



**Report of the Chief Planning Officer**

**SOUTH AND WEST PLANS PANEL**

**Date: 16<sup>th</sup> June 2017**

**Subject: Application number 16/04643/FU and 16/04644/LI – Conversion of the former administration block and workshops to create 46 residential units and one retail unit and erection of 25 new dwellings at Chevin Park, former High Royds Hospital, Menston LS29 6FS**

**APPLICANT**  
Avant Homes

**DATE VALID**  
25<sup>th</sup> July 2016

**TARGET DATE**  
2<sup>nd</sup> July 2017

**Electoral Wards Affected:**

**Guiseley and Rawdon**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION 16/04643/FU:**

**DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions set out below and also the completion of a Section 106 agreement to include the following obligations:**

**Phasing of the new building to coincide with the restoration of the listed building**

**In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer**

**RECOMMENDATION 16/04644/LI**

**GRANT listed building consent subject to the specified conditions**

16/04643/FU Recommended Conditions:

1. Time limit on full permission
2. Development in line with approved plans
3. Samples of walling and roofing materials to be submitted
4. Sample panel of stonework
5. Area to be used by vehicles to be laid out
6. Surfacing materials to be submitted.
7. Cycle/motorcycling parking to be submitted and implemented
8. Feasibility study into infiltration drainage methods required
9. Details of surface water drainage to be submitted
10. Amended remediation statement if required
11. Verification report to be submitted
12. Details of importation of any soil
13. Mitigation method statement and licence required for affected bat roosts
14. Lighting strategy for bats to be submitted
15. No removal of hedgerows, trees or shrubs or structures with bird nesting potential between 1<sup>st</sup> March and 31<sup>st</sup> August unless agreed in writing
16. Details of enhancements for bats and birds to be submitted
17. Management statement for the translocation and management of grassland to be submitted
18. Fencing and walling to be provided in line with approved plans
19. Provision of contractors during construction
20. Landscaping scheme to be submitted and implemented
21. Protection of existing trees
22. Preservation of existing trees
23. Replacement of existing trees
24. Full details of samples and working methods for restoration of listed buildings required
25. No building works to take place until there has been secured the implementation of a programme of building recording
26. Designs will be approved prior to the occupation of any dwelling approved by this enabling application
27. Prior to the occupation of any dwelling approved by this enabling application High Royds Drive will be final surfaced between the junctions with Bradford Road and Menston Drive.
28. Prior to the occupation of any dwelling approved by this enabling application Menston Drive will be final surfaced between the junctions of High Royds Drive and Bingley Road
29. Prior to the occupation of any dwelling approved by this enabling application the bus route will be final surfaced.
30. Prior to the commencement of any dwelling approved by this enabling application the street lights along Guiseley Drive shall be connected and operational

16/04644/LI Recommended Conditions:

1. Time limit on listed building permission
2. Development in line with approved plans
3. Samples of walling and roofing materials to be submitted
4. Sample panel of stonework
5. Full details of samples and working methods for restoration of listed buildings required
6. No building works to take place until there has been secured the implementation of a programme of building recording

## **1.0 INTRODUCTION**

1.1 The applications are a full application for the conversion of two existing listed buildings and construction of 25 new dwellings and a listed building application for the works required to the listed buildings. The application is brought to Plans Panel as it is a departure from the Development Plan as the site is within the Green Belt.

## **2.0 PROPOSAL:**

2.1 Planning permission was granted in 2005 for the change of use of hospital buildings and new build development to form 562 dwellings, offices, crèche, medical, retail units and sports pitches. That permission has been implemented in terms of all of the new build dwellings and conversion of most of the buildings to be retained. The unimplemented parts relate to the conversion of the main administration block into assisted living units and conversion of the former workshops into commercial units. None of the new build permitted by the 2005 permission related to enabling development.

2.2 There are three main elements to the current applications which are:

- i) Conversion of the existing listed administration building (which had a previous permission into assisted living units) into 42 apartments. This also involves a change of use from a hospital to the apartments
- ii) Conversion of the listed former workshops (which had a previous permission for commercial units) into 4 apartments and 1 commercial unit again involving a change of use from hospital buildings to residential and commercial uses
- iii) Construction of 25 new dwellings off Norwood Avenue. (Enabling development)

2.3 The 42 apartments within the existing administration building will comprise

- 3 one bedroom units
- 24 two bedroom units
- 11 3 bedroom units
- 4 3/4 bedroom units

This scheme also includes the refurbishment of the former ballroom into an internal space for use by the residents in the proposed apartments.

2.4 This conversion of the administration block involves no elevational changes to the main southern elevation and minimal changes to the other outward elevations aside from new windows which are introduced in the northern element of the building. All new windows will respect the existing windows and building.

2.5 The conversion of the former workshops will involve 4 new dwellings with one retail unit. These four dwellings will all be two bed roomed. There will be no demolition or extension to the building with some additional windows which will match the existing.

2.6 The new residential development of 25 houses will be located on Norwood Avenue to the north of the site. There will be 17 houses on the opposite side of the existing houses on Norwood Avenue with the other 8 houses located on land to the end of Norwood Avenue in a cul de sac development. There are 4 semi detached houses proposed with the rest of the development comprising detached houses. The houses will be two three bed roomed houses, 11 four bed roomed houses and 12 five bed roomed houses. All of these new houses are located in green belt.

