



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 22nd December 2016

Subject: Applications 16/04153/FU and 16/04154/LI - Part demolition and conversion of Spenfield to create six apartments and studio flat, construction of seven terraced dwellings on the car park to the rear with associated boundary treatments, landscaping and car parking at Spenfield, 182 Otley road, Headingley, Leeds LS16 5AD.

APPLICANT

Round Strategies Ltd.

DATE VALID

26th July 2016

TARGET DATE

25th October 2016

Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

16/04153/FU - DEFER AND DELEGATE approval of planning permission to the Chief Planning Officer subject to the conditions listed in the appended report and the prior completion of a Section 106 Agreement to cover the following:

- **Contribution of £48,425.79 for off-site greenspace provision, and £6,737.50 towards a scheme for sustainable travel.**

In the circumstances where the Section 106 Agreement has not been completed within 3 months of the Panel Resolution, the final determination of the applications shall be delegated to the Chief Planning Officer.

16/04154/LI – GRANT LISTED BUILDING CONSENT subject to the conditions listed in the appended report.

Condition 1 of both applications shall be subject to a variation to require the development to be commenced before the expiration of two years from the date of the approval.

1. INTRODUCTION:

- 1.1 These applications are brought to Plans Panel following the receipt of a complaint received from ten objectors. The complaint regards the previous Panel report for this proposal which was considered by Members at the Plans Panel meeting of 20th October 2016. The complaint refers to discrepancies in the reporting of the number of objectors, and in the identification of the differences in height between a recent previous scheme and the current proposals. The applicant seeks both planning permission and listed building consent for the works.

2. PROPOSAL:

- 2.1 Planning permission and listed building consent has been sought for the part demolition and conversion of the Grade II* listed Spenfield to create six apartments and a studio flat, construction of seven terraced dwellings on the car park to the rear with associated boundary treatments, landscaping and car parking. The proposed dwellings would be of modern contemporary design and would be constructed of ashlar stone and zinc cladding, with a part sedum roof. The properties would have rear gardens and would be accessed via a short private drive which would be constructed to the rear of Spenfield.

3. RELEVANT PLANNING HISTORY:

- 3.1 In 2014 planning permission and Listed Building Consent were sought for a scheme involving the change of use of the former training centre (it's most recent use – prior to this the building was used as a health club/spa in conjunction with the adjacent Village Hotel) to six apartments and studio flat, construction of eight terraced houses with associated boundary treatment, landscaping and car parking and part demolition of a former crèche to the rear. During the course of discussions on this proposal, the applicant appealed against non-determination. However the appeal was dismissed in 2015 in respect of both applications.
- 3.2 At the Plans Panel meeting of 20th October 2016 Panel members resolved to defer and delegate approval of the planning application to the Chief Planning Officer subject to appropriate conditions and the prior completion of a Section 106 Agreement to cover off-site greenspace provision and sustainable travel, and to grant listed building consent.

4. MAIN ISSUES:

1. Number of representations
2. Failure to notify objectors to the listed building application of consideration of the application by the Plans Panel
3. Height of the proposed scheme

5. APPRAISAL:

- 5.1 Following the Plans Panel of 20th October a letter of complaint, in the name of ten local residents was received. In summary, the substantive concerns raised by the complaint are that the Panel report contained two factual errors:
- Paragraph 6.2 states that eight letters of objection have been received, whereas there were 16;
 - Paragraph 10.24 states that the height of the proposed terrace would be three metres lower than in the previous scheme which was rejected by the Inspector

- in 2015. The complainants refer to the Inspector's comments that the previous proposal would represent a significant visual intrusion for neighbouring residents, and they state that comparison of the elevations of the previous and current proposals for the terrace show little difference in heights.
- The complainants also consider that the consideration of the scheme by Panel Members at the meeting focussed on the aesthetic appeal of the scheme but not the objectors concerns.

The number of representations received.

5.2 Paragraph 6.2 of the previous Panel report states:

6.2 *Eight objection letters have been received. The points raised include:*

- *Height of the proposed new build would be excessive;*
- *Design of the new build would be unsympathetic to the setting of the listed building;*
- *Materials are not appropriate to their setting;*
- *Proposal could overshadow neighbouring properties;*
- *Inadequate provision for refuse collection;*
- *Proposed parking layout unsympathetic to setting;*
- *Proposed landscaping scheme inadequate;*
- *Proposed conversion of apartments unsympathetic;*
- *Dominance over neighbouring properties;*
- *Lack of publicity and public consultation;*
- *Loss of privacy for neighbouring occupiers.*

5.3 Paragraph 6.3 then also goes on to state that Councillor Sue Bentley has objected to the scheme, and provides details of the Councillor's objection.

5.4 It is acknowledged that a reporting error was made in that there were a total of nine objections to the planning application, including one from Councillor Bentley, however there were also an additional 12 objections to the Listed Building application which were not identified in the report. The additional representations raise a number of issues related to both the listed building and wider planning issues, including the suitability of Spenfield for sub-division, the impact of the proposed development and vehicle parking on the setting of Spenfield, the visual and neighbour amenity impacts of the new build element, as well as the effect upon the highway network. While the misreporting of the total number of representations is regrettable, it is clear that the issues raised have been considered and that the objectors' views have been fairly represented. It is not considered that the error would have any bearing upon the recommendation made to Members in the previous Panel report.

