



## Report of the Chief Planning Officer

### SOUTH AND WEST PLANS PANEL

Date: 20<sup>th</sup> October 2016

Subject: APPLICATIONS 16/04093/FU & 16/05247/LI – Extension to form furniture storeroom to Masonic Hall, Castle Grove Masonic Hall, Castle Grove Drive, Leeds. LS6 4BP

| APPLICANT                 | DATE VALID | TARGET DATE              |
|---------------------------|------------|--------------------------|
| Castle Grove Masonic Hall | 06/07/2016 | 20/10/2016 (as extended) |

#### Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**16/04093/FU – GRANT PERMISSION subject to the following conditions:**

**16/05247/LI – GRANT LISTED BUILDING CONSENT subject to the following conditions:**

#### 16/04093/FU

1. Commencement within 3 years
2. Plans to be approved;
3. Details of samples to be submitted and approved
4. Making good of existing walls/roof if required
5. Specified operating hours (construction) of 08.00-18.00 weekdays, 09.00-14.00 Saturdays; no Sunday / Bank Holiday operations;
6. Hours of access to the extended Masonic Hall shall be restricted to 09:00 to 23:00 hours Monday to Saturday, 11.00 to 22:30 hours Sundays and public holidays.

#### 16/05247/LI

1. Commencement within 3 years
2. Plans to be approved

3. Samples of materials
4. Making good of existing

## **1.0 INTRODUCTION:**

- 1.1 These applications are brought to Panel at the request of Ward Councillor Sue Bentley, on the grounds that the proposed extension will be unduly harmful to the amenity of the adjoining neighbour.
- 1.2 Members are advised that issues of neighbouring amenity can only be considered with regard to the planning application, but that both applications are hereby discussed due to the building being Grade II Listed.

## **2.0 PROPOSAL:**

- 2.1 Erection of single storey extension to the side of the existing Masonic Hall.
- 2.2 Listed building consent is required as the host property is Grade II Listed.
- 2.3 Associated works include the removal of a shed and a portacabin from the northern boundary. Planning permission is not required for those works.
- 2.4 The proposal has been reduced in size following discussions with the agent.
- 2.5 The revised extension measures 6.1m long, 4.0m deep, 3.65m to the ridge and 2.25m to the eaves, having a pitched roof. It is inset by 0.9m from the outer side boundary.
- 2.6 The extension is to be used for the storage of furniture used by the Masonic Hall.
- 2.7 New planting is proposed to the north of the site, along the boundary with 43 Castle Grove Avenue and to the southern side of the extension.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site lies within the urban area of Headingley. The site is occupied by a Grade II Listed Building and is also within the Conservation Area.
- 3.2 The site is occupied by a large imposing former residential property which has been extended and is now utilised as a Masonic Hall.
- 3.3 The original development is constructed from coursed squared ashlar gritstone with a slate roof and lead covered dome. The main aspect is two storey and comprises a series of projecting bay windows as well as a decorative portico. To the rear, the development has been extended with a bulky and largely unsympathetic extension.
- 3.4 Also to the rear of the site is a subservient annexe building which has been converted and is used for commercial purposes as offices.
- 3.5 To the north and east of the site there are residential properties.
- 3.6 The residential property which directly abuts the part of the site affected by the extension is 53 Castle Grove Avenue. That property has a compact rear garden, with a stone wall to its rear boundary at a height of approximately 1.5m.

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

4.1 08/06394/FU: Retrospective application for retention of storage shed to Masonic Hall. Approved, 29/06/2009.

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

5.1 There have been no pre-application discussions or negotiations prior to the application being submitted.

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

6.1 These applications have been advertised by means of site notices, neighbour notification letters and a notice published in the Yorkshire Evening Post.

6.2 4 letters of representation have been received, including a letter from Ward Councillor Sue Bentley requesting that this matter be referred to Members for consideration. Concerns and comments raised are summarised as follows:

- Overdominance/overbearing
- Overshadowing
- Anti-social behaviour problems
- Impact on property values
- Impact on a tree within the Conservation Area.

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

7.1 An outline of the main points raised are provided below:

7.2 Conservation Team: The alterations to this Listed Building are considered positive, and will result in the removal of an unattractive outbuilding and portable building.

7.3 Landscape Officer: The proposal is not considered unduly harmful to existing trees.

7.4 West Yorkshire Police Architectural Liaison Officer: The proposal raises no significant issues with regard to crime prevention.

#### **8.0 PLANNING POLICIES:**

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

8.2 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.

Core Strategy policies:

- 8.3 Policy P10: High quality design  
Policy P11: Conservation

Saved UDPR policies:

- 8.4 Policy GP5: General planning considerations;  
Policy N19: Conservation areas and new buildings  
Policy BD6: Extensions and alterations  
Policy N16: Extensions to Listed Buildings  
Policy N17: Features and details of Listed Buildings should be preserved

Supplementary Planning Documents:

- 8.5 Far Headingley, Weetwood and West Park Neighbourhood Design Statement  
Far Headingley Conservation Area Appraisal. This refers to the Grade II Listed Masonic Hall as being of particular interest.

