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## **SOUTH AND WEST PLANS PANEL**

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**Meeting to be held on  
Thursday, 1st May, 2014  
at 1.30 pm in the Civic Hall, Leeds.**

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### **MEMBERSHIP**

#### **Councillors**

J Akhtar  
M Coulson  
C Gruen  
J Hardy  
J McKenna  
(Chair)  
C Towler  
P Truswell

J Bentley

A Castle  
R Wood

R Finnigan

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

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>SITE VISIT LETTER</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 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 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

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

Item No	Ward	Item Not Open		Page No
5			<b>APOLOGIES FOR ABSENCE</b>	
6			<p><b>MINUTES - 3RD APRIL 2014</b></p> <p>To confirm as a correct record, the Minutes of the previous meeting held on 3<sup>rd</sup> April 2014.</p> <p>(Copy attached)</p>	11 - 18
7	Pudsey		<p><b>DISCHARGE CONDITION APPLICATION 14/00720/COND RELATED TO PLANNING APPROVAL APPLICATION NUMBER 06/01130/FU – RESIDENTIAL DEVELOPMENT FOR 164 HOUSES AND APARTMENTS AT CEMETERY ROAD, PUDSEY, LS28 7HH</b></p> <p>To consider a report by the Chief Planning Officer which seeks approval of the landscaping plan and discharge the condition in respect of Application No. 06/01130/FU residential development for 164 Houses and Apartments at Cemetery Road, Pudsey, LS28 7HH.</p> <p>(Report attached)</p>	19 - 26
8	Pudsey		<p><b>APPLICATION 14/01245/FU: CHANGE OF USE OF OUTBUILDING TO ICE CREAM SHOP/PARLOUR AT 173 SMALEWELL ROAD PUDSEY, LS28 8HT</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of an application for the change of use of outbuildings to Ice Cream Shop/ Parlour at 173 Smalewell Road, Pudsey, LS28 8HT (Application No. 14/01245/FU)</p> <p>(Report attached)</p>	27 - 34

Item No	Ward	Item Not Open		Page No
9	Otley and Yeadon		<p><b>APPLICATION NUMBER 14/01096/FU – CHANGE OF USE TO BETTING SHOP (A2),INSTALLATION OF NEW SHOP FRONT, TWO AIR CONDITIONING CONDENSER UNITS,ONE SATELLITE DISH AND ONE TV AERIAL AT 7 CLIFFE COURT, YEADON LS19 7YU AND APPLICATION NUMBER 14/01094/ADV – ONE INTERNALLY ILLUMINATED FASCIA SIGN AND ONE NON-ILLUMINATED PROJECTING SIGN AT 7 CLIFFE COURT, YEADON LS19 7YU</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of an application for the change of use to betting shop (A2), installation of new shop front, two air conditioning condenser units, one satellite dish and one TV aerial at 7 Cliffe Court, Yeadon LS19 7YU (Application number 14/01096/FU) and one internally illuminated fascia sign and one non-illuminated projecting sign at 7 Cliffe Court, Yeadon LS19 7YU (Application number 14/01094/ADV)</p> <p>(Report attached)</p>	35 - 42
10	Hyde Park and Woodhouse		<p><b>THE FORMER ROYAL PARK SCHOOL SITE - UPDATE</b></p> <p>To consider a report by the Chief Planning Officer which provides an update on progress to redevelop the former Royal Park Primary School site at Queens Road, Leeds, LS6 1NY.</p> <p>(Report attached)</p>	43 - 46

Item No	Ward	Item Not Open		Page No
11	Guiseley and Rawdon		<p data-bbox="675 181 1390 394"><b>PRE-APPLICATION PRESENTATION - ALTERATIONS TO CONSENTED DEVELOPMENT AND ADDITIONAL AREAS OF NEW BUILD RESIDENTIAL DEVELOPMENT AT HIGH ROYDS HOSPITAL SITE, BRADFORD ROAD, GUISELEY</b></p> <p data-bbox="675 439 1406 837">To consider a report by the Chief Planning Officer which introduces a Pre-Application Presentation for amendmants to the consented scheme for the redevelopment of the former High Royds Hospital site, Menston. Including areas of new residential development within the Greenbelt, consented Commercial Units to become residential and residential conversion of the Central Administration Block in place of the Approved Assisted Living Units at the former High Royds Hospital site, Bradford Road, Guiseley</p> <p data-bbox="675 913 927 949">(Report attached)</p>	47 - 54
12			<p data-bbox="675 1059 1230 1095"><b>DATE AND TIME OF NEXT MEETING</b></p> <p data-bbox="675 1128 1350 1234">To note that the next meeting will take place on Thursday 29<sup>th</sup> May 2014 at 1.30pm in the Civic Hall, Leeds.</p>	

Item No	Ward	Item Not Open		Page No
			<p data-bbox="676 181 1015 219"><b><u>Third Party Recording</u></b></p> <p data-bbox="676 255 1382 472">Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p data-bbox="676 510 1310 584">Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> <li data-bbox="724 622 1382 853">a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li data-bbox="724 860 1398 1167">b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ul>	

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**Legal & Democratic Services**

Governance Services  
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Leeds LS1 1UR

Contact: Andy Booth  
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andy.booth@leeds.gov.uk  
Your reference:  
Our reference: ppw/sitevisit/  
22<sup>ND</sup> April 2014

To:

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

Dear Councillor

**SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY 1<sup>st</sup> MAY 2014**

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

- 1 9:40 am on-site **Application 14/00720/COND – Consent required by conditions 25 and 27 (Boundary Treatment) of planning permission 06/01130/FU for residential development at Cemetery Road, Pudsey.** Leave 9.50 (if travelling independently meet at start of footpath on Cemetery Road).
- 2 10:10 am on-site **Application 14/01096/FU and 14/01094/ADV - Change of use of shop to betting office and illuminated fascia sign, 7 Cliffe Court, Yeadon.** Leave 10.20 (if travelling independently meet at the front of the shop unit)
- 3 10:30 am on-site **Pre-application item for changes to consented development including new residential development – former High Royds Hospital, Bradford Road, Guiseley.** Leave 11.30 (if travelling independently meet at the Ben Bailey Homes Chevin Park site showroom – car parking is available off the Guiseley Drive entrance to the site off Bradford Road).

Return to Civic Hall at 12 noon approximately

**A minibus will leave the Civic Hall at 9:20 am 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 9:15 am

Panel will commence in the Civic Hall at **1.30pm**

Yours sincerely

**Andy Booth**  
Governance Officer

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## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 3RD APRIL, 2014**

**PRESENT:** Councillor J McKenna in the Chair

Councillors J Akhtar, J Bentley, A Castle,  
M Coulson, R Finnigan, C Gruen, J Hardy,  
C Towler, P Truswell and R Wood

### **109 Chair's opening remarks**

The Chair welcomed everyone to the meeting

### **110 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** - That the public be excluded from the meeting during consideration of the following part of the agenda designated exempt on the grounds that is likely, in view of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as designated as follows:

The appendix referred to in minute 114 under Schedule 12A Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4(5) and on the grounds it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. Whilst there may be a public interest in disclosure, in all the circumstances of the case, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time

### **111 Late Items**

There were no formal late items, however the Panel was in receipt of a photograph of the site at Deanhurst, Gelderd Road Gildersome – Application 13/05511/FU – which had been tabled by Officers in response to a matter which had been raised on the site visit earlier in the day (minute 117 refers)

The Chair also made reference to a document prepared by the Hyde Park Olympic Legacy Action Group, he had just been handed in respect of Application 13/00868/OT – Victoria Road (minute 114 refers) and stated that the document was too detailed to consider at such a late stage

### **112 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests although later in the meeting two Members brought to the Panel's attention matters in

relation to application 13/05650/FU – 1 Sydenham Street Holbeck (minute 116 refers)

### 113 Minutes

**RESOLVED** - That the minutes of the South and West Plans Panel meeting held on 6<sup>th</sup> March 2014 be approved

### 114 Application 13/00868/OT - Outline application for residential development and retail store -Victoria Road, Headingley

Further to minute 72 of the South and West Plans Panel meeting held on 5<sup>th</sup> December 2013, where Panel resolved not to accept the Officer's recommendation to grant outline approval for residential development and retail store and requested a further report be brought back setting out possible reasons for refusal based upon the concerns expressed by Panel, Members considered a further report of the Chief Planning Officer. Appended to the report was information considered to be exempt, which related to legal advice which had been sought by the Council on this matter

Plans, photographs and drawings were displayed at the meeting

Officers presented the report; outlined the issues which had been considered following the Panel meeting in December 2013 and explained the difficulties Officers considered they would have in substantiating the proposed reasons for refusal of the application at an appeal

The report before Panel asked Members to consider the information provided and to re-assess their resolution of 5<sup>th</sup> December 2013 to refuse the application. Reference was made to the proposed S106 package, with it being stressed that when re-assessing the application that the additional sum of money offered by the applicant towards the provision of sporting equipment in the locality was not material to the planning application

The receipt of an additional 7 letters of representation was reported. Whilst these raised no new material considerations, the concerns raised were summarised for Members' information. Comments received from Councillors P Gruen and J Illingworth were also conveyed to the Panel

Members were informed of requests received to defer or refuse the application and of the recent submission of a further application to register the playing field as an Asset of Community Value. The Council protocol for re-notifying objectors was also explained

Paragraph 1.4 of the submitted report was corrected in light of these further representations. The report stated that no children from the local community attended Kings Camp. This was incorrect and Members were updated verbally that local children did attend Kings Camp. It was also noted that the original report to Panel in October 2013 had identified that the Kings Camp formed part of the formal community use associated with the site

At this point the Chair asked the public to leave the meeting to enable the exempt information to be considered, in private

In discussing the information, the Chair reminded Members and Officers of the need to focus on the information contained in the exempt papers

The following matters were discussed:

- community plans for the site
- funding issues
- that a range of organisations had considered the potential of the site but that no realistic and deliverable proposals had come forward
- the application for listing the site as an asset of community value and that determining the application undermined the Localism Act. The Panel's legal adviser explained that the legislation governing assets of community value set up a separate process outside the planning regime
- the legal advice which had been sought from counsel

At this point the public were readmitted to the meeting

The Panel discussed the proposals, with the main areas of debate relating to:

- the extent of public open space in the area; the former Royal Park Primary School site and that the application site was not linked to the delivery of further open space, with concerns being raised about this
- the promises given to Ward Members that the former Royal Park Primary School site would be retained for community use
- the possibility of the Council becoming involved with the Hyde Park Legacy Action Group to secure the Victoria Road site for community use
- the length of time the site had been vacant for without firm, realistic proposals being brought forward

Members considered how to proceed. A proposal to defer determination of the application to enable work to be undertaken on building a funding package, with support from the Council, was moved and seconded. The vote was lost. The Officer's recommendation to approve the application in principle and defer and delegate the approval to the Chief Planning Officer was also moved and seconded. Having considered the report; the information contained in the exempt appendix to the submitted report and the discussions held at the meeting, the Panel

