



SOUTH AND WEST PLANS PANEL

Meeting to be held in the Civic Hall, Leeds on
Thursday, 21st April, 2016
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	J Bentley	A Castle	R Finnigan
M Coulson		R Wood	
C Gruen (Chair)			
J Heselwood			
E Nash			
A Smart			
C Towler			

**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>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	

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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 - 17 MARCH 2016</p> <p>To confirm as a correct record, the minutes of the meeting held on 17 March 2016</p>	3 - 8
7	Kirkstall		<p>APPLICATION 15/04158/FU - GARAGE SITE ADJACENT TO 11 ST ANN'S LANE, BURLEY, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the demolition of garages and erection of attached pair of semi-detached dwellings with associated amenity space.</p>	9 - 22
8	Morley North		<p>APPLICATION 15/07679/FU - EASTERGATE, ELLAND ROAD, CHURWELL, MORLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the demolition of existing house and the erection of two dwellings.</p>	23 - 32

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9	Ardsley and Robin Hood		<p>APPLICATION 16/00184/FU - 37 WOOLLIN CRESCENT, TINGLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for dormer windows to front and rear and new window opening to first floor side.</p>	33 - 40
10	Otley and Yeadon		<p>APPLICATION 15/07342/FU - SPRINGFIELD HOUSE, WHITEHOUSE LANE, YEADON</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a three storey extension with mezzanine floor and basement.</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. 	41 - 50

Legal & Democratic Services

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Contact: Andy Booth
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Your reference:
Our reference: ppw/sitevisit/

To:

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

Dear Councillor

SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY, 21 APRIL 2016

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

- 1 9:50 am **Application 15/07679/FU** Demolition of existing property and erection of two houses at Eastergate, Elland Road, Churwell (**Morley North Ward**)
- 2 10:30 am **Application 15/07342/FU** Three storey extension to Springfield House, Whitehouse Lane, Yeadon (**Otley & Yeadon Ward**)
- 3 11:15 am **Application 15/04158/FU** Demolition of Garages and erection of pair of semi-detached houses on garage site adjacent to 11 St Ann's Lane, Burley (**Kirkstall Ward**)

Return to Civic Hall at 12.00 pm approximately

A minibus will leave the Civic Hall at 9:35 am prompt. Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 9.30 am

Yours sincerely

Andy Booth
Governance Officer

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SOUTH AND WEST PLANS PANEL

THURSDAY, 17TH MARCH, 2016

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley, A Castle,
M Coulson, R Finnigan, M Harland,
J Heselwood, E Nash and R Wood

94 Exempt Information - Possible Exclusion of the Press and Public

Members were advised that an appendix to Agenda Item 10, Application 15/04285/FU – Billing Dam, Billing View, Rawdon, Leeds contained information relating to financial matters and was considered to be exempt under Access to Information Procedure Rule 10.4 (3)

95 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

Councillor Nash informed the meeting that she was known to the applicant of Agenda Item 9, Application 15/07550/FU – Church View, Arthington Lane, Leeds.

96 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors A Smart and C Towler.

Councillor M Harland was in attendance as a substitute Member.

97 Minutes - 18 February 2016

RESOLVED – That the minutes of the meeting held on 18 February 2016 be confirmed as a correct record.

98 Application 15/05383/FU - Land adjacent to 3 Coronation Street, Carlton

The report of the Chief Planning Officer presented an application for two semi-detached houses with associated works on land adjacent to 3 Coronation Street, Carlton.

The application had been deferred at the previous meeting of the South and West Plans Panel and Members had visited the site beforehand on that day. 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:

- Proximity of the proposals to neighbouring properties and the local primary school.
- Access arrangements to the proposed properties and the school.
- Proposed parking arrangements – each new property would have two parking spaces.
- Existing hedges and trees would be retained and there would be new hedging to boundaries.
- There had been some concern from local residents regarding overshadowing and sun path and shadow analysis had been provided.
- Further concerns to the application including accessibility, existing problems due to school traffic and the loss of open space.
- A highways assessment had been carried out and there had not been any objections from Highways.
- It was felt that the proposals were in keeping with the village and surrounding area and it was recommended that the application be approved.

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

- There were no parking restrictions on New Road – it was reported that parking was prevented due to the location of the bus stop and there would be a preferable situation following development with allocated spaces for the new properties and for an existing property.
- There would be a slight increase in overshadowing of existing dwellings but was not felt enough to cause any significant harm.
- Concern was expressed regarding proposed properties having front doors that were located next to each other and the potential impact on privacy.

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

99 Application 16/00513/FU - 37 Kirkwood Way, Cookridge, LS16 7EU

The report of the Chief Planning Officer presented an application for a single storey front extension at 37 Kirkwood Way, Cookridge, Leeds.

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

Further issues highlighted in the report included the following:

- The application was brought to the Panel as it was made by a Leeds City Councillor.
- The application was for a modest extension to the front of the property of a similar design of the rest of the property.

- Materials would match existing materials used.
- The application was recommended for approval.

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

100 Application 15/07550/FU - Church View, Arthington Lane, LS21 1PJ

The report of the Chief Planning Officer presented an application for the demolition of an existing dwelling, associated alterations to Jasmine Cottage and erection of replacement dwelling with access and landscaping at Church View, Arthington Lane, Arthington, Otley.

Members attended the site prior to the meeting. 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 site fell within the greenbelt and was also part of a special landscape area.
- It was proposed to demolish the existing Church View property, which adjoined Jasmine Cottage, and replace it with a detached dwelling approximately 30 metres into the site.
- There had been letters of support from existing residents of the properties and a local Ward Councillor.
- It was recommended that the application be refused. Reasons for refusal included harm to the greenbelt and development in the curtilage of the Grade II listed Arthington Hall.

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

- The proposals did not fall within the parkland curtilage of Arthington Hall.
- There was no long term solution for the existing Church View property – the occupants of the property suffered from excessive levels of vibration and noise and air pollution due to the close proximity of the road. The stone on the roadside wall was also starting to deteriorate due to water and salt damage.
- Roadside drainage was not efficient and this caused further problems with water damage to the Church View building.

Further to Members comments and questions, the following was discussed:

- The building proposed to be demolished was not listed but considered to be within the curtilage of the Grade II listed Arthington Hall.
- Concern that the proposed dwelling would be out of character in open parkland and dominate the greenspace.

- It was felt that Jasmine Cottage could be improved with the demolition of Cliff View.

RESOLVED – That the application be refused as per the officer recommendation and reasons outlined in the report.

(Councillor E Nash left the room during the discussion and voting on this item)

101 Application 15/04285/FU - Billing Dam, Billing View, Rawdon, Leeds, LS19 6PR

The report of the Chief Planning Officer presented an application for the erection of a dwelling with angling facility, car parking and retaining wall at Billing Dam Fishery, Billing Dam, Billing View, Rawdon, Leeds.

The application had been deferred at the meeting of the South and West Plans Panel held in October 2015 to allow the applicant to submit further information to substantiate the special circumstances for development on the greenbelt.

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:

- There was concern as to whether the proposed business was viable. There would be high start-up costs and running costs and there was a lack of evidence to demonstrate the viability of the proposals.
- It was recommended to refuse the applications. Reasons for this included intrusion on the greenbelt, loss of open space and no demonstration of special circumstances for development on the greenbelt.
- The applicant had requested that the application be deferred to allow further information to be submitted.

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

- The financial assessment made was based in a mortgage requirement when there was no need for a mortgage for the proposals.
- The issue of developing on the greenbelt was significantly different due to the development purpose of sport and recreation and the requirement to make the business viable.
- The applicant would accept a temporary permission to demonstrate the viability of the proposals.

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

- The design of the proposed dwelling and facility appeared to be acceptable and it was asked if they could be sited elsewhere. The applicant's representative reported that the location proposed was felt to be the best option and a local Ward Councillor had also been in agreement with this.
- Extensive surveys had been carried out for potential users of the site and facilities. Interest had been shown by schools although it had not been possible to get any firm commitment pending approval of the planning application.
- Members were asked to consider whether they felt that enough further information could be submitted to allow a further deferral before a decision could be made.

RESOLVED – That the application be deferred to afford the applicant further opportunity to provide additional viability information.

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Originator:	Richard Edwards
Tel:	0113 39 52107

Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 21st April 2016

Subject: **PLANNING APPLICATION 15/04158/FU – Demolition of garages and erection of attached pair of semi-detached houses with associated amenity space**

at: **11 St. Ann's Lane, Burley, Leeds, LS4 2SE**

APPLICANT	DATE VALID	TARGET DATE
Mr Amar Latif (Traveleyes Ltd.)	27 th July 2015	21 st September 2015

Electoral Wards Affected:

Kirkstall

Y

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT planning permission, subject to the following conditions:

1. 3 year time limit for implementation.
2. Development completed in accordance with approved plans.
3. Standard contamination conditions.
4. Laying out of area used by vehicles prior to occupation.
5. Details of footway crossing.
6. Use of porous surfacing materials.
7. Provision of motor/cycle parking prior to use.
8. Provision of bin store prior to use.
9. No insertion of windows to specified elevations.
10. Use of obscured glazing / fixed / limited opening windows where specified.
11. Landscaping scheme to include replacement tree planting.
12. Details of all fences, walls, boundary treatments.

13. No construction of specified buildings (remove PD rights).
14. Samples of external walling, roofing, surfacing materials for inspection / to match existing.

1.0 INTRODUCTION

- 1.1 This amended application for the construction of two semi-detached, two-bedroom houses with parking and amenity space on the site of a garage block and former builder's yard is considered acceptable in terms of its principle and its impact on highway safety and residential and visual amenity. It is brought before the South and West Plans Panel at the request of the Kirkstall Ward Members and due to the high level of interest from members of the public and local residents.

2.0 PROPOSAL

- 2.1 Permission is sought for the demolition of the existing block of five prefabricated, flat-roofed garages and clearance of the hard-surfaced former builder's yard to the rear, and their replacement with a pair of part two-storey, part three-storey semi-detached houses. Following negotiated amendments to the scheme, each dwelling will include two bedrooms (originally 2x3 bedroomed dwellings), be constructed of natural stone under a pitched slate roof, and include an area of private amenity space.
- 2.2 The new development will be attached to the eastern gable end of the existing Victorian building known as 'The Coach House' (No. 11, St. Ann's Lane). The development will continue the eaves and ridge line of the older structure, and lie level with the front and rear walls of it. Due to a change in levels of approximately 1.6m between the finished floor level of No. 11 and the hard surfaced yard, the proposed dwellings will comprise 2.5 storeys (reducing to 1.5 storeys to the northern 4.4m section of the building).
- 2.3 The building will continue the line of the existing property for approximately 4m before turning to the north at a 55° angle. It will then continue on this 'dog-leg' plan form until parallel with the highway at St. Ann's Drive. Following revisions to the scheme, the northern elevation will be set back by approximately 3.5m from the rear edge of the footway, allowing the provision of a defensible garden area. This section of the dwelling will also be set down by approximately 2m from the ridge and eaves of the western section and from the Coach House, as part of a negotiated reduction to ameliorate the impact on Nos. 7 and 9 St. Ann's Lane to the west.
- 2.4 The houses, which are referred to as Units 3 and 4 (due to the earlier determination under part 'O' of the General Permitted Development Order) to convert the original Coach House buildings to two residential units) have been laid out to comprise an entrance hall with stairs leading onto an open-plan living area with kitchen. Upstairs there will be two bedrooms and a house bathroom. Each house will have access to a small, enclosed garden area (in the case of Unit 3, this will include a raised decked area and a front garden) via a bank of folding glazed doors. Each property will also benefit from a refuse area and cycle store.
- 2.5 Pedestrian access to the properties will be via St. Anne's Drive. In the case of Unit 4, this will be via part of the existing driveway to the eastern side of the site, which will be gated and retained to provide a route to the four spaces retained as part of the conversion of the Coach House building. Two parking spaces for this dwelling will also

be provided to the western side of the driveway. For Unit 3, two further parking spaces will be laid out to the northern corner of the site, in the location of the existing garages.

