



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 4th February 2016

Subject: 15/06025/FU – Variation of condition 2 (approved plans) of planning permission 14/04558/FU to allow minor material amendments to the elevations and floorplans at Boston Spa Methodist Church, Boston Spa.

APPLICANT	DATE VALID	TARGET DATE
Dr John Rose	20 th October 2015	15 th December 2015

<p>Electoral Wards Affected:</p> <p>Wetherby</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

Time Limits

1. Development carried out in accordance with approved plans
2. Building and surfacing materials to be submitted.
3. Tree Protection details
4. Landscaping scheme including replacement planting and boundary treatments.
5. No insertion of additional windows
6. Laying out of parking area
7. PD restrictions – extensions, roof alterations, outbuildings, walls and fences.
8. Details of existing and proposed ground and finished floor levels.
9. Land contamination and remediation.
10. Drainage details
11. Ecological mitigation measures

1.0 INTRODUCTION

1.1 This application seeks to make small changes to the design of a house that was granted planning permission in February 2015. As will be outlined below the

changes are considered to be minor and acceptable and thus the application is recommended for approval.

- 1.2 The application is brought to Panel at the request of Councillor John Procter due to concerns over the design.

2.0 PROPOSAL:

- 2.1 The proposed new dwelling will be located to the side of the church within an existing area of lawn. It will be set into the river bank, being single storey to the front and two storey to the rear. An attached single garage is proposed to the side. The house will have a shallow pitched roof to the front and a lean-to roof to the rear to enable clerestory light to the lower ground floor. A timber pergola attempts to suggest a cloister like relationship with the garden to the front. To the rear balconies is proposed; this will be formed from timber columns and beams with a glass balustrade. The house will be constructed of random coursed limestone with a zinc roof and its windows will be powder coated aluminium.

- 2.2 In terms of the changes from the previously approved scheme, the footprint is slightly different at ground and lower ground floor level. At ground level, a single garage is proposed as a snug instead of the approved double garage. A larger utility room and a boot room is also now proposed. At lower ground floor, instead of 4 small bedrooms, 3 larger bedrooms are proposed. The footprint is also slightly larger which allows for 2 of the bedrooms to benefit from en-suite bathrooms and dressing areas. Externally, the dwelling would be slightly lower than that previously approved. Towards the rear, the roof will be cantilevered over the proposed balconies, whereas before the upper balcony was open to the elements. There are also very minor and subtle changes to the windows and orientation of external steps.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is part of the wider grounds of Boston Spa Methodist Church, a two storey, four bay chapel constructed of Ashlar magnesian limestone in a simple Italianate style and with a gabled roof. The original entrance way is located to the front, where centrally located steps lead to a sandstone doorcase and double panelled door with a plain fanlight. The church now has a second entrance to the west side which provides ramped access. This is part of a modern, lower ground floor lean-to extension with cross gable and flat roofed elements. The chapel is grade II listed and within the conservation area

- 3.2 The church and its grounds are set back from the north side of Boston Spa's High Street and situated close to the River Wharf and its banking. Access is taken directly from High Street and the track currently serves the church's car park as well as the doctor's surgery, BT offices, thirteen apartments currently under construction, Chapel Cottage and 203 High Street. The lawn area where the dwelling is to be located is sited between the church and the front garden of 203 High Street. Mature trees, protected by virtue of their conservation area location lie to the boundaries of the lawn, with some smaller, augmenter planting also present. A blanket TPO protects the riverbank.

- 3.3 There are two residential dwellings that lie within close proximity, 203 High Street to the west side, set a little further back toward the river and Chapel Cottage which lies just to the east within the grounds of the chapel.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/04558/FU - Erection of detached dwelling – Approved by the Plans Panel at the meeting on 5th February 2015.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Since this revised application was submitted, negotiations have taken place with the applicant to secure improvements to the design. These have related to the window configuration, the introduction of timber posts to the rear and producing additional 3d perspective drawings to better understand the proposal.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notice on 6th November 2015 and in the Boston Spa and Wetherby News published on 12th November 2015.
- 6.2 To date, no representations have been received.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Conservation Objections were initially raised. However, through discussions and the receipt of revised plans, no objections area raised.