**RESOLVED –**

- i) To approve the application in principle and to defer and delegate approval of the application to the Chief Planning Officer subject to the conditions specified in the report to Panel of 10<sup>th</sup> October 2013 and subject to the completion of a Legal Agreement within 3 months of the date of resolution of Panel, to include:
  - 5% affordable housing contribution (on site 100% Sub Market or an off-site contribution to go towards bringing vacant properties back into family use in the Headingley/Hyde Park area)
  - On site greenspace provision and maintenance

- Off site greenspace contribution for children's equipped play equipment £19,950.14
  - Residential metrocard scheme A – bus only - £11,088.00
  - Contribution towards improving and enhancing sports facilities in the locality - £26,777.00
  - Local employment scheme
- ii) That the Director of City Development be asked to bring forward proposals for the creation of an area of public open space on the site of the former Royal Park Primary School to connect into the existing public open space adjoining the primary school for the benefit and enjoyment of the local community, in consultation with local Ward Members and community groups

(Under Council Procedure 16.5, Councillor J Bentley and Councillor R Finnigan required it to be recorded that they voted against approval of the application)

**115 Application 13/05700/FU - First floor side extension - 56 Eden Crescent, Kirkstall, Leeds**

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

Officers presented the report which sought approval for a first floor side extension at 56 Eden Crescent LS4

Members discussed the application and commented on the existing extensions of the property, some of which fell under Permitted Development Rights. Concerns were raised about the level of Permitted Development and that this matter should be referred to the Local Government Association. It was noted that the local MP had asked to be informed of the outcome, with a suggestion being made that Rachel Reeves could be asked to raise concerns in Parliament about the extent of Permitted Development Rights. The Head of Planning Services confirmed that concerns would be sent to the Leeds West MP

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

**116 Application 13/05650/FU - Application for change of use from residential caretaker's home (Use Class C3) to a mixed use of office use and counselling educational/training support services (Use Classes B1A and D1) - 1 Sydenham Street, Holbeck, Leeds**

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

Councillor Hardy brought to the Panel's attention that he gave money to the charity involved but this was not a large sum. He also had an open mind about the application. After advice from the legal officer, Councillor

Hardy confirmed that this did not amount to a disclosable pecuniary interest and there was no predetermination

Officers presented the report which sought approval for a change of use of premises to provide outreach and support services for women who are trapped in street prostitution

Members were informed that the location of the premises had been chosen carefully as it was not near residential dwellings but was easily accessible, particularly from the city centre

If minded to approve the application, a condition restricting the use to that specified on the application form would guard against other possible D1 uses in the future, which could have a greater impact on highway safety

The receipt of two further letters of representation was reported

Councillor Coulson brought to the attention of the Panel his involvement as Co-Chair of a Committee dealing with the issue of prostitution. The Panel's legal adviser confirmed this was not a disclosable pecuniary interest and asked whether Councillor Coulson still considered he had an open mind. Councillor Coulson advised that he had not formed a view on the application

The Panel heard representations from an objector who attended the meeting and provided information to Members, which included:

- a lack of public consultation on the proposals
- the problems of prostitution in the Holbeck Area, with concerns the proposals would increase the level of this
- the proximity of the site to an existing residential area and to an area designated for regeneration by the Council
- the level of local objection to the proposals, particularly from residents' groups

The Panel then heard representations on behalf of the applicant, who provided information to Members, which included:

- the work of the organisation known as Joanna
- the nature of the premises which were small and discreet
- the limited opening hours
- an understanding of the local concerns about the proposals

Following a concern raised by a member of the public, Councillor Coulson and Councillor Hardy stated they would not comment or vote on this matter

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

**117 Application 13/05511/FU - Variation of condition number 5 (external storage) of planning permission 12/01608/FU (Change of use of former haulage office and HGV parking area to use class B8 unit with ancillary offices and trade counter/showroom with external storage to the rear yard area and additional parking provision ) - Deanhurst, Gelderd Road, Gildersome, Leeds**

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 approval for a variation of a condition of planning permission 12/01608/FU, which restricted the areas available for external storage so that areas on the western, northern and eastern boundaries could also be used for that purpose. It was noted the application was retrospective as the business had been operating in this manner since opening in 2012

As a revised plan had been requested by Officers, Members were now being asked to agree to defer and delegate approval of the application

**RESOLVED** - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report; an additional condition to ensure parking is marked out on site prior to first use; consultation with Ward Members regarding the provision of acoustic fencing to the northern boundary and swapping of car parking on the southern boundary with storage of unpalletised gas containers on the northern boundary, with a revised plan being submitted showing these alterations. In the event that agreement on these matters could not be achieved, that the application be brought back to Panel for determination

**118 Application 14/00477/FU - Rebuild of existing factory facility on similar footprint with service yard and internal access road, replacement car parking, widening of existing entrance road, demolition of cottages with hard and soft landscaping at Park Mills, Leeds Road Rawdon**

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

Officers presented a report which sought approval of the rebuild of an existing factory facility, following a fire in 2013

The main issues for consideration were outlined, with Members being informed that despite a proposed increase in height of the factory building, this was considered to be acceptable. In terms of the relationship between properties on the southern boundary, although the new factory would be closer, the separation distances were considered to be acceptable. The proposals would also provide improved noise attenuation measures

The Panel welcomed the proposals and the improvements which had been incorporated into the rebuild of the factory. The Chair also praised the work of the Council in helping the company to relocate quickly after the fire

A request for additional planting to be incorporated into the scheme was made

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report, including additional conditions to cover the provision of further soft landscaping on the site and the submission and approval of a landscape plan for the whole of the site

**119 Application 12/03580/FU - Erection of 59 dwellings and associated works - Land off Pollard Lane, Bramley, Leeds**

Draft minutes to be approved at the meeting  
to be held on Thursday, 1st May, 2014



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

Officers presented a report which sought approval of an application which would complete the redevelopment of a previously industrial site within the Green Belt, but which proposed a change to the accommodation to be provided, with houses replacing flats within the scheme. As a result of the proposals, the extent of built development would increase beyond that previously approved and an area of public open space in the middle of the site would be built on with open space being laid out on additional land beyond the built development

Members were informed that a financial viability statement had been submitted and assessed which had concluded that the additional dwellings and therefore, the additional land would be required, in order that the scheme could be completed. As a result of an increase in the number of houses being provided, an education contribution was also being sought and the applicants had offered a sum of £60,000 towards this

In terms of support for the scheme, existing residents of the part-developed site were supportive of the proposals. Further commitment to the scheme by the developer was the one year time limit for commencement of works on site

Regarding the additional land required for the scheme, although Green Belt, this remained in the curtilage of the former mill and yard and in this case, it was felt this did not constitute inappropriate development in the Green Belt

Members welcomed the scheme and sought clarification on the level of the education contribution to be provided

**RESOLVED** - To defer and delegate approval to the Chief Planning Officer subject to the signing of a S106 Agreement for a commuted sum of £123,000 for improvements to footpath to Kirkstall Forge Railway Station and canal tow path, laying out and maintenance of open space and public access areas; the provision of a commuted sum of £60,000 for education; any further detailed design changes required to the proposed house types and layout and subject to the conditions set out in the submitted report

## **120 Date and time of next meeting**

Thursday 1<sup>st</sup> May 2014 at 1.30pm in the Civic Hall, Leeds

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Originator: Carol  
Cunningham  
Tel: 0113 24 77998

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## Report of the Chief Planning Officer -

### *SOUTH AND WEST PLANS PANEL*

Date: 1<sup>st</sup> May 2014

**Subject: Discharge condition application 14/00720/COND related to planning approval Application number 06/01130/FU – Residential Development for 164 houses and apartments at Cemetery Road Pudsey**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
David Wilson Homes	6/02/2014	1/05/2014

<p><b>Electoral Wards Affected:</b></p> <p><b>Pudsey</b></p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>
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<p><b>Specific Implications For:</b></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 requested to approve the landscaping plan and discharge the condition**

### 1.0 INTRODUCTION

1.1 A planning application for a residential development of 164 dwellings was considered by Plans Panel on 29 November 2007 and approved in December 2008. Condition 25 related to submission of landscaping scheme. The boundary treatment on the eastern side of the development has not been carried out in accordance with the approved landscaping scheme. To rectify this a new discharge of condition application has been submitted and this report recommends Members of Panel approve the amendments to the boundary treatment on the eastern boundary. Because of previous Panel involvement it is considered appropriate that this discharge of condition application is considered by Panel.

### 2.0 PROPOSAL:

2.1 Planning permission was granted for a residential development of 164 houses and apartments in 2006 and the development is almost complete. The approved

landscaping plans showed that on the boundary with a footpath to the east of the site the existing stone wall and hedgerow were to be retained.

Work commenced on site and the stone wall and hedgerow were removed and replaced with an unauthorised 2 metre high palisade fence.

- 2.2 Councillor Coulson and Council officers met with the developer on site and negotiated an alternative treatment between the new development and the public footpath. This comprised the removal of the security fence once development was complete, the erection of a 1.5 metre wooden fence and the planting of a hedge on the public footpath side of the new fence. Amended plans were submitted and approved by the City Council detailing these proposals.
- 2.3 Work is almost complete on site and the vast majority of the properties are now occupied. The work required above has so far not been implemented. The palisade fence is still on site and a 1.8 metre wooden fence has been erected behind the aforementioned palisade fence. It also became evident that the wooden fence that has been erected on site is not in the correct position by approximately 1 metre. The fence has increased the garden sizes and narrowed the gap to the public footpath. For clarification the revised position has not incorporated any land that belongs to the Council.
- 2.4 Councillor Coulson and council officers have met again with representatives of the building company to seek a way forward to ensure that the residents of the new properties have secure gardens and the visual amenities of the public footpath are improved.
- 2.5 The gap that remains on the footpath side of the fence is not wide enough to support a hedge. A landscaping officer has been on site and has stated that even if the fence was relocated into its approved position a hedge would still not flourish. An officer from the Public Rights of Way team has concerns regarding a hedge being planted in this limited space as it would become a future maintenance issue and be prone to littering.
- 2.6 The developer has requested that the wooden fence remains in its current position and has offered to fund work to improve the public footpath instead. This involves resurfacing the whole of this footpath from Cemetery Road up to the Vicarage at the top of the path. The cobble stones at the beginning of the path will be retained and repaired whilst the rest of the footpath will be resurfaced. The piece of land that remains at the side of the public footpath and the existing wooden fence which is owned by the developer will be resurfaced with flush cobble setts which will be easier to maintain, will prevent littering and which will tie in the historic cobbles at the entrance to the footpath.
- 2.7 The developer will also repair the stone wall that exists along the remainder length of this public footpath. The Palisade security fence will be removed and the wooden fence will also be boarded on the footpath side to prevent people climbing up the fence and entering the gardens off this footpath.
- 2.8 A discharge of condition application has been submitted showing the proposed works discussed above.

