



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 31st October 2013

Subject: 13/01065/FU – Laying out of car park to proposed allotments at land to rear of 84 and 86 High Ash Drive, Alwoodley, LS17 8RE.

APPLICANT

Leeds City Council

DATE VALID

5th March 2013

TARGET DATE

30th April 2013

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. Plans to be approved.
3. Details of surfacing materials to be submitted and agreed.
4. Details of landscaping scheme to be submitted and agreed.
5. Details of tree protection during construction to be submitted and agreed.
6. Details of drainage to submitted and agreed.
7. Construction of car park shall not begin before the letting of a contract for the laying out of the allotments.
8. Details of barrier to car park.
9. Hours of use of car park to be restricted to between the hours of 7.00am to 9.00pm.
10. Upon cessation of the allotment use the car park shall be removed and the land re-instated with soft landscaping in accordance with a scheme to be submitted to and agreed.

1.0 INTRODUCTION

- 1.1 This planning application is reported to Plans Panel as the applicant is the city council and it involves the development of a parcel of land that is allocated as greenspace. As

such the proposal is locally sensitive and as it is recommended that planning permission is granted it is considered appropriate that the application be determined by Plans Panel.

2.0 PROPOSAL

- 2.1 The planning application proposes to create a 10 space car park with access from High Ash Drive. The car park will serve a newly created area of allotments. Planning permission is not required for the creation of the allotments that are proposed immediately to the east of the car parking area. The parking area is shown to be laid out with a bitmac surface and will be enclosed by a 'birds mouth' knee rail fence of around 0.5m height. The applicant has explained that their intention is to use an open porous bitmac.
- 2.2 Vehicular access will be gained via an existing vehicular access that runs between Nos. 84 and 86 High Ash Drive and which serves a parking and servicing area behind a local parade of shops. It is proposed that this access will be resurfaced. Two trees are shown to be removed at the point where the access to the proposed car park joins the existing area of hardstanding that provides access to the rear of the shops.
- 2.3 It is understood that the management of the allotments and car park would be handed to Harewood Parish Council.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site comprises part of a wider area of open land located to the rear of residential properties and a small shopping parade that front High Ash Drive. The area is currently laid out with grass. There is a belt of mature trees to the west and south and a public footpath runs immediately adjacent to the eastern boundary of the proposed car park. Beyond the path are a number of mature trees. There is a street lamp towards the northern end of the path near to where it emerges into the area behind the shops.
- 3.2 Further to the west is area of open space where it is proposed to create the allotments and beyond that is Wigton Moor Primary School and its grounds.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is no relevant planning history to this specific site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The plans have been revised during the course of the application to address concerns regarding the impact upon the character of the area.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by 3 site notices erected in the vicinity of the application site. The period for comment expired on 5th April 2013.
- 6.2 Eighteen local residents, including a letter submitted on behalf of The Friends of Wigton Moor Woods, have objected to the application. The objections are summarised as follows:

- Loss of open space
- Impact on ecology and loss of natural habitat
- That the development including the allotments will be harmful to the amenities of the local community and the character of the site.
- Highway safety and congestion particularly during school pick up and drop off times.
- Conflict between vehicles servicing the shops and cars using the car park.
- There is no local need for the allotments
- Access to the car park is over private land.
- Lack of proper community engagement and consultation.
- The proposal will increase risk of flooding.
- If car park developed it should be for allotment users only but how will this be monitored and enforced.
- Create an area that will invite crime and anti social behaviour.
- Conflict with users of the footpath.
- Loss of privacy to nearest residents.
- Increased pollution.
- Surface materials that maintain green appearance should be used.
- Various bits of information set out in the planning application documents are inaccurate.

6.3 A number of objections have been raised to the creation of the allotments. However, this does not constitute development requiring planning permission. Accordingly whilst it is a factor relevant to the consideration of the planning application it does not form part of the application.

6.4 Harewood Parish Council raises no objections to the proposal.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways: No objection following receipt of revised plan.

7.2 Flood Risk Management: No objections.

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 Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste DPD.

Local Planning Policy

8.2 The Leeds Unitary Development Plan (Review 2006) is the development plan for the whole of the Leeds district. The site is allocated as greenspace and policy N1 states:

“Development of land identified on the proposals map and city centre inset map ii as protected greenspace, will not be permitted for purposes other than outdoor recreation, unless the need in the locality for greenspace is already met and a suitable alternative site can be identified and laid out as greenspace in an area of identified shortfall.”