- 2.7 The majority of the proposed houses are orientated generally north-south with a frontage onto Norwood Avenue with the exception of 5 plots which will be positioned off drives perpendicular to Norwood Avenue.
- 2.8 There will be a 10 metre landscape buffer to the rear of the houses on Norwood Avenue. There will also be a 10 metre landscape buffer to the rear of the new cul de sac development. The design of these houses will be very similar to the existing houses on this part of the development, using gable features, natural stone and render.
- 2.9 The applicant has submitted a very special circumstances case for the new development which revolves around restoration of the main administration block which is a grade II listed building and the most important building on the site architecturally and in terms of the hospital's historic interest. These very special circumstances include a financial appraisal of the enabling development aspect which has been assessed and agreed by the District Valuer. This financial appraisal concludes that the new build development is required to enable the conversion of the administration block which is an important heritage asset to residential development and provides the developer with a profit which is in line with English Heritage guidance.
- 2.10 The applicant has submitted a draft section 106 agreement which details the proposed phasing of the conversion of the listed building and the construction of the new build which is

*Not to occupy the first enabling dwelling until the date of commencement of the conversion of the administration block*

*Not to occupy 6 enabling dwelling until practical completion of 3 administration block dwellings*

*Not to occupy 9 enabling dwelling until practical completion of 7 administration block dwellings*

*Not to occupy 15 enabling dwellings until practical completion of 14 administration block dwellings*

*Not to occupy 18 enabling dwelling until practical completion to 17 administration block dwellings*

*Not to occupy 20 enabling dwellings until practical completion to 30 administration block dwellings*

*Not to occupy 22 enabling dwellings until practical completion to 35 administration block dwellings*

*Not to occupy 24 enabling dwellings until practical completion to 40 administration block dwellings*

*Not to permit occupation of the final enabling dwelling until practical completion of the final administration block dwelling*

*There is also a clause to practically complete the administration block within 5 years from the date of commencement of the administration block development.*

- 2.11 The proposed phasing of the new build will start at the junction of Norwood Avenue and Menston Drive and will work its way up Norwood Avenue. The proposed dwellings in the cul de sac development at the end of Norwood Avenue will be constructed last.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is the former High Royds Hospital which was built by Vickers Edwards between 1884 and 1888 in a Gothic revival style. At the time it functioned as the West Riding County Lunatic Asylum. The hospital was built in 4 phases with the administration block belonging to the first phase of 1885 to 1888 with the isolation hospital being built in the second phase from 1888 to 1918. Only the buildings belonging to phases one and two remain on site today with later buildings from the third phase in the 1930s and fourth phase in the 1970s now demolished.
- 3.2 High Royds Hospital was one of the four West Riding County Asylums of the period. It is important in the pioneering use of the echelon plan, for it was only the second lunatic asylum in England to be built to this design. The use of the echelon plan meant that all wards have south-facing views and that the different types of patients could be entirely separated. At High Royds one side of the hospital catered for men, the other side for women including separate kitchens, wards for the sick and infirm where in the centre for ease of nursing, epileptics were to the sides where they could be least disruptive and incurable patients to the rear. The hospital was completely isolated when it was built and it functioned as a virtually self-sufficient community.
- 3.3 Some of the existing listed buildings on the site have been converted into residential accommodation and there has been extensive new residential development built on the site. There are two accesses to the site both off the A65 but there is no vehicular link between the two accesses. There is a third access to the north of the site which is for buses only which has not yet been opened.
- 3.4 The main administration block sits to the front of the High Royds development and is the main flagship building on the site. This building is grade two set within a grade two listed parkland. This building has a central part which is three storey and features a prominent clock tower in the middle. There are two storey wings on either side of this main three storey part. It sits to the front of the development within a green setting with the majority of the buildings on the site to the rear.
- 3.5 The former workshops are to the rear of the main administration building and are single storey. It is situated within a number of existing listed buildings which have already been converted into residential accommodation.
- 3.6 In terms of the site for the new residential development this is located to the north of the High Royds existing development on the other side of a row of existing new houses. This land has a mound which will be removed and with open land to the rear. There are a number of trees on the site. At the end of Norwood Avenue is the former farm for the hospital which is listed and there is a current planning application to convert this to residential accommodation by a different applicant.
- 3.7 The site is located in green belt and a special landscape area. The former hospital grounds are also on Historic England's list of Registered Parks and Gardens and considered to be of special historic interest.

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

- 4.1 28/198/03/FU and 28/199/03/LI - Planning permission was granted in 2005 for the change of use of the hospital and new build to form 562 dwellings, offices, crèche, medical and retain units and sports pitches

In terms of works to date the following have been completed

## Conversion

Blocks 1, 12-19 and XVII which provided 134 private units  
Blocks 30/31, 36, 61/62 (94 affordable units)  
216 new dwellings

The following still need to be completed

Block 2 – 11, 20 – 22 and 47 and XI (98 private units)  
Block 10/11, 20, 22 and XI (5 commercial blocks)  
Administration Block (80 assisted living units)

14/05510/FU – erection of 24 dwellings and conversion of administration block to a total of 51 dwellings withdrawn 27/11/15. This application included 11 houses in the land proposed for a cul de sac in this application and the other 15 dwellings on land to the south of the High Royds development. This was withdrawn due to officers' concerns regarding the impact on the openness of green belt and ecological issues.

14/05511/LI – listed building application for the above works also withdrawn 27/11/15

16/06151/FU – New sports and social club approved November 2016

### **5.0 PUBLIC/LOCAL RESPONSE:**

- 5.1 The application was advertised by a major site notice which was erected on 4 August 2016 and expired on 9 September 2016. The application was also advertised in the Yorkshire Evening Post on 12 August 2016 which expired on 2 September 2016
- 5.2 Councillor Graham Councillor Pat Latty and Paul Wadsworth are supportive of the application but that their interest is not necessarily in more new houses. They see these as conditional on seeing the unfinished restoration works completed and the ballroom brought into an acceptable state of repair, and wish for Avant to complete their work on the site as the earliest possible moment. There should also be an undertaking to replace the sports and social club although they accept that funding towards this project is joint with other parties. Finally the long overdue traffic signal improvements to the junction of Hawksworth Lane/ Hollins Hill/ Bradford Road & Park Road should be sought and implemented.
- 5.3 Aireborough Neighbourhood Forum has objected for the following reasons:
- Enabling development is outside of the given footprint for the overall development
  - Site is within green belt
  - Out of character with the area
  - Lack of facilities
  - Deterioration of buildings through negligence is not a reason to allow development
  - No very special circumstances exist
  - Translocation receptor site needed for ecology which is another cost in the enabling calculations
  - Flooding risk
  - Highway impacts
  - Sports and social club plus ballroom need to be provided

