

NORTH AND EAST PLANS PANEL

**Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 1st September, 2016
at 1.30 pm**

MEMBERSHIP

R Grahame
S McKenna
N Walshaw
(Chair)
S Arif
C Dobson
S Hamilton
K Ritchie

B Cleasby

J Procter
G Wilkinson
P Wadsworth

**Agenda compiled by:
John Grieve
Governance Services
Civic Hall
Tel: 0113 224 3836**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 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>	

Item No	Ward	Item Not Open		Page No
3			LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	
4			DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS 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.	
5			APOLOGIES FOR ABSENCE To receive apologies for absence (If any)	
6			MINUTES OF THE PREVIOUS MEETING To approve, as a correct record the minutes of the previous meeting held on 4 th August 2016. (Copy attached)	3 - 12
7	Garforth and Swillington		APPLICATION NO. 16/03161/FU - DETACHED CLASSROOM BLOCK AT SLP COLLEGE, MAIN STREET, GARFORTH, LEEDS 25 To consider a report by the Chief Planning Officer which seeks approval for the siting of a detached Classroom Block at SLP College, Main Street, Garforth, Leeds 25. (Report attached)	13 - 22

Item No	Ward	Item Not Open		Page No
8	Harewood		<p>APPLICATION NO. 16/02739/FU - DEMOLITION OF AN EXISTING DETACHED DWELLING AND CONSTRUCTION OF A REPLACEMENT DETACHED DWELLING AT FULWOOD HOUSE, LING LANE, SCARCROFT, LEEDS, LS14 3HY</p> <p>To consider a report by the Chief Planning Officer which seeks the demolition of an existing detached dwelling and construction of a replacement detached dwelling at Fulwood House, Ling Lane, Scarcroft, Leeds, LS14 3HY.</p> <p>(Report attached)</p>	23 - 34
9	Alwoodley		<p>APPLICATION NO. 16/01527/FU - DEMOLITION OF BUNGALOW AND THE ERECTION OF A BLOCK OF FOUR, TWO BEDROOM FLATS AT 5 CRESCENT GARDENS, ALWOODLEY, LEEDS, LS17 8DR</p> <p>To consider a report by the Chief Planning Officer which seeks the demolition of a bungalow and the erection of a block of four, two bedroom flats at 5 Crescent Gardens, Alwoodley, Leeds, LS17 8DR.</p> <p>(Report attached)</p>	35 - 46
10	Harewood		<p>APPLICATION NO. 16/03555/FU - THE REBUILDING AND EXTENSION OF DWELLING AT LOFTHOUSE LODGE, HARROGATE ROAD, HAREWOOD, LEEDS, LS17 9LU</p> <p>To consider a report by the Chief Planning Officer which seeks approval for the rebuilding and extension of dwelling at Lofthouse Lodge Harrogate Road, Harewood, Leeds, LS17 9LU</p> <p>(Report attached)</p>	47 - 58
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Thursday 29th September 2016 at 1.30pm in the Civic Hall, Leeds.</p>	

Item No	Ward	Item Not Open		Page No

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- 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.

This page is intentionally left blank

To all Members of North and East
Plans Panel

Planning Services

The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Contact: Adam Ward
Tel: 0113 395 1817
adam.ward@leeds.gov.uk

Our reference: NE Site Visits
Date:

Dear Councillor

SITE VISITS – NORTH AND EAST PLANS PANEL – 1ST SEPTEMBER 2016

Prior to the meeting of the North and East Plans Panel on Thursday 1ST September 2016 the following site visits will take place:

Time	Ward	
10.00am		Depart Civic Hall
10.20am	Garforth & Swillington	16/03161/FU – SLP College, Main Street, Garforth
10.50am	Harewood	16/02739/FU – Fullwood House, Ling Lane, Scarcroft, LS14 3HY
11.15am	Harewood	16/03555/FU – Lofthouse Lodge, Harrogate Road, Harewood, LS17 9LU
11.30am	Alwoodley	16/01527/FU – 5 Crescent Gardens, Alwoodley, LS17 8DR
12.00 noon		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at 10.00am. Please notify Adam Ward (Tel: 395 1817) if you wish to take advantage of this and meet in the Ante Chamber at 9.55am.

Yours sincerely

Adam Ward
Team Leader – North East Team
Planning Services

This page is intentionally left blank

NORTH AND EAST PLANS PANEL

THURSDAY, 4TH AUGUST, 2016

PRESENT: Councillor N Walshaw in the Chair

Councillors R Grahame, G Wilkinson,
B Cleasby, S McKenna, P Wadsworth,
S Arif, C Dobson, S Hamilton, K Ritchie
and B Anderson

The following sites were visited by Members on the morning of the Panel :

16/00652/FU – 18 Borrough Avenue, and

16/01027/FU – 576 Harrogate Road

These were attended by Councillors Walshaw, Hamilton, Ritchie, S McKenna and Wilkinson.

32 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

33 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

34 Late Items

There were no late items.

35 Declarations of Disclosable Pecuniary Interests

There were no declarations of pecuniary interests. However, David Newbury the lead planning officer for the Panel declared a non-pecuniary but prejudicial interest in item 13 as the agent acting on behalf of applicant was a friend. David Newbury was not in attendance for the duration of this item.

36 Apologies for Absence

Apologies were received from Cllr. J Procter. Cllr. Barry Anderson substituted.

37 Minutes

RESOLVED – That the minutes of the meeting held on 30th June 2016, were approved as a correct record.

38 16/01027/FU - Demolition of former care home and construction of five flats with parking at 576 Harrogate Road, Moortown, Leeds, LS17 8DP

The report of the Chief Planning Officer for the demolition of a former care home and construction of five flats with parking at 576 Harrogate Road,

Draft minutes to be approved at the meeting
to be held on Thursday, 1st September, 2016

Moortown, Leeds LS17 8DP set out the following suggested reason for refusal for Members consideration.

The Local Planning Authority considers that by reason of the overall size and scale of the proposed building and the amount of associated hardstanding the proposal would result in an overdevelopment of the site not in keeping with the established residential character of the area and resulting in harm to the character and visual amenity of the area. The proposed development is contrary to City Council's Core Strategy (2014) policy P10, the saved UDP Review (2006) policies GP5 and BD5 and the guidance contained within the Neighbourhoods for Living (SPG) and NPPF.

The application was considered at North and East Plans Panel on the 30th June 2016, where Officers had recommended approval of the proposal, subject to conditions. However, at the meeting Members resolved not to accept the officer recommendation and expressed concern in relation to overdevelopment of the site and harm to the character of the area. Members requested that a suggested reason for refusal be presented to the Panel for their consideration. Minute 30 refers.

Members had visited the site earlier in the day and felt that the site was much larger than the impression conveyed by the plans and photographs at the presentation at the Panel on the 30th June.

Members had noted that a large section of the site was already given over to hardstanding and they were of the view that the Council would lose should the application go to appeal.

Members said that they would like to see more greenery at the front of the site and oil interceptors to the parking areas.

Mr Saffer a speaker in favour of the refusal of the application attended the Plans Panel, he was grateful that Members had visited the site.

He said that he had lived in the area for 24 years and the development would dramatically change the nature of the area, he said that residents were opposed to the development and similar developments which were due to be presented in the future.

The lead officer for the Panel informed the Panel that although there was local concern there was nothing in planning policy to object to flats he said that it was more about the impact on the area.

In response to questions from Members Mr Saffer said that cars had not been an issue when the site was a care home he said that there was an issue with the shops nearby and the public house, double yellow lines made this minimal, but he was of the view that 5 flats would generate a number of cars in the area causing long term parking on Harrogate Road and on Crescent Gardens.

Members noted that there were flats across the road from the proposed site which had been built about 25 years ago.

Members were informed by the Highways Officer that 11 spaces were sufficient for five flats with two standard spaces for each flat and one for visitors.

RESOLVED – That Members decided to defer and delegate approval to the planning application to officers subject to:

- The conditions listed on the Panel report of 30th June 2016 with an additional condition concerning the provision of oil interceptors to parking areas.
- Further negotiations to move the 3 parking bays at the front to the site further forward towards the centre of the area in the front of the building and the provision of additional landscaping behind.

39 16/03394/FU - Retention of 84 caravans in connection with an existing soft fruit farm at Sturton Grange Farm, Ridge Road, Micklefield, Leeds, LS25 4DZ

This application sought the retention of 84 caravans in connections with an existing soft fruit farm at Sturton Grange Farm, Ridge Road, Micklefield.

The application sought to retain 84 caravans for occupation by seasonal workers employed on the existing soft fruit farm. Sturton Grange Farm grow strawberries and blackberries using hydroponic and table top production techniques which involve crops being grown in narrow troughs raised on metal legs covered by Spanish style polytunnels. The circumstances surrounding the needs for the workforce accommodation on the site are no different to those in previous applications of 2009 and 2011.

The special circumstances of the application were listed at 10.6 of the submitted report.

Members noted that 10.12 of the submitted report highlighted the siting of the caravans within the Green Belt. It was noted that the caravans are sited within a natural depression in the landscape making it less visually intrusive within the landscape and that landscaping related to a planning condition had been undertaken around the perimeter of the caravan site.

Aberford Parish Council had no objections to the application as long as the public right of way was not blocked. This has now been diverted so there is no conflict.

Members noted that the application was recommended for a further temporary 3 year permission and that the application would need to be referred to the Secretary of State as a departure from the Development Plan.

RESOLVED – That Members resolved to accept the officer recommendation of approval subject to the referral of the application to the Secretary of State as it is a significant departure from Green Belt planning policy.

40 16/01391/FU - Change of use from a single dwelling house (C3) to a single house in multiple occupation (C4) at 3 Grange View, Chapeltown, Leeds, LS7 4EP

The report of the Chief Planning Officer sought planning permission for the conversion of 3 Grange View from a four bedroom family home to use as a six bedroom House in Multiple Occupation (HMO's) within Class C4 of the Uses Classes Order.

It was brought to Panel at the request of all three Ward Members who were of the view that there was already a high concentration of flats and HMO's in the Chapel Allerton ward and that larger family homes were needed.

This application had been deferred from the meeting held on 2nd June 2016, whilst clarification on Leeds Core Strategy Policy H6 was sought. Minute 12 refers

An assessment of the area showed a greater expanse of HMO's than first thought. Members noted that details of the HMO's identified were listed at 1.3 of the submitted report.

Members were informed that the proposal was for 2 car parking spaces at the property which may cause highways issues.

In response to a question from Members it was noted that all bathrooms had a toilet with an extra toilet located on the first floor.

Cllr. Hamilton declared that she had an interest in this application as she had family in the area.

RESOLVED – That planning permission be refused in accordance with the officer recommendation.

Members also considered it was important that when dealing with such applications officers undertake a detailed assessment of HMO's in the local area and have regard to the views expressed by Ward Members.

41 16/01753/FU - Change of use of dwelling house (C3) to house in multiple occupancy (C4) and dormer windows to front and rear of 6 Grange Terrace, Chapeltown, Leeds, LS7 4EF

This application sought planning permission for the conversion of 6 Grange Terrace from a four bedroom family home to use as a six bedroom HMO the C4 Uses Class Order.

This application had been deferred from the meeting held on 2nd June 2016, whilst clarification on Leeds Core Strategy Policy H6 was sought. Minute 13 refers

Members were informed that this was a Victorian mid Terrace property. It was proposed that the six bedrooms would all be ensuite with showers and toilets.

The proposal was for a dormer window to both front and rear of the property the dormer was within guidelines.

Members noted that the property had no off street parking, it was well located for bus stops and had shops nearby.

An assessment of the area showed a greater expanse of HMO's than first thought. Members noted that details of the HMO's identified were listed at 1.3 of the submitted report.

Cllr. Hamilton declared a prejudicial interest in this application as she knew the speaker.

Mr Wenham the applicant addressed the Panel saying that he did not agree that the amount of HMO's in this area would make it look the same as Headingley. He was of the view that the area would be a satisfactory student area with students living amongst families.

He said that the back yard of the property measured 4 metres by 4 metres.

Members were asked to note 10.2 and 10.4 (iii) of the submitted report which highlighted the impact that a high concentration of HMO's would have on an area including to undermine the balance and health of communities.

RESOLVED – That Members refused planning permission in accordance with the officer recommendations.

42 16/00652/FU - Retrospective application for change of use to a 6 bed HMO at 18 Borrough Avenue, Gledhow, Leeds, LS8 1LR

The report of the Chief Planning Officer sought retrospective planning permission for the conversion of 18 Borrough Avenue, Gledhow, Leeds, LS8 1LR from use as a dwelling to a HMO C4 of the Use Classes Order.

The application was brought to 2nd June 2016 Panel at the request of former Councillor Bill Urry who cited his reasons as increased levels of noise and disturbance from the C4 use and additional parking pressures and safeguarding issues for the child minding operation to the adjoining property due to the uncertainty of whom would reside at 8 Borrough Avenue.

The application had been deferred from the meeting held on 2nd June 2016, whilst clarification was sought on the Core Strategy H6. Minute 14 refers.

The application proposed a six bedroom HMO with off street parking for 3 cars with two bedrooms to the ground floor with shared bathroom, lounge and kitchen and four bedrooms and a bathroom to the first floor. Bedroom 3 was served by a skylight while the other bedrooms were served by side windows.

Members attention was drawn to 1.3 of the submitted report which highlighted the concentration of HMO's in the area. It was noted that HMO's were spread across a wider geographical area in a family suburb.

Members were also asked to note that condition 1 should be deleted from the submitted report.