- 2.6 Externally, the building has been carefully designed to avoid direct overlooking of neighbouring properties from the side windows. Main windows, including the ground floor bi-folding doors, have been positioned to be angled away from the boundaries or are at a lower level than the surrounding properties due to the topography of the site. Where main or secondary ground floor windows exist, these are screened by existing boundary treatment in the form of 1.8m timber fences. The first floor rooms are served by Velux roof lights, whilst the western elevation is entirely devoid of windows above the ground floor level. To the eastern side, only an obscured glazed bathroom window faces the houses of St. Anne's Green. Otherwise, the windows have generally been restricted to the northern and southern elevations, which overlook the highway and the parking area for Units 1 & 2 respectively.
- 2.7 A large sycamore tree and a cherry tree were removed from land adjacent to the site entrance in November 2014, and this has been the source of many local objections (see section 6 'Public / Local Response'). A landscaping plan shows a replacement tree in this location, in addition to soft landscaping elsewhere on the site.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application refers to a parcel of land located between St. Ann's Lane and St. Anne's Drive in Burley. The site is occupied by a number of currently disused buildings, with the remainder hard-surfaced. To the western side, fronting onto St. Ann's Lane, is a Victorian stone building 'The Coach House'. This comprises Nos. 11-13 St Ann's Lane and to the western elevation is a relatively plain, single-storey structure dominated by its large slate roof. However, the eastern side and the southern return of this L-shaped building are much more ornate, including a stone carriage arch to the former and a two-storey projecting gable feature with clock and loft access doors to the latter. Detailing to this elevation includes sawn stone heads, cills, plinth and corbels.
- 3.2 The crook of the 'L' encloses a yard area finished partly in stone setts and partly in crazy paving. This is bounded by a 1.0m stone retaining wall and is itself set approximately 1.0m above the remainder of the site, which is surfaced in tarmac. The garage block, which comprises a row of five precast panel units roofed in corrugated asbestos, occupies the northern part of the site and is set back from St. Anne's Drive by approximately 5m. This and the adjacent access (via double gates to the lower yard) are also hard surfaced in asphalt. An area to the north-west of the garages is overgrown, suggesting an extended period of disuse. A triangular piece of land to the north-east, adjacent to the access, was previously occupied by the large sycamore tree mentioned in many of the local objections, and its stump remains visible.
- 3.3 There are a number of other residential properties in close proximity to the site. Laurel Cottage (No. 17 St Ann's Lane) is attached to the southern end of the Coach House premises; it is a two-storey stone dwelling which has been extended by way of a large uPVC conservatory to the rear and which has a garden and driveway that abut the southern end of the former builder's yard (also at a higher level). St. Anne's Green is a residential cul-de-sac of inter-war terraced houses. Nos. 2-16 St. Ann's Green back onto the site, separated from it by a variety of 1.8m timber board and lap panel fences, and have relatively short rear gardens of approximately 5-6m.

- 3.4 The prominent junction of St. Anne's Drive and St. Anne's Lane is dominated by Nos 5 and 7, a pair of large semi-detached Victorian houses (No. 5 has a date stone reading '1886' to the eastern elevation. This property is the more ornate of the two, with an elaborate Tudor Revival frontage with half-timbered gable feature and the original leaded timber windows. It has an extensive front and side garden bounded by a timber picket fence and dominated by a large mature beech tree to the northern corner. No. 9 has a smaller bay window and has been extended to the rear with a single storey sun room, retaining a small yard to the rear.
- 3.5 The building is located in the St. Ann's area of Burley, close to the border with Kirkstall. The southern part of St. Ann's Lane is dominated by large stone Victorian villas, whilst the remainder of the surrounding streets are largely comprised of inter-war suburban infill – the standard, traditional semi-detached hipped roofed property with bay windows and side driveways. A range of materials is used in these properties, including red brick and painted render wall finishes and natural slate, concrete double roman and red rosemary roofing tiles. However, the cluster of buildings around the road junction are older and formed exclusively from coursed natural stone. The site is not in a Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Pre-application advice was sought in April 2015 under reference PREAPP/15/00258; this involved the erection of a pair of semi-detached houses on the St. Anne's Drive frontage and is discussed below under section 5.1.
- 4.2 A Permitted Development determination application for the conversion of the first floor offices of the Coach House to two flats was approved on 2nd September 2015, under application reference 15/04202/DPD.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 As noted above, an application for pre-application advice was submitted in April 2015. This suggested a pair of traditional semi-detached properties close to the street frontage of St. Anne's Drive, and conversion of the former Coach House into flats and an office (which in the event was carried out under Part 'O' of the General Permitted Development Order). Concerns were raised relating to the plain appearance of the houses and the lack of amenity space. A less intensive, more contemporary solution was suggested, resulting in submission of the original proposal.
- 5.2 The scheme as initially submitted comprised a full two-storey building with further accommodation in the roof space, set within 2.0m of the highway frontage on St. Ann's Lane and including a full-height lightwell through the northern part of Unit 3. In response to concerns regarding overshadowing / overdominance and the impact on the streetscene, the developer agreed to move the gable wall back to correspond with the building line of other properties on St. Anne's Drive, and to 'step-down' the northern part of the building from 2.5 to 1.5 stories, giving a reduction of 2.0m in eaves and ridge height to this part. The internal lightwell has been removed and the interior reconfigured in order to make best use of the space, and minor amendments made to the parking and external layouts in response to comments from the Highways Officer.

6.0 PUBLIC/ LOCAL RESPONSE:

- 6.1 A general site notice was posted on 14th August 2015. Following concerns raised by local residents and Members at a site meeting (again on 14th August), and a large number of representations from local residents, the application has been brought before the South and West Plans Panel for determination.
- 6.2 Twenty-seven letters of objection have been received in response to the initial publicity given to the application, including representations from all three Ward Members. A second round of publicity was undertaken on 29th February 2016, whereby Members and objectors to the original scheme were given the opportunity to comment on the revisions outlined above.
- 6.3 Three further objections were received, including one from Councillor Fiona Venner stating that the revisions did not fully address the concerns of Members and residents, and a further comment from Councillor Illingworth which raises concerns regarding the loss of the tree and the quality of the evidence on which this was based. Both Members repeat the original request that the application be determined at Panel.
- 6.3 The main points raised are summarised in the 'Representations' section of the Appraisal.

7.0 CONSULTATION RESPONSES:

Highways: Initial concerns relating to driveway dimensions and levels of parking have been resolved following the submission of revised plans under which eight spaces have been provided (two each for the proposed dwellings, two for the conversion of No. 11 to flats, and two for the Traveleyes office in the same building). Conditions relating to the footway crossing, provision of bin and cycle storage and laying out of the parking areas have been suggested.

Mains Drainage: Infiltration drainage should be used where possible, in conjunction with water butts to attenuate surface water runoff from proposed new roof area. Porous material should be specified for hard surfaced areas (pedestrian and vehicular accesses). However, given the scale of the scheme, drainage matters can be dealt with by the Building Inspector.

Contaminated Land Team: The site has mainly been used for residential and ancillary uses since the 19th Century, although since the 1960s there has been vehicle storage / garaging and the possibility of an abandoned below-ground fuel storage tank which was infilled with concrete on decommissioning. Whilst the proposed residential use with gardens is sensitive, most of the pertinent points have been covered within the Desktop Study, which recommends further site investigation works. As such, Minerals recommend the submission of these reports, statements and studies be covered by standard conditions.

Design Officer (informal discussions): Whilst the height and massing of the building creates some concerns over amenity, the overall design including the footprint and detailing represent an innovative response to a constrained site.

8.0 PLANNING POLICIES:

The Development Plan for Leeds comprises the adopted Core Strategy (2014), saved policies from the Leeds UDP (Review 2006) and the Natural Resources and Waste DPD (2013)

Relevant policies in the Core Strategy are as follows:

- Policy H2 refers to all housing developments on non-allocated sites, stating that these will generally be acceptable in principle provided that other material considerations such as ensuring that transport and health infrastructure have sufficient capacity are met.
- Policy T2: New development should be located in accessible locations and served by existing or programmed highways improvements, public transport and infrastructure for pedestrians, cyclists and disabled people.
- Policy EC3 refers to the safeguarding of sites currently or last used for employment purposes, the development of which will only be permitted if the proposal would not result in the loss of a deliverable employment site or the existing buildings / land are considered non-viable for employment use.
- Policy P10: New development will be expected to provide high standards of design appropriate to its scale, location and function and taking into consideration local context, car parking and the prevention of crime.

The most relevant saved Policies from the Leeds Unitary Development Plan are listed below: -

- UDP policy GP5 seeks to ensure all detailed planning considerations are resolved as part of the application process including the protection of local residents amenities.
- UDP policy BD6 seeks to ensure that all extensions and alterations to existing buildings respect the materials and design of the existing building and its context.

Relevant Supplementary Guidance:

- Supplementary Planning Documents provides a more detailed explanation of how strategic policies of the Unitary Development Plan and Core Strategy can be practically implemented. The following SPDs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.
 - Development of Self Contained Flats
 - Neighbourhoods for Living

Government Planning Policy Guidance/Statements:

In addition to the Development Plan documents, the Coalition Government's National Planning Policy Framework replaced more than 40 Planning Policy Statements and Guidance Notes in March 2012. Chapter 6 (housing) is of particular relevance.

9.0 MAIN ISSUES:

9.1 The main issues for consideration are thus:

1. Principle of development
2. Design and visual amenity
3. Residential amenity considerations
4. Parking and Highways
5. Other Considerations
6. Representations

10.0 APPRAISAL

Principle of Development

- 10.1 The application site is located in the main urban area, within a predominantly suburban, residential context. It is unallocated on the Site Allocations Plan, and can therefore be regarded as a 'windfall' development site. The site has been vacant for some years, with its last use believed to have been for vehicle storage and as a lock-up garage site. A block of five prefabricated concrete garages remain in situ to the northern frontage of the plot, however these are in poor condition and appear to have been abandoned for some time.
- 10.2 Core Strategy policy H2 covers all new housing proposals on non-allocated sites, stating that there will be a presumption in favour of this provided that other material planning considerations are met. On balance therefore it is considered that the proposals for residential redevelopment are acceptable in principle, subject to other material planning considerations being satisfactorily resolved.
- 10.3 The development is not of a sufficient size to trigger developer contributions toward affordable housing, off-site highway works, on-site greenspace (or a commuted sum in lieu of such). It complies with the minimum density requirements of 40 dwellings per hectare set out within Policy H3 (the site area is 0.04ha, on which two dwellinghouses are proposed). Although a consideration of little weight, the gross internal floor areas of the dwellings (Unit 3 = 89m² and Unit 4 = 79m²) also accord with the nationally described space standards for two-bedroom houses (79m²).