Failure to notify objectors to the listed building application of referral of the application to Plans Panel

5.5 It is normal procedure that persons making representations on applications are notified that an application is to be considered by the Plans Panel. Whilst this happened as normal in the case of the planning application, it did not happen in the case of the listed building application. Whilst some of those commentators are duplicated in that they made representations in addition to the planning application, this is not true with regard to the 12 objectors referred to above who have now been notified that the application is being referred back to the Plans Panel.

The comparative heights of the previous and current scheme

- 5.6 Paragraphs 10.23 and 10.24 of the Panel report refer to the comparative heights as follows:
- 10.23 In dismissing the previous appeal the Inspector stated that she was satisfied that the separation distances involved to neighbouring residential properties would be sufficient, in principle, to ensure that the proposed development would not have a significant detrimental impact on living conditions in terms of outlook. However, she did consider that, due to the bulk, scale and design of the previous proposal it would have caused significant visual intrusion when viewed from the neighbouring flats.*
- 10.24 In response to this, the current proposal has reduced the height of most units by approximately three metres, and of Unit 1 by approximately five metres. Additionally Unit 1 is now proposed to have a green sedum roof, and the adjacent gable to Unit 2 is proposed to be ashlar stone rather than zinc. It is considered that these changes, along with the simpler roof design and smaller palette of materials, would significantly soften the appearance of the scheme when viewed from the neighbouring flats to the north.*
- 5.7 The figures quoted in the report were based on measurements taken from the drawings of the elevations of the appeal scheme compared with measurements taken from the drawings of the elevations of the current scheme. The report sets out that, generally speaking, the overall height of the current proposal was around three metres less than that of appeal proposal, with the exception of Unit 1 where the difference in overall height increased to approximately five metres. At the meeting officers noted that these measurements were an approximation and that the height differential may be less and a figure of approximately 2m was referred to. As part of the officer presentation a slide was shown that demonstrated the relative heights of the scheme. This slide showed the current proposal, along with a dotted line marking the outline of the scheme dismissed at appeal. This drawing was received shortly before the Plans Panel, but after the Panel report had been drafted and published, and its purpose was to help the Members of the Panel understand how the two proposals compare.
- 5.8 Following the receipt of the complaint officers looked at this drawing in more detail and noted that the relative heights was substantially less than that set out in the report. Following the Panel officers sought to clarify this discrepancy with the applicant who stated that the drawing had been produced for illustrative purposes and could not be taken to be absolutely accurate. Consequently officers then met with the architect and a further comparative plan has now been produced. This confirms that the height differentiation is not as great as reported. The differences in height between the top of the recessed attic second floor and the same points of the dismissed scheme range approximately from zero in respect of the eaves and valleys, to a maximum of approximately 2m to the ridges.
- 5.9 It is clearly important that Members of the Plans Panel are presented with accurate information to facilitate informed judgments and decisions. Although Members had visited the site, seen the drawings of the respective schemes and viewed the model supplied by the applicant, it is acknowledged that in reaching their decision Members were not presented with clear and accurate information on this point.

- 5.10 It is considered that while the previously stated figures of approximately 3m and 5m are inaccurate, the height and volume of the scheme has been significantly reduced in comparison to its predecessor. The previous conclusion drawn from this, that the current proposal responds to its context significantly better than the previous scheme, is still valid. It is considered that it does address the Inspector's concerns about the previous scheme's uncompromising form, massing and design.
- 5.11 It remains the case that the distances between the proposed development and the nearest habitable room windows of the flats on Weetwood Court are comfortably in excess of minimum distances normally considered appropriate in assessing relationships between new and existing development. The City Council's adopted Residential Design Guide, Neighbourhoods for Living, identifies a traditional minimum guide distance of 10.5 metres from a main aspect to a boundary and 12 metres from a main aspect to a side elevation, and the proposed scheme comfortably exceeds these. Therefore while the residents of some of the flats would have a view of the development, the relationship is not such that harm would be caused to those residents through over-dominance, overshadowing or overlooking.

6. CONCLUSION

- 6.1 In conclusion it is considered that the misreporting of the total number of objections, and the lack of clarity regarding the heights issue are regrettable, as is the failure to notify objectors to the listed building application of the referral of the application to Plans Panel. This matter has been rectified and it remains the case that the matters raised in the objections were matters which were brought to the attention of the Panel and properly considered such that the error has not resulted in injustice to the affected parties.
- 6.2 The above matters were raised at the Plans Panel meeting of 24 November when Councillor P Gruen also raised the matter of highway safety in respect of the existing access to Spenfield and the Village hotel onto Otley Road. This matter will be addressed at the meeting.

Background Papers:

Application files: 16/04153/FU

Certificate of Ownership: Signed by the applicant.

Appendix 1: Panel Report of 20th October 2016



Leeds
CITY COUNCIL

Originator: Patrick Bean

Tel: 0113 3952109

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 20th October 2016

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In the circumstances where the Section 106 Agreement has not been completed within 3 months of the Panel Resolution, the final determination of the application shall be delegated to the Chief Planning Officer.

