



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 25 May 2011

Subject: APPLICATION 10/03015/FU – One 6 bedroom detached house including conversion of chapel to form annexe and one 4 bedroom detached house both with detached double garages at Cragg Wood Nurseries, Cragg Wood Drive, Rawdon, Leeds LS19 6LG

APPLICANT

Yorpark Ltd.

DATE VALID

1 July 2010

TARGET DATE

26 August 2010

**Electoral Wards Affected:
Horsforth**

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER AND DELEGATE to the Chief Planning Officer for approval, subject to the conditions specified in this report; and completion of a section 106 legal agreement to cover firstly improvements to the public footpath, (Aireborough No 100), which adjoins the eastern site boundary; and secondly the right for pedestrians to pass and re-pass along the section of site access road between Woodlands Drive and the southern end of the public footpath.

In the circumstances where the section.106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the planning application shall also be delegated to the Chief Planning Officer.

1. Time limit on full permission, (3years).
2. Development in accordance with the approved plans
3. Samples of walling and roofing materials to be submitted.
4. Sample panel of stonework.
5. Samples of surfacing materials to be submitted.
6. Door/window frame details.
7. Details of fencing and walls including garden boundary treatment to be submitted.
8. No insertion of further window and door openings.

9. No construction of specified buildings (extensions, roof alterations/enlargements, conservatories, garden structures, additional hard surfaced areas) unless otherwise approved.
10. Retention of garages for the parking of motor vehicles.
11. Provision of approved visibility splay at the start of development.
12. Areas to be used by vehicles to be laid out, drained, surfaced and sealed.
13. Preservation of existing trees and vegetation.
14. Protection of trees and other vegetation during construction.
15. Submission of revised woodland management measures to include revised new planting details, an implementation programme and details of future maintenance responsibilities
16. Implementation of approved landscape management measures
17. Submission of landscape maintenance scheme to include maintenance of the surrounding woodland area.
18. Submission of a comprehensive biodiversity and protection and enhancement plan to include an implementation of programme.
19. Implementation of a programme of archaeological and architectural recording in relation to the Cragg Wood Burial Ground.
20. Submission of a maintenance and management scheme, (to include arrangements for public access) for the Burial Ground.
21. Details of external lighting to be submitted.
22. Provision of visibility splay at the start of development.
23. Area used by vehicles to be laid out prior to first occupation.
24. Cycle parking details to be submitted.
25. Bin storage details to be submitted.
26. Submission of maintenance agreement for the site access road.
27. Submission of feasibility study into the use of infiltration drainage.
28. Submission of contamination information prior to development commencing
29. Amendment of remediation statement
30. Submission of verification reports

Reasons for approval: The application is considered to comply with policies SP3, GP5, N12, N13, N19, N20, N23, N25, N33, N37, N49, N51, H4, T2, T24, A4, BD5, BC7 and LD1 of the UDP Review, as well as guidance contained within the 'Street Design Guide' SPD, 'Public Transport and Developer Contributions' SPD and 'Neighbourhoods for Living' SPG13 and the draft Rawdon Cragg Wood Conservation Area Appraisal and Government Guidance and policy as detailed in PPS1, PPS3, PPS5, PPS9, PPG2 and PPG13 and having regard to all other material considerations, on balance, it is considered that there are very special circumstances to justify this development in the Green Belt.

1.0 INTRODUCTION:

- 1.1 The application is brought to Plans Panel West at the request of Councillor Cleasby. The application has led to deep divisions amongst neighbours with the developers accused of being selective in their consultation with local residents. The application site is also located within the Rawdon Cragg Wood Conservation Area, which is currently under review. As a result of these two factors, Councillor Cleasby considers that a Plans Panel decision would be more readily accepted than an officer decision made under delegated powers.
- 1.2 The application has attracted a considerable number of representations; both against and in support of the proposed development.

