
Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 7th June 2012

Subject: Application 12/00053/FU – Proposed single storey extension to rear and ramp to front of education centre at 4-6 Carr Manor Crescent, Moortown, LS17 5DH

APPLICANT

Mr R Tahir

DATE VALID

3rd February 2012

TARGET DATE

30th March 2012

Electoral Wards Affected:

Moortown

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: REFUSE for the following reasons:

1. The proposed extension would increase the operational capacity of the education centre and reduce the already limited availability of off-street parking within the site, and would therefore lead to additional traffic and parking on surrounding streets, exacerbating existing on-street parking problems in the vicinity associated with the centre to the significant detriment of highway safety in this locality. The proposals are therefore contrary to policies GP5, T2 and T24 of the Leeds Unitary Development Plan Review 2006 and the guidance in the National Planning Policy Framework.
2. The proposed extension, in increasing the operational capacity of the building and reducing parking provision within the site, would lead to additional parking and traffic on surrounding streets and allow for increased visitor numbers and a further intensification in the use of the site, which would result in increased disturbance and disruption for the occupiers of neighbouring dwellings, to the significant detriment of their amenity and their enjoyment of their properties. The proposals are therefore contrary to policy GP5 of the Leeds Unitary Development Plan Review 2006.

1.0 INTRODUCTION

- 1.1 This application is reported to Plans Panel at the request of Councillor Hamilton on the grounds that local residents have objected to the proposals because of problems with parking on verges and parking in general, but that the applicant proposes to provide a disabled access, and she wishes to ensure that all concerns and views are heard. Councillor Hamilton has requested a site visit.

Relevant Recent History

- 1.2 The application relates to the Iqra Centre, an education and information centre at 4-6 Carr Manor Crescent in Moortown. Permission for the centre, which occupies two former shop units within a small parade, was originally granted in 2002 at number 6, and subsequently expanded into the adjoining unit, number 4 in 2004. The building has since been extended with a part single storey, part two storey rear extension (in September 2008). The centre has also been the subject of a enforcement investigations in 2006 and more recently in 2010/11 regarding non-compliance with conditions regarding the use and opening hours of the building and following complaints regarding problems with parking associated with the facility, most of which takes place on surrounding streets, and has caused problems with vehicles parking on verges, blocking residents' drives and obstructing the passage of larger vehicles such as buses.
- 1.3 An application to provide additional accommodation for the centre within the roofspace was refused on highway safety grounds in November 2009 and two applications for a single storey rear extension have previously been withdrawn, one in July 2010 and one in September 2011, due to concerns that the increase in floor area and therefore capacity of the building would result in an intensification in its use, leading to additional parking and highway safety problems in the locality.
- 1.4 The current application, as with the two previous withdrawn applications for a single storey rear extension, proposes disabled toilet facilities within the extension, together with a cloakroom, washing and seating area. Part of the justification for the proposed extension is that the building lacks disabled toilets at present, although permission was granted for an extension and alterations to the building in 2008 which included a disabled and female toilet facility, which do not appear to have been provided when the extension was implemented, thereby providing additional useable floorspace within the building.

Ward Member Involvement

- 1.5 A meeting was held between officers and the Ward Members for the area, Councillors Hamilton, Charlwood and Sobel, on 16th May to discuss the proposals, neighbours' concerns, and whether an alternative solution may be possible which would allow the provision of the disabled toilet facilities that the centre requires without worsening the existing parking and traffic problems associated with the premises. The Ward Members suggested the possibility of removing the island of pedestrian footway to the front of the site and providing parking spaces to the front of the buildings with access directly from Carr Manor Crescent. This was discussed with highways, however for various reasons – discussed in more detail in the appraisal section below – it was considered that this would not resolve the existing situation and could actually create additional highway safety problems. A further suggestion was that the size of the extension be reduced to just provide two appropriately-sized disabled toilet cubicles, deleting the additional cloakroom area which is part of the current plans. This would allow for the provision of the disabled facilities which the applicants have advised that the centre requires, whilst eliminating the additional floorspace/capacity which residents and highways officers

have previously raised concerns about. Officers have previously advised the applicants that a much smaller extension to just provide the toilet facilities would be likely to receive support, however they chose not to take up this suggestion. Councillor Sobel met with the applicants on 18th May and reiterated this proposal to them, however they have advised that they do not wish to reduce the size of the extension as suggested. The application has therefore been considered on the basis of the plans as originally submitted, and is recommended for refusal on this basis.