Miss Babra the child minder who lives next door to 18 Borrough Avenue spoke at the Panel informing Members that there was constant noise from the property including music, and football played inside. She said that her daughter's bedroom adjoined the property.

She informed the Panel that there were eight houses on her side of Borrough Avenue and that there was already not enough parking.

Miss Babra also said that the applicant had lied on the form as HMO had started before planning permission had been sought with residents unsure as to how the house was being used.

She said that issues had arisen with noise as the fire alarm had kept going off and she had made complaints to the landlord.

She informed the Members that she was a child minder and had concerns that the use of the property as a HMO would affect her business as the property overlooked her garden and she was unsure who was living at the property. She had been told that the people who would be living there would be young professionals.

Mr Windress the agent and the landlord were also in attendance at the meeting and informed the Panel that this area was a mix of communities and was in line with policy guidelines. He said that in that locality only 7% were HMO's.

Mr Windress explained that at the beginning of the year the property had been rented as a family dwelling but ownership had changed and the management of the property was better with noise issues being addressed straight away as the landlord lived close by.

The landlord informed the Panel that he had been a landlord for 16 years he lived only 5 minutes away and that all tenants were vetted. He said that at the beginning there had been some problems but these had been addressed and no further complaints had been received.

Members raised concerns that the noise issue seemed to be ongoing according to Miss Babra and suggested that sound proofing should be considered.

The agent said that a noise specialist had been contacted and if granted permission would install sound proofing to the four bedrooms adjoining the next door property. It was noted that sound proofing would be effective and was simple and relatively cheap to install.

In response to Members questions in relation to this being a retrospective application the landlord explained that when he had purchased the property he thought that it had been operating as a HMO as it had fire doors and smoke alarms in keeping with HMO regulations and was given the impression that the property was a HMO by the agent. When it became apparent that it had not operated as a HMO he had submitted the relevant forms.

In relation to Members queries on safeguarding they were informed by the Legal Officer that DBS checks could not legally be conditioned as they would be difficult to enforce and would be deemed problematic.

Discussion took place in relation to HMO's in close proximity to nursery's and child minders.

Members were of the view that the landlord and the neighbour Miss Babra should meet and talk through issues.

The Highways Officer in response to a question explained that a swept path analysis had taken place and there was sufficient car parking space for 3 cars with independent accessibility. However, the access point would need to be widened

RESOLVED – That planning permission be granted in accordance with the recommendation subject to:

- The deletion of condition 1 – in relation to the commencement of the development
- The addition of a condition to require details of a management scheme to be submitted to and approved by the Local Planning Authority to record, address and to take remedial measures to resolve any complaints made in respect of noise and disturbance and that the records be provided to the LPA on request.
- Condition 6 to require the widening of the access point.

43 15/06942/FU - Dwelling to vacant land, adjacent to Beckfield, Station Lane, Thorner, Leeds

This application proposed the construction of a detached single storey dwelling on an infill site in Thorner. The application was reported to the Plans Panel at the request of Councillor Rachael Procter, due to the Green Belt location of the site and impact of the dwelling, concern over retaining the

existing building line, appropriate building design and appropriate boundary treatment.

It was noted that two letters of objection had been received and a letter had been received from Thorner Parish Council with regard to the Japanese knotweed and the building line.

Members were informed of the following points:

- There is Japanese knotweed on the site and this would need treating prior to the commencement of any building works
- Access to the site is by a dropped kerb which is in situ.
- The site is within the green belt
- The land is an infill site in a village
- The trees on the site are protected
- The applicant was unhappy about certain conditions in relation to the development of the site namely the biodiversity enhancement features in relation to bird and bat roost features.
- The applicant had reduced the scale of the development and moved to the development within the existing building line. As per the wishes of the Parish Council.

Members were provided with the relevant planning history as set out at 4.0 of the submitted report including information in relation to a fall-back position on planning permission granted by Wetherby District Council in 1968 and 1972.

Members were informed of the different treatments for Japanese knotweed.

Members were advised that the applicants had 6 weeks in which to appeal against the planning conditions.

RESOLVED - That planning permission be granted in accordance with the recommendations.

44 16/00015/FU - Two storey and single storey rear extension and single storey side extensions with balconies above: canopy to front; replacement chimney at Beechings Station Lane , Thorner, Leeds

This application was brought to Plans Panel at the request of Councillor Rachael Procter who is concerned that officers gave conflicting advice at the pre application stage of the application.

The application proposes to extend the detached dwelling within the Green Belt with a two storey and a single storey rear extension with canopy to the front and replacement chimney at Beechings, Station Lane, Thorner, Leeds LS14 3JF.

Two letters of support had been received commenting that the proposal is appropriate in design and would not have a negative impact upon the openness or the character of the Green Belt.

It was highlighted to Members that the proposal cumulatively with the existing extensions on the building would amount to more than a 90% increase in the volume of the dwelling and was therefore considered to be disproportionate additions to the building which the NPPF regards as being inappropriate and harmful forms of development in the Green Belt and the Council should be consistent in its approach.

Mr Moxon the applicant address the Panel informing them that he had purchased the property last year through a sealed bid process as he and his wife loved the village of Thorner and wished to bring up their family there.

The house had had very little work done to it and he wished to improve the look and the condition of the house.

A discussion took place with regard to the advice given at the pre-application stage of the application. Members noted that the advice given was for a different scheme and to a different applicant. Information provided to the Local Planning Authority was that the dwelling had not been extended previously.

It was suggested that this application be deferred to investigate this query and legal advice to be sought in this matter.

The applicant described the work that he wished to make to the dwelling informing the Members that the house was lower than the embankment, therefore would not be seen. Members said that they had no issue with the design but had concerns with the misleading advice provided at the pre-application stage.

Members were informed that any building works needed to be the size of the building that already exists.

The Legal Officer informed Members that it was not just about the Pre-application and the fact that this was Green Belt but also the cubic capacity of the building.

RESOLVED - That the application to be deferred to:

- Bring a further report back to the Plans Panel that details the pre-applications discussions that took place.
- Further negotiations to take place to see if a revised scheme can be achieved that fits with Green Belt planning policy.

Members had also raised a general point about the legibility of the drawings that form part of the presentation and that officers should ensure that any drawings presented are clear and of an appropriate scale.

45 16/01509/OT - Outline application for residential development including vehicular and pedestrian access from Wetherby Road on land at Micklethwaite Farm, Wetherby Road, Wetherby, LS22

David Newbury left the meeting at this point. Minute 35 refers.

This application was an outline application for a residential development including vehicular and pedestrian access at Land at Micklethwaite Farm, Wetherby Road, Wetherby LS22.

The application was brought to Plans Panel at the request of Cllr. John Procter who felt that the site should form part of the wider plan to re-develop the hotel site and that the Green Belt buffer should be located within the site.

Members were informed that outline permission was sought for a residential development comprising up to 7 dwellings, including means of access from Wetherby Road. Permission was sought for the principle of development and means of access only with all other matters reserved.

As part of this scheme a belt of trees that runs along the northern and eastern boundary of the site, buffering hotel and the residential estate of Micklethwaite would be removed.

Members were advised of the following points:

- There would a single entrance point to the hotel
- One buffer would be removed but replaced with another
- The public footpath would not be affected by the proposals
- Policy S6 had now been deleted
- The location is suitable for housing
- It is recognised that this area had a need for housing
- The proposed layout is good
- TPO trees to be retained
- There had be no objections from nature conservation
- No issues regarding drainage
- Access to local schools would be through the estate located at the rear of the development
- CIL would be approximately £90 per square metre although it is not calculated at the outline stage

RESOLVED – That planning permission was granted in accordance with the officer recommendation.

An additional condition to be included ensuring that the internal access road is built to adoptable standards right up to the boundary of the site with the hotel site.

46 Date and Time of Next Meeting

The next meeting of the North and Est Plans Panel will be held on Thursday 1st September 2016 at 1:30pm.



Originator: James Bacon

Tel: 0113 2224409

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 1st September 2016

Subject: APPLICATION 16/03161/FU Detached classroom block at SLP College, Main Street, Garforth

APPLICANT

Mrs Sandra Jenkins

DATE VALID

2nd June 2016

TARGET DATE

28th July 2016

Electoral Wards Affected:

Garforth & Swillington

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: APPROVE subject to specified conditions:

1. Temporary permission (5yrs)
2. In accordance with approved plans
3. Details of external walling materials
4. Restriction on noise level from nearest sensitive properties

1.0 INTRODUCTION:

- 1.1 This planning application is brought to Plans Panel (North and East) at the request of Ward Members (Cllr Mark Dobson and Cllr Sarah Field) for reasons relating to the college site's slow encroachment on the surrounding public amenity. The Ward Cllrs cite previous expansions of the premises, breaches in planning control and that the site is tight/hard to access and very close to residential properties and consider that further development, even temporary, is inappropriate.

2.0 PROPOSAL:

- 2.1 This application seeks permission to site a modular classroom building within the site of the SLP College complex. The proposed classroom building is single storey in height with a shallow dual pitched roof over. The building has a broadly square

footprint (9.9m in width and 9m in depth) and elevates to a height of 3.1m (to eaves) and 3.4m (to roof ridge). The building is to have a grey/ blue rendered elevations to its sides and the inward facing elevation and with a red brick finish applied to the elevation facing Main Street.

- 2.2 The proposed building stands on an area of crushed hardcore lying between two established two storey properties and adjacent to the college's existing car park. The proposed classroom building is set back from the site's Main Street frontage and the adjacent flanking buildings at a distance ranging from 1.6m-3.3m. The building stands approximately 1.7m and 2.2m from these adjacent buildings. The proposal includes some tree planting to the front.
- 2.3 The classroom building will accommodate an open teaching space with associated entrance lobby and storage room. The teaching space is intended to cater for academic study and acting classes to meet educational and disabled access requirements. The applicant advises that the academic work and acting classes currently take place within the main college building and in the hall next door, but the first floor room has no disabled access. The applicant obtained planning permission to re-develop this portion of the site in 2008 (3 storey building containing a retail unit, recording studio and a flat above) although for financial reasons this was not implemented and that permission has lapsed.
- 2.4 The proposed classroom will accommodate 5 classes a day (14 pupils per class) with the classroom used between 08.15-19.00hrs (Mon-Fri) and 09.00-17.00hrs (Sat) during college term times. The classes are to involve no music and are tutor led and will cater for existing student numbers and will share the associated parking and other facilities within the college site.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site relates to the Studio La Pointe (SLP) Dance College and its associated car park. The proposed classroom building is to be positioned towards the western end of the site on a portion of unused land (covered in tarmac/ crushed hardcore) which lies adjacent to the Main Street frontage although a high green painted timber panel fence stands between. The vehicular access to the SLP site is currently achieved from Chapel Lane.
- 3.2 The SLP college site borders a number of residential dwellings that back on to the complex (dwellings along Chapel Lane, Chapel Close and Oak Road). To the immediate north of the site is a mature two storey red brick property (No.62 Main Street) that has a vacant shop unit at ground floor and accommodation above and this property is within the applicant's ownership. To the immediate south of the site is a two storey white rendered property that contains a takeaway. The side elevation of this property has no openings and two external flues attached. The buildings to this side of the site extend eastwards (fronting Chapel Lane) and contain a beauty salon (with velux windows in the roof plane facing the college car park) and a detached dwelling that has a short rear garden area.
- 3.3 This portion of the SLP College site lies within the defined Garforth town centre and Main Street contains a range of retail, commercial and community uses accommodated within a mix of building styles with red brick the predominant construction material.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The site has an extensive planning history and the following applications are considered to be of relevance:

08/03494/FU 3 storey building to include retail unit, recording studio and 3 bedroom flat- Approved (23/02/09).
08/05846/CLE Certificate of existing lawful use for opening hours (07.30-23.00 Mon to Sat and 08.00-20.00 Sun) of dance college- Approved (06/05/09).
08/02298/FU Variation of condition No.15 (opening hours) of planning permission- Refused (12/06/08)
07/05133/FU: Amendment to approval 06/01771/FU for 3 storey side extension to dance college - Approved (12/02/08).
06/01771/FU: 3 storey side extension to dance college - Approved (20/11/06).
06/01770/FU: Erection of 3 storey building comprising 11 flats and 3 shop units - Withdrawn (09/06/06).
33/508/04/FU: Single storey side extension to dance & drama college - Approved (26/07/05).
33/382/03/FU Single storey extension to form changing rooms to rear of dance school- Withdrawn (03/11/05)
33/284/01/FU Part new roof to dance school- Approved (15/10/01)
33/199/99/FU 2 storey extension to proposed extension to Dance Studio- Approved (05/10/99)
33/61/99/FU 1st & 2nd floor side extension to Dance Studio- Approved (15/06/99)
33/175/93 Single storey side extension to dance school- Approved (18/10/93)
33/381/90 Alts, incl recladding, to form 3 dance studios, changing rooms, laundry, reception, store rooms and café...- Approved (06/02/91)
33/263/90 Change of use of warehouse with offices to ballet studio, costume hire with ancillary offices with car parking- Approved (30/10/90)
33/961/79 Change of use of factory to musical instrument warehouse with offices- Approved (31/12/79)

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 During the assessment of this application, additional information was obtained from the applicant to inform officers for what purpose the classroom building would be used, frequency of use, pupil/staffing numbers and clarification on car park layout. Amendments to introduce a brickwork finish to the Main Street facing elevation were also obtained.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised through 3 site notice displays posted on 17th June 2016.
- 6.2 8 letters of representation received raising objection to the application proposal based on the following summarised grounds.
- Garden borders SLP car park and regularly subjected to high levels of noise (car doors, music, engines) and disturbance (headlights shining); congregation of students (incl. break-times); further expansion of college will make matters worse; noise to nearby commercial units (funeral directors) and upper floor tenants;

- Parking issues with car park at capacity; college visitors use public car park opposite (less spaces for shoppers); safety issues with children crossing Main Street; issues with coaches parking up on Main Street (restricting traffic flow and driver visibility) will become worse.
- Increases in traffic to Chapel lane and Chapel Close (from drivers looking for spaces/ turning round); bottlenecks along Chapel Lane during drop-off/pick-up- residents having to wait to drive out of their properties; increased usage of the site will make matters worse- knock-on impacts to Main Street; Chapel Lane has no footway;
- Classroom not in keeping with the surrounding area and an eyesore/ unsightly; classroom building appears to offer little sound insulation;
- Insufficient/unclear information- if classroom used for singing, dancing or drama lessons it would be unacceptable because of noise levels- have serious existing noise issues with college and this would aggravate noise nuisance; plans show access to first floor accommodation? Is it to be used as a recording studio/student accommodation? Confirm it is not a permanent building; Inconsistencies in the submitted parking layouts;
- Classroom to be placed over a main water pipe and possible mine shaft- issues of ground stability.
- How many extra students will be accessing the college as a result of the proposed classroom?
- Previous permission raised highway concerns about insufficient car parking.
- No provision of acoustic fencing as agreed under 2008 application.
- Lead to further increases in property size over time which will overlook property (No.2 Chapel Close).

