Frontage of Farsley Town Centre, as defined by UDP Policy S2, and is identified as a positive structure within the Farsley Conservation Area Statement.
- 3.3 Hainsworth Square to the rear is a privately owned road. It has a grassed verge to the side which borders the church and a narrow strip of stone flags to the front of the houses. There is no access from the site onto this road due to the change in levels. The upper floors of the building consist of a single unit of residential accommodation, accessed from the rear via Hainsworth Square.
- 3.4 The shop unit has a deep timber fascia board stained a dark brown colour which is set above dark brown stained timber panels framing either side of the full height white upvc glazing units with a part white upvc /glazed side entrance door. The shop unit occupies the lower ground floor.

- 3.5 Internally the premises are divided into a large sales area to the front /store and staff area to the rear with adjoining wc/ facilities.
- 3.6 Farsley Town Street is mainly characterised by tall stone buildings in a traditional style and consists of a mixture of ground floor retail with residential uses above. Parking is almost entirely on-street in marked bays.
- 3.7 Land levels slope down gradually to the North.
- 3.8 This parade of shop units fronts onto Town Street, and has a natural break formed by the side vehicle access and Back Lane. The shop frontage is detailed as follows

Unit no	Use class per unit	Length A1 uses per unit	Length - Other uses per unit	
28	A1			
30/32	A1	16.5m		32 under consideration
34	A1	7.3m		
36	Proposed A2		5m	
38	A1			
40	A1			
42	A1	20.5m		
44	A1			
46	A1	9.8m		
48	A5		5m	
50	A5		4.9m	
52	A2		5M	
TOTAL		54m total A1 uses	20m total non retail	74m total frontage length

3.0 Relevant Planning History:

3.1 None.

4.0 Statutory Consultations:

4.1 None.

5.0 Non Statutory Consultations:

5.1 Local Plans –

5.2. The Local Plans officer commented that the break in the Farsley primary frontage equate to two separate frontages. Therefore, policy SF7 should apply separately to each frontage and not be combined to both frontages. The UDP guidance on Shopping Frontages is set out below:

5.3 SF7: Within primary shopping frontages (Defined in the inset map book), proposals for change of use of retail at ground floor level to non-retail within use class A2 or A3 may be acceptable where the proportion of non-retail uses does not exceed 30% of the total frontage length and the proposal does not result in more than 20% continuous frontage in non-retail use.

5.4 **Shopping Frontages:** generally a parade of shops units presenting a continuous frontage interrupted by any features which could be perceived as major physical or visual breaks in the pattern of shopping activity - e.g. roads, a series of residential properties or other breaks such as lengthy blank walls. A street corner would normally be taken as the end of a particular frontage.

5.5 As well as using this definition I consider the maps to be clearly set out, in this case there is a break in the frontage on the map to demonstrate two separate frontages (whereas over smaller ginnels that do not have car access the frontage continues without a break). This is the approach we are taking with the Site Allocations DPD which involves a reassessment on frontages as part of the retail work.

6.0 Public/Local Response:

6.1 General Site Notice Posted on 25th January 2013.

6.2 Cllr Carter has requested that the application be considered at Panel, as he would not support the proposal for a change of use of A1 to A2 within the Primary frontage of Farsley Town Centre

6.3 A local member of the Farsley Business Forum has written in on behalf of 31 Town Street with the comments that the proposed change of use a A1 unit to A2 use is objected to as it would harm the vitality and viability of the Farsley Town Centre.

7.0 Planning Policies:

7.1 National Planning Policy Framework

The National Planning Policy Framework was published on 27 March 2012.

7.2 Core planning principles

Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

7.3 Local Policies

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.

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.

7.4 Unitary Development Plan –

1 Policy GP5: development proposals should seek to avoid loss of amenity.

- 2 Policy S2: designated town centres
- 3 Policy SF7: change of use to A2 or A3 within primary shopping frontages only permitted where such uses would not exceed 30% of frontage
- 4 Policy SF10A: change of use to non-retail other than A2 or A3 not normally permitted at ground floor level within defined primary frontage
- 5 Policy N19: new development within or adjacent to Conservation Areas should preserve or enhance the character or appearance of that area.
- 6 Policy BC7: development within CA should be in traditional local materials.
- 7 Policy T2: highway safety and parking