5.4 Aireborough Civic Society has major concerns regarding this application which includes:

- The non-implementation of the mixed use and public transport elements of the 2005 permission together with the obvious gross neglect of the listed buildings make is wary of this application especially without firm proposals for the ballroom, no commitment to restore the former isolation hospital block, nor the farmworkers residence.
- Why has the current s106 agreement been enforced?
- The original s106 agreement stated the heritage buildings should be restored after 187 new build dwellings were sold
- None of the mixed uses or public transport improvements have occurred
- The developer states the new proposal will generate less traffic which is misleading
- Absolutely essential that watertight conditions are part of any further planning permissions .
- Must be emphasized the developer has already had enabling development
- Proposal to keep more of original listed building is encouraged
- Would prefer ballroom repaired and restored before any further planning permission is given
- If the application is approve the following is required
  - a) Detailed scheme needed for former ballroom and should be community area
  - b) Heritage features in the admin block should be retained and restored especially paneled former board room
  - c) Bus gate access, bus shelters and real time displays must be implemented before further development
  - d) Derelict former isolation hospital, farmworkers residence and any other listed buildings must be restored and converted before any new build is permitted
  - e) Information boards about history of High Royds should be displayed in suitable places
  - f) Proposed convenience store and other remaining mixed use features should be operating before any new build is sold

5.5 There have been 32 letters of objection to the scheme and 4 letters of support. In terms of the objections the following issues have been raised

- Impact on the green belt
- Development outside of the previously established red line boundary for High Royds
- Need for refurbishment does not outweigh the irrevocable damage to the green belt
- Incursion into greenfield land
- Impact on surrounding highway network with A65 already extremely congested
- The suggestion that the developers need more profit to developer the clock tower is hard to accept as they have built hundreds of houses already
- The fact they can't sell the clock tower for its current use should not allow for new development in the countryside
- Developers failed to provide the promised community and retail facilities
- Developer not honoured the current s106 requirements
- Community consultation rushed
- Impact on wildlife
- Drainage and flood risk issues
- Impact on privacy
- The previous scheme in the southern area would have had less impact
- Impact due to construction of the new houses in terms of noise, dust etc

- Avant history of failing to deliver on promised enhancements.
- Impact on children's safety who play on this quiet street
- Loss of play area on open land opposite for children
- Loss of open views
- Loss of property value
- Lack of off street parking which will lead to on street parking
- Impact on dog walking route
- Impact on local services which are already at capacity
- Difficult to believe that there is no interest in the assisted living accommodation and its convenient and circumstantial for Avant
- The parkland is registered as a Historic Park and Garden which is Grade II listed so there should be a green and tranquil and open setting.
- Area around Norwood Avenue already much less open than the south side approach.
- Detrimental impact on residential amenity
- Revised scheme doesn't adequately take into account the impact and future responsibility of the ballroom.
- The access road was not designed to accommodate the increased number of houses
- Application should not be determined by delegated powers
- This is the third bite of the cherry in terms of enabling development
- Avant should supply letters of interests regarding the proposed assisted living use in the administration block
- The market has not fully recovered since the crash of 2007
- Avant should produce evidence of marketing for the unconverted buildings
- The enabling development is not in line with English heritage guidance
- Impact on the listed buildings
- Impact on residential amenity

5.6 The following support comments have been made:

- Building derelict and suffering damage and vandalism
- Previous applications were unsympathetic to the administration block
- Importance of the restoration of the administrative block justifies approval of the new houses
- Redevelopment of the hospital estate will be complete with no more continuing construction work
- The inhabited building will feel safer than the current empty building
- Will preserve the heritage and character of this historic site
- The provision of a community facility is welcomed
- Prudent to insist that the restoration of the clock tower building should take place before the new build
- Development should be limited to the minimum number of new build needed
- The conversion of the admin building should be fully carried out before the new build is allowed to commence

## **6.0 HISTORY OF NEGOTIATIONS**

6.1 Officers have been negotiating regarding this enabling development since 2014. The original proposal was for enabling development to the south of the High Royds development which officers considered was unacceptable due to impact on the green belt and ecology. Since that time other sites within the development have been considered and dismissed. This application is the conclusion of trying to accommodate enabling development on a restricted site within the green belt.



## **7.0 CONSULTATION RESPONSES:**

Highways – conditional approval

Flood risk management – conditional approval

## **8.0 PLANNING POLICIES:**

### Development Plan

- 8.1 Section 38 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 comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Development Plans.
- 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 authority 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.
- 8.3 The application site has no specific allocations or proposals but is within the Green Belt.

### Adopted Core Strategy

- 8.4 The following core strategy policies are considered the most relevant;

Spatial policy 1: Location of development  
Spatial policy 6: Housing requirement and allocation of housing land  
Spatial policy 11: Transport infrastructure investment priorities  
Policy P9: Community Development and Other Services  
Policy P10: Design  
Policy P11: Conservation  
Policy P12: Landscape  
Policy T2: Accessibility requirements and new development  
Policy EN2: Sustainable design and construction  
Policy EN5: Managing flood risk

### Saved Policies - Leeds UDP (2006)

- 8.5 The following saved policies within the UDP are considered most relevant to the determination of this application:
- N25 Development and Site boundaries  
N28 Historic Parks and gardens  
N29 Sites of archaeological importance  
N33: Development proposals in green belt  
N37 Special landscape areas  
N15:14.2.10 High Royds Hospital Guiseley  
GP5: Development proposals should resolve detailed planning considerations.  
BD2: Design of new buildings should complement and enhance existing views

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

BD6: Advice in relation to alterations and extensions

LD1: Relates to detailed guidance on landscape schemes.

GB3 change of use for a building of historic or architectural interest

GB7 Major development sites in the green belt

### Natural Resources and Waste Local Plan (January 2013)

8.6 The following policies are considered relevant:

WATER 1: Water efficiency

WATER 2: Protection of water quality

WATER 6: Flood risk assessments

WATER 7: Surface water run off

LAND 1: Contaminated land

LAND 2: Development and trees

#### Relevant supplementary guidance:

8.7 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

Street Design Guide SPD

Neighbourhoods for Living SPG

### National Planning Policy Framework (NPPF)

8.8 The National Planning Policy Framework (NPPF), published on 27<sup>th</sup> March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.9 The NPPF constitutes guidance for Local Planning Authorities and its introduction 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.