8.3 Paragraph 5.2.6 of the UDPR sets out:

“5.2.6 - Given the pressures for development, it is critical that the public’s need for formal and informal outdoor recreation is safeguarded. Greenspace is a vital resource. Once lost to development it may well be lost to the community forever. Where in an area there is a shortfall against the Council’s greenspace hierarchy and standards under Policy N2, or the area has a shortfall of public playing pitches, development will not be permitted on existing greenspace other than for outdoor recreation.”

8.4 Policy N1A seeks to protect allotment gardens and notes at 5.2.8 that they “...provide a valuable recreational resource for some members of the community but they do not offer general public access...”

8.5 Other relevant UDPR policies include:

Policy GP5: General planning considerations. Development should resolve detailed planning considerations including issues of amenity and landscaping.

Policies T2 & T24: New development should be well located in relation to public transport and served by adequate parking provision.

Policy LD1: All landscape schemes should complement and where possible enhance the quality of the existing physical environment.

Emerging Local Development Framework Core Strategy

8.6 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination commenced in October 2013. As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

National Planning Policy Framework

8.7 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

9.0 MAIN ISSUES

- 1) Principle of development
- 2) Impact on character
- 3) Highway Safety
- 4) Residential Amenity
- 5) Representations

10.0 APPRAISAL

Principle of Development

- 10.1 The application site is located within an area allocated as greenspace. Within such areas policy N1 sets out that new development will be resisted unless it is for outdoor recreation. The explanatory text to Policy N1A sets out that allotments are considered to be a recreational use.
- 10.2 The proposed development is for a car park is to serve a new area of allotments. Legal advice has been received that sets out that planning permission is not required for the allotments. As such the car park would be ancillary to the allotment use. In those circumstances it is considered that the principle of development is acceptable. However, it is considered appropriate to impose planning conditions that only allow for the laying out of the car park once the contract has been let for the creation of the allotments and that the car park shall be removed upon the cessation of the allotment use.

Impact on Character

- 10.3 The application site currently comprises an open area of grass that forms part of a wider area of open space. The site is bordered by areas of mature trees and a public footpath runs to the east of the application site. It is understood that the footpath is well used. This in combination with the fact that the application site is set within the context of a residential area means that the development will result in a perceptible change in character.
- 10.4 However, the application site covers a relatively small area and it is not uncommon to have small car parks set within or adjacent to a recreational area. In light of this functional link it is not considered that, with the passage of time, the car park will appear out of place. The two trees that are shown to be removed are not of such quality that they are worthy of retention.
- 10.5 To mitigate the impact care needs to be taken with the detail of the scheme. It is proposed to enclose the car park with a knee rail birds mouth timber fence and this should be relatively unobtrusive whilst having a rustic character. The surface of the car park is shown on the application plans to be bitmac but it is recommended that the form of the final finish be subject to further consideration and approval. It is further recommended that a condition be imposed on any grant of planning permission that requires further landscaping to take place. It is considered that a relatively light touch landscaping is required to soften the impact of the car park but it is important for personal safety and security that inter-visibility between the car park and the path is maintained. As such it is anticipated that the landscaping scheme would comprise two or three trees located along the edge of the footpath.

Highway Safety

- 10.6 The site will be accessed via an established vehicular access that serves the parade of shops. The number of movements generated by the use will be relatively low and will be restricted to the hours of daylight. The car park will be segregated to the footpath by a low fence. In these circumstances it is not considered that the proposal raises any particular concerns in respect of highway or pedestrian safety.

Residential Amenity

- 10.7 Policy GP5 (UDPR) notes that new development should resolve matters of amenity. The proposal is set to the rear of a small number of residential properties. The car park would be set away from the boundary with those properties and would largely be screened by existing mature planting. The car park is relatively small at 10 spaces

and it is likely that it would only be used during the hours of daylight. However, Members will note that it is recommended to impose a condition to restrict the use of the car park to between the hours of 7.00am and 9.00pm. Outside of this time access to it will be control with the use of a barrier. Each allotment holder and the those who manage the allotments will be allocated a key for the barrier. No additional lighting is proposed. In these circumstances it is not considered that its use will result in any significant harm to the amenities of local residents.

Representations

- 10.8 The majority of the material planning considerations raised through representations have been discussed above. However, issues of drainage and loss of natural habitat have also been raised. With regard to drainage no technical objections have been raised by Flood Risk Management subject to a suitable condition being imposed requiring details of a scheme to deal with surface run off. With regard to the loss of natural habitat the site does not carry a nature conservation designation and is not known to have any particular ecological significance. As such it is not protected by planning policies.

11.0 CONCLUSION

- 11.1 The application is therefore considered to be acceptable. The principle of development is meets the planning policy tests and the development should not cause any significant harm to the character and amenities of the area. In addition the development will not have a harmful impact upon highway safety. As such the development is compliant with the relevant policies and guidance and approval is recommended subject to a number of safeguarding conditions..