16/04153/FU:

1. Standard time limit 3 yrs
2. Plans to be approved
3. Samples of walling and roofing materials
4. Sample panel of stonework on site
5. Making good stonework to match
6. Details and samples of surfacing materials
7. Details of boundary treatments
8. Details of sedum roof
9. Means of access as approved
10. Vehicle spaces to be laid out
11. Bin stores / cycle stores
12. Provision for contractors during construction
13. No vehicle access to Otley Rd via the northern section of the private road with bollards to be provided
14. Details of highway signage
15. Protection of retained trees
16. Preservation of retained trees
17. Replacement of trees
18. Submission of landscape details
19. Landscape implementation
20. Works to be carried out in accordance with bat method statement
21. Details of bat roosting and bird nesting features to be submitted
22. Phase 2 site investigation report to be submitted
23. Importation of soil
24. Unexpected contamination
25. Verification reports
26. Feasibility study for Infiltration drainage to be submitted
27. Surface water drainage details to be submitted
28. Hours of construction
29. Conversion of Spenfield prior to occupation of new build
30. Heritage access days

16/04154/LI:

1. Standard listed building time limit three years
2. Plans to be approved
3. Samples of walling and roofing materials
4. Sample panel of stonework on site
5. Making good stonework to match
6. Details and samples of surfacing materials
7. Method statement of fixing shut retained doors
8. Details of lobby entrance wall Apartment 1
9. Details of truncation of secondary staircase
10. Details of new staircase to 1st and 2nd floors
11. Removal of modern roof lights above front entrance
12. Schedule of protective measures for features and surfaces of special interest
13. Recording of features
14. Reinstatement of floor tiles to vestibule

2. INTRODUCTION:

- 1.1 These applications are brought to Plans Panel at the request of Councillor S Bentley who has objected to the application for reasons summarised in paragraph 6.3 below.

The applicant seeks both planning permission and listed building consent for the works.

- 1.2 These applications follows a number of previous applications, particularly since 2008, which have sought residential development on the site. While such a scheme was approved in 2011, a more recent scheme in 2015 was dismissed at appeal. The current proposals seek to address the issues raised by the unsuccessful 2015 proposals.
- 1.3 The building is currently standing empty, having most recently been used between 2011 – 2014 as a training facility for the hospitality industry. The Planning Inspector and the Local Planning Authority have accepted that the proposal represents a form of enabling development which would bring Spenfield back into beneficial use.

2. PROPOSAL:

- 2.1 Planning permission and listed building consent is sought for the part demolition and conversion of Spenfield to create six apartments and studio flat, construction of seven terraced dwellings on the car park to the rear with associated boundary treatments, landscaping and car parking. The proposed dwellings would be of modern contemporary design and would be constructed of ashlar stone and zinc cladding, with a part sedum roof. The properties would have rear gardens and would be accessed via a short private drive which would be constructed to the rear of Spenfield.

7. SITE AND SURROUNDINGS:

- 3.1 The site is a large Victorian villa located off Otley Road in Far Headingley. The building is an outstanding example of its type and is Grade II * Listed, putting it in the top 10% of Listed Buildings nationally. The house was designed by George Corson, architect of the Grand Theatre, and was erected in 1875-1877.
- 3.2 The building is in the Gothic Revival style and is over two floors, with attics and cellars. It is constructed of local rock-faced gritstone ashlar with steeply pitched Westmoreland Green Slate tiled roofs. The former walled garden is presently used as a car park by the adjoining Village Hotel.
- 3.3 The house originally stood alone in its grounds, but in 1994 planning permission was granted for the construction of the Village Hotel, which is situated approximately 100 metres to the north east.

4. RELEVANT PLANNING HISTORY:

- 4.1 The site has a long planning history, with many historical applications for Listed Building consent for alterations to the building, as well as for siting of prefabricated office units. These mainly relate to when the building was used as offices for Yorkshire Water.
- 4.2 Perhaps the most significant applications were in 1992 and 1994. In 1992 consent was granted for a three storey office block to the rear of Spenfield, with basement link, but this was not built.
- 4.3 In 1994 consent was granted for a part 2 and part 4 storey hotel and leisure club, now known as The Village Hotel. This application represents the first significant sub-division of the grounds of Spenfield.

- 4.4 The historical files do not include, however, any legal commitment to retaining Spenfield in the same ownership as the hotel, or to the hotel supporting or cross-subsidising the upkeep of Spenfield.
- 4.5 There have also been a large number of planning and listed building consent applications affecting the use of Spenfield as well as alterations to its fabric. The most recent and relevant relating to the last use being :
- 4.6 08/01140/LI – Listed Building application to convert former health spa and creche building to 6 flats and caretaker lodge to a house and erection of a block of 7 terrace houses, with car parking - approved
- 4.7 08/01106/FU - Change of use of former health spa and creche building to 6 flats and caretaker lodge to a house and erection of a block of 7 terrace houses, with car parking – approved
- 4.8 11/03455/FU - Temporary change of use of former health spa and creche to hospitality academy (use class D1) – approved
- 4.9 11/03456/LI - Listed building application to carry alterations involving temporary change of use of former health spa and creche to hospitality academy (use class D1) – approved
- 4.10 14/06950/FU - Change of use of former training centre to six apartments and studio flat, construction of eight terraced houses with associated boundary treatment, landscaping and car parking; part demolition of former creche to rear – appeal for non-determination dismissed
- 4.11 14/06951/LI - Listed Building application for change of use of former training centre to six apartments and studio flat, construction of eight terraced houses with associated boundary treatment, landscaping and car parking; part demolition of former creche to rear – appeal for non-determination dismissed.

5. HISTORY OF NEGOTIATIONS:

- 5.1 The applicant has undertaken a pre-application process including pre-application discussions with officers in the wake of a withdrawn scheme in 2014.
- 5.2 The application also states that the applicant has also held pre-application meetings with Ward Members, local residents, Friends of Spenfield and the Victorian and Civic Societies. Ward Members have been consulted on the proposals.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by means of site notices, neighbour notification letters and an advertisement in the Yorkshire Evening Post.
- 6.2 Eight objection letters have been received. The points raised include:
- Height of the proposed new build would be excessive;
 - Design of the new build would be unsympathetic to the setting of the listed building;
 - Materials are not appropriate to their setting;
 - Proposal could overshadow neighbouring properties;

- Inadequate provision for refuse collection;
- Proposed parking layout unsympathetic to setting;
- Proposed landscaping scheme inadequate;
- Proposed conversion of apartments unsympathetic;
- Dominance over neighbouring properties;
- Lack of publicity and public consultation;
- Loss of privacy for neighbouring occupiers.

