



SOUTH AND WEST PLANS PANEL

Meeting to be held in the Civic Hall on
Thursday, 6th November, 2014
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar
M Coulson
M Rafique
K Ritchie
C Towler
P Truswell
F Venner

J Bentley

A Castle
R Wood

R Finnigan

**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>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p style="padding-left: 40px;">RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p style="text-align: center;">No exempt items or information have been identified on the agenda</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 2 OCTOBER 2014</p> <p>To confirm as a correct record, the minutes of the meeting held on 2 October 2014</p>	3 - 12
7	Morley North		<p>APPLICATION 14/01004/FU - 23 BRADFORD ROAD, GILDERSOME, MORLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use of former industrial unit to form storage and maintenance of vehicles and plant, offices and associated parking and access.</p>	13 - 22
8	Ardsley and Robin Hood		<p>APPLICATION 14/03674/FU - LAND AT HAIGH MOOR ROAD, WEST ARDSLEY, WAKEFIELD</p> <p>To receive and consider the attached report of the Chief Planning officer regarding an application for the construction of 10 dwellings and associated car parking and landscaping</p>	23 - 32

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9	Otley and Yeadon		<p>APPLICATION 14/04077/FU - DEVELOPMENT ENGINEERING SERVICES, ILKLEY ROAD, OTLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the demolition of former single storey mill buildings and construction of nine dwellings and three flats.</p>	33 - 42
10	Guiseley and Rawdon		<p>APPLICATION 14/01785/FU - OVERHOUSE, OVER LANE, RAWDON, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for two storeys extension to front, side and rear with balcony to front.</p>	43 - 54
11	Otley and Yeadon		<p>APPLICATION 14/04740/FU - 28 WHACK HOUSE LANE, YEADON, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a part two storey, part first floor front and side extension and single storey rear extension.</p>	55 - 62
12	Weetwood		<p>APPLICATION 14/04182/FU - 10 HILLCREST RISE, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a two storey front/side extension with raised timber deck.</p>	63 - 70
13	Otley and Yeadon		<p>APPLICATION 14/03387/FU - AIRPORT WEST BUSINESS PARK, WARREN HOUSE LANE, YEADON, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a detached restaurant with associated access and landscaping.</p>	71 - 84

Item No	Ward	Item Not Open		Page No
14	Otley and Yeadon		<p>APPLICATION 14/04075/RM - HAWORTH COURT, CHAPEL LANE, YEADON</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a reserved matters application for residential development comprising of C2 (residential institution).</p>	85 - 96
15			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 4 December at 1.30 p.m.</p> <p><u>Third Party Recording</u></p> <p>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>Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> 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. 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. 	
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Third Party Recording

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.

Use of Recordings by Third Parties– code of practice

- 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.
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Legal & Democratic Services

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Leeds LS1 1UR

Contact: Andy Booth

Tel: 0113 247 4325

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Your reference:

Our reference: SV letter 6 Nov 2014

28 July 2014

To:

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

Dear Councillor

SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY, 6 NOVEMBER 2014

Prior to the next meeting of the South and West Plans Panel on Thursday 6 November 2014, there will be one site visit in respect of the following;

- 1 9.10 a.m. **Application 14/03674/FU – Construction of 10 dwellings and associated car parking and landscaping on Land at Haigh Moor Road, West Ardsley – Leave 09.25** (if travelling independently meet on frontage of site facing onto Haigh Moor, Road).
- 2 9.55 **Application 14/04182/FU – Two storey front and side extension with raised timber deck, to detached house at 10 Hillcrest Rise, Weetwood – Leave 10.10** (if travelling independently meet on frontage of site facing onto Hillcrest Rise).
- 3 10.30 **Application 14/04077/FU – Demolition of former single storey mill buildings and construction of nine houses and three flats at Development Engineering Services, Ilkley Road, Otley – Leave 10.40** (if travelling independently meet on frontage of site facing onto Ilkley Road).
- 4 10.55 **Application 14/04740/FU – Part two storey part first floor front and side extension; single storey rear extension at 28 Whack House Lane, Yeadon – Leave 11.15** (if travelling independently meet on frontage of site off Whack House Lane)
- 5 11.20 **Application 14/01785/FU – two storey extensions to front, side and rear with balcony to front at Overhouse, Over Lane, Rawdon – Leave 11.40** (if travelling independently meet on frontage of site off Over Lane)

Return to Civic Hall at approximately 12.00 p.m.

A minibus will leave the Civic Hall at 8.50 am prompt. Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the and meet in the Civic Hall Ante Chamber at 8.45 am

Yours sincerely

Andy Booth
Governance Officer

SOUTH AND WEST PLANS PANEL

THURSDAY, 2ND OCTOBER, 2014

PRESENT: Councillor M Rafique in the Chair

Councillors J Akhtar, B Anderson,
J Bentley, A Castle, R Finnigan, M Ingham,
K Ritchie, P Truswell and F Venner

32 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED - That the public be excluded from the agenda during consideration of the following part of the agenda designated exempt on the grounds that it 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:

Appendices of the report referred to in minutes 41 and 42 under Schedule 12A Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4(3) and on the grounds it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicant. 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

33 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

34 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors C Towler and R Wood.

Councillor M Ingham was in attendance as a substitute member.

35 Minutes

RESOLVED – That the minutes of the meeting held on 4 September 2014 be confirmed as a correct record.

36 APPLICATION 14/02088/FU - FORMER BELL BROS, GREEN LANE, PUDSEY, LS28

The report of the Chief Planning Officer presented an application for the erection of 14 dwellings, laying out of access road and associated works and off site road improvements to vehicular/pedestrian access at the former Bell Bros, Green Lane, Pudsey.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

Further issues highlighted included the following:

- The application had been referred to Panel at the request of Ward Councillors regarding concerns over design quality and a request to have a site visit.
- It was not considered viable to re-use the site for employment purposes.
- The site was surrounded by other residential sites.
- Details of proposed access from Green Lane were shown.
- The development would be a linear cul de sac.
- Reference was made to a disused railway tunnel to the rear of the site.
- There would be an additional greenspace contribution in addition to that provided on site and the footpath to the east of the site would be resurfaced.
- The development would be a mix of 3 and 4 bedroom detached houses.

RESOLVED - That the application be approved as per the recommendation and conditions outlined in the report.

37 APPLICATION 14/01886/RM - LAND AT OWLERS FARM, WIDE LANE, MORLEY

The report of the Chief Planning Officer presented a reserved matters application for the construction of 114 dwellings with associated car parking and landscaping on land at Owlery Farm, Wide Lane, Morley, LS27 8ST

Site plans and photographs were displayed and referred to throughout the discussion on this item.

Further issues highlighted included the following:

- Access to the site from Bedale Court
- Changes in level across the site
- Properties would range from 2 to 2.5 storeys in height.
- Pedestrian access to and around the site.
- Affordable housing – it was proposed that this be spread in groups throughout the site.
- Landscaping of boundaries to the site.

- Internal roads in the site would not be on a gradient of more than 1 in 20.

In response to Members comments and questions, discussion included the following:

- There would be no off site greenspace contribution.
- The area at the bottom of the site which was boggy was subject to conditions for drainage and was considered to be a usable area of land.
- A preference to see affordable housing pepper potted throughout the site.
- It was reported that the design of the affordable housing would be the same as some of the housing that was for offer on the open market.
- Concern regarding the developer involved and conditions not adhered to at another site.
- Conditions regarding drainage on the site.

RESOLVED - That the application be approved as per the recommendation and conditions outlined in the report and subject to discussion with Ward Members to discuss the splitting up of affordable housing units to more areas, and to secure details of how the area of southern greenspace will be prevented from flooding/being saturated. Also to look at Condition 15 to ensure it specifically relates to flooding on the southern area of greenspace.

38 APPLICATION 14/01004/FU - 23 BRADFORD ROAD, GILDERSOME, MORLEY, LS27 7HW

The report of the Chief Planning Officer presented an application for the change of use of former industrial unit to form storage and maintenance of vehicles and plant, associated offices, parking and access at 23 Bradford Road, Gildersome, Morley.

Site plans and photographs were displayed and referred to throughout the discussion on this application.

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

- The surrounding areas were of mixed use including residential properties.
- The site was currently vacant.
- The site was previously used for manufacturing and office accommodation.
- The proposals were to use the site for the maintenance and storage of vehicles.
- Members were shown access to the site, location of staff parking and where acoustic fencing would be placed.
- Representations of concern that had been received.

- The applicant had originally requested a 24 hour operation. It was proposed to limit this between the hours of 0630 to 2000 by way of condition.
- There had been no objections from highways.
- The application was recommended for approval.

An objector to the application addressed the Panel on behalf of local residents. Issues raised included the following:

- The proposals would be detrimental to local amenity.
- The acoustic fencing would not prevent noise disturbance due to the inclusion of gates.
- Increased traffic on Bradford Road.
- In response to questions from Members the following was discussed:
 - Residents currently suffered due to the noise of vehicles at the site.
 - Concerns regarding the access road which would leave two residential properties effectively marooned.
 - The surrounding area had changed from mixed use to mainly residential in recent years.
 - Access arrangements had been designed to make it easier to monitor the site.

The applicant's representative addressed the Panel. Issues raised included the following:

- The proposals would bring a decaying employment site back into use.
- There would be significant noise mitigation measures.
- There had not been any previously upheld complaints regarding noise.
- The site had been used for business purposes before many of the nearby residential properties were built.
- Refusal of permission would render the site and business untenable.
- In response to questions from Members, the following was discussed:
 - A gateway was needed in the acoustic fencing otherwise the site would be unusable.
 - A previous application had been submitted for use of the adjoining site, which the applicant already used but it was unable to reach a position that would suit enforceable conditions.
 - The applicant had agreed to reduced hours of operation should the application be passed.
 - The applicant wanted to use the site to be able to make improvements to current operations.

In response to Members comments and questions, discussion included the following:

- The site was an established industrial area.

- Members needed to make a balanced decision on accommodating the needs of the business and amenity to local residents. Efforts to minimise impact on residential amenity included reduced operating hours, acoustic fencing and a new access to the site.
- The site was previously used for light engineering and it was felt that this would see a fundamental change with intensive use by heavy industrial vehicles.

A motion was made to refuse the application.

RESOLVED – That the application be refused and detailed reasons for refusal be brought to the next Panel meeting for consideration and to include the detrimental impact on residential amenity by virtue of increased comings and goings of Heavy Goods Vehicles, noise and disturbance.

39 APPLICATION 14/01474/RM - LAND AT ROYDS LANE, ROTHWELL, LS26 0BH

The report of the Chief Planning Officer presented a reserved matters application for 90 houses at land at Royds Lane, Rothwell.

Site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application had previously been considered at Panel in October 2013 and a position statement had been presented in July 2014.
- Since the position statement had been presented, the following alterations had been made:
 - Increase in the size of greenspace at the site.
 - Affordable housing would be split into three groups across the site.
 - There would not be any 2.5 storey properties on the Royds Lane frontage.
 - A redesign of the highways layout.
 - Larger driveways to properties.
 - Changes to the Section 106 proposal regarding off site highways needs and an additional £6,000 for a traffic regulation order.

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

- Drainage on the site.
- Concern regarding the grouping of affordable housing rather than pepper potting throughout the site.

RESOLVED – That the application be approved as per the recommendation and conditions outlined in the report.

Draft minutes to be approved at the meeting
to be held on Thursday, 6th November, 2014

40 APPLICATION 14/03987/FU & 14/03988/LI - CORN MILL VIEW, LOW LANE, HORSFORTH, LS18 5NJ

The report of the Chief Planning Officer presented an application for the demolition of a former corn mill building and erection of two storey offices and a listed building application to demolish the former corn mill building at Corn Mill View, Low Lane, Horsforth.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on these applications.

Further issues highlighted in relation to the applications included the following:

- The application had previously been presented to Plans Panel in December 2012.
- The site had been used as a scrapyard that had left the site contaminated.
- The corn mill building was now structurally unsound and it was recommended for demolition.
- Pre-application discussions with Ward Members had addressed issues with parking and massing of the proposed new buildings.
- The design would reflect the industrial heritage of the site and reclaimed stone would be used.
- The scheme had the support of the Conservation Officer and Ward Councillors.

In response to Members comments and questions it was reported that English Heritage had been consulted and a late objection had been received from them that had asked that more of the original walls and stone be retained. A preference had been made for the previous scheme which had been refused. Members requested that the applications be deferred for further discussion with English Heritage and the Leeds Civic Trust.

RESOLVED – That the applications be deferred for further discussion with English Heritage and other amenity bodies with regard to the late objection from English Heritage.

41 APPLICATION 14/01554/FU - CITY VIEW, KIRK BEESTON CLOSE, BEESTON

The report of the Chief Planning Officer referred to an application to remove conditions relating to greenspace provision and affordable housing on previous approval for 35 flats (06/01940/FU) at City View, Kirk Beeston Close, Beeston.

Site photographs were displayed and referred to throughout the discussion on this item.

Further issues highlighted from the report included the following:

- The application for the building of 35 flats was approved in 2006.
- No affordable housing units were provided and there had been an agreement to contribute to affordable housing via a commuted sum.
- Due to financial issues, it had become unviable for the applicant to provide the previously agreed monies and had subsequently requested the removal of conditions.
- There would still be a greenspace contribution of £87,694.
- A viability report had been produced by the District Valuer and whilst Ward Members were disappointed that the original agreement could not be met they were supportive of the revised proposals.

In response to Members comments and questions, discussion included enforcement issues and conditions of Section 106 payments. The Panel went into private session to discuss viability issues detailed in the appendix to the report.

RESOLVED - That the application be approved as per the recommendation and conditions outlined in the report.

42 APPLICATION 14/01523/FU - HORSFORTH MILL, LOW LANE, HORSFORTH, LS18 4DF

The report of the Chief Planning Officer referred to an application for residential conversion, demolition and new build to form 89 residential flats at Horsforth Mills, Low Lane, Horsforth.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The existing 2 storey extension to the front of the building would be demolished.
- Details of access and egress for the site were explained.
- There would be a new six storey extension with car parking underneath. This would be no higher than the existing mill building.
- The site fell within the conservation area and the proposals would enhance the visual amenity of the area.
- There would be a greenspace contribution of £142,000.

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

- Bin collection – bins would be stored in the basement of the extension.
- Changes to access to the site – access only would be available from Low Lane.

The Panel went into private session to discuss viability issues detailed in the appendix to the report.

RESOLVED - That the application be approved as per the recommendation and conditions outlined in the report.

43 APPLICATION 14/04075/RM - HAWORTH COURT, CHAPEL LANE, YEADON, LS19 7NX

The report of the Chief Planning Officer provided a position statement regarding a reserved matters application for residential development at Haworth Court, Chapel Lane, Yeadon, Leeds.

Members had attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on the application.

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

- The proposals would see the erection of a 45 flat development with extra care facilities.
- Objections had been received from local Ward Councillors. Whilst the principal of the development was supported, there were concerns regarding the massing and height of the proposed building, it was felt that the proposals for the use of brick were out of character for the area and further concerns regarding car parking.
- The proposed development would use less ground space than the existing buildings on the site.

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

- There had been one objection from a local resident who had queried the use of the proposed buildings.
- There would be more car parking than currently exists but precise details were not known at this stage.
- Concern regarding the height and massing of the building and whether it could be broken up into smaller buildings.
- Concern regarding the use of materials – it was reported that there could be significant cost implications dependant on the materials used.
- It was reported that deeper foundations could not be used to resolve height issues as there was bedrock close to the current ground level.
- Impact on the conservation area.
- Roof design – potential for the use of a flat or parapet roof.
- There had been public consultation vents and consultation with Ward Members.

RESOLVED – That the report be noted.

44 Date and Time of next meeting

Thursday, 6 November 2014 at 1.30 p.m.

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Originator: Shameem
Hussain
Tel: 0113 2478024

Report of the Chief Planning Officer

SOUTH WEST PLANS PANEL

Date: 6th NOVEMBER 2014

Subject : Application number 14/01004/FU – Change of use of former industrial unit to form storage and maintenance of vehicles and plant, offices and associated parking and access at 23 Bradford Road Gildersome Morley

APPLICANT	DATE VALID	TARGET DATE
JW Crowther and Son - Mr Paul Crowther	19 th February 2014	21 st may 2014 – extension agreed to 10th October 2014 . Further extension requested.

Electoral Wards Affected:

Morley North

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:
The following reason for refusal is presented for members consideration

1.0 SUMMARY

1.1 This application was presented to Plans Panel South and West on 2nd October 2014 with a recommendation for approval. Members carried out a site visit on the morning of Panel. Members resolved not to accept the officer recommendation and that the application should be refused. Members concluded that the proposal would have a detrimental impact upon the residential amenities of neighbouring residents.

1.2 The following detailed reason for refusal is put forward:-

“The proposed use will generate vehicle movements associated with the comings and goings of Heavy Goods vehicles in close proximity to existing residential dwellings. It is considered that such movements and the level of activity, noise and general disturbance would be detrimental to the general amenity of nearby

residential occupants. As such the proposal would be contrary to guidance contained within the National Planning Policy Framework (2012) and to Policy GP5 of the Development Plan (Review) 2006 “

- 1.3 A copy of the previous report is attached for Members information.



Report of the Chief Planning Officer

ADDENDUM

SOUTH WEST PLANS PANEL

Date: 2ND OCTOBER 2014

APPLICANT

**JW Crowther and Son
- Mr Paul Crowther**

DATE VALID

19th February 2014

TARGET DATE

**21st may 2014 – extension
agreed to 3rd
October 2014**

Electoral Wards Affected:

Morley North

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Grant permission subject to the conditions below

Conditions

1. Time limit on permission
2. Compliance with approved plans
3. Specified hours of operation 07.00hrs to 19.00hrs not Sundays and Bank Holidays
4. Maintenance and repairs to take place within building workshop only
5. Extended office hours of operation (24 hours) with 4 members of staff during specified winter months only
6. Details of proposed acoustic fence to be submitted
7. Details of acoustic fence adjacent to 23a Bradford Road to be submitted
8. Sound insulation of premises
9. Details of lighting scheme to be submitted
10. Highways –white lining scheme to be submitted
11. Provision of long stay cycle facilities
11. Details of storage and disposal of litter to be submitted
12. Submission and implementation of landscaping details

1.0 INTRODUCTION

- 1.1 The application proposes a change of use of former industrial unit to form storage and maintenance of vehicles and plant, offices and associated parking and access at 23 Bradford Road Gildersome, Morley
- 1.2 The application is presented to South West Plans Panel at the request of local ward Member Councillor Finnigan raising concerns regarding the greenbelt, highways, noise and impact on residential amenities

2.0 PROPOSAL

- 2.1 The application proposes the change of use of former industrial unit to form storage and maintenance of vehicles and plant. With associated offices, parking and access
- The applicant currently operates adjacent to the site from the depot behind number 11 Bradford Road (under ownership of applicant).The established business is unrestricted and has operated for a number of years
 - The proposal is to expand the business into this application site with a secondary access between number 25 (under ownership of applicant) and number 23a (Residential dwelling)
 - The use proposes to work in conjunction with the established operations on adjacent site which involve the storage of gritting/ rock salt with vehicles delivering and collecting the salt from the existing access to the front
 - Maintenance and storage of the vehicles
 - Related office use to operate from the existing building behind number 23a Bradford Road
 - Staff parking behind 25 Bradford Road
 - Acoustic fencing and gate alongwith landscaping strip

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is approximately 0.72ha in size with an existing access point located between number 25 and 23a Bradford Road. The site is currently vacant, previously operating as manufacturing and sales of conservatories to the public, having associated parking and office use operating from number 25 Bradford Road. The site has a large workshop building within the middle of the site and another building located behind the garden area of number 23a Bradford Road.The immediate area is a mixture of longstanding established industrial uses and residential. Towards the west of the site adjacent to the boundary are residential dwellings, with the garden area of number 261 immediately adjacent to the site. To the east is an established Industrial use. Adjacent to the access way is a residential dwelling namely 23a Bradford Road. Towards the rear of the site is the designated green belt. Bradford Road itself is a wide carriageway which comes to a closure at its junction with the main roundabout, with residential dwellings located on the opposite side of the site.