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

- 3.1 The site is a public footpath to the side of a completed residential development. The footpath links Cemetery Road to the Vicarage with Tofts Road, Lower Tofts Road and Church Lane beyond. The residential development abuts just under half of this footpath which on the application side moves through POS then existing residential development to the south. The Cemetery is the opposite side of the footpath with allotments at the southern end. There are some cobble stones at the start of the footpath with the rest of the footpath tarmacked and in a poor state of repair. There are areas of stone walling along its length which are in various states of repairs.
- 3.2 The site is located within the Conservation area

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

- 4.1 06/01130/FU – application for 164 houses and apartments, approved 23/12/2008

### **5.0 PUBLIC/LOCAL RESPONSE:**

- 5.1 One local resident has objected to the proposal:

I wish to object to the discharge application given that the hedge will not be planted in accordance with the planning condition. The fence line is sighted (sited) in 1 metre over where it should be and the developer removed a mature hedge and stone wall which was situate next to the public right of way.

The developer has aggrandised the land and not complied with the planning permission. I would further state that the hedgerow regulations have not been complied with and that your consent was not obtained before the hedgerow was removed. The hedgerow and the stone wall formed part of the well established track up through Queens Park which can still be seen and therefore there still exists a right of way through what are now the gardens of the new development.

### **6.0 CONSULTATION RESPONSES:**

#### Public Rights of Way

Supportive of the proposed improvements to the public footpath.

#### Conservation officer

Architectural Liaison Officer

A security assessment was carried out of the public footpath at Cemetery Road, Pudsey and my immediate observation was that the area appeared to be closed in and there was a lack of natural surveillance. The existing boundary treatments between the residential housing and the footpath was mixed and afforded places to hide. There is a neglected area which adjoins a public space which, with the aforementioned conditions has created a vulnerable area and is a risk to public safety. I did notice at the time of the assessment that members of the public were using this footpath as a shortcut to a nearby residential area and the public space.

I cannot comment on the vulnerability of the area during the hours of darkness but in my opinion the conditions will create a foreboding atmosphere and an increased risk of criminal activity.

The boundary treatment to the newly constructed development was constructed of a single boarded wooden fencing which should have been close boarded to prevent climbing. To improve natural surveillance I would recommend that trellis work be added to the fencing giving an overall height of 1.8m or 2.0m.

I also recommend that the existing palisade fencing which is in a varied state of repair be removed to create a uniform appearance and so taking away this neglected feel to the area.

Landscaping to the neglected public space will also improve the environmental conditions of the footpath

Conservation Officer – has strong concerns due to the impact on the character of the conservation area and the setting of the grade II\* registered park and garden for the following reasons:

- At present the fencing stands higher than the wall to grade II\* Pudsey Cemetery, as such it dominates the PROW and has a negative impact on the setting of the boundary wall of the cemetery, impacting on its character and the character of the conservation area. As this is proposed to be retained this is clearly still a concern.
- The 1.5 metre buffer and hedge is necessary to soften the impact on the historic environment otherwise if not then the fence will continue to dominate.
- The cobbles on the surface and the informal nature of the existing surfacing help retain the setting of the cemetery. Overly suburbanising the path by covering in tarmac would make it more in-keeping with the new development and not relate to the fact that the PROW was put in place over 100 years to service the cemetery and the former Grove Works site. This will have a negative impact on the character of the conservation area, the PROW and the registered cemetery.
- Repairing sections of wall and a bit of cobble resurfacing does not mitigate the above.

## **7.0 PLANNING POLICIES:**

### **Development Plan**

7.1 The development plan consists of the adopted Leeds Unitary Development Plan (Review 2006) (UDP). The Local Development Framework will eventually replace the UDP but at the moment this is still in production with the Core Strategy at submission stage with examination in October 2013.

Leeds Unitary Development Plan (UDP) Review:

GP5: General planning considerations.

N12/N13: Urban design principles.

N23/N25: Landscape design and boundary treatment.

LD1: Landscape schemes.

7.2 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 26<sup>th</sup> 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.

- 7.3 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.

Policy P12 – Landscape (page 91)

### **National Guidance**

- 7.4 The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied. It sets out the Government’s requirements for the planning system.
- 7.5 It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
- 7.6 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 7.7 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.8 The development plans have to achieve economic, environmental and social aspects of sustainable development.

The economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

The social role – 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 communities needs and support its health, social and cultural well- being.

The environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. from good planning, and should contribute positively to making places better for people.

## **8.0 MAIN ISSUES**

1. Impact on conservation area/visual amenity
2. Residential amenity

## 9.0 Conservation area/visual amenity

- 9.1 The public footpath is located within the Conservation Area and is heavily used by the general public. The original permission allowed for the stone wall and hedge to remain and this was removed from this part of the footpath when development commenced. Officers negotiated a revision to this which was for a wooden fence at 1.5 metres and replanting of a hedge. This was considered to provide privacy for the proposed residents and the hedge would soften the fence when viewed from the public footpath and reduce its impact in the conservation area.
- 9.2 The wooden fence was then erected in the wrong position by approximately a metre which has resulted in the gardens increasing in size and the width of the public footpath reduced. None of the land incorporated into the gardens is within the ownership of Leeds City Council and previously formed part of the public footpath.
- 9.3 The gap that is now available for the planting of a hedge is too narrow to allow for a hedge to grow and form an adequate width and height to improve the visual amenity off users along the public footpath. There is also a concern from Public Rights of Way that the hedge would attract litter and is likely to be difficult to maintain.
- 9.4 The applicant has requested that the wooden fence is not moved to create this additional 1 metre on the footpath side of the development. The residents are now occupying the properties and have carried out various landscaping and erected decking/sheds up against the fence.
- 9.5 The application covers about half of the whole of the footpath between Cemetery Road and The Vicarage. Once beyond the application site the footpath opens up as it is alongside an area of POS and allotments. The surfacing of the footpath is not ideal and has been damaged over time by its usage. The applicant has agreed to resurface the whole of this footpath which would improve access to and over the footpath. Our conservation officer is concerned that resurfacing this footpath with tarmac would have a negative impact on the footpath. It is suggested that the resurfacing material is negotiated with the conservation officer involvement. There are also sections of stone wall beyond the application site which are in a poor state of repair and the applicant has agreed to mend these sections of wall. The additional land between the footpath and the wooden fence which are at the moment is an unsurfaced strip of land will be resurfaced with cobble sets which will improve the visual amenity of this footpath and will help in its long term impact and maintenance
- 9.6 The conservation officer does have concerns regarding the fence and lack of hedge. The fence will be higher than the listed wall, it will overdominate the views along this footpath to the detriment of the wall and conservation area in general. Whilst these are valid points the fact that the hedge has been removed and the space left would not support a hedge have to be taken into account. The scheme also offers other benefits to the public footpath as a whole rather than just the section alongside the housing development.
- 9.6 Whilst, the loss of the wall and hedge and the reduction in width have resulted in too little space to plant a hedge, the applicant is compensating that by improving the visual amenity for the whole of this path and not just the section alongside the application site. Acceptance of this way forward also avoids the fence being removed and repositioned and all the upset to current residents who would have to removed decks and existing landscaping.



## **10.0 Residential amenity**

- 10.1 The original scheme of the stone wall and hedge were of sufficient height to have provided privacy and security for the residents who would have occupied the dwellings. A new hedge would take a number of years to grow to a width and height that would offer privacy and security. This was the reason for previously approving a 1.5 metre fence on the boundary behind the proposed hedge.
- 10.2 The fence that has been erected is 1.8 metres in height. The architectural liaison officer has confirmed that a fence of 1.5 metres would not provide adequate security for the residents. A fence of 1.8 metres would increase security for the residents so on balance the increase in height is considered acceptable.

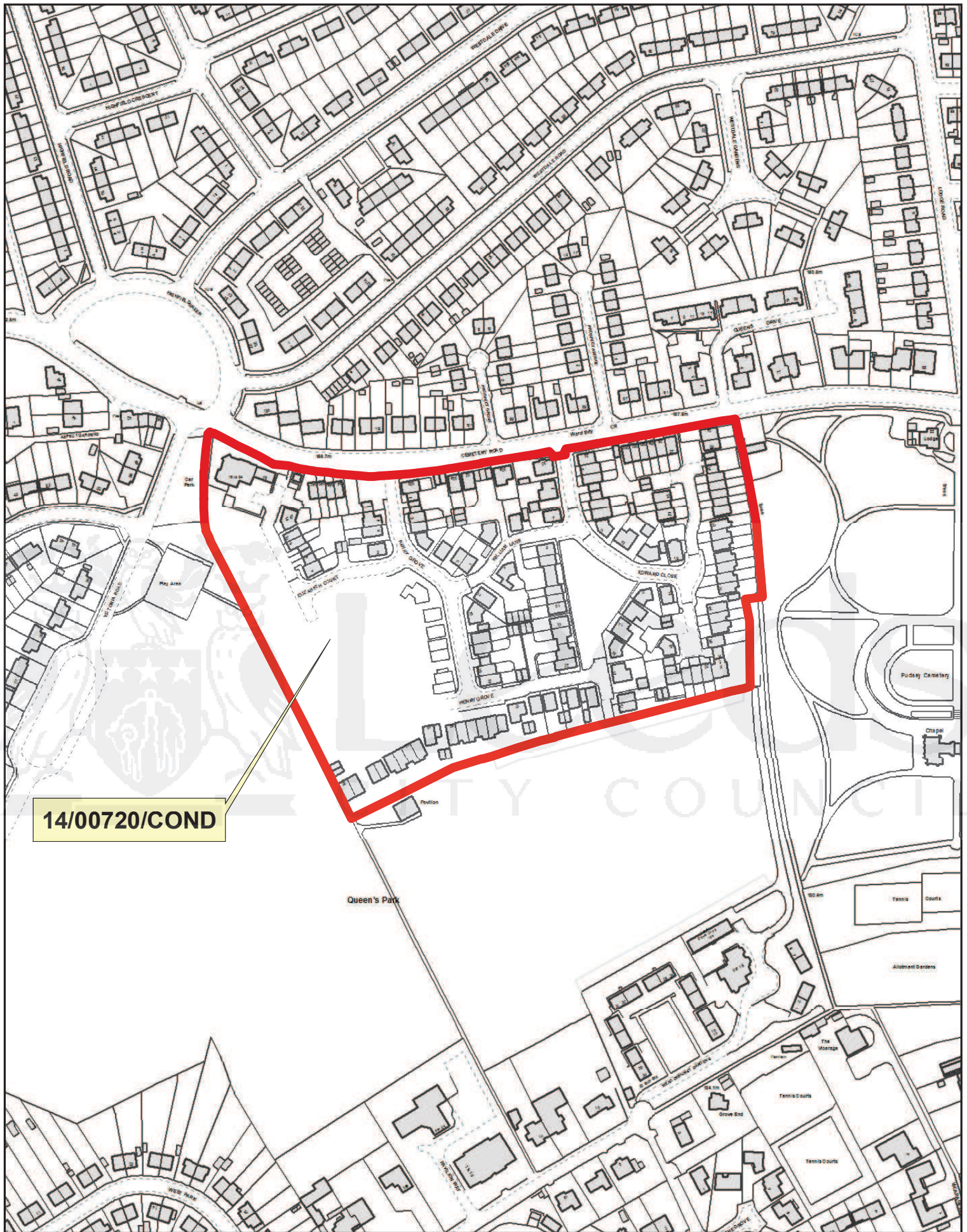
## **11.0 CONCLUSION**

- 11.1 The removal of the original wall and the loss of a well established hedge was considered to have a detrimental impact on visual amenity on the adjacent public footpath it was considered that a replacement hedge would improve visual amenity but a fence behind would offer security to the residents whilst the hedge was becoming established.
- 11.2 The fence being erected in the wrong place has resulted in their being lack of space between the fence and the footpath for a hedge to establish to an adequate height and width required for it to soften the existing fence.
- 11.3 Officers have negotiated other improvements to the public footpath which cover the whole of the footpath and not just the section alongside the application site. The other improvements also can be implemented without the fence position changing and inconveniencing the residents who have invested money in landscaping, decking and sheds backing on the fence.