2.0 PROPOSAL:

- 2.1 The application seeks full planning permission for two detached family dwellings on the site of the former Mansell and Hatcher orchid nursery. The application is accompanied by a concurrent application for Conservation Area Consent (reference 10/03014/CAC) for demolition of outbuildings, (associated with the former nursery use), on the site. All existing buildings will be demolished apart from the disused 'Cragg Wood Baptist Chapel' and a mono-pitched brick garage building.
- 2.2 The proposed houses will be located on the part of the site currently occupied by former nursery buildings and structures and are referred to on the submitted plans as 'Mansell' and 'Hatcher.' The houses are of contemporary design with over-hanging mono-pitch roofs and large areas of glazing to maximise views and natural light. Both houses are split level, (one/two storeys), to reflect the natural gradient of the land. Proposed construction materials are natural stone with substantial areas of timber panelling and natural slate roofs.
- 2.3 'Mansell,' the six bedroom house, will be constructed towards the centre of the site. The south west (front) section will be largely two storeys high with a mono-pitch roof. A single storey flat roof element to the south eastern side allows for provision of an external 'eating area' on the roof. A narrow flat roof two storey link provides a connection to the rear section, which consists of two subordinate single storey buildings with mono-pitch roofs separated by a glazed link.
- 2.4 The 'Cragg Wood Baptist Chapel' to the north east will be converted to form an annex to the new house. The route up to the chapel through the existing buildings will be retained following demolition of the buildings to form an external pathway to the annex. The resulting pathway will be surfaced with the existing floor tiles and flanked by 'water features' to each side. The retained garage building to the west will also be converted to provide a double garage for the new house.
- 2.5 'Hatcher,' the four bedroom house,' will be constructed to the south east of 'Mansell'. This house, although occupying a smaller footprint, will be of similar design with a two storey front section with a mono-pitch roof and a two storey flat roof link to two subordinate single storey rear buildings with mono-pitch roofs joined by a glazed link. A new detached double garage with a mono-pitch roof will be constructed to the west of the house.
- 2.6 Since the application was submitted, the domestic curtilage of the houses has been substantially reduced to exclude the surrounding woodland, and the Cragg Wood Baptist Burial Ground located towards the centre of the site.
- 2.7 Vehicle access will be from Woodlands Drive, a long un-adopted road with no footways running between the A658, Bradford to Harrogate road, to the west and Knott Lane to the east, with residents only access from Knott Lane. The site is accessed via Cragg Terrace, a narrow un-adopted road running off Woodlands Drive, which also serves existing houses on Cragg Terrace and Cragg Lodge. The application proposes visibility improvements for traffic turning out of Cragg Terrace onto Woodland Drive. A three metre wide hard surfaced access with one passing place will be constructed from the end of Cragg Terrace to the new houses. This follows the line of the existing internal nursery track.

- 2.8 Improvements to pedestrian routes are also proposed. The existing definitive footpath, which runs along the eastern boundary of the site between Cragg Terrace and Craggwood Drive, will be cleared, signposted and re-surfaced. Former 'designated landscaped routes' linking Craggwood Drive and the definitive footpath to the Baptist Burial Ground will be re-established and maintained.
- 2.9 The applicants have submitted several documents in support of the application. These include a planning support statement, a design and access statement, contamination reports, a flood risk assessment, an ecological assessment, an arboricultural report and woodland management plan, a highway statement and transport CO2 report, a statement of community involvement, a historical report, an archaeological desk based survey and building fabric assessment and letters of support from nearby residents.
- 3.0 SITE AND SURROUNDINGS:**
- 3.1 The application site is located within a wider area of land designated as Green Belt and Special Landscape Area on the Leeds Unitary Development Plan (Review 2006). It is also located within the Rawdon Cragg Wood Conservation Area.
- 3.2 The application concerns a very secluded site located between Cragg Terrace to the south and Craggwood Drive to the north. The site slopes steeply upwards from south to north. Bands of mature and well established trees; adjacent to the site boundaries provide effective screening. As a result, the buildings within the site are largely hidden from public view. The trees at the south eastern end of the site are protected by Tree Preservation Order.
- 3.3 The application site was in horticultural use up to 2008. Nurseries were in existence on the site in 1893 and since 1909 the site was occupied by the Mansell and Hatcher orchid nursery. This closed down in 2006 as the orchid farm was no longer sustainable primarily because of availability of cheaper and readily available orchids from Holland. The sloping nature of the site and the poor access combined with the increased size of delivery vehicles also hindered business efficiency. The extensive former nursery buildings occupy the centre of the site and consist of a number of brick buildings and large glasshouses. They are now disused and in a dilapidated condition.
- 3.4 The site is of archaeological significance as it is associated with the early years of Baptist worship in West Yorkshire. A small non conformist burial ground, (known as Cragg Wood Burial Ground), is located towards the centre of site. The burial ground, known to have been present since at least 1712, is roughly square in shape and level with retaining walls to the west and north and boundary walls to the south and east constructed from local stone.
- 3.5 Adjoining the graveyard to the north east is a disused L shaped building, (known as 'Cragg Wood Baptist Chapel'). This is a single storey building constructed of stone with a corrugated sheeting and slate roof, currently in a dilapidated condition. This building is of later construction and is first shown on the 1893 Ordnance Survey map. It is identified as a 'positive'

building on the draft Rawdon Cragg Wood Conservation Area Appraisal and Management Plan.