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).
- 8.2 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Similarly, Section 16(2) of the same Act imposes obligations on those considering whether to grant listed building consent for development or works that affect a listed building. In such cases, it is necessary to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses.

Local Planning Policy

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

SP1 Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.

<u>H2</u>	Housing on non-allocated sites must not exceed local infrastructure capacity.
<u>P10</u>	Seeks to ensure that new development is well designed and respect its context.
<u>P11</u>	Seeks to ensure that heritage assets are conserved and enhanced.
<u>T2</u>	Seeks to ensure that new development does not harm highway safety.
<u>G8</u>	Seeks to ensure that important species and habitats are preserved.

The following saved UDP policies are also relevant:

<u>GP5:</u>	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
<u>BD5:</u>	Seeks to ensure new development protects amenity.
<u>N19:</u>	Seeks to ensure development within conservation areas preserves or enhances the character of the area.
<u>LD1:</u>	Seeks to ensure the quality of good development.

National Planning Policy

- 8.4 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.
- 8.5 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.
- 8.6 Sections 7 (design) and 11 (heritage) of the NPPF are relevant to the consideration of this application.

9.0 MAIN ISSUES

- 1) Principle
- 2) Heritage/Design and Character
- 3) Neighbour Amenity
- 4) Highway Safety

10.0 APPRAISAL

Principle

- 10.1 The starting point relating to the principle of residential development has already been established in February 2015 by the granting of planning permission for one dwelling. Spatial Policy 1 of the Core Strategy 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. Boston Spa is not part of the main urban area and is classed as a smaller settlement, however a range of services are available within the village including a primary school, doctor's surgery, local shops and restaurants. Bus services to Leeds and Tadcaster run along the High Street. Policy H2 of the Core Strategy notes that housing on non-allocated sites will be acceptable in principle provided that the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, which the addition of one dwelling to the wider settlement of Boston Spa would not. This policy also notes that greenfield land should not be developed if it makes a valuable contribution to the historic or spatial character of the area. The application does relate to a section of greenfield land which forms the setting of a listed building, however as well be outlined below the development will not cause harm to the historic or spatial character of the area.

- 10.2 Furthermore and as previously mentioned, planning permission has been granted for a dwelling on this site and remains extant for two further years. As such, the principle of developing the site for house is considered to be acceptable.

Heritage/Design and Character

- 10.3 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”. Core Strategy policy P10 and saved UDP policy GP5 seek to ensure that development is of high quality. That statutory framework is reinforced by the National Planning Policy Framework (the Framework) at Section 12. Core Strategy policy P11 and saved UDP policy N19 reflect this special duty and seek to ensure that development is appropriate to its context and preserves the city's heritage assets.
- 10.4 The application which is under consideration is set within the grounds of a listed Methodist church. As such the development must not harmfully affect its spatial setting and that of the wider conservation area, and must also be sensitive to the church and conservation area in scale, form and detail.
- 10.5 Since planning permission has recently been granted for a dwelling on this site, this application seeks to make minor alterations to the design and floorplans. The revisions which relate to a slight reduction in overall height, the alterations to the windows, roof form and balconies with steps are also considered to be acceptable. The revised proposals creates a simple, balanced dwelling with a clear and defined shape and form. It is intended to be a relatively unobtrusive property which nonetheless reflects some of the detail of the adjacent listed building and its ecclesiastical setting. The house will be constructed from limestone which will allow the dwelling to tonally blend with the church, and the use of random courses and a split or punched face will help to ensure it appears as a subordinate, ancillary element when read against the grander, ashlar building.
- 10.9 Essentially the house is designed to be a piece of architecture with a unique shape and form which is informed by its context, but which is ultimately a recessive, rather than visually dominant feature within the wider site and the conservation area.
- 10.10 Thus, in its revised form the new dwelling is now considered to respect the spatial, architectural and landscape character of its setting. The house will sit appropriately alongside the church and be a subordinate feature which allows the listed building

to retain visual and architectural prominence, and its scale and materials are appropriate to the character of the area. The revised design allows the trees within the site to be retained, both those visible from High Street and those on the wooded river bank. As such the application preserves the special interest of the heritage assets and complies with the aims and intentions of local and national planning policy.