Design and Visual Amenity

- 10.4 At pre-application stage, the applicant was advised against a pair of traditional semi-detached properties on the St. Anne's Drive frontage, as this would represent a missed opportunity to provide a more contemporary development that responded to the unique constraints of this irregularly-shaped site. The initial proposal raised its own concerns, mainly relating to its scale and massing: at two and a half storeys, the northern gable end would have read as an incongruous feature within St. Anne's Drive, which aside from the impressive frontage of No. 5, is mostly dominated by two-storey, 20th century suburban development. It is considered that by moving the gable wall back from the road, the revised proposal now respects the building line formed by the side of No. 2 St. Anne's Green whilst still retaining the gable feature which is characteristic of the older stone development to the west, and indeed to the Coach House itself.

- 10.5 Due to its being attached to the existing eastern gable of the Coach House, the proposal will appear as an extension to this older building, and the reduction in height toward the northern run of the new building will assist in fulfilling the requirement for subservience. Although some detailing to the existing elevation will be obscured, the existing stone coping to the gable will be retained as a visual break between the old and new sections. The external walling was originally specified as being constructed from smooth, ashlar stone, however in order to provide a better match between the proposal and the existing building, this has been amended to standard natural stone blocks, coursed to match the Coach House. The contemporary influence is retained through the use of modern grey timber composite doors and windows and in the fenestration layout, since it would be difficult and not necessarily desirable to attempt to reproduce the intricate detailing to the southern elevation of the coach house building. Dark grey roof slates are specified to the roof, again to match the existing building.
- 10.6 Policy P10 of the Core Strategy relates to the external design of new buildings and states that this should be based on a robust contextual analysis of the surroundings and be appropriate to its location. It is considered that the revisions to the northern section of the building successfully address initial concerns about the three-storey appearance of the gable end and proximity to the highway, which is uncharacteristic of this part of St. Anne's Drive. The resultant stepping-down of this part of the building not only serves to address residential amenity concerns relating to massing and dominance, but also adds articulation and interest to the roof line and elevations. The revised proposal primarily considers its relationship to the existing coach house, which it attempts to reproduce in terms of scale and proportions. The angled 'dog-leg' element of the design forms part of this, as well as responding to the constrained, tapering site which is hemmed in by housing to east and west.
- 10.7 A lack of windows to the side elevations, again required in order to prevent overlooking, is not necessarily a problem when considered in the context of the northern elevation of the existing coach house structure, which is similarly devoid of openings and entirely reliant on this side on rooflights to provide natural illumination. The windows themselves, whilst of a contemporary style, also pay homage to the vertical emphasis of the existing 'clock tower' arrangement to the southern side of the existing building. The result is an extension which is sympathetic to the host structure in terms of its height and scale, incorporates some of its features whilst retaining a modern appearance, and which gives the impression of being set in space despite the 'taper' of the site to the rear. It is therefore considered compliant with the aims of Policy P10, to guidance contained within 'Neighbourhoods for Living' and to saved UDP policy BD6.

Residential Amenity Considerations

- 10.8 The site is (excluding the existing building, which is to remain standing and be converted) roughly wedge shaped, with the wider part of the triangle to the north (St. Anne's Drive frontage) tapering to the south where the 'point' is truncated by the grounds of Laurel Cottage, a stone Victorian house which abuts the southern elevation of the Coach House building. It is bounded on either side by houses – to the East, Nos. 2-8 St. Anne's Green back onto the site at a distance of 6.8m from the boundary, whilst on the western side, the semi-detached Nos. 5 and 7 abut the site.
- 10.9 No. 5 has a free-standing double garage which is situated to the rear of the house adjacent to the boundary, and most of the amenity space to this dwelling is at the side and front. However No. 7 has only limited amenity space in the form of a yard to the

rear, due to the property having been previously extended with a single-storey addition. These houses are set up by approximately 1.6m above the level of the hard surfaced lower site and garages. To the opposite (northern) side of St. Anne's Drive, semi-detached inter-war properties are located around 26m from the front of the existing garage block.

Overshadowing / overdominance

- 10.10 Concerns were raised by the residents of nos 5 and 7 St. Ann's Lane regarding the potential for the original scheme to significantly reduce daylight and sunlight levels to the rear of these properties, in addition to replacing an open outlook from the ground and first floor rear windows with a solid wall of stone and associated roof. In the case of No. 7, this would position the western wall of the proposed property at a distance of around 15m from the back of the main house and first floor bedroom window, but less than 8.6m from the rear of the sun lounge extension. (Taking a 45° line from the centre of the French doors to the rear of No. 7, the distance to the proposal is approximately 8m).
- 10.11 The concerns of the occupiers of No. 7 are that the rear amenity space of that property will appear 'hemmed-in' by the extension to the solid two-storey wall of the coach house, which currently terminates level with the rear boundary of the house. The dog-leg plan form of the building means that the eastern side of the proposal will be clearly visible above the timber fence to the rear boundary, albeit at an increasing distance the further away from the existing coach house building, and thus with a commensurate reduction in its impact. It is considered that the reduction in the height of the northern part of the proposal is sufficient to ameliorate the impact of the building, and coupled with the distance from the boundary will ensure that a relatively open aspect over the frontage part of the site, significantly reducing the risk of an enclosed feel to the rear amenity space of No. 7.
- 10.12 Similarly, whilst the impact on the amenity area of No. 5 is minimal due to the screening effect of the double garage, the reduction in the roof height will also ensure that views of the proposal from the first floor bedroom window of this property are reduced to a degree that is appropriate within the built-up, suburban context of the area. The houses to the east (St. Anne's Green) have garden depths of around 7m; coupled with a 6.2m distance between the eastern elevation of the proposal and the same boundary, it is not anticipated that the proposal presents any risk of overdominating or overshadowing these houses.
- 10.13 *Overlooking*
Although application of the guideline distances on p.57 of the SPD 'Neighbourhoods for Living' must take into account angled boundaries, changes in levels, solid boundary treatment etc., the proposal has been carefully designed so that the distances between the windows and boundaries broadly comply when the angled boundary and change of levels are taken into account. Specifically, a combination of angling windows away from surrounding housing, setting them at a lower level, and using roof lights to serve rooms to the sides of the properties combine to ensure that there will be no direct overlooking of neighbouring homes.
- 10.14 On the southern side, a pair of doors serving a double height dining room are set down from the level of the Coach House, behind solid boundary treatment and facing into the property's garden, and a first floor bedroom is to be fitted with restrictors to prevent it being opened in a way which could facilitate overlooking for the houses to the east from an elevated position. Fenestration to the eastern side is restricted to a

first floor, obscured glazed landing window, and Velux roof lights are employed within the roof space.

- 10.15 To the northern and western elevations, the first floor is deliberately free from fenestration of any kind, with the only windows to this side being a north-facing window serving a ground floor kitchen and a pair of patio doors to a ground floor lounge area, set at around 7.5m from the boundary. Both openings are located around 1.6m below the ground floor level of No. 7, in addition to being screened by a 1.8m timber fence. Again, lighting of the roof space bedroom is achieved via roof lights, from which casual overlooking is difficult. On balance then, and taking into account the use of conditions to ensure that particular windows are obscured glazed and / or fitted with restricted opening fittings, it is not anticipated that the proposal will lead to material overlooking of any of the surrounding dwellings.

Parking / Highways

- 10.16 The applicant initially specified only two parking spaces for each of the proposed dwellings. However, no provision was included for the existing coach house, for which a determination application was approved in 2015 for conversion to offices and two apartments. The Highways Officer raised concerns over this, and the layout was slightly modified to demonstrate that in addition to the four spaces for the new-build element, there was ample space retained within the existing yard to accommodate four vehicles associated with the conversion element.
- 10.17 Whilst it was advised that circulation could be further improved by reducing the size of the garden to Unit 4, this would reduce the garden area of this dwelling to below the recommended ratio of two-thirds of the gross internal floor area of the dwelling. Cycle parking and bin storage are shown on the approved plans, and a condition recommended to ensure these are provided prior to occupation, along with the laying out of all hard-surfaced vehicle areas.
- 10.18 A number of residents have raised concerns about the addition of vehicle movements to an already congested area. However it is considered that the existing configuration of the site for garages and parking could potentially generate a similar number of movements if returned to full use, which would not require a planning application. On balance then, the proposal is not considered to materially add to or exacerbate problems of on-street parking demand or congestion and thus complies with Core Strategy Policy T2, saved UDP policy GP5 and to guidance contained within the Authority's supplementary documents 'Street Design Guide' and 'Car Parking'.

Other Considerations

- 10.19 The loss of the mature sycamore and cherry trees to the eastern corner / boundary of the plot have resulted in objections from local residents, as these were a much-loved feature of the streetscene and provided amenity value and shade as well as a wildlife habitat. The manner of removal (on a weekend, and without notice) has also generated concerns that the trees were being removed at a time when the Council would be unable to deploy an officer to prevent this, in an attempt to remove a potential constraint that would have been taken into account in any subsequent planning application for redevelopment.

However it has since been clarified (and supporting evidence provided) that the sycamore was over two hundred years old and reaching the end of its life. This was evident from significant die-back of branches in the crown and uplifted buttress roots, both suggesting that far from being a healthy specimen as claimed, the tree was in a severe state of distress. Furthermore, a large hollow defect was identified within a critical supporting section of the main stem of the tree where wood had rotted away significantly weakening the structure. This, combined with the quantity of dead branches within the crown carried the risk of unexpected, significant failure at any time with a very real possibility of injury to persons or damage to property. As a result, it was concluded following consultation with, and advice from, a qualified arboriculturalist, that removal was the only option.

The adjacent cherry tree had developed in conjunction with the sycamore and was believed to be self-seeded, as it was too close to the larger tree and as a result was leaning at an angle of approximately 50° (carrying the possibility of sudden uprooting).

The trees were not covered by a Tree Protection Order and the site does not lie within a Conservation Area. As such the trees were not protected from felling and the applicant was not in breach of any laws or policies by removing them. The applicant has agreed that replacement planting would be feasible and that this can be included in a standard landscaping condition.

- 10.20 The Contaminated Land Officer requested the submission of a Phase I Desk Study in support of the application. Whilst this recommends further intrusive site investigation works and remediation if necessary, it is considered that this information can be supplied post-determination and secured by conditions.
- 10.21 The Mains Drainage Officer is satisfied that the surface water drainage requirements of the scheme can be sufficiently controlled under the Building Regulations. Whilst the car parking area to the rear is existing, it has been recommended that any resurfacing be carried out using porous materials that allow rainwater to soak into the ground beneath and thus reduce the pressure on the local surface water drainage system.