National Policies

- 8.6 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and contains policies on a range of issues including housing, sustainable development, Green Belt, conservation, the local economy and design.
- 8.7 In respect of design it states that "good design is indivisible from good planning" and Local 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".
- 8.8 Paragraph 126 states  
Heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance".
- 8.9 Paragraph 127 states  
As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification"
- 8.10 Paragraph 131 states  
In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness
- 8.11 Paragraph 132 states:  
When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any

harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

8.12 Paragraph 134 states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

## **9.0 MAIN ISSUES:**

9.1 The following main issues have been identified:

- Impact on visual amenity, the character of Far Headingley Conservation Area and the impact on the special character of the Listed Building
- Residential amenity
- Other matters

## **10.0 APPRAISAL:**

### Impact on visual amenity, the character of Far Headingley Conservation Area and the impact on the special character of the Listed Building

10.1 In assessing the proposal it is important to consider the impact on visual amenity and character to ensure the development meets the legal test to preserve or enhance the character of appearance of the Conservation Area. The proposal must also be assessed by the decision maker having special regard to the desirability of preserving or enhancing the character and appearance of the listed building. The desirability of preserving the setting of listed buildings should not simply be given careful consideration by the decision maker for the purpose of deciding whether there would be some harm, but should be given considerable importance and weight when the decision maker comes to balancing out the planning considerations.

10.2 The proposed design is considered positive in heritage terms, having a subservient form and using matching stone and slate materials.

10.3 The scale and form of the extension is considered sympathetic to the character and setting of the Listed Building, and furthermore considered positive in that it will result in the removal of unsympathetic outbuildings.

10.4 In light of the above, the proposal is therefore considered positive in that it will result in the removal of existing unattractive outbuildings and thus serve to enhance the setting and appearance of the Listed Building in the context of the Conservation Area, in line with the recommendations of Policies P10 and P11.

### Residential amenity

10.5 The proposed extension is adjacent to existing dwellings on Castle Grove Avenue. Those dwellings have south-facing rear gardens, leading to concerns relating to overshadowing and loss of natural light.

- 10.6 This matter should be considered in the context of the site, where the rear gardens are in fact already shaded by the existing Masonic Hall. The agent has stated that the proposed extension will not interfere with the diffused light currently enjoyed by Number 53 and has submitted an additional drawing to support this.
- 10.7 Officers concur with this opinion, as the extension is lower than the existing building and will be erected on the same plane. It is therefore considered that no significant increase in current levels of shading will occur, and that the proposal therefore raises no significant concerns in this respect.
- 10.8 The proposed extension is higher than the existing boundary fences along the boundary with Castle Grove Avenue, leading to concerns that it would appear overly dominant or overbearing.
- 10.9 In order to assess the likely impact on the neighbour at 53 Castle Grove Avenue, officers have measured the depth of the rear garden of that dwelling using Ordnance Survey data. These measurements indicate that the distance from the rear living room window to the boundary wall is 7.1m, giving an overall distance of 8.0m between that window and the side elevation of the proposed extension.
- 10.10 On this basis, and taking into account that the proposed extension has an eaves height 2.5m and is single storey, with its roof being pitched away from the outer boundary, it is not therefore considered that the proposal will result in any undue potential for overdominance or overbearing.
- 10.11 It is considered appropriate to restrict the hours of use of the proposed extension, given its proximity to residential properties. A condition is therefore recommended on this basis in order to protect the amenity of adjacent residents, in line with Policy P10 of the Core Strategy.

#### Other matters

- 10.12 Concerns have been raised that the position of the extension, inset by 0.9 metres from the outer boundary with the dwellings on Castle Grove Avenue, may lead to issues of anti-social activity due to the secluded area formed between the building and the boundary fencing.
- 10.13 Officers have therefore consulted the West Yorkshire Police Architectural Liaison Officer regarding the potential for increased anti-social activity. He has commented that the proposal is not considered likely to result in any significant issues.
- 10.14 Concerns have also been raised that the proposal may result in an impact on property values. This is not, however, a material planning consideration.
- 10.15 Concerns have also been raised regarding the potential impact of the extension on a cherry tree in the garden of 53 Castle Grove Avenue.
- 10.16 Officers have discussed this with the agent, who has subsequently submitted an arboricultural assessment which indicates that the proposal will not result in any undue or lasting harm to that tree provided that due care is applied during construction works.
- 10.17 The Landscape Officer has furthermore indicated that the tree in question has only limited amenity value in the context of the Conservation Area. As such, it is

considered that the proposal is not likely to result in any undue harm to the health or vitality of trees in the Conservation Area.