Residential Amenity

- 10.11 Saved policy GP5 notes that extensions should protect amenity and policy BD5 notes that “all new buildings should be designed with consideration given to both their own amenity and that of their surroundings”. The proposed new dwelling would provide an adequate level of accommodation and garden space and thus provide an acceptable level of amenity for future occupants. This was the same with the previous approval.
- 10.12 Chapel Cottage is the existing dwelling which is located within the grounds of the church. It is assumed that this was originally a caretaker or warden’s cottage but which is now occupied independently of the church. The new house would potentially affect views from the west facing windows, and also the garden area of the house. However, the new dwelling is set back from Chapel Cottage meaning that no direct view from any window would be affected and the 9.0m distance between the two houses is considered to be sufficient for the oblique views which would be impacted. Furthermore, given that the dwelling is largely single storey with a low pitched roof, particularly to the front, it’s massing is low and the impact on the neighbours will not be unreasonable. It is acknowledged that the house is located close to a section of the garden area, however again given the modest height of the house at this intersection no significant harm is expected. The proposed garden which is retained for the cottage is also considered to be of a reasonable size and scale. Although this is not an overly private garden space this is no change from the current situation.
- 10.13 The placement of new windows and the proposed balconies is also considered to be acceptable in respect of neighbour amenity. To the front all the windows are at single storey height and thus can be adequately screened through the provision of an appropriate boundary treatment which in this context would be a native, evergreen hedge such as yew, beech or holly. To the rear, there are larger areas of glazing and balconies which will allow views toward the land associated with 203 High Street. However, the main amenity space of 203 is to the front, with the house relatively tight to the river banking and limited usable amenity space to the rear. The area potentially most overlooked is to the rear of the garage. This is not considered to be an overly sensitive area, and the wooded nature of the rear bank will mean that clear and direct views toward number 203 are limited. As such, the application is not considered to cause undue harm to neighbouring amenity, as was the case with the previous approval.

Highway Safety

- 10.15 Core Strategy Policy T2 seeks to ensure that all developments achieve safe and secure access and are located in accessible locations. The proposal results in the alteration from a double garage to a single garage. There is however space to the front to park a second car. Therefore, there are no concerns in terms of access, parking and highway and pedestrian safety, and there are no significant differences to that which was granted planning permission last year.

11.0 CONCLUSION

- 11.1 Planning permission has also been granted for a very similar development and these minor changes are considered to be acceptable in terms of heritage, design, amenity and highways issues. As such, the application is compliant with the relevant policies and guidance and approval is recommended.

Background Papers:

Application files 15/06025/FU and 14/04558/FU
Certificate of ownership: Certificate A signed by the owner (Dr John Rose).