On balance officers are supporting the changes

### **Background Papers:**

Certificate of ownership: signed by applicant.  
Planning application file.



14/00720/COND

# SOUTH AND WEST PLANS PANEL





Originator: Bob Packham

Tel: 2478204

## Report of the Chief Planning Officer

### *PLANS PANEL SOUTH AND WEST*

Date: 1<sup>st</sup> May 2014

**Subject: APPLICATION 14/01245/FU: CHANGE OF USE OF OUTBUILDING TO ICE CREAM SHOP/PARLOUR at 173 SMALEWELL ROAD PUDSEY LS28 8HT**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
E Eccles	27/3/14	22/5/14

<b>Electoral Wards Affected:</b>  Pudsey  <input type="checkbox"/> No Ward Members consulted (referred to in report)	<b>Specific Implications For:</b>  Equality and Diversity <input type="checkbox"/>  Community Cohesion <input type="checkbox"/>  Narrowing the Gap <input type="checkbox"/>
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### **RECOMMENDATION:**

Approve in principle and defer and delegate for determination by the Chief Planning Officer, subject to the receipt of no material adverse comments being received before the expiration of the advertisement period (2 May 2014), and subject to the following conditions:

1. Standard time limit 3 years.
2. No outside seating or tables to be placed on the land for use of customers without the written permission of the LPA
3. Building to be used solely for the purposes specified in the application and not for any other use.
4. No advertisement signs to be displayed without written permission of LPA.

#### **1.0 INTRODUCTION:**

The application is reported to Panel because the applicant is the Partner of a City Councillor.

#### **2.0 PROPOSAL:**

- 2.1 The application is for full planning permission to change the use of an existing domestic outbuilding at 173 Smalewell Road Pudsey to an ice cream shop/parlour.

The building is a small part of an existing building and has internal dimensions of 2.6 metres x 2.8 metres.

2.2 The building is constructed of natural stone under a single pitched roof.

2.3 The only alteration proposed to the building is the insertion of a serving hatch measuring 0.5 x 0.8 metres in the end wall of the building.

2.4 The application does not specify opening hours.

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

3.1 173 Smalewell Road is a relatively isolated bungalow set in a large garden located in the Green Belt south west of Pudsey. The bungalow and southern part of the gardens as well as the outbuilding which is the subject of this application is located on a relatively level plot, with land rising to the north and falling steeply to the south. Along the southern edge of the site is a track which runs from the surfaced part of Smalewell Road, to the east, and terminates just west of the bungalow. From the western end of the track a footpath runs west and then north towards the western part of Pudsey. The track and footpath comprise a public right of way.

3.2 The nearest residential properties to the application site are located 70 metres to the south, beyond the steep sloping woodland, and 90 metres to the south east. Both are accessed off Tyersal Lane and because of the topography and extensive tree cover cannot be seen from the application site. Land to the north, between the curtilage of the property and the southern edge of Pudsey comprises a former landfill, now a large open field, allocated in the LUDPR as proposed recreational open space.

3.3 The northern part of the garden of the property comprises the stone faces of a quarry which have been modelled and planted as part of the garden.

3.4 The building which comprises the proposed ice cream parlour is, because of topography and vegetation, only visible along a short length of the track to the south from where it has the appearance of a stone built stable block.

### **4.0 RELEVANT PLANNING HISTORY: None**

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

5.1 Pre-application discussions were held with the applicant and the views of Highways and Local Plans were sought. The applicant was advised that in the opinion of officers there was no objection to the proposed use subject to conditions to restrict future changes of use permitted by the Use Classes Order, and to prevent the provision of outside facilities (such as chairs and tables) or the display of advertisement signs without the written consent of the Local Planning Authority.

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

6.1 The application was advertised by way of a site notice posted on 11 April 2014. The Consultation period runs to 2 May 2014.

6.2 No public representations had been received before the Panel report was written.

### **7.0 CONSULTATIONS RESPONSES:**

## 7.1 Non-statutory:

Highways: The bridleway is not very suitable for cars. However, it is anticipated that the ice cream parlour would be a small scale business that would be unlikely to attract much vehicular activity. Customers are more likely to be in the area for leisure walks and it may be appropriate to limit signage directing people on foot rather than by car.

A personal permission may be appropriate or even a temporary permission to enable vehicle activity to be monitored.

Local Plans: Consider proposal is acceptable in Policy terms, but suggest conditions to prevent change of use to other A1 uses.

## 8.0 PLANNING POLICIES:

### National Planning Policy Framework (2012):

- The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.
- The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- Relevant guidance includes that on: development in the Green Belt (paragraph 90); town centre development (paragraphs 24 to 26) and supporting the rural economy (paragraph 28).

### Leeds Unitary Development Plan (2006 Review)

- Proposals Map: the site is shown as Green Belt
- GP5: General planning considerations.
- N33: Developments in the Green Belt.
- S9: Smaller retail development outside defined centres
- GB4: Change of use of buildings in the Green Belt

### Core Strategy

The Core Strategy was submitted to the Secretary of State for Communities and Local Government on 23rd April 2013. The Secretary of State appointed a Planning Inspector to conduct the examination of the plan, which commenced on 7th October and ended on 23rd October. The Inspector's report is awaited. At this stage the only issues which the Inspector has raised concerning the soundness of the plan relate to the affordable housing policy and the Council's evidence on Gypsies and Travellers. As the Core Strategy has been the subject of independent examination (October 2013) and its policies attract some weight, albeit limited by the fact that the policies have been objected to and the Inspector's Report has yet to be received (currently anticipated in Spring 2014).

In relation to Green Belt Policy the Core Strategy makes reference to National Green Belt policy in relation the use of land in the Green Belt. With regard to Policy P8 of the Core Strategy the Inspector had suggested in modifications that a sequential assessment will not be required for rural offices or other rural development with a floorspace of less than 500sqm.

## **9.0 MAIN ISSUES**

- 1. Principle**
  - A) Green Belt Policy**
  - B) Shopping Policy**
- 2. Other Issues**

## **10.0 APPRAISAL**

### **1. Principle of Development**

#### **A) Green Belt Policy**

- 10.1 The application proposes a retail use in an out of centre, Green Belt location.
- 10.2 Within the Green Belt Policy N33 of the LUDPR allows the change of use of buildings providing the criteria set down in Policy GB4 are met.
- 10.3 Considering the current proposal against the seven criteria of GB4:
- The physical changes proposed are very limited and would maintain the openness, character and appearance of the Green Belt;
  - The building is clearly in a sound structural condition and is suitable for the use proposed without significant alteration and without extension;
  - There will be no alterations to the access and therefore no impact on the character and appearance of the countryside;
  - There are no cost implications for public utilities or services;
  - There are no implications relating to the need to construct new farm buildings as the building is in domestic use;
  - The building is not to be converted to residential use;
  - The proposal would not harm the local economy.
- 10.4 It is therefore concluded that the proposal is compliant with development plan policy relating to change of use of buildings in the Green Belt.
- 10.5 The National Planning Policy Framework (NPPF) postdates the LUDPR. Paragraph 90 of the NPPF deals with inter alia, the change of use of buildings in the Green Belt stating that the reuse of buildings of permanent and substantial construction is acceptable in the Green Belt provided the openness of the Green Belt is preserved and the development does not conflict with the purposes of including land within the Green Belt.
- 10.6 In the case of the current proposal it is considered that the physical alterations to the building are minimal and the use itself low key. On this basis it is considered that the proposal will not affect the openness of the Green Belt or impact on the purposes of the Green Belt and therefore is acceptable when considered against the advice in the NPPF.

- 10.7 In summary the proposal is considered acceptable in terms of Green Belt Policy and will not harm the openness of the Green Belt.

### **B) Shopping Policy**

- 10.8 The proposal is for a retail use in a rural location and therefore needs to be considered in the context of LUDPR policies and the advice in the NPPF. Both documents advise that retail development outside of town centres should normally be the subject of a sequential test to demonstrate that alternative town centre sites are not available and that the development will not affect the viability and vitality of town centres. However it is also recognised in both the LUDPR and the NPPF that the approach to small scale development and development in rural areas should be different from large scale retail.
- 10.9 The LUDPR contains two separate policies for assessing the retail development. In the case of smaller developments policy S9 applies, and includes five criteria for assessment. In considering the current proposal against these criteria it is considered that: the current proposal is site specific (it is to provide for refreshment facilities for those on the adjacent footpath); the very limited scale and specific type of development could not realistically be seen as having potential to undermine the viability and vitality of any local centre; the proposal is to specifically cater for walkers not those in private vehicles; and it does not impact on land allocated for residential or employment use. On this basis it is considered that the proposal complies with Policy S9 of the LUDPR.
- 10.10 The NPPF takes a more permissive approach to developments such as that proposed, and encourages economic growth in rural areas. Paragraph 25 specifically states that the sequential approach should not be applied to small scale rural offices or other small scale rural development. Paragraph 28 specifically encourages support: for rural tourism and leisure developments for communities and visitors which respect the character of the countryside; and support the sustainable growth of all types of business and enterprise in rural areas, including through the conversion of existing buildings.
- 10.11 In essence the size and nature of the proposed development are such that the proposal will realistically have no impact on town centres. It represents a small rural development that will provide a very specific facility for residents and visitors using the adjacent footpath.
- 10.12 It is therefore considered acceptable in principle in terms of both LUDPR shopping policies and the advice in the NPPR.

### **2. Other Issues**

- 10.13 The application site is located at least 70 metres from the nearest residential property (other than the applicants house) and is considered unlikely to attract any significant increase in the use of Smalewell Lane, instead providing for those who would already be walking along the footpath. In view of this, and the very small scale of the development it is considered that it will not result in noise or disturbance to existing residents of the area.
- 10.14 Similarly, because of the scale of development it is unlikely to have any significant impact on local highways. The comments of the Highway Authority in relation to vehicular traffic and the potential inclusion of a personal or temporary condition are noted, but it is considered that given the very small size of the development and the

conditions to restrict change of use, and use of outside areas it is not considered that the imposition of further conditions can be justified.