4.0 RELEVANT PLANNING HISTORY

- 4.1 23/313/03/FU Change of use of vehicle repair workshop to manufacture sales and new Showsite for upvc windows, doors and conservatories
Approved 24th July 2003

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The application as submitted requested 24 hour operation similar to the current operation of applicant on adjacent site. However the access is located adjacent to residential dwelling (Number 23a Bradford Road). The garden area of number 261 also sits adjacent to the vehicle maintenance building. Negotiations have resulted with the applicant agreeing to the following conditions:-
- Vehicle maintenance to take place within the building only during the hours of 0700hrs to 1900hrs
 - The hours of operation of the use to be restricted from 0700hrs to 1900hrs
 - Office hours of operation restricted from 0700hrs to 1900hrs outside of winter months
 - During winter months specified as 21st October to 21st April office hours extended to 24 hour operation for 4 members of staff (at any one time) to work in office building.
 - The implementation of an acoustic screen adjacent to 23a Bradford Road to be submitted and agreed

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 Immediate neighbours notified individually by letter printed on 25th February 2014
Application advertised by site notice posted on site 7th March 2014
The following local representations have been received:-

- 25 individual households
- Gildersome Parish Councillor

The comments received are summarised as follows:-

- Area is more residential than industrial
- Industrial area should not be located within a residential area
- Noise and disturbance by Industrial vans going up and down
- Need to expand onto an Industrial site
- Dirt and odour emanated into environment
- Existing problems from HGVs speeding along Bradford Road ,causing highway safety Issues , this will just exacerbate the current situation
- Level of noise and disturbance to residents
- Concerns around extended hours of operation
- Further extension of Industrial use onto this site will have negative impact on surrounding residential area
- More vehicles travelling from one site to the other, increase in highway traffic, causing a nuisance and additional noise and disturbance
- Previous hours of use restricted to daytime
- Do not agree with Environmental Health hours of recommended use
- Letters from agent provides inaccurate information on previous industrial uses
- Material intensification of use
- Must be expanding operations as there would not be the need to double the site
- Height of acoustic fence is not acceptable
- Operational activity will increase
- HGVs will be passing next to bedroom and room accommodation (number 23a Bradford Road)

Gildersome Parish Councillor comments summarised:-

- Noise and traffic will be generated
- Transport Assessment says little change , do not agree with this , there will be an increase in vehicular movements
- Further expansion at the expense of Local Community
- Need to strike a balance between residential and industrial needs

7.0 CONSULTATION RESPONSES

7.1 Highways

The previous use of the site would have generated significant traffic in its own right. The proposal will effectively remove all of these potential traffic movements. However given the provision of relocated staff car park, any staff related traffic generation would transfer from the adjacent access to use this site access. It is also acknowledged that staff numbers and traffic movements are to remain as existing. On this basis it is accepted that the proposals will not result in a material increase in traffic. Highways have no objections subject to conditions as the proposal will not result in an increase in traffic and would therefore not create any traffic impact or highway safety concerns. The proposals are therefore acceptable in highway terms.

7.2 Environmental Protection Team

Following comments summarised :-

- Proposed will generate noise levels by the nature of the operation , potential for any loss would be increased if these operations were carried out during night time hours (23.00hrs to 0.700hrs)
- Potential for noise and disturbance from access road to numbers 23a Bradford Road and 261 Bradford Road. Will increase during night time hours (as above)
- Noise report submitted by applicant does not fully address all the noise potential issues, ie noise from access road
- Although Environmental Protection Team have not recently received complaints, historically complaints relating to noise from vehicles and on site activities at 11 Bradford Road have been received. An assessment under BS8233:1999 indicated that noise levels within the bedrooms of nearby sensitive premises would be above guideline levels. The report recommends mitigation measures in the form of an acoustic fence 4.5m high acoustic barrier of solid construction with no holes or gaps. The report suggests that this would prevent noise impact from operations on the site any time of night or day.
- Barrier will only provide mitigation from sources on the opposite side of the barrier from the sensitive premises and not noise associated with vehicles entering or leaving the site at the proposed access adjacent sensitive premises or associated use of the office. The gate in acoustic barrier when opened will reduce its effectiveness
- Noise assessment represents day time noise levels (0700hrs to 2300hrs) noise monitoring results indicate that background noise levels can drop in the early hours. As background noise levels drop the noise from activities is heightened during the night creating a greater potential for night time noise disturbance.
- Recommend conditions around hours of delivery from 0800hrs to 1800hrs, Monday to Friday , 08.00hrs to 13.00hrs Saturdays with no demolition and construction activities on Sundays and Bank Holidays

- Hours of operation restricted to 06.30hrs to 22.30hrs Monday to Saturday with no operations on Sundays and Bank holidays
- Repair and maintenance of vehicles plant and machinery not to take place anywhere on site except within the vehicle repair and maintenance workshop
- Sound Insulation scheme to be submitted designed to protect the amenity of nearby residential occupants

8.0 PLANNING POLICIES: Development Plan

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

8.2 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. The Inspector`s Reports into the Core Strategy and the Cil examinations have now been received and reports on these were considered by Executive Board on 17th September 2014 with a view to the Core Strategy being referred to full Council for formal adoption . As the Inspector has considered the plan, subject to the inclusion of the agreed modifications, to be legally compliant and sound, the policies in the modified Core Strategy can now be afforded substantial weight. Once the Core Strategy has been adopted it will form part of the Development Plan

8.3 Leeds Unitary Development Plan (UDP) Review:

GP5: General planning considerations.

GP11: Sustainable development.

N12/N13: Urban design principles.

23/N25: Landscape design and boundary treatment.

N38 (a and b): Prevention of flooding and Flood Risk Assessments.

N39a: Sustainable drainage.

BD5: Design considerations for new build.

T2 (b, c, d): Accessibility issues.

T5: Consideration of pedestrian and cyclists needs.

T24: Parking guidelines.

LD1: Landscape schemes.

8.4 Supplementary Planning Guidance / Documents:

Neighbourhoods for Living – A Guide for Residential Design in Leeds

Street Design Guide

SPD- Street Design Guide

National Guidance

8.5 National Planning Policy Framework: Paragraphs 18 to 20 Paragraphs 18 to 20 advises on building a strong, competitive economy by securing economic growth in order to create jobs and prosperity.

9.0 MAIN ISSUES

- 9.1 Principle of Development
-Economic Growth
Highways Issues
Residential Impact
Representations received

Principle of Development

- 9.1 The application site previously operated as manufacturing and sales of windows and conservatories with offices. The proposed use of storage and maintenance of vehicles and plant with associated office use and parking is classified as the same Industrial Use. Therefore the principle of the development has already been established.

9.2 Economic Growth

The following paragraphs of the NPPF are relevant:

Paragraph 18

“The government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future”

Paragraph 19

“The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 20

“To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century”

The proposal provides an existing established business to extend onto a neighbouring industrial site, which is currently vacant. The business is bringing a currently vacant site into use. This all contributes towards the economic growth in accordance with the advice given in the NPPF and is a consideration which is given significant weight in this decision.

9.3 Highway Issues

The proposal involves the storage, repair and maintenance of vehicles. A turning area is provided within the site with a parking area. Staff parking is to be located behind the existing office building at number 25, (number 25 is not within the red line boundary but under the ownership of applicant). In considering the highway impact the previous use of the site would have generated significant traffic in its own right. The proposal will effectively remove all of these potential traffic movements. Given the provision of the relocated staff car park, any staff related traffic generation would transfer from the adjacent access to the site access. The staff numbers and traffic movements are to remain as existing. It is therefore accepted, that the proposal will not result in a material increase in traffic, and would therefore not create any traffic impact or highway concerns.

9..4 Residential Impact

The application site has an established Industrial Use by reason of the previous authorised manufacturing operations. The applicant currently operates from the

adjacent site with no restrictions to the established use. The proposal is for part of the business to operate from this site. The operations include vehicle maintenance and storage with associated office and parking. The western site boundary is adjacent to number 261 Bradford Road which is a dwelling. Vehicle and staff parking are proposed adjacent to the garden boundary. An acoustic screen of 4.5m in height and a landscaping strip is proposed to reduce the impact of the noise generated. Number 23a is located adjacent to the access way to the east and has a bedroom window on this side elevation. The previous use operated during daytime hours only. The applicant has requested 24 hour operation from the site. It is considered a 24 hour operation will have a detrimental impact on the neighbouring dwellings. Environmental Health have assessed the noise report submitted and conclude that the hours of operation should be restricted, and recommend 06.30hrs to 23.30hrs Monday to Saturday. On balance taking into consideration the proximity of the dwellings, it is considered that the hours of operation are restricted to 07.00hrs to 19.00hrs Monday to Saturday with no operations on Sundays and Bank Holidays. Details of the proposed acoustic fence and the introduction of an acoustic fence between number 23a and the access way are to be submitted and agreed. Further conditions recommended is that vehicle maintenance and repair are to take place within the buildings only during the specified operating hours. The applicant has requested 24 hour operation of the office staff during the winter months. An office use will generate a lower level of activity. On balance a restriction to 4 members of staff (at any one time) during the winter period of 21st October to 21st April is acceptable and to be addressed by condition.

9.5 Representations received

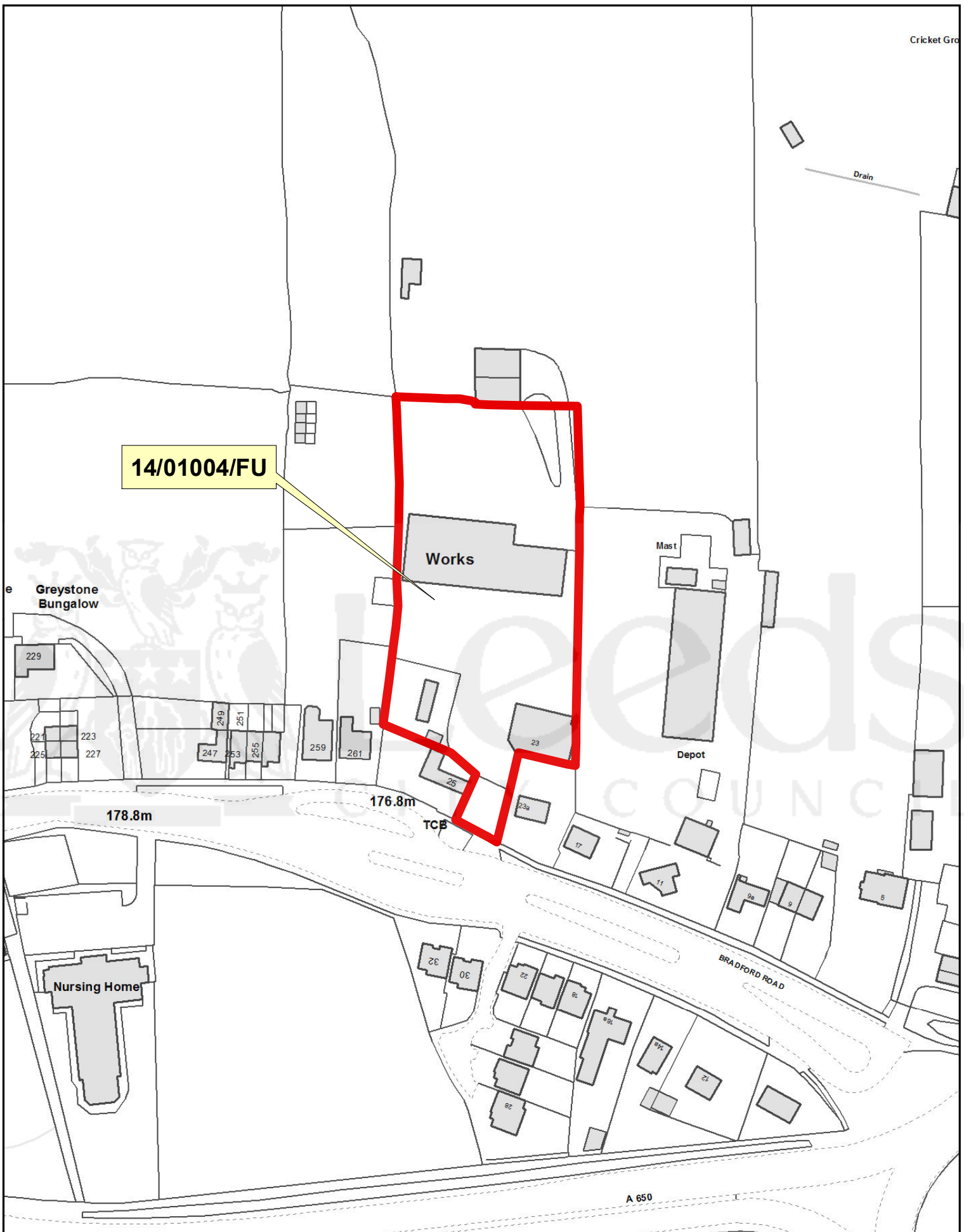
The representations received raise concerns in relation to the impact on residents and the noise and disturbance caused by the current operations on the neighbouring established Industrial site. The concerns raised around impact on residential amenities are addressed in paragraph 10.4 above. The highway concerns raised are addressed in paragraph 10.3 above.

10.0 CONCLUSION

The application on balance is considered acceptable subject to the conditions recommended. As the principle of the development has already been established by the previous use, the conditions protect the residential amenities of neighbouring residents. Therefore the officer recommendation is for Approval.

Background papers

Application File



SOUTH AND WEST PLANS PANEL





Originator: Mike Howitt

Tel: 0113 247 8000

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 6th November 2014

Subject: 14/03674/FU – Construction of 10 dwellings and associated car parking and landscaping on Land at Haigh Moor Road, West Ardsley, WF3 1EE.

APPLICANT	DATE VALID	TARGET DATE
Stonebridge Homes and Keyland Development	26/06/14	25/09/14

Electoral Wards Affected:
Ardsley & Robin Hood

Y

Ward Members consulted
referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement to include the following obligations;

- (a) Provision of Metro Cards - £5,709.10
- (b) Greenspace contribution - £30,465.69
- (c) Retention of car park
- (d) Provision, management and maintenance of buffer

In the circumstances where the Sec.106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.

- 1. Full three year time limit.
- 2. Development in accordance with approved plans
- 3. Materials to be submitted and approved
- 4. Hard surfacing details to be submitted
- 5. Visibility splay to be laid out

6. All surfaces to be hard surfaced drained and sealed
7. Landscaping Implementation
8. Preservation of existing trees
9. Replacement planting
10. Landscape management plan
11. Submission of drainage scheme
12. Construction management plan (including Hours of construction and control of noise nuisance during construction)
13. Reporting of unexpected contamination.
14. Submission of verification reports.
15. Provision for nesting bats and birds
16. Protection for nesting birds.

1.0 INTRODUCTION:

- 1.1 The application is for new residential development on a greenfield site. The application is being determined by Plans Panels due to the level of local objection including Ward Members.
- 1.2 The application submission follows the withdrawal of a residential scheme submitted in 2013, this had a higher number of units proposed, and involved the relocation of an existing car park into the Green Belt which was considered to be inappropriate.

2.0 PROPOSAL:

- 2.1 The application is for 10 detached dwellings to the site and includes retention of an existing car park used by visitors to the nearby Ardsley Reservoir. The car park is owned and maintained by Yorkshire Water. An existing access road will be retained and will provide access to the car park and to plots 3 to 7. Plots 1, 2, 8, 9 and 10 will be accessed directly off Haigh Moor Road. 7 of the plots will have detached garage facilities, but all will have adequate off street parking and turning facilities included in-curtilage. A 10m wide landscape buffer is also proposed along the eastern boundary with the Green Belt. Access through to the Reservoir is to be retained.
- 2.2 8 of the dwellings will be 4 bed, and two are to be 5 bed houses. All are two storey's and there is a mix of house styles. Roof forms are predominantly hipped with gable features. Features such as bay windows, canopies, heads and sills are incorporated into the elevational treatments. An indicative landscaping scheme shows beech hedging to front garden areas, timber fencing to private garden areas, and lawned gardens with small trees interspersed. The landscape buffer is shown with various mixes of native trees and shrubs.
- 2.3 There is a public sewer which currently crosses the site from east to west, and requires an easement. A drainage scheme has been submitted which shows how the housing layout incorporates this easement requirement, and includes relocation of part of the existing sewer as well as provision of new surface water sewers and attenuation features.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is the frontage to the Ardsley Reservoir that comprises a small paddock to either side of the access road and car park to the reservoir. To the road side, the site is bounded by low drystone walls with post and wire fencing bounding the rest of the site. The site is surrounded to the North South and West by residential properties with open land to the East towards Ardsley Reservoir
- 3.2 The site is not allocated within the Leeds UDP (review 2006) although it is indicated as "green" site (sites which have greatest potential to be allocated for housing) site within

the site allocations plan of the Issues and options document of the emerging Leeds LDF.

4.0 RELEVANT PLANNING HISTORY:

4.1 The planning history for the site is as follows.

13/05318/FU Construction of 13 houses, replacement car park and associated works.
Withdrawn 07.03.2014

H23/75/92/ Erection of 6 dwellings comprising 4, 3 bedroom detached houses with integral garage, 2, 4 bedroom semi-detached houses Refused 08.06.1992. Reason for refusal Loss of open views and unacceptable residential development of Green Belt.

H23/253/85/ Outline application to erect 7 detached houses to 2 vacant agricultural sites. Refused 21.10.1985. Reason for refusal – Loss of open land and views

5.0 HISTORY OF NEGOTIATIONS:

5.1 The 2013 application was submitted with no pre-application discussions and the applicant was advised during the period of that application that the proposal could not be supported by officers in that form as it constituted overdevelopment of the site.

5.2 As a result, the application was withdrawn with officer advice suggesting that the principle of development would be more acceptable provided that the car park was retained on the site, that open views were maintained and that the proposal consisted of a less intense scheme that paid more regard to local character and the existing form of development.

5.3 The application was resubmitted for twelve dwellings and whilst more in character in terms of design, was still too dense and failed to have regard to the spacing between dwellings that formed the local character and as a result, the applicant was advised that the application could still not be supported in that form and that it require further revision if it was to be supported.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by site notice on 11 July 2014 and neighbor notification on 1 July 2014. The application was the re-advertised on 18 August 2014 following revision of the application from 12 to 10 properties. 214 letters of objection and petitions containing 159 signatures and 3 letters of general comment have been received from this consultation. The issues raised are as follows and are dealt with in the appraisal below.

- i) The area has already seen too much development.
- ii) The site is a special landscape area
- iii) The development is out of character with the area
- iv) Haigh Moor Road was never designed for so much traffic
- v) The new access will create visibility problems
- vi) There is a lack of public transport in the area
- vii) There are a shortage of school places, doctors
- viii) There is little greenspace left in the area
- ix) The reservoir car park is already too small
- x) West Ardsley has already seen more than its fair share of development
- xi) It will be harmful to local wildlife
- xii) There are a large number of unsold properties within the area

6.2 Local Ward Councillors Mulherin and Dunn have made comment raising the following issues and these are discussed in the report below.

- i) The site is an area of great beauty visited by hundreds from across the area.

- ii) Existing highways issues will be exacerbated by this proposal.
- iii) Further stress on the infrastructure will be imposed by the proposal
- iv) The proposal is an unacceptable use of the Green Belt
- v) There will be the unacceptable loss of the car park.
- vi) Schools and GP's are already oversubscribed
- vii) Public transport is almost non-existent in the area.

7 CONSULTATIONS RESPONSES:

Statutory

- 7.1 Yorkshire Water – has no objection in principle to the drainage scheme proposed. The developer will need agreement with Yorkshire Water regarding adoption/diversion agreements.
- 7.2 Coal Authority – The applicant has satisfactorily addressed the requirements of the Policy Minerals 3 of the NRW DPD and therefore no objection is raised.

Non-Statutory

- 7.3 Environmental services (waste) - No objections
- 7.4 Sustainability (Design) – No objections following revisions.
- 7.5 Sustainability (Nature) – No objection subject to conditions.
- 7.6 Metro - Metro – No objection subject to S106 contributions to enter into Metros Residential Metrocard.
- 7.7 Highways – No objection subject to conditions
- 7.8 Public Rights of Way – No objection

8 PLANNING POLICIES:

Unitary Development Plan (Review 2006) Policies:

Local Policy:

- 8.1 The development plan for Leeds is made up of the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.
- 8.2 The site is allocated in the UDP as a Special Landscape Area and the designated Green Belt runs across the rear of the site. The following UDP policies are relevant to the consideration of the application:
 - GP5 – General planning considerations
 - N1 – Greenspace
 - N12 – Urban design principles.
 - N13 – Building design principles.
 - N23 – Incidental open space around development.
 - N25 – Landscaping
 - N39A – Use of SUDs.
 - H4 - Housing sites on unidentified sites
 - N37 – Special Landscape Areas
 - N49 – Development not permitted if threatens significant net depletion of biodiversity.