Front Elevation



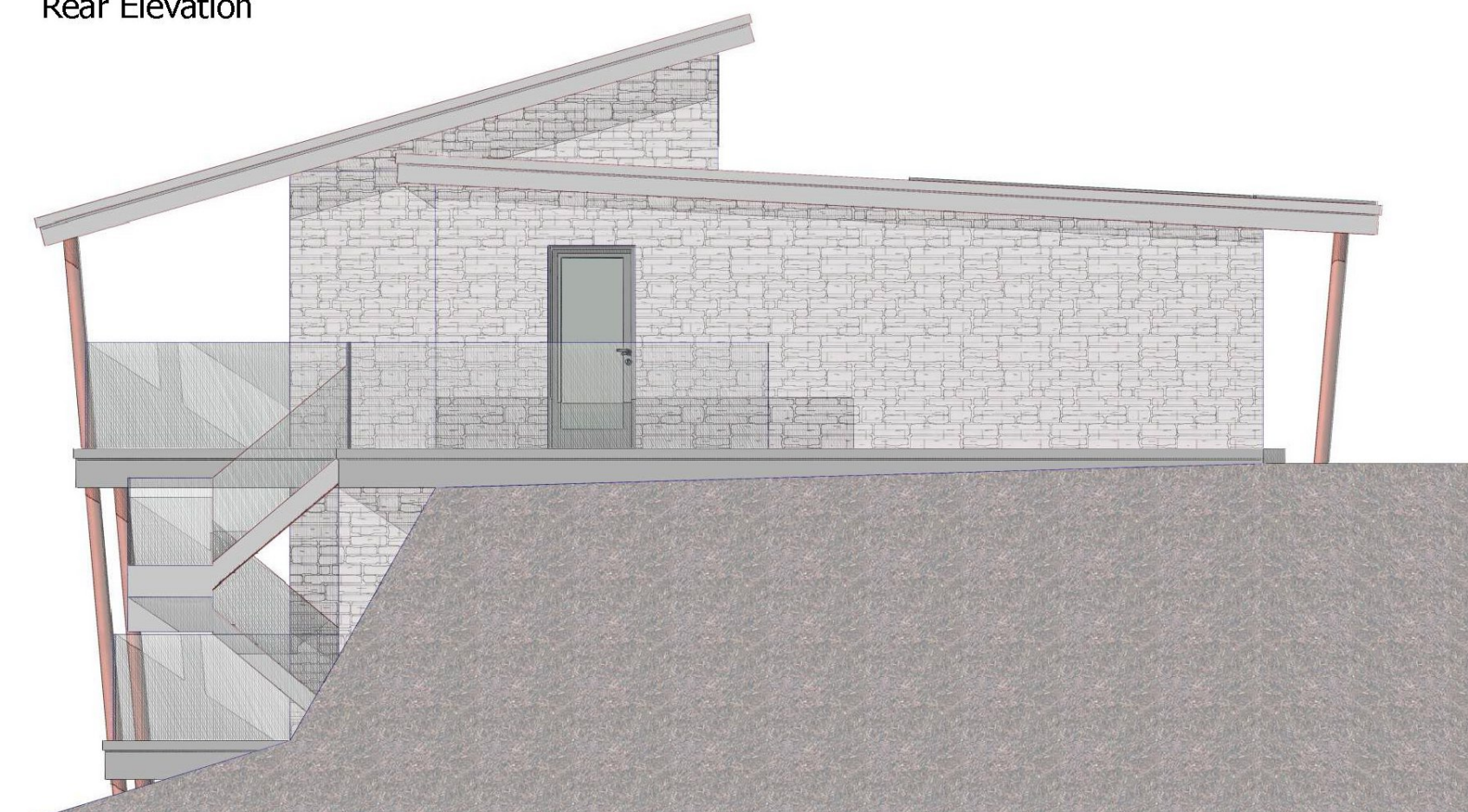
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Side Elevation