- 10.15 Finally, the very limited changes to the existing building, comprising the insertion of a small serving hatch with timber frame and doors, will have no discernible impact on the visual amenity or rural character of the area.

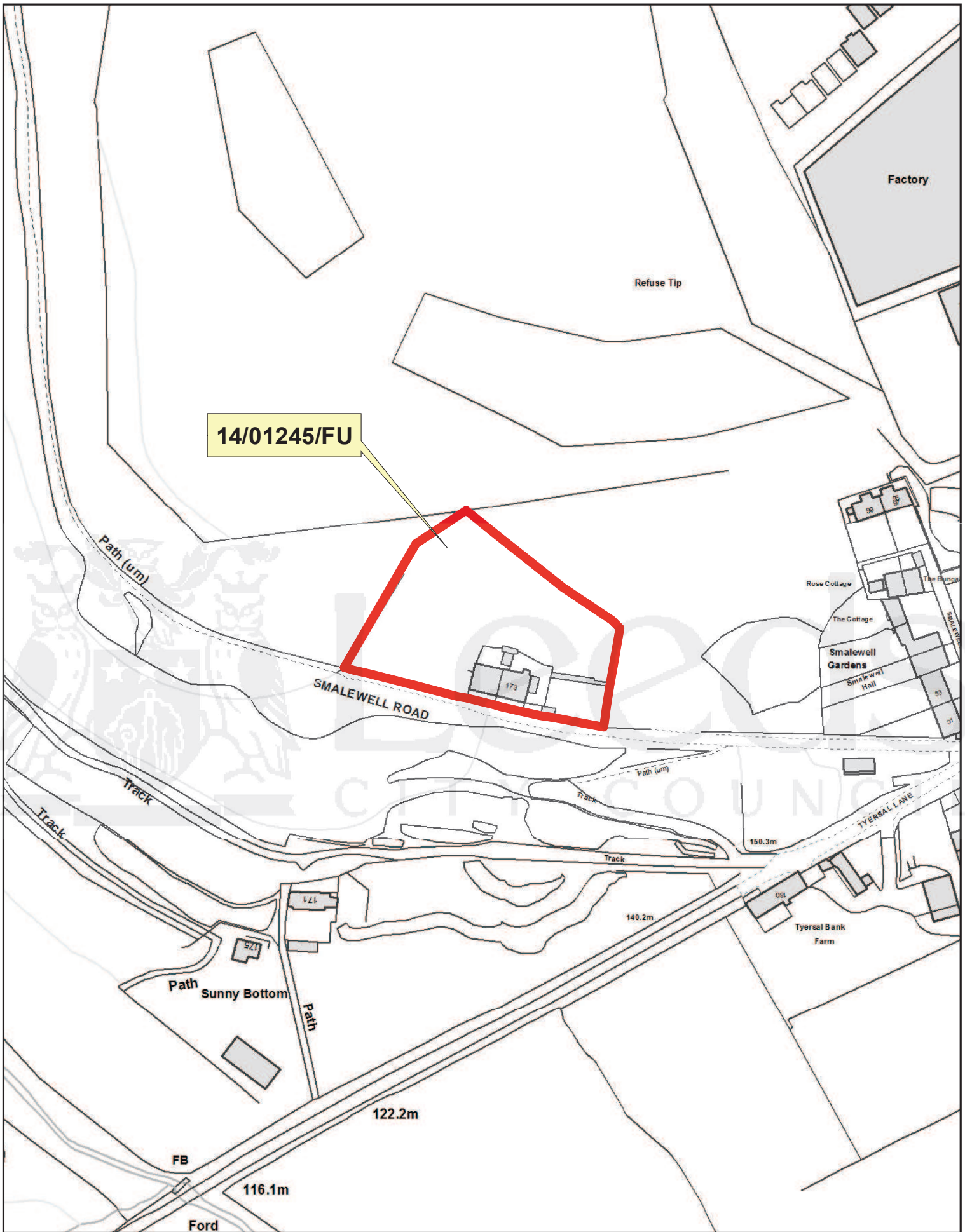
## **11.0 CONCLUSION**

In conclusion it is considered that the proposal is acceptable. It will not result in any unacceptable impacts on the openness of purposes of the Green Belt and is of a scale and nature that will not undermine shopping policies, which seek to direct the majority of retail developments to defined local centres. It represents a small scale business, aimed at leisure users of the footpath network and subject to conditions, set out in the recommendation, to ensure the scale and nature of the use does not change, is considered acceptable.

### **Background Papers:**

Application: 14/01245/FU





# SOUTH AND WEST PLANS PANEL



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Originator: Alison Stockdale

Tel: 0113 24 77071

Report of the Chief Planning Officer -

## ***SOUTH AND WEST PLANS PANEL***

Date: 1<sup>st</sup> May 2014

**Subject: Application number 14/01096/FU – Change of use to betting shop (A2), installation of new shop front, two air conditioning condenser units, one satellite dish and one TV aerial at 7 Cliffe Court, Yeadon LS19 7YU**

**And Application number 14/01094/ADV – One internally illuminated fascia sign and one non-illuminated projecting sign at 7 Cliffe Court, Yeadon LS19 7YU**

### **APPLICANT**

William Hill

### **DATE VALID**

24<sup>th</sup> and 25<sup>th</sup> February 2014

### **TARGET DATE**

21<sup>st</sup> and 22<sup>nd</sup> April 2014

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

Otley and Yeadon

Yes

Ward Members consulted  
(referred to in report)

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

Equality and Diversity

Community Cohesion

Narrowing the Gap

## **RECOMMENDATIONS**

### **14/01096/FU**

**GRANT PERMISSION** subject to the following conditions

1. Time limit on full permission
2. Removal of existing external roller shutters
3. The shop front shall remain as clear glazing with no internal signage etc obstructing views in to the unit

### **14/01094/ADV**

**GRANT PERMISSION** subject to the following conditions

1. Time limit on advertisement consent
2. Standard conditions for advertisement consent

## **1.0 INTRODUCTION**

- 1.1 The applications are brought to panel at the request of ward Councillor Colin Campbell who has concerns about the use of internal illumination on signage in the Conservation Area, the design of the shopfront and the loss of a retail unit within the town centre. Members are advised that two applications are presented for consideration which can be determined independently of each other, and that two decisions are required

## **2.0 PROPOSALS:**

- 2.1 The full planning application is for the change of an A1 unit (currently empty but previously in use as a travel agent) to an A2 unit (betting shop). Replacement air conditioning units are proposed to the side of the building with a new satellite dish and tv aerial on the roof of the building. A new shopfront is proposed with an aluminium frame, recessed entrance door and internal roller shutter to the door.
- 2.2 The advertising consent application is for an internally illuminated fascia with backlit lettering and an externally illuminated projecting sign.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site is a ground floor shop unit within the Yeadon Conservation Area. It is currently empty but has previously operated as a travel agent.
- 3.2 The unit is one of 3 modern purpose-built stone properties integral to the Morrisons supermarket which front onto Yeadon High Street.
- 3.3 The site is within the designated S2 shopping centre and is in a 'secondary shopping frontage'. The other units within the secondary frontage are both building societies.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 08/01507/ADV – internally illuminated fascia and projecting sign at 7 Cliffe Court – approved
- 13/04533/ADV – internally illuminated fascia sign and externally illuminated projecting sign at 6 Cliffe Court – approved
- 13/00851/ADV – externally illuminated fascia and 1 internally illuminated projecting sign at 5 Cliffe Court – approved
- 4.2 13/00849/FU – change of use of vacant ground floor unit (A1) to building society use (A2) at 5 Cliffe Court – approved
- 28/67/95/FU – change of use of retail unit to building society office at 6 Cliffe Court - approved

## **5.0 PUBLIC/LOCAL RESPONSE:**

- 5.1 Councillor Campbell has objected to the signage application for being inappropriate to the Conservation Area as a result of its illumination.
- 5.2 Councillors Campbell and Lay have objected to the full application for change of use to a betting office for the following reasons:

Inappropriate shopfront for the Conservation Area  
The retail provision will be unacceptably eroded  
The proposal is contrary to the Council's commitment to reduce reliance on companies which disproportionately affect poor or disadvantaged communities

- 5.3 An objection on behalf of a nearby business has been received against the change of use application. This raises the following issues:

Lack of assessment of the policy implications of the proposal  
Loss of retail use  
Condenser units and satellite dish are inappropriate to the Conservation Area

## **6.0 CONSULTATION RESPONSES:**

### Highways

- 6.1 No objection to the signage application

## **7.0 PLANNING POLICIES:**

- 7.1 Under Section 38 of the Planning and Compulsory Purchase Act 2004, decisions on planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

### Development Plan

- 7.2 The development plan for Leeds is made up of the adopted Leeds Unitary Development Plan (Review 2006) (UDP).

- 7.3 The site is within the Yeadon Conservation Area, S2 shopping centre and a secondary shopping frontage. The following policies are therefore relevant to the consideration of the application:

GP5 – General planning considerations, including amenity.

T2 – Highway safety

BD7 - New shopfronts should relate architecturally to the buildings in which they are inserted; the use of security glass or open mesh grilles will be encouraged and solid shutters permitted only in exceptional circumstances.

BD8 – Signs must be well designed and sensitively located within the streetscene.

BD9 – Projecting and illuminated signs will only be permitted in Conservation Areas where they do not detract from visual amenity, the building or the character of the street.

BC7 – Development in Conservation Areas to be in traditional natural materials.

S2 – The vitality and viability of the designated town centres will be maintained and enhanced to ensure access for all to a wide range of forms of retailing and other related services. Non retail development will not normally be permitted where it would significantly reduce the shopping function of the centre.

SF8 – Within secondary frontages proposals for a change of use to non-retail within use class A2 and A3 will be considered on their own merits.

### Draft Core Strategy

- 7.4 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 26<sup>th</sup> April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed and examination has largely taken place.
- 7.5 As the Council has submitted the Publication Draft Core Strategy for independent examination and the Inspector has indicated suggested modifications which have now been advertised weight can now be attached to the document and its policies.
- 7.6 The following policies within the Draft Core Strategy are relevant.

Spatial policy 2 – Hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture.

Policy P10 – Design

- 7.7 Within the Issues and Options for the Site Allocations Plan of the Local Development Framework the site is within the primary shopping area but no longer identified as secondary frontage.

### Supplementary Planning Guidance and Documents

- 7.8 The following Supplementary Planning Documents (SPDs) are relevant to the consideration of the proposals:

Yeadon Conservation Area Appraisal

Advertising Design Guide

### National Planning Policy

- 7.9 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system.

It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Specifically with regard advertisements paragraph 67 of the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the Interests of amenity and public safety, taking account of cumulative impacts.

