



## Report of the Chief Planning Officer

### *North & East Plans Panel*

Date: 11<sup>th</sup> May 2016

**Subject: 15/07665/FU - Proposed construction of 9 dwellings at Elmete Wood School, Elmete Lane, Roundhay**

#### **APPLICANT**

Paul Wade  
Chartford Developments  
Limited

#### **DATE VALID**

12 January 2016

#### **TARGET DATE**

14/04/2016

#### **Electoral Wards Affected:**

**Roundhay**

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 on full permission
2. In accordance to approved plans
3. Submission of a construction method statement
4. Details of existing and proposed ground levels
5. Submission of external walling, window and roofing materials
6. Sample of stonework
7. Submission of details of boundary treatments
8. Area used by vehicles to be laid out
9. Maximum driveway gradient
10. Provision of cycle/motorcycle parking
11. Highway condition survey
12. Details of the bins/cycle stores
13. Submission and implementation of landscape details
14. Provision for replacement of trees
15. Protective fencing to trees during construction
16. Details of surface water drainage works (including infiltration drainage)
17. Details of scheme to deal with any contamination

## 18. Details of a scheme of nature conservation

### 1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel as it represents a departure from Green Belt planning policy as set out in the development plan. The erection of new dwellings does not fall within the categories of development identified by Policy N33 of the Unitary Development Plan as being appropriate in the Green Belt. Under the terms of this planning policy it would fall with the applicant to demonstrate very special circumstances as to why the presumption against the development should be set aside.
- 1.2 Green Belt planning policy as set out in the National Planning Policy Framework (NPPF) allows for the construction of new buildings where, amongst other matters, the development involves the redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it.
- 1.3 This site is a brownfield site and is also located within a conservation area. The principle of development meets the terms of policy as set out in the NPPF. The proposed development represents a reduction in volume of built development over what existed on the site. The development will also result in an enhancement in the character and appearance of the conservation area. For these reasons it is considered that planning permission can be granted.

### 2.0 PROPOSAL

- 2.1 The proposal seeks to construct 9 dwellings on the site of the former Elmete School, Elmete Lane, Roundhay. The school building was demolished for health and safety reasons on the understanding that its former presence would act as a 'credit' for future development proposals which were beginning to be considered at the time of its demolition.
- 2.2 The site is laid out with the houses encircling and looking out over a "village green" with access coming from Elmete Lane past Elmete House, a building that appears to have fulfilled the function of a gate house to Elmete Hall that lies to the south of the application site. Elmete Hall is a Listed Building. A cul-de-sac arrangement off the proposed access road will serve the 9 dwellings.
- 2.3 The proposed houses are of a traditional design and area generally two storey's in height. Some do include accommodation within the roofspace. The properties proposed, starting from the west and going around the site in a clockwise direction are as follows:

Plot 1	5 bedroom linked to Plot 2 via bedroom 5 over a driveway to detached garage at end of plot	part of a terrace
Plot 2	5 bedroom with Bed 4&5 in roofspace, connected to plot three via garages that are accessed through a traditionally designed 'clock-tower' feature	part of a terrace
Plot 3	5 bedroom mirror image of plot 2. The access to both these plots garages are from the rear so that the 'public face' of those garages are seen as an integral part of the ground floor	part of a terrace

living accommodation of the dwellings themselves.

Plot 4	5 bedroom with beds 4 and 5 in the roofspace. The garage to this dwelling likewise is accessed from the rear	detached dwelling
Plot 5	5 bedroom with beds 4 and 5 in roofspace. The garage to this dwelling is detached and located towards the right hand side of the dwelling in a unit shared with plot 6	detached dwelling
Plot 6	4 bedroom dwelling sitting forward of the shared garage facility with number 5 but attached to plot 7 with a 'car-port' facility that gives access to plot 7's garage.	linked-detached dwelling
Plot 7	5 bedroom dwelling attached to number 6 with 'car-port' facility that gives access to its garaging space.	linked detached dwelling
Plot 8	4 bedroom dwelling with detached double garage located to the north of the house itself	detached dwelling
Plot 9	5 bedroom dwelling with attached rear accessed double garage	detached dwelling