Representations

- 10.22 Thirty letters of representation were received via the council's web site to the original proposals, predominantly from residents of surrounding houses on St. Ann's Lane, St. Anne's Green and St. Anne's Drive, including individual objections from the three Ward Members. The main concerns raised can be summarised as follows:

Overshadowing and overdominance, particularly of Nos. 7 and 9 St. Ann's Lane which lie to the west of the proposal, and of the rear elevations of houses to St' Anne's Green to the east;

Loss of privacy through overlooking of gardens and windows from the proposed roof lights;

Loss of outlook;

Insufficient parking provision resulting in demand which cannot be accommodated on street, exacerbating existing problems with on-street parking (particularly on match days at the nearby Headingley cricket and rugby grounds);

Loss of a large, mature Sycamore tree and adjacent cherry tree which were removed without notice in November 2014, possibly as they would have posed an obstacle to redevelopment;

Overdevelopment of the site;

Implications of construction works on the foundations of older adjacent buildings and boundary walls;

Potential for occupation by students or as a HMO and associated noise nuisance / anti-social behaviour;

Noise and disruption associated with demolition and construction works.

- 10.23 Following re-notification of original contributors of changes to the scheme in March 2016, three further letters were received, re-iterating earlier concerns regarding traffic / parking, loss of the trees and overdominance / overshadowing.
- 10.24 Councillors Illingworth and Venner have also maintained their initial objections to the revised scheme. Councillor Illingworth raises concerns regarding the loss of the trees, stating that he does not accept the applicant's justification that they were in a dangerous condition. Councillor Venner notes that although the revisions are an improvement over the original scheme, the reduction in height does not fully ameliorate the impact of the proposal on No. 7, and that due to the initial level of concern over the scheme, a Panel determination would be appropriate.
- 10.25 The concerns regarding massing and overdominance have been discussed in detail in the 'Amenity' section of the Appraisal above; whilst the amendments to the northern part of the building will not completely negate any impact on the property at No. 7 St. Anne's Lane, they will reduce it to a point where it is acceptable on balance. The proposals comply with guideline distances contained within 'Neighbourhoods for Living'.
- 10.26 Whilst it is not possible to control the specific demographic to whom the apartments are sold or let, the applicant has indicated an intention to occupy one of the properties (along with the office accommodation approved under the separate determination application at the adjacent Coach House) on completion.
- 10.27 Following revisions to the layout, it is considered that adequate parking provision has now been made available for the proposed houses (four spaces to the east and west of the dwellings) and the previously determined flat / office conversion of the Coach House (four spaces within the rear yard area). Although the junction remains in the same location, slight widening will take place and an obstructive gate removed. It is not anticipated that a significantly greater number of vehicle movements will occur than when the site was previously in use as garages, offices and a builder's yard.
- 10.28 The felling of the mature sycamore and cherry trees (and the manner in which it was carried out) was cited by the majority of the commenters, who expressed concern that its primary purpose was to facilitate development. The applicant has countered this, stating that the trees were in a dangerous condition and close to the end of their lifespan, and has provided a statement from the contractor who carried out the work to corroborate this. Although details of replacement planting have not been provided on plan, landscaping is a matter which is normally secured and controlled by way of planning conditions.

- 10.29 A number of residents have raised concerns that there is potential for additional windows to be added to elevations which have been intentionally left blank in order to prevent overlooking from the upper stories of the development. However this can be controlled by imposing a condition to prevent any further insertion of windows under permitted development. Overlooking from Velux roof lights has also been mentioned, however this is not considered to be a problem as the roof lights are positioned at a height and in a manner that discourages the observation of surroundings from them.
- 10.30 Other matters such as loss of outlook, construction noise / dust, and stability of land are either outside the scope of materiality and / or covered by separate legislation.

11.0 CONCLUSION

- 11.1 To conclude, it is considered that the negotiated amendments to this scheme, which will provide housing on a currently derelict site, have successfully overcome concerns regarding overlooking and overdominance of surrounding properties. As such it is considered that the scheme fully addresses material planning considerations relating to visual and residential amenity, and parking provision / highway safety. The proposal is for these reasons recommended for approval, subject to the conditions listed at the head of the report.

Background Papers

Application File 15/04158/FU



SOUTH AND WEST PLANS PANEL





Originator: Mike Howitt

Tel: 0113 247 8000

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 21st April 2016

Subject: 15/07679/FU – Demolition of existing house and erection of two houses at Eastergate, Elland Road, Churwell, Morley.

APPLICANT	DATE VALID	TARGET DATE
Mr Andrew Thompson	24.12.2015	18.03.2016

Electoral Wards Affected:
Morley North

Y

Ward Members consulted
referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Grant permission subject to the conditions specified below:

1. Full three year time limit.
2. Development in accordance with approved plans
3. Materials to be submitted and approved
4. Windows to side elevations to be obscure glazed
5. Internal sill heights of rear rooflights to be minimum 1.7 metres
6. Off-site highway works including provision of turning head and condition survey (repairs to road following construction).
7. Removal of permitted development rights for conversion of garages to each property.
8. Hard surfacing details to be submitted
9. Motorcycle/cycle parking to be provided
10. All surfaces to be hard surfaced drained and sealed
11. Submission of drainage scheme
12. Infiltration drainage feasibility scheme
13. Construction management plan (including Hours of construction and control of noise nuisance during construction)
14. Phase 2 site investigation to be submitted
15. Amended remediation statement.
16. Submission of verification reports.

17.Retention and protection of existing trees

1.0 INTRODUCTION:

- 1.1 The application is for the demolition of an existing house and erection of two new houses. The application is being determined by Plans Panels at the request of Ward Member Councillor Robert Finnigan citing highway safety and overdevelopment as the reason for referral.

2.0 PROPOSAL:

- 2.1 The proposal is for a residential development of 2 dwelling houses with integral garages and off street parking. Each property will have five bedrooms to the first floor, and a further two rooms located in the attic space, served by velux roof lights and a gable end window. The proposed houses feature a square bay to ground floor living room, a small extension at the rear ground floor, and chimney breast to one side.
- 2.2 The properties face directly onto the access lane and are brought forward of the existing property to create larger private rear gardens and the proposal is more in line with the neighbouring property than the existing property.
- 2.3 The properties are proposed to be built from red brick with slate tiles and each property provides at least two off street parking spaces.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies to the East of Elland Road. The site is accessed up a private drive that is surfaced and kerbed with footpaths up to the access to the vacant church car park and the doctors' surgery. Beyond this, the road serves three residential properties including the application property.
- 3.2 The existing property is a dormer bungalow that sits towards the North East corner of the site. The house is bordered by various types of hedging around the property and by large trees to the front which are to be retained as part of the application.
- 3.3 Land to the south, in front of the site, is open fields but there are residential properties to all other sides. Open land to the South of the site is allocated as Protected area of Search (Saved Policy N34 of the Leeds UDP).

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is no previous planning history for the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There were no pre-application discussions concerning this proposal.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by site notice on 12th February 2016 and neighbour notification letters on 26th January 2016. To date 5 letters of objection have been received from this consultation from three separate addresses. The issues raised are as follows and are dealt with in the appraisal below:

Residents of the Hawthorns (neighbouring bungalow to the West)

- i) The replacement of one property with two would spoil the outlook of the area.
- ii) The properties take up most of the existing garden.
- iii) Due to the size of the properties, it would deny light and would overshadow and overlook our bungalow.
- iv) The access road is un-adopted and serves six residences with the possibility of a further property should the church be brought back into use and is therefore not appropriate to build large family homes in this location.

Residents of Orchard Lea (Property to the rear of the application site to the North East)

- v) If the development is permitted, views would be extremely limited and it would deny light and would overshadow and overlook our property.
- vi) It will harm the character and the appearance of the surrounding area.
- vii) The proposal will have a detrimental effect on the value of our property.

Residents of Parhelion (Property to the rear of the application site to the North West)

- viii) The access road is un-adopted and serves six residences with the possibility of a further property should the church be brought back into use.
- ix) There have been 7 previous planning approvals that have already affected our lives and privacy (*not on the application site but listed within the objection*).
- x) There will be a loss of light and privacy and the proposal will overlook and overshadow our home.
- xi) The proposal will bring an increase in noise and disturbance.
- xii) There will be an increase to the amount of traffic in the area.
- xiii) The properties will change the character and appearance of the surrounding area.

6.2 Local Ward Councillor Robert Finnigan has made comment raising the following issues and these are discussed in the report below.

- i) The proposal would raise issues of highway safety.
- ii) The proposal is overdevelopment.

7 CONSULTATION RESPONSES:

Statutory

7.1 None.

Non-Statutory

7.2 Sustainability (Design) – No objections.

7.3 Contaminated Land team – No objection subject to conditions.

7.4 Highways – No objection subject to conditions.

7.5 Drainage – No objections subject to conditions.

8.0 PLANNING POLICIES:

Development Plan

8.1 The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the 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 unallocated in the Development Plan.

Relevant Policies from the Core Strategy are:

- SP1 – Location of development in main urban areas on previously developed land.

- P10 – High quality design
- P12 – Good landscaping
- T2 – Accessibility
- H2 – Housing proposals on unallocated sites
- H3 – Minimum housing densities
- G8 – Biodiversity improvements
- EN5 – Managing flood risk

Relevant Saved Policies from the UDP are:

- GP5 – General planning considerations
- N25 – Landscaping
- BD5 – General amenity issues.
- LD1 – Landscaping

Relevant DPD Policies are:

- 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.
- LAND1 – Land contamination to be dealt with.
- LAND2 – Development should conserve trees and introduce new tree planting.

Supplementary Planning Documents

- Street Design Guide
- Neighbourhoods for Living
- Parking

National Planning Policy

- 8.3 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.
- 8.4 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. Residential Amenity and housing standards
5. Representations

10.0 APPRAISAL:

The principle of development.

- 10.1 The application site comprises part brownfield and part greenfield land but it is unallocated within the Leeds Development Plan. The Spatial Policies of the Core Strategy acknowledge the contribution of small and unidentified sites towards the delivery of the City's housing requirement over the plan period. They also present the principles against which such sites should be considered with an emphasis on a sustainable location within the Main Urban Area, Major Settlements or Smaller Settlements (as in this case), with access to local facilities and also, a preference for brownfield sites as well as sites that respect and enhance the local character and identity of places and neighbourhoods and have the least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation.
- 10.2 Within the balance of this application, it is acknowledged that the development of this site for residential purposes would make a very small contribution to housing delivery; it is within a major settlement and it is considered to be in a sustainable location with suitable access to local services (considered below). The site does partially meet the preference for brownfield development (the previous house part of the site) and whilst both Spatial Policy 6 and the NPPF identify a preference for brownfield development, this is not to the exclusion of Greenfield sites (the garden area) such that the application could not be refused for this reason.
- 10.3 With regard to Housing Policies within the Core Strategy, Policy H2 refers to new housing development on unallocated sites and advises that new housing development on such sites will be acceptable in principle providing that it does not exceed the capacity of transport/education/health infrastructure. Given that the scale of this application will be no greater than one additional dwelling it is not considered that such a small development would exceed the capacity of transport/education/health infrastructure such that it is not considered contrary to Policy H2 of the Core Strategy.
- 10.4 Policy H3 of the Core Strategy relates to density and advises that in smaller settlements a minimum density of 30 dwellings per hectare should be achieved unless there are overriding concerns concerning townscape, character, design or highways. This application will deliver an approximate density of 14 dwellings per hectare, which is well below the minimum standard set out in Policy H3. However, for the reasons established further in the report below, it is considered that there are overriding character issues in this locality, given the spacious nature of neighbouring properties, the site being surrounded by existing housing that inflicts constraints on the site and the fact that a large turning head to allow large vehicles (bin wagons etc.) that would warrant a lower density, such that a minimum 30 dwellings per hectare would be unlikely to be acceptable in this location. Indeed, the thrust of some of the representations is that the development is too much for the site and that a less intense

proposal should be presented. Accordingly, the proposal is not considered contrary to Policy H3 in this case.