7.0 CONSULTATION RESPONSES:

- 7.1 Coal Authority: Proposed building involves no significant groundworks so no requirement to consider coal mining legacy matters as part of planning application.
- 7.2 Highways: Clarification requested on car parking layout; staff/student numbers, use of classroom and boundary line. Information subsequently submitted and considered as part of this report appraisal (para. 10.7).
- 7.3 Flood Risk Management: No objection, records show the classroom will not obstruct access to any sewers, culverts or existing drainage.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

- 8.2 The following Core Strategy policies are considered to be relevant:

- SP1: Location of development.
P1: Identifies the designated town and local centres.

- P2: Acceptable uses in and on the edge of town centres.
- P9: States that access to local community facilities and services, such as education, training... and recreation is important to the health and wellbeing of a neighbourhood although should not adversely impact on residential amenity and should where possible be located in centres.
- P10: Seeks to ensure that new development is well designed and respect its context.
- EN5: Seeks to manage and mitigate flood risk.
- T2: Seeks to ensure that new development does not harm highway safety.

8.3 The western end of the application site is located within the defined town centre of Garforth as designated within the Unitary Development Plan Review (2006) proposals map. The remainder of the site is unallocated. Accordingly, the following saved UDP policies are considered to be of relevance:

- GP5: Seeks to resolve detailed planning considerations including design, access and amenity.
- N25: Site boundaries should be designed in a positive manner.
- BD5 refers to the design of new buildings giving consideration to own amenity and surroundings.
- LD1: Requires developments to be adequately landscaped.

8.4 The following Natural Resources and Waste DPD policies are also considered to be relevant:

- WATER 7 : All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system and development expected to incorporate sustainable drainage techniques.

Supplementary Planning Guidance:

8.5 Leeds Parking Policy

National Planning Policy

8.6 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.7 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. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.

8.8 The NPPF gives a presumption in favour of sustainable development and identifies it's social role, *'supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations... with accessible local services that reflects the communities needs and support its health, social and cultural well-being'* (para.7, NPPF). Moreover, the NPPF identifies a range of core planning principles which should to underpin decision-making and these include, *'to seek a good standard of amenity for all existing and future occupants of*

land/ buildings’ and ‘deliver community and cultural facilities and services to meet local needs’.

9.0 MAIN ISSUES

1. Principle of development
2. Impact on residential amenity
3. Impact on visual amenity
4. Highway implications
5. Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The proposed classroom building is to stand to the vacant portion of the western end of the existing SLP College site, within the defined Garforth town centre boundary. The proposed classroom is to consolidate the academic study and acting classes within a single building to support the overall educational function of the college. It is considered that the proposal would broadly accord with the objectives of the town centre based policy approach and assist the provision of educational facilities at this established college site. Accordingly, the principle of the development is accepted although regard to residential amenity, visual amenity and highway safety are important factors to consider and these are appraised below.

Impact on residential amenity

- 10.2 The classroom building is proposed to stand in a gap between No.58 (hot food takeaway) and No.62 (vacant shop unit) Main Street. The building is single storey in height and is set back from the front wall of both these flanking properties and will not extend beyond the rear wall. There are no facing windows to the side elevation of No.58 and only a single ground floor window (serving shop unit) on the side facing elevation of No.62. An existing timber fence also extends to the front and side to where the building is proposed to stand and offer a further barrier to views from the classroom. Overall, given the footprint and position of the classroom building allied to the commercial nature of the adjacent properties the proposal is not considered to be unduly harmful to the amenity of those immediate neighbouring occupiers.
- 10.3 The application proposal has attracted objections from a number of residents whose properties abut the college site and it is important to give due regard to the amenity impact the proposed building will have on those residents. The objections received (see paragraph 6.2 of this report) cite longstanding concerns about how the college operates and the behaviour of their students. The amenity concerns range from noise outbreaks from the main college building, the noise and disturbance from comings and goings (both vehicular and pedestrian) and the general activities within the car park area that lies close to neighbouring domestic gardens. The concerns follow that any additional expansion of the college, through this classroom building will exacerbate these impacts.
- 10.4 The proposed classroom building is intended to accommodate academic studies and acting classes which are currently held elsewhere within the main building and in an adjacent hall. The applicant confirms that the pupil numbers will not change and that

the room within the main college building vacated by the existing classes will be used as a library/ study room. The applicant has outlined the nature of the classes (i.e. no music), class sizes, times and frequency of use and that the building will share existing facilities at the college site (as referred to in paragraph 2.4). It is considered that the consolidation of the existing education activities within the proposed classroom building will not represent a significant material change to the existing circumstances at the college site. Whilst students/ staff will now be required to access the proposed detached classroom building, from across the car park, it is not considered to lead to a significant difference in the existing patterns of comings and goings at the site as a whole. Nevertheless, mindful of the experiences reported by residents and the close proximity of their properties to the college site it would be considered reasonable to impose a restriction on noise levels from the proposed classroom in relation to the nearest residential properties.

Impact on visual amenity

- 10.5 The proposed classroom building is single storey in height with a flat roof over. The building is set back from the Main Street site frontage and will be positioned between two significantly taller properties which stand to the back edge of the pavement. This relationship effectively screens views on approach to the site from the north and south. Allied to this the building will stand behind an existing timber fence and it is considered that the classroom building will be relatively inconspicuous within the street view. Moreover, it was observed on site that flat roof forms are not untypical along Main Street and the property opposite (No.105) also utilises a flat roof form. Nevertheless, it is considered reasonable to ensure that the public facing elevation of the classroom building reflects the predominant external material finish of the locality and amendments have been carried out to detail a brickwork finish. Notwithstanding this, the proposed classroom building is modular in construction and temporary in appearance and for this reason a temporary permission could only be advanced until such time as an appropriate permanent building is considered.
- 10.6 It is noted that some objectors have highlighted inaccuracies and inconsistencies within the submitted planning drawings (e.g. annotations for first floor accommodation). These errors can be attributed to the applicant using the historical plans which accompanied applications in 2008 and for clarity replacement drawings were submitted.

Highway implications

- 10.7 The proposed classroom is located within the college site and will make use of the existing vehicular and pedestrian accesses (via Chapel Lane) and the associated car park. Whilst the concerns of the objectors are noted in regard to existing traffic and parking issues at the college site, fundamentally the proposed classroom is to provide a teaching space requirement that is currently provided at the site and the adjacent hall and as such is not considered to significantly materially impact on the comings and goings experienced at this established dance college site.

Other matters

- 10.8 In respect of flood risk and drainage matters, Council records show the proposed classroom block will not be obstructing access to any sewers, culverts or existing drainage on or near to the site. This area of land is already laid out with an

impermeable surface and the proposed classroom block will not be increasing this and will have a neutral impact on surface water drainage.

- 10.9 The application site does fall within the defined development high risk area for coal mining legacy however given that the proposal is for a temporary type structure that involves no significant groundworks it is exempt from requiring a risk assessment report.

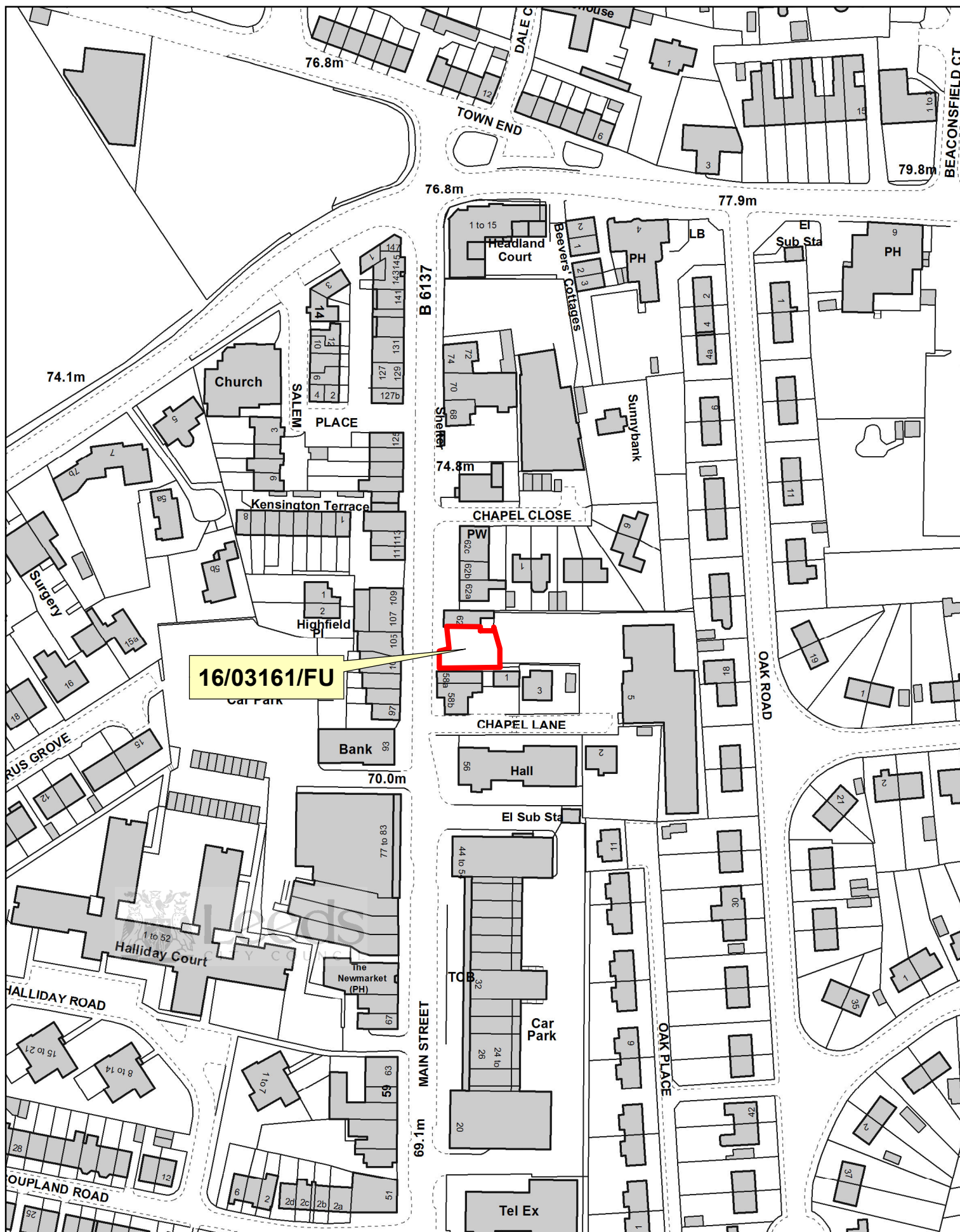
11.0 CONCLUSION

- 11.1 The proposed classroom building will result in the consolidation of accommodation and support the educational facilities at this established dance college. By virtue of the single storey nature of the building, its position back from the Main Street frontage, sited behind an existing fence line and incorporating a brickwork finish to its public facing elevation, the building is not considered to be harmful to the visual amenity of the streetscene. Nevertheless, given its temporary appearance, support for the building is only considered appropriate for a temporary period. The proposal is not considered to significantly exacerbate residential amenity concerns and the highway related concerns raised by nearby residents to the extent that it would justify withholding permission. Accordingly, this application is recommended for approval.

Background Papers:

Application and history files.

Certificate of ownership: Signed on behalf of the applicant.



NORTH AND EAST PLANS PANEL

© Crown copyright and database rights 2016 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

Page 22

SCALE : 1/1500





Originator: A Ruston

Tel: 0113 222 4409

Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 1st September 2016

Subject: 16/02739/FU – Demolition of an existing detached dwelling and construction of a replacement detached dwelling at Fulwood, Ling Lane, Scarcroft, Leeds. LS14 3HY

APPLICANT

Mr and Mrs P Burgan

DATE VALID

12th May 2016

TARGET DATE

7th July 2016

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

- 1) Time Limit
- 2) Plans to be approved
- 3) Materials – Sample Panel of Walling and Roofing Materials
- 4) Obscure glazing to side facing windows
- 5) Removal of asbestos from site
- 6) Drainage details/SuDs/Infiltration
- 7) Tree protection and Tree Surgery Method statement
- 8) The local planning authority shall be notified where unexpected significant contamination is encountered.
- 9) Any soil or soil forming materials brought to site shall be tested for contamination and suitability for use.
- 10) Parking of Plant and Contractors vehicles.
- 11) Removal of permitted development rights for rear extensions and outbuildings.