- N51 – Enhancement of biodiversity.
- T2 – New development and highway safety
- T5 – Safe access for pedestrians and cyclists.
- T6 – Safe access and provision for disabled.
- T7A – Secure cycle parking.
- T7B – Secure motorcycle parking.
- BD5 – General amenity issues.
- LD1 – Landscaping
- Car Parking Guidelines (volume 2).

8.3 The following DPD policies are also relevant:

- GENERAL POLICY1 – Presumption in favour of sustainable development.
- WATER1 – Water efficiency, including incorporation of sustainable drainage
- WATER7 – No increase in surface water run-off, incorporate SUDs.
- LAND2 – Development should conserve trees and introduce new tree planting.

Draft Core Strategy

8.4 The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan

- P10 – High quality design.
- P12 – Good landscaping.
- T2 – Accessibility.
- G8 – Biodiversity improvements.
- EN1 – Carbon dioxide reduction in developments of 10 houses or more, or 1000 m² of floorspace
- EN2 – Achievement of Code Level 4, or BREEAM Excellent (in 2013) for developments of 10 houses or more or 1000 m² of floorspace.

Supplementary Planning Documents

- i) Street Design Guide
- ii) Neighbourhoods for Living

National Planning Policy

8.5 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.6 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.

9.0 MAIN ISSUES:

1. The principle of development.
2. Design and character.
3. Access and highway safety considerations
4. Greenspace
5. Education
6. Affordable Housing.
7. Public Transport.
8. Assimilation into the wider open area
9. Representations

10.0 APPRAISAL:

1. The principle of development.

- 10.1 The application site is two pieces of Greenfield land either side of an access road and a car park and the site is allocated in the UDP as a Special Landscape Area.
- 10.2 Proposals for housing on land not specifically identified for that purpose in the UDP are considered against Policy H4. This policy states that on sites not identified for that purpose in the UDP but which lie within the Main and Smaller Urban Areas as defined on the proposals map, or are otherwise in a demonstrably sustainable location, development will be permitted provided it is acceptable in sequential terms, is clearly within the capacity of existing and proposed infrastructure, and complies with all other relevant policies of the UDP. Paragraph 7.2.15 of the UDP states that although most H4 sites will be in the Main and Smaller Urban areas, proposals are also likely to be acceptable in other locations which are demonstrably sustainable. "Judgments will be made on the basis of consideration of the availability and frequency of bus and train services to service centres, and on the range of services available locally, including shops, health facilities and schools".
- 10.3 The current site falls outside the Main and Smaller Urban Areas as defined, therefore a judgment needs to be made as to whether the location is demonstrably sustainable. Primary Education is available 1300m from the site, with Secondary Education 2500m from the site. There are 20 minute bus services available on Westerton Road some 500m from the site and that there are 30 minute bus services that are available on Haigh Moor Road some 150m from the site. There are limited local services some 450m from the site, and primary health facilities are available 1550m from the site. As a result, whilst the application does not fully meet the accessibility standards in the Draft Core Strategy which require a 15 minute daytime frequency within a 400m walk, it is not considered that this would be sufficient to provide a reason for refusal.
- 10.4 Under Policy H4, the contribution to local character a site makes would be an important consideration in determining whether residential development was acceptable. The site has a frontage onto a public highway and therefore has a significant impact on the public street scene. As such, the reduction in the number of

properties and the retention of the car park to retain open views of the open land to the rear are important factors in retaining the character of the area.

- 10.5 The site has been specifically left out of the Green Belt with the boundary drawn across the rear of the site so it is assumed that at the time of the formation of this boundary it was concluded that the site did not warrant the protection that Green Belt affords. The site does fall within the Special Landscape Area and it is for this reason that the retention of the car park to retain open views of the open land to the rear are such important factors to protect the character and appearance of the Special Landscape Area. The eastern boundary is to be protected by suitable N24 planting to provide a strengthened boundary to the Green Belt alongside the developed part of the site and as such there would be no substantial harm to the character of the area.
- 10.6 Additionally, the proposal contributes to the overall supply in housing stock, contributing family homes in a sustainable location and as such, it is considered that the principal of residential development is acceptable in this location.

2. Design and character

- 10.7 The application proposes 10 detached properties. The scheme has been amended several times and reduced down from an initial 13 properties within the original withdrawn application to 12 at the time of the initial submission of this proposal and subsequently reduced to the 10 that now form the current proposal. The initial proposal presented a cramped and out of character development that was wholly unacceptable in terms of design and character and also lost the car park to the rear of the development which is now left in situ. Leaving the car park in this location alongside the access road allows for some open views to remain within the streetscene and thus minimising the harm to the streetscene
- 10.8 The initial proposal failed to address any of the existing character of the area in terms of the building line, deep front gardens and space between the properties. However, significant modifications to the proposal including pushing development back into the site following the reduction in numbers means that proposal now sits more comfortably alongside the existing building line both to the south and north of the access road and appears more comfortable within the street scene than previously.
- 10.9 The reduction in numbers also allows for the properties to feel less cramped with appropriate amounts of land between properties that are more representative of the existing streetscene and whilst the original proposal was for all gabled properties, the current proposal now has hipped properties that are more representative of the existing streetscene.
- 10.10 All properties have an amount of private useable garden space that is in accordance with the guidance given in Neighbourhoods For Living and those gardens are of a more conventional style than their predecessors which were rather awkward and irregular shaped gardens. The design and layout of the proposal has been amended to ensure that properties address the street where possible and in particular in the case of plot 7 which now has a dual frontage addressing the previous issue of presenting a blank gable to the access road. It is therefore considered that the site proposes a scheme that would be acceptable in terms of design and character.

3. Access and highway safety considerations

- 10.11 The scheme was initially acceptable in principle but has small detail issues which have been addressed within subsequently revised drawings and as such, it is

considered that there is no significant harm to the free and safe use of the highway and the proposal is acceptable in terms of highways. All properties provide 2 off street parking spaces and all access points accord with the necessary visibility requirements as set out in guidance given in the Leeds Street Design Guide.

- 10.12 The car park to the reservoir that was previously shown for removal from the application site and to be relocated to the rear of the site within the Green Belt, is now re-instated into the scheme and left within its current location and as a result, any highways objections to this part of the scheme have been removed.

4. Greenspace

- 10.13 The proposal is for 10 properties and therefore a greenspace contribution would be required for the provision of both on and off-site greenspace within the local area. A section 106 agreement is currently being agreed between parties and the green space figure is calculated on the basis of 10 units for which a contribution of £30,465.69 is required for the site and any such agreement would be required to be signed prior to any permission being granted.

5. Education

- 10.14 The amount of development proposed by the application is below 50 properties and therefore in line with policy and guidance, the application is not liable for Education contributions. Whilst it is appreciated that there can be a cumulative issue of several developments bringing stress to the local education situation, there is currently no policy mechanism for dealing with such occurrence's and therefore the application is acceptable in this regard.

6 Affordable Housing

- 10.15 The amount of development does not trigger the requirement for affordable housing required by policy and guidance in that it is a proposal for 10 units (contributions to trigger at 15 units) and therefore the application is under the threshold for such payments.

7. Public Transport

- 10.16 Metro requests that the developer should enter Metros Residential Metro Card scheme for each property. The current price to the developer is 10 x £475.75 which gives a contribution of £5,709.10 which again will be secured via a section 106 agreement.

8. Special Landscape Area

- 10.17 The site falls within a Special Landscape Area. The East Ardsley Special Landscape Area is an area of undulating arable fringe agricultural land centred on the axis of a tributary of the Hey Beck containing several mature woodlands and the major water body of the Ardsley Reservoir and enjoying long-distance views to the South. It is considered within the UDP that the area constitutes the best landscape in the Morley Area.
- 10.18 Positive features are its strong structure and visual unity, interesting topography, local rarity, natural or semi-natural woodlands, trees, hedgerows and water bodies. The negative factors are views of the motorway.
- 10.19 The retention of the car park and the access road retains open views of the land to the rear protecting the character and appearance of the Special Landscape Area. The

development continues only across the site frontage and not into the land behind and as such continues the built form in a similar manner to that that already exists and to the rear landscaping will continue the theme of native planting creating small woodland areas that, as well as protecting the open land from the built form, will assimilate into the natural form of the Special Landscape Area and as such there would be no substantial harm to the character of this area.

8. Assimilation into wider open area

10.20 Policy N24 requires that where development proposals abut the green belt, green corridors or other open land, their assimilation into the landscape must be achieved as part of the scheme. Other residential gardens share a boundary with the open land to the rear. In the immediate vicinity of the application site these boundaries are planted with a mixture of boundary treatments including hedging, fences and walls. In this case the proposal is for a significant buffer along the rear boundary of the site with a mix of native planting that will provide the requisite assimilation. A Landscape Management Scheme, to ensure the long term management and retention of the planting would be required. It is considered that this will produce a boundary treatment that is in keeping with, and improves upon, the established pattern of planting in the locality.

9. Representations

10.21 There has been a heavy amount of representations to this scheme raising a number of issues. Most are dealt with in the points above but others are addressed as follows. The Nature officer has commented on the application and has identified that the proposal could be successfully carried out provided that protection of existing wildlife and their habitats are included and therefore the relevant conditions to this end are included above. Comments that the site is in the Green Belt is incorrect. The boundary of Green Belt designation runs along the rear of the site and no development is proposed within this area. As with education, there is currently no policy requirement or mechanism for assisting with GP places and therefore this issue cannot be dealt with through this application.

11.0 CONCLUSION:

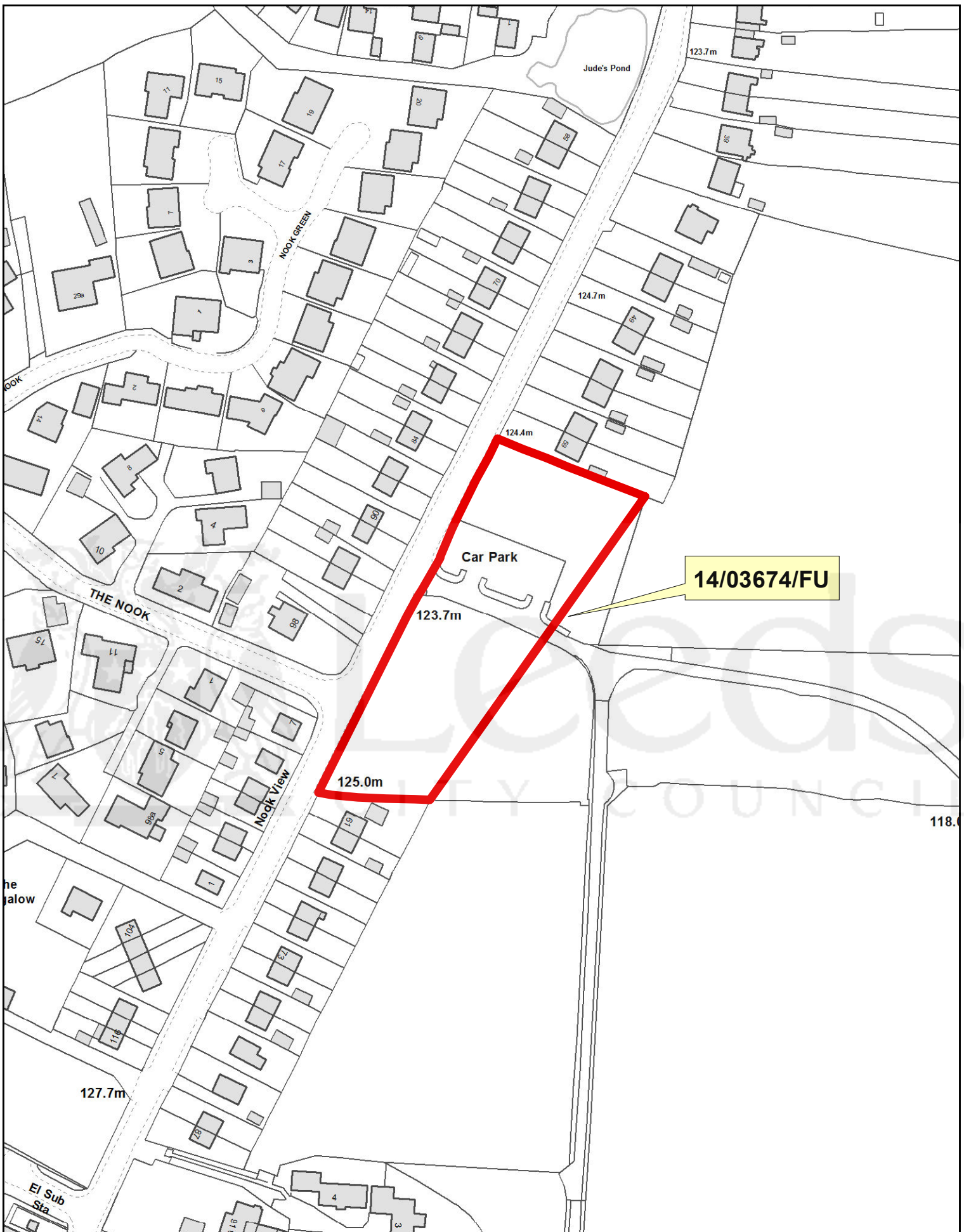
11.1 On balance, it is considered that subject to appropriate conditions as discussed above, the proposal is acceptable given that the principle of residential development is considered to be acceptable as the site is situated in a sustainable location. The layout and scale of the proposal is appropriate in regard to its surroundings, it raises no issues of detrimental harm to visual or residential amenity and no issues of harm to highways safety and as a consequence, it is therefore recommended that the application be approved.

Background Papers:

Application files 14/03674/FU

Certificate of ownership:

Certificate A signed by applicant



SOUTH AND WEST PLANS PANEL





Originator: Alison Stockdale

Tel: 0113 24 77071

Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 6th November 2014

Subject: Application number 14/04077/FU – Demolition of former single storey mill buildings and construction of nine houses and three flats at Development Engineering Services, Ilkley Road, Otley LS21 3JP

APPLICANT

William Ackroyd (Holdings) Ltd

DATE VALID

22nd July 2014

TARGET DATE

21st October 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

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified and the completion of a legal agreement within 3 months from the date of resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- a) A greenspace contribution of £24070.73, payable prior to first occupation;**
- b) A Metrocard contribution of £5709.00, payable prior to first occupation.**

1. Time limit on full permission
2. Sightlines at access to be provided
3. Notwithstanding the approved plans, details of cycle storage to be provided.
4. Vehicular areas to be laid out, surfaced and drained.
5. Details of contractors' storage area to be submitted and approved.
6. Submission and approval of a Phase 2 Site Investigation.
7. Need for submission and approval of a new Remediation Statement.
8. Submission and approval of Verification Reports.
9. Separate systems of surface and foul water to be supplied.
10. Sample stonework panel to be approved.

11. Roofing materials to be approved.
12. Samples of surfacing materials to be approved.
13. Landscaping scheme to be submitted and approved.
14. Landscape management plan to be submitted and approved.
15. Submission and approval of a plan for bat roosting and bird nesting opportunities.
16. Works to be carried out in accordance with the mitigation proposed in the ecology assessment.
17. A lighting design strategy for bats shall be submitted and approved.
18. No works shall be undertaken to buildings or structures that may be used by nesting birds within the nesting season.
19. Permitted development restriction on extensions, outbuildings and roof extensions.

1.0 INTRODUCTION:

- 1.1 Councillor Campbell has also requested that the application be determined by Plans Panel as it is a departure from policy.
- 1.2 This is also the development of a significant site in the Otley Conservation Area.

2.0 PROPOSAL:

- 2.1 The proposal is for demolition of the existing single storey stone built mill buildings and the construction of nine dwellings and 3 flats. The dwellings will be built in a block of 4 terraced houses separated by an access to the rear parking from the other block of 5 houses and the 3 flats in an attached block on the corner.
- 2.2 The houses are two storey in height and constructed from stone with slate roofs. The block of flats is three storeys in height and turns the corner from Ilkley Road in to the Wharfebank Business Centre. To the rear the properties have gardens with a parking court for 20 vehicles, communal bike and bin stores.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site contains single storey mill buildings on the highway frontage of a mill complex currently operating as a mix of commercial and office units and a restaurant. To one side the site abuts a terrace of period dwellings and to the other the access road to the Wharfebank Business Centre. The other side of the access road is Armitage Monobond housed in a large industrial unit with a single storey stone frontage. Opposite the site is a modern 3½ storey flats development and a public park. The site is in close proximity to the River Wharfe which is to the North beyond Pegholme Mill.
- 3.2 The site is within the Otley Conservation Area but has no special designation within the Conservation Area Appraisal. Buildings within the wider Wharfebank Business Park are a number of buildings identified as positive buildings within the Conservation Area Appraisal. The application site contains two north light shed buildings constructed during the second half of the 19th century but significantly altered during the 20th century. Both buildings are constructed from stone with plain elevations containing little detailing to the road frontage. The roof construction has been altered over the years and the original saw-tooth roof form is now only partially visible from inside the site.
- 3.3 Internally there is little of architectural interest in the buildings which have been substantially altered and extended. Both are currently empty; one of them for 8 years, the other was occupied until recently.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The applicant submitted a pre-application enquiry and was given advice regarding the principle of development, loss of employment land, conservation issues and residential amenity.

5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 **Ward Councillors** were consulted on 22nd July 2014.

Councillor Campbell has raised concern over the loss of employment land and the substandard size of the gardens.

- 5.2 Five representations have been received from local residents; one of objection, one of support and three making general comments.

The issues raised are:

- The new properties are too high and would block light and overlook neighbouring properties.
- There are local drainage issues which the scheme will exacerbate.
- Is there any provision made for the additional school places required?
- Good design.
- Much better idea to redevelop this existing site than use greenfield sites.
- Has consideration been made of the bat population?
- Concern about increase in traffic and parking provision.
- Could the existing stone be re-used.
- Concern about access to the rear of 125-137 Ilkley Road being retained through construction.
- Concern also about retention of the gated access to the rear of the neighbouring terraced properties.

- 5.3 Otley Town Council have no objections to the proposal but some concern about traffic turning left out of the business park.

6.0 CONSULTATION RESPONSES:

Statutory Consultees:

ENVIRONMENT AGENCY: The EA has objected to the scheme as the site lies within Flood Zone 2 and an Flood Risk Assessment (FRA) has not been submitted. The applicant has submitted further information showing that within the EA's newly modelled flood zone map, the site will move into Flood Zone 1 and an FRA will no longer be required. The EA has been reconsulted and the Plans Panel will be verbally updated.

Non Statutory Consultees:

CONTAMINATED LAND TEAM: No objections, conditions recommended.

PUBLIC RIGHTS OF WAY: The developer is asked to consider dedicating the permissive footpath which may already have acquired public rights through use by the public. The public bridleway adjacent to the site should be cleared of Himalayan balsam.

HIGHWAYS: No objections, conditions recommended.

LOCAL PLANS: A revised greenspace calculation of £24,070.73 has been received. The applicant's Economic Statement has been considered and it is accepted that it would be unreasonable to any objection to the proposal under UDPR policy E7 or Core Strategy policy EC3.

7.0 PLANNING POLICIES:

7.1 Government Policies

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.

Paragraphs 132 and 133 of the NPPF are particularly relevant. Para 132 states that great weight should be given to a heritage asset's conservation – the more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Para 133 sets out criteria to be used in assessing applications such as this and is referred to in the appraisal.

7.2 Development Plan Policies

The Leeds UDP Review identifies the site within the main urban area with no specific allocations or designations. Relevant policies include:

- GP5 – General planning considerations.
- N2 – Green space and residential development
- N12 - New development should respect character and scale of adjoining buildings.
- N18A and N18B – Conservation Areas and demolition.
- N19 – Development in Conservation Areas.
- T2 – Highways issues.
- E7 – Loss of employment land to other uses.

Policies GP5, N18A, N18B and N19 are saved following adoption of the Core Strategy. Policies N2, N12, T2 and E7 are not saved.

7.3 **Draft Core Strategy**

The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the core strategy being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed modifications, to be legally compliant and sound, the policies in the modified core strategy can now be afforded substantial weight. Once the core strategy has been adopted it will form part of the Development Plan.