- 10.5 Overall, whilst this is a mixed brownfield/greenfield site and there is a preference for brownfield development within both the Core Strategy and the NPPF, this is not to the exclusion of Greenfield sites such that there is no objection in principle to bringing forward the application site for residential development and it is not considered contrary to either Spatial Policies 1 and 6 of the Core Strategy or Policies H2 and H3.

Design and character

- 10.6 The proposal sits on a large site which appears capable of comfortably accommodating two properties complying with the space about dwelling guidelines and garden size areas as set out in the Neighbourhoods for Living SPG. This is demonstrated by the proposed layout which does not appear contrived but follows the established pattern of development.
- 10.7 The head of the access road is flanked by two imposing buildings; Shenstone House Surgery and All Saints Church, the bungalow on the existing site and the adjacent bungalow are the exception rather than rule in the case of scale and massing. Orchard Lea at the head of the access road is itself a large two storey building and the development to the East accessed off Harwill Croft are also two storey properties. The proposed dwellings are sited such that they respond better to the building line set up by the large adjacent bungalow and doctor's surgery; this allows a distance between the dwellings and Orchard Lea of almost 28m which exceeds the NFL guidelines by almost 8m.
- 10.8 The dwellings have taken design cues from All Saints Church with the introduction of tabled verges and the use of slate as a roofing material; rather than taking cues from the Doctor's surgery which when applied to a new building might appear as a pastiche.
- 10.9 The proposal is also looking at improving the access arrangements which appears to benefit both Hawthorn (the adjacent bungalow) and Orchard Lea the two storey house at the head of the access road, because it includes a turning head for vehicles. It is therefore considered that the site proposes a scheme that is be acceptable in terms of design and character.

Access and highway safety considerations

- 10.10 The scheme as submitted has been amended to bring the red edge around the whole of the access road up to the adoptable road. The scheme has adequate parking provision for both properties and the proposal introduces a turning head that is of sufficient size to allow for the turning of refuse vehicles or similar removing the need for vehicles of this size to access and leave the private road in a forward gear rather than the current arrangement of having to reverse back down to the main Elland Road. Currently there are three residential properties served by this access along with the doctors' surgery and the church car park which are both served off the kerbed metaled part of the road. As a result, it is now considered that there is no significant harm to the free and safe use of the highway and the proposal is acceptable in terms of highway considerations and introduces a positive benefit through the setting out of the turning head.

Residential Amenity.

- 10.11 The site is located near to surrounding residential developments and as such it is necessary to consider that impact of the proposal in terms of residential amenity on that existing development.
- 10.12 To the North, there is an existing two storey property (Orchard Lea) that sits behind the proposal site. The house frontage is located approximately 14 metres from the boundary of the rear of the application site and the new property that sits in front of it is located a further 13.5 metres further forward giving a total distance between the existing property and the new of 27.5 metres. Guidance in Neighbourhoods For Living gives a minimum distance of 21 metres from main window to main window and therefore the location of the property in regard to these distances are substantially bigger than those required and as such more than acceptable in this regard. To the West there is a bungalow (The Hawthorns) that will sit side adjacent to a the side gable, with the side gable of the bungalow sitting 11 metres from the party boundary with the application site the proposal will not significantly harm the residential amenity of those neighbours either from overlooking, overdominance or by overshadowing.
- 10.13 Finally, the property to the North West that shares a party boundary with the application site, Parhelion, is actually located a considerable distance from the application property with a rear garden length of approximately 50 metres) and so any impact of this development will be to the end of this large garden only. However, as with the property at Orchard Lea the new properties are located 12 metres from the boundary in excess of the guidance distances given in Neighbourhoods For Living and should therefore not afford any overlooking to the properties to the rear. Comment has been made with regard to the three storey nature of the properties. There are indeed rooms within the roof space and these have roof lights to serve as windows. Given the location and height of these windows, it is considered worthy of including a condition to ensure the minimum internal sill height is above 1.7 metres so that any overlooking from these high windows is avoided. Additionally, windows to the side elevations shall be obscure glazed to avoid any overlooking issues.
- 10.14 The DCLG Technical Housing Standards 2015 document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently progressing to adopt the national standard, building on work already done in developing the Leeds Standard which is applied to all Council schemes and which seeks to influence private sector development to achieve better quality housing. As the work, however, is at an early stage within the local plan process little weight can be attached to it at this stage.
- 10.15 The proposal utilises the same house-type for both properties, both three storey in height and offering a total of 4 bedspaces. The housing standards require such a property type to provide 130sqm of gross internal floorspace. It is calculated that the proposed dwellings have a floorspace of 275 sqm each, therefore significantly exceeding the minimum amounts suggested and as such would comfortably comply with the National Housing Standards.

Trees

10.16 There are mature trees set on the front boundary of the property that, whilst not protected, form a strong part of the character of the area. It would be hugely beneficial for their retention given that they are set well forward of the proposed dwellings and are set well to the sides of the proposed access and it is for this reason that conditions will be added to afford protection to these trees during construction.

Representations

10.15 There have been five representations to this scheme from three members of the public and a Ward Members raising two issues. Most are dealt with in the points above but others are addressed as follows. Matters of house values at not material considerations for planning applications, the planning history of other properties is not relevant to the determination of this application which is determined on its own merits. Finally, whilst there will inevitably be some noise and disturbance during construction, it is not clear why the two new properties should create any undue noise over and above that that already exists.

11.0 CONCLUSION:

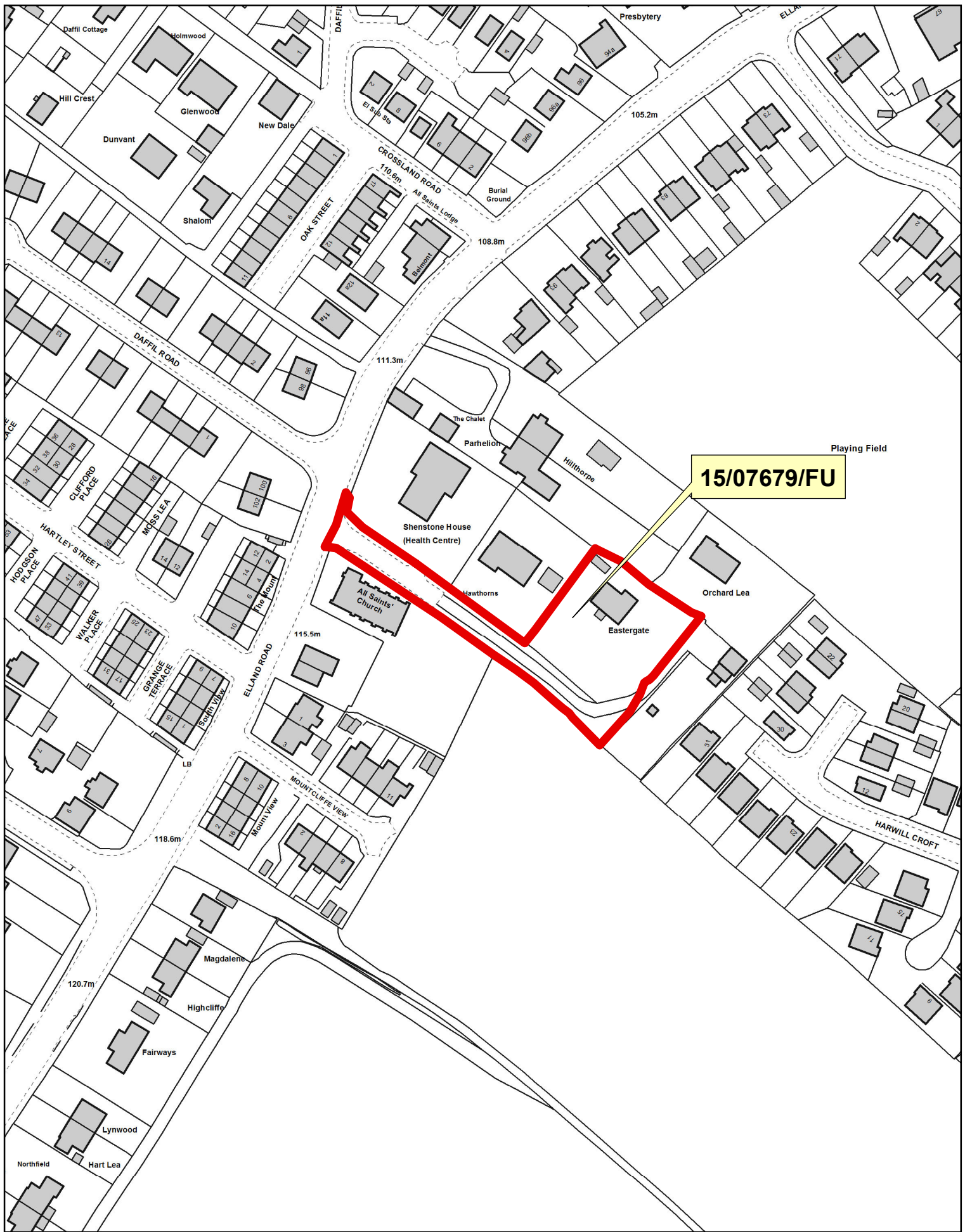
11.1 On balance, it is considered that, subject to appropriate conditions as discussed above, the proposal is acceptable given that the principle of residential development is considered to be acceptable on a site situated in a sustainable location. The layout and scale of the proposal is appropriate 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 recommended that the application be approved.

Background Papers:

Application files 15/07879/FU

Certificate of ownership:

Certificate A signed by owner



15/07679/FU

SOUTH AND WEST PLANS PANEL



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Originator: Jenna Riley

Tel: 0113 247 8027

Report of the Chief Planning Officer

PLANS PANEL (SOUTH & WEST)

Date: 21st April 2016

Subject:

APPLICATION 16/00184/FU: DORMER WINDOWS TO FRONT AND REAR AND NEW WINDOW OPENING – 37 Woolin Crescent, Tingley, WF3 1ET

APPLICANT

Mrs H Wilson

DATE VALID

14th January 2016

TARGET DATE

10th March 2016

Electoral Wards Affected:

Ardley & Robin Hood

No

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION

REFUSE for the following reason:

1. The Local Planning Authority consider that the front and rear dormer windows by reasons of their size, scale, massing and stark materials would form a visually intrusive and incongruous addition to the roofscape of the dwelling that would result in a significant harm to the character and appearance of the host dwelling which in turn would unbalance the paired appearance of the semi-detached dwellings and also be harmful to the immediate streetscene. The proposal is therefore considered contrary to Core Strategy Policies P10 (2014), saved policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), policy HDG1 of the Leeds Householder Design Guide (2012) as well as guidance within the National Planning Policy Framework (2012).