## **11.0 CONCLUSION**

- 11.1 In reaching a recommendation to approve the proposed development, it is considered that the proposal fully complies with all relevant policies.
- 11.2 In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
- 11.3 Officers therefore consider that the proposed development is positive in Conservation and townscape terms, with no undue loss of amenity.
- 11.4 Members are therefore recommended to grant planning permission and Listed Building Consent.

### **Background Papers:**

Application files: 16/04093/FU & 16/05247/LI

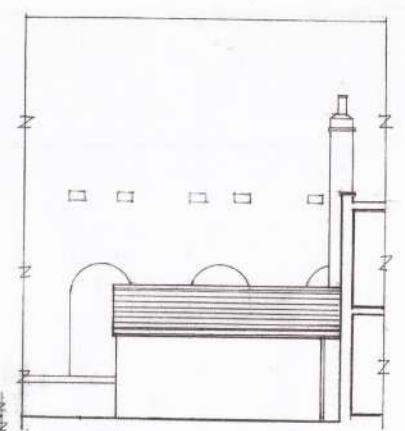
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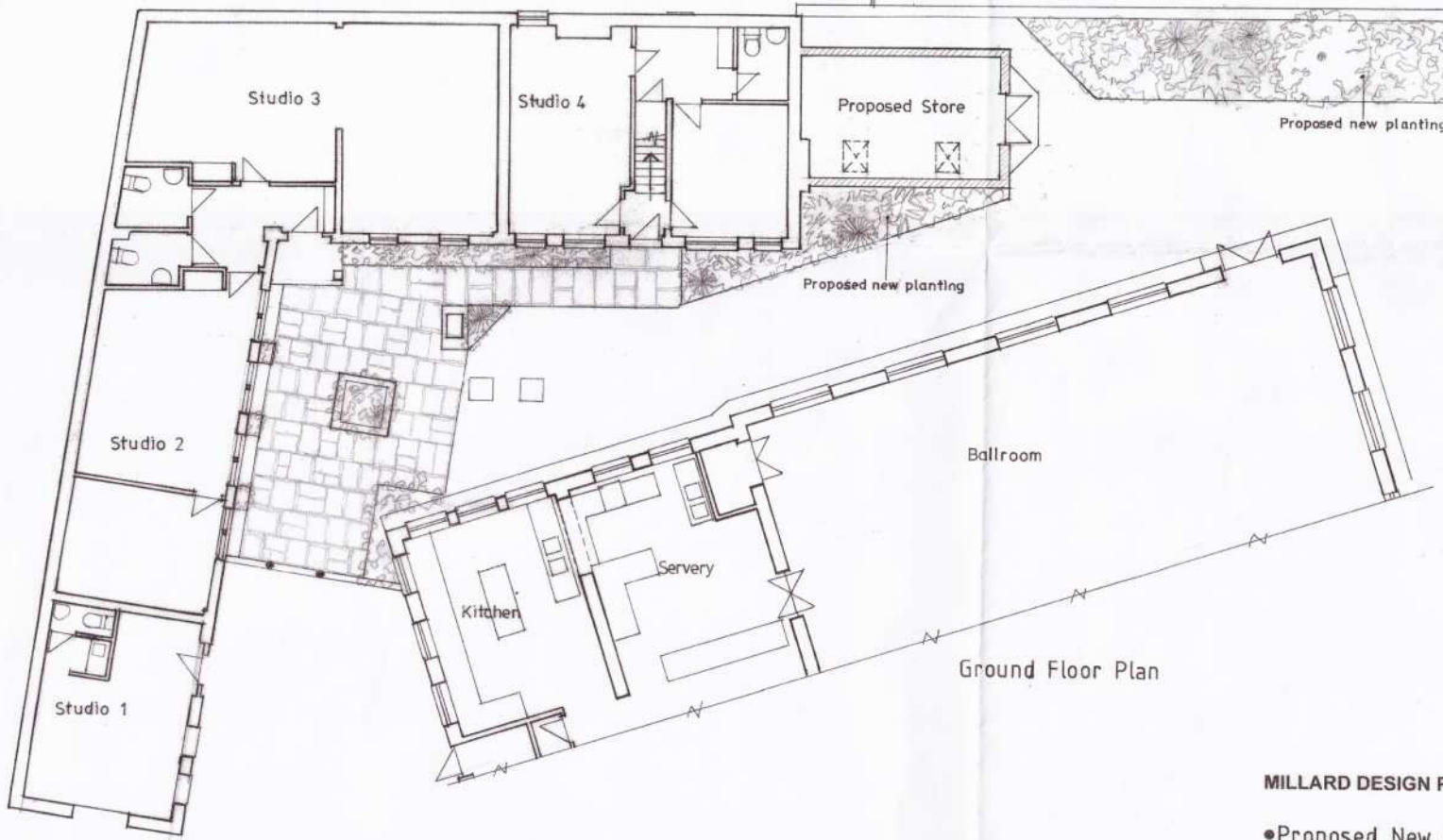
South Elevation