## 8.0 MAIN ISSUES

- Principle of development
- Impact on the S2 centre
- Design and character
- Impact on the Conservation Area
- Amenity/Safety
- Highways issues

## 9.0 APPRAISAL

### **Application number 14/01096/FU – Change of use to betting shop (A2), installation of new shop front, two air conditioning condenser units, one satellite dish and one TV aerial**

- 9.1 The full application for the change of use to A2 needs to be considered in relation to relevant UDPR policy and policy contained within the NPPF. The site is within a small secondary shopping frontage of 3 units of which 2 have already been granted planning permission for a change of use to A2. The opposite side of the road is primary frontage which is mainly non-retail use at this point.
- 9.2 UDPR policies S2 and SF8 are particularly relevant to this scheme. Policy S2 states that non-retail development within designated S2 centres will not normally be permitted where it would reduce significantly the shopping function of a centre. Policy SF8 seeks to safeguard the overall retail character of shopping centres while recognising that non-retail uses do provide a service.
- 9.3 The proposed A2 use is an appropriate town centre use that, in principle, will contribute to its vitality and long term viability. The proposed change of use will result in the entire secondary frontage being in A2 use however it is only a small parade of 3 units with the Morrisons store on one side a social club on the other. Policy SF8 recognises that non-retail uses provide a service in town centres and the proposed A2 use is considered to complement the existing retail function of the town centre
- 9.4 The wider town centre provides a range of convenience and comparison retail provision together with other financial and leisure services. It is therefore considered that the use of this unit as building society or other business within the A2 Use Class will not significantly impact on the retail provision of the town centre.
- 9.5 The emerging Site Allocations Plan is at the Issues and Options stage with the first consultation having been undertaken during the Summer 2013. Within this Plan, the site is no longer designated as secondary shopping frontage but still identified as part of the Primary Shopping Area. During the consultation period no objections were raised to the Yeadon designations. The change in designation reflects the parade's loss of retail function and is reflected in a similar change in designation for the units at the other side of Morrisons.

#### Design and Character

- 9.6 The proposal is to change the shopfront, which is currently aluminium with a large shop window and stone stall riser, to a revised aluminium shopfront with an inset door. The proposal is in line with the other shopfronts in the parade. The units are purpose built in stone with a contemporary design. The shopfronts are large and

predominantly glazed with large aluminium box fascias. The proposed shopfront preserves this character and is therefore considered to comply with policy BD7 of the UDPR. The existing external roller shutters will be removed and replaced with an internal roller shutter. The Conservation Area Appraisal states that shopfronts should respect the period and proportion of the building within which they are set and should use high quality materials. It further requires that shopfronts should preserve or enhance the special character of the area. The proposed shopfront is considered to satisfy this adopted guidance.

- 9.7 The proposed air conditioner units replace the existing units sited down the side of the building and will be substantially similar in size, style and position.
- 9.8 The proposed TV aerial and satellite dish will be placed to the rear of the roof and will have minimal from the public highway given the height and front gable feature of the building.

### **Application number 14/01094/ADV – One internally illuminated fascia sign and one non-illuminated projecting sign**

- 9.9 The proposed signage is acceptable in principle subject to detailed design considerations.
- 9.10 The applicant has amended the signage application to show an internally illuminated fascia and a non-illuminated projecting sign. The fascia sign will fit within the existing stone band above the shop front and is similar in scale to the adjoining properties. The lighting will provide illumination only to the letters of the sign with the bulk of the fascia non-illuminated. Whilst it operated as a travel unit, the property had both an internally illuminated fascia and projecting sign and advertisement consent has been given for both types of signage on the adjoining units within the past year.
- 9.11 Policy BD9 requires that projecting and illuminated signs in Conservation Areas do not detract from visual amenity, the building or the character of the street. As has been stated, the signage is in keeping with the scale and design of neighbouring properties and sited within the inset above the shopfront. The level of illumination is considered appropriate to a busy high street and the character of the Conservation Area.

#### Amenity/Safety

- 9.12 The level of illumination is minimal and as such there is considered to be little impact on amenity. In addition the proposal is considered to raise no safety issues.

#### Highways

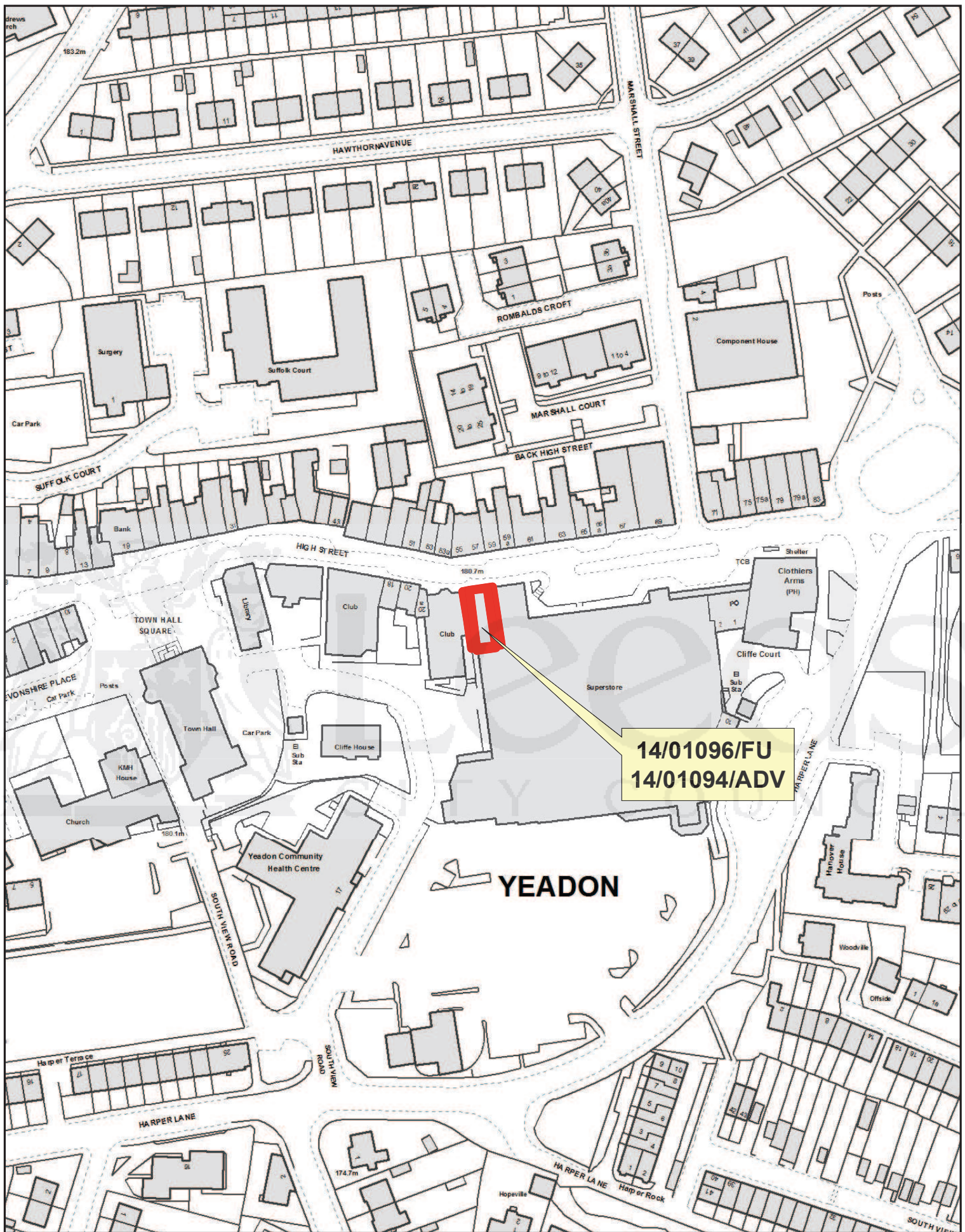
- 9.13 The proposal raises no specific highways concerns.

## **10.0 CONCLUSION**

- 10.1 Approval of application **14/01096/FU** is recommended subject to specified conditions
- 10.2 Approval of Advert Consent **14/01094/ADV** is recommended subject to specified conditions



**Background Papers:**  
Planning application file.



14/01096/FU  
14/01094/ADV

# SOUTH AND WEST PLANS PANEL





Originator: Neil Charlesworth

Tel: 247 7885

**Report of the Chief Planning Officer**

**PLANS PANEL SOUTH & WEST**

**Date: 1<sup>st</sup> May 2014**

**Subject: The Former Royal Park School Site**

APPLICANT	DATE VALID	TARGET DATE
N/A	N/A	N/A

<p><b>Electoral Wards Affected:</b></p> <p>Hyde Park and Woodhouse</p> <div style="border: 1px solid black; display: inline-block; padding: 2px;">Yes</div> Ward Members consulted (referred to in report)	<p><b>Specific Implications For:</b></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:**

**Plans Panel are asked to note the contents of the report.**

**1.0 INTRODUCTION**

1.1 During the presentation and discussion of application 13/00868/OT for the redevelopment of part of the former Leeds Girls High School site at Victoria Road , Headingley at South and West Plans Panel on the 3<sup>rd</sup> April 2014, reference was made to proposals for the redevelopment of the former Royal Park Primary School site for Greenspace. This Panel report is brought to Panel for information at the request of Councillor J Mckenna, Chairman of the South and West Panel, to provide Panel Members with an update on progress to redevelop the former Royal Park School site for Greenspace.

1.2 Members of Panel will be aware that the Royal Park Primary School closed in 2004. Since closure there have been numerous attempts to bring the building back into use, ranging from community ownership and management through to sale on the open market. However, none of the schemes proposed proved acceptable and due

to its deteriorating condition the main school building was demolished, with works completing on 25<sup>th</sup> April 2014.

- 1.3 The decision to demolish the building was taken by Executive Board in July 2013. Members discussed and highlighted the value of providing additional Greenspace in the area and approved demolition on the basis that the site be temporarily grassed over until a deliverable primarily public sector, affordable housing or community use is brought forward. Since that time further discussions have taken place and a revised proposal is being progressed to provide permanent Greenspace.

## **2.0 PROPOSAL:**

- 2.1 The proposal now is for a new area of high quality, permanent Greenspace to be created on the site of the former Royal Park Primary School and to enhance the existing area of public open space to the rear of the school site. Various concepts are currently being designed by NPS (Leeds) Ltd and these will be used as a starting point for consultation with the local community. The views of local people will be especially important on this site, as they have continuously shown to have an interest in its future since the school closed.
- 2.2 The land is the site of a former Victorian built school in the Hyde Park area of Leeds 6. It is surrounded by roads on three sides, these being Royal Park Road to the North, Queens Road to the West and King's Road to the East. To the South lies a small park incorporating a multi-use games area, open green space and a small hard standing play area. A pathway separates the subject site from the existing park.
- 2.3 Royal Park Road and the adjacent park slope significantly, although the subject site is relatively flat. This results in a significant drop from King's Road onto the subject site.
- 2.4 The site's boundary is mainly high Victorian railings and walls. Along the Northern border a temporary palisade fence is in place. It is proposed that the features from the existing railings and pillars from the existing boundary be retained where possible, but the walls be demolished and replaced with railings to open up the site visually.
- 2.5 The former caretaker's house remains in the South West of the site. Discussions are ongoing with West Yorkshire Police regarding the potential for them to use the property to provide a presence in the area. Alternatively the house will be used to complement the Greenspace.