2.4 All plots exceed the minimum garden depths recommended in the Neighbourhoods for Living SPG with plot 9 in particular having a very generous garden space due to its proximity to significant tree cover on the site. Plot 5 is the anomaly in that at a certain point its garden depth from the rear elevation to the boundary is 8.5 metres, however this is more than compensated for by the remainder of the garden exceeding the necessary minimum garden depth in both a northerly and westerly direction giving an 'L' shaped garden which is proportionate to the size of the dwelling proposed.

2.5 The site is largely enclosed by a high stone wall with sections of railings. Many of the existing mature trees are retained, particularly prominent around the periphery of the site, and this is proposed to be supplemented by additional planting.

## **2.0 SITE AND SURROUNDINGS:**

3.1 The site is a former school building more recently used as an office space and is owned by the Council. The buildings on the site have been demolished but large areas of hardstanding remain. Mature trees form a significant characteristic of the site. The site is accessed by Elmete Lane that is a narrow road, largely without footpaths, that is characterised by soft verges and enclosed by mature planting and trees. As such it has a rural character. There are a few buildings within the vicinity of the site and they tend to be spread out and set within a generous and landscaped setting. To the south of the development is the listed Elmete Hall building which is presently in use for offices and to the east accessed of Elmete Lane is Elmete House recently used as offices, but also with an extant permission to convert that building to 3 dwellings.

3.2 Further beyond the immediate environs to the north is a golf course and agricultural land, to the south are school premises to the east limited residential and agricultural land and to the west are the eastern boundaries of Roundhay Park although direct access to Roundhay Park from the application site is not possible.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There is no directly relevant planning history to the site as the planning application that have been submitted relate to the premises as a school and have no bearing on this proposal.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The developers have been in lengthy discussions with officers over a number of months which has led to the formation of the present scheme before members now. Initially the developers had aspirations for a much denser scheme however due to the Green Belt and Conservation Area constraints the were advised to reduce the number of units so that the volume of development did not conflict materially paragraph 89 of the NPPF.

#### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been advertised by site notice and newspaper advert and individual letters occupiers of adjoining properties, most of which in this instance are commercial occupiers. Time for comment to these various forms of publicity expired on 19<sup>th</sup> February with no comments being received.

#### **7.0 CONSULTATIONS RESPONSES:**

- 7.1 Nature Conservation – Requires additional survey work on two tree with bat roosting potential prior to works to those trees commencing
- 7.2 Yorkshire Water – No objections subject to conditions being imposed
- 7.3 Flood Risk Management - No objections as submitted drawings comply with the council's Minimum Development Control Standards for Flood Risk
- 7.4 Sports England – No objection
- 7.5 Contaminated Land – No objection subject to imposition of standard conditions and informative's.
- 7.6 Highways – No objection in principle, recommends conditions be imposed and requests a plan showing swept path of refuse vehicles be submitted.
- 7.7 Landscape – Requests that conditions be imposed to protect trees and ensure an adequate level of amenity for future occupiers.

#### **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 Policies

- 8.2 Relevant Core Strategy Policies:

## Spatial Policy 1 Location of Development

P10 Seeks to ensure development is of high quality.

P11 Seeks to protect the character and setting of heritage assets

H2 Housing on non-allocated sites

H3 Housing Density

H4 Housing mix

### 8.3 UDP Policies:

GP5 - Development proposals should resolve detailed planning considerations.

BD5 - New buildings should respect both their own and their neighbours amenity

N33 - Development in the Green Belt

8.4 The contents of The SPG – Neighbourhoods for Living is also considered relevant as is the contents of the Roundhay Conservation Area appraisal and the Roundhay Neighbourhood Design Statement (2011).