- 3.6 Since the application was originally submitted, English Heritage has received a request to assess both the burial ground and chapel for possible inclusion on the statutory list of buildings of special architectural or historic interest. This assessment is now complete and in March 2011, the Minister of Tourism and Heritage decided to list the eleven surviving tombs and grave markers together with the boundary walls of Cragg Wood Baptist Burial Ground as a Grade II listed building.
- 3.7 English Heritage have concluded that 'Cragg Wood Baptist Chapel' is neither a chapel or associated with the burial ground, but may have been constructed from materials left over from demolition of the original chapel. The building is associated with the former orchid nursery as a possible boiler house and store. Whilst English Heritage have decided not to list the building, they state it is of local significance as one of the oldest buildings associated with the orchid nursery and the only stone built structure.
- 3.8 Adjoining the site to the south are traditional stone cottages on Cragg Wood Terrace and to the south east is Cragg Lodge, a large stone detached house in extensive grounds. A definitive footpath, which is both steep and overgrown, runs alongside the eastern boundary with designated Ancient Woodland beyond. To the north the land continues to steeply slope upwards towards Craggwood Drive, an unmade single track road which is also a definitive bridleway. A large stone detached house, (Zimbabwe), accessed from Craggwood Drive bounds the northern site boundary. To the north of Craggwood Drive is a designated Cragg Wood Leeds Nature Area. To the west the area is semi-rural with isolated large houses.
- 3.9 The vicinity is characterised by narrow lanes, footpaths, mature woodland with, (mainly large), houses occupying clearings within the woodland.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 06/03604/OT – Outline application to erect 6 detached dwelling houses to site of former nursery – planning permission refused 7 August 2006. The six reasons for refusal concern inappropriate development in the Green Belt, lack of evidence to justify development of a green field site, unsustainable location, inadequate access and insufficient amenity space for future residents.
- 4.2 10/03014/CA – Concurrent application for conservation area consent for demolition of outbuildings – pending consideration.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 From the outset, the applicants indicated their wish to resolve any problematic issues, which may arise during the assessment process. They accepted this could take a time and the application would not be determined within the 8 week target period. There have been several discussions with the applicants and agent during consideration of the application. As a result, revised plans have been submitted to address concerns raised by consultees together with additional documentation including an archaeology desk based survey and building fabric assessment, a viability statement in connection with horticultural or

commercial uses, a Transport CO2 report and a statement from the former land owner in relation to vehicle movements to and from the orchid nursery.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised as a departure from the development plan and as affecting the character of the Conservation Area by site notice posted on 26 July 2010 with an expiry date of 16 August 2010 and by advertisement in the Wharfe Valley Times published on 22 July 2010 with an expiry date of 12 August 2010.
- 6.2 The application was re-advertised following submission of revised plans and additional documentation by site notice dated 14 January 2011 with an expiry date of 28 January 2011.
- 6.3 Stuart Andrew MP has commented on the application, (following re-advertisement), and raised the following points:
- The site is in the centre of a Green Belt and Conservation Area. A previous application for houses was refused in 2006
 - Impact on wildlife and peace and tranquillity of the area
 - No new recent developments have been allowed in the Conservation Area
 - Should the application be approved just because the site is derelict?
 - Design out of keeping with the area
 - The listed Baptist graveyard and walls should be preserved in their entirety.
 - Two households who signed the pre-written letter of agreement have sold/are selling their properties whilst 58 households have signed a petition stating the site should not be developed.
- 6.4 The Campaign to Protect Rural England, (CPRE), has objected to the application, (after re-advertisement). It considers that the reasons for refusal on the 2006 application still stand. The development would create a precedent for new development in the Conservation Area, the design is out of keeping and it would impact on wildlife and tranquillity.
- 6.5 A petition signed by 61 local residents objecting to the development was received following re-advertisement of the application.
- 6.6 Five letters of support were submitted prior to re-advertisement of the application. These include a letter from an agent acting on behalf of three local residents; two of whom have also written separate supporting letters.
- 6.7 The issues raised by supporters can be summarised as follows:
- The application satisfies previous objections, (to the 2006 application), in relation to building density, increased car usage and impact on flora and fauna.
 - Will reduce building footprint on site and will have little impact on car usage in the area.
 - Will eliminate criminal and anti-social activities on the site – these include a recent arson attack and alleged storage of stolen property and drug use.

- Current state of dereliction of the site is a threat to wildlife and the surrounding woodland.
- Innovative and quality design
- The plans have been developed following lengthy consultation with the local community and are designed to protect and enhance the natural diversity of the area.

6.8 Objections were received from eight local residents, seven of whom objected following initial submission of the application. Following re-advertising, three previous objectors submitted further objections and one new objection were received.

6.9 The issues raised by objectors can be summarised as follows:

- Green Belt and Conservation Area location where residential development is inappropriate; no very special circumstances to justify the proposal.
- Previous applications for new dwellings and extensions to existing properties in the area have been unsuccessful and two recent appeals to extend a house in close proximity of the site were dismissed.
- If this application was permitted, it could create a precedent for further inappropriate development in the vicinity.
- The site has not been marketed for horticultural or other more appropriate uses.
- The 2006 reasons for refusal are still applicable.
- Two large houses do not comply with planning criteria in relation to access to transport and affordability.
- Access to the site is via a private road which is not in good condition.
- The railway bridge on Woodlands Drive has a 3 tonne weight restriction, so is unsuitable for construction traffic,
- There is no public transport along Woodlands Drive.
- The submitted CO2 report is misleading as emissions will not drop by 83% as this is a non-working nursery.
- The area is of outstanding landscape value. It provides an attractive green buffer between towns and a valuable amenity for local walkers.
- The site should either remain in horticultural use or be allowed revert to nature with the woodland remaining unmanaged.
- Trees, shrubs, flora and fauna would be destroyed. Bats inhabit the buildings and rare tawny owls use the site. Other affected species include deer, badgers, mice, weasels and wild birds.
- Would introduce noise and light pollution on an undisturbed site.
- Access to the Burial Ground can be secured, inappropriate former horticultural buildings removed and site safety improved without needing to develop the site.
- The design of the houses is totally out of keeping with neighbouring dwellings and the Conservation Area.
- The proposal represents a 250% increase in building footprint as the existing greenhouses should be excluded from the building footprint calculation.
- The statement from the former owner in relation to traffic generated by the former nursery is inaccurate. The proposed development will generate more traffic than the nursery did in recent years.