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel in response to a request from Councillor Rachael Procter who wishes the Panel to consider the impact the proposal will have on the amenity of neighbouring properties.

2.0 PROPOSAL

- 2.1 The applicant seeks permission to demolish the existing residential dwelling on the site and replace it with a new residential dwelling.
- 2.2 The dimensions of the existing house are 24m wide by 26m long (at deepest point), by 7.5m tall to ridge and 5.3m tall to eaves measured from ground level. The main front elevation is set back 39m from the highway. The projection garage wing is 22m from the highway. There is an existing detached garage which is set between the front elevation and the highway, just behind the front boundary wall which measures 6.2m wide by 6.2m long by 4.8m tall to ridge and 2.3m tall to the eaves.
- 2.3 The dimensions of the proposed replacement dwelling are 25m wide by 28m long (at deepest point) by 10.4m tall to ridge and 6m tall to eaves measured from ground level (this excludes the rear terrace). A basement is constructed beneath the dwelling which measures 24m wide by 24.5m long by 3.4m high and laying within the footprint of the main dwelling. Whilst this lies under the main dwelling, the land level to the rear (south) will be lowered to reveal the level to view. The house will appear taller from the rear than it does when viewed from the front due to the basement and difference in levels. The proposed dwelling also comprises a two storey projecting element and is part gabled/part flat roofed and measures 8.8m wide by 13.6m deep by 9.1m tall to ridge and 5.4m tall to eaves measured from ground level.
- 2.4 The proposal results in a substantial dwelling with the creation of a 6 bedroom dwelling arranged over 4 floors, including a basement and converted roofspace. All of the bedrooms will have en-suite bathrooms, with some bedrooms benefitting from dressing areas. At ground floor level the property has various reception rooms, a large kitchen, utility room, office, playroom and WC. Projecting off the house is a 3 bay garage with one of the spaces acting as a lift down to basement level where a further 12 car parking spaces are provided as well as a gym, garden store and office. A further 5 car parking spaces are proposed to the front of the new. The vehicular access from Ling Lane will also be slightly altered to facilitate improved visibility. Part of the front boundary wall will therefore be rebuilt in the same materials and to the same height. Towards the rear series of external terrace area are proposed which leads down into the existing garden which will be landscaped as part of the proposals. It is not proposed to remove any mature trees within the site to facilitate the replacement house.

3.0 SITE AND SURROUNDINGS

- 3.1 The proposal relates to a random coursed stone, gable roofed, two storey, residential dwelling of generous size, modest scale and simple form and style with feature central, two storey, transverse, gable projection to the front elevation and substantial two storey, transverse gable roofed extension to the front with accommodation and garaging. A detached garage stands to the front of the

property behind a tall boundary wall. The property has a large rear garden with dense and tall mature shrub planting to the boundaries and views over open country to the rear. TPO trees are in close proximity to the application property, predominantly located at Stone Lodge, the adjacent property to the side (west) front and rear. The Green Belt boundary falls within approximately 6m of the rear elevation of the existing property. Thus most of the rear garden falls within the Green Belt.

- 3.2 Ling Lane is characterised by large houses, set within generous, verdant plots. There is no consistent style, with each house displaying an individual design. Recent years have seen a large number of comprehensive developments, particularly to the western end of Ling Lane which have often resulted in dwellings of a larger scale being present on the plots. Such examples include Pymms approximately 75m to the side (west) and Linden Lodge approximately 60m to the side (east). Properties are usually set back from the highway edge, behind relatively open front boundaries, and this adds to the verdant character of the area, giving Ling Lane a semi-rural feel, despite the suburban appearance of many of the dwellings. This sense of space is furthered by dwellings retaining space to their sides, and these gaps are important to the spatial character of the area.
- 3.3 Although the majority of front boundaries remain relatively open, there has been a trend in recent years for higher, more enclosed front boundaries, and several have been erected without planning consent. The front boundary of the application dwelling is already enclosed by a wall, granted planning consent in 1992.

4.0 RELEVANT PLANNING HISTORY

H33/57/88. Alterations, to form enlarged living room, enlarged bathroom and enlarged landing, and extensions, to form open porch. Approved 26th May 1988.

H33/288/91. 2.2m high boundary wall and fence to detached house. Approved 14th October 1991.

H33/103/92. 2-2.4m high boundary wall and fence to detached house. Approved 1st May 1992.

33/55/98/FU. Two storey side and front extension. Approved 8th June 1998.

33/17/99/MOD. Day room/storage/toilet/garage and hall extension with bedrooms above and alterations. Approved 21st April 1999.

33/295/99/FU. 2.4m high gates and 1.75m high wall to front. Approved 25th January 2000.

33/559/05/FU. Detached timber clad double garage to front. Approved 15th February 2006.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 In order to address the concerns raised by the residents at Stone Lodge, revised plans were sought to minimise the impact in terms of dominance and loss of light. The applicant has therefore amended the scheme slightly to push the footprint of the house approximately 1m forward towards Ling Lane, thereby reducing the potential impact on the residents at Stone Lodge.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 The application was advertised, as the owner of land to the rear of the application site was not known, with the positing of a site notice on 26th May 2016. A number of neighbours were also notified by letter dated 12th May 2016.
- 6.2 **Foxholes** and **Stone Lodge** have expressed concern in respect of loss of light, impact on private amenity, overlooking, overshadowing, overdominance, noise, noxious fumes and related underground parking the impact on the integrity of the structure on neighbouring properties retaining walls, impact on trees and traffic and road safety during the development.
- 6.3 **Scarcroft Parish Council** have expressed concern in respect of loss of light, impact on private amenity, overlooking, overshadowing, overdominance, noise, noxious fumes and related underground parking the impact on the integrity of the structure on neighbouring properties retaining walls, impact on trees and traffic and road safety during the development.
- 6.4 Amended plans have been received which proposes to move the dwelling forward by approximately 1m in order to reduce the impact upon the occupants of Stone Lodge. The occupants of Stone Lodge have reviewed the revised plans and still object for the same reasons.

7.0 CONSULTATION RESPONSES

- 7.1 **Contaminated Land:** No objections subject to the imposition of conditions.
- 7.2 **Highways:** No objections subject to the imposition of conditions.
- 7.3 **Flood Risk Management:** Support the application. Advise the following SuDS features to be incorporated within the residential housing, where appropriate:
- Permeable paving, to be utilised on all exterior paving and hard-standing areas
 - Water butts to be provided on the rainwater downpipes (250 L minimum volume of storage to be provided, per dwelling)
- There are no flooding problems recorded in the vicinity so the drainage matters can be dealt with by the Building Inspector as part of the requirements of the Building Regulations. Soakaway tests to be conditioned.
- 7.4 **Sustainability-Landscape Team:** Offer qualified support subject to the imposition of conditions (Arboricultural Method Statement).

8.0 PLANNING POLICY

- 8.1 Section 38(6) 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 currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following Core Strategy policies are relevant:

<u>H2</u>	New housing development.
<u>P10</u>	Seeks to ensure that new development is well designed and respect its context.
<u>T2</u>	Seeks to ensure that new development does not harm highway safety

The following saved UDP policies are also relevant:

<u>GP5</u>	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
<u>BD2</u>	The design of new buildings should enhance views, vistas and skylines.
<u>N33</u>	Seeks to restrict inappropriate development in the Green Belt.

National Planning Policy

- 8.3 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 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. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
- 8.5 Relevant Supplementary Planning Guidance/Documents:
Neighbourhoods for Living
Street Design Guide
Parking SPD

9.0 MAIN ISSUES

- 1) Design Issues
- 2) Impact on Living Conditions of Neighbours
- 3) Green Belt
- 4) Highway Considerations
- 5) CIL Liability
- 6) Trees
- 7) Noise
- 8) Noxious Fumes
- 9) Representations

10.0 APPRAISAL

Design Issues

- 10.1 The replacement of the dwelling is considered to be acceptable in principle. Members may be aware that there are numerous examples of properties being demolished and rebuilt along Ling Lane in recent years. Therefore, the primary matters for consideration centre on the scale and design and upon the impact on neighbours.
- 10.2 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Policy P10 of the Core Strategy seek to ensure that new development is of high quality and is appropriate to its context and this is also reflected in saved UDP policy GP5. It is also important to consider the impact on any listed buildings as well as the impact upon the character and appearance of the Thorner Conservation Area.
- 10.3 The size, scale, form and style reflects and is indicative of properties in Ling Lane particularly more recently built properties. In respect of its detailed design the application is considered to be acceptable. The new dwelling has a relatively simple, basic shape and the form and the use of forward projecting transverse gables is an established pattern along the road.
- 10.4 The proposal does not raise significant concern in respect of the massing of the house and the space around the dwelling. The overall height of the property is to be increased, and thus its overall mass and its presence within the streetscene will be greater. The overall mass is reduced visually by the lowered eaves height and relatively uncluttered front elevation and roof plane and forward projecting gables which means that those elements which sit closest to the roadside have the least visual mass.
- 10.5 The replacement house will be set well back into the site from the road frontage as is the case at present. Owing to the difference in levels, the ground floor of the house will also be set down at a lower level than the road level of Ling Lane. The existing stone front boundary wall, the mature trees and other planting will all be retained to help partially screen and soften the development from the street frontage. The proposed materials using natural stone and slate are in keeping with the character of the area and are considered appropriate. The proposed minor alterations and alignment to the front boundary wall to facilitate improved visibility is also considered to be acceptable.
- 10.6 As such and in this regard the proposal complies with policy P10 of the Core Strategy and advice in Neighbourhoods for Living in that the scale, form and proportions pay due regard to the character and appearance of the area and is therefore acceptable.

Impact on Living Conditions of Neighbours

- 10.7 Policy GP5 (UDPR) notes that developments should protect amenity and this advice is expanded further in policy HDG2 which notes that “all development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted”.
- 10.8 Concerns have been expressed by neighbours in respect to overshadowing, overdominance and overlooking. The Parish Council, Foxholes and Stone Lodge

have expressed concern in relation to overshadowing, overdominance, overlooking, noise and noxious fumes.

- 10.9 The proposal has the potential to impact on Foxholes and Stone Lodge. Foxholes is the adjacent property set slightly forward and approximately 6.8m to the side east, while Stone Lodge is the adjacent property set approximately 3.7m to the side west.
- 10.10 Potential impact on Foxholes: In terms of the track of the sun it is likely that the proposed new dwelling will impact on Foxholes in the late afternoon. Foxholes has generous private amenity to the rear and it is considered that the proposal will not impact on Foxholes to a significantly greater degree than already experienced in respect to the relationship to the existing and certainly not significantly enough to justify a refusal. Although the proposed dwelling is taller than Foxholes, it would appear to be only marginal. Two windows in two separate side (east) elevations of the proposed dwelling facing towards Foxholes are proposed. One will be located at first floor level and just 0.8m from the common boundary with Foxholes serving an en-suite, which will be obscure glazed. To ensure against overlooking, conditions will be applied to ensure that this window is non-opening and obscured. A second window at first floor level will be located into a side (east) elevation of the two storey front projection approximately 20m from the side (east) boundary complying with advice contained within Neighbourhoods for Living. A window will be installed at ground floor level approximately 1.6m from the boundary, Overlooking will be mitigated by tall shrubs on the common boundary.
- 10.11 Potential impact on Stone Lodge: Stone Lodge is set to the west and has a projecting gable element close to the side boundary which has a lower eaves level than the proposed dwelling. In order to reduce the impact, the house has been positioned further forward to limit the impact on the living conditions of the occupants of Stone Lodge towards the rear. Whilst there will be some impact in terms of loss of light and dominance, this will only be on a small section of the rear patio and not sufficient to withhold planning permission. In terms of overlooking, there will be two first floor windows in the side (west) elevation serving an en-suite bathroom and laundry room, which will be obscure glazed. Two of the rear bedrooms will have external terraces, but these are recessed back and no overlooking will result. Therefore, taking into account the amendments to the scheme, the proposal will not be harmful to the living conditions of neighbours.

Green Belt

- 10.12 Part of the application site is located within the Green Belt. As outlined within the National Planning Policy Framework (NPPF) the essential characteristics of Green Belt are their openness and their permanence. Paragraph 89 of the NPPF notes that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The NPPF also states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 10.13 The boundary line of the Green Belt cuts through the rear garden of most properties on the south side of Ling Lane. Currently, no part of the existing house is within the Green Belt, although part of the rear terrace and all of the rear domestic garden is within the Green Belt. A small section of the proposed basement and associated terracing is within the Green Belt, and as such the incursion is considered to be minor. Nevertheless that part of the proposal that does fall within

the Green Belt would be considered new development and therefore inappropriate development.