8.5 The Conservation Area Appraisal identifies that the site falls within Character Area 2, East of the Park, and sets out the following:

- The area is characterised by scattered and widely spaced villas and farmhouses set in a predominantly agricultural landscape.
- Buildings are located at the centre of small semi-secluded estates.
- Some post war building, notably in the grounds of Elmete Hall, detract from the character of the conservation area.
- Openness around buildings is an important character.
- No one style of architecture prevails.

### National Planning Policy Framework

8.6 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. In relation to heritage, local planning authorities are encouraged to sustain and enhance the historic environment.

8.7 In respect of this proposal paragraph 89 of the NPPF is considered particularly relevant given the site is located within the Green belt The final bullet point of that paragraph helps to define those developments that are exceptions to inappropriate development within the Green Belt and says:

“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development” .

## 9.0 MAIN ISSUES:

- Principle of Development
- Green Belt
- Residents Amenity
- Impact on Conservation Area (including Design)
- Highways Issues

- CIL Liability and Technical housing Standards

## 10.0 APPRAISAL

### Principle of Development

- 10.1 The site lies within the Main Urban Area and so the requirements of Spatial Policy 1 are met.
- 10.2 The site is a non – allocated site for the purposes of housing and therefore the policy requirements of H2 need to be addressed. The criteria for compliance with this policy relate to:
- The proposed number of dwellings not exceeding the capacity of transport, educational and health infrastructure
  - For developments of 5 or more dwellings the location needs to accord with the Accessibility standards in Appendix 2 of the Core Strategy
  - That Green Belt Policy is satisfied.

Taking each of these in turn:

- 10.3 The addition of 9 additional dwelling in this location is not considered to place an un-due burden on the transport, educational and health infrastructure of this part of Roundhay. Wetherby Road is some 645 metres from the application site and there are good public transport routes that run regularly along that road into and out of Leeds and the wider area. There are schools on the adjacent site closer to Wetherby Road and health facilities in the nearby local centre of Oakwood, All of which will not be overly burdened by the addition of 9 family dwellings in their close proximity.
- 10.4 The site is located approximately 0.6 km from Wetherby Road, this is the main road that links Oakwood Centre with Leeds City Centre and other locations in the wider area including access to towns and villages in the north east of Leeds including Wetherby. The requirements of the Core Strategy are that new developments in the Main Urban Area are located within 10 minutes' walk to local services and 5 minutes' walk to a bus stop offering a 15 minute service frequency. The proposal is slightly outside of these ideals being at a 0.75 km walk from two bus services on Wetherby Road (8 minute walk) and 1.2 km (15 minute walk) from three regular bus services on Easterly Road. Local services are at 1.4 km being a 17minute walk. It is considered however that these distances are not so great so as to constitute a reasonable reason for refusal of planning permission.
- 10.5 Green Belt is dealt with as a separate issue below.
- 10.6 In respect of density and the policy requirement in H3 the density should meet 35 dwellings per Hectare. The site area is 1.05 Hectares so the development clearly falls short of the policy requirement. However, the policy is caveated to allow for special consideration to be given to the prevailing character and appearance in Conservation Areas and also considered that there may be overriding reasons such as townscape, character, design or highway capacity also to be considered. In this instance, there is the character of the area generally, being predominantly rural, the character of the Roundhay Conservation Area and the status of the site in the Green Belt that mitigate against meeting the H3 Policy Standard