- The pre-written letter of agreement, which the applicants asked residents to sign prior to submission, contains inaccuracies and assumptions.
- The applicants have implied that community involvement equates to community approval – this is not the case.
- It is alleged that the some letters of support have been drafted by the developer or do not reflect the views of people they purport to represent. (Note – no evidence has been submitted which indicates this to be the case).

6.10 In addition a third party commented on the application following the initial advertisement::

- Whilst supportive of the development and woodland management plan; caution is advised with regard to the long term preservation/maintenance of the Baptist Burial Ground including future public access. (Note - the graves and boundary walls have since been listed and an additional plan showing access to the burial ground has been submitted).

7.0 CONSULTATIONS RESPONSES:

Statutory Consultations:

None

Non Statutory Consultations:

Local Plans

The development is inappropriate development in the Green Belt and involves development of a greenfield site in an unsustainable location. For special circumstances to apply, it will be necessary to demonstrate that the horticultural use is no longer viable and significant positive improvements to the Green Belt and Conservation Area outweigh the policy objection.

West Yorkshire Archaeology Advisory Service (WYAAS)

No additional archaeological or architectural recording is required in relation to the remains of the former nursery or 'Cragg Wood Baptist Chapel', although observation and recording would be desirable during ground works. The long term treatment of the Burial Ground is still to be determined and it is considered that preservation 'in situ' with a mutually level of maintenance and management is the most appropriate response. The condition previously requested regarding archaeological and architectural recording is still applicable in relation to the Burial Ground.

Sustainable Development Unit (Landscape)

Tree report is sound and can be approved. Does not support some of the detailed woodland management measures but submission of revised details can be covered by condition. Requests further conditions in relation to protection and preservation of existing trees and other vegetation and submission of a landscape maintenance scheme

Sustainable Development Unit (Nature Conservation)

Supports findings and recommendations of the ecological assessment; there are no particularly sensitive habitats or species present on the site and the existing woodland will be retained. However the woodland management plan needs more ecological focus. Requests conditions in relation to garden boundary fencing, tree protection, amendments to the woodland management plan and submission of a comprehensive biodiversity and enhancement plan.

Sustainable Development Unit (Conservation)

The submitted drawings have been revised to take into account initial design concerns. No objection subject to conditions covering submission of building materials and WYAAS requirements. Also requests informative in relation to the listed structures and visitor access to the Burial Ground.

Sustainable Development Unit (Land Contamination)

No objections subject to conditions.

Highways

Initially objected to the application as an unsustainable; the site is located some 20 minutes walk from the nearest bus stop and is served by a private road with a sub-standard internal layout. Revised plans have since been submitted together with details of vehicles movements associated with the former nursery use. Highways now consider that as the proposed two houses will generate less vehicle movements than the former use; the development can be supported. The applicant needs to clarify future maintenance of the access road and Woodlands Drive. (Note: the agent has been asked to provide the requested information and a verbal update will be given at the Plans Panel meeting).

Public Rights of Way

The definitive footpath, (Aireborough No. 100), along the eastern boundary is for most part an historic 'ginnel' between dry-stone walls. Requests section 106 agreement to cover clearance and re-surfacing works. Also the section of private access road between Woodlands Drive and the start of the existing footpath is dedicated as 'public footpath'. (Note: this may not be possible as the developer does not have sole control over the access road; however it is suggested that the right for pedestrians to pass and re-pass along this section of road is included within the section 106 agreement).

Flood Risk Management:

No objections subject to a condition relating to infiltration drainage

8.0

PLANNING POLICIES:

Development Plan Policies

Regional Spatial Strategy (RSS). adopted May 2008

The following policies are considered relevant:

- YH1 Overall approach and key spatial priorities
- H1 Provision and the distribution of housing
- H2 Managing and stepping up the supply of housing including prioritising development on brown field land

On the 6 July 2010, the Secretary of State for Communities announced the revocation of the Regional Strategies which would leave the Leeds Unitary Development Plan (Review 2006) as the sole statutory Development Plan. Although the High Court has recently ruled that the Secretary of State's decision to revoke the Regional Spatial Strategies was unlawful, the Coalition Government has introduced the Localism Bill to Parliament, which will remove Regional Strategies through the parliamentary process.