1.0 INTRODUCTION:

- 1.1 This application is brought to South and West Plans Panel at the request of Cllr Karen Renshaw who is in support of the application. Cllr Karen Renshaw has

requested the application to be heard at South and West Panel on behalf of her constituent.

2.0 PROPOSAL:

2.1 The applicant has submitted an application relating to No. 37 Woollin Crescent, Tingley, WF3 1ET. The applicant seeks planning consent for dormer windows to front and rear and new window opening to first floor side. The proposal will create 3 additional bedrooms at first floor level.

- The front dormer window will measure 6.28m in width, 1.83m in height with a depth of 3.13m.
- The front dormer window will be set up from the eaves by 0.92cm and set down very slightly from the main roof ridge.
- The rear dormer will measure 6.32m in width, 2.52m in height with a depth of 4.46m
- The rear dormer will be set up from the eaves by 0.26m and set down very slightly from the main roof ridge
- The new window opening is a single window located on the south west elevation.

3.0 SITE AND SURROUNDINGS:

3.1 The application site relates to a relatively plain and simple semi-detached, brick built bungalow with concrete tiled pitched roof. The property is set back and set down from the highway with a modest driveway to the side which runs down to meet a single garage. There is a noticeable gradient on the site, as such the rear garden area is on a significantly lower level to that of the host and is accessed via an area of timber decking. The rear garden area has a total length of approximately 28m which is bounded by a 1.8m high timber fence. Land to the rear of the property is undeveloped greenfield land.

3.2 The area is residential in nature with the majority of dwellings in the immediate streetscene and surrounding area semi-detached bungalows. It is noted that two styles of bungalow can be viewed on Woollin Crescent. The host property forms one of a group of four semi-detached pitched roofed bungalows however a number of gable fronted bungalows can be viewed from the host property. It is acknowledged that the adjacent neighbouring property at No.35 Woollin Crescent has a large box dormer window in the roofscape the front and rear of their property which is constructed out of white UPVC. Furthermore, the gable fronted bungalow at No.31 Woollin Crescent has a large box dormer window in the roofscape to the side of their property constructed out of white UPVC. The adjoining neighbouring property at No.39 Woollin Crescent has a large box dormer window to the rear roofscape constructed out of white UPVC.

4.0 RELEVANT PLANNING HISTORY:

4.1 None

5.0 CONSULTATION RESPONSES:

5.1 None

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by Site Notice and Neighbour Notification Letter. The neighbour notification letters were posted out on 19th January 2016 and the site notice was posted on 29th January 2016. The publicity period expired on 19th February 2016.

- No letters of objection have been received in relation to the application

6.2 Ward Member Comments:
Request to take item Panel

6.3 Objection Comments:
None

7.0 PLANNING POLICIES:

Development Plan

The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

7.1 Core Strategy Policies

P10 - Design and Amenity

P12 - Landscape

T1&T2 Accessibility and transport provision for development.

Relevant Saved UDP Policies

GP5 – General planning considerations

BD5 – General amenity issues.

BD6 requires all alterations and extensions to respect the scale, form, detailing and materials of the original building

7.2 Supplementary Design Guide

Neighbourhoods for Living SPG

Householder Design Guide Supplementary Planning Document

The guide gives advice on how to achieve high quality design for extensions and additions to existing properties, in a sympathetic manner that respects the spatial context. The following policies are relevant to this application.

HDG1: all alterations and extensions to respect the scale, form, proportions and the 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 details,
- iii. architectural features,
- iv. boundary treatments

v. materials

7.3 National Planning Policy

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.

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.

The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The following parts of the NPPF have been considered in the consideration of this application:

7. Requiring good design

8.0 MAIN ISSUES:

- Design and Character
- Fallback Position and Negotiations
- Residential Amenity
- Highway Safety/Accessibility
- Representations

9.0 APPRAISAL:

9.1 Design & Character

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 improving the character and quality of an area and the way it functions, should not be accepted". Saved Leeds Unitary Development Plan Policy GP5 states that "development proposals should seek to resolve detailed planning considerations including design"; furthermore saved UDP Policy BD6 states that "all alterations and extensions should respect the form and detailing of the original building". Guidance contained within the Householder Design Guide SPD (adopted 2012) (p33) states that the dormer windows to the front will not normally be considered acceptable.

9.2 When considering dormer windows, great importance is given to roofscapes of properties as they define the character of a house and an area, therefore particular care is needed when deciding siting and design. The applicant is seeking consent to introduce a large box style dormer window into the front and rear roofscapes. Guidance contained within the Householder Design Guide states that dormer windows to the front will not normally be considered acceptable particularly in prominent locations and on unbroken roof slopes.

- 9.3 In this instance, the front and rear dormer windows proposed have a bulky appearance and are of such generous proportions that it would consume almost the entire front and rear roofscape. The dormer windows are not located centrally within the roofscape and the new massing fails to provide enough relief between the edges of the roof and the adjoining semi-detached property. The dormer windows are not set down adequately from the main roof ridge and the applicant is proposing to construct the dormer windows out of prominent and stark white UPVC cladding. The proposed front and rear dormer windows are not considered subservient or sympathetic additions and would harm the character and appearance of the host property and immediate streetscene.
- 9.4 It is acknowledged that two dormer windows of similar size and appearance can be viewed from the host property, (one of which is immediately adjacent to the host property at No.35 Woollin Crescent), however these structures were approved some time ago (1990s) and the Council's policy position has changed significantly since then. The neighbouring dormer windows are not considered positive features and clearly stand out in the streetscene in terms of their bulky appearance, prominent siting and stark materials. Introducing a front dormer window would form a visually intrusive and incongruous addition to the roofscape of the dwelling that would result in significant harm to the character and appearance of the host dwelling and the immediate streetscene.
- 9.5 It is acknowledged that there are two historic examples of dormer windows within the immediate streetscene; when assessing the proposal in this context it is worth highlighting that the Council has received a recent planning appeal decision in 2013 (reference APP/N4720/D/13/2200038). The decision relates to a large front dormer window at No.115 Cardigan Road and is helpful as it provides further guidance on the weight to be given to the presence of other examples of development already present in the area. The Inspector dismissed the appeal stating:
- "I give considerable weight in this case to the existing roofscape and its impact on the street-scene, and accept that the scheme would have some similarities with the designs of the dormers at nos 109 and 113. However, while I agree that these existing features provide a strong context against which the appeal scheme should be judged, I do not think that the view that they should be the determining factor; to do so would be to suggest that the point has now been reached where adopted policies no longer serve any purpose in this location. It remains in the wider public interest to continue to require additions of this kind to relate satisfactorily to the predominant character of the terrace"*
- 9.6 Overall, the proposed dormer windows would materially change the appearance of the host dwelling and are unacceptable alterations, contrary to Core Strategy Policies P10, saved policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), and policy HDG1 of the Leeds Householder Design Guide as well as guidance contained within the National Planning Policy Framework. In the interests of consistency in decision making across the city, the officer recommendation is to refuse this planning application.
- 9.7 Fallback Position
It is noted that the applicant does have a permitted development fallback position; The applicant could build the rear dormer window without the need for planning permission under 'permitted development' provided that the dormer window is constructed out of materials to match the existing roof as opposed to the white UPVC cladding proposed. As such, the principal of a tile hung dormer window to the rear is not disputed. Amending the materials in order to work towards a more

positive outcome and enable the applicant to achieve additional extra bedroom has been put forward to the applicant during negotiations however revised plans were not forthcoming.

9.8 Residential Amenity

Leeds Core Strategy policy P10 aims to protect general and residential amenity. Saved UDP policy GP5 aims to protect amenity including the amenity of future occupants and policy BD5 states:

‘All new buildings should be designed with consideration given to both their own amenity and that of their surroundings. This should include usable space, privacy and satisfactory penetration of daylight and sunlight.’ Policy GP5 notes that “extensions should protect amenity and this includes the loss of privacy through overlooking, overdominance and overshadowing”. The Council’s Neighbourhoods for Living SPG looks to ensure development proposals provide a good level of amenity for future occupiers. Paragraph 17 of the NPPF requires local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

9.9 With regard to these considerations, the proposals are considered acceptable. It is acknowledged that dormer windows will add a degree of bulk and additional massing, however this is not considered harmful to neighbouring amenity space as due to the elevated position within the roofscape. The dormer windows are unlikely to lead to any unreasonable overshadowing or overdominance of neighbouring windows and private amenity space.

9.10 With regards to overlooking, the dormer windows in the front roofscape will look out in the direction of the highway rather than neighbouring amenity space. The windows in the rear dormer window will look out over the hosts own garden area rather than neighbouring private amenity space. The new first floor window opening in the south west elevation will serve an en-suite shared by bedrooms 3 and 4. If members are minded to approve the application, a condition should be attached requiring the use of obscure glazing.

9.11 Overall, the proposals are not expected to create a harmful increase in overshadowing of neighbouring private amenity space or principal windows. As such, the application is considered to be acceptable in terms of privacy, loss of light and overshadowing and is considered to be in keeping with the wider aims of UDP policies GP5 and Householder Design Guide policy HDG2. However, for the reasons discussed above under ‘Impact on visual amenity and streetscene’ the application cannot be supported.

9.12 Highway Safety

The proposal does not prevent two cars from parking off-street on site. As such, the proposal is considered to protect highway safety and is considered to be in keeping with the wider aims of adopted Core Strategy policy T2.

9.13 Representations

No formal letters of representation have been received.