## Green Belt

- 10.7 The site lies within the designated Green Belt and as such under normal circumstances there would be an in principle objection to such development unless the development complies with the list of exceptions in Paragraph 89 of the NPPF or the applicant can justify Very Special Circumstances. Whilst N33 of the UDPR is still relevant as part of the Adopted Plan it is considered that it should be afforded less weight than the advice in Paragraph 89 of the NPPF as paragraph 89 reflects a more up to date policy in respect of Green Belt issues.
- 10.8 To this end the building that was present on the site prior to demolition constituted 8913 cubic metres of development (This excludes 959 Cubic Metres of temporary building structures which, whilst they may have been in use as classrooms, are not part of the policy allowance of paragraph 89 of the NPPF). The last bullet point of Paragraph 89 says that a site can be classed as an exception to the assumption of inappropriateness so long as the proposed development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. As stated in the introduction to this report, the existing development on the site no longer actually exists as it was demolished for health and safety reasons to avoid its vandalization and prevent other anti-social activities taking place in and around that original building. This was carried out on the understanding that the original building would act as a 'credit' when the re-development of this site came forward and indeed the hard standing and foot print of that building is still in evidence in support of this approach.
- 10.9 Given that the combined cubic capacity of the proposed 9 dwellings and their ancillary buildings in the form of garages is 8137 cubic metres, being 776 cubic metres less than the original building on the site, it is considered that the proposal moves substantially towards meeting the policy requirements of paragraph 89 of the NPPF.
- 10.10 To this end it is considered that as a brownfield site, which is still evident on the ground, and that the volume of development proposed is less than what was originally on the site the proposal does not conflict with the intent of paragraph 89 of the NPPF.

## Impact on Conservation Area (Including Design)

- 10.11 The site lies within the Roundhay Conservation Area and in particular in Character Area 2 'East of the Park'. The pattern of development is recognised in this area as being that of "widely spaced villas and farmhouses set in a predominantly agricultural landscape". To this end, the very low density of the site is considered appropriate to its setting.
- 10.12 The design of the development is unashamedly one that seeks to replicate, in part, the idea of converted out-buildings to the nearby Listed Building. The drive-through passages and the clock tower feature on the western part of the site and arguably the most visually prominent part of the site, all reflect the traditional stable and ancillary accommodation type structure that often accompany larger manor house type dwellings. The reversing of the garage structures to present windowed facades to the centre of the site rather than traditional garage doors adds to this illusion and, it is considered, helps to enhance the character of the Conservation Area.

- 10.13 The use of traditional stone and slate roofing materials are considered appropriate notwithstanding that oftentimes ancillary buildings were built from cheaper red brick, but as this is an interpretation rather than a re-creation, the use of higher quality materials is welcomed.
- 10.14 The design of the layout is also reminiscent of a village green and it is considered will enhance the character of the Conservation Area. There is considered to be sufficient variety in the style of dwellings to add interest in the development from a street scene point of view and again harkens to the idea that the 'village' has evolved with a variety of dwelling types responding to their individual plots.
- 10.15 It is considered therefore that the development in terms of its design of the individual plots, the overall design of the layout achieves not only a high degree of amenity value for future residents but also enhances the character of the Conservation Area within which it is located.
- 10.16 The Conservation Area Appraisal notes that the site when occupied by buildings had a harmful impact on the character and appearance of the Conservation Area. Now that the buildings have been demolished the site at best has a neutral impact on the conservation area. It is considered that a suitable scheme of redevelopment with enhance the area and is a matter that should be afforded significant weight.

#### Residents Amenity

- 10.17 The site is laid out in almost a village green arrangement with the buildings facing inwards, their private gardens backing onto the boundaries of the site and the centre of the site constituting the vehicular access with a substantial area given over to an area of open space. This open space area equates to approximately 888 Square Metres of space. Even if the requirements of Policy G4 – New Green Space Provision applied, which it doesn't as the number of proposed units falls below the required number for this policy to apply, the development over provides for green space by approximately 168 Square metres.
- 10.18 The location of the development means that there are no existing residential properties that back onto the site or restrict the development in any way, with the exception of Elmete House, and in any case, with the exception of Plot 5 the minimum garden depths for dwellings as indicated in Neighbourhoods for Living are all exceeded. Notwithstanding that, a deeper depth of garden would have need negotiated for a development of this nature as for the size of the dwellings proposed a 10.5m minimum depth garden would have appeared 'mean' for such large buildings and the suggested minimum distances in Neighbourhoods for Living are caveated with the comment that "it is inappropriate to simply apply the ...(minimum)...distances without further consideration, especially of local character."
- 10.19 Plot 5 is located in the north west corner of the development and at one point due to the curving nature of the boundary of the site has a minimum distance of approximately 8.5 metres between the rear elevation of the dwelling and that boundary. That boundary benefits from significant mature tree planting and there are no land uses on the other side of the plot that are sensitive to consider that the minimum of 10.5m should be achieved. In addition there is no concern in respect of the area of amenity space that will be present for future occupiers to enjoy as the garden will lie both to the rear of the plot and to the side, given the sites location in