Leeds Unitary Development Plan (Review 2006)

The following policies are considered relevant:

SP3	Development location strategy
GP5	Requirement of development proposals
N12	Priorities for urban design
N13	Design and new buildings
N19	Conservation areas new buildings
N20	Conservation areas and retention of features
N23	Development and incidental open space
N25	Development and site boundaries
N33	Development in the Green Belt
N37	Development in Special Landscape Areas
N49	Nature conservation
N51	Nature conservation and enhancement
H4	Windfall development sites
T2	Transport provision to development
BD5	Amenity and new buildings
BC7	Building materials in conservation areas
LD1	Landscaping schemes

Supplementary Planning Documents/Guidance

'Street Design Guide' SPD

'Public Transport and Developer Contributions' SPD

'Neighbourhoods for Living' SPG13

Other Guidance

Rawdon Cragg Wood Conservation Area Appraisal and Management Plan
(Community Consultation Draft dated February 2011)

Government Planning Policy Statements/Guidance

Planning Policy Statement 1 :(PPS1) 'Delivering Sustainable Development'

Refers to the desire to improve the character and quality of an area (paragraph 13 iv) and enhance the environment (paragraph 19). Design, which is inappropriate in its context or fails to take opportunities for improving the character and quality of an area, should not be accepted (paragraph 34).

Planning Policy Statement 3: (PPS3) 'Housing'

States that good design should contribute positively to making places better for people (paragraph 13).

Planning Policy Statement 5 (PPS5) 'Planning and the Historic Environment'

Outlines broad policy principles for determination of applications affecting the setting of a designated heritage asset. Applications that preserve elements of the setting of a heritage asset that make a positive contribution or better reveal the significance of the asset should be treated favourably, (policy HE10.1).

Planning Policy Statement 9 (PPS9) 'Biodiversity and Geological Conservation'

Sets out policies on protection and enhancement of biodiversity through the planning system.

Planning Policy Guidance 2 (PPG2) 'Green Belts'

Contains a presumption against inappropriate development in the Green Belt

Planning Policy Guidance 13 (PPG13) 'Transport'

Seeks to promote more sustainable transport choices

The main issues are:

- Principle of development
- Transport issues
- Design issues
- Amenity issues
- Impact on the Conservation Area and Listed Structures
- Impact on trees and biodiversity

10.0 APPRAISAL

Principle of development

- 10.1 The site is located within the Green Belt. UDPR policy N33, which reflects national policy guidance in PPG2, states that, except in very special circumstances, approval will only be given in the Green Belt for limited types of development – these do not include the construction of new houses except in a few very specific circumstances, which are not applicable in this instance.
- 10.2 The last use of the site was an orchid nursery. Nurseries and market gardens fall within the definition of agriculture as set out in Section 336 of the Town & Country Planning Act 1990. The application therefore proposes a change of use from an appropriate to an inappropriate use in the Green Belt.
- 10.3 Furthermore, the proposal is also considered contrary to UDPR policy H4. As the former use was agricultural, this is a 'greenfield' site. It is located outside the main and smaller urban areas as defined on the UDPR and remote in terms of access to public transport, shops, schools, health facilities, services and community/leisure facilities. The location is therefore not considered to be sustainable and as such the majority of trips to and from the site would be by private motor vehicle.
- 10.4 The applicants accept the proposal represents inappropriate development in the Green Belt and has put forward reasons to justify the development through the required 'very special circumstances.' They consider that the proposed development would enhance the openness of Green Belt and would lead to a range of 'benefits' including a significant reduction in building footprint on the site, improvements to visual amenity through removal of derelict buildings, implementation of a woodland management plan leading to biodiversity enhancements, improved visibility at the Woodlands Drive junction, footpath improvements, retention and reuse of the former 'Cragg Wood Chapel' and provide for public access to the Cragg Wood Burial Ground. They consider that these factors would, on balance, outweigh the policy objections.
- 10.5 There is no statutory definition of what constitutes 'very special circumstances' but in considering any case it is important to assess whether the 'circumstances' are, (for all intents and purposes), unique to the site in question, cannot be used to justify development of other sites within the Green Belt and/or the social, economic or environmental benefits to the wider community are such that they outweigh the purposes and objectives of the Green Belt.