- 10.14 There are considered to be three factors which weigh in favour of allowing the proposal. The first is that, the limited extent of the incursion in the context of the main dwelling is not considered to be disproportionate when set against either the existing property or the proposed property. The second is that part of the proposal that will incur into the Green Belt is set to the rear of the property and as a sub ground development would be difficult to see beyond the immediate site, thus the impact of the proposal on the openness of the Green Belt would be limited.
- 10.15 The third element which weighs in favour of the application, is that, if approved a condition can be imposed which removes permitted development rights for additional extensions and outbuildings for that part of the site that falls within the Green Belt, that being most of the rear garden. Given that the rear garden is extensive, and the current GPDO allows for the construction of large detached outbuildings without planning consent, a significant degree of harm could be caused were such buildings to be constructed. The prevention of potential, significant harm to the Green Belt is considered to be a positive matter.
- 10.16 Furthermore, it is not considered that the minor incursion into the Green Belt as basement level would be contrary to the 5 objectives of Green Belt policy set out within the NPPF.
- 10.17 As such, given their minimal impact upon the openness and character of the Green Belt, and the wider benefits which can be secured through granting consent the proposals are, on balance, considered to comply with the aims and intentions of saved policy N33 of the Unitary Development Plan and advice within the NPPF.

Highway Considerations

- 10.18 The proposal is a 'like for like' development that will utilise the existing vehicular access onto Ling Lane, therefore the proposed replacement dwelling raises no significant issues. The alterations to the front boundary wall are also considered to be acceptable. Conditions should be applied to secure vehicle space layout and maximum driveway gradients. The LPA is mindful of the limited parking situation in Ling Lane and a condition will be applied to ensure appropriate parking of contractors vehicles whilst the works are being undertaken.

CIL Liability

- 10.19 This development is likely to generate a CIL charge. However, compliance with caveats within the CIL charging structure are likely to render it exempt due the submission of a self-build certification.

Trees

- 10.20 Some trees within neighbouring curtilages are the subject of Tree Protection Orders (TPO's). The Sustainability-Landscape Team have considered the application and advise that subject to protection of retained trees, including root protection areas, during demolition and construction of the house and during implementation of proposed landscape works (including new surfacing, gates and cabling, walling and fencing and planting, minor retaining works) to avoid damage to retained trees,

that the proposal can be undertaken subject to an approved Arboricultural Method Statement to be secured by condition.

Noise

- 10.21 Whilst it is appreciated that building works will generate noise this is a temporary situation whilst works are undertaken. Moreover, separate Legislation outside of planning exists to control nuisance noise.

Noxious Fumes

- 10.22 It is noted that the proposed basement/sub ground will be used to store cars and the LPA is mindful of neighbours concerns. Pragmatically considered, it is unlikely that all cars in the basement, even if moved onto the drive, would be left running simultaneously. It is considered that the impact from cars is unlikely to be more significant than at present. Moreover, separate legislation exists to control noxious fumes.

Representations

- 10.23 Comments made by the Parish Council have been discussed in the report.
- 10.24 Comments made by the neighbouring properties have been discussed in the report and amendments have been made to reduce the impact on the occupants of Stone Lodge.

11.0 CONCLUSION

- 11.1 It is considered that the proposal sympathetically reflects the size, scale, form and style of dwelling in Ling Lane and is in keeping with the established character and would preserve the character and appearance of Ling Lane. It is also not considered that the proposals would adversely affect the living conditions of neighbours. As such, the proposal is considered to comply with the relevant policies referred to in the planning policies section above and the application is therefore recommended for approval, subject to conditions.

Background Papers:

Application files: 16/02739/FU
Certificate of ownership: Certificate A signed by agent on behalf of applicant (Mr & Mrs Burgan)



Tree Planting Detail

STANDARD TREE PLANTING

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

THIS PLANTING METHOD

PLANTS: Species, variety and specification at cost.
ROOTS: Specimens must be supplied to the client.
ROOTS: Specimens must be supplied to the client.

LEGEND	
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained

TREE SURVEY KEY	
[Symbol]	CROWN SPREAD
[Symbol]	TREES FOR REMOVAL
[Symbol]	OFFSET ROOT PROTECTION AREA

PLANNING	
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained
[Symbol]	Tree to be planted
[Symbol]	Tree to be removed
[Symbol]	Tree to be retained

Replacement Dwelling	10/10/10
Fulwood House	10/10/10
Ling Lane	10/10/10
Scarsmill	10/10/10

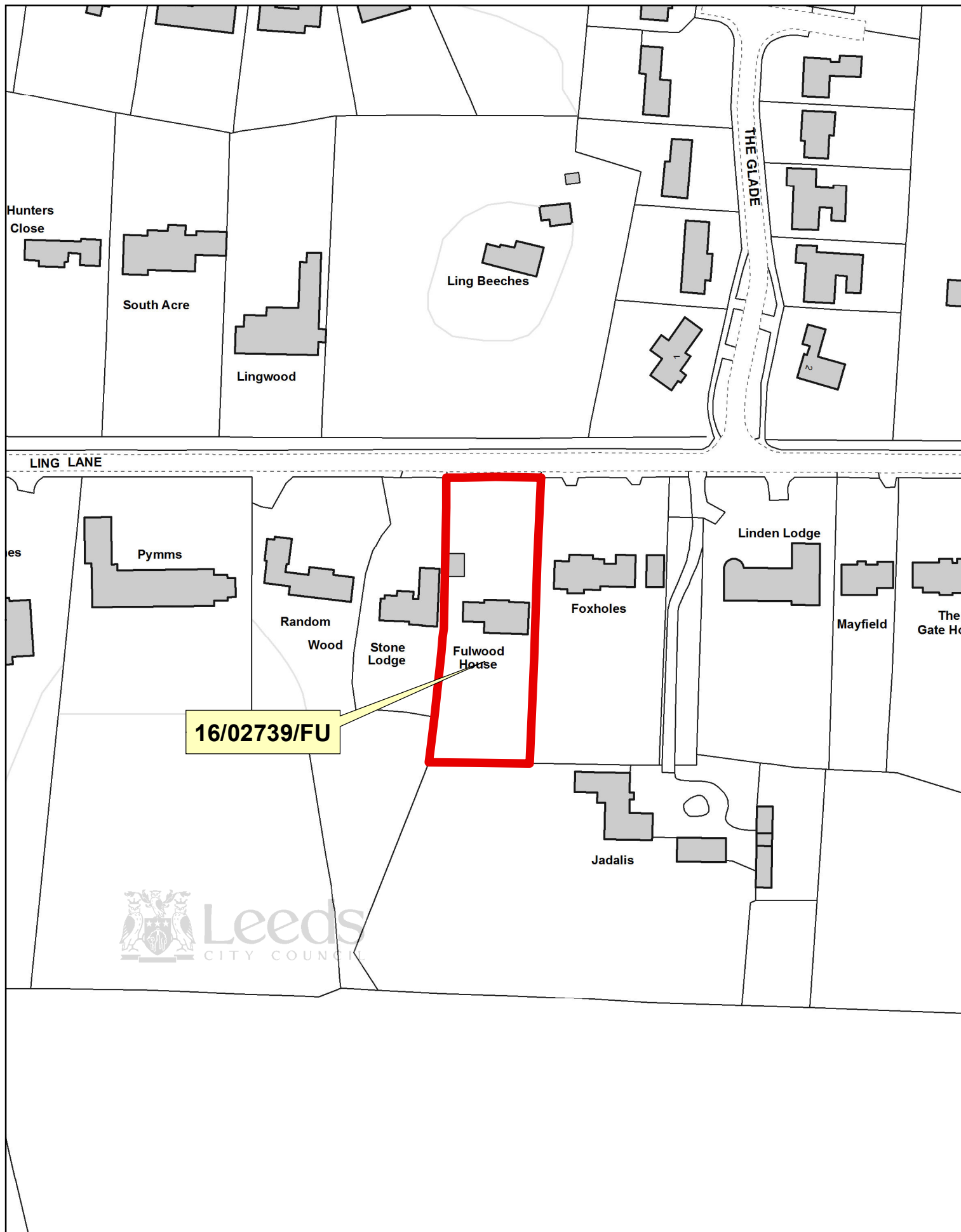
Phil & Lynne Buzgen	10/10/10
Proposed Site Plan	10/10/10
Overview	10/10/10

10/10/10	10/10/10	10/10/10	10/10/10
10/10/10	10/10/10	10/10/10	10/10/10
10/10/10	10/10/10	10/10/10	10/10/10
10/10/10	10/10/10	10/10/10	10/10/10

omni architects

11 Bridge Street, Bangor
 County Down, BT20 1AW
 E: design@omniarchitects.co.uk
 W: www.omniarchitects.co.uk

T: 0944 0028 9185 7373
 F: 0944 0028 9185 7374



NORTH AND EAST PLANS PANEL



This page is intentionally left blank



Originator: Aaron Casey

Tel: 0113 247 8059

Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 1 September 2016

Subject: APPLICATION 16/01527/FU – Application for demolition of bungalow and the erection of a block of four, two bedroom flats at No.5 Crescent Gardens, Alwoodley, LS17 8DR.

APPLICANT

Mr M Glynn

DATE VALID

17 March 2016

TARGET DATE

12 May 2016

Electoral Wards Affected:

Alwoodley

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: GRANT PERMISSION subject to the following conditions

1. Time limit
2. Development to accord with approved plans
3. Samples external materials including the bin store
4. Landscaping scheme and implementation programme
5. Opaque glazing to side elevation windows
6. Closure of redundant access
7. Maximum access gradient
8. Area to be used by vehicles to be laid out
9. Management Plan for contractors
10. Pre-commencement; a feasibility study into the use of infiltration drainage methods to be submitted to, and approved by the LPA.
11. Pre-commencement; details of a scheme to deal with surface water.
12. Standard contamination conditions.
13. Details of boundary treatments

1.0 INTRODUCTION

- 1.1 This application seeks permission to demolish the existing dwelling that occupies the site and to construct a two storey block of four flats.

- 1.2 The application is brought to Panel at the request of Councillor Cohen as it is his view that the proposal would be harmful to the character and appearance of Crescent Gardens and that the increased quantum of residential units would have a detrimental effect on highway safety and decrease accessibility for emergency vehicles. Moreover, Cllr Cohen also raises matters of over-development and inadequate parking provision.

2.0 PROPOSAL

- 2.1 The proposed two storey block of apartments would comprise of 4 x 2 bedroom units; two to the ground floor and the remaining two at first floor. Each unit would have open plan dining, kitchen and living areas. In addition, each unit has a house bathroom and an en-suite. Externally 8 parking spaces are provided to the front and amenity space to the rear.
- 2.2 The building would be set approximately 12.0m into the site from Crescent Gardens. The proposed apartment block would be constructed of brick and render under a grey slate tiled roof. The building would have a central feature to the front that has a minimal projection. In terms of overall dimensions, the proposed building would measure 14.8m wide by 11.7m deep with an eaves and ridge height of 5.1m and 8.0m respectively.
- 2.3 The vehicular and pedestrian entrance into the site from Crescent Gardens would be repositioned centrally to the site frontage. The pedestrian entrance into the building would be to the ground floor front elevation into an entrance lobby; all apartments will be accessible from the lobby.
- 2.4 The rear garden area would provide the main communal amenity space to the apartments. No landscaping plan has been submitted as part of this application however the plans show the removal of one tree to the front (T1) with the two at the rear to be retained (T2 and T3). A 1.8m high acoustic fence is shown to be erected along the rear elevation but behind existing planting to avoid a stark element when viewed from Harrogate Road which sits at lower ground level.
- 2.5 Proposed approximate dimensions:
Width – 14.8m
Depth – 11.7m
Eaves – 5.1m
Ridge – 8.0m

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located on Crescent Gardens, east of Harrogate Road and is characterised in the main by early 20th Century properties with two properties that are much more recent. The dwellings are set back from the highway behind low level stone or brick walls, railings and established planting. Tree coverage in union with the street grass verges and boundary planting present an attractive street of detached and semi-detached dwellings with good levels of spacing and with some variance in scale, form, materials and design.
- 3.2 Whilst off a main arterial route the character of the area is residential where properties appear domestic in scale and are set within relatively generous plots. Properties have soft landscaping to their fronts with areas of hard- standing to facilitate off-street parking. In close proximity to Crescent Gardens is a shopping

parade as well as a public house. Harrogate Road is a wide and busy arterial route to and from Leeds City Centre with good public transport links. The area is in the main urban area and is regarded as a sustainable location.

3.3 The application site comprises a detached hipped roofed bungalow with a box dormer to the rear. The building dates from circa 1920's and is constructed in red brick and render under a tiled roof. To the front is a garden with a punctuation within the front boundary wall allowing access into the sites driveway that leads to a detached garage. The front garden is shrubs with one small tree that whilst attractive is ornamental rather than being a significant amenity feature. To the rear is the private garden area bounded by mature and established hedging with two trees; one to the rear boundary and the other to the eastern boundary.

3.4 The application property is flanked by two storey detached properties of varying style, size and period with spacing between. The property to the north (right hand side when viewed from Crescent Gardens), is set at lower ground level whilst that to the South (left hand side) is set higher. To the west (rear) is Harrogate Road which is set at much lower ground level.

4.0 RELEVANT PLANNING HISTORY

4.1 H30/1115/77 - Alterations including new staircase, and to form enlarged kitchen and dining room and dormer window - Approved

5.0 HISTORY OF NEGOTIATIONS

5.1 The initial scheme was considered too wide and eroded the spacing between buildings whilst access widths, boundary wall height and minor landscaping required amendments to meet with Highways requirements. The front of the site also required softening with landscaping. Subsequent revisions have been submitted and form the scheme that is now before Members.

6.0 PUBLIC/LOCAL RESPONSE

6.1 The application has been advertised by site notice dated the 1 April 2016 and 10 neighbour notification letters were issued on 17 March 2016.