2.0 PROPOSAL:

- 2.1 The proposed extension would be flat-roofed and single storey in design, and constructed of brick to match the existing building. The extension would project 3.5m from the rear elevation of the building into the lowered yard area between the building and the car parking area to the rear, and would require this yard area to be extended further into this parking area by relocating the existing retaining wall further to the north east.
- 2.2 At 9.3m wide the proposed extension would extend across most of the existing building's rear elevation at ground floor level, with the exception of a gap to retain access from the existing rear entrance door. The submitted plans and supporting details advised that the proposed extension would house two disabled toilet cubicles and a cloakroom, seating and mobility scooter storage area, with a total internal floor area of 26m²: an increase of around 12.5% in the total floorspace of the building.
- 2.3 The proposals also include a 1.5m wide access ramp with handrails to the front of the building.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to the UK Islamic Mission's Iqra centre, an education and information centre on Carr Manor Crescent in Moortown. The centre occupies two former shop units within a parade close to the junction of Carr Manor Crescent and Carr Manor Road in Moortown, and according to the submitted plans has an internal floorspace across the ground and first floors of around 200m². Whilst formerly a shopping parade at ground floor level with flats above, many of the remaining ground floor units have now been converted to residential use, and only two commercial units remain: a newsagents in the adjacent unit to the west of the application site, and a photography studio in the unit to the east.
- 3.2 Details submitted with one of the original applications for the creation and expansion of the centre in 2004 advise that the aims of the centre are to provide education and training opportunities for young people, as well as information, advice and support on issues such as health, housing, drugs etc, and to promote religious and cultural understanding and community cohesion in collaboration with other faith groups. The details advised that proposed activities at the centre would include supplementary study support evening classes in subjects such as maths and English, sports activities, mediation and counselling, childcare, classes for adults including ESOL (English for Speakers of Other Languages) and IT, and victim support services. The permission for the use of the centre as such was subject to a condition stating that the premises shall only be used for the purposes set out in this statement, and the centre's website refers to a variety of activities which now take place at the centre in accordance with this permission, including study circles, Qur'an classes and Arabic, Urdu, maths and English classes. The centre has previously been the subject of enforcement investigations relating to other uses taking place at the property,

including its use for congregational prayers at certain times of the week, and associated traffic problems relating to this use.

- 3.3 The parade is set back from Carr Manor Crescent, and has a segregated lay-by area and wide pavement/forecourt areas to the front. There is an unsurfaced area to the rear of the property, elevated above the ground floor level of the building itself and accessed via an unmade private road which runs to the rear of the parade from Carr Manor Avenue to the north west to Carr Manor Road to the south east. This area is not marked out for parking, but provides some off-street parking for the centre at present, and is enclosed by close-boarded fencing 2m high along the western boundary and by the rear elevation of a detached block of garages to the east.
- 3.4 The site is located in a predominantly residential area characterised by early-mid 20th century semi-detached houses and bungalows, although the parade itself appears to be of slightly later construction. Carr Manor Primary and High Schools are located close by to the south of the site, and Carr Manor Road, to the east, is a bus route.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Permission was originally granted in February 2002 for the change of use of a vacant shop at 6 Carr Manor Crescent to a youth education and information centre (application 30/14/02/FU). Permission was subsequently granted, in December 2004, to convert the adjacent shop unit (number 4) to form an enlarged youth information and education centre, and to extend the opening hours of this property (applications 30/590/04/FU). This second application was accompanied by a statement detailing the proposed uses of the centre, as discussed in paragraph 3.2 above, and was approved subject to conditions restricting the uses of the centre to those detailed in the statement, and restricting the opening hours to 9am-9pm Monday to Friday and 11am-7pm on Saturdays and Sundays, with no opening on Bank Holidays. An accompanying application (30/596/04/FU) was also approved to extend the opening hours of the existing part of the centre at number 6 to match those approved under the application for number 4.
- 4.2 Two subsequent applications to extend the opening hours were withdrawn in November 2006 and June 2007 following concerns regarding the impacts of later opening on the amenities of neighbouring residents (applications 06/05583/FU and 07/02136/FU respectively).
- 4.3 Permission was granted in September 2008 for a part two storey, part single storey extension to the rear of the building, which has now been built (application 08/03417/FU). Details submitted with the application advised that the extension was intended to provide improved facilities for the building, including a new rear entrance hall, toilet facilities and a kitchen. The submitted plans show that permission was granted at that stage for enlarged male toilet facilities, as well as the provision of a female and disabled toilet cubicle within the building itself. However when the extension was implemented, this facility was not provided within the building as shown on the plans submitted at that time.
- 4.4 The scheme approved in 2008 had been reduced in scale following the refusal of a more intensive scheme in March 2007 including the provision of dormers and rooms within the roofspace of the existing building and an extension to a neighbouring property, number 8. This previous application (reference 06/07312/FU) was refused on the following grounds:

- Size of proposed extension and impact on neighbouring residents within the parade in terms of overdominance.
- Highway safety/inadequate parking provision arising from the increase in the capacity of the building and lack of parking within the site.
- Additional capacity and increased numbers of visitors and intensification in activity at the premises would cause additional noise and disturbance to the detriment of the amenities of neighbouring residents.

- 4.5 Permission was refused in November 2009 for the addition of 2 dormers and rooflights to the roof of the centre to form additional rooms and storage areas in the roofspace of the building (application 09/03967/FU), with a useable floor area (taking into account head heights within the roofspace) of around 45m². At the time of the application, the highways officer noted that a previous application in 2006 for the creation of rooms in the roofspace had been refused, and that it had been brought to the local authority's attention that the existing use was already causing significant parking and congestion problems in the area. The application was therefore refused for the following reason:

The local planning authority considers that there is insufficient off street car parking available within the vicinity of the site to cater for the needs of vehicles likely to be associated with the development. This would lead to increased pressure for on-street parking to the detriment of the free and safe flow of traffic and to pedestrian safety. The proposal is therefore considered to be contrary to guidance contained within policies GP5 and T2 of the adopted Unitary Development Plan Review and to guidance contained in PPG13.

- 4.6 An application for a rear extension to provide female toilets and washing facilities was submitted in May 2010 (reference 10/02399/FU). With a footprint of around 32m² the proposed extension was almost identical in size to that which is now proposed, but in a slightly different layout. The application was withdrawn in July 2010 following concerns from highways officers that the existing use was already causing significant parking and congestion problems on surrounding streets, and that any proposal to increase the floor area of the building, even with toilet facilities which would free up space elsewhere in the building, would be likely to worsen these existing problems.
- 4.7 An application for an even larger single storey rear extension, 4m deep and extending across the entire rear elevation of the building (footprint 48m²) was submitted in July 2011 (reference 11/02312/FU). This proposed disabled toilets, a cloakroom and wash area within the extension, together with a disabled access ramp leading into the building from the elevated parking area to the rear. Again, highways officers raised concerns regarding the proposed increase in floorspace and capacity within the building and that, whilst only proposed as toilet and washing facilities, this would free up floorspace elsewhere in the building. In addition, the disabled toilets proposed were not actually large enough to comply with relevant guidance for such facilities, and the gradient and design of the access ramp was not adequate to address the steep change in levels which exists to the rear of the site, and therefore the proposals would not have made appropriate provision for disabled people. The application was therefore withdrawn in September 2011.
- 4.8 A single storey front extension and a fire escape staircase to the rear of the centre was approved in August 2005 (application 30/340/05/FU), however the front extension does not appear to have been implemented, and the permission lapsed in August 2010. It is not clear whether the works to the rear were completed, however