8.10 The NPPF confirms that at its heart is a presumption in favour of sustainable development. For decision taking, this means approving proposals that accord with the development plan without delay and where the development plan is silent, absent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted.

8.11 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified

as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

- 8.12 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, ensuring high quality design but also encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 8.13 Paragraphs 79-92 give advice in relation to Green Belt by preventing urban sprawl and keeping land permanently open and the 5 purposes of green belt. Paragraph 89 is particularly relevant which deals with extensions and alterations to a building providing it does not result in disproportionate additions over and above the size of the original building.
- 8.14 Paragraphs 126 – 141 give advice in relation to development and the impact on heritage assets. Paragraphs 134-135 is particularly relevant giving advice on the harm to heritage asset weighed against public benefits.
- 8.15 English Heritage Guidance – Enabling Development and the Conservation of Significant Places. This gives guidance on securing an appropriate form of enabling development stating:

Enabling development that would secure the future of a significance place but contravene other planning policies should not be acceptable unless:

- a) It will not materially harm the heritage value of the place or setting
- b) It avoids detrimental fragmentation of management of the place
- c) Will secure the long term future of the place and where applicable its continued use for a sympathetic purpose
- d) It is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid
- e) Sufficient subsidy is not available from any other source
- f) It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place and that its form minimises harm to other public interests
- g) The public benefit of securing the future of a significant place through such enabling development decisively outweighs the dis-benefits of breaching other public policies

## **9.0 MAIN ISSUES**

1. Principle of development (Green Belt)
2. Five year housing land supply
3. Design and scale
4. Impact on listed buildings
5. Highways
6. Residential amenity
7. Trees
8. Ecology
9. Affordable housing and greenspace
10. Representations
11. CIL

## 10.0 APPRAISAL

### 1. Principle of development (green belt)

- 10.1 The whole of the site is washed over with green belt so the new development and the conversion of the listed buildings need to be assessed in relation to green belt policy.
- a) New build development
- 10.2 Firstly in relation to the new development of residential properties UDP policy N33 of the UDPR is applicable and it states the circumstances in which new development within green belt would be acceptable. Construction of new buildings would only be acceptable if it is required for a number of criteria and this scheme does not comply with these criteria. In terms of policy N33 the proposal would be inappropriate development in the green belt and very special circumstances would need to be shown.
- 10.3 In terms of the National Planning Policy Framework this states that inappropriate development is by definition harmful to the green belt and should not be approved except in very special circumstances. It goes on to state that the construction of new buildings in the green belt is inappropriate development and lists a number of exceptions to this. The new build houses as part of this scheme are not listed as one of the exceptions so in terms of the NPPF the development is inappropriate development. It goes on to state that when considering planning applications for new development in the green belt, local planning authorities should ensure that substantial weight is given to any harm to the green belt and 'very special circumstances' will not exist unless the potential harm to the green belt and any other harm is clearly outweighed by other considerations.
- 10.4 The applicant has stated that there is an enabling development argument in favour of the proposed new residential development and which amounts to very special circumstances that outweigh the harm to the green belt and any other harm.
- 10.5 A financial appraisal has been submitted to show that the new development is required to finance the restoration of the remaining listed buildings on the site known as the administration block and the former workshops. In the original approval for the site granted in 2005 the administration building was to be converted to assisted living accommodation and also involved a very large extension to the rear. No enabling development case was submitted for the 2005 planning application. The former workshop building was to be converted to commercial uses. There have been no firm offers in relation to these proposed uses and as these are the last listed buildings to be converted on the site the developer has had to look at other options in order to retain these heritage assets on the site, which is to be encouraged due to their historical importance. This application is proposing to now convert these heritage assets into residential use along with one retail unit in the workshop building. The proposed extension to the rear of the administration block which was previously approved no longer forms part of this application.
- 10.6 The conversion of the administration block and to a lesser extent the workshops to residential involves significant costs due to many of the areas in the building being stone built with significantly specialist trades required to make good masonry stonework and timbers. In addition, within the administration block there is a large

concert hall/room, which will be a communal space but incorporates ornate coving and stained glass, all of which will be expensive to repair and retain. These features within the building need to be retained and repaired as these are important in terms of the heritage asset. Historical England's listing details the importance of the interior.

- 10.7 As a consequence of the high conversion costs, the revenue generated from the sale of the properties within the listed buildings would not cover the costs of its conversion. It is very important that these listed buildings are restored retaining much of the original features as possible and this conversion would just not occur without some additional finance injection. The financial information that has been submitted as part of this application shows that the 25 dwellings represent the minimum development required to fund (enable) the conversion of the buildings. The construction costs for the conversion of the listed building will be approximately fourfold the costs of construction of the new build properties. Historical England under their previous name English Heritage give guidance in relation to enabling development and allow for a profit margin to be generated otherwise developers would not have an incentive to convert heritage assets. The profit that will be generated from the enabling development is slightly less than the profit margin that English Heritage recommend and so is in line with their guidance.
- 10.8 The administration block is the most important heritage asset on the site. This was the main building when the site was a hospital and it was the showpiece building on the site. This building was and still is the first building you see when visiting the site set within the vast parkland to the front. To secure the conversion of this and enable it to be restored is a major positive to the listed building itself and the development as a whole.
- 10.9 Historic England also gives detailed advice regarding enabling development to fund works to historic buildings in their document 'English Heritage Guidance – Enabling Development and the Conservation of Significant Places'. This gives guidance on securing an appropriate form of enabling development stating
- 10.10 Enabling development that would secure the future of a significance place but contravene other planning policies should be acceptable and it lists a number of criteria that the scheme should comply with. This guidance is relevant as normally development in green belt would be considered to be inappropriate development.