6.2 In response 11 letters of objection have been received and the concerns raised are summarised below:

- Detrimental impact on the character and appearance of Crescent Gardens by reason of design, scale and height.
- The parking levels are inadequate and the parking layout is harmful to the street-scene.
- Highway safety.
- Over-looking.
- Loss of light.
- Over-bearing form of development.
- Negative impact on property values.
- Drainage implications.
- Any changes of use to the application site should only be granted by agreement with neighbouring residents.
- Other applications for flats on nearby sites have been refused.

- If planning permission is granted then permit parking for existing residents only should be introduced.
- Further on-street parking could impede free access routes for emergency vehicles.

6.3 Councillor Cohen has also raised objections regarding the proposals impact on the character and appearance of Crescent Gardens and that the increased quantum of residential units would have a detrimental effect on highway safety and decrease accessibility for emergency vehicles. Moreover, Cllr Cohen also raises matters of over-development and inadequate parking provision.

7.0 CONSULTATIONS RESPONSES:

7.1 The following consultation responses have been received:

Highways

No objections subject to conditions.

Mains Drainage

No objections subject to conditions.

Contaminated Land

No objections subject to conditions.

8.0 PLANNING POLICIES:

8.1 Section 38(6) 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 currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013). The below are considered relevant to the assessment of this application:

Leeds Core Strategy:

8.2 Policy SP1: Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.
 Policy P10: Seeks to ensure that new development is well designed and respects its context.
 Policy T2: Accessibility requirements and new development
 Policy H2: Windfall sites for housing

Saved Leeds UDP:

Policy GP5: Seeks to ensure that development proposals resolve planning considerations, including amenity.
 Policy BD5: Seeks to ensure new development protects amenity.
 Policy LD1: Seeks to ensure that development is adequately landscaped
 Policy N23 : Refers to open space and the retention of existing features which make a positive visual contribution.
 Policy N25 : Refers to boundaries around sites

Supplementary Planning Documents:
SPG 13 – Neighbourhoods for Living
Street Design Guide
Parking

National Planning Policy (NPPF)

- 8.3 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system and promotes sustainable (economic, social and environmental) development. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.4 Section 6 – Creating a wide choice of homes and Section 7 – Requiring good design of the National Planning Policy Framework (NPPF) are relevant to the consideration of this application.
- 8.5 Guidance on conditions is provided within the Planning Policy Guidance.

DCLG - Technical Housing Standards 2015:

- 8.6 The above 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 developing the Leeds Standard. However, as the Leeds Standard is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this stage.
- 8.7 In this instance the proposal consists of 4 x 2 bedroom units therefore the housing standards require at the highest, minimum internal floor area 70 sq/m for 2 bed-spaces. The internal floor area of the units would be 70 sq/m at ground floor and 79 sq/m at first floor.
- 8.8 As such the proposal meets the standards at ground floor and exceeds them at first floor.

9.0 MAIN ISSUES

- 1) Principle of Development
- 2) Character and appearance
- 3) Residential amenity
- 4) Highway matters
- 5) Landscaping
- 6) Other matters
- 7) Conclusion

10.0 APPRAISAL

Principle of Development

- 10.1 There is nothing in national or local planning policy that counts against the principle of the re-development of sites for flats. Sustainable Development is a key aspect of the current planning policy framework at both national and a local level. Spatial Policy 1 of the Leeds Core Strategy (LCS) seeks to ensure that new development is concentrated in the main urban areas in order to ensure that shops, services and public transport are easily accessible. The application site is located within a wider established area of a residential settlement and is in current use as a residential site with one detached property occupying the site with associated off-street parking and gardens. The site is close to local facilities and as such is considered to be in a sustainable location. The National Planning Policy Framework (NPPF) identifies one of its core principles as encouraging the effective use of land by reusing land that has been previously developed (Brownfield land). This application refers to residential development on land that has previously been developed in terms of the existing built structures and hard-standing areas; as such it can in the main be regarded as Brownfield.
- 10.2 The rear garden land is however classified as Greenfield and section 6 of the NPPF deals with the need of housing and para. 53 that LPA's should set out policies to resist inappropriate development of residential gardens, i.e. where development would cause harm to the local area. Thus, the emphasis on local character is still a paramount consideration when dealing with residential development on garden sites, as such the NPPF reflects the Council's approach in seeking to resist inappropriate development and placing emphasis on design and protecting the character of an area. It is however also important to note that each planning application must be judged on its own individual planning merits. In this instance it is considered that the principle of re-developing the site for further residential use is acceptable as the Brownfield land utilised would include the existing dwellings foot-print and hard-standing areas. The Greenfield land to the rear that would be lost would not be significant and the site would still retain a level of garden area akin to what currently exists thereby responding to the general theme of detached buildings in plots that offer garden spaces to the rear of similar size.
- 10.3 It is noted that the scheme involves the loss of a dwelling that can be regarded as family housing, however it is not considered that this is necessarily harmful to the residential character of the area as in principle apartments can still be occupied by families depending on the nature of the scheme and it adds to the housing mix of the immediate locality. The application site lies within the built up area and it is considered that the principle of a development of apartments on this site is acceptable and the provision of apartments would provide greater choice for residents within the area or those wishing to move into the area. Moreover, there is no policy context that would justify an in principle objection.
- 10.4 The proposed apartments are of a good sizes and the development would retain the garden area to the rear, thereby presenting a residential scheme responding to the areas particular residential context, albeit that the front would be given over to a formal parking area. To the front the parking facilities would dominate, but this is can already be found in other properties, namely No's 7 and 12 Crescent Gardens, although No.7 is set at lower ground to the street and behind close boarded gates and planting. The submitted site plan shows that landscaping would be introduced to soften the visual impact of the hard-standing area but no details have been submitted in terms of density and species. This can be secured by condition.

Character and Appearance

- 10.5 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 fails to take the opportunities available for the improving the character and quality of an area and the way it functions. Core Strategy policy P10 and saved UDP policy GP5 seek to ensure that development is of high quality.
- 10.6 The application which is under consideration is located on Crescent Gardens which is a relatively narrow street, lined with grass verges and in-plot planting and tree coverage. Crescent Gardens has an attractive and established residential character where properties are variable in design and size and are set within spacious plots with established landscaping. There are no other apartments on Crescent Gardens but this housing type is more evident along Harrogate Road within the immediate area.
- 10.7 The application proposes one apartment block that would read as two storeys and would comprise four apartments. There would be no private amenity space but there would be a communal garden area to the rear. The site would be laid out with the buildings main elevation addressing Crescent Gardens and to continue the immediate character of the area the building would be set back into the site to accord with the properties to the flanks. The proposed building, whilst not insignificant in size would respond to the domestic scale of other properties within the area and responds to context given the architectural variance of Crescent Gardens. The proposal would sit lower in height than both the flanking buildings and would retain good gaps between buildings to retain the spacious theme of Crescent Gardens.
- 10.8 Views of the rear of the proposal from the public realm along Harrogate Road would be evident but the domestic and residential appearance within a well-established residential area means that the increased scale of the building on this plot above the existing bungalow would not be unduly harmful.

Residential Amenity

- 10.9 Saved policy GP5 of the Leeds UDP (Review 2006) notes that extensions should protect amenity and saved policy BD5 of the UDP notes that “all new buildings should be designed with consideration given to both their own amenity and that of their surroundings”.
- 10.10 The proposed building would be set back into the site generally in line with the flanking properties however would extend further into the site at the rear than the existing dwelling and would terminate in depth beyond the flanking properties. Therefore the proposal would be more obvious within the site and from the gardens of No.'s 3 and 7 than it would from street level. The scheme before Members is considered to avoid being an overly dominating form of development when considered from the rear elevations and rear gardens of the neighbours by reason of the spacing to the shared boundaries in union with the domestic scale of the proposed building. Moreover, given the size of the neighbouring rear gardens it is not considered that the scale of the proposals would unduly impact upon the living conditions of neighbouring occupants.
- 10.11 In terms of shading, levels of shade would clearly increase above those from the existing building on site given the increased size and height of the development above the existing property on site. During the early part of the day the resulting shade would fall towards No.3 but it is considered that the levels of shade would not be unduly harmful and the front elevation habitable room windows would still

receive the morning sun. During the apex of the day the majority of the increased levels of shade would fall towards No.7. The neighbours garden is relatively wide and the levels of shade and light reduction would not consume all of the garden or rear habitable room windows. As the day progresses the shade would move away from the neighbours garden and fall towards the side of No.7 away from amenity areas and habitable room windows. The application site and its flanking neighbours would have good opportunity to receive natural light throughout the day.

- 10.12 In respect of retaining acceptable levels of privacy; the front elevation glazing would gain outlooks onto the parking area and Crescent Gardens with the dwellings opposite being in excess of 30m from the facing windows of the proposal. Thereby exceeding the 18m (secondary windows i.e. kitchens and bedrooms) set out in Neighbourhoods for Living (SPG13). The side elevation windows serve en-suites and bathrooms and conditions can secure opaque glazing and no further windows to the sides. The rear elevation windows would serve bedrooms and living area and these would gain outlooks onto the communal garden area and Harrogate Road beyond, it is not considered that since the main road to the rear is a public area where people could reasonably expect to be seen there would be no undue harm.
- 10.13 The issue of noise and disturbance must also be given due consideration as an additional three households would be created. There is an existing driveway with a garage to the side of the existing dwelling. It is noted that the proposed parking area would be increased and would serve an increased number of vehicles given the increase in units. The properties on Crescent gardens can in the main accommodate several vehicles and whilst none have spaces for eight vehicles the proposed parking capacity is not considered to present an undue level of noise and disturbance. Moreover, with regard to noise and disturbance the increase of the number of dwelling units on site. The increase by three would clearly increase levels of noise and activity but the increased quantum is not so significant that the living conditions of neighbours would be unduly harmed. Officers accept that the proposal would result in greater noise and disturbance from occupation and vehicular activity however as a result of the separation distances between properties, the increased activity is unlikely to result in a significant harm to living conditions.
- 10.14 There would be a good sized communal garden area which is considered to be acceptable and in excess of the advice given in SPG13 – Neighbourhoods for Living, which advises that private amenity for flats should have a minimum area of 25% of the total gross floor area excluding vehicular provisions. The gross area of the building is some 344 sq/m with a usable garden area of some 279 sq/m. Therefore this equate to approximately 81%. In addition, the proposed layout shows provision for the storage of bins off the highway and away from the public realm.

Highway matters

- 10.15 Leeds Core Strategy Policy T2 seeks to ensure that all developments achieve safe and secure access and are located in accessible locations.
- 10.16 As part of this application an assessment has been conducted by Highways who have raised no objections to the level of off-street parking facilities or the impact of the proposal on the free and safe use of the highway.

Other matters

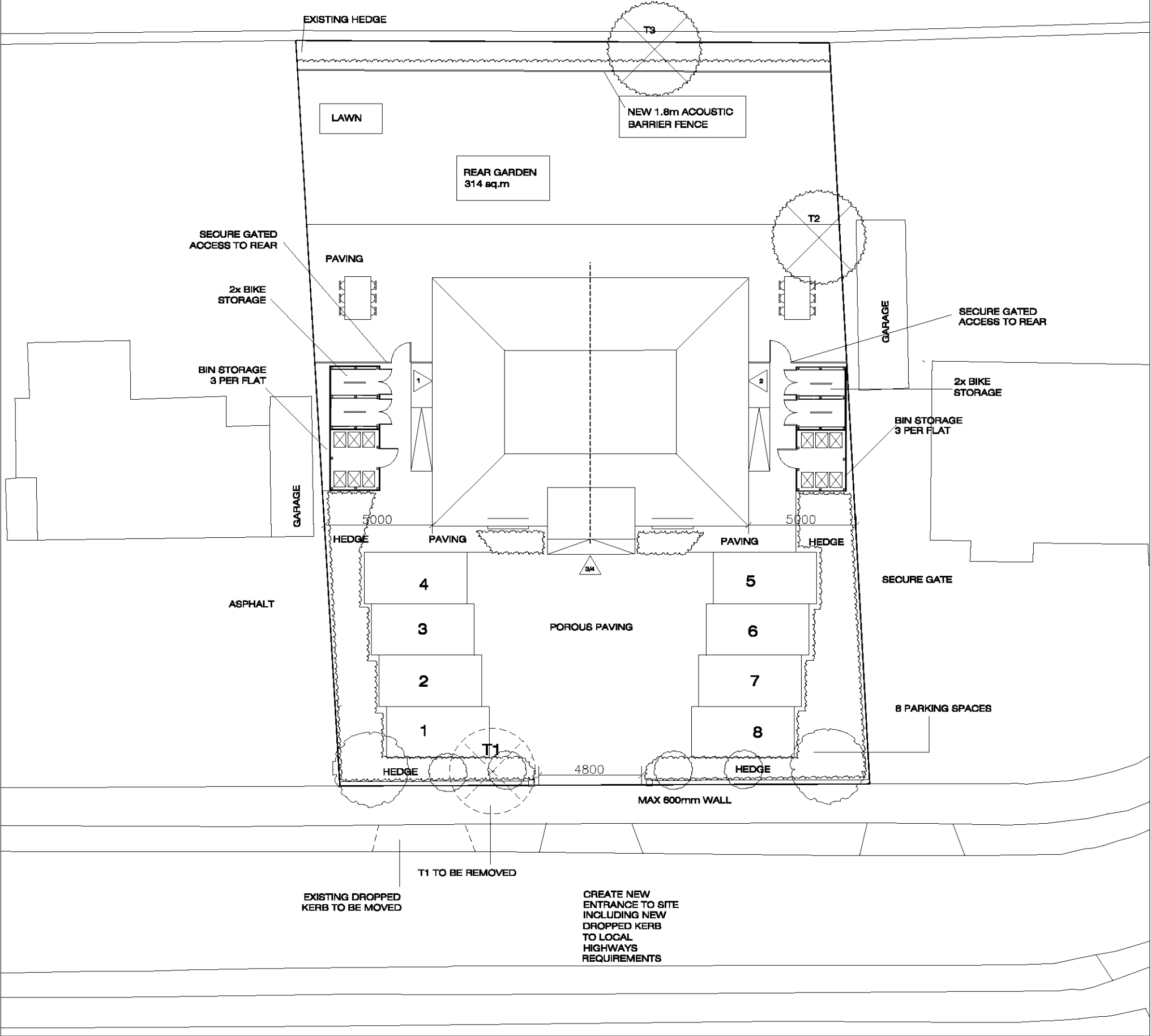
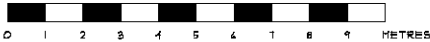
- 10.17 Eleven letters of objection from local residents and an objection from Cllr Cohen have been received. All the material planning matters that have been raised have been covered within this report. The points raised regarding any changes of use to the application site should only be granted by agreement with neighbouring residents is duly noted but the application is going through the correct and proper democratic channels and due process is being applied. Ultimately there is no change of use in planning terms anyway, the site is presently in residential use and the proposal is residential the only difference being the nature of that residential provision. The points regarding other schemes for flats being refused are again noted, but each application must be assessed on its own merits.
- 10.18 Drainage implications have been assessed by the Council Flood Risk Management Engineers and it is their findings that the scheme is not objectionable subject to conditions being imposed that secure details of a feasibility study for the use of infiltration methods and surface water drainage to be submitted to the LPA for written approval.
- 11.0 CONCLUSION**
- 11.1 In light of the above, it is considered that the principle of apartments on this site and within the immediate location is acceptable in policy terms and the impact on living conditions, highways and all other material planning matters is acceptable. As such the proposed scheme is compliant with the relevant policies and guidance detailed within this report and subject to conditions approval is recommended.