6.3 Councillor Sue Bentley has objected to the scheme and has submitted the following comments:

- The Weetwood Conservation Area Plan and the Far Headingley, Weetwood and West Park Neighbourhood Design Statement (NDS) should be considered in any development in the area - the latter is a Supplementary Planning Document (SPD) – as Spenfield House is situated in the area covered by both plans.
- Spenfield House is a Grade II* listed building and it's features are amazing with four rooms of museum quality namely the Peacock, Oxley, Corson and Spenfield rooms.
- They have been open to public four days a year on Heritage Days and I hope that this will continue by an attached condition if the plans are approved.
- I'm pleased that the Peacock Room, the entrance hall and stairway are not being converted and note the Peacock Room will be used by residents for social meetings.
- I do have concerns about how the other rooms will fare being open to the normal wear and tear of family living. In particular I have concerns for the fabric of the Oxley room as a proposed studio apartment with a kitchen in it.
- The building has been empty for some time and I am concerned that there is no further deterioration and understand the need to develop the site to fund the restoration of Spenfield.
- The proposed seven terraced houses individually are very large in area and are still dominant as block despite a reduction in the height from the previous application which was refused.
- The flat roofs are not in keeping with the local NDS or Conservation area.
- Residents in Weetwood Park Drive backing on to the development will have a blank wall as their outlook.
- The setting of Spenfield is compromised by the road in front of it being used by the residents in the proposed new development and by the proximity of the rear proposed development.
- I have concerns about parking generally from The Village Hotel as it is well used and has encroached on the land in front of Spenfield causing chaos.
- Any bat roosts need to be protected during construction.

7. CONSULTATIONS RESPONSES:

The following consultation responses have been received:

Heritage England – no objections

Environmental Health – no comments

Flood Risk Management – no objections subject to conditions

Highways – no objections subject to conditions

Metro – contribution toward residential metrocards requested of £6,737.50

Contaminated Land Team – no objection subject to conditions

Yorkshire Water - no objection subject to conditions

Local Plans – off-site greenspace contribution of £48,425.79 requested

The Leeds Civic Trust Planning Committee objects to the scheme on the grounds that the proposal would detrimentally affect the setting of Spenfield due to the reduced separation of the house and the proposed new build when compared to the previous scheme. The Civic Trust also considers that, ideally, the access to the new build should not be via the front of the house, and that the design of the new build although an improvement over the previous application would still cause harm to the setting of the Listed Building.

8. PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan. Relevant supplementary planning guidance and documents and any guidance contained in the emerging Local Development Framework (LDF) represent material considerations.
- 8.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that 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. Section 72(1) of the same act 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.

Local Planning Policies

- 8.2 The following policies contained within the Core Strategy are considered to be of relevance to this development proposal:
- P10 – Design
 - P11 – Conservation
 - P12 – Landscape
 - T2 – accessibility requirements
 - G3 – standards for open space
 - G4 – new green space provision
 - ID2 – planning obligations and developer contributions
- 8.3 The most relevant saved policies from the Leeds Unitary Development Plan are outlined below:
- GP5: Proposals should resolve detailed planning considerations.
 - N14: Presumption in favour of preservation of listed buildings.
 - N15: Change of use of listed buildings.
 - N17: Detailing and internal features of listed buildings should be preserved.
 - N18A/B: Conservation areas and demolition
 - N19: Conservation areas new buildings
 - N20: Conservation areas and retention of features
 - BD5: new buildings should be designed with consideration given to both their own amenity and that of their surroundings including usable space, privacy and daylight

BD6: All alterations and extensions should respect the scale, form, detailing and materials of the original.

BC7: Development in conservation areas

LD1: Landscaping schemes

Neighbourhoods For Living: A Guide for Residential Design in Leeds was adopted as Supplementary Planning Guidance by the Council in December 2003.

Weetwood Conservation Area Appraisal and Management Plan was adopted as a material consideration in the determination of planning decisions in August 2010.

Far Headingley Neighbourhood Design Statement adopted September 2014.

Leeds Strategic Housing Market Assessment (SHMA 2011 Update)

Community Infrastructure Levy

- 8.4 The Community Infrastructure Levy (CIL) was adopted by Full Council on the 12 November 2014 and was implemented on the 6 April 2015. The development is CIL liable at a rate of £45 per square metre in Residential Zone 2b (subject to indexation), with a resultant liability in this case of £58,673.75. This information is provided for Members information only however and it is not material to the decision on this application.

DCLG - Technical Housing Standards 2015:

- 8.5 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.

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.

The following paragraphs from the NPPF are considered to be of particular relevance:

Paragraph 14 – Presumption in favour of sustainable development

Paragraph 17 – Twelve planning principles

Paragraph 56 – Good design

Paragraph 61 – Securing high quality design

Paragraph 64 – Poor design

Paragraph 126 - heritage assets are an irreplaceable resource

Paragraph 131 - 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

Paragraph 132 - 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.