7.5 Farsley Conservation Area Appraisal and Management Plan

8.0 MAIN ISSUES

1. Principle of change of use
2. Impact on residential amenity
3. Visual amenity / Conservation Area issues

9.0 APPRAISAL

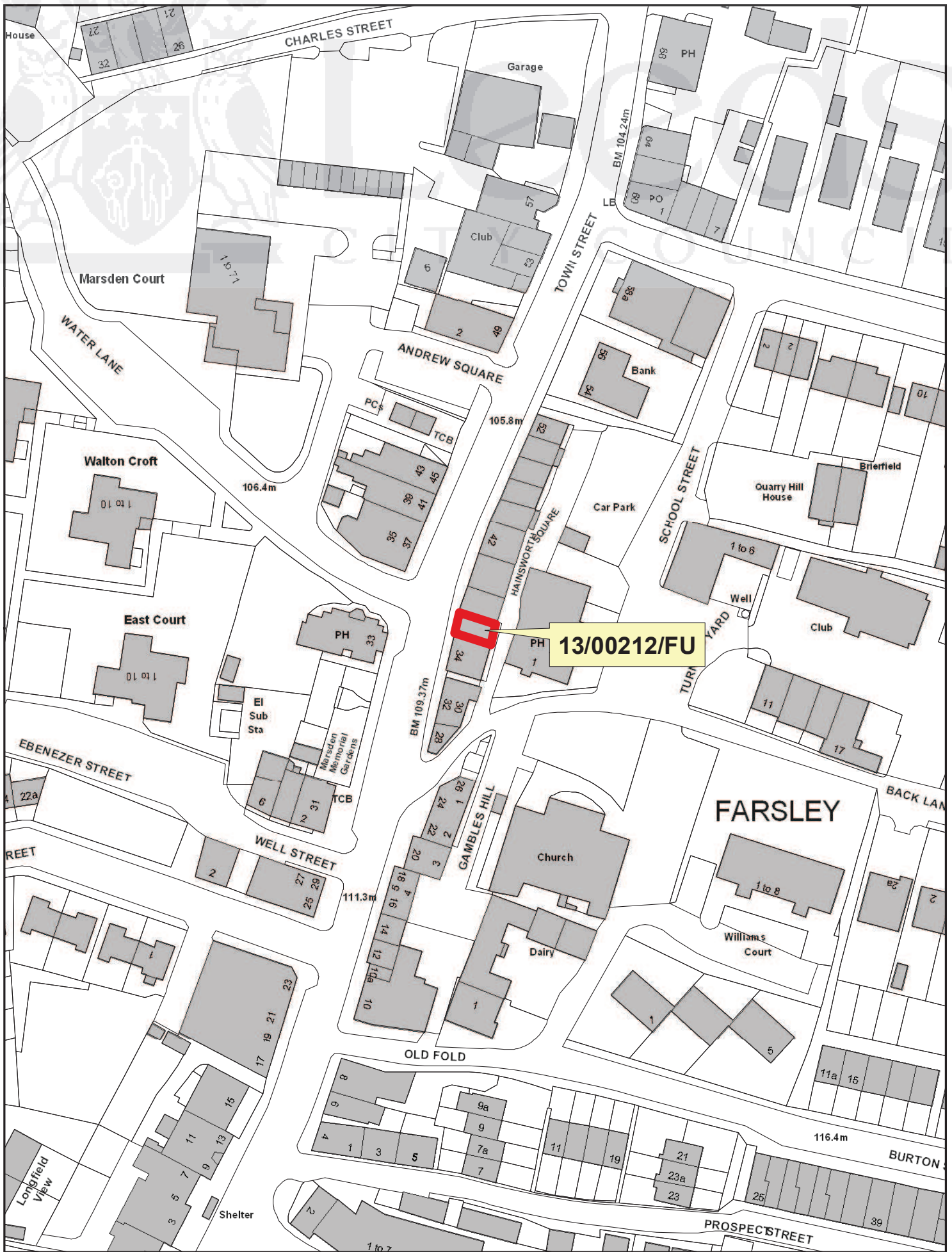
- 9.1 The proposal is located within the Primary Shopping Frontage of Farsley (identified as a town centre under UDP Policy S2). Given its location the proposal should be considered in terms of policy SF7, which states that within the designated primary shopping frontages, changes of use to ground floor retail units to non-retail use should only be considered where (a) the proportion of non-retail uses would not exceed 30% of the total frontage length; and (b) where the proposal does not result in more than 20% of continuous frontage in non-retail use.
- 9.2 In this instance compliance with Policy SF7 has been assessed by the Local Plans officer, who has stated that the guidance for assessing the frontage length should be taken as a measurement of each unit with a frontage length. The calculated percentages should then follow and be in accordance with Policy SF7. The proposal on the basis that of the run of 12 units with a frontage length of 74m, of which unit 36 is a part, only 4 of these units (units 48, 50 and 52) would be non- retail including no 36. This would equate to only 27% of the frontage length being in non retail use. Therefore 73% of uses would be in retail use which is considered to be within the healthier percentage range and exceeds the minimum percentage figure of 30% of retail uses as recommended by Policy SF7. Furthermore, the proportion of the frontage in continuous non-retail use would be 20% which complies with the upper limit of 20% suggested as a maximum in Policy S7. As such, the proposal is considered to fully comply with Policy SF7 and is supported in principle as it would not contribute to an over-abundance of non-retail uses in Farsley town centre, and retains its attractiveness and viability as a shopping facility.
- 9.3 On balance it is not considered that the proposal would significantly detract from the residential amenity of nearby residents. The premises are located within an S2 town centre. The A2 use is not considered to create any additional concerns to that of the previous A1 retail use. The opening hours are considered reasonable for this type of use within the town centre.
- 9.4 Since no external alterations are proposed, other than replacement signage. The proposal is considered acceptable in terms of visual amenity and its impact on the historic building and its Conservation Area context.