the corner of the site. The occupants of that plot will still enjoy a generous garden albeit in a slightly less conventional layout.

- 10.20 The extant permission at Elmete House for its subdivision into three dwellings had not been commenced upon the submission of this application, however that sites relationship to this site is such that there is a significant distance between the rear elevations of that property and the site boundary of the application site, in excess of 20 metres. In addition there are significant trees near to the boundary and whilst not all of those trees are to be retained under this proposal, there are mature trees that are these will help in maintaining the current visual relationship between the two sites.

#### Highways Issues

- 10.21 Highways raise no fundamental issues with the scheme, the development provides more than enough off street and visitor car parking for the scale for the development and details of the accessibility for a refuse vehicle to access and leave the site have been submitted by the applicants.
- 10.22 There is concern regarding the access near to Elmete House given its extant permission for conversion to three dwellings and in particular the access to the parking space for unit 1 of that proposal. An amended plan has been submitted indicating that access to those parking spaces is still available following the implementation of this development.

#### CIL Liability and Technical housing Standards

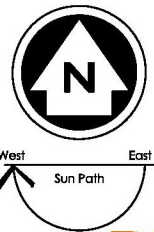
- 10.23 The development will be liable for a payment under CIL. The presence of the former building does not in this case count as a credit and CIL will be liable on the whole 2,253 square metres of floor space created by the development. The payment due is approximately £203,000.
- 10.24 The internal dimensions of all dwellings exceed the National Technical Housing Standards. The average internal floor space of the dwellings proposed equals 250 Square Metres per unit. The smallest being Plots 1 and 6 at 178.7 square metres of internal floorspace. The Technical housing standard for 5 bed 8 person, three storey units describes a minimum of 134 Square Metres and for the two storey units 128 square metres. In all cases this is exceeded.

### **11.0 CONCLUSION**

- 11.1 It is considered that the development is acceptable in all regards in that it meets the Green Belt policy constraints as set out in the NPPF, exceeds the minimum amenity standards that would normally be applied to such a development and that the design, layout and detailing of the proposed development enhances the Conservation Area. It is therefore recommended that planning permission be granted subject to the conditions listed at the head of this report.

#### **Background Papers:**

Application files: 15/07665  
Certificate of ownership: Certificate B signed and relevant notice served on the Council as current owner of the site