- 10.6 This is a very secluded site and the existing buildings, although substantial in scale and coverage are barely visible when viewed from outside the site because of effective screening provided by boundary trees. The houses will be built on the site of existing buildings so likewise will be hidden from view.
- 10.7 The footprint of the existing buildings on site is approximately 1810 square metres. The proposed dwellings will have a footprint of approximately 717 square metres representing a 60% reduction in area covered by buildings. Whilst objectors argue that the area occupied by glasshouses should be excluded from the footprint calculation; it is considered that this is not appropriate given that the glasshouses are large commercial scale buildings constructed on substantial brick and stone plinths.
- 10.8 The plans, as originally submitted, showed the whole site, as being within domestic curtilage with the houses having very large gardens, which included substantial woodland areas and a Burial Ground. Following discussions with the agent, revised plans have been submitted, which show garden areas reduced in size and confined to the land immediately surrounding each house. The surrounding land including the woodland areas, the Burial Ground and a substantial section of the area currently occupied by buildings will be outside domestic curtilages. The houses and their gardens will be constructed on the remaining developed areas of the site.
- 10.9 The new houses will be located on existing developed areas. It is therefore considered that the openness of the Green Belt would be enhanced and Green Belt objectives as outlined in PPG2 would not be compromised.
- 10.10 Nevertheless it is not considered that this factor is sufficient in itself to justify a departure from policy. Whilst the proposed development would improve the appearance of the site through the removal of unsightly derelict buildings, this is not considered a sufficient reason to justify residential development.
- 10.11 However the proposal does offer other benefits including implementation of a management plan for the woodland area, which includes new planting and biodiversity enhancement. The draft Cragg Wood Conservation Area Appraisal recognises that the relatively steep and heavily wooded nature of the valley side defines the character of the area with mature and boundary trees being a dominant element. Developments should seek to protect the important contribution, which the trees make to the special character of the area.
- 10.12 The site also contains recently listed grade II Burial Ground structures, and 'Cragg Wood Baptist Chapel', which has been identified as a 'positive building' in the Conservation Area Appraisal and, in the opinion of English Heritage, is of local significance. It is very difficult to access the Burial Ground at present – the definitive footpath adjoining the site and way through the site to the Burial Ground is very overgrown, (and potentially dangerous). The proposed development includes better public access to the graveyard through improvements to the definitive footpath and the reinstatement of former routes through the site from both the footpath and from Craggwood Drive.

- 10.13 The 'Cragg Wood Baptist Chapel' currently unused and in a dilapidated condition will be brought back into beneficial use as an annex to six bedroom house, ('Mansell'). Proposed external alterations to this building are minimal although the submitted plans show this building will be roofed entirely in slate.
- 10.14 Other improvements proposed include visibility improvements at the junction of the access road with Woodlands Drive, which will also benefit existing residents of houses at Cragg Lodge and along Cragg Wood Terrace; whilst the proposed footpath improvements will also benefit walkers.
- 10.15 Notwithstanding the above, the applicants were also asked to demonstrate that the former horticultural use is no longer commercially viable and to provide details of efforts that have been made to market the site for an appropriate Green Belt use. The applicants acquired the site in October 2009 from the former orchid nursery owner and have not sought to actively market the site. They have however asked Savills, national property consultants, for their professional view on the commercial viability of the site both as a plant nursery and for a wider form of commercial use possibly with some investment, refurbishment or re-development of buildings. The letter from Savills has been submitted as part of the supporting documentation.
- 10.16 Savills are of the view that the topography of the site, the poor access and its location together with the high cost of refurbishment make it unattractive for commercial development. Also an increasing number of occupational clients require 24 hour working. Whilst there are no planning restrictions on the hours of operation on the site, this could lead to amenity problems as the access to site passes close to residential properties. Over the last two years, there has been a significant increase in the number of smaller commercial units remaining vacant for indefinite periods of time, even on established industrial parks. The market requires modern, well located units on level sites.
- 10.17 To conclude, in principle it is considered that the applicants have demonstrated that very special circumstances do exist in this instance to outweigh the policy objections.

Transport and sustainability issues

- 10.18 As stated in paragraph 10.3, this is not a sustainable location. Access to the site is via Woodlands Drive, a private road, serving in excess of 50 dwellings. Woodlands Drive has no footways and is very narrow in places with sharp bends. The site access off Woodlands Drive is even narrower and lined by boundary walls and mature trees and likewise has no footway. It joins Woodlands Drive opposite the junction with Underwood Drive and close to access points leading to 'The Stables', (a large house) and Carlton Nursing Home.
- 10.19 The site is not adequately served by public transport; the nearest bus stop is about 20 minutes walk away. The SPD on 'Public Transport and Developer Contributions' requires that maximum walking distance to a bus stop to a bus stop should not exceed 400 metres – the application site considerably exceeds this distance. Future residents of the houses are

therefore likely to be dependent on private motor vehicles for the majority of trips to and from the site.