10. CONCLUSION

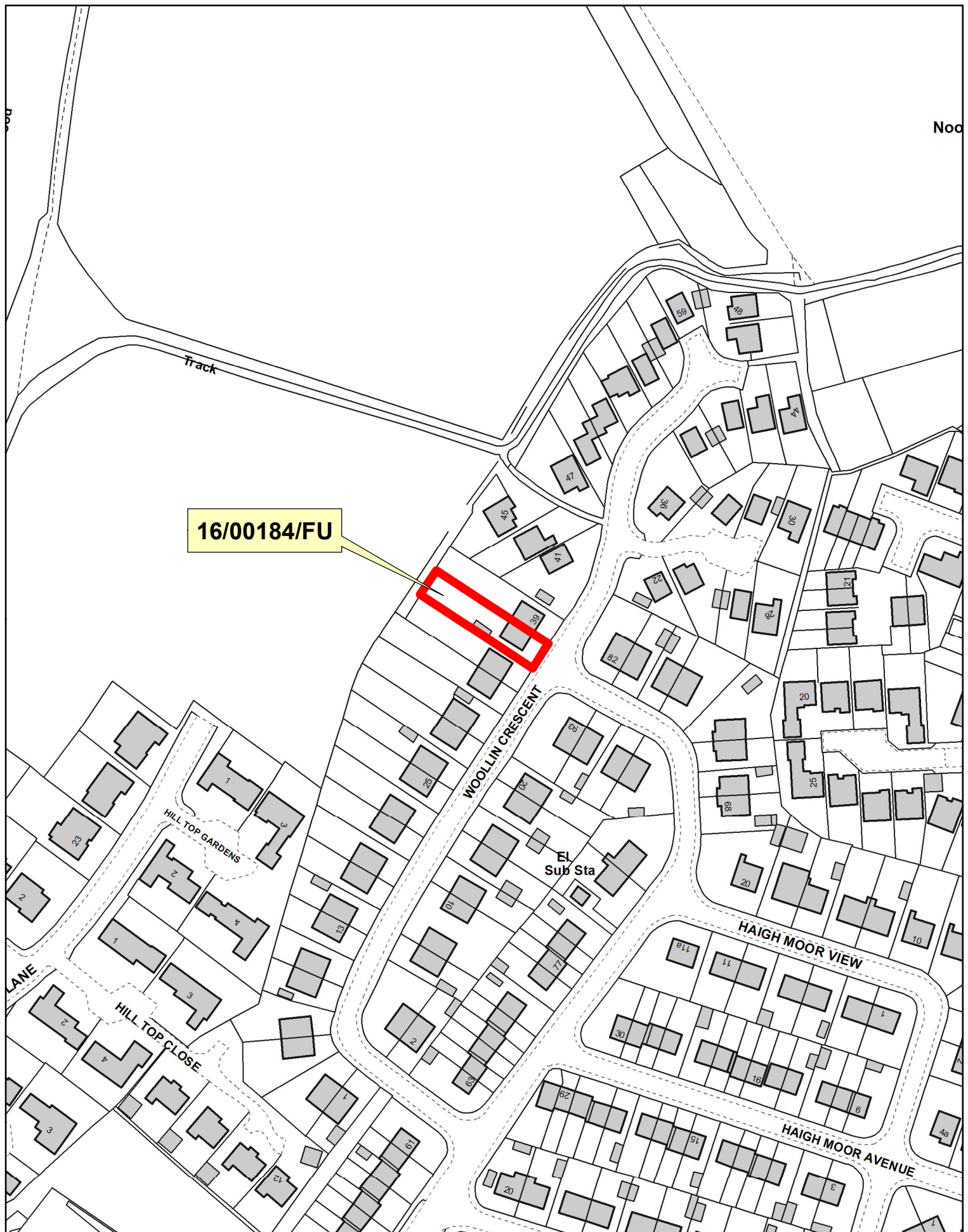
10.1 It is acknowledged that the proposal would create additional living accommodation for an existing family dwelling and the development does not lead to harm to

neighbouring amenity in terms of outlook, overdominance or create any significant highway safety concerns; these are considered to be the positives of the application.

- 10.2 However, negatives of the proposal include significant harm to the character and appearance of the host dwelling which in turn would unbalance the paired appearance of the semi-detached dwellings and also harm the immediate streetscene. Poor and harmful examples of historic neighbouring structures should not be used as a justification for development which is contrary to current policy and guidance, especially when there is a valid fallback position and substandard development could set a precedent in the area.
- 10.3 Overall, the negatives of the proposal significantly outweigh the positives of the scheme. The application is considered unacceptable in planning terms and would be contrary to the aims of the relevant local and national planning policy and as such is recommended for refusal.

Background Papers:

Application files 16/00184/FU



16/00184/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: 21st April 2016

Subject: Application number 15/07342/FU – Three Storey Extension with Mezzanine Floor and Basement at Springfield House, Whitehouse Lane, Yeadon

APPLICANT	DATE VALID	TARGET DATE
Xiros Ltd	8 th December 2015	22 nd April 2016

<p>Electoral Wards Affected:</p> <p>Otley & Yeadon</p> <div style="border: 1px solid black; display: inline-block; padding: 2px;">Yes</div> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION:

GRANT PERMISSION subject to the specified conditions

1. Time limit on full permission
2. Development in line with approved plans
3. Samples of walling and roofing materials to be submitted
4. Sample panel of stonework
5. Area to be used by vehicles to be laid out
6. Surfacing materials to be submitted.
7. Approved travel plan to be implemented
8. Cycle/motorcycling parking to be submitted and implemented
9. Feasibility study into infiltration drainage methods required
10. Details of surface water drainage
11. Reporting unexpected contamination
12. Details of any imported soil
13. Pre commencement tree protection
14. Pre commencement arboricultural method statement
15. Landscaping scheme
16. 5 year replacement of trees

17. Landscaping management scheme
18. Preservation of retained trees, bushes and hedges
19. Details of pile foundations engineering details to be submitted

1.0 INTRODUCTION

- 1.1 The application is for a new commercial building linked to an existing building used by the applicant company for manufacturing devices for ruptured ligaments and tendons. The application is brought to Plans Panel as it is a departure from the Development Plan as the site is within the Green Belt.

2.0 PROPOSAL:

- 2.1 The application is for a linked new building to extend the existing company's facilities at the site. The Company produces devices for the repair and reconstruction of ruptured ligaments and tendons. The proposed extension will be a separate building which is located to the east and set back from the front of the existing building. The main use will be to provide enlarged offices, manufacturing and storage space. The building is separate to allow for the company to still operate if there is a fire in the main building.
- 2.2 The building will be rectangular with a small projection to the rear and the building will measure 24.9 metres in length and 13 metres in width. The building will be 6.8 metres from the main building and will be set back 9.5 metres from the front of the main building. There will be a glazed link between the two buildings which will be at second floor level.
- 2.3 The building will have 3 main floors with a basement and a smaller floor on the top giving 5 floors in total. The basement will house the plant room, workshops and store rooms. The ground floor will have the weaving office, the first floor has a clean room suite and finally the second floor will have meeting rooms. The second floor will be set back from the front and rear elevations by 2 metres. There is also a mezzanine between the ground and first floor covering approximately half of the building for offices. The overall floorspace created will be 1413 square metres.
- 2.4 The building will be 7.5 metres to 8.9 metres in height to the eaves with the second floor being set back from the front and rear elevation taking the full height to 10.7 metres to 12.27 metres on the front elevation and 8.6 metres to 11.2 metres to the eaves and overall height of 11.2 metres to 14.27 metres full height on the rear elevation.
- 2.5 The ground floor will be constructed of coursed pitched faced stone with the next two floors being coursed smooth face stone and rendered panels. Finally the floor on the roof will be dark zinc sheeting and glazing.
- 2.6 The proposal will also involve some new car parking spaces (10 in number) located to the front of the existing car parking area and rearrangement of part of the existing car park with the loss of two car parking spaces. The scheme therefore results in 8 additional spaces.
- 2.7 The extension also involves the loss of 4 trees for the building and loss of 1 tree for the car park. The trees are either category C (trees of low quality) or U (No value).

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises Springfield House, the Coach House, the Lodge and 4 acres of grounds and is accessed from Whitehouse Lane. The property is principally a substantial Victorian/Edwardian building, originally a house before being extended and adapted to a school, hospital use, home for refugees and latterly adapted to commercial use in 2003 to 2005. The property stands in substantial and attractively landscaped grounds which abut the operational boundary of Leeds Bradford International Airport which lies immediately to the west of the site. To the north and south of the site are car parks linked to the airport otherwise the site is within a predominantly rural location. The site is located within the Green Belt. The site is in Otley & Yeadon Ward but to the south nearby is the northern boundary of Horsforth Ward.

4.0 RELEVANT PLANNING HISTORY:

PREAPP/15/00161 – detached manufacturing building – preapplication was for building in similar size and position

10/05581/FU – single storey extension and new roof to bike and garden store approved 31 January 2011

08/02665/FU – Conversion of detached office to form laboratory approved 10th July 2008

29/166/02/FU – change of use of detached house to offices approved 19.08.2002

29/328/02/FU – first floor extension to proposed offices approved 18.02.2003

5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 The application was advertised by a major site notice which was erected on 16 December 2015 and expired on 6 January 2016. The application was also advertised in the Yorkshire Evening Post on 18th December 2015 which expired on 8 January 2016.

Greg Mulholland MP supports the application stating

- The company needs new office and manufacturing space on land that is currently a lawn and shielded by trees and shrubbery and would have little impact on nearby road and properties.
- The company have undertaken a great amount of work to improve the rest of the grounds, including projects to improve the biodiversity of the area on derelict and areas used to dump building materials
- The company need the extension as their manufacturing site in Derby is closing so equipment and machinery need to be relocated plus the company cannot be expanded any further.
- The scheme should be supported for the good of this business and the local area.

Councillor Ryk Downes supports the application stating

- I support the application in principle but have concerns about the appearance of the proposed extension which need to be revised to be more appropriate to the area.
- The area will benefit from employment that the site expansion would create.
- It is an important local employer and mitigates its presence by improvement works they have undertaken
- Whilst located in green belt it is an anomalous piece given that there is an airport and car parking surrounding the site.

6.0 HISTORY OF NEGOTIATIONS

- 6.1 A pre application enquiry for this proposal was submitted in February 2015 and officers raised concerns regarding the scale of the development in terms of impact on the green belt and design. The building has been slightly reduced in size, height and the design has been altered since then.

7.0 CONSULTATION RESPONSES:

Contaminated land – conditional approval recommended
Main drainage – conditional approval recommended
PROW – no objections
Highways – no objections

8.0 PLANNING POLICIES:

Development Plan

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).
- 8.2 The application site has no specific allocations or proposals but is within the Green Belt.

Adopted Core Strategy

- 8.3 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered the most relevant;

Spatial policy 1: Location of development
Spatial policy 11: Transport infrastructure investment priorities
Policy P10: Design
Policy P11: Conservation
Policy P12: Landscape

Policy T2: Accessibility requirements and new development
Policy EN2: Sustainable design and construction
Policy EN5: Managing flood risk

Saved Policies - Leeds UDP (2006)

- 8.4 The following saved policies within the UDP are considered most relevant to the determination of this application:

N33: Development proposals in green belt
GP5: Development proposals should resolve detailed planning considerations.
BD2: Design of new buildings should complement and enhance existing views
BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.
BD6: Advice in relation to alterations and extensions
LD1: Relates to detailed guidance on landscape schemes.

Relevant supplementary guidance:

- 8.5 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:

Street Design Guide SPD
Neighbourhoods for Living SPG
Horsforth and Cragg Hill Conservation Area Appraisal and Management Plan

National Planning Policy Framework (NPPF)

- 8.6 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.
- 8.7 The NPPF constitutes guidance for Local Planning Authorities and its introduction 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.
- 8.8 The NPPF confirms that at its heart is a presumption in favour of sustainable development. For decision taking, this means approving proposals that accord with the development plan without delay and where the development plan is silent, absent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted.
- 8.9 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified

as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

- 8.10 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, ensuring high quality design but also encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 8.11 Paragraphs 79-92 give advice in relation to Green Belt by preventing urban sprawl and keeping land permanently open and the 5 purposes of green belt. Paragraph 89 is particularly relevant which deals with extensions and alterations to a building providing it does not result in disproportionate additions over and above the size of the original building.