The following policies are relevant:

Policy SP9 – Provision for employment land and premises

Policy P10 – Design

Policy P11 – Conservation

Policy T1 – Transport Management

Policy T2 – Accessibility requirements and new development

Policy EN2 – Sustainable design and construction

Policy EN5 – Managing flood risk

Policy G3 – Standards for open space, sport and recreation

Policy EC3 – Safeguarding existing employment land and industrial areas

7.4 **Supplementary Planning Guidance/ Documents**

Neighbourhoods for Living

Otley Conservation Area Appraisal

Greenspace relating to new housing development

8.0 **MAIN ISSUES**

- 1 **Principal of development**
- 2 **Loss of employment land**
- 3 **Design and character**
- 4 **Conservation issues**
- 3 **Highway issues**
- 4 **Other issues**

9.0 **APPRAISAL**

Principle of development/ Loss of employment land

- 9.1 The site has been previously in industrial use with one unit being empty for a number of years and the other being recently vacated. When both units were in use a total of 15 people were employed on site although this has dropped to 7 over recent years. The site is unallocated within the UDPR and has not been earmarked as an employment site within the emerging Site Allocations Plan.
- 9.2 Policy E7 of the UDPR which addresses the loss of employment land to other uses is relevant until adoption of the Core Strategy however policy EC3, which will replace it, can still be given substantial weight.
- 9.3 Policy E7 allows for residential development on land no longer needed for employment use or when a number of criteria can be met. In support of this the applicant has supplied an economic statement which provides a justification for the

loss of employment use on the site. It is noted within this statement that the buildings are in a dilapidated condition and are unsuitable for continued industrial use or conversion to offices. Refurbishment of other buildings within the Wharfebank Business Park site has led to an increase in employment numbers from 255 to 315 between 2006 and 2011 with a high take up of units. An assessment of alternative employment sites in the locality was also made. It is accepted that sufficient alternative employment sites are available both locally and district wide which are of a higher quality than the application site.

- 9.4 In regards to policy EC3, the site is in Outer North West which is an area of shortfall for employment sites and the following section of the policy is appropriate:

Where a proposal located in an area of shortfall as identified in the most recent Employment Land Review would result in the loss of a general employment allocation or an existing use within the Use Classes B1b, B1c, B2 and B8, non-employment uses will only be permitted where:

The loss of the general employment site or premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area (including outside the areas of shortfall) which are suitable to meeting the employment needs of the area.

The applicant has not provided an assessment in relation to EC3 which has yet to be implemented. The information provided in relation to E7 would remain valid but the difference in the definition of 'locality' (policy E7) and 'surrounding area' (policy EC3) would produce different results and allow for a wider area of consideration for the identification of other possible employment sites. It is therefore highly likely that an EC3 assessment would result in an increase in alternative employment sites over the E7 assessment.

- 9.5 Application of policies E7 and EC3 requires local assessments of existing employment land availability for development proposals that result in the loss of existing employment land. This assessment against policy criteria has been submitted with the application and concludes that safeguarding of the site cannot be justified as there is sufficient employment land supply within reasonable travelling distance from the site to ensure that established demand can be met for the foreseeable future. As has been stated above, the buildings are currently vacant and the building is in a poor state of repair and re-use would not be financially viable.
- 9.6 The site is within Otley Conservation Area. It has been indicated by the applicant that the existing buildings have restricted access and little provision for servicing. The internal space is not suitable for modern usage and the buildings require modernization and significant repair before they could be re-used. If the site were required to be retained in employment use, then it is likely that the existing buildings would need to be replaced. Due to the site's position within the Conservation Area, a high quality stone building would be required which would, as a minimum, preserve the character and appearance of the Conservation Area. This would be costly and is likely to render re-development of the site as an employment use unviable.
- 9.7 There has been no local objection to the loss of employment use on the site. One local resident has expressed support of the proposal to re-use this brownfield site as housing instead of building on greenfield land.

Design and Conservation

- 9.9 The existing building is not identified as a positive building within the Conservation Area Appraisal. The Heritage statement with the application identifies the buildings as being built during the second half of the 19th century but having substantial alterations during the 20th century. There is little of note internally within the buildings and their principle visual impact on the Conservation Area is in the high solid stone wall which forms the highway facing elevation of the buildings.
- 9.10 As a result of the poor structural quality of the buildings and their 'at best' neutral impact on the Conservation Area, it has been considered that their demolition can be considered acceptable providing a sufficiently high quality replacement scheme can be found. As such, the proposal is considered to comply with the NPPF and policy P11 of the Core Strategy in terms of the loss of buildings in the Conservation Area.
- 9.11 The scheme has been designed to follow the building line of the terrace properties to the East of the site and existing buildings on site and will retain the lower part of the wall of the buildings as the garden wall to the new dwellings. The form of the development is two small terraces which is typical of this part of Otley. In terms of height, the new buildings relate positively to the existing terraces while the gap between the terraces allows glimpses through to Pegholme Mill.
- 9.12 The properties will be constructed from stone with natural slate roofs. Windows and doors have cills and heads with chimneys and coping details to the roof line. Rooflights are Conservation type. The end block of flats is 3 storey in height providing a visual gateway when looking down Ilkley Road toward Otley. It mirrors the scale of the block of flats and provides a positive building at the entrance to the Business Park.
- 9.13 To the rear a stone wall built from reclaimed stone will separate the site from the car park of the Business Park. This will measure approximately 2.3m in height with wooden fencing above to a total height of approximately 3.5m. The bin and cycle stores will back on to this wall.

Highway Issues

- 9.14 Parking is provided at the rate of 2 spaces per dwelling plus 2 spaces for visitors within a parking court to the rear of the properties. The parking area is access via a driveway between the 2 small terraces. A rumble strip within the driveway will help to define the private areas of the site and discourage non-residents from entering the site.
- 9.15 Within the rear parking court are sited 2 stone cycle storage sheds and a stone bin store.

Other issues

- 9.16 The size of the gardens is below that required by Neighbourhoods for Living. This document gives as a guide a minimum of 2/3rds of total gross floor area of the dwelling for private gardens to family homes. The gardens of the houses measure 38m² with those on the corners with the access road being slightly smaller. The area suggested by Neighbourhoods for Living for houses of this size is 58m². The site is however in close proximity to Grove Hill Park which is well supplied with a range of facilities and the Chevin which provides more informal recreation space.

Bin and cycle storage is provided separately from the garden and a condition has been recommended to restrict permitted development for outbuildings and extensions to ensure acceptable levels of outside space are retained.

- 9.17 An analysis of the grain of development in the locality indicates that small rear gardens are typical of the area and so the proposed gardens are considered appropriate in terms of the character of the area. The gardens are also private, not being overlooked by neighbouring properties.
- 9.18 On balance, given the quality of the scheme and the benefits from provision of housing in this location, the small garden areas are considered acceptable. The areas given in Neighbourhoods for Living are a guide and do not take into account specific site conditions, which in this instance suggest that smaller gardens are appropriate. Local greenspace provision is good and it is considered that the residents of the new dwellings will benefit from good levels of amenity.
- 9.19 Amenity of neighbouring residents will be little impacted by the proposals. Residents of the adjacent terrace have expressed concern that access is retained to the rear of their property. This access is outside of the red line boundary of the site and it is not anticipated that access to the rear of the terraces will be impacted by the proposal.
- 9.20 A bat survey has confirmed that there are no bat roosts within the building but there are bat roosts in adjacent buildings and some bird nesting activity in the buildings to be demolished. Conditions have therefore been recommended to minimize impact on bats and nesting birds and to mitigate for any detrimental effect from the proposals.
- 9.21 A Metrocard contribution of £5709.00 has been agreed for the scheme. This will be secured via S106 agreement.
- 9.22 A greenspace contribution of £24070.73 has been calculated and this takes into account the nearby Grove Hill Park and the proximity of the Chevin. On-site greenspace is not provided on-site and the contribution to this, and children's play equipment, accords with policy.

10.0 CONCLUSION

- 10.1 The application is recommended for approval as it complies with relevant policy contained in the UDPR and NPPF. The buildings are not identified as making a positive contribution to the Conservation Area and the replacement scheme is considered to be in keeping with the character of the area in terms of land use and to enhance the appearance of the Otley Conservation Area as a result of its sensitive and appropriate design.
- 10.2 The impact of the loss of the employment land has been assessed and sufficient alternative employment sites have been identified within the locality. In addition, the existing buildings are in a dilapidated condition and not suited to modern use and located in an area where the mixed character lends itself to new housing thereby providing a contribution to the housing requirements.



Originator:	Susie Watson
Tel:	0113 2478000

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 6th November 2014

Subject: APPLICATION 14/01785/FU – two storey extensions to front, side and rear with balcony to front at Overhouse, Over Lane, Rawdon, LS19 6DN

APPLICANT	DATE VALID	TARGET DATE
Mr G Stevenson	1 April 2014	27 May 2014

<p>Electoral Wards Affected:</p> <p>Guiseley & Rawdon</p> <p><input type="checkbox"/> Yes Ward Members consulted</p>
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<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>

RECOMMENDATION:
GRANT PERMISSION subject to the following conditions.

1. Time limit on full permission
2. Plans to be approved
3. Samples of wall / roof materials to be submitted
4. Landscaping implementation
5. Tree protection
6. Replacement tree planting

1.0 INTRODUCTION:

1.1 This application is presented to Plans Panel at the request of Councillor Graham Latty who considers the proposal to be unacceptable on grounds of excessive massing, overlooking, invasion of privacy, out of sympathy with the neighbourhood and damaging to the amenity of surrounding properties.

2.0 PROPOSAL:

- 2.1 This application seeks planning permission for the construction of various alterations and extensions to the dwelling known as Overhouse. Together, these alterations and extensions will result in a significant alteration to its visual appearance and overall character.
- 2.2 The application follows on from an approval granted in January 2012 (11/02738/FU) which gave consent for a part three storey, part two storey side extension; first floor extension to other side; balconies to front at ground and first floor level; raised terrace to side and rear; alterations to roof including partial raised height and new flat roof; alterations to land levels. This outstanding approval replaced the majority of the existing pitched roofs with modern flat roofs (the exception being the dual pitched gable of the previous rear extension, which would be maintained) and all new additions are to have flat roofs. This previous approval also alters the fenestration and materials of the property, with the principal elevation having a strong modernist appearance with large regular glazed openings and balconies with sun shades. The existing stone work is to be rendered.
- 2.3 This current application adds to and alters this previous, extant permission. A similar design philosophy has been adhered to with regard this current proposal but with a slightly more traditional approach. Overall, it is considered that the changes to the scheme now proposed are an improvement in visual terms. The main property now retains its pitched roof and the flat roofs of the extension previously approved have been altered to pitched roofs. The footprint of the extant permission has also been altered slightly. In the main it has been moved further away from the boundary with the adjacent Welbeck House, although a previous dog-leg has been omitted by squaring off the approved footprint which does project towards Welbeck House. The approved alterations to the fenestration are largely retained but instead of introducing large, modernist style windows to the 2nd floor of the front elevation (with a balcony) an enlarged dormer is to replace the existing dormer in the original front roof slope. Dormer windows will also be added to the front and rear roof slopes in the extension. The 2nd floor balcony is now omitted.
- 2.4 Solar panels will be placed on the north east and south west roof slopes of the proposed pitched roof to the extant extension.
- 2.5 The extant approved but yet to be built extension is located on the south east elevation. It is now also proposed to significantly extend the property on the north west elevation. This will be achieved via 2 main extensions. The first of these is an extension to the rear of the existing property and to the side of the existing 2 storey rear extension. It will measure 4m wide by 4m deep and the eaves height will match those of the existing rear extension (5.5m). The ridge will be 6.8m high, which is set down from the main ridge. This extension will enable the provision of a cinema at ground floor level and will provide a bathroom at first floor level. The main bulk of the extensions proposed on the north west elevation is an 'L' shaped extension located on the side elevation of the existing property and projecting forward of the existing front elevation. This extension will have a maximum width of 8.8m and a maximum depth of 11.9m. This extension will have a pitched roof and will form a gable facing towards the western boundary. This will provide garaging on the lower ground floor level with a swimming pool above it. A single storey flat roof extension measuring 2.4m deep by 5.2m wide will be added to the rear of the swimming pool to enable the provision of a gym. Solar panels will be added to the north west and south east roof slopes. An existing conservatory will be removed to allow for this extension.

- 2.6 A balcony at first floor level was approved on the front elevation as part of the extant unbuilt permission. This approved balcony has a depth of between 4.0m and 3.0m and extends across the whole of the front elevation of the original property and the whole of the extant permission granted. It is still proposed to provide a balcony as part of the current proposals. This will be at the same height as that previously approved but its depth is increased to 4.5m across the whole of the original property and in the area of the extant extension. The approved balcony extends right up to the outer edge of the property adjacent to Welbeck House and no privacy screens were proposed. Given the relationship with this neighbouring property the balcony has now been reduced in length so that it is set 3.5m in from the outer edge of the property / extension.
- 2.7 There were initially some concerns about the proposed materials. The extant approval approved the rendering of the whole of the property, including the extant extension. It is now considered that to render the whole property, including the newly proposed extensions would create a quite stark building given the overall scale. As such, the proposals have been revised and it is now proposed to render the original property and construct the extensions in coursed natural stone.

3.0 SITE AND SURROUNDINGS:

- 3.1 The property is set within a substantial plot which is significantly elevated above the adjacent highway. Some views of the property are visible from the public domain but these are limited and largely screened by existing substantial boundary screening and the topography. The dwelling is a part random coursed stone part rendered dwelling with three floors to the front and two to the rear in response to the slope of the site. The dwelling has previously been extended to the side and rear

4.0 RELEVANT PLANNING HISTORY:

- 4.1 11/02738/FU - part three storey, part two storey side extension; first floor extension to other side; balconies to front at ground and first floor level; raised terrace to side and rear; alterations to roof including partial raised height and new flat roof; alterations to land levels – approved 26 January 2012.

08/04352/FU – demolition of existing house and erection of 5 bedroom detached house, with attached triple garage - refused 12 November 2008.

29/90/00/FU - new pitched roof to existing rear extension - approved 22 June 2000.

29/202/99/FU – new first floor and new roof - approved 1 November 1999.

28/167/81 – alterations and extension to form study with 2 bedrooms and bathroom over, to rear of detached house – approved 8 June 1981.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Since the submission of the application the applicant, at the request of the case officer following consultation with Design officers, has revised the drawings to introduce areas of stonework to help break up the areas of render. Revised plans have also been submitted to improve the relationship with the neighbouring properties and a landscaping scheme has been submitted to address the removal of trees from within the site.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was originally advertised by neighbour notification letters dated 3 April 2014 and a site notice posted on 17 April 2014. 8 representations were received from 6 households in response to this. 7 of these representations raised concerns / objections to the application. These concerns / objections are summarised as follows.

- Ivy Cottage is drawn inaccurately – a conservatory was added in 2006, making it closer to the proposed extension than suggested.
- The garage at Ivy Cottage was converted to additional living accommodation in 2011, again bringing it closer to the proposed extension than suggested.
- Ivy Cottage is Grade II listed.
- Trees on the boundary with Ivy House and the application site are protected by a Tree Preservation Order.
- Overhouse is significantly elevated above Ivy Cottage. The property and garden of Ivy Cottage will therefore be unduly dominated and directly overlooked by the proposed extension and balcony.
- The excessive scale and mass and proximity to Welbeck House means that the side, front and garden of this property will be dominated and overlooked by the extension and balcony. It will also block light.
- It will result in a loss of privacy for 29 Larkfield Drive
- Such an overbearing and contemporary development will be detrimental to the setting of the listed Ivy Cottage.
- Such a substantial modern extension will be visible from Over Lane and will be detrimental to the townscape of the immediate area.
- The balcony is out of character with the area.
- As the building will not be finished in stone it will be significantly out of character. The extent of glazing is also out of character.
- The proposed extension is close to an existing Ash Tree that is protected by a TPO. It will have an unacceptable impact on the roots of this tree.
- Part of the proposal involves construction on land recently purchased by the applicant and enclosed as additional garden for Overhouse. A previous application on this land was refused on greenfield grounds.
- Trees on this greenfield land were protected by a TPO and were felled by the applicant soon after he purchased the land.
- Many of the trees and bushes within the site have recently been removed. This spoils neighbouring views.
- There are issues of ‘settling’ in the area and as such the proposed works may cause additional problems for neighbours.
- A better way of enhancing the property would be to demolish the property and build a new one following the existing property line in an east/west direction.
- A pool is proposed above the garage. It must be question how feasible this will be and whether a further redesign will then be required.
- The proposal is significant and will take some time to complete causing noise and disruption to neighbours

6.2 The 8th letter received from a local resident advises that having looked at the proposal they have no objections.

6.3 Councillor Graham Latty considers there to be a number of problems with “the proposed (extensive) extension of Over House.” These are summarised as follows.

- The removal of the tree barrier between the properties is inexplicable and contributes to the problems the owners of Ivy Cottage now face.

- It needs to be checked if there is a TPO on these trees and appropriate action taken if there is.
- The overall size of the property will be totally out of proportion with any other house in the immediate vicinity.
- It will completely overshadow Ivy Cottage, a situation exacerbated by the tree removal.
- The windows of the swimming pool will afford a view into Ivy Cottage, particularly the two main bedrooms and will even render the garden open to view.
- The materials that are itemised on the plan speak of a house that will not sit happily with its surroundings.
- I have not had the opportunity to see Over House from any other of the adjacent properties but would be most surprised if it would enhance anyone's outlook.

6.4 Rawdon Parish Council supports Councillor Latty's request that this application is considered by the Plans Panel before a decision is made.

6.5 Revised and additional plans were then submitted in June and those neighbours who had already contributed were re-notified. In response to this 3 representations were submitted. These all raised objections and are summarised as follows.

- The tree planting shown is only a token gesture and is not enough to compensate for the trees removed and the loss of a greenfield site.
- A proper planting plan of native flora should be insisted on as there are now no trees on the rear boundary.
- The planting of trees on the northern boundary does not alter previous objections.
- The applicant has moved /removed large amounts of earth within the site and adjusted levels. Has this been discussed with the Council?
- There are concerns that the earth works will damage the adjacent Ash tree.

6.6 A further revised plan was submitted in September which amends the proposal adjacent to Welbeck House. Again, those neighbours who originally contributed were re-notified. In response to this 2 representations have been submitted. These maintain the objection to the proposal and are summarised as follows.

- The changes are very minor
- Previous objections still stand – overbearing; out of sympathy with neighbourhood; large balcony and swimming pool will invade privacy; overlooking a listed building (exacerbated by elevated position and removal of trees); amendment to height made by applicant in August has made the situation worse; continues to build on greenfield land.
- Ask that it be rejected and be determined without further delay.

7.0 CONSULTATIONS RESPONSES:

Statutory Consultations

7.1 None due to the nature of the application.

Non-Statutory Consultations:

7.2 None due to the nature of the application.

8.0 PLANNING POLICIES:

National Policy

- 8.1 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.
- 8.2 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".

Local Policy

- 8.3 Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.4 The Inspector's Reports into the Core Strategy (CS) and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan.
- 8.5 Relevant Saved Leeds Unitary Development Plan (Review) 2006 Policies:
- GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD5 requires new buildings to give consideration to both their amenity and that of their surroundings.
- 8.6 UDP Policies N12, N13 and T2 are to be superseded by CS Policies P10 and T2 but are saved until the adoption of the CS (likely to be in November).
- UDP 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.
- UDP N13 requires all new buildings to be of high quality and have regard to character and appearance of surroundings.
- CS P10 relates to design and requires new development for buildings and spaces, and alterations to existing, to be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function.
- UDP T2 states that development proposals should not create new, or exacerbate existing, highway problems.
- CS T2 requires new development to be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

Supplementary Planning Documents

- 8.7 Householder Design Guide

Policy HDG1 of the Householder Design Guide requires all alterations and extensions to respect the scale, form, proportions and the character and appearance of the main dwelling and the locality with particular attention to be paid to the roof form and roof line, window details, architectural features, boundary treatments and materials.

Policy HDG2 of the Householder Design Guide requires development proposals to protect the amenity of neighbours and states that proposals which harm the existing residential amenity of neighbours through excessive overshadowing, over dominance or overlooking will be strongly resisted.