The criteria state as follows and officer comment is set out in italics:

i) It will not materially harm the heritage value of the place or setting. *As discussed at 10.20 to 10.25 below it is considered that the proposal will not materially harm the heritage value in fact it will positively enhance it.*

ii) It avoids detrimental fragmentation of management of the place. *The proposal will not involve fragmentation of management of the place.*

iii) Will secure the long term future of the place and where applicable its continued use for a sympathetic purpose. *The proposal will ensure the long term future of the place and as discussed at 10.23 to 10.25 it will be a sympathetic purpose.*

iv) It is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid. *The financial viability that has been submitted and agreed ensures that the scheme complies with this point.*

v) Sufficient subsidy is not available from any other source. *It has been shown through the financial viability assessment that subsidy is not available from other sources.*

vi) It is demonstrated that the amount of enabling development proposed is the minimum necessary to secure the future of the place and that its form minimises harm to other public interests. *It has been shown that through the financial viability assessment that the number new dwellings are the minimum required to secure the conversion of the listed building. If one less property was constructed then the profit margin would be reduced below the recommended profit margin by English Heritage and the conversion of the important heritage assets on the site would not be undertaken to the detriment of these heritage assets and the area as a whole.*

vii) The public benefit of securing the future of a significant place through such enabling development decisively outweighs the dis-benefits of breaching other public policies. *The public benefit of securing the future of this listed building is its long term protection as it is the most important heritage asset on the site. The restoration of this listed building is consider to outweigh the dis-benefits of breaching green belt policy for the reasons discussed above.*

- 10.11 In conclusion it is considered that the above criteria by Historic England for enabling development has been complied with.
- 10.12 There is a concern that the applicant could build and sell the new development and never convert and restore the listed buildings in question when the funding for the listed buildings is being provided by the new build. In order to secure conversion of the listed buildings a planning obligation is required to incorporate a phasing plan so that both the new build development and the conversion of the listed buildings occurs together. The section 106 agreement will restrict occupation of the new development in phases linked to the phased conversion of the listed building. The full details of this proposed phasing are within 2.9 of this report. It is considered that this phasing is acceptable as it allows for some generation of funds from the sale and occupation of the new dwellings whilst ensuring that the work is carried out to the listed buildings. This will guarantee that the new build receipts will be used for the restoration of the listed buildings.
- 10.13 Objectors have also raised concerns that the new development is beyond the boundary of the original masterplan for the site. This is the case, however officers and the applicant have looked at the land within the original masterplan and concluded that there is no other land available within the original masterplan area to accommodate the required enabling development which would be more suitable than the site now proposed. A previous application proposed the enabling development on the other side of the site but officers considered that this would have had a greater impact on the openness in green belt and a greater impact on the parkland associated with High Royds as the development was in front of the main curtilage of the site. When High Royds operated as a hospital the main administration block was the showpiece building on the site and all the other buildings associated with the hospital when hidden to the rear. By accommodating the new development to the rear of the site as proposed in this application it follows the principles of the original development on the site and has less impact on the parkland setting.

b) Conversion of the listed buildings.

- 10.14 The conversion of the listed buildings also needs to be assessed as part of the impact on the green belt. The National Planning Policy framework indicates that re-use of buildings which are of a permanent and substantial construction is not inappropriate in the Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt. In this case the proposal would be reuse of a permanent and substantial building.
- 10.15 Paragraph 80 of the NPPF is relevant for assessing the above exception. This lists the five purposes of green belt which need to be complied with. These are:
- To check the unrestricted sprawl of built up areas
  - To prevent neighbouring towns merging into one another
  - To assist in safeguarding the countryside from encroachment
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 10.16 In relation to the proposed conversion of the existing buildings these buildings are already in existence. They are located to the centre of the site and are surrounded by other development to they will not increase the sprawl of built up areas or allow for neighbouring towns to merge with one another. Again as they are in the centre of the site they assist in safeguarding the countryside from further encroachment. The development does not relate to a historic town and finally the scheme does involve the recycling of a derelict building. Overall the proposed conversions comply with the five purposes of green belt and as the footprint is not changing it has no impact on the openness of the green belt. In terms of the UDPR policy N33 states that the reuse of buildings can be acceptable in the green belt if it complies with policy GB4. Policy GB4 states a number of criteria that a change of use in the green belt needs to comply with which are:
- i) Any physical changes would maintain or enhance the openness, character and appearance of the green belt. *In relation to this scheme the buildings will be converted as they stand with limited physical changes so it complies with these criteria.*
  - ii) The building can be shown to be in a generally sound condition and can be converted without substantial rebuilding or extension. *The building is in a relative sound condition and is being converted without rebuilding to extensions.*
  - iii) A safe access for the building can be achieved without harming the character and appearance of the countryside. *This scheme uses existing accesses.*
  - iv) No significant expense will fall on public utilities or services. *There will be no significant expense caused by the proposal.*
  - v) Relates to buildings last used for agriculture which this building was not.
  - vi) In case of conversion of a building to residential use is it not of a scale that would produce a new hamlet. *The buildings form part of a larger residential development and will not produce a new hamlet.*
  - vii) It should be demonstrated that the conversion will not harm the local economy. *This conversion will not harm the local economy in fact it is going to improve the local economy with construction jobs and residents supporting local business.*
- 10.17 Overall the conversion of the listed buildings complies with policy N33 and GB4 of the UDPR.

- 10.18 To conclude on the principle of development the re use (conversion) of the listed buildings is considered to be appropriate development within the green belt. In terms of the new buildings it is accepted that the new dwellings are inappropriate development in the green belt and therefore by definition harmful this must be given significant weight in the decision. The additional buildings will result in a loss of openness which is significant and carries weight in the decision making process.
- 10.19 The proposed new dwellings are inappropriate development in the green belt. It is therefore necessary to determine whether very special circumstances exist which outweighs the harm to the green belt and any other harm. For the reasons set out above relating to the enabling development plus the retention of a significant designated heritage asset, it is concluded that very special circumstances do exist which outweighs the harm to the green belt by way of the inappropriate development and any other harm.

## 2. Five year land supply

- 10.20 In late December 2016 the Council received three appeal decisions related to residential development at Breary Lane East, Bramhope; Leeds Road, Collingham; and Bradford Road, East Ardsley. The appeals were allowed and it was concluded by the Inspector that Leeds is presently unable to demonstrate a 5 year housing land supply. (5YHLS).
- 10.21 This scheme will supply 71 dwellings at a time when a 5 year housing land supply cannot be shown. These 71 dwellings will be treated as windfall development as they have not been taken into account in the current figures for housing supply so they will boost the supply of housing in Leeds.