9. MAIN ISSUES:

4. Impact on the setting of the listed building.
5. Impact on the character and appearance of the listed building.
6. Impact on residential amenity of new and existing neighbouring residents.
7. Car parking and wider traffic implications
8. Impact on trees and landscaping
9. Planning obligations

10. APPRAISAL:

- 10.1 The application proposes the conversion of Spenfield to six apartments and one studio; and the erection of a terrace of seven dwellings to the present car parking area to the rear.
- 10.2 Spenfield is a grand Victorian villa which originally stood in extensive parkland grounds. However, the site was effectively sub-divided when the Village Hotel was developed. The most recent use of the building was as a training academy which was granted temporary three year consent in 2011, and has now therefore ceased. The building is presently vacant.
- 10.3 A scheme was granted approval in 2011 for a similar scheme which also involved the conversion of the house to flats, and the erection of new dwellings to the rear. However the earlier scheme was significantly different in design, and orientated facing approximately east-west rather than approximately north-south as presently proposed. The consent for this earlier scheme has now lapsed.
- 10.4 The current proposals follow applications which were dismissed at appeal in 2015. Consequently, while the current proposals share some similarities to the previous applications, they seek to resolve the Planning Inspector's criticisms of the previous scheme.
- 10.5 In determining the appeal, the Inspector identified four key issues: the impact upon the listed building; the impact upon the Weetwood Conservation Area; the impact upon the living conditions of neighbouring occupiers; and the impact upon the amenity of prospective occupiers of the proposed development.
- 10.6 In respect of the first issue, the Inspector concluded that, subject to the omission of the cloakroom pod in the Oxley Room, the public benefits of the scheme would

outweigh the limited harm would be caused to listed building. In respect of the second issue the Inspector concluded that the proposal would cause real and serious harm to the setting of the listed building and thereby to the conservation area. In respect of the third issue the Inspector found that the proposal would cause significant visual intrusion resulting in material harm to the living conditions of neighbouring occupiers. In respect of the fourth issue the Inspector found the proposals acceptable.

Impact on the setting of the listed building

- 10.5 Fundamental to consideration of these proposals is the assessment of the setting of the listed building and the impact that this development would have on the setting. The original house effectively sits on a small knoll with the main views being as it is approached from Otley Road from the south east. The setting on this approach is characterised by trees and the lawned areas surrounding it.
- 10.6 Immediately to the east within the Village site the setting has been compromised by the introduction of the new access and views of the Village Hotel. To the rear of the house is the former walled garden currently car parking but well screened from the views by being set down and by trees especially to the west. From the north and north west the setting is more disjointed views from surrounding properties but again walled in and against a backdrop of trees.
- 10.7 In particular the Inspector had significant concerns over the design of the proposal and the consequent impact upon the setting of the listed building:

“with its asymmetrical roofs, including a very shallow pitch to one side and weak verges, the terrace appears ‘boxy’ and does not respond architecturally to the finesse and elegance of the house. To my mind it has a clumsy utilitarian appearance that lacks any meaningful articulation and would jar when seen in the context of the finely detailed listed building”.

The Inspector also stated:

“Whilst the palette of materials proposed may, if used in the right proportions, provide a suitable foil for those on the main House, the bulky and uncompromising form, scale, massing and design of the terrace is devoid of character and would be seen in stark contrast to the refined elegance of the existing building, adding nothing in terms of architectural flair or contemporary design quality. In essence, the terrace lacks style. As a consequence, it would not preserve, but would cause material harm to the setting of the listed building and thus, would undermine its significance”.

- 10.8 The current scheme proposes an indented block of two and three storey dwellings, which would be constructed of ashlar stonework and zinc. The first and seventh units to either end of the terrace would be smaller two storey units.
- 10.9 The design of the properties is modern and minimalist, which would be in contrast with the very ornate appearance of Spenfield.
- 10.10 The concept of the housing is similar to the previous dismissed scheme in that it is a two and three storey terrace which responds to the curvature of the access road and with some common materials. There are important differences, however, in terms of the height of the scheme, which is three metres lower. The perceived height of the terrace is further reduced by dressing the upper storey in zinc to make the terrace appear like a two storey terrace with a recessive attic storey. The terrace is also flat

roofed, stepped to follow the slope, which could tend towards blockiness, a criticism of the Inspector of the previous dismissed scheme, but is corrected in this particular case by the recessed attic storey and the generous oversail of the roof.

- 10.11 The proposed terrace is a single linear block with modulations or indentations in the plan, akin to the main house which is a single modulated square. This is a significant departure from the dismissed scheme which was essentially a series of linked individual houses on a stepped arc alignment. The “in line” form of the housing now proposed would reduce the bulk and massing of the housing in key views from the east as well as making the new housing less of a contrast to Spenfield. The large scale openings in a vertically proportioned module and the use of stone as the main walling material also help in this respect.
- 10.12 Overall it is considered that these differences mean that the current proposal responds to its context significantly better than the previous scheme. It is considered that it does address the Inspector’s concerns about the previous scheme’s uncompromising form, massing and design.
- 10.13 It is also considered that the current proposal would enhance the immediate setting by removing the car parking and replacing it with landscaping and in a wider sense by interposing a new building between the listed building and The Village. This would establish a new immediate setting of Spenfield and resolve the conflict of two competing large masses, Spenfield and The Village Hotel, in the same setting.