9.0 MAIN ISSUES

1. Principle of development
2. Design and scale
3. Highways
4. Trees

9.1 APPRAISAL

1. Principle of development

- 9.2 In terms of the UDP policy N33 of the UDPR states the circumstances in which extensions within green belt would be acceptable. Extensions of this nature do not fall into the circumstances so in terms of policy N33 the proposal is inappropriate development and would require very special circumstances to be demonstrated to outweigh the significant harm caused.
- 9.3 The Government in the NPPF (which is more up to date guidance) states that the extension or alteration of a building would not be inappropriate providing that it does not result in disproportionate additions over and above the size of the original building. There is no guidance on what might constitute a 'disproportionate addition' and is a matter of judgement for the local planning authority.
- 9.4 In terms of footprint the original footprint of the building in 1965 was 1,100m² with the current footprint being 1,152m² and the proposed additional footprint is 370.45m². Therefore there is a 38% increase in footprint over the original building in 1965. In footprint terms alone it is considered that the 38% increase could be argued to not be disproportionate. However, in terms of overall floorspace there is approximately a 66% increase in floorspace. Finally in terms of cubic content there is approximately a 57% increase over the original building. This level of development could be argued as being disproportionate to the existing building. The Government in its guidance does not state whether it is the footprint, floorspace or cubic content that is used for accessing development in the green belt although the main issue is the impact on openness that results – in this context the massing

of the building is of relevance. The building itself is lower than the existing building and its length is less than half of the existing building. The greater increase in floorspace is due to the insertion of a mezzanine floor for part of the building whilst the increase in volume is the higher floor to ceiling heights required due to the operation that occurs in the building in terms of the size of machinery used. Overall it is concluded that the extension is large and disproportionate to the existing original building. For this reason the scheme does not fall into the exceptions under paragraph 89 and would be inappropriate development and very special circumstances would need to be shown for approval to be given.

9.5 The applicant has stated that the following, when considered in combination, form the basis of the 'very special circumstances' argument in favour of the proposed development ;

- **The need for the proposed development**

9.6 The proposed extension is fundamental to the businesses ability to continue to operate and grow in the future. The site forms part of the garden and car park of a medical products company with national and international links. The company predominantly operates from these premises with the manufacturing element taking place in Derby which will be moved to this site. The existing premises are at full capacity following the growth of business over the last 10 years so there is no space available to house the manufacturing element. The manufacturing element also needs to be isolated from the research and development equipment which is currently on site to prevent contamination. From an economics of scale point of view it is commercially beneficial to locate the manufacturing element of the business within close proximity of the rest of the business so that support services can be shared and cost of transporting the product can be reduced. The company also has a growing need for additional storage space for the storage of medical records. The records need to be retained for the expected life of the products which due to the quality of products is the expected life of the patient. This information needs to include the devices design, development, specification, manufacture and distribution. These need to be kept as hard copies for auditors to check that necessary procedures have been followed. Office space is now cramped with the growth of the company from 55 employees in 2005 to over 100 now. The company employs a wide range of specialist staff who all need to work together to share knowledge and the integration of the different departments on one site is critical to its success. Without the additional floorspace the business will not be able to achieve future growth and would hinder research and advancements in medical care in the global market.

- **Alternative premises**

9.7 The applicant has stated that the relocation of the business to an alternative site or premises is not a feasible option. The company has very specific business requirements and none of the existing offices in the area are suitable. The manufacturing element of the business requires machinery that has a higher floor to ceiling height than the standard rooms offered in most buildings. The local workforce is highly qualified and skilled is regarded as an asset to business in the area. A large proportion of the employees live locally (43% within 5 miles and 77% within 10 miles) and relocation of the business could result in specialised and knowledgeable staff leaving the company. The company does have national and international links so its location adjacent to Leeds Bradford International Airport allows for good links to the wider global locations.

- Economic

9.8 The company plays a notable part in the healthcare industry. It is an active economic use, provides employment and is a well established element/feature in the existing green belt. The site has changed positively over the years with the company investing significantly in improving the site since it was purchased in 2002.

9.9 All the above matters are considered to specifically related to the existing business which have been located on the site since 2002 and need to expand.

It is concluded that there are strong economic reasons for this expansion to proceed and this is supported by the local MP and Ward members. Together it is considered that the grounds put forward do amount to very special circumstances.

9.10 The land used for this building is partly used as parking and partly a grassed area which is located adjacent to the existing car park and building. The new build also extends no further to the rear than the existing building and also extends no further to the side than the existing car parking.

9.11 The Green Belt washes over the site and Leeds Bradford Airport to the west of the site boundary, car parking for the airport is to the north and south of the site and a road is on the eastern boundary. The proposed masterplan strategy for Leeds Bradford Airport includes Springfield House within the proposed Airport Village area with the garden of Springfield House as a development plot. There is also a large proposed allocation within the Site Allocations Plan for employment within the green belt beyond the boundary of the site.

9.12 Whilst the development is inappropriate and therefore by definition harmful which must be given significant weight in the decision. The additional building will result in a loss of openness but it is considered that this is limited within the immediate context and should be given only limited weight. It is considered there are strong economic reasons for allowing this development to proceed set out above which amount to the very special circumstances which outweigh the harm from inappropriate development and the limited harm from the loss of openness.

2. Design and scale

9.13 The building (except for a glazed link) will be detached from the main building which will still remain dominant. The new building will have a similar eaves height to the existing building and the floor in the roof is flat and lower than the roof form on the existing building. The new building will be approximately half of the current building in length and will have a significant set back from the front of the existing building. All these ensure that the proposed building will be subservient to the existing building.

9.14 The existing building is constructed from stone and slate, has dominant gable features along with small dormers within the roofspace. The form of the building has a vertical emphasis. The new building will use elements of course and smooth stone and render which take on board the materials from the existing building but incorporate them into a modern design. The window design has been changed to vertical emphasis to take on board this window layout in the existing building. The roof uses dark zinc sheeting along with glazing which is modern but allows for the roofscape on the existing building to remain dominant.

9.15 Overall it is considered that the design and scale of the proposal is considered acceptable.

3. Highways

9.16 The proposal does involve an increase in floorspace and will involve an increase in the number of staff on the site, approximately by 31 in the long term. There will be an additional number of 8 car parking spaces on the site. The company does have an excellent travel plan showing that 40% staff already use other modes of transport to work other than the single occupancy of cars. Travel plan measures proposed include collection and drop off for staff and visitors at Horsforth Station using the 3 electric cars they have, bike to work scheme with secure lockers and changing facilities. The plan also proposes to reduce the single occupancy of cars to 50% over next 5 years. Therefore on balance subject to a revised travel plan no objections are raised to the level of parking proposed for the development.

4. Trees

9.17 The proposal involves the loss of 5 trees, four for the building and one for the extension of the car park. The trees for removal have all been categorised as C or U and as there are more substantial and important trees on the site the loss of these should not have a detrimental impact.

9.18 There is one category A chestnut tree close to the extension on the boundary of the site. Amended plans have been submitted moving the development further away from this Chestnut Tree to ensure its long term survival. Conditions are attached to ensure that construction work is carried out sensitively to protect this tree. Work for the extension to the car park also needs to be carried out carefully to ensure the long term future of the trees that could be affected by the development and again conditions will be attached.

9.19 Overall it is considered that the proposal in terms of the impact on trees is acceptable.

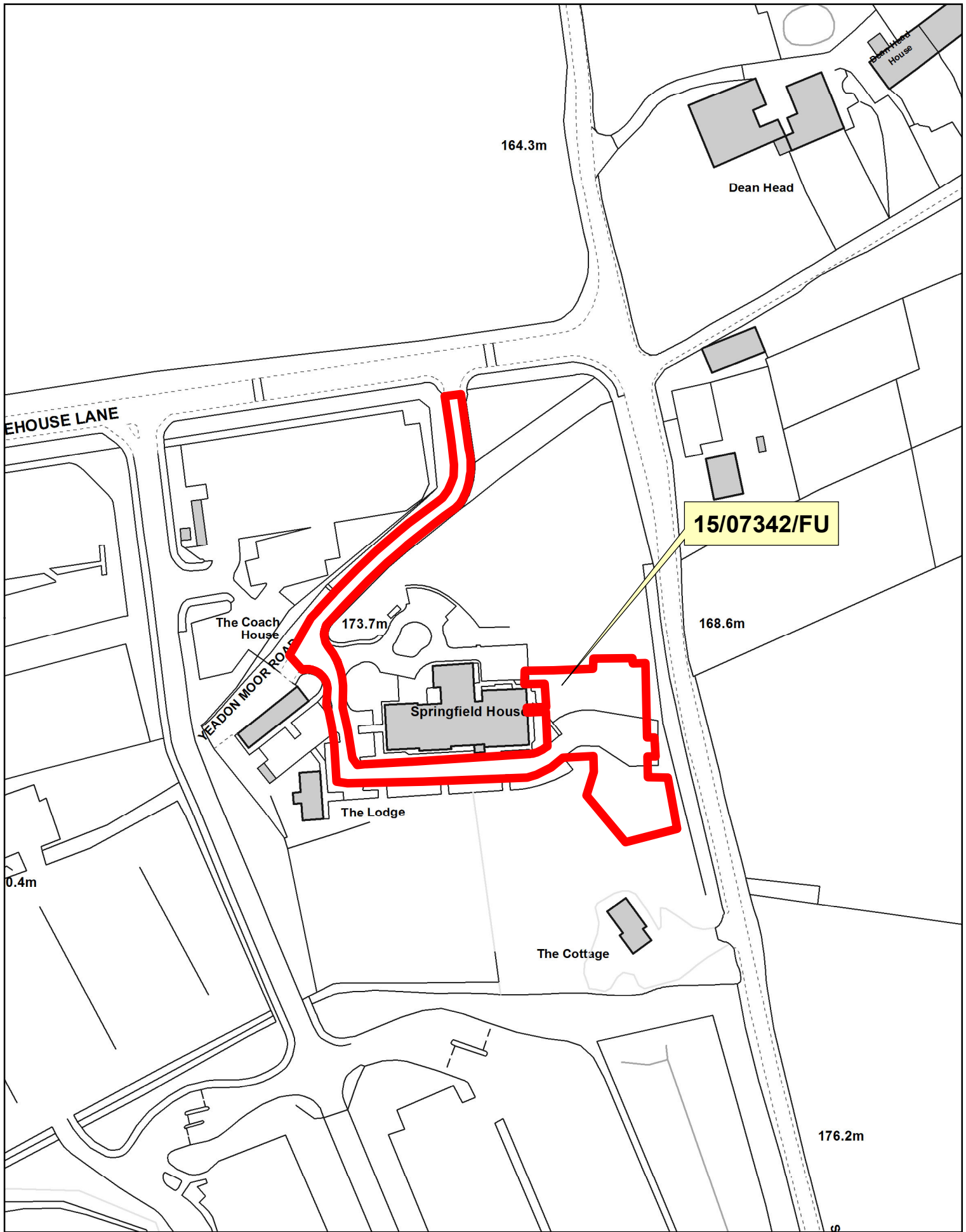
10.0 CONCLUSION

10.1 To conclude it is considered that the development can be supported due to the very special circumstances demonstrated by this company which outweighs the substantial harm to the green belt as a result of inappropriateness and the limited harm to openness which results from the new building. The application is therefore recommended for approval, subject to conditions.

Background Papers:

Certificate of ownership: signed by applicant.

Planning application file.



SOUTH AND WEST PLANS PANEL