Background Papers:

Application file

Certificate of ownership: Certificate A signed by the agent 9 December 2015

BLOCK PLAN - 1:200



E	14/07/16	PARKING LAYOUT AND HEDGE
D	24/06/16	PARKING LAYOUT AND DRAINAGE
C	03/05/16	NEW BIKE AND BIN STORE DESIGN
B	27/04/16	CHANGES TO PLANNING COMMENTS ON DISTANCE TO BOUNDARY
A	02/03/16	CYCLE STORE AND MORE DETAIL ADDED
Rev	Date	Comment

CRL architects

Maple Lodge,
Woodhouse Cliff, Leeds
LS6 2HF
Tel: 0113 2742511
e-mail: crlarchitects@btconnect.com

Project:
5 CRESCENT GARDENS
ALWOODLEY, LEEDS, LS17 8DR

Title:
SITE PLAN

Scale: 1:200 @ A3	Drawn by: PP/SO
Client: MR GLYN	Checked by: DMC
Job No: 2129	Drawing No: 051
Revision: E	Date: JUNE 2016

DO NOT SCALE FROM THIS DRAWING
THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR
WRITTEN AUTHORITY



NORTH AND EAST PLANS PANEL

© Crown copyright and database rights 2016 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

Page 45

SCALE : 1/1500



This page is intentionally left blank



Originator: Umar Dadhiwala

Tel: 0113 247 8175

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 1st September 2016

Subject: 16/03555/FU – The rebuilding and extension of dwelling at Lofthouse Lodge Harrogate Road, Harewood, Leeds LS17 9LU

APPLICANT

Mr & and MRS B & J Bastow

DATE VALID

15th July 2016

TARGET DATE

10 August 2016

Electoral Wards Affected:

Harewood

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐**RECOMMENDATION: GRANT PERMISSION subject to the following conditions:**

1. The development to begin before the expiration of three years from the date of this permission.
2. Development to be built in accordance with approved plans.
3. The dwelling shall be built in the stonework and the slate viewed on site.
4. Details of the material of the proposed pillars shall be submitted
5. The windows on the building shall match the window sample viewed on site in terms of design, material and colour.
6. Landscaping scheme to be submitted within 3 months.
7. Landscaping to be implemented in the first planting season following substantial completion.
8. Permitted Development for any further extensions, roof alterations/additions garage/ outbuildings, boundary fences or walls.
9. Areas used by vehicles to be hard surfaced prior occupation.

1.0 INTRODUCTION

- 1.1 The proposal is brought to Plans Panel at the request of Cllr Rachael Procter, due to concerns relating to the demolition of the building and the works to replace the dwelling being commenced without planning consent.
- 1.2 The applicant claims that the building was demolished due to the structural problems discovered during the works to extend the property. These extension works were approved under a recent Certificate of Lawfulness application (15/05793/CLP) and Prior Approval application (15/07303/DHH). The building recently demolished was not the original gatehouse and was re-built sometime in the 1960s / 70s. The building was not listed but the adjacent entrance gate and pillars to the Harewood Estate are listed.

2.0 PROPOSAL

- 2.1 The application relates to the rebuilding of a dwelling that has been largely demolished, with only a single storey element of the building being retained. Certificate of lawfulness application reference 15/05793/CLP (CLP) was granted for extensions to side and rear of the dwelling along with a glazed dormer window. The current application shows the dwelling re-built with the extensions approved under the CLP being implemented. There are however a few changes in the details, some of which were suggested by the Conservation Officer, as a way of improving the design of the building. The most significant of these changes are as follows;

- The roof of the dwelling on the northern side has been altered from a hipped to a gable to match gable roof on the other side.
- The removal of the glazed dormer window approved under the CLP and its replacement with a gable feature.
- The side extension, approved under the CLP, has been altered to feature a pediment gable with portico surrounds around the entrance door. This will form the main entrance to the building.
- Centre bar windows have been introduced with simple heads and cills, replacing the gorgonian style windows.
- A Palladian window has been introduced in the front elevation.
- Changes in levels, with the land gradient to the south being lowered.
- Additional landscaping is proposed to the front and rear.
- The introduction of pillars to the boundary wall. The pillars will match those on the adjacent listed entrance way to Hardwood Estate.

- 2.2 The applicant states that the extension represents a reduction in the size of the dwelling from that approved under the permitted development scheme. The dwelling, as approved, measured 1197.4 m³, whilst the proposed dwelling measures 1147.7m³, a reduction of almost 50 cubic metres on what could be implemented under permitted development.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to Lofthouse Lodge, located in an isolated position on the western side of Harrogate Road south of Harewood. The residential dwelling that previously stood on the site was built in natural stone with what appeared to be a slate roof and had been extended towards the side and rear. It was a 1960's dwelling, built on the site of a former Lodge House at what was an access point to Harewood House. Following its construction in the 1960s it had been subject to a series of

extensions in the 1980s. This building has been largely demolished with only a single storey section left standing on the site. Foundations for the proposed dwelling have been laid. The site is located within the Green Belt and Special Landscape Area. The adjacent entrance gate to Harewood House and the attached wall is Grade II listed. The building is also set at the entrance of the Harewood Estate and within the Registered Park and Gardens which is an important historic heritage asset.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 15/05793/CLP- Certificate of proposed lawful development for extensions to side and rear and dormer window to rear. Approved
- 4.2 15/07303/DHH- 6.4m single storey rear extension, 3.2m to flat roof ridge height, Permission. Not Required
- 4.3 06/07502/LI- Listed Building application for installation of two solar panels to roof of dwelling house. Approved
- 4.4 H30/259/88/- Alterations and extension, to form conservatory, to rear of dwelling house. Approved
- 4.5 H30/388/83/- Alterations and extension to form lobby, utility room and music room to side of detached house. Approved
- 4.6 H31/60/83/- Alterations and extension, to form first floor conservatory, to rear of detached house. Approved
- 4.7 H31/290/74/- Addition of stables, fodder store, and hard standing to detached house. Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The Conservation Officer suggested a number of minor alterations to the design of the building as way of improvement. These suggested changes included the removal of the glazed dormer, the introduction of simple heads and cills and also the reduction in the number of colonnades to the rear. The suggestions were in communicated to the applicant and revised plans were submitted accordingly.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notice, which was posted on site on the 1 June 2016 and was advertisement in the local press on 29th June 2016.
- 6.2 **Harewood Parish Council** comments that the proposal will have a greater impact on visual amenity when compared to the original building or the permission approved under the CLP.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Highways- No objection
- 7.2 Mains Drainage- No Objection

- 7.3 Conservation Officer – Following negotiations and the receipt of amended plans, the Conservation Officer is satisfied with the scheme, but comments that an additional window should be added to the front gable. *This has now been provided.*

8.0 PLANNING POLICIES:

Development Plan

- 8.1 Section 38(6) 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 currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006), and the Natural Resources and Waste Development Plan Document (2013).
- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:
- P10 Seeks to ensure that new development is well designed and respects its context.
 - P11 Seeks to protect and enhance historic assets and their settings
 - T2 Seeks to ensure that new development does not harm highway safety.
 - P12 Seeks to protect and enhance the landscape of the city
- 8.3 The following saved UDP (Review) 2006 policies are also relevant:
- GP5 Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
 - BD5 Seeks to ensure new development protects amenity.
 - N33 Seeks to restrict inappropriate development in the Green Belt.
 - LD1 Relates to detailed guidance on landscape schemes.
 - N14 Establishes the presumption in favour of protecting Listed Buildings
 - N17 Seeks to ensure all features that contribute to the character of the Listed Building to be protected
 - N37 Special Landscape Area
 - N24 Landscape buffer required where development abuts the Green Belt or open countryside
 - N23/N25 Landscape Design and boundary treatment

Legislation and Planning Policies:

- 8.4 Conservation area: Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.
- 8.5 Listed Building: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that In considering whether to grant listed building consent for any works the local planning shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy

- 8.6 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.7 Paragraph 196 of the NPPF states that the planning system is plan-led and that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (paragraph 210). 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 are to the policies in the Framework then the greater the weight that may be given to them.
- 8.8 The NPPF introduces a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies 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 Framework taken as a whole; or specific policies in the framework indicate development should be restricted (for example in this case where land is designated as Green Belt (footnote 9)).
- 8.9 The following sections are most relevant to the consideration of this application:
- Section 7 Requiring good design
Sections 9 Protecting Green Belt land
Conserving and enhancing the historic environment

DCLG – National Minimum Space Standards

- 8.9 This document sets a nationally-defined internal space standard for new dwellings. 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 its local plan to the nationally described space standard. With this in mind the city council is in the process of gathering evidence in relation to the adoption of the national standard as part of a future local plan review. The housing standards are a material consideration in dealing with planning applications, however as this process is at a relatively early stage in Leeds, only limited weight can be attached to them at this stage.

9.0 MAIN ISSUES

- Principle
- Very Special Circumstances
- Design & Heritage Issues
- Residential Amenity
- Public Representations
- Community Infrastructure Levy

10.0 APPRAISAL

Principle

- 10.1 The property is located within the designated Green Belt. As outlined within the National Planning Policy Framework (NPPF), the essential characteristics of Green Belt are their openness and their permanence. Both saved UDP policy N33 and paragraph 89 of the NPPF state that the construction of new buildings within the Green Belt is inappropriate. Under the NPPF inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Para 87). When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF para 88).
- 10.2 Both saved UDP policy and national planning policy contain a list of exceptions, whereby development might be considered not inappropriate, as set out under saved policy N33 and paragraph 89 of the NPPF. Saved policy N33 allows for the limited extension, alteration or replacement of existing dwellings (second bullet). The NPPF allows for extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building (paragraph 89 third bullet). The NPPF also allows for the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In respect of replacement dwellings, saved UDP policy N33 does not include the caveat “not materially larger”, and refers to just dwellings and not buildings, whereas paragraph 89 of the NPPF does both. Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework, and that the closer the policies in the plan to the policies in the Framework the greater the weight that may be given. Given that saved UDP policy N33 is not consistent with the NPPF, greater weight is to be given to the wording set out in the NPPF.
- 10.3 With regard to these exceptions, the scale of works undertaken would clearly be in excess of that which is permitted under paragraph 89 of the NPPF. These works would, necessarily, have an impact on openness but regard has to be had to the works carried out under permitted development. As is set out above, significant weight must be given to this identified harm and the application should only be approved in very special circumstances. Also as set out above, the necessary very special circumstances will not exist unless the harm by way of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Very Special Circumstances

- 10.4 In this instance, the applicant has made a case based on what may be termed the fall-back position. In November 2015 a Certificate of Proposed Lawful Development (15/05793/CLP) (CLP) was granted for a single storey side and single storey rear extensions and a rear dormer window. This decision simply confirmed that the proposed works constituted permitted development under the terms of the General Permitted Development Order. More recently an application (ref: 15/07303/DHH) for the prior approval for a larger single storey rear extension (6.4m, maximum projection, single storey rear extension, 3.2m to flat roof ridge height) to the property was approved. Again, the proposed extension benefitted from permitted development rights but the applicant was required to apply to the council to see if the prior approval of the local planning authority was required.