Rear Elevation



Side Elevation



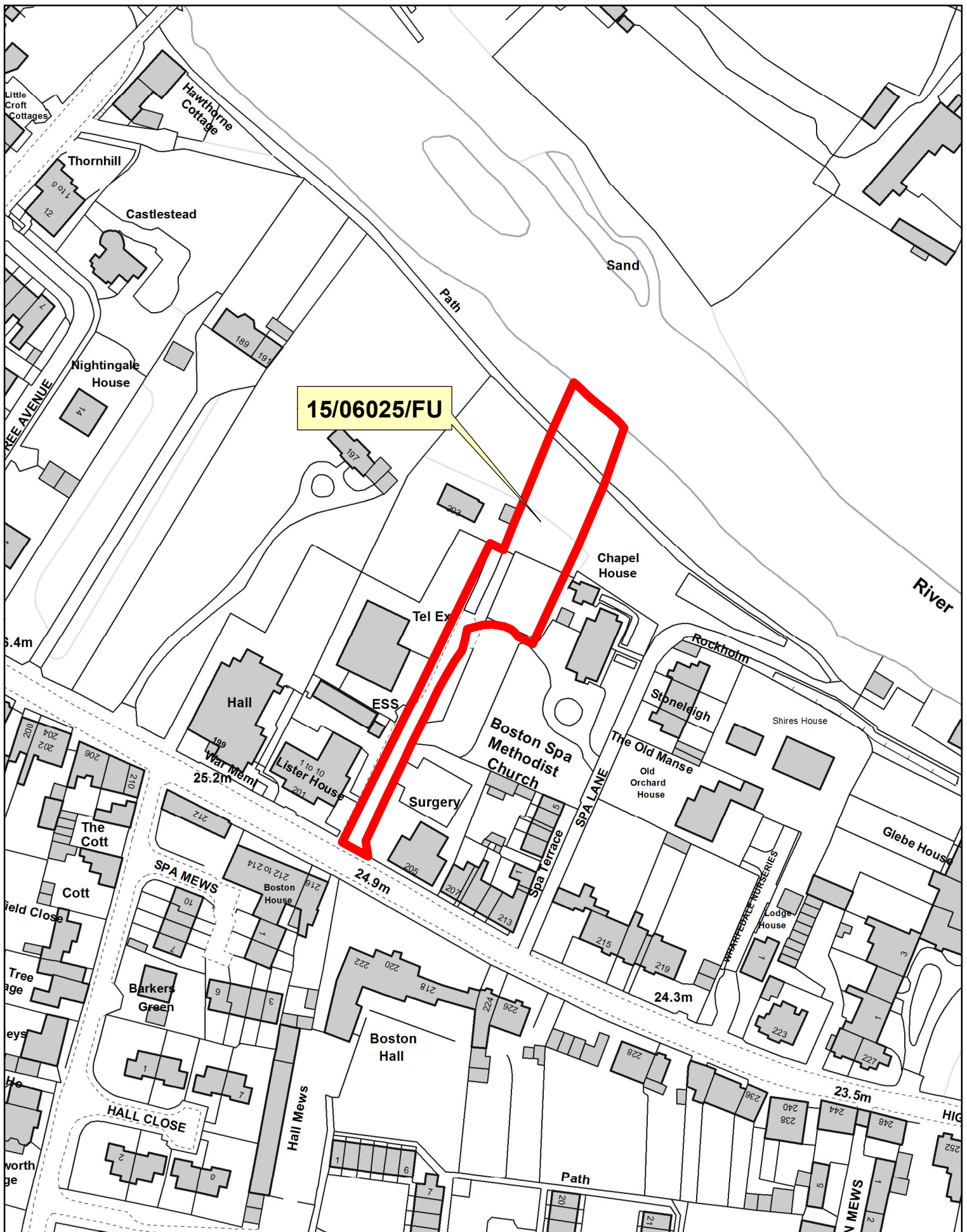
DATE	REVISION DESCRIPTION

659A ROUNDHAY ROAD
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 LEICESTER
 LE18 4BA
 TEL: 0113 2400012
 FAX: 0113 2492766



PROJECT ~ New dwelling
 Adj. Boston Spa Methodist Church
 Spa Lane, Boston Spa,
 LS23 6AG

DRAWING DESCRIPTION: ~ Grouped Elevations & 3d sketches
 ~ 1 of 2
 CLIENT: ~ Mr Rose
 SCALE: ~ NTS @ A1
 DRAWN/CHECKED BY: ~ DJH/SJ
 DRAWING NUMBER: ~ 1352-06



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