## 3. Design and scale

- 10.22 There are two elements in terms of the scheme which relate to the conversion of the listed buildings and the design and scale of the new dwellings.

### Listed buildings

- 10.23 There are two buildings that are being converted as part of this scheme which are the main administration block and the former workshops to the rear. In terms of the main administration block the original scheme approved in 2005 involved a large extension proposed to the rear. This does now not form part of the proposal and the building will be converted as it stands. All of the important features to this building both internally and externally will be restored and retained. There will be limited new window openings proposed and these new windows will be in a style that will match the existing building. The existing ballroom will also be restored to its former glory and will be used as a communal space for the occupiers of the proposed apartments. Conditions are proposed to ensure that any repairs and replacements to windows and stone work will be submitted for approval. In terms of the former workshop conversion this will also retain and restore important features and any new openings will match existing openings in terms of scale. Paragraphs 133 and 134 of the NPPF give advice in relation to development which impact on heritage assets. In relation to these paragraphs it states that the harm to a heritage asset is outweighed by the benefit of bringing the site back into use and that the development should secure the optimum viable use. The developer has been marketing the property for its original intended use of an assisted living accommodation for a number of years with no success. The current proposal to



apartments does not involve a large extension that was proposed as part of the previous application and converts the building as it stands without significant alteration. Paragraph 134 states that the test is that if a development proposal leads to less than substantial harm to a heritage asset then this harm should be weighed against the public benefits of the proposal including its optimum viable use. The public benefits of bringing the building back into use include the retention and long term future of this important heritage asset along with supplying housing and creating employment. It therefore will ensure the heritage asset is retained and its long term future is achieved. Overall the design and scale of the development for the listed buildings is considered acceptable and complies with policy P10 and P11 of the Core Strategy and paragraphs 133-134 of the NPPF

#### New dwellings

- 10.24 The new dwellings are located to the northern part of the site. The new houses that have already been developed on this part of the site pursuant to permission 28/198/03/FU are a mixture of 2 and 3 storey properties which use natural stone and render. The new dwellings related to this application have been designed to have gable features and are generally detached. The new dwellings proposed match the existing properties in terms of their sizes, styles design and features but will be to a higher quality as they are using natural stone. In terms of the proposed new properties on Norwood Avenue these face out onto the existing street scene on the opposite side of the road from existing houses so completing the street scene. The houses in the cul de sac are also laid out in a layout which is considered to be acceptable in design terms. In terms of the new dwellings the scheme is considered acceptable and complies with policy P10 of the Core Strategy.

#### 4. Listed buildings

- 10.25 The development also needs to be assessed in relation to the impact on the listed buildings on the site. The proposed works to the administration block and workshops are acceptable as described in section 2 above and will result in the buildings being restored and retained on site. This is a positive for the listed buildings on the site and is supported.
- 10.26 In terms of the new development there is a listed building at the end of Norwood Avenue which was the former farm buildings for the hospital. There is a validated planning application relating to that building proposing that it be converted into residential development (different applicant). These new dwellings are separated from the former farm building by a gap of 14 metres and within this gap are a number of significant trees which are to be retained. This allows for the development to read separately from the former farm buildings. In terms of paragraph 133 and 134 of the NPPF it is considered that the new development will not have a detrimental impact on the heritage assets.
- 10.27 Overall it is considered that the development will not have a detrimental impact on the listed buildings on the site and complies with policy P11 of the Core Strategy , paragraphs 133 and 134 of the NPPF and section 16(2) of the Planning (Listed Buildings and Conservation Area) Act 1990.

#### 5. Highways

- 10.28 A transport assessment has been submitted with the application which shows that the trip generation for the new proposal will be less than the trip generation that was associated with assisted living scheme plus the commercial uses that previously

granted but has not been implemented.. This proposal will therefore have no additional detrimental impact on the free and safe flow of traffic both within the High Royds development and the highway network.

- 10.29 The level of car parking that is being shown for the new development complies with guidelines so there should be no additional impact in terms of parking on the highway.

There are a number of off site and on site highway works that were required as part of the original approval. These include surfacing and lighting of the main roads and opening of the access so the bus route can be achieved through the site. These works have not been carried out to date but are also required as part of these applications as they form the main routes and access to the application sites and are therefore required to make the application acceptable. For this reason a number of conditions will be attached to ensure that these works are carried out.

- 10.30 Overall in highway terms and subject to the recommended conditions the proposal complies with policy T2 of the Core Strategy.

#### 6. Residential amenity

- 10.31 In terms of the conversion of the listed buildings these are surrounded on three sides by other residential development which is already occupied. The buildings are already in situ so there is no additional impact in terms of overbearing or overshadowing on the existing properties. In fact when compared to the 2005 permitted scheme there will be an improvement for existing residents as this proposal no longer includes a large extension.

- 10.32 In terms of overlooking and privacy there are a few instances where there will be windows which will not be the far enough away from adjoining properties to comply with the required distances in Neighbourhoods for Living (NfL). This relates to five properties proposed on the western side of the administration block. In the original permission to convert to an assisted living facility these windows would have still caused overlooking issues as there were proposed for a swimming pool and apartments. It also has to be acknowledged that historically the buildings were constructed this close together and given their listed status their demolition would not be favourable. For all these reasons it is considered that this matter is considered acceptable.

- 10.33 In terms of the new houses, they are situated in excess of distances than those that are suggested in NfL. These distances ensure that there should be no detrimental impact to existing residents in terms of overdominance, overbearing and privacy.

- 10.34 Overall it is considered that the scheme will not have a detrimental impact on residential amenity and complies with policy GP5 of the UDPR.