these were subsequently superseded by the implementation of the 2008 permission for a rear extension.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Following the withdrawal of the second application last September further discussions took place with the applicants and their agent. The applicants' desire to improve access and facilities for disabled people was noted and welcomed, and access officers have worked with the agent to achieve an appropriately-designed access ramp to the front of the building.
- 5.2 The opportunity to provide disabled and female toilet facilities within the building has previously been granted as part of the scheme to extend the building in 2008. Whilst these facilities do not appear to have subsequently been provided, it is considered on the basis of the plans which were approved at that time that there is capacity to provide these facilities within the existing building. More recent proposals to provide these facilities in a further extension, increasing the floorspace by a further 12.5%, would free up additional space elsewhere in the building where toilet facilities were previously approved, and therefore further increase its capacity. In the light of this, and the existing parking and congestion problems associated with the centre which have been brought to the attention of the local planning authority on numerous occasions, officers have consistently and repeatedly advised that an extension to provide further floorspace within the building would therefore be unlikely to receive support.
- 5.3 Whilst disabled toilet facilities have already been approved within the building, but not provided, officers have advised the applicant on multiple occasions that a very small extension, just large enough to accommodate two adequately-sized disabled toilet cubicles, may be considered acceptable. The applicants have been given the opportunity to submit revised plans to reflect this advice during the course of the current application, and following a meeting between officers and the Ward Members, Councillor Sobel has reiterated this suggestion to them, however they have confirmed that they wish the application to be determined on the basis of the plans originally submitted, including the larger cloakroom area.

6.0 PUBLIC/LOCAL RESPONSE:

Ward Members

- 6.1 Councillor Hamilton has asked for the application to be reported to Plans Panel, with a site visit, on the basis that the applicants propose a disabled access, but that residents have objected on the basis of existing parking problems, parking on verges etc, and to ensure that all concerns and views are heard.
- 6.2 A meeting was held between officers and Councillors Hamilton, Charlwood and Sobel on 16th May to discuss residents' concerns and the applicants' requirements in terms of providing additional floorspace within the building. Officers advised that there was no objection to the access ramp to the front of the property, and that if the proposed extension were to be reduced in size to just provide two disabled toilet cubicles, without the additional floorspace, this would be more likely to receive support. Ward Members also suggested alterations to the parking arrangements to the front of the building, but having discussed this further with highways officers it was considered that there would be insufficient space to achieve this and that it could actually worsen existing parking and highway safety problems. This has therefore not been pursued.

Other public response

- 6.3 The application has been publicised by site notices, posted 17th February 2012. Although letters have not been sent to all neighbouring residents, as it is the local planning authority's policy to advertise applications of this nature by site notice only, notification letters have been sent to those residents who made representations on the previous application, advising them that a new, similar application has been submitted.
- 6.4 8 letters of objection and 3 letters of comment have been received from local residents. In a number of these cases the letters received have been signed and sent on behalf of the residents of multiple properties, and therefore a total of 11 objections and 5 comments have been received. The following concerns are raised:
- Existing parking and traffic congestion problems associated with the centre, particularly when prayer meetings are being held and around the middle of the day. These include: vehicles parking on verges, pavements, both sides of the roads (which are relatively narrow and close to two schools), and double parking on the road and forecourt to the front of the site. This causes a number of problems at present:
 - Prevents two-way passing of vehicles
 - Causes obstructions for buses
 - Obstructs visibility at junctions due to cars parking on corners
 - Lack of parking for local residents and inability to access their own properties.
 - Results in pedestrians and people with prams having to walk in the road.
 - Vehicles churn up grass verges which look unsightly.
 - Increases chance of accidents.
 - The extension proposed would mean even greater numbers of people attending the centre and worsen existing situation further.
 - Existing parking problems are also bad at school pick-up and drop-off times, when parents as well as visitors to the centre park on surrounding streets.
 - Opening hours are not being complied with – enforcement investigations previously.
 - Late opening and numbers of people on the premises at certain times causes noise and disturbance for neighbouring residents from people talking, car doors slamming, engines running. Not appropriate in a residential area, and cause stress to local residents.
 - As well as being used for education purposes as approved, the centre is also used as a mosque/for prayer meetings, which was not part of the approved use. Regular prayer gatherings take place on Friday afternoons and other occasions, and more often during religious festivals and at times such as Ramadan. Traffic congestion very bad at these times.
 - Queries about height and size of proposed extension.
 - Is the extension to be used as part of the existing centre or for other purposes?
 - Some residents on Carr Manors not notified of proposals.
 - This is 3rd time residents have had to write in about similar proposals, no changes between this and previous withdrawn applications.
 - Numbers of people on the premises at certain times raises health and safety concerns.
 - Internal walls have been removed from within the building – do these alterations comply with Building Regulations?