Background Papers:

Application files 13/01065/FU
Certificate of ownership: Leeds city Council



PLANNING SERVICES
- 5 MAR 2013
DEVELOPMENT DEPARTMENT



**High Ash Drive Allotments
Proposed Car Park**

KEY

	Trees to be retained		Proposed Car Park
	Trees to be removed		Proposed Infiltration Trench
	Existing vegetation to be retained		Proposed Soakaway

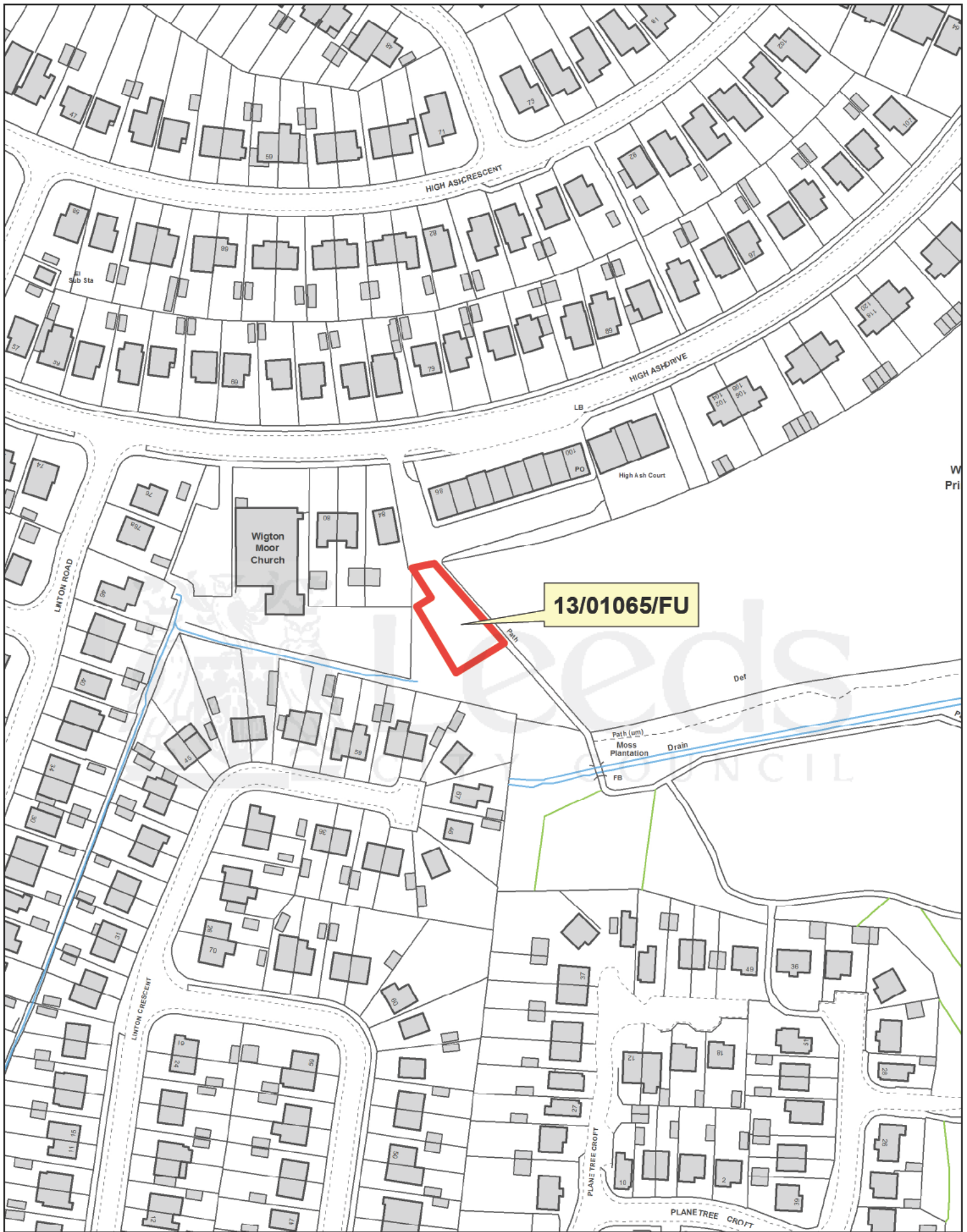
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Project: High Ash Drive Allotments

Title: Proposed Car Park

Drawn CAJ/CW	Scale AS SHOWN	Date 07/11/11	Checked TS
Drawing Number LD/297/06		Revision	



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