10.0 Conclusion

- 10.1 In conclusion, the application is considered to accord with adopted policy relevant to this proposal. It would not reduce the proportion of primary frontage units below 30% limit laid out within policy SF7. The proposal would not be detrimental to visual amenity or the character of the Conservation Area or residential amenity and is therefore recommended for approval.

11.0 Background Papers:

Application files
13/00212/FU



SOUTH AND WEST PLANS PANEL

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Originator: Ian Cyhanko

Tel: 247 4461

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 23rd May 2013

Subject: PLANNING APPLICATION 13/01368/FU

Two storey and single storey front side and rear extension including canopy to front and patio area to rear, at 2 St Margaret's Drive, Horsforth, Leeds

APPLICANT

Mr Ben Heaton

DATE VALID

22nd March 2013

TARGET DATE

17th May 2013

Electoral Wards Affected:

Horsforth

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE PLANNING PERMISSION on the following grounds

The Local Planning Authority considers that the proposed two storey side extension and roof alterations fail to respect the scale, form, proportions, character and appearance of the host dwelling, which unacceptably increase the mass and dominance of the host property. The resulting appearance would appear incongruous and overly dominant, which would have a significantly detrimental impact on the relatively open character and pattern of the streetscene. The scheme is therefore considered contrary to policies GP5 and BD6 of the Leeds Unitary Development Plan (Review) 2006 and policy HDG1 of the Leeds Householder Design Guide (SPD:2012) and the guidance on good design appropriate to the local context contained within the National Planning Policy Framework.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Councillor Townsley who considered the design of the proposal is acceptable and the applicants should have the chance for the application to be considered by Members at Plans Panel.

2.0 PROPOSAL:

- 2.1 The applicant seeks planning permission for what is essentially a two storey side extension. The proposal is 3.3m in width, and runs the full length of the host property, which projects out 2m beyond the existing rear elevation. There is also a single storey rear extension which projects out 3m beyond the existing rear elevation.
- 2.2 The proposal replaces an existing single storey garage which has a sloping roof, which continues into the roof of the main property. At ground floor level the proposal offers a replacement garage, wc, and enlarged kitchen/ dining area. At first floor level the proposal offers a new bedroom with en-suite bathroom.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site consists of a detached house, which has an integral garage. The property appears to have been constructed in the 1960/ 70's and lies within a cul-de-sac with other similar styled properties. The properties appearance is dominated by its roof line which is commonly known as a 'cat slide' roof. The properties gable end is located on the front elevation, and is asymmetrical with the gable reaching a lower level at one side of the building, over the integral garage. St Margarets Drive is made up of both bungalows and similar designed 2 storeys properties.
- 3.2 This property lies between two other properties both of which have identical 'cat slide' roofs. The property has facing materials of both render and brick and has a concrete tiled roof. The properties front garden is open plan with the street scene and the rear garden is enclosed. The property has a driveway that is capable of accommodating 2 vehicles. The property lies in an established suburban residential area, located in north-west Horsforth.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Planning consent was granted on 28th January 2013 for a two storey, first floor and single storey front side and rear extension including canopy to front and patio area to rear (ref 12/05203/FU).
- 4.2 This approved application was originally submitted in a similar format to this current application now under consideration, but was amended following Officer advice to retain the 'cat slide' roof. Officers considered the removal of this feature would result in this property appearing incongruous within the street scene, as both adjacent properties have this distinct roof feature. The application was amended to retain this roof feature and the application was approved under delegated powers.
- 4.3 A similar designed extension, which also involved the loss of cat slide roof on a nearby property at 8 St Margarets Close (13/00039/FU) was recently refused planning consent on 24th April 2013 on design grounds.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Following the previous approval upon this property, the applicants contacted the Local Planning Authority stating the approved plans did not meet with their requirements and asked whether the original scheme, would gain Officer support. Officer advised that the design was considered unacceptable and the loss of distinctive 'cat slide' roof would result in the property appearing incongruous within the street scene between two properties which have this feature roof.
- 5.2 The applicants then sought support from the Local Ward Members who also contacted Officers for advice. This led to the application being resubmitted, with a request from Councillor Townsley for the application to be considered at Plans Panel.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Six letters of notification were sent out to adjacent and opposite neighbours on 2nd April 2013. Two site notices were also posted adjacent to the site on 12th April 2013. To date no objections or representations have been received to the application.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Statutory & Non-Statutory Consultations:
None were made due to the nature of the application.