Some of those who commented have advised that their concerns relate solely to the proposed rear extension, and that they have no objection to the provision of the proposed access ramp to the front of the property to provide access for disabled visitors. However others have raised concerns that the proposed ramp would encroach into the public footway and could be hazardous for pedestrians.

7.0 CONSULTATIONS RESPONSES:

Statutory

7.1 None.

Non-statutory

Highways

7.2 There are no objections to the proposed access ramp to the front of the building, as this is located within a private forecourt area rather than adopted highway, and would not cause an obstruction to pedestrians.

7.3 It is noted that numerous local residents have raised concerns regarding parking and traffic problems associated with the centre, and the highways officer has undertaken a site visit on a Friday lunchtime, when instances of parking on verges and within the junction radii were observed. Photographs from the enforcement officer on an earlier occasion have also been seen which show a considerably worse situation later on a Friday afternoon, however at other times there has been no parking observed around the site. On the basis of these observations it is clear that the existing use generates a significant demand for parking at certain times. Whilst the proposed extension may be relatively small, it would provide additional floorspace which would free up space and create additional capacity within the building, as well as encroaching further into the parking area to the rear and reducing the already relatively small amount of parking which does exist in this area. This is the third similar application for a rear extension which highways have objected to on these grounds, and it does not appear that anything has changed. The proposals are therefore objected to on highway safety grounds.

7.4 Whilst clearly a highway safety concern, the existing parking problems associated with the centre are also considered to have an impact on the amenities of neighbouring residents.

7.5 It is questioned whether the centre is being operated within the terms of its permitted use as set out in the documents approved under the 2002 and 2004 permissions.

Access Officer

7.6 Concerns were originally raised regarding the width and design of the proposed access ramp to the front of the building, however revised plans have been received showing a wider access ramp with appropriately designed handrails etc and the access officer has confirmed they have no objections on this basis.

8.0 PLANNING POLICIES:

Development Plan

8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. In view

of the relatively small scale of this proposal, it is not considered that there are any particular policies which are relevant to the assessment of this application.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 The site is unallocated in the UDP. The following UDP policies are relevant to the consideration of the application:

GP5 – General planning considerations, including amenity

BD6 – Extensions and alterations

T2 – Highway safety

T6 – Access for disabled people and those with mobility problems

T24 – Parking

National Policy and Guidance

8.4 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and 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.

9.0 MAIN ISSUES

1. Principle of development
2. Highway safety
3. Access
4. Residential amenity
5. Visual amenity
6. Other issues

10.0 APPRAISAL

Principle of development

10.1 It is recognised that the building provides a valuable community asset, and in principle the provision of improved access and facilities for disabled visitors to the centre is considered to be acceptable. However, in the light of the parking and traffic problems associated with the use of the building as it exists presently, and the concerns raised by local residents in this respect, any benefits of the scheme need to be weighed against the significant highway safety concerns which have consistently been raised regarding this and previous proposals to further increase the floorspace of the building, and against the impact that any intensification in the use of the building would have on the amenities of nearby residents.

Highway safety

10.2 As noted by a relatively large number of local residents, as well as highways and enforcement officers who have visited the site, the building already generates high levels of traffic and on-street parking on surrounding roads at certain times, including unlawful parking on pavements and grass verges, double parking in front of the site, and parking within the visibility radii around nearby junctions. These high levels of on-street parking have resulted in various hazards and issues for local

residents and for users of surrounding roads, including obstructing access for buses and other vehicles, preventing residents from accessing or parking outside their own properties, obscuring visibility at junctions, and blocking pavements, leading to pedestrians having to walk in the roads. In the light of this existing situation, officers have consistently and repeatedly advised against any proposal to further increase the floorspace and capacity of the building on the basis that this would generate additional traffic movements and parking requirements, and a number of applications to further extend the building have been refused or withdrawn on this basis.