Impact on the character and appearance of the listed building

- 10.14 The conversion of Spenfield to apartments and a studio largely follows the previous approval and is not considered contentious. A significant departure however is the change of use of the Oxley Room to a studio, which in the 2011 scheme was retained as a museum quality room for use by residents. The current scheme seeks to add a wet room by virtue of the addition of a small former cloak room, which would be achieved by knocking through a wall. However on balance it is considered that the proposal retains the spatial qualities and significance of the room and this aspect of the scheme is supported.
- 10.15 The applicant proposes to retain the key ground floor room, the Dining Room (or Peacock Room, front left) unaltered, as well as the entrance hall and stairway. These would be retained and available for use by residents. Overall the retention of important internal features such as the Peacock room and central staircase are supported. Additionally the scheme retains important internal details such as doors, cornices etc., as well as the plan form of the building.
- 10.16 The Inspector stated in the decision notice refusing the previous appeal that in respect of the conversion that she was satisfied, subject to the omission of the cloakroom pod from the Oxley Room, that the public benefits associated with the works proposed in this case outweigh the limited harm that would be caused. The present scheme is different from the previous in that it omits the cloakroom pod and therefore overcomes the Inspector’s objection to this part of the scheme.
- 10.17 The scheme includes provision for public access to certain parts of the building such as the Peacock Room and communal areas via pre-determined ‘heritage open days’. These would comprise four days per year. Given that there has never previously been public access to the property then the Inspector identified this aspect of the scheme as a public benefit. Similarly the Inspector acknowledged that the scheme

represents enabling development which would help secure the long-term future of the building.

- 10.18 The application proposes the demolition of a few parts of the building. These have been the subject of detailed discussion and negotiation with Officers and it is considered that the proposed demolitions can occur without detriment to the character and appearance of the Listed Building. For example, the former crèche buildings at central rear are relatively modern additions and add little if anything to the building. It is proposed to demolish these and not to replace them. It is therefore considered that they can be demolished without harming the Listed Building.
- 10.19 The house also has a steeply pitched roofed extension to the north east corner. Although a later addition, it is considered that it adds positively to the building and as such it is proposed to be retained and re-used. All internal features such as fireplaces, on all floors, have been annotated for retention.
- 10.20 Second floor apartments would make use of existing roof light openings. However these would be replaced with conservation roof lights which would be of benefit to the building.
- 10.21 Overall the proposed layout, of flats surrounding a main stair core, respects the original layout of the building and is sympathetic to its fabric.

Impact on residential amenity of new and existing neighbouring residents

- 10.22 A number of objectors have raised concerns relating to the impact upon the living conditions of neighbouring occupiers, for example, by loss of outlook. The nearest neighbouring residential occupiers are those at Weetwood Park Court, to the north west of the site.
- 10.23 In dismissing the previous appeal the Inspector stated that she was satisfied that the separation distances involved to neighbouring residential properties would be sufficient, in principle, to ensure that the proposed development would not have a significant detrimental impact on living conditions in terms of outlook. However, she did consider that, due to the bulk, scale and design of the previous proposal it would have caused significant visual intrusion when viewed from the neighbouring flats.
- 10.24 In response to this, the current proposal has reduced the height of most units by approximately three metres, and of Unit 1 by approximately five metres. Additionally Unit 1 is now proposed to have a green sedum roof, and the adjacent gable to Unit 2 is proposed to be ashlar stone rather than zinc. It is considered that these changes, along with the simpler roof design and smaller palette of materials, would significantly soften the appearance of the scheme when viewed from the neighbouring flats to the north.
- 10.25 The proposed housing would provide adequate levels of amenity for occupiers. It is considered that there would be an adequate amount of private amenity space as private gardens for all units.
- 10.26 The flats within Spenfield do not have the benefit of individual amenity spaces, however, given the sensitivity of the building and its setting this would not be appropriate. The house does however have a large lawn to the south which would provide shared amenity for residents.

Car parking and wider traffic implications

- 10.27 As referred to above, the former garden area has for some years been laid out as car parking for the users of Spenfield. Survey work as well as site visit evidence indicates that the car park is under used and its loss is therefore not considered to be likely to cause problems of traffic congestion or inadequate off-street parking provision for the Hotel. It should also be noted that the site is in separate ownership from the nearby hotel and that car parking was not an issue for the Inspector in the context of the recent appeal. It is considered that the previous use of the site as part of the hotel would be likely to generate higher levels of traffic than the proposed residential use. The amount of parking proposed, 30 spaces, is considered adequate for the amount of housing proposed, 14 units, and overall the proposal is considered acceptable in highway terms.

Impact on trees and landscaping

- 10.28 While the degree of separation between Spenfield and the proposed dwellings has reduced from the previous scheme, this is mainly due to a re-siting of the proposed dwellings and a re-alignment of the proposed access drive to create a fuller curve. Overall the layout of the scheme is considered to represent a significant improvement over the previous by virtue of an improved relationship to the setting of Spenfield and better use of landscaping.
- 10.29 While some tree removal is proposed, the majority of the mature structural tree planting is proposed for retention along with planting of 31 new trees as part of the development. While loss of trees relating to the current car parking layout is proposed, the car parking area will be replaced with a new layout of houses and gardens with new tree and shrub planting. Proposed new tree planting along the eastern boundary of the site would provide some softening of views of the adjacent hotel complex; while proposed new tree planting either side of the curving road between Spenfield and the proposed new housing would help soften the new development and provide some separation from the house. On balance it is considered that the proposed landscape scheme strikes a reasonable balance between softening, separation and spaciousness around Spenfield.

Planning obligations

- 10.30 The scheme makes appropriate provision for residential Metrocards, which would be secured via a s.106 legal agreement. The scheme as presented therefore makes adequate provision for sustainable transport options for the prospective residents of the development.
- 10.31 The scheme also provides an appropriate contribution toward the provision of off-site greenspace in lieu of on-site provision. Again this would be secured by means of a s.106 legal agreement.
- 10.32 Overall it is considered that the proposal adequately addresses the criticisms of the previous scheme as well as representations in objection made to the current scheme.