8.0 PLANNING POLICIES:

- 8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this application, furthermore the RSS is due to be revoked shortly and its policies should be afforded little weight.
- 8.2 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.
- 8.3 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**

- i) Design and Character
- ii) Neighbour Amenity
- iii) Other Issues

10.0 **APPRAISAL**

10.1 Design and Character

The design of the proposal is considered to be unacceptable, due to the loss of the cat slide roof feature. This feature is very distinctive and dominates the appearance of the property. This property, along with the adjacent properties at numbers 1, 3 and 4 all have this roof feature, which forms a strong regular rhythm and pattern within the street scene. The loss of this feature and replacement with a flat, 2 storey high wall substantially increases the mass and dominance of the building as the front elevation would be flat and in a total one dimensional plane.

10.2 The resulting appearance would make the host property appear substantially larger when compared to the form of the adjacent properties, overly dominant and

incongruous in the street scene given the matching roof forms on the adjacent properties. The proposal would totally change of the appearance of the host property. The proposal significantly increases the mass of the property and thus reduces the visual relief which surrounds the property. The proposal due to its form and design will fill a regular spaced visual gap in the street to the detriment of its relatively open layout.

- 10.3 The proposal does not include any set back from the front elevation, and as such no visual break in the front elevation is been proposed. The resulting appearance means the original form of the host property is totally lost through this proposal. The Householder Design Guide does state that two storey side extensions should have a set back to retain an emphasis on the host proposal, to ensure it is appears subordinate. It is not considered that the proposal would appear subordinate to the host property. To all intents and purposes it would appear as a new dwelling out of context with the adjacent properties.
- 10.4 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 expanded and elucidated within the Draft Householder Design Guide. It is considered the proposal is clearly contrary to all of this design guidance.
- 10.5 It is noted that the there other similar extensions which lie nearby on Margaret’s Road. And it is accepted that in another location this proposal might be considered appropriate. However these properties which have these extensions do not lie within a row with other dwellings which have an identical roof form. These extensions also pre-date the adoption of Householder Design Guide, which aims to raise design standards. The aforementioned properties are also not considered to be successful examples of extensions to houses which should be readily replicated. Therefore it is not considered the existence of other similar styled extensions locally, sets any form of precedent to allow this proposal.
- 10.6 Amenity Considerations
The proposal would not give rise to any over-looking issues. The proposed extension only has clear glazed window openings located in the ground floor of the rear extension. These over-look into the rear garden of the application site, which would still be 15m in length. The proposed side window serves a WC and is obscured glazed. A condition would be imposed on the approval of this application which will prevent further openings being inserted into the side elevations of the proposed extensions, if the application was considered acceptable in all other respects.
- 10.7 The proposal is not considered to have a significant impact in terms of overshadowing. The proposed rear extension does have a 3m projection, which is part single storey and part two storey. The proposed 2 storey element projects 2m beyond the rear elevation of the adjacent property at number 1. This adjacent property does have a rear conservatory located upon the rear elevation of this property, which would lie opposite the 2m rear projection of the proposed 2 storey extension. However the host property is set 3m from both properties, located at both

sides. This 3m gap/ distance will mitigate the majority of over-shadowing that would occur from the proposed extensions, on the adjacent occupiers. The proposed side extension lies opposite the side elevation of number 1, which contains no window openings, other than the rear conservatory.

Other Issues

- 10.8 The proposal has no impact on the parking facilities at this property. A suitable level of garden space would be retained to the rear of the property. The majority of the rear garden is retained and remains undeveloped. It is not considered that the proposal would result in the over-development of the site.
- 10.9 The previously approved scheme is set back from the existing front elevation by 0.5m, when compared to this proposal. This means the proposed new additional bedroom is reduced in length from 7m to 6.5m. It is not considered the loss of this space, on what is a very sizable bedroom would significantly affect the internal layout of the proposed extension. The reduction in accommodation is minimal when compared to the accommodation which is being proposed through this application. As such it is not considered the previous application reduces the level of amenity, or quality of the space which will be developed through the approved extension.