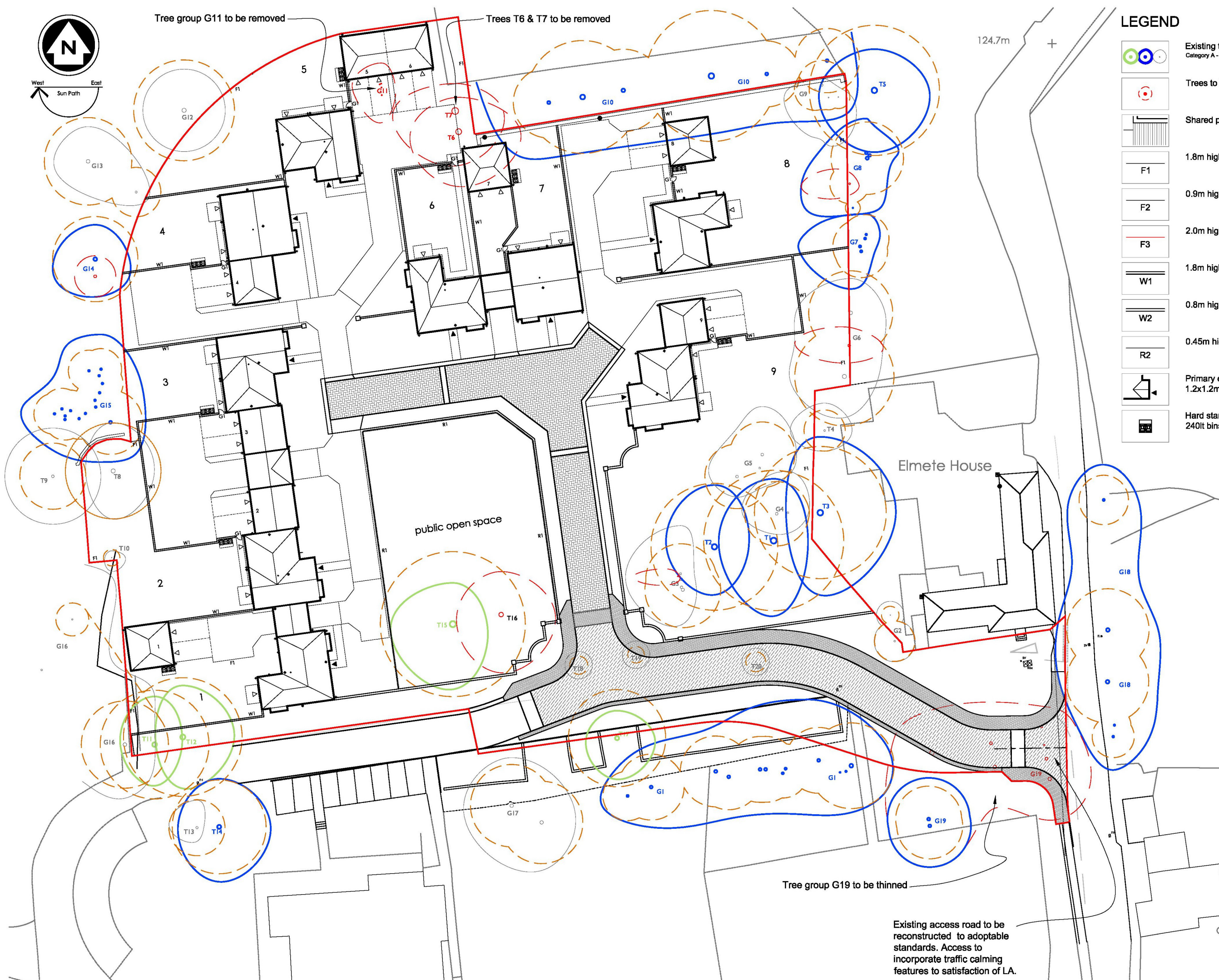
Tree group G11 to be removed

Trees T6 & T7 to be removed

124.7m

**LEGEND**

- Existing trees to be retained  
Category A - Green, Category B - Blue, Category C - Gray
- Trees to be removed
- Shared private driveway
- 1.8m high timber screen fence
- 0.9m high rear garden demarcation fence
- 2.0m high timber acoustic screen fence
- 1.8m high screen wall with timber fence infill panel
- 0.8m high dwarf wall
- 0.45m high timber knee rail
- Primary entrance door with mobility threshold & 1.2x1.2m level landing
- Hard standing for refuse bins. Standard Local Authority 240lit bins. Exact location subject to levels.



Elmete House

public open space

Tree group G19 to be thinned

Existing access road to be reconstructed to adoptable standards. Access to incorporate traffic calming features to satisfaction of LA.