9.0 MAIN ISSUES

1. Visual amenity
2. Residential amenity
3. Highway safety / parking
4. Representations

10.0 APPRAISAL

Visual amenity

- 10.1 It is considered that the proposed extensions will, given their size, location, design and materials, be in keeping with the host dwelling and existing development in the locality by virtue of their being no overriding cohesiveness in the locality. The design (e.g. shape and form) of the proposed extension is reflective of and sympathetic to the design of the host dwelling and given its location and existing screening it will not be readily visible or prominent in views from the public domain. The proposed materials will match those existing and, whilst the extent of the extensions are quite significant, the extended property will remain subservient to the plot in which it is located.
- 10.2 The nature of the plot and its location results in their being no discernable streetscene context in which the property will be viewed and there are a variety of property types, styles, ages and materials. This presents the opportunity, which has been taken by the applicant and their architect, to embark upon a substantial re-design of the dwelling with a relatively free hand as regards what would be an appropriate form of design. The existing property is of limited architectural merit and appears to have been substantially altered since its original construction in the 1960's/70's. The various alterations have limited coherence in the context of the dwelling and its original and relatively unusual design which leads to a confused and rather poor visual appearance. The design proposed is considered to have successfully worked with the host property and imprinted a coherent design philosophy across the retained elements, which has been enhanced by the further additions. Overall, it is considered that the changes to the scheme previously approved and the alterations and extensions now proposed are an improvement in visual terms.
- 10.3 Concerns have been expressed about the impact the proposal will have on the setting of the adjacent Ivy Cottage, which is a Grade II listed building. For the above reasons the proposal is not considered to have an adverse impact on the setting of this buildings and instead will be in keeping with its surroundings. It should be noted that the 2 properties are not seen together easily given their relative locations, existing planting and the topography of the area.

Residential amenity

- 10.4 It is considered that the proposed windows are either set sufficiently far enough away from adjacent dwellings and their private amenity space or are sufficiently well screened by existing boundary treatments such that the proposed scheme will not lead to any significantly harmful increase in overlooking.
- 10.5 The extant extension on the south east elevation only had windows at ground floor level and therefore, due to the topography and existing boundary treatment, there was no issue of overlooking in respect of the nearest neighbour to this element (Welbeck House). It is now proposed to add a bedroom in the roof space above this element. This would be served by dormer windows to be located in the front and rear elevations. These would face down the existing front garden and towards the side of Welbeck House. The rear dormer is between 5m and 7m off the common boundary with Welbeck House but given it will face onto a blank side gable there are not considered to be any issues of overlooking.
- 10.6 The proposed wholly new extension to be located on the north west elevation will have a number of windows at first floor level which face towards the western boundary. However, given the nature of these windows and the rooms that they serve, along with the existing boundary treatments and topography means that there will be no impact on neighbouring properties as a result of overlooking. The large front gable window is directly adjacent to the proposed swimming pool which will be set below cill level. As such, views out of this window will not result in any overlooking. Even if direct views were available out of this window, the distance to the boundary, existing boundary planting and topography mean that no adverse overlooking would occur. The application property is set above the level of the neighbouring Ivy Cottage but it is so far above the level of this neighbouring property that only its roof and the upper part of its windows are visible from the first floor windows and balcony of the host property. Views into the windows and private garden areas of Ivy Cottage are not possible.
- 10.7 Overhouse and Ivy Cottage do not have a 'typical' relationship to one another. Both are set back from Over Lane but Overhouse is set back further in its plot than Ivy Cottage. Overhouse is angled within its plot such that its existing front elevation faces towards the front and side of Ivy Cottage. The existing front corner of Overhouse nearest to Ivy Cottage is approximately 25m from the rear corner of Ivy Cottage and a minimum of 17m from the common boundary. The proposed extension on the north west side elevation will face towards the rear and side of Ivy Cottage. The proposed front corner nearest to Ivy Cottage will be approximately 17.5m from the rear corner of Ivy Cottage and a minimum of approximately 10m from the common boundary.
- 10.8 The Householder Design Guide sets out a guideline distances for developments from boundaries and neighbouring properties. As a general rule ground floor main rooms (living and dining rooms) should be a minimum of 10.5m from a boundary and 12m from the side of a neighbouring property and secondary rooms (e.g. bedrooms and kitchens) should be 7.5m from a boundary and 9m from the side of a neighbouring property. These are only a guideline and, obviously, need to be increased to take into account changes in level and the provision of first floor living rooms.
- 10.9 The balcony and large main windows are to the principal elevation of the dwelling which looks over the large front garden. The addition of a balcony will not lead to significant overlooking due to the distance it is from the boundaries of the site and the presence of existing vegetation which provides effective screening. Furthermore, as set out above, the application property is set above the level of the neighbouring Ivy

Cottage but it is so far above the level of this neighbouring property that only its roof and the upper part of its windows are visible from the first floor windows and balcony of the host property. Views into the windows and private garden areas of Ivy Cottage are not possible. It should be noted that the balcony is approximately 14.5m from the common boundary with Ivy Cottage and 22m from the side of this property. It also replaces an existing balcony, albeit with a larger / deeper one.

- 10.10 Due to the orientation of the site, the location of the applicant's property and the scale of the development, there will be no additional or significantly detrimental overshadowing or dominance of adjacent dwellings or their curtilage.
- 10.11 It is proposed to add a pitched roof to the extant extension proposed on the south east elevation. However, this will have no additional impact on the living conditions of the occupiers of Welbeck House given the orientation and location of the 2 properties in relation to one another and that the side of Welbeck House is a blank elevation.
- 10.12 Whilst the proposed extension(s) on the north west elevation is fairly significant and brings the application property closer to the boundary with Ivy Cottage it will have no additional impact on the living conditions of the occupiers of this property as a result of overshadowing or dominance given the distances involved, the topography and existing boundary treatments.
- 10.13 The dwelling sits within a very large plot and is surrounded on all sides by private amenity space which is very well screened by mature vegetation. The proposal does not significantly increase the footprint of the dwelling relative to the size of the existing private amenity space and sufficient private, external amenity space is therefore retained.

Highway safety / parking

- 10.14 The dwelling will continue to utilise the existing access and a significant area of hard standing will be retained for the parking and maneuvering of vehicles, along with the provision of 6 garage spaces within the proposed extensions. As such, the proposal exceeds UDP guidelines in respect of parking and raises no issues in relation to highway safety.

Representations

- 10.15 A number of representations have been received in respect of this application and these are summarised in the 'public/local response' section above. It is considered that most of the planning issues raised have been addressed in the above appraisal. Of those that haven't, the following should be noted.

Trees/landscaping

- 10.16 There are concerns that the applicant has removed significant areas of planting from within the application site and that the proposed extension is close to an existing Ash Tree that is protected by a Tree Preservation Order (TPO - 2005/32). The proposed extension is 18m from this tree (10.5m from the outer canopy edge) and as such is well outside of the root protection zone and will therefore have no adverse impact. Although it is always unfortunate when established planting is removed, the applicant is entitled to do this as the site is not within a Conservation Area and trees within the application site are not protected by TPOs. However, substantial areas of planting remain within the site and the applicant has recently planted a significant number of conifers along much of the site boundary. In addition, a landscaping scheme for additional native planting has been prepared. This needs to be assessed and an update will be given to Members on this at the Panel meeting.

Greenfield land

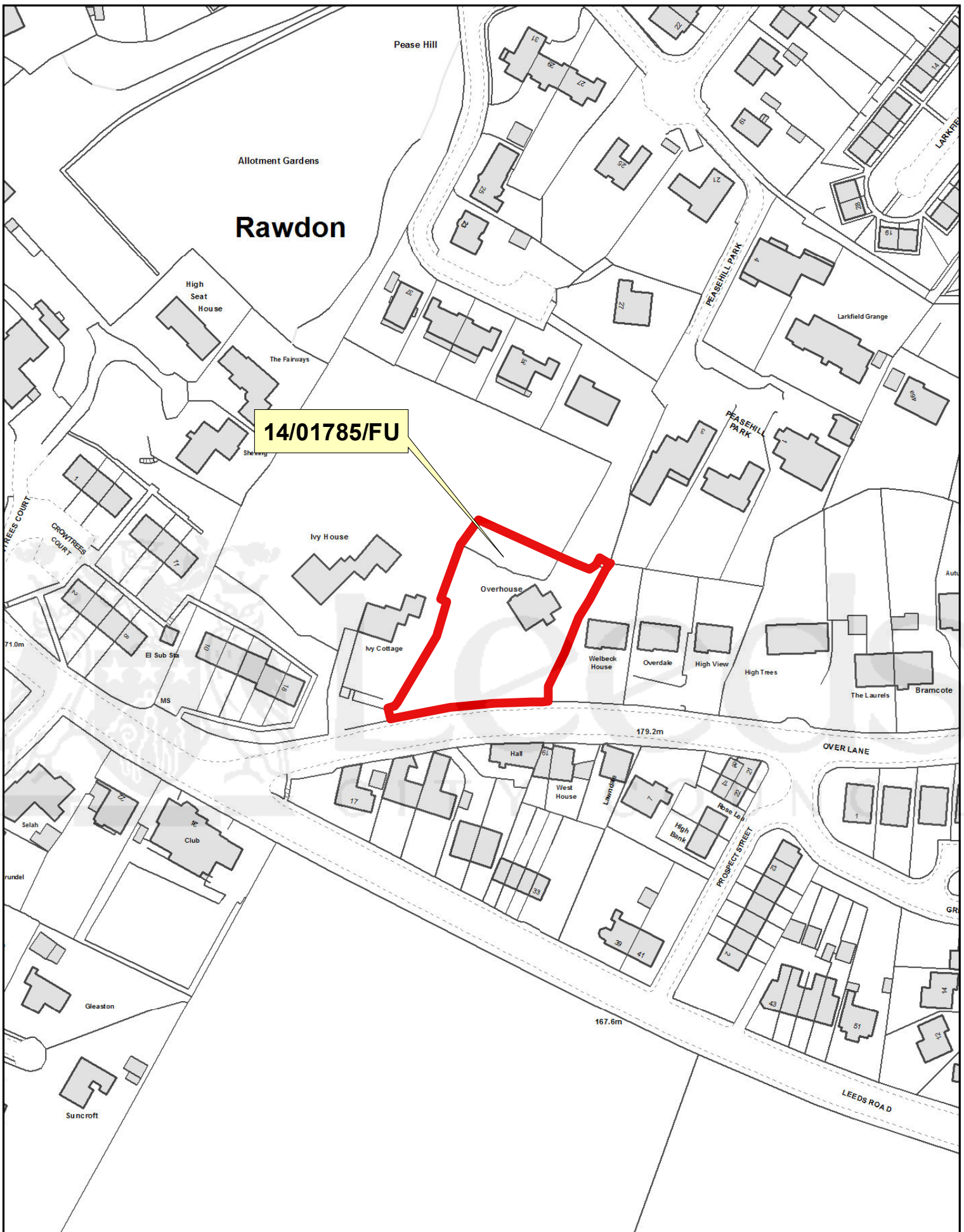
- 10.18 The applicant has purchased a piece of land to the rear of the site and enclosed it as private garden. This was previously part of a grassed field but works have taken place to clear the land. It has also been enclosed by a timber fence and retaining walls have been constructed. At the same time as carrying out these works a number of trees were also felled. Some residents believe these to have been protected by a TPO but the applicant advises that they were in their original garden and not the paddock and as such were not covered by the TPO. Due to the landscaping works that have taken place within the site there is no evidence to contradict the applicant's viewpoint. There are also no planning objections to incorporating the land into the domestic curtilage in this instance.

11.0 CONCLUSION

- 11.1 In light of the above it is considered that the proposed extension will not result in undue harm to visual or neighbouring amenity. The design and nature of the proposal is considered appropriate to the host property and the wider locality and will respect and preserve the existing streetscene. The proposal will result in a large dwelling but this is proportionate to the large plot within which it is located. As such the application is considered to be in accordance with relevant UDP policies, to the guidance set out in the Householder Design Guide and to the policies of the National Planning Policy Framework. Approval is therefore recommended.

12.0 Background Papers:

- Application file 14/01785/FU
- History file 11/02738/FU
- Certificate of Ownership: signed as applicant



SOUTH AND WEST PLANS PANEL



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Originator: Ben Field

Tel: 22 43453

Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 6th November, 2014

Subject: APPLICATION 14/04740/FU – Part two storey part first floor front and side extension; single storey rear extension at 28 Whack House Lane, Yeadon, Leeds, LS19 7LY.

APPLICANT
Alexandra Long

DATE VALID
11th August, 2014

TARGET DATE
14th November, 2014

Electoral Wards Affected:

Guiseley & Rawdon

Yes Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE PERMISSION for the following reason:

The Local Planning Authority considers that, by reason of its inappropriate design, form scale and materials, together with its prominent location the proposed two storey and roof extension will result in an incongruous form of development which will have an adverse impact on the design and character of the existing dwelling, group of four bungalows and the wider street scene. As such, the development is contrary to Policies GP5 and BD6 of the Unitary Development Plan Review (2006), Policy P10 of the emerging Core Strategy, policy HDG1 of the Householder Design Guide SPD and the National Planning Policy Framework.

1.0 INTRODUCTION:

1.1 This application is brought to the Panel at the request of Councillor Graham Latty, on the grounds that the proposal is of appropriate design that will be sympathetic to the surrounding properties and make a contribution to the immediate surroundings.

2.0 PROPOSAL:

- 2.1 The full planning application proposes a two storey and roof extension providing a new first floor and a single storey extension constructed to a detached bungalow. The two storey and first floor part of the proposal will face towards New Road and Whack House Lane.
- 2.2 The proposal will allow for a reconfigured ground floor and a new first floor comprising of three bedrooms and a bathroom. The proposal will have two windows at ground floor and three windows at first floor to the west elevation, three windows at ground floor and two windows at first floor to the south elevation, a window and three roof lights to the east elevation and two rooflights to the north elevation.
- 2.3 The proposed two storey and first floor extension will be white rendered and will have a pitched roof design with roof tiles to match the existing property. The proposed single storey extension will be brick built to match the existing property, with roof tiles also proposed to match.

3.0 SITE AND SURROUNDINGS:

- 3.1 The existing property is a detached brick built bungalow with a tiled pitched roof. It occupies a corner plot on a predominantly residential street and is one property in a group of four dwellings which have common design features and are of similar sizes.
- 3.2 The existing property has a modest sized garden and patio area and is accessed from a footpath to the rear which leads from the car parking area serving the four bungalows and entrance to the site from Whack House Lane.
- 3.3 There is a stone wall and mature conifer hedge to the front and side boundary with New Road and Whack House Lane, stone wall and fence to the boundary with No 29 Whack House Lane and a fence, hedge and wall to the boundary with No 27 Whack House Lane.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 06/02038/FU - Single storey rear extension – Approved 24.05.2006
- 4.2 H28/317/77/ - 4 detached bungalows – Approved 25.07.1977
- 4.3 H28/601/76/ - Outline application to layout access and erect 2 pairs of semi-detached houses – Approved 06.12.1976
- 4.4 H28/506/75/ - Outline application to erect residential development to vacant site – Refused 22.03.1976

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant submitted a pre-application enquiry and was advised that the scheme is of interest but it is not something that we would likely be able to support.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by neighbour notification letters to 9 adjacent properties dated 12th August 2014 and a site notice posted on 22nd August 2014.
- 6.2 Councillor Graham Latty requested the application be determined at panel as he is in support of the scheme, stating the following:-
- The proposal will make a good, sensibly sized property of pleasing design.
 - The other houses are not of a design seen elsewhere in the locality and the extension is sympathetic to those surrounding properties.
 - It will not affect or compromise any of the residential enjoyment of any of its neighbours
 - Seen as its situation on the corner of Whack House Lane, the enlarged building would make a contribution to the immediate surroundings and in conjunction with the large stone property on the opposite corner would create a gateway to the lane.
 - The proposal has not been met with opposition from neighbours.
- 6.3 Two representations from local residents have been received both in support of the application. The comments are summarised as follows:-
- The extension is in keeping with the character of the existing bungalow.
 - The completed build will not look out of place with the other three houses which were included in the original housing development.
 - The proposal presents a positive addition to Whack House Lane
 - It will make the entrance to Whack House Lane more attractive and the design looks sympathetic to the neighbouring houses.
 - Nice to see how a tired and dated house can be updated
 - If the property were to be totally different to the other three houses, on its own merits it certainly will not be an eyesore.

7.0 CONSULTATION RESPONSES:

- 7.1 No formal consultations have been carried out for this application.

8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

- 8.2 UDP Policies:

GP5: Proposals should resolve detailed planning criteria (access, landscaping, design, etc.), should seek to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and should maximise highway safety.

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

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

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

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

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

Relevant supplementary guidance:

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

Neighbourhoods for Living SPG

DRAFT CORE STRATEGY

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed and examination has now been completed.

The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan.

8.5 The following policies within the Draft Core Strategy are considered relevant.

Policy P10 – Design

8.6 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development.

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Townscape / Design and Character
- Privacy
- Overshadowing / Dominance
- Representations

10.0 APPRAISAL:

TOWNSCAPE / DESIGN AND CHARACTER

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity”. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. This advice is expanded within the Householder Design Guide, which states *“The character and appearance of a dwelling and the character of the local streetscene are important considerations when deciding the appropriate shape and form of an extension and where it is to be sited. The character of a house is formed by its proportions, materials, roof shape and architectural details. The character of an area is formed by the style of houses within it, the spaces between them, the boundaries (walls, railings, fences, hedges) and trees and vegetation within the area. Extensions should be in keeping with the character and appearance of the dwelling and the wider area.”* Accordingly the proposal is required to conform to the requirements of policy HDG1 which states *“particular attention should be paid to the roof form and roof line, window detail, architectural features, boundary treatments and materials”*
- 10.2 The existing dwelling is a modest sized low profiled bungalow which sits comfortably within its plot in a group of four properties of similar designs, which have a uniform appearance when viewed from the streetscene along New Road and Whack House Lane. The proposed two storey and roof extension which faces Whack House Lane and New Road introduces an asymmetrical roof design creating a large and unconventional addition that does not respect the scale, form or design of the original dwelling nor neighbouring properties. As a result the extension is considered to be a contrived and incongruous addition which is neither subservient nor sympathetic to the original dwelling and will detract from the uniform appearance of the host site and other bungalows, to the detriment of the group and the streetscene.
- 10.3 The existing bungalow is constructed out of buff brick with window detailing that respects the scale and form of the dwelling. The proposed two storey and roof

extension will have a white render finish and four large windows at ground and first floor. It is considered the materials used and fenestration detailing would not respect the form and detailing of the original building further eroding its character and appearance.

- 10.4 Therefore it is considered that the proposed two storey and roof extension will harm the proportions and character of the host property, its setting within the site and its appearance within the group of bungalows and wider streetscene.
- 10.5 The proposed single storey extension will be a modest infill addition which respects the scale, form, detailing and materials of the existing property. Therefore it is considered this part of proposal will not have an unacceptable impact on the character and appearance of the host property or locality.
- 10.6 As such it is considered that the proposal represents an inappropriate addition to the host property and is considered to be out of keeping with the wider aims of UDPR Policies GP5 and BD6, Policy P10 of the emerging Core Strategy and Householder Design Guide Policy HDG1

PRIVACY

- 10.7 It is considered that the proposed windows and doors will not lead to a harmful overlooking impact over neighbouring properties or gardens, given they will face onto the garden area of the host site and Whack House Lane and New Road beyond.
- 10.8 As such it is considered that the proposal represents an appropriate addition to the host property and is considered to be in keeping with the wider aims of UDPR Policy GP5 and Householder Design Guide Policy HDG2

OVERSHADOWING / DOMINANCE

- 10.9 Although the proposed two storey and first floor extension does add a large degree of additional massing to the existing dwelling, it has been designed with a shallow roof that pitches away from the neighbouring properties with the bulk of the extension facing the garden area of the host site, New Road and Whack House Lane beyond. Therefore it is considered the two storey and first floor extension will not have an unacceptable dominance or overshadowing impact over the amenity space of the neighbouring sites.
- 10.10 It is considered the single storey extension will not cause an unacceptable level of overshadowing or dominance given it will be a modest infill addition positioned approximately 3m from the boundary with No 29 Whack House Lane and will be in line with the blank side elevation of No 27 Whack House Lane.
- 10.11 As such it is considered that the proposal represents an appropriate addition to the host property and is considered to be in keeping with the wider aims of UDPR Policy GP5 and Householder Design Guide Policy HDG2.