11.0 CONCLUSION

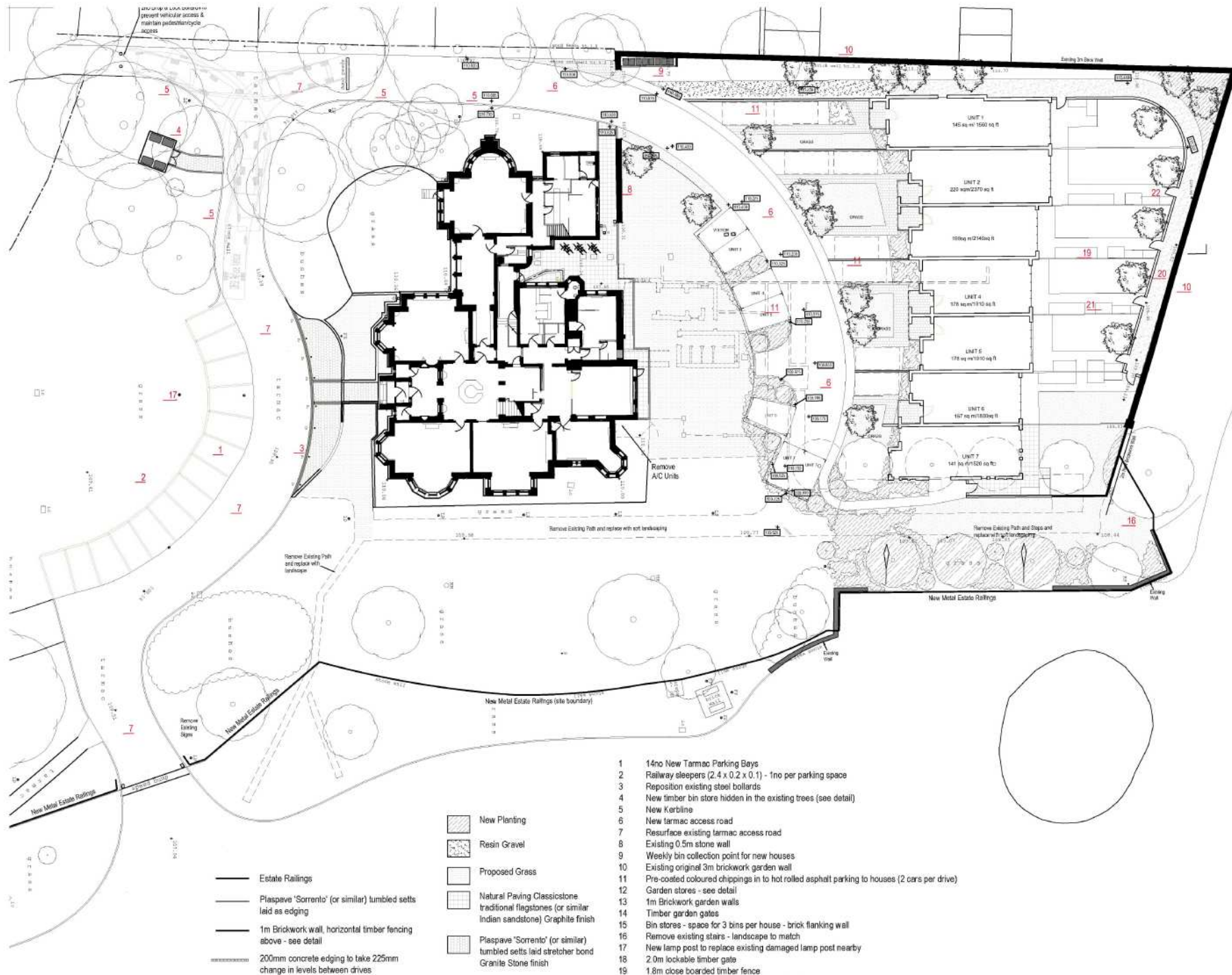
- 11.1 The scheme has been the subject of significant negotiations with the applicants. Discussions have been on going over a lengthy period including discussions with Historic England.

11.2 It is considered that in principle the revised proposals represent an acceptable conversion of Spenfield, and would provide a realistic and sustainable future for the building. Additionally it is considered that the proposed new build elements respond adequately to concerns such as the setting of a listed building, and would not materially affect the living conditions of nearby residents.

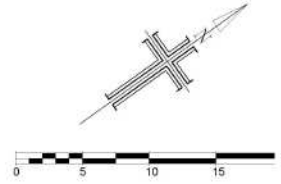
Background Papers:

Application files: 16/04153/FU

Certificate of Ownership: Signed by the applicant.



Do not scale off this drawing. Work to figured dimensions any discrepancy to be reported to the Architect. Refer to larger scale drawings where available.