#### 7. Trees

- 10.35 There is an important group of trees located at the junction of Norwood Avenue and Menston Drive and between the development and the isolation unit at the other end of Norwood Avenue. These trees are to be retained as part of the proposal which is a very positive and conditions are recommended to ensure their protection during construction. There are a small group of trees that will be removed as part of the development but these are category C and U so their value is limited along with their lifespan. It is therefore acceptable for these trees to be removed as part of the

development. In line with policy N24 of the UDP a 10m wide landscape buffer will be provided to the rear of the development on Norwood Avenue and to the rear of the proposed cul de sac. This will help to soften the development and provide an important buffer between the development and green belt.

10.36 Overall there will be no detrimental impact in terms of impact on trees.

## 8. Ecology

10.37 The development will result in the loss of the grasslands including an area which was previously assigned for habitat management. A large parcel of grassland is to be set aside for managing and enhancing as a wildflower meadow in order to offset the loss of the grasslands within the development. This parcel of land which is to be set aside for habitat management and this can be controlled by condition.

## 9. Affordable housing and greenspace

10.38 The new development would require the provision of affordable housing and greenspace to comply with policy. In terms of greenspace there is already an abundance of greenspace on the site which is well above the policy requirements. In terms of affordable housing within this area there is a requirement of 35% affordable housing to comply with policy. The applicant has detailed that if a level of 35% was provided on site then an additional 6 houses on top of the proposed 25 would need to be provided. This additional development would have a greater impact on the green belt it is considered that the impact on the green belt outweighs the policy requirement to provide affordable housing as part of the new development.

## 10. Representations

10.39 The vast majority of the concerns from the representations have been addressed above except for the following:

- Deterioration of buildings through negligence is not a reason to allow development – *there is no evidence that the buildings have deteriorated through negligence. The applicant has been actively marketing the buildings with no firm interest.*
- Must be emphasized the developer has already had enabling development. *When permission was granted in 2005 an enabling argument was not submitted at that point.*
- Detailed scheme needed for former ballroom and should be community area. *The applicant has looked at a number of options for the ballroom and it is considered due to security of the apartments and ballroom that it is for use by the residents in the apartments only.*
- Loss of open views. *Whilst this is important for the existing residents the right to a view is not a material planning consideration.*
- Loss of property value. *Whilst house values are important for existing residents this is not a material planning consideration.*
- Impact on local services which are already at capacity. *The numbers involved should not have a detrimental impact on local services*

## 11. CIL

The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 12<sup>th</sup> November 2014 with the charges implemented from 6<sup>th</sup> April 2015 such that this application is CIL liable on commencement of development at a rate of £90 per

square metre of chargeable floorspace. In this case this will amount to £956031.34. In any event, consideration of where any Strategic Fund CIL money is spent rests with Executive Board and will be decided with reference to the Regulation 123 list.