REPRESENTATIONS

- 10.12 A number of representations have been received in respect of this application and these are summarised in the 'public/local response' section above. It is

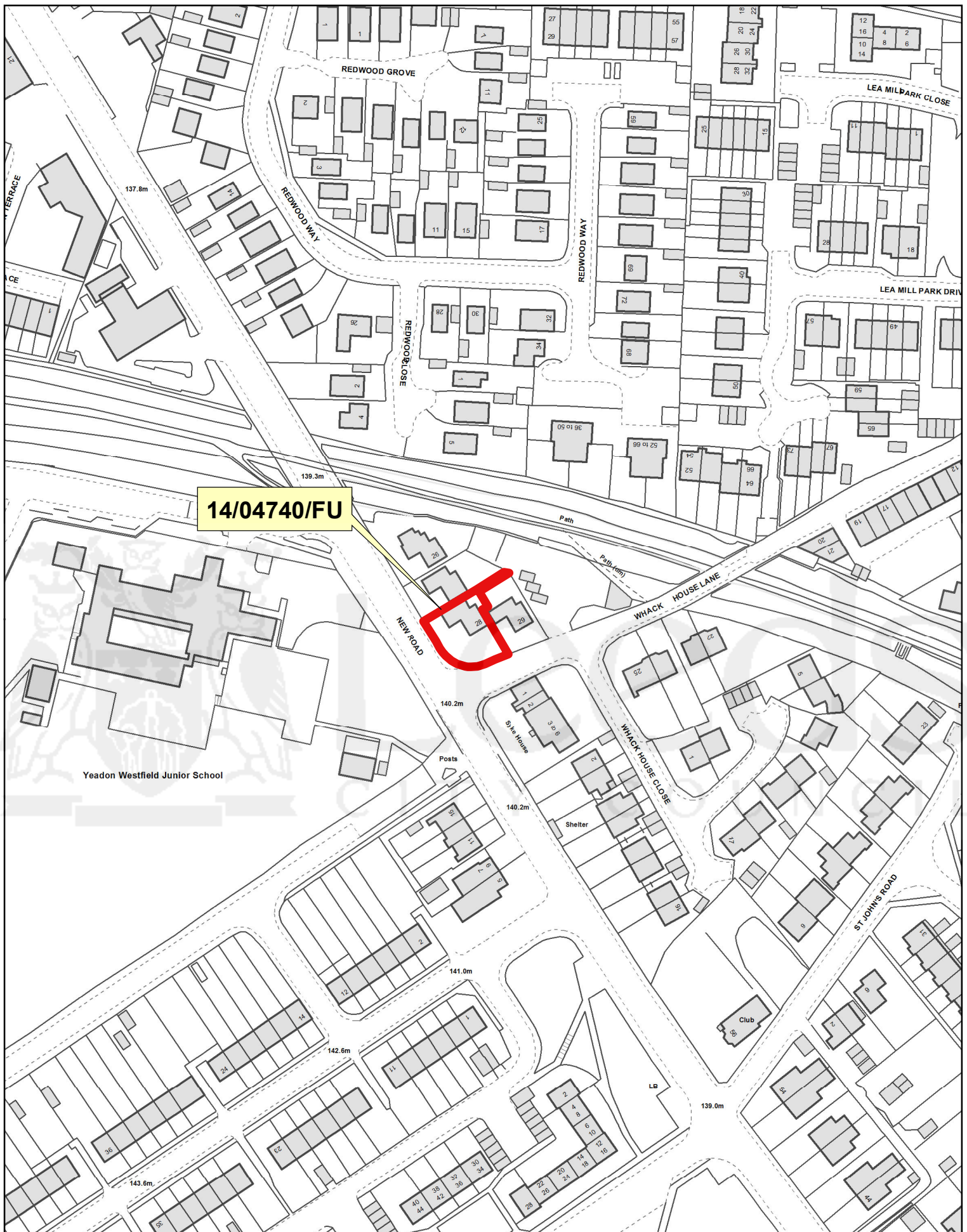
considered that the planning issues raised have been addressed in the above appraisal.

11.0 CONCLUSION:

11.1 After careful consideration of all relevant planning matters it is considered that the proposed development should be refused.

Background Papers:

Application file; 14/04740/FU
Certificate of Ownership.



SOUTH AND WEST PLANS PANEL





Originator: Terry Moran

Tel: 39 52110

Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 6th November, 2014

Subject: APPLICATION 14/04182/FU – Two storey front and side extension with raised timber deck, to detached house at 10 Hillcrest Rise, Leeds. LS16 7DL.

APPLICANT

Dr Lesley Sunderland

DATE VALID

16th July, 2014

TARGET DATE

6th October, 2014

Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE PERMISSION for the following reason:

The Local Planning Authority considers that the proposed two storey extension would, as a result of its overall scale, design, form and massing, result in an unacceptable impact on the appearance and setting of the host property and visual amenity within the wider streetscene, and result in an unacceptable impact on the vitality of Protected Trees along the boundary of the site. As such, the proposal fails to comply with Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), is contrary to Policy HDG:1 of the Adopted SPD 'Householder Design Guide' and also fails to comply with guidance set out in the National Planning Policy Framework.

1.0 INTRODUCTION:

1.1 This application is brought to the Panel at the request of Councillor Sue Bentley, on the grounds that the recommendation does not take full account of the submitted Arboricultural report and the special construction measures referred to therein and also that the proposal would not unduly impact on the wider townscape.

2.0 PROPOSAL:

- 2.1 The proposal is to erect a two storey extension to the front and side of a detached house, with a raised decked area to the front. The ground floor extension is intended to provide an additional living room. The first floor extension is intended to provide an additional bedroom. The decked area incorporates four steps and would overlook the front lawn.
- 2.2 The two storey extension has a rectangular design, and is 4.5m deep and 5.2m wide, at a distance of 1.0m from the side boundary with Hillcrest Mount.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises a modern detached house in an elevated position, which is of stone and render construction, with a hipped tiled roof. The house has an integral hipped porch to the front elevation. The front of the property is accessed via several stone steps. There is a narrow garden to the side, with a more spacious garden to the rear. The side of the property along Hillcrest Mount is screened by close-boarded timber fencing, to the outer boundary of which are several mature trees which are protected by a Tree Preservation Order.
- 3.2 The next door property to the South is of similar age to the host property, being of stone and render construction. Properties to the North are typically set well back from the highway with high level screening provided by mature trees and landscaping, providing a relatively uniform streetscape.
- 3.3 The site is in a wholly residential location.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/00388/FU – Two storey extension with raised decked area to front. Withdrawn.
- 4.2 26/328/98/FU – Eight detached houses. Approved, 25/05/1999.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There have been no pre-application discussions or negotiations prior to the submission of this proposal.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by means of Neighbour Notification letters to 9 adjacent properties.
- 6.2 Ward Councillor Sue Bentley has written to ask that this application be referred to the Plans Panel
- 6.3 One letter of support has been received from the neighbouring property at No. 8. A supporting statement has been submitted by a third party acting on behalf of the applicant, which refers to a number of issues raised in discussions with the architect for this scheme, arguing that the proposal would not in fact result in any adverse impact on the trees which abut the site.

7.0 CONSULTATION RESPONSES:

7.1 The following consultations have been carried out for this application.

Landscape. The Landscape Officer initially objected to this application on the grounds that the proposal would be likely to result in the loss of Protected Trees. The Tree Officer has subsequently visited the site and has indicated that, although the suggested construction methods may be sufficient to prevent initial harm to those trees, the likely long-term impact of the proposal would be that one or more of the Protected Trees would be lost, with the replacement of those trees being a matter which could not readily be controlled by condition given that the trees are on land outside the control of the applicant.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2 UDP Policies:

GP5: Proposals should resolve detailed planning criteria (access, landscaping, design, etc.), should seek to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and should maximise highway safety.

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

Householder Design Guide SPD:

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

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

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

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

Relevant supplementary guidance:

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

Neighbourhoods for Living SPG

DRAFT CORE STRATEGY

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed and examination has now been completed.

The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan.

- 8.5 The following policies within the Draft Core Strategy are considered relevant.

Policy P10 – Design

- 8.6 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development.

9.0 MAIN ISSUES:

- 9.1 The following main issues have been identified:

- Impact on visual amenity and the streetscene
- Impact on Protected Trees
- Impact on neighbouring residential amenity
- Representations

10.0 APPRAISAL:

IMPACT ON VISUAL AMENITY AND THE STREETSCENE

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity”. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. This advice is elucidated and expanded within the Householder Design Guide.
- 10.2 The proposed extension raises significant concerns with regard to visual amenity and appearance within the street scene. The proposal seeks to erect a two storey extension to the front and side of the property. Its position is therefore considered contrary to the recommendations of Policy HDG1 of the approved Householder Design Guide SPD, which states that two storey front extensions will normally be refused unless such extensions are set well back from the front boundary, there is a lack of uniformity within the streetscene and also that the design of the proposal will not harm the character of the locality.
- 10.3 In this instance, although the house is set back from the front boundary, the property is in an elevated and prominent corner position with only limited screening provided by the existing trees along Hillcrest Mount. The proposed two storey front extension is considered too prominent, with the degree of existing screening being considered insufficient to mitigate its impact on visual amenity and the streetscene. The siting of the extension would result in only very limited space remaining between the dwelling and the boundary. As such, the position and form of the extension is considered unduly prominent and disproportionate to the original house.

IMPACT ON PROTECTED TREES

- 10.4 The applicant has argued that the existing screening, provided by the existing mature trees to the outer side along Hillcrest Mount, is sufficient to mitigate the appearance of the extension and has submitted a detailed Engineer’s report to support this which indicates a number of measures aimed at avoiding any significant harm to the root systems of the trees.
- 10.5 The site has, however, been assessed by the Department’s Tree Officer. The conclusion of his visit to the site is that although the adjacent trees are not individually good specimens, they are not dead, dying or dangerous and do not require immediate removal. Those trees contribute positively to the streetscene and local character, being protected by a Tree Preservation Order. Their loss is therefore considered harmful to the locality.
- 10.6 The Tree Officer has considered the contents of the Engineer’s report in his comments. It is considered that, even if all the suggested tree protection measures are complied with, there will still be longer term harm to the existing trees due to the proximity of the proposed extension and its height, with a consequent detrimental impact on the continued vitality of those trees. Furthermore, any subsequent attempts to replace those trees could not readily be controlled by condition as the existing TPO’d trees are outside the redline boundary and in third party ownership within the adjacent grass verge. It is

therefore considered that the proposed extension would ultimately be likely to result in the loss of one or more of those trees. Consequently, it is considered that the proposed two storey front extension would therefore be too prominent, with the degree of screening being considered insufficient to mitigate its impact on visual amenity and the streetscene. The proposal cannot therefore be supported.

IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY

- 10.7 The position and form of the proposed extension raises no significant concerns with regard to neighbouring residential amenity, as it is to the outer side of a property at the junction with Hillcrest Mount, and thus raises no issues relating to either overshadowing or overdominance.

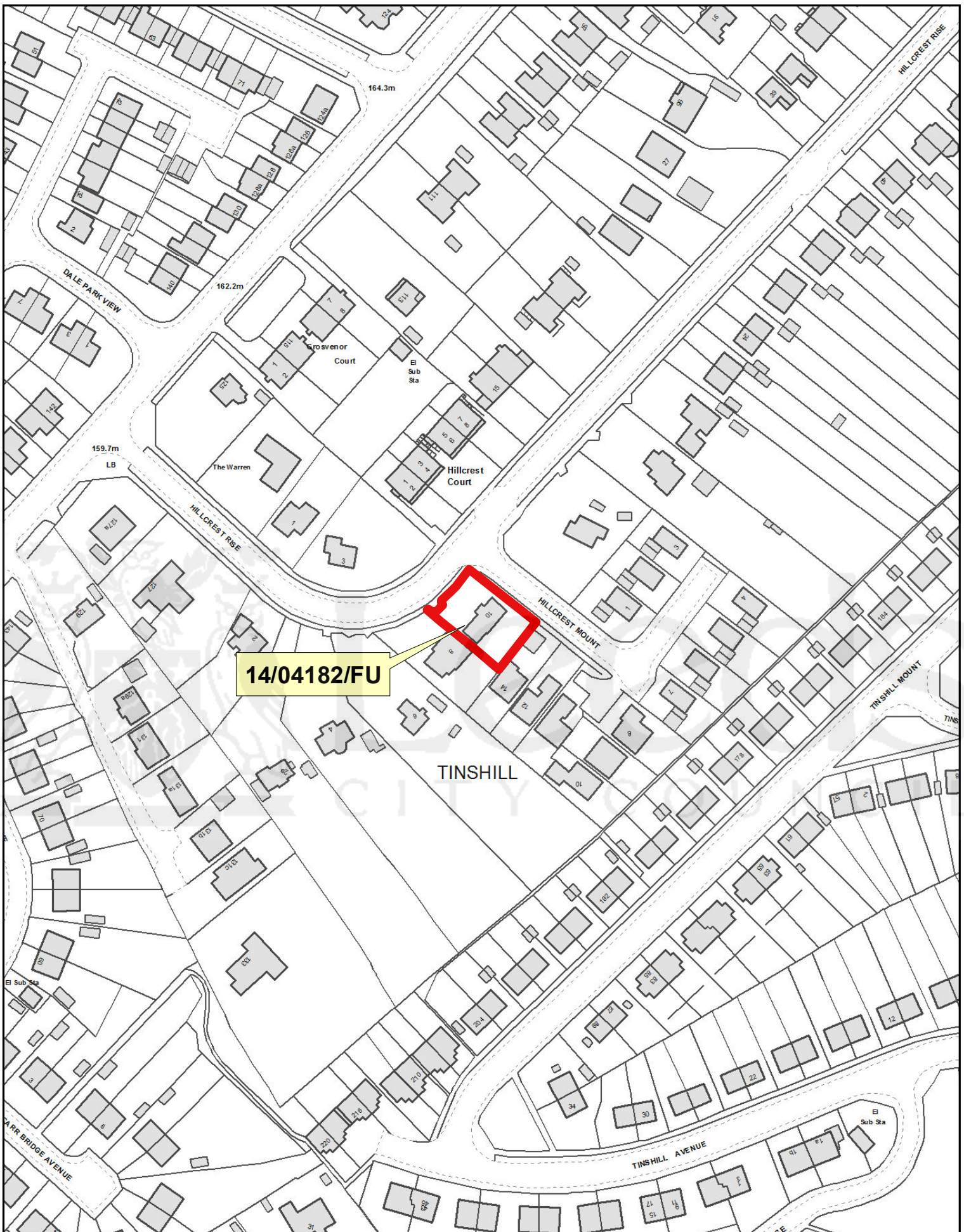
REPRESENTATIONS

- 10.8 Ward Councillor Sue Bentley has requested by email that this application be referred to the Plans Panel for determination by Members on the grounds that the recommendation does not take full account of the submitted Arboricultural report and the special construction measures referred to therein and also that the proposal would not unduly impact on the wider townscape.
- 10.9 One letter of support has been received from the neighbouring property at No. 8, which states that the proposal would not impact on their property. A supporting statement has also been received from a third party acting on behalf of the applicant which argues that the proposal would not result in any undue impact on existing trees. Ward Councillor Sue Bentley has requested by email that this application be referred to the Plans Panel for determination by Members on the grounds that the recommendation does not take full account of the submitted Arboricultural report and the special construction measures referred to therein and also that the proposal would not unduly impact on the wider townscape.
- 10.10 With reference to the points raised by Ward Councillor Sue Bentley. It is considered that, although the submitted Arboricultural report and proposed special measures may potentially be sufficient to prevent any initial damage to the adjacent Protected trees, the longer-term impact of the proposal is likely to result in the loss of one or more of those trees as they are still relatively young specimens whose growth patterns are likely to be harmed by the proximity and massing of the extension. Furthermore, as those trees are on third party land outside the control of the applicant, the replacement of said trees cannot readily be controlled by condition. The loss, whether partial or complete, of those trees cannot therefore be supported as it would be detrimental to visual amenity and the wider townscape.
- 10.11 As regards the point of representation that the proposal would not extend beyond the building line of the next door property, although that is technically correct, it is considered that the position of the host dwelling, being elevated and on a corner plot, is such that the proposed front extension would nonetheless appear unduly prominent within the streetscene and thereby fail to comply with the Householder Design Guide SPD.

11.0 CONCLUSION:

- 11.1 For the above reasons the Panel is recommended to refuse planning permission.

Background Papers:
Application file;
Certificate of Ownership.



14/04182/FU

SOUTH AND WEST PLANS PANEL





Originator: Carol Cunningham
Tel: 0113 24 77998

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 6th November 2014

Subject: Application number 14/03387/FU – Full application for amenity restaurant, associated access and landscaping at Airport West Business Park, Warren House Lane, Yeadon

APPLICANT

Airport West (Leeds) Limited
And Greene King Property
Developments

DATE VALID

23rd June 2014

TARGET DATE

22nd September 2014

Electoral Wards Affected:

Yeadon and Otley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Approve subject to a section 106 agreement for contribution to public transport and the following conditions

1. Time limit on full permission
2. Built in line with the approved plans
3. Details of walling and materials to be provided
4. Details of surfacing materials to be provided
5. Lighting to be in line with approved plan
6. Landscaping scheme to be in line with approved plan
7. Details of vehicular access to be submitted and provided
8. Details of cycle/motorcycle facilities
9. Vehicle spaces to be laid out before occupation
10. Car parking to be used solely for purpose of approved development
11. Easement required for highway structure
12. No building or obstruction shall be located over or within 7 metres either side of the centre line of the sewer
13. Details of foul and surface water drainage to be provided
14. No piped discharges of surface water until outfall for surface water been provided

15. Details of bat roosting opportunities to be submitted

1.0 INTRODUCTION

- 1.1 A full planning application for a restaurant was submitted to the Council on 2014. The 13 week expiry date was 22nd September 2014 but an extension of time has been agreed to the 7th November 2014.
- 1.2 Members are asked to note the content of this report and accept the officer's recommendation of approval with the conditions listed above.
- 1.3 The application relates to a piece of land which is within is allocated for employment uses within the Unitary Development Plan and the Core Strategy.
- 1.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the need to determine applications in accordance with the development plan unless material considerations indicate otherwise.
- 1.5 The proposal does not accord with the current development plan which comprises the UDP Review (2006) in that the proposal is on land identified for employment purposes so the scheme is a departure. The UDP defines employment uses as being within the 'B' Use Classes which do not include pubs/restaurants. However, the Council has lost previous appeals in relation to non compliance with policy E7, there is adequate supply of employment sites within the area and the proposal will generate employment on the site.
- 1.6 The National Planning Policy Framework is a material consideration and Annex 1 sets out that whilst relevant policies adopted since 2004 may be given full weight depending on their degree of consistency with the NPPF, decision takers may also give weight to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.

2.0 PROPOSAL:

- 2.1 The application is for a new restaurant which of 1176 square metres and 308 covers. The building will be single and two storey with the ground floor being the restaurant and the upper floor being accommodation for staff. This upper accommodation will be a managers flat and two assistants flats with offices, staff room and storage.
- 2.2 The building will be located to the front of the site situated on the corner junction off Harrogate Road and Warren House Lane. There will be a row of disabled car parking spaces to the front of the restaurant and a car park for 100 spaces to the side of the restaurant in the area between the restaurant and the access road to the business estate to the rear.
- 2.3 The proposal will be modern in design constructed from elements of brick, and render. The roof tiles will be concrete grey tiles and the windows will be stained softwood.
- 2.4 The building will be single and two storey as the first floor accommodation does not cover the whole of the ground floor accommodation. The front elevation will be mainly single storey with a two storey gable and a smaller single storey gable at the other end. The walls will be red brick and the gable elements will be rendered. There

will also be horizontal boarding features on the two gables. The side elevation facing towards Warren House Lane would be all two storey

- 2.5 The proposed access will be off an existing mini roundabout that leads off Warren House Lane into the existing business park.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located at the junction of Harrogate Road and Warren House Lane with the corner of the site being on the roundabout which forms the main access into Leeds Bradford Airport. The site forms one of the front vacant pieces of land to the front of an office development. The site slopes down from the roads and then is generally flat. On the opposite side of Warren House Lane is open fields and the main runway for the Airport. To the rear is a new office development and beyond that caravan and car storage. In between the site and the offices is Carlton beck which has been culverted in parts.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 29/249/04/OT – Outline application to layout access and erect 11 business units (B1) and kiosk (A3) approved 1/4/2005

07/00661/RM – Erection of one 3 storey and 2 three storey offices block with parking and landscaping approved 30/4/2007

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Council Officers have met with the applicant a number of times to discuss the application both at pre application stage and during the processing of this planning application. The principle of development was the main area of discussion along with design, access, parking and landscaping.