— Estate Railings
 — Plaspeve 'Sorrento' (or similar) tumbled sets laid as edging
 — 1m Brickwork wall, horizontal timber fencing above - see detail
 - - - - - 200mm concrete edging to take 225mm change in levels between drives

- New Planting
- Resin Gravel
- Proposed Grass
- Natural Paving Classicstone traditional flagstones (or similar Indian sandstone) Graphite finish
- Plaspeve 'Sorrento' (or similar) tumbled sets laid stretcher bond Granite Stone finish

- 1 14no New Tarmac Parking Bays
- 2 Railway sleepers (2.4 x 0.2 x 0.1) - 1no per parking space
- 3 Reposition existing steel bollards
- 4 New timber bin store hidden in the existing trees (see detail)
- 5 New Kerbline
- 6 New tarmac access road
- 7 Resurface existing tarmac access road
- 8 Existing 0.5m stone wall
- 9 Weekly bin collection point for new houses
- 10 Existing original 3m brickwork garden wall
- 11 Pre-coated coloured chippings in to hot rolled asphalt parking to houses (2 cars per drive)
- 12 Garden stores - see detail
- 13 1m Brickwork garden walls
- 14 Timber garden gates
- 15 Bin stores - space for 3 bins per house - brick flanking wall
- 16 Remove existing stairs - landscape to match
- 17 New lamp post to replace existing damaged lamp post nearby
- 18 2.0m lockable timber gate
- 19 1.8m close boarded timber fence
- 20 0.9m high brick garden wall with 0.9m high timber boarded fence over
- 21 1.8x1.2 timber shed
- 22 Vertical boarded bin store with doorslid

Rev	By	Date	Revision/Notes
1	AKL	25/04/16	Terrace access drive forming revised

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Client/Project
ROUND STRATEGIES LTD

**SPENFIELD HOUSE 182 OTLEY ROAD
HEADINGLEY LEEDS LS16 5AA
SPENFIELD HOUSE**

Drawing
SITE PLAN AS PROPOSED

Scale
1:200

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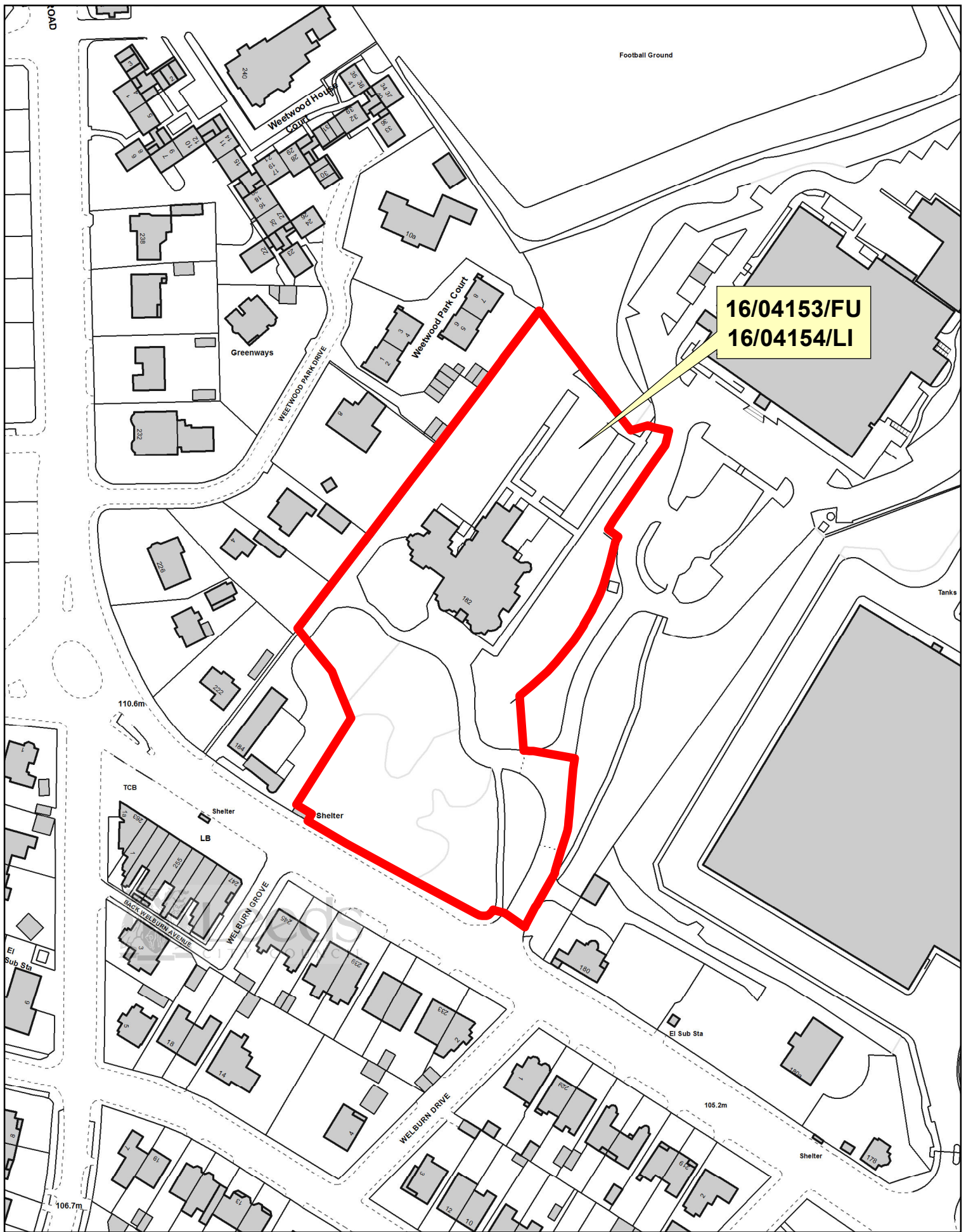
Date
APR 16

Status
PLANNING

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Drawing No.
(P) 03

Rev.
B



16/04153/FU
16/04154/LI

SOUTH AND WEST PLANS PANEL

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SCALE : 1/1500