## **3.0 HISTORY OF NEGOTIATIONS:**

- 3.1 Discussions have been held with Ward Councillors for both Hyde Park and Woodhouse and Headingley Wards to discuss the creation of a new area of public open space on the former site.

## **4.0 PUBLIC/LOCAL RESPONSE:**

- 4.1 Given the strength of local feeling for the former school clearly demonstrated over the past decade or so, local consultation will be especially important for this proposal. A consultation event will be arranged for a date in May or early June and local people will be invited to contribute their views and preferences for the site.

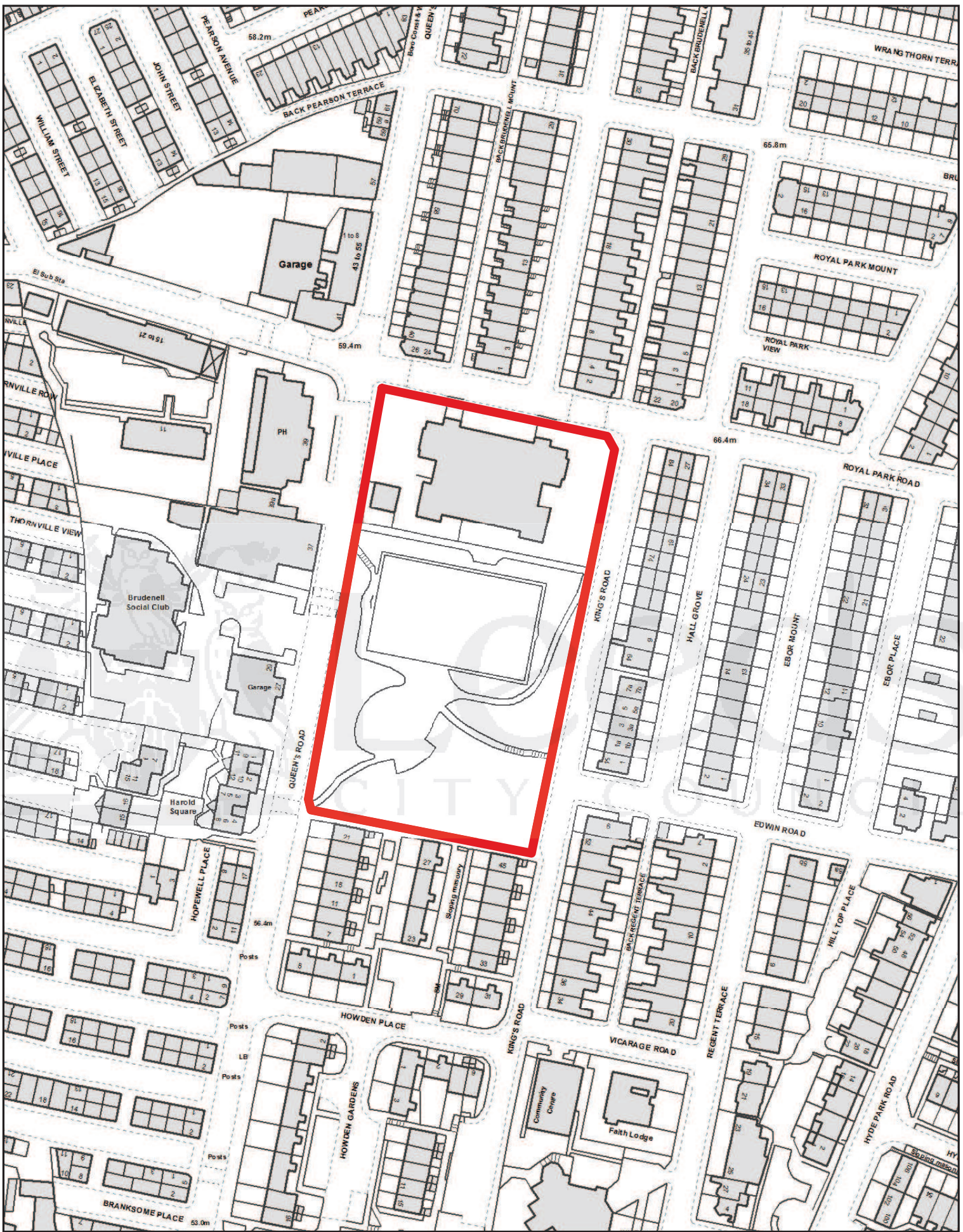
Three concept designs will be developed for the consultation to give a starting point for discussions and these will set out a community garden option, a sports use option and a children's play area. These ideas are not 'set in stone'. They are there for the purpose of providing a starting point for consultation on potential uses and to help generate ideas from the community.

## **5.0 CONSULTATION RESPONSES:**

- 5.1 Although Ward Members are disappointed that a viable scheme could not be delivered in the former school building, they are committed to the site being used for community purpose and supportive of the Greenspace proposals.

## **6 CONCLUSION:**

- 6.1 Following the consultation event a preferred option will be chosen and that will progress to full feasibility stage, to ascertain the technical issues and provide an overall cost estimate for the project. At the time of drafting this report it is too early to give an indication on the overall timeframe. It may however be possible to give a verbal indication at the meeting. At this time Panel Members are asked to note the content of this report and raise any questions as appropriate.



# SOUTH AND WEST PLANS PANEL





Originator: Susie Watson  
Tel: 0113 2478000

**Report of the Chief Planning Officer**

**PLANS PANEL SOUTH AND WEST**

**Date: 1<sup>st</sup> MAY 2014**

**SUBJECT: PRE-APPLICATION PRESENTATION FOR AMENDMENTS TO THE CONSENTED SCHEME FOR THE REDEVELOPMENT OF THE FORMER HIGH ROYDS HOSPITAL, MENSTON, INCLUDING AREAS OF NEW RESIDENTIAL DEVELOPMENT WITHIN THE GREEN BELT, CONSENTED COMMERCIAL UNITS TO BECOME RESIDENTIAL, AND RESIDENTIAL CONVERSION OF THE CENTRAL ADMINISTRATION BLOCK IN PLACE OF THE APPROVED ASSISTED LIVING UNITS**

APPLICANT	DATE VALID	TARGET DATE
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<p><b>Electoral Wards Affected:</b></p> <p><b>Guiseley &amp; Rawdon</b></p> <div style="border: 1px solid black; display: inline-block; padding: 2px 5px;">No</div> Ward Members consulted	<p><b>Specific Implications For:</b></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:**  
**For Members to note the content of the report and presentation and to provide any comments on the proposals.**

**1.0 INTRODUCTION:**

1.1 This pre-application proposal relates to a number of proposed changes to the consented scheme for the redevelopment of the former High Royds Hospital. Planning permission and listed building consent (28/198/03/FU and 28/199/03/LI) were originally granted in January 2005 (FU) and May 2005 (LI) for the conversion of hospital buildings, along with some new building, to form 541 dwellings, offices, medical facility, crèche, assisted living units, retail units and sports pitches. At this time the site was allocated as a Major Development Site (GB7) in the Unitary Development Plan. The development was and is subject to a S106 package which addressed matters such as transport contributions, off-site highway works, provision of sports pitches and a sports and social club building, and affordable housing.

1.2 Following these approvals, the majority of the new build element was carried out by David Wilson Homes and is now occupied. Ben Bailey Homes subsequently took over the site to carry out the conversion works. Whilst some of the original buildings have now been converted and are occupied, there are a number of buildings that still await conversion.

## **2.0 PROPOSAL:**

2.1 It is now the Developer's intention to pursue a number of amendments to the consented scheme including:

- The erection of areas of new build housing
- The omission of the assisted living units alterations to the approved demolitions and extensions to the central administration block; and
- Alterations to the mix of uses on the site;

In order to achieve this they intend to present a case for additional new houses built on open areas of the site.

## **3.0 SITE AND SURROUNDINGS:**

3.1 The site is a Grade II listed former Victorian psychiatric hospital. The site originally comprised of a group of stone hospital ward buildings, ancillary service buildings and estate management offices. The first phase of the hospital was constructed for the West Riding County Asylum Board between 1884 and 1888 and was designed by J. Vickers Edward. The layout of the hospital was an innovation of its time, adopting the echelon plan – the ward buildings are south facing and progressively step outwards from the central administration block.

3.2 Architecturally, High Royds is one of the most impressive hospitals of its type, in the Gothic Revival style. The most striking feature within the site is the central administration block, which includes a prominent clock tower. Many of the ward buildings also include a tower feature. This has created an interesting and varied roofscape.

3.3 The hospital buildings are set within extensive landscaped 'parkland' grounds, extending to approximately 203 acres, which are registered as a Historic Park and Garden.

3.4 The site lies within the Green Belt and Special Landscape Area.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 28/198/03/FU - Change of use of hospital and new build to form 541 dwellings, offices, crèche, assisted living facility of 84 self-contained units, retail units and sports pitches – approved 26 January 2005.

28/199/03/LI - Listed Building Consent to alter and demolish part of hospital to form dwellings crèche medical & offices – approved 27 May 2005.

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 A number of meetings have been held with officers and Ward Members have been briefed on the new proposals.



## 6.0 PLANNING POLICIES:

### Development Plan Policy

6.5 Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.

6.8 Relevant Leeds Unitary Development Plan (Review) 2006 Policies:

- GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD6 requires all alterations and extensions to respect the scale, form, detailing and materials of the original building.
- N12 states that development proposals should consider and respect spaces between buildings; the best buildings of the past; good design; character and scale; encouragement of walking and cycling; adaptability for future uses; the needs of the elderly and people with disabilities and restricted mobility; visual interest; and crime prevention.
- N13 requires all new buildings to be of high quality and have regard to character and appearance of surroundings.
- N15 Proposals for change of use of listed buildings will be considered favourably provided they do not diminish the special architectural or historic value of the building and its setting
- N16 requires extensions to listed buildings to relate sensitively to the original building.
- N17 requires existing features and details of listed buildings to be preserved, repaired or replaced.
- N33 sets out the general restrictions that apply to development within the Green Belt.
- GB4 sets out the criteria for permitting the change of use of buildings within the green belt.
- GB7 identified the site as one of 2 major developed sites within the green belt.
- N28 seeks to protect Historic Parks and Gardens from any development that would materially harm their historic interest.
- N37 requires development to be sympathetic to special landscape areas.
- T2 states that development proposals should not create new, or exacerbate existing, highway problems.
- T24 parking provision to reflect the guidelines set out in UDP Appendix 9.