- 5.2 The developer has submitted a statement of community engagement which sets out the methods they used to inform the community of their proposals which included the following:

- Leaflets announcing the submission of the planning application to local residents
- This leaflet has tear off comments form
- Newsletters were distributed to local businesses in the area to inform them of the scheme
- Letters were sent to local businesses in the area
- Information sent to key stakeholders and meeting requested
- Press release was issued to the local media
- A community information line was established to allow residents and stakeholders to speak directly to the development team

They state that 216 comment slips were returned with 90% in favour of the development

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by site notice posted on site on the 25th June 2014 and an advert was placed in the Yorkshire Evening Post 2 July 2014 with a publicity expiry date was the 31 July 2014. A departure site notice was posted on 23 September 2014 which expired on 17 October 2014.

Councillor Campbell and Councillor Lay have objected to the application for the following reasons:

Councillor Campbell states:

- The proposal introduces a new destination restaurant some considerable distance from the urban area which is unsustainable and contrary to national and local policy
- Development can only have two functions to either take part of the catering trade from airport complex or attract new customers from wider area
- This is unsustainable as the majority of movements will be made by private car along a road network which is substandard
- Staff access plan is limited

Councillor Lay states:

- The development Contravenes Council policy on 'out of town' developments.
- It would also 'set' a precedent for the Ward that I am not prepared to support.
- I have some sympathy for the developers inability to market the current site for offices in the recent and current business environment. I believe however that with the impending 'connectivity' of LBIA moving forward the future of this site will be more marketable and viable for office development.
- A restaurant at this site, whilst 'out of town' will impact on Yeadon's already fragile High St.
- Will encourage locals into their cars and out of the High St.
- Whilst 75 jobs would be welcome at this time, were offices to be built in the future these are likely to create more jobs and provide skilled and better paid salary's than those proposed.
- Traffic movements will be minimal during the traditional 'peak' periods

One letter of objection stating the following;

- Proposal is contrary to policy E18 of the UDP
- Policy E7 is explicit and states that application for uses outside of B use classes will not be permitted on land identified for employment purposes under policies E3 and E4 unless criterion identified in policy E7 can be met. The applicant has failed to provide evidence to demonstrate that sufficient employment land is available therefore it is contrary to policy E7
- Council reached this view that this allocation should not be prejudiced having granted only a temporary 5 year consent recently on a site close by
- The design does not represent a statement or iconic development which is required in this location
- Vista into the site from Harrogate Road would include an uninterrupted view of the car park and beyond the proposed restaurant
- Proposal contrary to policies N13 and GP5 of UDP and design principles of NPPF
- Proposal fails to respect a long term view for the site which is to develop a key business park featuring a prestige frontage along Harrogate Road which will support the long term growth of the airport and surrounding area.

- Five letters of support have been received from the occupiers off the business park to the rear stating
- Will provide more choice to employees in relation to lunch options and after work socially
- Will bring a number of jobs to the area
- Will encourage existing occupiers to remain

7.0 CONSULTATION RESPONSES

Highways

No objections

Travelwise

A contribution of £25,021 is required

Yorkshire Water

Conditional approval

Ecology officer

The ecological survey identified an area of semi improved grassland which may be lost which does provide some local value for wildlife. Suggest there should be a buffer alongside the Beck to ensure that this wildlife is provided for and should include a fence to deter access

Condition also required for opportunities for bat roosting

Landscape officer

Some amendments required to submitted landscaping scheme

8.0 PLANNING POLICIES:

Development Plan

- 8.1 The development plan consists of the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and the adopted Natural Resources and Waste DPD (2013).
- 8.2 The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan

Leeds Unitary Development Plan (UDP) Review:

- 8.3 The site is allocated as a key employment site with the UDP under policy E4, Policy E8, Policy E18 and Policy E19 which state:

Policy E4

Land for employment uses is allocated at the following locations:

1. Harrogate Road/Warren House Lane, Yeadon
(20.9 ha)

Policy E8 states

The following employment sites identified in Policies E3 and E4 are identified as key Employment sites to preserve their availability for the full range of employment uses:

1. Harrogate Rd./Warren House Lane, Yeadon
(E4.1: 12.9 ha)

Policy E18

The following employment sites allocated under Policy E4 are identified as key business park sites, and reserved for B1 use:

1. Harrogate Rd./Warren House Lane, Yeadon
(E4.1: 8 ha)

Policy E19 states

Prestige office development will be promoted on the key business park sites identified under Policy E18. Potential exists on some or all of each site for prestige development, in accordance with the detailed requirements on form and design contained in the area and site Statements in section iii.

Policy E7 is also relevant and it relates to development of sites for non employment uses that are identified for employment land. This states:

8.4 With the exceptions of residential development on land no longer needed for employment use and of ancillary development supporting employment uses on the proposal site, applications for uses outside the B use classes will not be permitted on land identified for employment purposes under policies E3 and E4, and on land or for premises currently or last in employment use, unless all the following criteria can be met:

- (i) the site is not reserved for specific types of employment use under policies E8 and E18;
- (ii) sufficient alternative employment sites exist district wide, readily available in terms of Quality and quantity so as not to prejudice The achievement of the employment land Strategy through policies E1 and E2;
- (iii) within the locality there are sufficient Alternative employment sites available in Terms of quality and quantity so as not to Prejudice opportunities for local Employment uses
- (iv) the proposal would not result in Environmental, amenity or traffic problems.

Therefore, for applications that propose Housing, or mixed uses with a housing component, Criteria (i) to (iv) above will be used to establish the planning need for the site to be retained for Employment use. Where no planning need is established applications will be considered favorably, Subject to compliance with other UDP policies and being acceptable in all other respects.

8.5 The development relates to an out of town use so policy S5 is relevant which states:

Major retail development outside the defined S1 and S2 centres will not normally be permitted unless:

- I. The type of development cannot satisfactorily be accommodated within an Existing S1 or S2 centre (or in the absence of an in-centre site, on a site adjacent and well Related to an S2 centre); and
- ii. It can be demonstrated that by reason of the Scale and type of retailing that the proposal does not undermine the vitality and viability of the city centre or any s2 centre or Prejudice the local provision of essential Daily needs shopping. It will normally be Necessary for the applicant to carry out a Formal study of impact on nearby centres and An assessment of the changes in travel Patterns. Normally conditions will be Imposed or a legal agreement will be required to ensure that the scale and type of Retail development does not change its Composition without the prior consent of the City council; and
- iii. It addresses qualitative and/or quantitative Deficiencies in shopping facilities. In the case Of major food shopping developments the Resultant development may be defined as an S2 centre if it achieves the integration of Appropriate facilities other than shopping to Provide a broad range of town centre Services and functions for residents in the Surrounding area; and
- iv. It is readily accessible to those without Private transport, as well as those with cars, and results in a net reduction in the number And length of car journeys; and
- V. It does not entail the use of land designated For housing or key employment sites, or land Located in the green belt or generally in the Open countryside.

Other relevant policies are:

GP5: General planning considerations.

GP7: Use of planning obligations.

GP11: Sustainable development.

E7:

N12/N13: Urban design principles.

N23/N25: Landscape design and boundary treatment.

BD5: Design considerations for new build.

T2 (b, c, d): Access and accessibility issues.

T5: Consideration of pedestrian and cyclists needs.

T7/T7A: Cycle routes and parking.

T24: Parking guidelines.

Draft Core Strategy

Policy EC3 is applicable which states:

The Employment Land Review identifies the following local sub areas - Inner North East, Inner North West, Inner West, Outer North West and Outer North East where there are currently shortfalls in employment land provision.

Part A: For all sites across the District outside of areas of shortfall

A) Proposals for a change of use on sites which were last used or allocated for employment to other economic development uses including town centre uses or to non-employment uses will only be permitted where:

- (i) The proposal would not result in the loss of a deliverable employment site necessary to meet the employment needs during the plan period ('employment needs' are identified in Spatial Policy 9),

Or

(ii) Existing buildings and land are considered to be non-viable in terms of market attractiveness, business operations, age, condition and/or compatibility with adjacent uses,

Or

(iii) The proposal will deliver a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment site,

And where appropriate,

Part B: For sites in shortfall areas

B) Where a proposal located in an area of shortfall as identified in the most recent Employment Land Review would result in the loss of a general employment allocation or an existing use within the Use Classes B1b, B1c, B2 and B8, non-employment uses will only be permitted where:

The loss of the general employment site or premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area (including outside the areas of shortfall) which are suitable to meeting the employment needs of the area.

Other policies that are relevant include

Spatial policy 1 – Location of development

Spatial policy 2 – Centre first approach supported by sequential and impact assessments

Spatial policy 9 – provision of offices, industrial and warehouse employment land

Policy EC1 – General employment land

Policy EC3 – Safeguarding existing employment land and industrial areas (page 73)

Policy P8 – Sequential and impact assessment for town centre uses (pages 84 and 85)

Policy P10 – Design (page 88)

Policy P12 – Landscape (page 91)

Policy T1 – Transport Management (page 92)

Policy T2 – Accessibility requirements and new development (page 93)

Policy EN2 – Sustainable design and construction (page 104)

Policy EN3 – Low carbon energy (page 106)

Policy EN4 – District heating (page 107)

Policy EN5 – Managing flood risk (page 108)

Policy ID2 – Planning obligations and developer contributions (page 117)

8.7 Supplementary Planning Guidance / Documents:

Supplementary Planning Document: “Street Design Guide”.

Supplementary Planning Document: Public Transport Improvements and Developer Contributions.

Supplementary Planning Document: Travel Plans.

Local Development Framework

8.8 The Inspector’s Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan.

8.9 National Guidance - National Planning Policy Framework

8.10 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. 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.

8.11 It states that the purpose to the planning system is to contribute to the achievement of sustainable development and there are three dimensions to this being an economic, social and environmental role.

9.0 MAIN ISSUES

- Compliance with the Development Plan
- Highway safety and sustainability criteria
- Tree loss/landscaping/ecology
- Design
- Residential amenity
- Section 106 Matters
- Representations

10.0 APPRAISAL

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 state that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the National Planning Policy framework indicates that development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The starting point for any consideration of the development must therefore be the provisions of the LUDPR (2004), in order to assess whether the development is in accordance with the development plan. Other material considerations include the NPPF, the Core Strategy now close to adoption, sustainability, highways, layout/design/trees/landscaping, amenity, other matters and the Section 106 package being offered in this case.

Compliance with the Development Plan

10.2 The site is part of a wider 20.9 ha site allocated for employment purposes under policy E4 of the Unitary Development Plan Review 2006. The overall allocation is

split into 12.9ha allocated under policy E8 as a 'key employment site' and 8ha allocated under Policy E18 as a 'key business park site' reserved for B1 uses. The proposed restaurant would not fit with policy being development outside the 'B' Use classes.

10.3 For a proposal that is allocated as employment land to be used for a different use the proposal needs to comply with policy E7 which has a number of criteria.

(i) The site is not reserved for specific types of employment use under policies E8 and E18

The site is allocated for employment under this proposal so doesn't comply with this element of the policy

(ii) Sufficient alternative employment sites exist district wide

Sufficient land is available district wide

(iii) Within the locality there are sufficient alternative employment sites are available

Sufficient sites are available

(iv) The proposal would not result in environmental, amenity of traffic problems

It does not result in environmental, amenity or traffic problems

The land continues to be identified for proposed employment use under Policy EC1 in the Core Strategy so Policy EC3 of the Core Strategy also carries substantial weight. The Employment Land Review identifies areas of shortfall based on the local need and availability of industrial and warehousing land only. Accordingly, Part A of Policy EC3 applies to applications which propose the loss of land for office uses, which states;

Proposals for a change of use on sites which were last used or allocated for employment to other economic development uses including town centre uses or to non-employment uses will only be permitted where:

(i) The proposal would not result in the loss of a deliverable employment site necessary to meet the employment needs during the plan period ('employment needs' are identified in Spatial Policy 9),

It would not and does comply with this policy

Or

(ii) Existing buildings and land are considered to be non-viable in terms of market attractiveness, business operations, age, condition and/or compatibility with adjacent uses,

A viability assessment has not been undertaken.

Or

(iii) The proposal will deliver a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment site,

The proposal would contribute towards the delivery of a mixed use development as an addition to the existing office uses on the site.

In conclusion the proposal does not comply with the first part of Policy E7 in that it is allocated under Policy E8 and E18. However, this UDP policy was tested in May 2011 on nearby adjoining land comprising the Sentinel off-airport car park operation.

- 10.4 The Council contested this appeal because it considered that the loss of employment land would be contrary to Policy E7 as the car parking is not a B1 use, and the proposal would therefore prejudice local employment uses. The Inspector did find that there was little evidence of any recent significant demand for employment land and noted that the Sentinel use would result in a continuing employment land use now. There has been no evidence of an increase in demand for offices or other employment uses since the 2011 appeal decision and it is therefore considered that this appeal decision is a material consideration of sufficient weight to justify an approval not in accordance with Policy E7.
- 10.5 The site is a lime green employment site in the Site Allocations Plan at Issues and Options stage. The Site Allocations Plan demonstrates that there is a more than adequate supply of employment sites to meet the needs for additional employment land for B1 office development in the Issues and Options documents. For the purposes of UDP Policy E7 and Core Strategy Policy EC3 this means the proposal would not result in the loss of a deliverable employment site necessary to meet the employment needs during the plan.
- 10.6 As well as identifying employment land needed for future growth the Core Strategy identifies the need to encourage local jobs. The NPPF defines 'economic development' as 'development' including those within the B use Classes, public and community uses and main town centre uses and other development which provides employment, generates wealth or produces an economic output. The proposal states that the development would lead to 75 jobs, which is a job density of 1 job per 81 sqm and lower than the density of 1 job per 15 sqm for offices. The proposal would in effect contribute towards the delivery of a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment site.
- 10.7 Finally the use is also a retail use which is outside of Yeadon so the impact on Yeadon Town Centre along with other major developments nearby need to be considered. A sequential test has been submitted which shows that there is not a sequentially preferable site within the area because of the large scale of the proposal. The impact on nearby town centres would be minimal and therefore on retail policy grounds the application is considered acceptable.
- 10.8 In conclusion it is considered that in principle the proposal is considered acceptable.

Highways

- 10.9 The site is accessed off a shared road with an existing business park and it was anticipated that this shared road would have been used for office development.
- 10.10 The proposed restaurant would generate less vehicular traffic than the consented office scheme and no concerns are raised regarding the impact on the capacity of junctions in locality.
- 10.11 In terms of accessibility the site is close to the Airport which offers a number of bus services with a combined frequency of around 6 buses per hour which is considered acceptable. There is also provision of cycle stands for visitors with and secure cycle parking spaces for staff and this provision needs to be secured by condition. A financial contribution is required for Public Transport and Developer Contributions which the applicant is willing to pay through a section 106 agreement.
- 10.12 In terms of parking the number of car parking spaces provided is in line with the UDP guidelines. Overall there is no detrimental impact on the safe and free flow of traffic.

Design

- 10.13 The proposed building is within a prominent position at the junction of Harrogate Road and Warren House Lane plus it is opposite the main roundabout that provides the entrance to the airport. The proposed building is located at the corner of the site having a frontage onto Harrogate Road and Warren House Lane. The building in this location is important as it provides a presence on this corner. The building is a range of single and two storey elements with gables which break up the building and provide some attractive features. There is also a mix of materials which are red brick and render which in design terms adds interest to the elevations and these materials match the office buildings that have been constructed to the rear of the site.

Overall the design in this location is considered acceptable.

Landscaping and ecology

- 10.14 The existing site does not have any significant landscaping and most of the site consists of grass. A landscaping scheme has been submitted and the precise details are being negotiated but it generally allows for landscaping with trees along all three road boundaries which will soften the proposed development and improve its visual amenity. The boundary of the site will be a hedge which will mark the boundary and will appear softer than a harsh boundary treatment such as fencing.
- 10.15 The current grass site does have some ecological merit and this needs to be mitigated within the proposal. There is a piece of land to the rear beyond the proposed road and the existing Beck and this land can be used for mitigation.

Overall the landscaping and ecological proposals are considered acceptable.

Letters of representations

- 10.16 The majority of the issues raised in the letters of representation have been considered above with those issues not addressed referenced below.

Section 106 Package

- 10.17 The Community Infrastructure Levy Regulations 2010 set out legal tests for the imposition of planning obligations. These provide that a planning obligation may only

constitute a reason for granting planning permission for the development if the obligation is -

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development. .

10.18 The proposed obligations referred to in this report have been considered against the legal tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly they can be taken into account in any decision to grant planning permission for the proposals. A section 106 Agreement to address the policy requirements for this application has been submitted and is in the process of being negotiated .

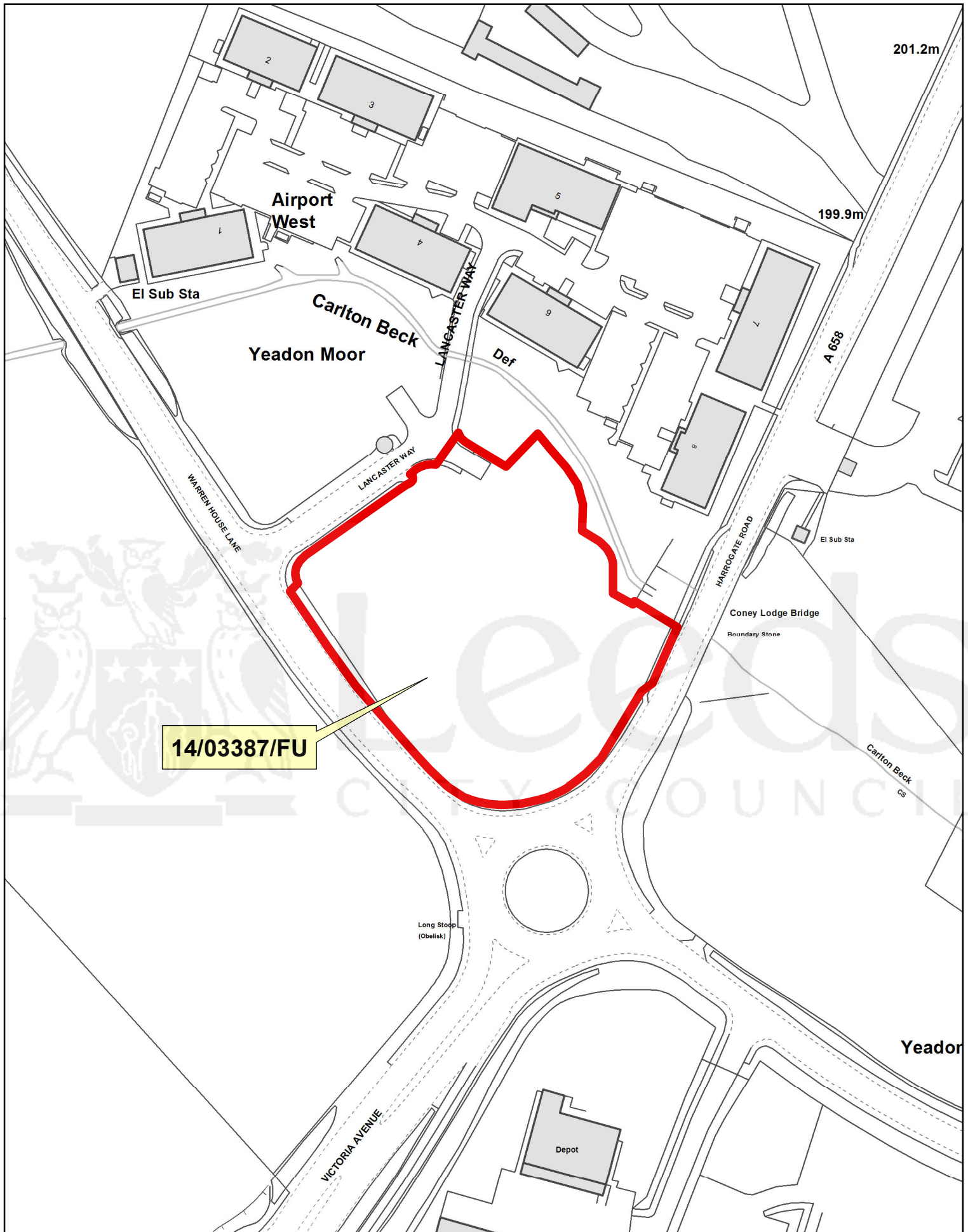
11.0 CONCLUSION

11.1 The proposal involves a restaurant on a site that is allocated for B1 uses in the UDP so is a departure. However, policy E7 which relates to the loss of employment land does not have a good success rate in this area at appeal and there is sufficient employment land available within the area. The NPPF encourages development that create jobs and this proposal will provide more jobs than an employment use on the site so in this instance the scheme in principle is considered acceptable. The design, landscaping, access and car parking are also considered acceptable.