- 10.20 Nevertheless, horticultural use could resume at the site without the need for a planning consent. This would generate traffic movements of a different nature and hence when assessing transport and sustainability implications of the current proposal, it is also necessary to consider the 'fall back' position should the horticultural use resume.
- 10.21 The applicants have submitted a letter from the former landowner and operator of orchid nursery, which sets out the various levels of operation of the nursery since he started working at the nursery in 1958. The letter details numbers of staff, delivery vehicle movements, customers visiting the premises and opening arrangements over the last 50 years of operation. Latterly whilst staff numbers have steadily declined from 10 full time employees in the 1960s to 2 immediately prior to closure; the number of customers visiting the nursery had increased over the years particularly at weekends with up to 40 cars visiting the site on any given weekend together with up to 3 coach parties of orchid enthusiasts a month and 3 to 4 delivery vehicle movements per week.
- 10.22 A CO2 report has also been submitted – this provides a CO2 assessment for both the nursery use and the proposed residential use. The report concludes that the proposed development would result in an overall transport CO2 reduction of 83% compared to when it was last actively in use as an orchid nursery.
- 10.23 The applicants have clarified future road maintenance arrangements in response to a query from highway officers. Woodlands Drive is maintained by 'Cragg Woods Roads', an established road maintenance group, funded by all property owners, (including the applicants), served by private roads in the Cragg Wood area. The funds are used to maintain and repair the road.
- 10.24 The section of the site access road between Woodlands Drive and the individual residential access points, which is approximately 140 metres long, will be re-graded and re-surfaced to provide a level sealed surface. It will subsequently be maintained to this standard by a commitment held within the property deeds of the two new houses. The individual access points will be the sole responsibility of owners of the houses.
- 10.25 Highway officers now consider that proposed development is acceptable as the number of vehicle movements generated by the development would be less than the 'fall-back' position. Also the applicants have agreed to re-surface the access from Woodland Drive and provide visibility improvements at the junction.
- 10.26 Improvements to the definitive footpath linking the site access with Craggwood Drive, as stated in paragraph 10.14 are also proposed. This footpath is currently very overgrown and appears little used as a result – the improvements should improve footpath linkages in an area popular with walkers.
- 10.27 It is accepted that the road access is not ideal and the site is in an unsustainable location. However, it is considered that as the proposed development represents an improvement over the 'fall-back' position and,

refusal on transport and sustainability grounds can therefore not be justified.

Design issues

- 10.28 The built environment of Cragg Wood Conservation Area is characterised by a mixture of vernacular farmsteads, traditional stone cottages and substantial Victorian mansions with high levels of architectural ornamentation in gothic revival, Tudor and Elizabethan styles.
- 10.29 It is accepted that the proposed houses, being of contemporary design, are different to existing buildings. However this is a secluded site with no properties in close proximity and hence provides an opportunity to introduce buildings of a contemporary and high quality design, which will make a positive contribution to the variety and texture of the area. The proposed houses, although of modern design, seek to relate to local character through the use of traditional materials and building form. This broad approach is endorsed by conservation officers.
- 10.30 Since the application was originally submitted, revised elevation plans have been submitted to address detailed design concerns raised by conservation officers. In particular roof pitches have been steepened and roofing materials changed from coated stainless steel to natural slate. T
- 10.31 In summary it is considered that this is a well designed development. The houses, being of split level design, respect to the site's topography, and the use of natural materials is welcome. The proposed retention and conversion of 'Cragg Wood Baptist Chapel', and the former garage retain a link with the past horticultural use of the site, as does re-use of the floor tiles on the walkway from the new house up to the annexe in the former 'chapel'.

Impact on the Conservation Area and Listed Structures

- 10.32 Conservation Area designation does not preclude new development. However the draft Conservation Area Appraisal states that any new development must respond sensitively and creatively to the historic environment. Also new development should relate well to the geography and history of the place and line of the land, sit happily with the pattern of existing development, use high quality building materials and create new views and juxtapositions that add to the texture and variety of their settings.
- 10.33 It is considered that the proposed development meets these objectives and will enhance the special character and historic interest of the Conservation Area. The proposed development includes removal of derelict and dilapidated buildings and hence will result in a considerable visual improvement. The proposed retention and conversion of 'Cragg Wood Baptist Chapel;' which has been identified as a 'positive building' in the draft Conservation Area Appraisal, is welcome. This building is currently disused and in a dilapidated condition. It will be brought back into use through sensitive conversion involving few external changes.
- 10.34 No alterations are proposed to the listed Cragg Wood Burial Ground structures, which will now be outside the garden areas of the new houses. Although it will be largely surrounded by garden areas, it is considered that the proposed development will not impact adversely on the setting of the Burial Ground. The boundary walls are protected as listed structures. The proposed houses are at a lower level so will appear as less intrusive, the

woodland setting will be retained, and public access enhanced by improved and restored footpath links.

Impact on trees and biodiversity

- 10.35 The draft Conservation Area Appraisal identifies the heavily wooded nature of the valley side as a key characteristic of the area. It is therefore important that any development seeks to retain and enhance the extensive woodland areas around the perimeter of the site.
- 10.36 A woodland management plan and ecological assessment form part of the application submission. Both landscape and nature conservation officers support the approach and broad recommendations of these documents. However they do have some concerns in respect of some detailed proposals; for example the extensive use of beech in new planting proposals, which is not native to the area, some felling of existing birch and goat willow regeneration, and removal of ivy, which provides a useful habitat and food source for birds and bats. It is considered that these concerns can be covered by a condition requiring submission of revised woodland management measures should planning permission be granted.
- 10.36 Subject to the above, it is considered it is considered that the existing woodland areas will be retained and enhanced through new planting with a more ecological focus and by active management.