- 10.5 The applicant's current scheme is smaller in terms of its footprint and its volume (according to the applicant's calculations it is approximately 50 cubic metres smaller) to that which could have been constructed as extensions to the retained house. The proposed reduction in the volume of building from that which could be built under permitted development and were shown to be retained as set out in the certificate of lawfulness granted. This is a fall-back position can be afforded significant weight in the determination of this application.
- 10.6 It is also considered that there are benefits to be gained from the current scheme in terms of improved design and, as will be discussed further in the report. Unlike the dwelling that stood on the site which had featured ad-hoc extensions and fenestration details, the proposed dwelling has a much more balanced symmetry, cohesive design with a unified style of fenestration. The stone used to construct the dwelling will also be much more appropriate in appearance. The scheme also offers improvements to landscaping and boundary treatment. This visual improvement to the site should be given significant weight, as the site is located at one of the historic entrances of Harewood Estate adjacent to a public right of way used by visitors and walkers. Therefore, it is considered that visual improvements to this site are beneficial to the identified heritage assets.
- 10.7 In summary, whilst the overall amount of development taking place is in excess of policy allowances and harmful to openness, and therefore in policy terms inappropriate development, the current proposals cause less harm to openness than would occur under fall-back position, if the permitted development scheme was implemented, as approved under the Certificate of Lawfulness application. This, taken together with the improved design, materials and landscaping clearly outweigh the identified harm, and the necessary very special circumstances to justify approval of the application are therefore considered to exist.

Design & Heritage Issues

- 10.8 Although, the building that stood on the site was in itself not listed, the site is located at one of the historic entrance points to Harewood Estate and the gates and pillars that mark the entrance point are listed. The site is also located within and on the edge of the Harewood Registered Park and Garden Therefore, it is important any development on the site needs to be sensitively located paying due regard to the setting of the adjacent listed gate pillar and the historic estate in general. The area is also identified as Special Landscape Area.
- 10.9 The original dwelling dates from the 1960s, which over the passage of time, had been unsympathetically extended. The original building featured an unbalanced roof with a hip on one end and a gable end on the other. The fenestration on the building was also irregular in terms of design and proportion. Further alterations were planned under Permitted Development, including a glazed dormer, which in design terms were not particularly sensitive to the building.
- 10.10 The revised scheme has been developed working with the Planning Officer's and the Conservation Officer. Although the proposed dwelling on the whole appears similar to the dwelling that was demolished and is of a similar scale in terms of its height, there are a number of changes made to the detailing that is considered to improve the design of the building.

- 10.11 The proposed scheme appears much more balanced with a clear design approach running through all sections of the building. The stonework is much more superior when compared to the previous building and will tie in better with the character of the area in general. The fenestration has been standardised with the introduction of simple heads and cills, which further ensures that the design of the building is cohesive. The design is also more typical of the style of houses within the village of Harewood. As well as the changes proposed to the dwelling, the boundary treatment is also proposed to be improved. New pillars, designed to appear similar to the listed pillars, will be introduced at the entrance point and additional landscaping is proposed around the site. The landscaping will soften the appearance of the building and ensure better assimilation with the open Green Belt and the Special Landscape Area. Therefore, it is considered that the proposal represents an improvement to the appearance and character of the area and will improve the setting of the adjacent heritage assets.

Residential Amenity

- 10.12 Saved policy GP5 notes that extensions should protect amenity policy BD6 notes that “all new buildings should be designed with consideration given to both their own amenity and that of their surroundings”. Criterion (iii) of Core Strategy policy P10 similarly seeks to protect neighbouring residential amenity and privacy. There are no dwellings located in close proximity to the site and therefore it is considered that the proposal raises no concern in respect of its impact on residential amenity, and is policy compliant in these regards.
- 10.13 The proposed replacement dwelling provides a satisfactory standard of amenity, both internally and externally, for future occupants, and in compliance with the National Minimum Space Standards.

Public Representation

- 10.14 The Parish Council has raised concern that the proposal will harm the character of the area. This issue has been discussed in the report and has been considered by the Conservation Officer.

Community Infrastructure Levy

- 10.15 The Community Infrastructure Levy (CIL) was adopted by Full Council on the 12th November 2014 and was implemented on the 06th April 2015. The development is CIL liable, however the dwelling is regarded as a self build. This information is provided for Members information only.

11.0 CONCLUSION

- 11.1 The application proposes dwelling which is larger in volume than the one it replaces and therefore it represents inappropriate development in the Green Belt that would harm openness. In line with national planning policy significant weight must be given to this harm and inappropriate development should only be approved in very special circumstances, which will only exist if the potential harm to the Green Belt is clearly outweighed by other considerations.
- 11.2 For this particular site, the permitted development rights which have existed for various extensions which exceed policy allowances create a fall-back position. The proposals represent a scheme that would have a materially lesser impact on

openness than the fall-back position, has an improved design and proposes landscape improvements.

- 11.3 These considerations are considered to clearly outweigh the potential harm to the Green Belt by way of inappropriateness and any other harm. The necessary very special circumstances therefore exist to justify approval of the application. The design is sympathetic to the identified heritage assets, provides adequate car parking and raises no amenity or privacy concerns, and as such, it is consequently recommended for approval.

Background Papers:

Application file: 16/03555/FU
Certificate of ownership: Certificate A signed by the applicant (Mr & Mrs Bastow)
Application files: 15/05793/CLP & 15/07303/DHH

THIS DRAWING AND ANY DATA THEREON IS THE PROPERTY OF
OWL ARCHITECTURE
AND MUST NOT BE COPIED OR REPRODUCED
WITHOUT THE WRITTEN CONSENT OF
OWL ARCHITECTURE
NO DIMENSIONS ARE TO BE USED IN CONSTRUCTION
THE DRAWING DIMENSIONS ARE ONLY
ALLEGED AND ARE NOT TO BE USED IN CONSTRUCTION
AND ANY CONSTRUCTION SHALL BE TO THE ARCHITECT'S
DESIGN TO THE SATISFACTION OF THE ARCHITECT

Existing and proposed
tarmac driveway
shown in pink.

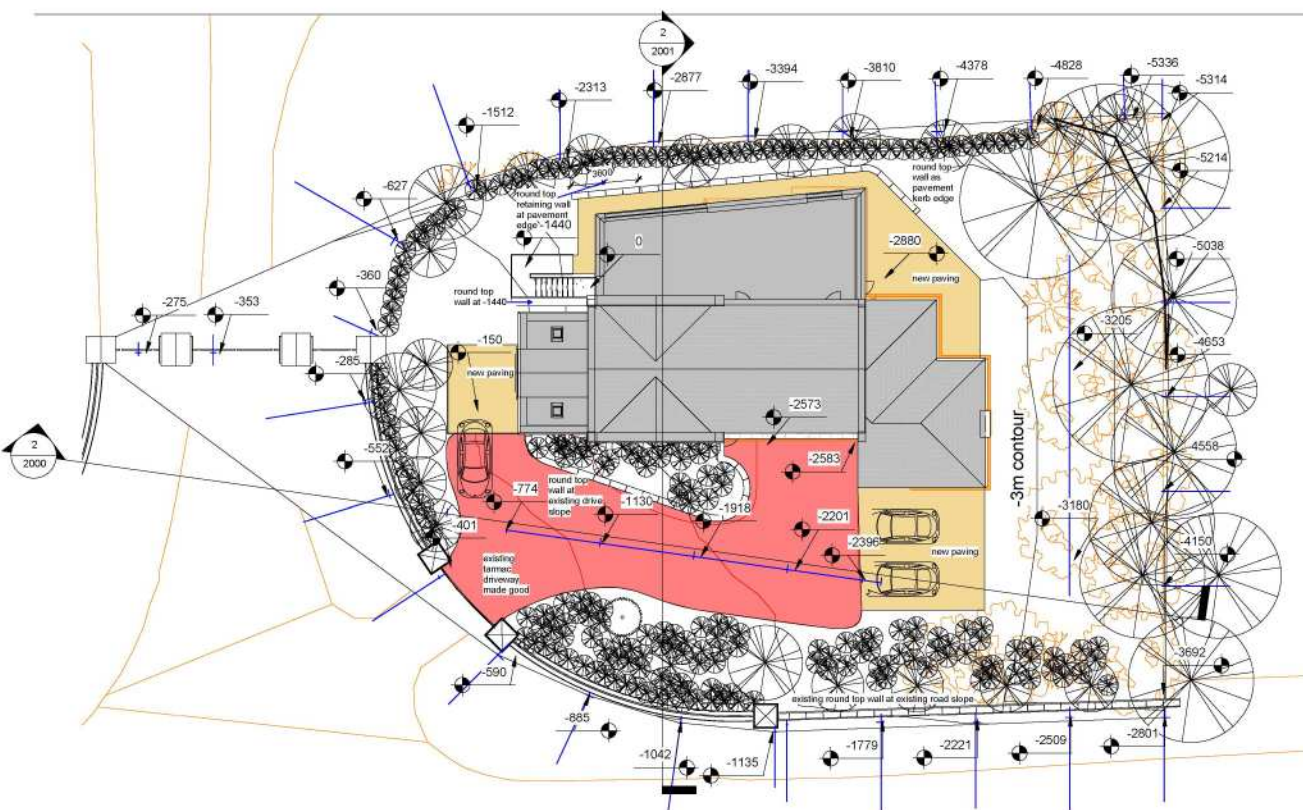
Additional paved area
shown in yellow

Bastow Residence
Lofthouse Lodge LS17 9HU
Harrogate Rd, Harewood
Proposed Roof Plan With
Levels

inc. levels +1 arched window
GJW 1 : 200
15/16-06 2002 03/08/2016

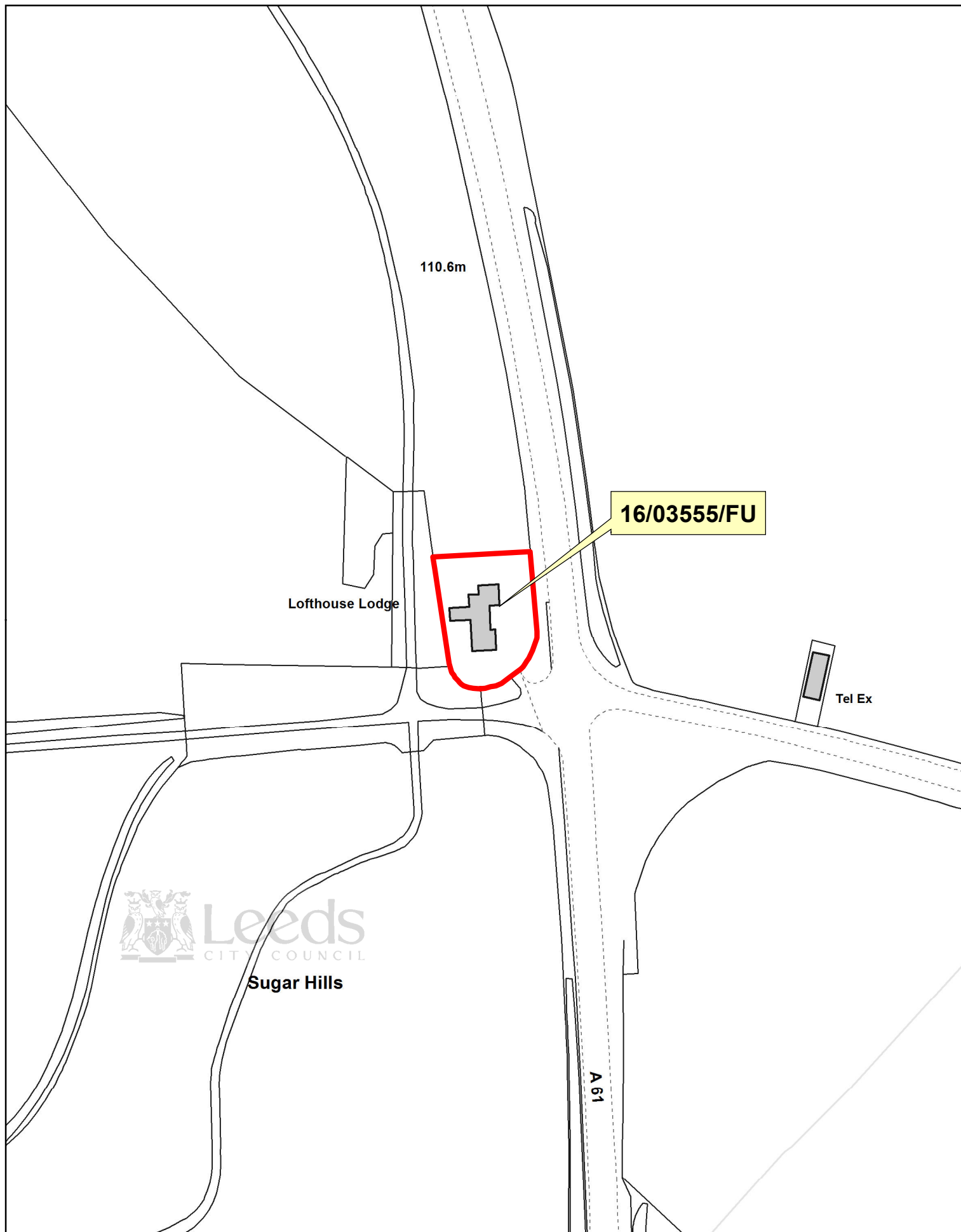
OWL architecture.com
Mob: 07771 888 0009
25 Crescent View
Alwoodley
Leeds
LS2 7PF
West Yorkshire

OWL architecture @ idoud .com



1 30 Roof Proposed with Levels
1 : 200

Scale set for printing at A3 thus the Scale is Doubled at A1. For example, A drawing set to print at Scale 1:200 at A3 becomes scale 1:100 when it is printed 1:100 at A1.



NORTH AND EAST PLANS PANEL

© Crown copyright and database rights 2016 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

Page 57

SCALE : 1/1500



This page is intentionally left blank