11.2 Overall officers consider that the scheme is considered acceptable and approval is recommended.

Background Papers:

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



SOUTH AND WEST PLANS PANEL





Report of the Chief Planning Officer

South and West Plans Panel

Date: 6TH November 2014

Subject: PLANNING APPLICATION NUMBER 14/04075/RM – Reserved matters application for residential development at Haworth Court, Chapel Lane, Yeadon, Leeds

APPLICANT

Regeneration Programme
City Development

DATE VALID

15 July 2014

TARGET DATE

14 October 2014

Electoral Wards Affected:

Otley & Yeadon

Yes Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Defer and delegate to the Chief Planning officer for approval subject to the conditions on the outline permission and subject to no further representations being received raising new material planning considerations prior to the expiry of the additional publicity period

INTRODUCTION:

- 1.1 A position statement was brought to South and West Plans Panel on the 2nd October for information and this was also subject to a site visit. This planning application relates to a new care home consisting of 45 self-contained flats for extra care for the over 55s. The building took the form of a curved 4 storey building on a sloping site which is within the Yeadon Conservation Area and just outside of the town centre.
- 1.2 Members raised issues regarding the massing and height of the proposal, the external design, proposed materials and car parking. Amendments have been made to the scheme to address these issues and is described below.

2.0 PROPOSAL:

- 2.1 The proposal seeks planning permission for the erection of a 45 flat development for extra care facility for the over 55s. This will consist of 18 one bedroomed flats and 27 two bedroomed flats which are self-contained but there will also be communal facilities.
- 2.2 The proposed building which was seen as a position statement last month was a four stories in height and will took the form of a curved building on the main/upper part of the site with a car park on the adjacent/lower piece of land. On the ground floor there were communal facilities including a lounge/dining area with a kitchen, multipurpose room, assisted bathroom, room for visiting hairdressers, laundry, scooter storage and charging room, office for staff and three one bedroom apartments. On the three floors above there will be 5 one bedroomed and 9 two bedroomed flats. Each floor will have an assisted bathroom and small office/multipurpose rooms. All the flats will be self-contained with their own kitchens and bathrooms.
- 2.3 The main entrance was located on the Chapel Lane side of the building which also accommodated the resident's gardens for the development which is located to the front elevation of the scheme. The car park was for 20 car parking spaces.
- 2.4 The building considered by the Panel at the last meeting was 4 storeys viewed from Chapel Lane and 3 storeys viewed from Silver Lane The materials proposed consisted of buff brick with stone coursing and natural slate. The plinth was be a dark brick and the roof will be grey artificial slate and the windows will be aluminium.

Members at Panel in October raised concerns regarding the height and massing of the proposal and also the materials proposed. Since this time officers have been working with the applicant and Ward Members to overcome the concerns that have been raised and the scheme has now been amended.

The proposal still involves a curved building in the position that was discussed at last panel with the main entrance and garden area on the Chapel Lane side of the building the same as before. The car park is also located in the same position as seen previously and still has 20 car parking spaces.

The main changes to the scheme involve the massing and design of the proposed building along with changes to the proposed materials. The scheme is still 4 storey but there are now 3 stories in the main building and the 4th storey has been accommodated in the proposed roof space where there are dormer windows. The roof has been changed to a dual-pitch. The changes to the design have reduced the overall height of the eaves by approximately 3.7 metres and the overall height to the ridge by 2 metres. The ridge of the roof would now be 2.7 metres higher than the ridge of the existing building on the site which is to be demolished. The elevations have been simplified with regular window openings but there is relief in the building as the stairwells have been highlighted in a different material. The proposed materials now are principally stone with a dark plinth brick and dark brick and glazing for the stairwells.

3.0 SITE AND SURROUNDINGS:

- 3.1 There is a dated and inadequate Sheltered Housing units on the site which are divided into 3 main blocks connected by later extensions or bridge like structures. The structures are partly gabled and partly flat roofs and comprise either red or yellow brick with occasional render infill's and stone. Despite the fact, that they consist of

only two to three storeys in relation to the topography of the site, the scale form and volume forms a strong contrast to the otherwise typical small town environment.

- 3.2 To the north of the site beyond Haworth Lane is a mixture of residential dwellings with private and communal gardens as well as low maintenance amenity spaces and car parking areas. The dwellings originate from different periods and have different style, materials and scales. The mixture of housing types comprises traditional stone terraced housing with 2-3 storeys as well single storey bungalows. A nearby stone terrace and an positive building in the Conservation Area will be affected by the proposals of this site.
- 3.3 To the east of the site beyond Silver Lane is a mixture of residential and commercial buildings, including a surgery with adjacent car park and line of terraced buildings with shop fronts towards High Street. The buildings are set into generally well maintained amenity grass areas and gardens which enhance the appearance of the area. Again, the structures originate from different periods and have between 2-4 storeys. Most of the structures are made of traditional local stone and even more recent structures have adopted the same surface finish. The buildings directly along High Street are included into the current Yeadon Conservation area boundary.
- 3.4 To the south of the site around Town Street are a mixture of residential and retail properties of 2-4 storeys and predominantly constructed of traditional stone. All structures south of the site are currently included in the conservation area boundary.
- 3.5 The west presents itself in a similar manner as the east and the south of the site; a variety of stone buildings partly with shop fronts and partly set into amenity grass land. The converted traditional stone building retains its character and charm and adds to the overall established and historical feeling in the centre of Yeadon. However, the current structures on site block, and dominate the view towards the former institute. Directly adjacent the site boundary on the bottom of Chapel Lane is a former Institute which is a Listed Building now converted into flats.

4.0 RELEVANT PLANNING HISTORY:

The following planning history on the site is considered relevant:-

Full planning permission granted in August 2014 for demolition of the existing former sheltered housing complex under reference number 14/03824/FU

Outline planning permission was granted in August 2010 for a new extra care home and this application was considered by West Plans Panel on 12th August 2010 under reference number 10/02227/LA

Planning permission was granted in October 2008 for a two single storey entrance porch extensions, new windows to residents lounge and part new pitched roof extension to the sheltered housing complex, under reference 08/03771/FU; and

Planning permission was granted in October 2001 for a disabled access ramp to the sheltered housing complex, under reference 28/189/01/FU.

There is no other relevant planning history for the site.

5.1 HISTORY OF NEGOTIATIONS:

- 5.1 Officers have been in discussions with the applicant regarding a proposed scheme since January 2014. Important to these negotiations have been the needs of the proposed occupiers with the internal design being laid out in such a way to not appear as an institutional building and provide an attractive place to live.
- 5.2 Since last Panel there has been a number of meetings held between officers and the applicant including the Ward Members to discuss amendments to the scheme which are in front of you today

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The original scheme was publicised by Site Notices and an advert has also been placed in the press. The following comments were received in relation to the original proposal

Councillor Campbell has the following comments in relation to the proposal

In principle I would support this type of development in this location but I have some concerns about the details of the proposal.

1. The size and massing of the building is considerably larger than the existing and as a substantial building will dominate both the surrounding conservation area and the wider area of Yeadon.
2. As a large building in a prominent position it will command views across the whole of the Yeadon / Guiseley area and be a prominent feature across the area.
3. The materials seem alien to the conservation area.
4. The design presents a large unbroken frontage onto Silver Lane with a substantial face onto Haworth Lane (given its location this will be visible from a considerable distance).
5. The through route from Chapel Lane up to the centre of Yeadon is not shown as being protected and there are no details of the form it will take.
6. The car parking area seems to have been added as an afterthought and missed of the artist's impressions altogether.
7. The building turns its back on the town centre.
8. The pick up and drop of point seems too small for an ambulance to turn in and there would seem to be a conflict with the door.
9. The garden area to the front is unclear along with scooter parking and a route both to the car park and the centre of Yeadon.
10. There is a reference to improvements to the area but this seems to comprise a series of photos of the existing.

Leeds Civic Trust objects stating that they are supportive of the proposed use, however, we note that the building is in the Yeadon Conservation Area and occupies an extremely prominent position on a steep slope. The building this is to replace was considerably lower, far less prominent, and much of it occupied lower parts of the site. We consider the proposed building to be over-dominant and suggest that it be 'stepped down' the slope. Buildings in the Yeadon Conservation Area are built of stone and we do not consider brick an appropriate substitute for stone for this project in this Conservation

Aireborough Civic Society has objected to the scheme on the following grounds: Although the use for this new building is positive, Aireborough Civic Society objects to this application. We consider that the proposed new building is far too big and 'solid' for this position in the Yeadon Conservation Area. It will dominate the former Chapel It is only a few hundred yards from Yeadon Town Hall and should be constructed of

stone, so that it is in keeping with and enhances the conservation area. Buff and dark brick are not suitable.

We consider the recently constructed Yeadon Health Centre would be far less attractive if it were constructed of the bricks proposed in this application. It will therefore have a negative impact on the Conservation Area.

The existing building is far more 'spread out' and therefore does not 'stand out' in the way that this building would. The new building should have similar impact.

The revised scheme has been re-advertised and any further responses received will be reported at the meeting

Ward Members have been involved in the discussions regarding the re-design of the building and their views will also be reported at the meeting

7.0 CONSULTATION RESPONSES:

7.1 The consultation phase of the original scheme expires on the 22 August 2014. The following consultations responses have been received.

Statutory Consultees

Environment agency

No comments

Non Statutory Consultee

Highways

Revised plans and additional information required to cover

- Proposed off site highways works
- Amendments to internal layout
- Further information in relation to staff to access level of parking

Yorkshire water

Conditional approval

Flood risk management

Conditional approval

Consultation responses in relation to the revised scheme include:

8.0 PLANNING POLICIES:

Development Plan:

8.1 The development plan consists of the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and the adopted Natural Resources and Waste DPD (2013).

The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17

September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan

8.2 The site is unallocated within the UDP and the Core Strategy but is within the Yeadon Conservation Area and just outside of the Yeadon Town Centre policies which are relevant within the UDP are as follows:

SG2: To maintain and enhance the character of Leeds

SP3: New development will be concentrated largely within or adjoining main urban areas and settlements well served by public transport

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

H4: Residential development.

H11-H13: Affordable Housing.

N2: Greenspace

N4: Greenspace

N12: Relates to urban design and layout.

N13: New buildings should be of a high quality design and have regard to the character and appearance of their surroundings.

N19: New buildings within or adjacent to Conservation areas should preserve or enhance the character or appearance

N23: Relates to incidental open space around new developments.

N25: Seeks to ensure boundary treatment around sites is designed in a positive manner.

N26: Relates to landscaping around new development.

N37A: Development within the countryside should have regard to the existing landscape character.

N38B: Relates to requirements for Flood Risk Assessments.

N39A: Relates to sustainable drainage systems.

N51: New development should wherever possible enhance existing wildlife habitats.

T2: Development should not create new, or exacerbate existing, highway problems.

T2B: Significant travel demand applications must be accompanied by Transport assessment

T2C: Requires major schemes to be accompanied by a Travel Plan.

T2D: Relates to developer contributions towards public transport accessibility.

T5: Relates to pedestrian and cycle provision.

T24: Parking guidelines.

BD2: The design of new buildings should enhance views, vistas and skylines.

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

LD1: Relates to detailed guidance on landscape schemes.

8.3 Policies within the Core Strategy that are relevant are as follows:

Policy H8 – Housing for independent living (page 68)

Policy P2 – Acceptable uses in and on the edge of Town Centres (page 78)

Policy P10 – Design (page 88)

Policy P11 – Conservation (page 90)

Policy P12 – Landscape (page 91)

Supplementary Planning Guidance:

- 8.4 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.
- Neighbourhoods for Living.
 - Designing for Community Safety.
 - Travel Plans
 - Public Transport Improvements and Developer Contributions
 - Yeadon Conservation Area Appraisal

National planning policy

- 8.5 National Planning Policy Framework: Paragraphs 56 and 57 refer to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development.
- 8.6 Paragraph 65 states LPA's should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
- 8.7 Paragraph 66 states Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
- 8.9 Paragraph 131 states in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.

9.0 MAIN ISSUES:

- Principle of the development
- Design, scale and impact on the setting of Yeadon Conservation Area
- Impact on neighbours
- Highways Issues
- Other Issues including need for the occupiers

10.0 APPRAISAL:

Principle of the development

- 10.1 Outline planning permission has already been granted on the site for a new extra care home and this application is the reserved matters application related to this outline permission which is still valid. For these reasons the principle of development on the site is considered acceptable.

Design, scale and impact on the setting of Yeadon Conservation Area.

- 10.2 The site is located in a prominent position in Yeadon Conservation Area and is just outside of Yeadon Town Centre. The site is surrounded by highways on all four sides and it also has a footpath that runs through the site and provides a useful link to the Town Centre.
- 10.3 The new building forms a curve on the upper part of the site and is located away from the road frontages. However, the current building on the site is located away from the road boundaries with grass and landscaping on the land surrounding. The three storey element of the existing building is located on the lowest part of the site and this is to be replaced with the car park and landscaped areas. This opens up the site in this area.
- 10.5 The proposed building, although substantial, has been reduced in scale relative to the scheme considered by the Panel at the last meeting. It will appear as 2 storey plus the rooms in the roof viewed from Silver Lane and 3 storey plus the rooms in the roof as viewed from Chapel Lane. Although 2.7m higher to the ridge overall than the current building, it is considered that the set-back of the principal elevations from the street frontages and the much improved design and materials will help the building to assimilate successfully into the street scene.
- 10.7 The design of the existing building is far from ideal having flat roofed sections and this building currently has no positive impact on the Conservation Area and its removal is likely to enhance the Conservation Area. The proposed building will be constructed from natural stone and natural slate which in terms of materials are an improvement on the existing building especially in relation to the conservation area. Whilst the building is large in terms of scale historically the mills in the area would have been large buildings set in their own grounds similar to this application. There are also large buildings set in their own grounds which have been constructed in recent years. It is concluded that the revised design represents an acceptable design for the site which will serve to enhance the character of the Yeadon Conservation Area.

Impact on residential amenity.

- 10.8 There are existing residential properties on Haworth Lane and Chapel Lane and the impact on these properties need to be taken into account. On Haworth Court there are bungalows located at the opposite side of the road from the application site. The side gables of these bungalows face towards the site and there are no windows within these elevations. However, there are front and rear gardens with the side boundary of the gardens facing towards the proposed building. At the moment the views from these gardens is towards the side elevation of a two storey building which is even lower in height due to it having a flat roof. The proposed building will be three stories in this location plus the roof. The current distance between the

building and the bungalow garden is 25 metres and this will be reduced to 23 metres. There are windows overlooking these gardens from the proposal but these gardens are currently overlooked by the existing building and from all surrounding gardens and houses as the boundary treatment is low and open.

- 10.9 In terms of properties on Chapel Lane the front of the chapel which has been converted to residential has windows to the front which are obscured glazed so impact in terms of overlooking and overshadowing/overdominance is limited.
- 10.10 There are four terraced houses beyond Chapel Lane on Old Haworth Lane and these are at a lower level to Chapel Lane. There is a distance of 39 to 46 metres from the side elevation of the new building and the front of these properties which is adequate taking on board the number of floors to the building and the changes in levels. Any loss of sunlight would be early in the morning and is unlikely to be any greater than the existing loss of sunlight.

Highways Issues

- 10.11 The current building has 45 care flats and there are xxx car parking spaces. The scheme has 45 care units with 20 car parking spaces proposed. The proposed residents require a low amount of parking as they tend not be able to drive due to their disabilities so parking is generally required for staff and visitors only. Highway officers have requested further information in relation to the operation of the proposal to establish if the 20 car parking spaces are adequate for the proposed use.

The need for the occupiers

- 10.12 The needs of the proposed residents have been an important consideration in relation to the design of the building and also the financial implications have also been important. The building is currently 45 units and there is a need for a replacement with 45 units, fewer than 45 and the scheme would become financially unviable. The proposed residential units have carefully been designed and are generally larger than the units that are replaced. The increase in size and the fact the building covers less of the site have resulted in the building having to be four storey. The internal design has also been important with the requirement to avoid long institutional corridors and create a pleasant place to live. This has led to the curved shaped of the building on the site. There is also a need for the provision of usable external amenity space for residents which is provided to the front of the building in an accessible place for wheelchairs.

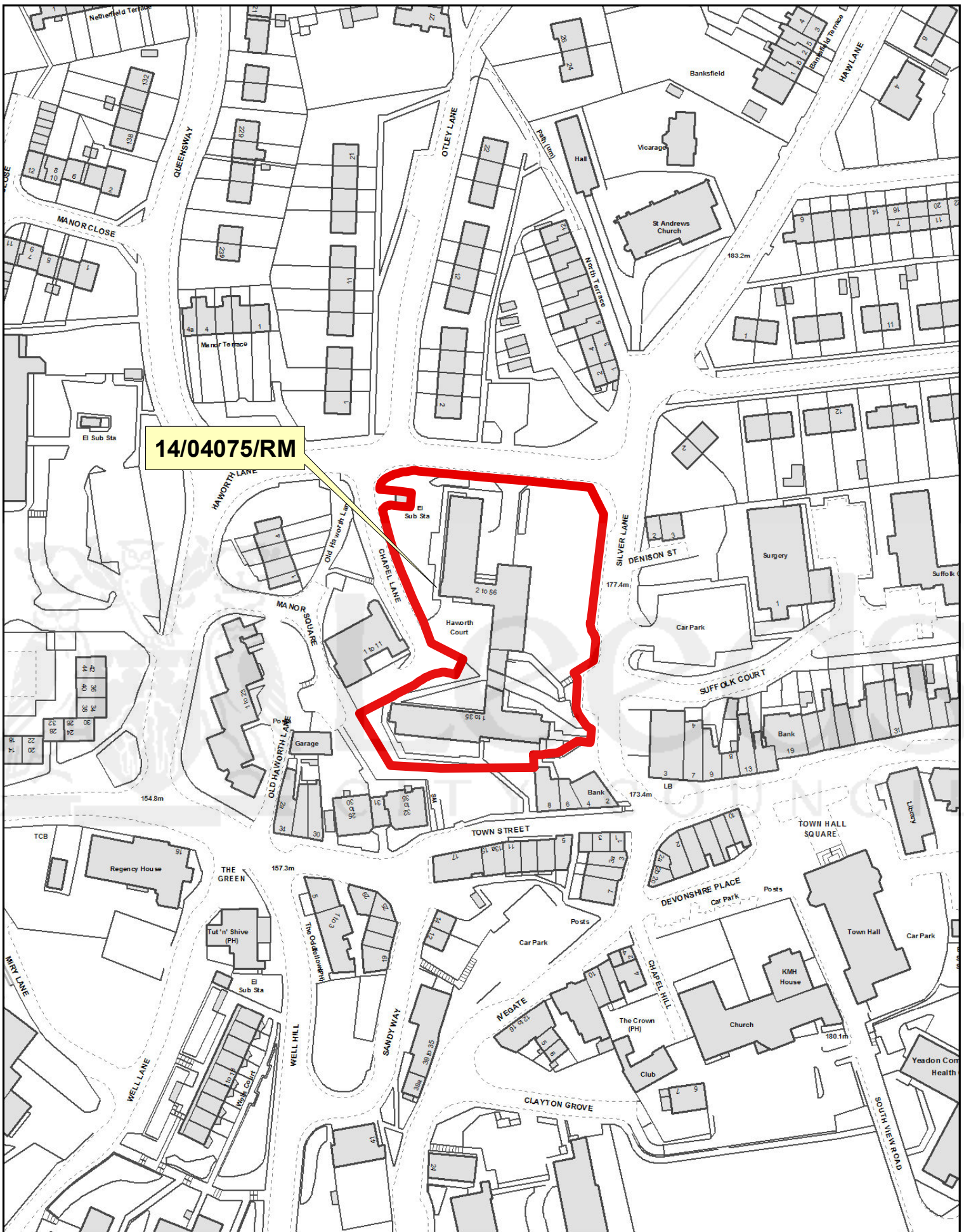
11.0 CONCLUSION:

- 11.1 The current building has little merit in relation to the design and has no significance in terms of the Conservation Area. The proposal is for a building whose scale and massing is greater than what is currently on the site and in the immediate area. At the time of considering the outline permission it was suggested that the replacement building would be 4 storeys and there are larger buildings within the wider area. It is considered that the revisions to the scheme and in particular the incorporation of the fourth floor in the roof of the building have resulted in a building which will serve to

enhance the character of the Yeadon Conservation Area and the provision of much needed accommodation.

Background Papers:

Application and history files.



SOUTH AND WEST PLANS PANEL



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