Impact on residential amenity

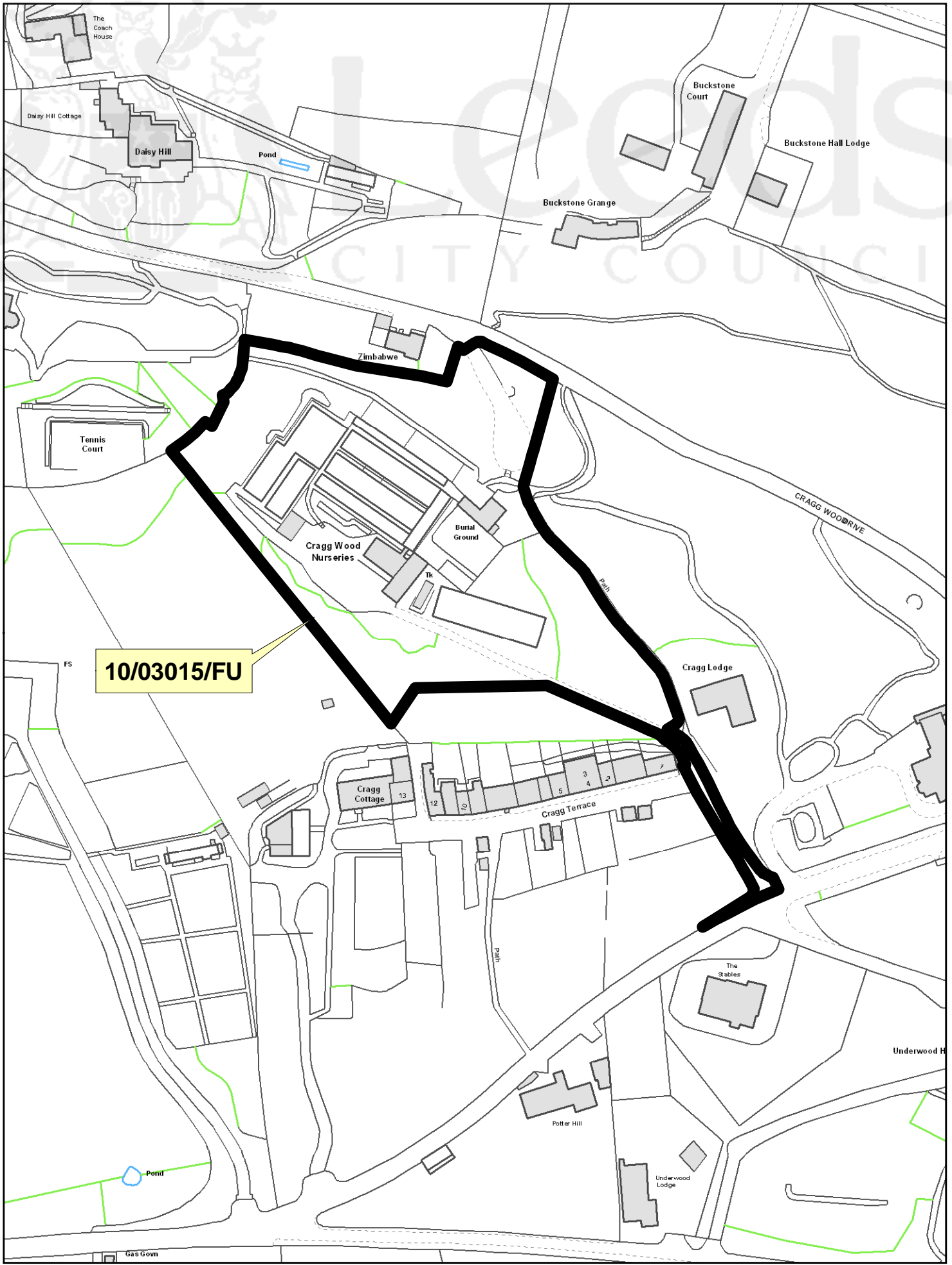
- 10.37 The proposal is not considered to result in a significant loss of residential amenity. The new houses will be sited away from the nearest residential properties on Cragg Terrace to the south and Zimbabwe to the north. Furthermore, as the trees surrounding the site provide very effective screening, the impact on residential amenity will be minimal.

11.0 CONCLUSION

- 11.1 Whilst it is acknowledged new housing is inappropriate development in the Green Belt; also it is not a sustainable location, it is considered that the proposed development does offer several benefits. These include a significant reduction in the building footprint on the application site, improvements to the setting of the Conservation Area through implementation of a woodland management plan, provision of public access to the Cragg Wood Burial Ground, public footpath improvements, reduced traffic levels when compared to the former horticultural use, visibility improvements for traffic turning onto Woodlands Drive, which will also benefit existing residents..
- 11.2 Furthermore the proposed development will not impact on the openness of Green Belt or compromise Green Belt objectives. Therefore, on balance, it is considered that very special circumstances do apply and hence it is recommended planning permission is granted.

Background Papers:

Application and history files: Application file reference 10/03015/FU, concurrent application file for Conservation Area Consent 10/03014/CA and history file 06/03604/OT
Certificate of Ownership Certificate B completed on the application form



10/03015/FU

WEST PLANS PANEL