East Elevation



North Elevation



Ground Floor Plan

LEEDS CITY COUNCIL  
25 SEP 2016  
**REVISED**

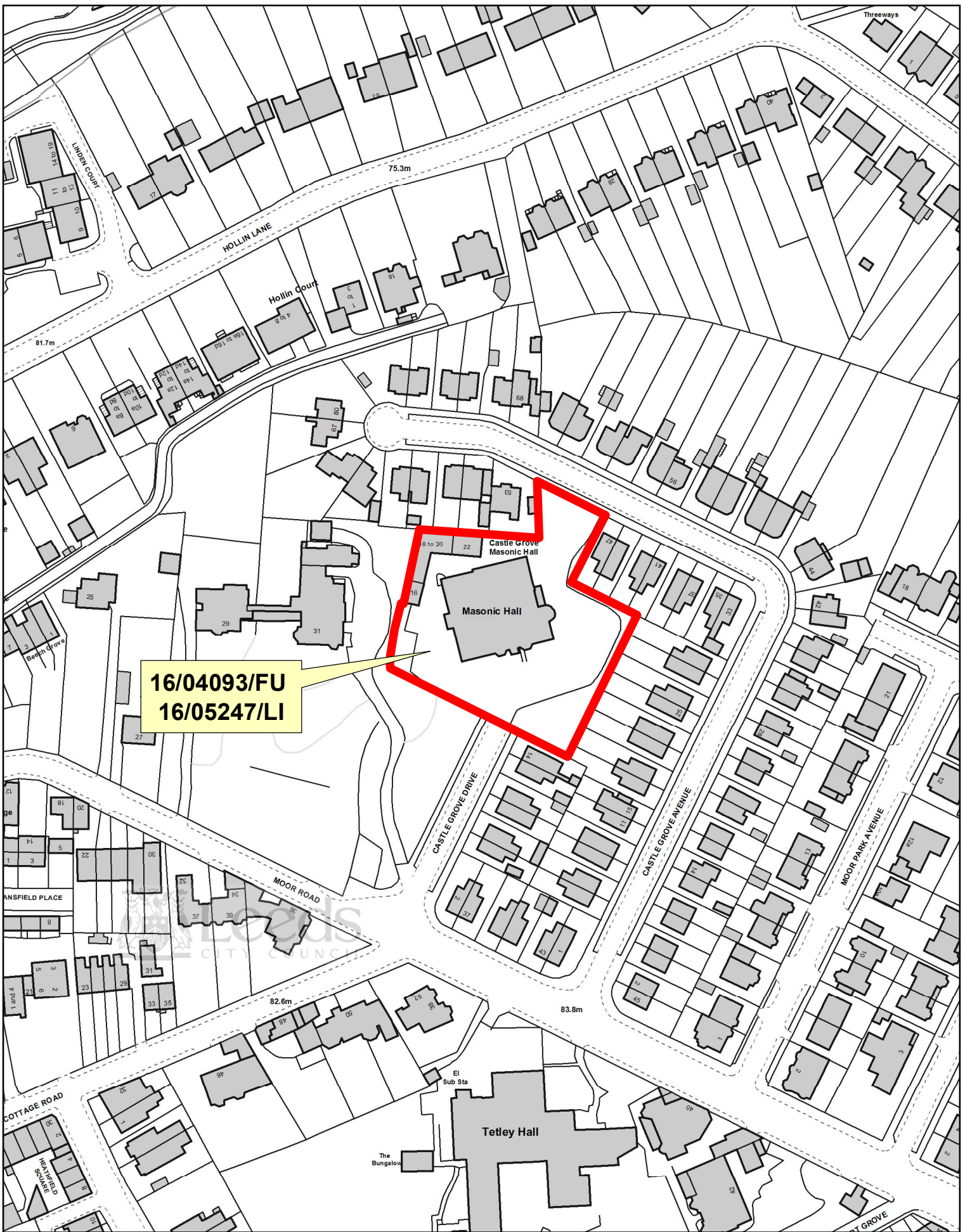


Location Plan 1:1250

MILLARD DESIGN PARTNERSHIP ARCHITECTS and PLANNERS  
 • Proposed New Store  
 • Castle Grove Masonic Hall  
 • Castle Grove Drive, LS6 4BP  
 • for Castle Grove Masonic Hall Co Ltd

Planning Drawing  
 June 2016 • 1:100 •  
 1600 • P1/A





**16/04093/FU**  
**16/05247/LI**

# SOUTH AND WEST PLANS PANEL

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SCALE : 1/1500