11.0 CONCLUSION

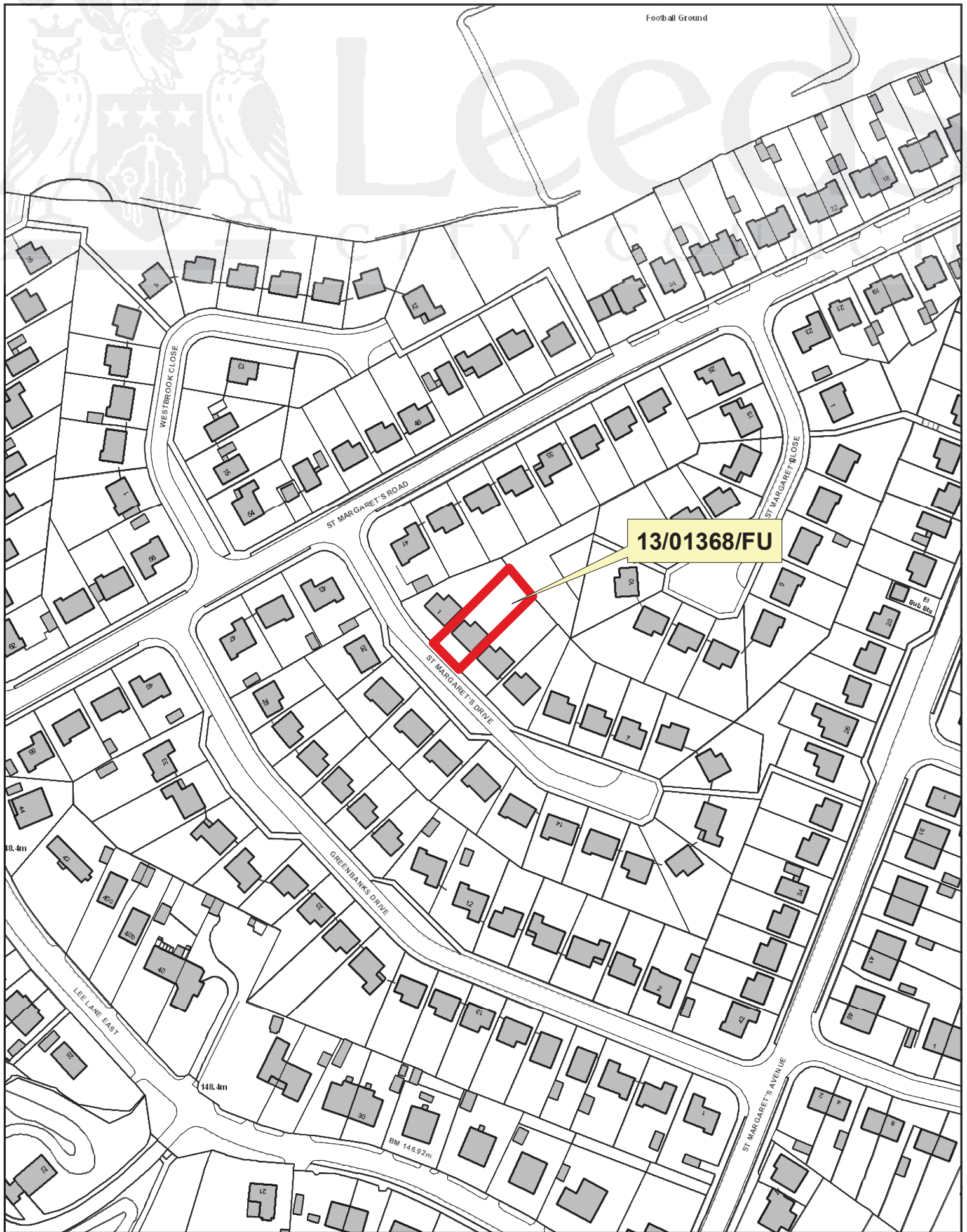
- 11.1 In conclusion, the application is considered to contrary with Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006), and Policy HDG1 of the Householder Design Guide, due to the harm the proposal causes to the character and appearance of the original house and wider street scene. The host property benefits from a valid previous planning consent for a similar sized extension which is considered to a more appropriate design in this location, which preserves the character and appearance of the original property and the immediate street scene.

Background Papers:

Application files: 12/05203/FU and 13/00039/FU

Ownership Certificate:

Certificate A signed by applicant



SOUTH AND WEST PLANS PANEL

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