### Supplementary Planning Documents

6.9 SPG Neighbourhoods for Living.

### Local Development Framework

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 26<sup>th</sup> April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination. The Emerging Core Strategy was examined by an Inspector in October 2013. The Inspector has subsequently indicated that two issues must be addressed if it is to be found sound, these are Affordable Housing and Provision for Gypsy and Traveler Sites. It is likely that an Inquiry on these matters will be held in May (2014). The Inspector's main modifications were published on the 13th March

2014 for six weeks public consultation – significant weight can now be attached to the Draft Core Strategy as amended by the main modifications.

Relevant policies include:

#### National Policy

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.
- 6.2 The NPPF sets out clear principles with regard to what is appropriate development in the green belt, which is effectively restricted to agriculture and essential facilities.
- 6.3 In respect of listed buildings ('heritage asset') the NPPF states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. ... As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
- 6.4 In respect of design it states that "good design is indivisible from good planning" and Local 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".

## **9.0 MAIN ISSUES**

- 1. Provision of a mixed use development
- 2. Character of the listed building(s) and their setting
- 3. Additional development within the green belt
- 4. Implications for the delivery of S106 requirements

#### Provision of a mixed use development

- 9.1 The original planning permission granted consent for the change of use of the hospital and new build to form 541 dwellings, offices, crèche, assisted living facility of 84 self-contained units, retail units and sports pitches.
- 9.2 However, the original report to Panel advised that the residential element comprised of 342 new build dwellings (including 139 new build affordable units) and 215 units within the listed buildings. In addition to this, 84 self-contained assisted living units were to be provided within the main former administration block.
- 9.3 The briefing note now provided by Gladedale in support of their pre-application enquiry refers to the formation of 562 dwellings. Clarification of the exact number of dwellings originally approved is now being sought and a verbal update will be provided to Members at the Panel meeting.
- 9.4 The site was intended to provide a mixed use development and commercial elements were therefore also approved. All of these commercial elements were to be provided through the conversion of the existing listed buildings and included the provision of approximately 7405 sqm of B1 office space, a small retail unit (90sqm), a day care crèche facility, and a medical facility to also include a dentist.

- 9.5 A recent application (13/01715/FU) approved the change of use of Building 10 from a medical facility to 3 houses. Whilst the loss of the surgery raised some concerns given this is a facility that was approved as part of the original application / vision for the development, the developer had attracted no interest in the conversion of the building for this purpose. This was largely due to the nature of the building and the costs (money and time) involved in restoring it. At this stage the developer advised that they would still like to see a doctors surgery on the site and would look to pursue this when progressing with the redevelopment of other buildings on the site, including ones that were originally consented to be for commercial use.
- 9.6 As part of recent application 13/01715/FU for the change of use of Building 10 from a medical facility to 3 houses, consent was also granted to convert Building 6, the former mortuary building, to a B1 office. The original planning permission approved the conversion of this building to 2 dwellings.
- 9.7 It is now suggested that despite having been “marketed periodically” since the purchase of the site, no viable offers have been made for the commercial units or the administration block (for use as Assisted Living) as consented. It is therefore proposed that these elements be converted to residential use for sale on the open market. Should residential use be considered appropriate there would be a need to demonstrate for example that adequate car parking could be provided for flats usage and the impact of this on the setting of the listed building would be a key consideration. The only commercial element that would remain would be a small office and the provision of a shop unit to provide a general store to serve the needs of residents. It is currently thought that this would be provided within Building 6

#### Character of the listed building(s) and their setting

- 9.8 The applicant considers that the consented scheme for the administration block would have a detrimental impact on this heritage asset given it allows significant alterations/demolitions to the fabric of parts of the building and a new build element, which is significant in its scale.
- 9.9 Given the applicant no longer proposes to provide the approved assisted living units they now no longer require the consented extensions. As such they hope to maintain the sensitive fabric of the administration block more sympathetically by refraining from the demolition of sensitive parts and by not increasing the scale of the building with new build elements. The applicant intends to argue that the loss of the consented floor space in the building necessitates that this floor space is replaced through the erection of circa 32 new dwellings in the green belt. The merits of this would need to be explored through the ‘enabling’ case but at this stage it would appear that:
- This number of detached dwellings would have substantially greater value than the loss of the consented floor space in the assisted living block which would be lost.
  - The developer has advised that the consented scheme for the assisted living block is not viable and will not be built. This limits the weight to be given to the developer’s ‘fall back’ position.

#### Principle of additional development (green belt)

- 9.10 Notwithstanding the proposals to reduce the extent of extensions and provide more commercially viable development (i.e. residential units), the applicant considers that

in order to carry out the changes to the administration block additional enabling development will be required due to the loss of floor area. A number of new build dwellings within the grounds are therefore proposed. The plan submitted proposes building houses in 3 areas of the site: -

1. 6 detached houses on land to the north of the site to the east and north of Block 21.
2. 10 detached houses to the north of the site to the south of Block 21.
3. 16 dwellings to the south of properties on Wharfedale Avenue, which is situated towards the south western corner of the site.

These areas will be identified on a plan and handed to Members at the site visit / Panel meeting.

- 9.11 The site is located within the green belt and the applicant intends to pursue an 'enabling case' and seek to demonstrate the very special circumstances which are necessary to justify inappropriate development within the green belt.
- 9.12 Not only will the impact on the green belt need to be considered but also the impact on the character and setting of the listed buildings, the historic parkland and the special landscape area.

#### Implications for the delivery of S106 requirements

- 9.13 A S106 was entered into as part of the original permission. This included a number of clauses including:
- Affordable housing
  - Train service commuted sum
  - Play equipment contribution
  - Metro cards
  - Public art
  - Car club
  - Sports club facility
- 9.14 It will be expected that in addressing the viability of the approved scheme and demonstrating the need for additional development that the applicant will set out clearly what has and what has not been delivered so far through the S106 and how the proposed amendments affect this.

## **10.0 CONCLUSION**

- 10.1 It should be noted that an increase in the overall numbers of residential units at the site would itself have implications for matters such as car parking and traffic generation, affordable housing provision, education contributions and other planning matters and that these issues have yet to be tested through a more detailed submission. Members are asked to note the contents of the report and presentation and are invited to provide feedback on the proposals put forward so far and specifically on the following matters.

#### New Residential development in the Green Belt

**Does the Panel have any comments on the principal of new residential building in this Green Belt location?**

### Proposed siting of new residential development in the Green Belt

The applicant intends to pursue an application based on the 'very special circumstances' which are necessary to justify new housing development in the green belt. Given the scale and impact of this the case would need to be compelling. Setting aside the principal of the development and looking specifically at the proposed areas of new build –

**Does the Panel have any comments specific to the areas of new-build indicated?**

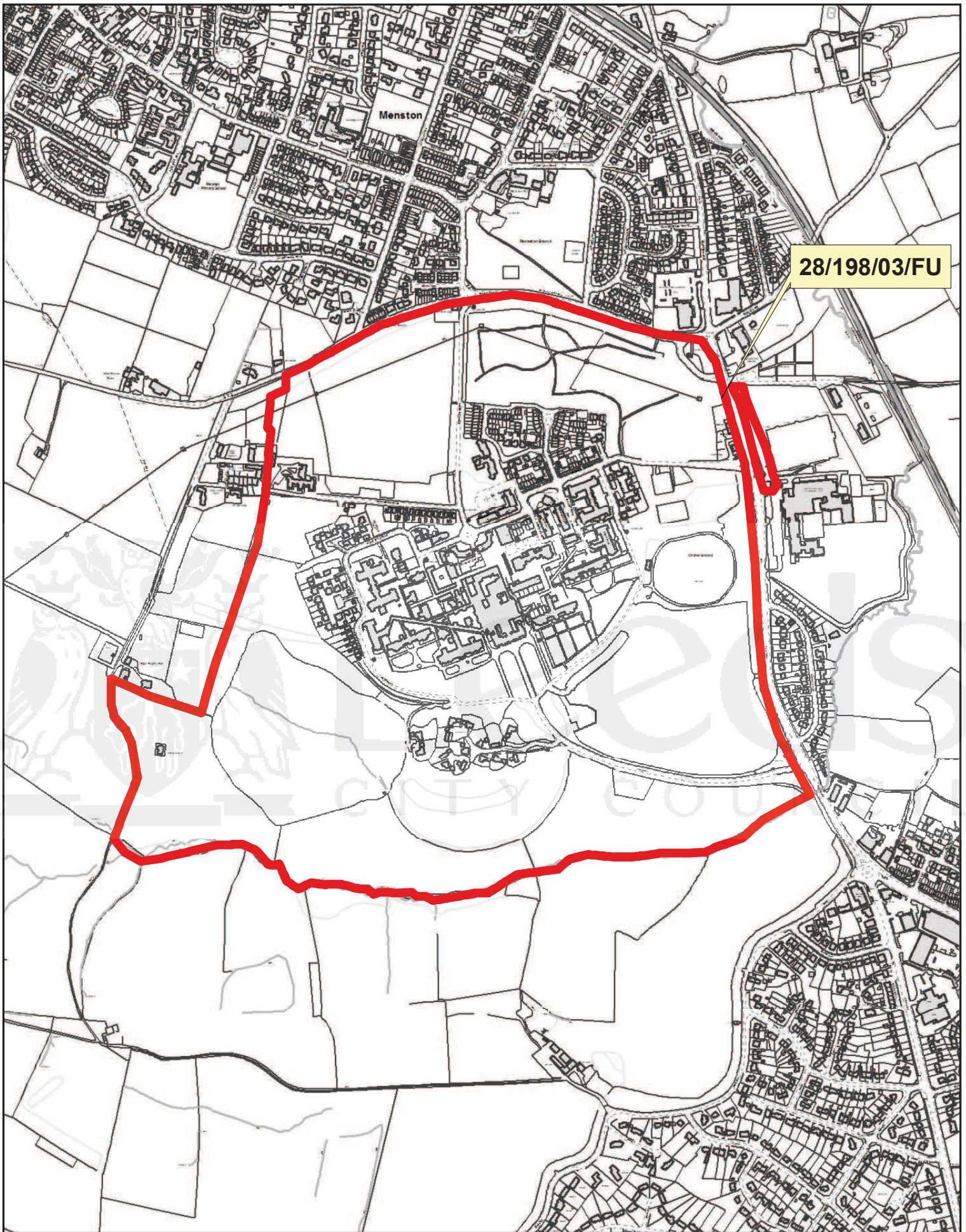
- 1. The land to the north of the site to the east and north of Block 21.**
- 2. The land to the north of the site to the south of Block 21.**
- 3. The land to the south of properties on Wharfedale Avenue, which is situated towards the south western corner of the site.**

### The Administration Block

**Does the Panel have any comments specific to the proposals for the Administration Block, which is the principal building on the site with the clock tower, with regard to the loss of the assisted living units and their replacement with flats and the proposals to reduce the scale of extensions?**

### Loss of commercial uses

**Does the Panel have any comments with respect to the replacement of the consented commercial elements of the scheme (offices, crèche) with residential, one shop to remain?**



28/198/03/FU

# SOUTH AND WEST PLANS PANEL