Revisions

**PLANNING**



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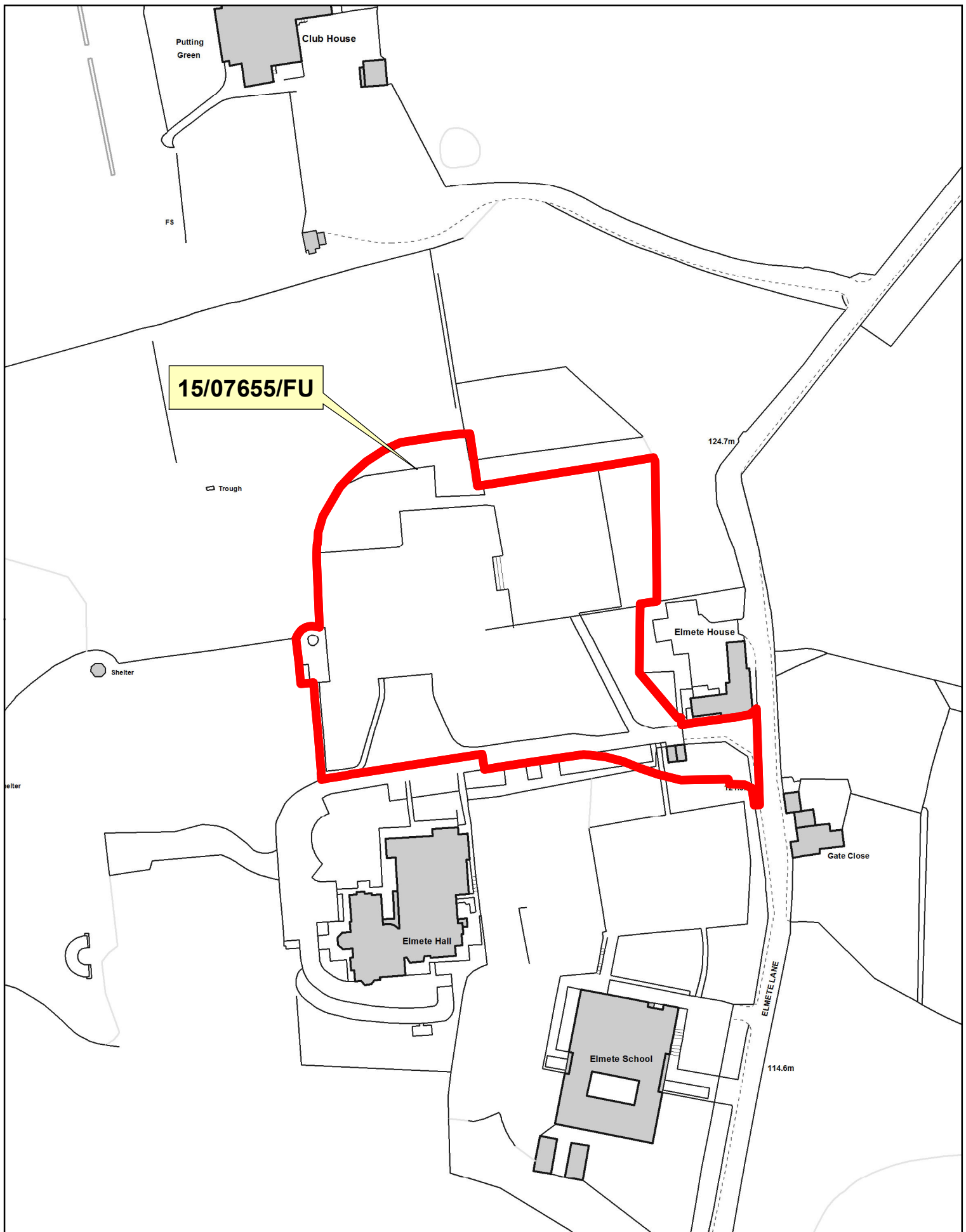
**Chartford Homes Ltd**

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Proposed Residential Development  
at  
Elmete Lane  
Roundhay  
Leeds

DEVELOPMENT LAYOUT

Area 2.596a (1.05ha)	Drawing No. 052-PD-01
Date June 2015	Rev -
Scale 1:500 @ A3	



# NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