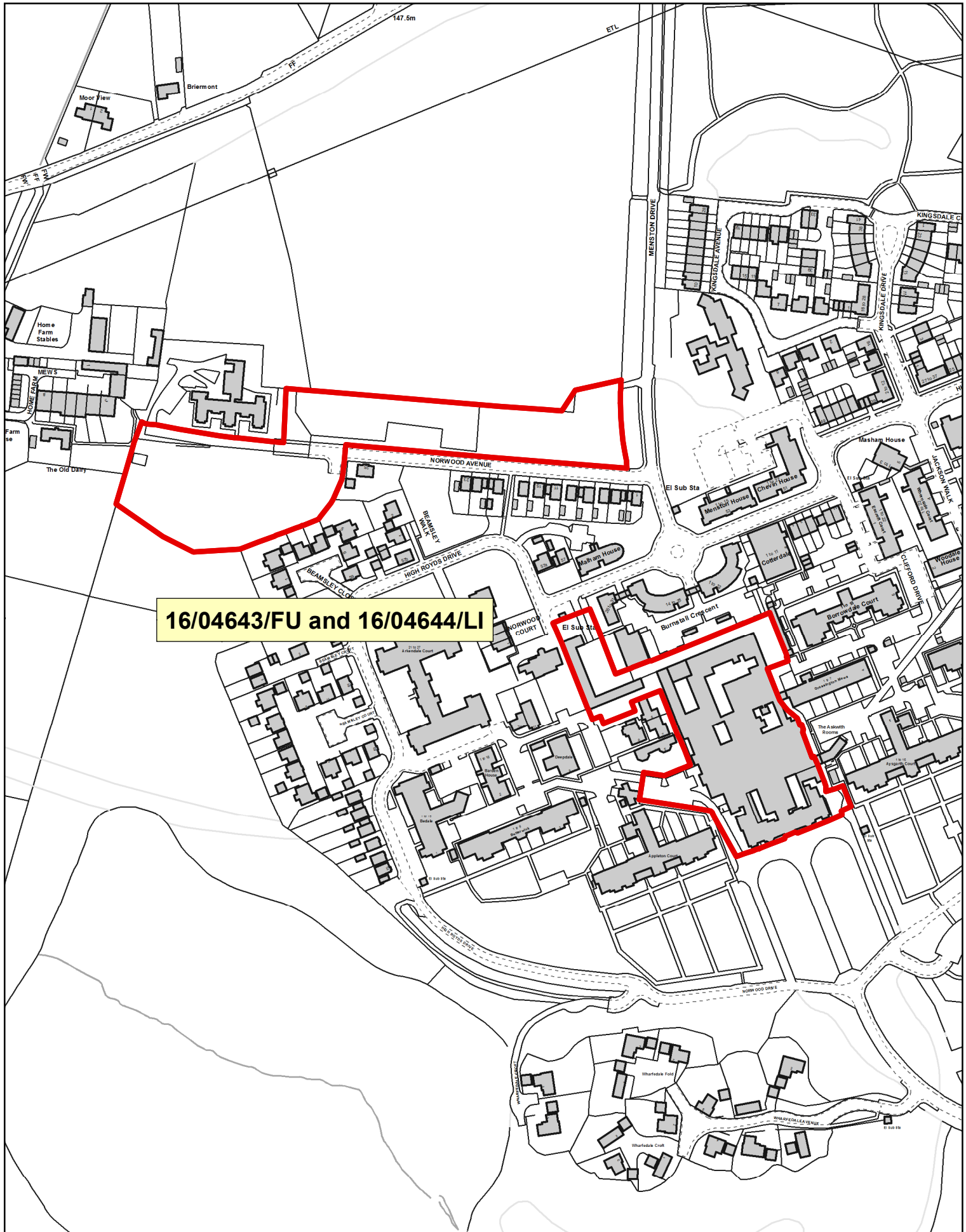
## **11.0 CONCLUSION**

11.1 Taking all material considerations into account as set out above, including representations received, it is considered that the new build part of the application is inappropriate development in the Green Belt. However, given the benefits the scheme will bring to the designated heritage asset it is concluded that very special circumstances exist to outweigh the harm to the green belt and any other harm. In terms of the conversion of the listed building this is considered to be appropriate development within the green belt. This part of the scheme when assessed against the 5 purposes of the green belt and its impact on openness it also considered acceptable. The proposal as a whole will also add to the supply of housing in a time when there is no 5 year land housing supply. The scheme is also considered to be acceptable in terms of other material considerations and approval is recommended subject to the section 106 agreement and conditions outlined at the head of this report. The application for the listed building consent is considered acceptable as it will restore an heritage asset and ensures it long term future. The application complies with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Background Papers:**

Certificate of ownership: signed by applicant.

Planning application file.



16/04643/FU and 16/04644/LI

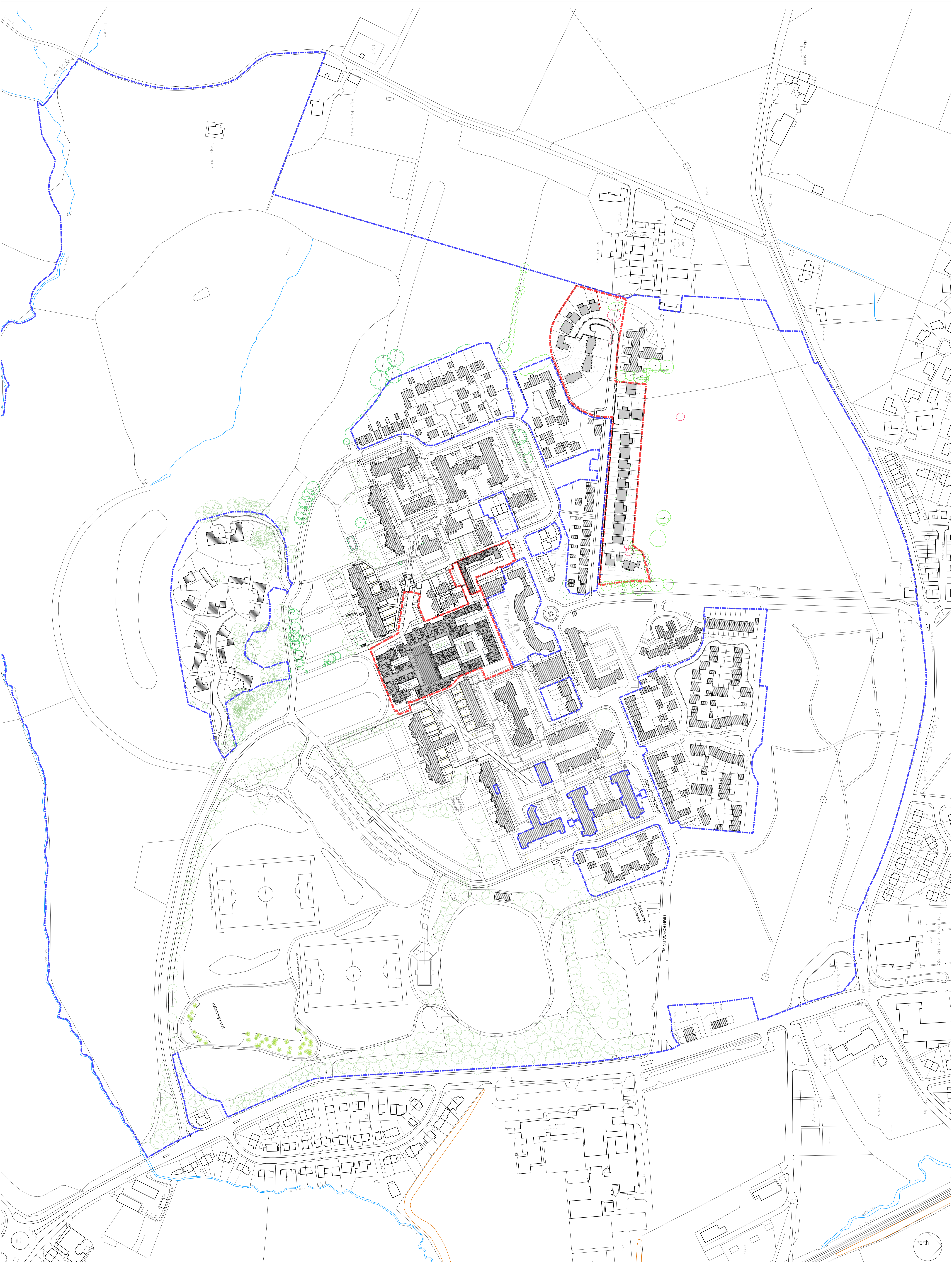
# SOUTH AND WEST PLANS PANEL

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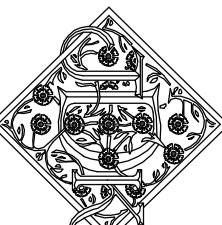
NOTES:

1. DO NOT SCALE from the drawing
2. Further dimensions required to be requested from the client
3. Report all discrepancies to BDK project technical team IMMEDIATELY
4. Refer to the following ASSOCIATED DRAWINGS:-

Revision Log

Rev	Index	Date	Description
0	01	11/20/20	ISSUED FOR SUBMITTAL
1	02	11/20/20	ISSUED FOR SUBMITTAL
2	03	11/20/20	ISSUED FOR SUBMITTAL
3	04	11/20/20	ISSUED FOR SUBMITTAL

Client: **AVANT HOMES**  
 Project Title: **CHEVIN PARK**  
 Title: **SITE LOCATION PLAN**



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