- 10.3 With an internal floor area of 26m², the proposed extension would represent a further 12.5% increase in the internal floorspace and capacity of the building. Whilst the extension includes two disabled toilets to address the current lack of such amenities within the building, it also includes a circulation area of approximately 20m², which is variously referred to as a cloakroom, mobility scooter storage area and seating area in the application documents. However, the dimensions of this area and the relatively open-plan internal configuration of the building are such that this space would also lend itself to use as part of the wider educational functions of the property, as an additional classroom or meeting space for example, and there is a realistic prospect of the space being used in conjunction with the existing use in this respect, thereby further increasing the capacity of the building and intensifying its use.
- 10.4 In order to accommodate the extension it would also be necessary to enlarge the sunken patio area to the rear of the building and relocate the existing retaining wall further to the north east, thus reducing the size of the site's only off-street parking area in this part of the site and reducing the number of parking spaces available by up to 4 or 5. In further increasing the capacity of a building which already causes considerable on-street parking problems, whilst simultaneously reducing the availability of off-street parking for the property, it is considered that the proposals would serve to worsen this existing situation, and would therefore be of significant detriment to highway safety, contrary to policies GP5, T2 and 24 of the UDP, and the scheme is therefore considered to be unacceptable on this basis. It is not considered that conditions could be imposed on any planning permission that would overcome the concerns raised regarding the increased capacity and intensification in the use of the building and the loss of parking which would result, or that would satisfactorily address the significant implications in terms of highway safety and the amenities of nearby residents, and therefore it is recommended that the application is refused on this basis.
- 10.5 Part of the applicant's justification for the proposed extension is that the building lacks disabled and female toilet provision at present, and that the extension is needed to allow these facilities to be provided. The permission for the existing rear extension, granted in September 2008, included the provision of a disabled and female toilet facility within the building, and the local planning authority has therefore already had regard to the need for this facility and granted a planning permission allowing for its provision if this was considered necessary. The fact that the applicants chose not to implement this element of the proposals is therefore not considered to be sufficient to outweigh the very significant highway safety concerns which arise from the current proposal to further extend the building, since the need for this facility and the capacity for this to be accommodated within the building has already been considered, and the applicants still have the opportunity to provide this within the existing building if it is considered necessary. The provision of this facility within a further extension would effectively allow additional space to remain within the building which was previously approved on the basis that it would be used for

this purpose, as well as creating further additional capacity within the building and reducing the amount of land available for parking to the rear of the property. In the light of this, it is not considered that the proposals are acceptable and refusal is recommended. It is also noted that the 2008 permission included the provision of an access ramp to the front of the building, which the applicants could still implement if they wished.

- 10.6 During the course of the application the applicants have been given the opportunity to reduce the size of the extension to just provide two disabled toilet cubicles, without the additional floorspace proposed, and highways have advised that this would be likely to be considered acceptable on the basis that it would only provide two small toilet facilities and would not increase the capacity of the building. This suggestion has been reiterated to the applicants by Councillor Sobel following the meeting which was held between officers and the Ward Members for the area, however the applicants have advised that they do not wish to revise the proposals in the light of this advice and that they wish the application to be determined on the basis of the plans as originally submitted, including the additional floorspace.
- 10.7 Ward Members have suggested the possibility of changes to the parking and highway layout to the front of the building to try and formalise these arrangements in this part of the site, including the removal of the existing island of footway which separates the lay-by to the front of the building from Carr Manor Crescent itself, and the marking out of parking spaces in this area, with access directly from Carr Manor Crescent. This was discussed further with highways, who advised that there would be insufficient space within this area to provide appropriately-sized parking bays and retain a 2m wide pedestrian footpath and therefore it would not be possible to provide adequate parking facilities in this area. In addition, the removal of the existing island of pedestrian footway raised further highway safety concerns. This footway currently acts as a buffer, separating parking manoeuvres within this lay-by area from the flow of traffic along Carr Manor Crescent itself. The removal of this buffer and the provision of car parking spaces in this area would result in this introduction of hazardous reversing manoeuvres directly onto Carr Manor Crescent in very close proximity to two road junctions to the east and west, and it is considered that this would actually worsen rather than resolve existing highway and pedestrian safety problems. This has therefore not been pursued further.

Access

- 10.8 The access ramp proposed to the front of the property is considered to be acceptable in terms of its gradient, width, handrail design etc. Whilst the concerns raised by a number of local residents that this would obstruct access for pedestrians, the highways officer has advised that the area where the ramp is proposed is part of the private forecourt to the front of the property, and is not within the adopted highway or footpath, and that it is therefore not considered that the ramp would cause an obstruction to pedestrians, since an adequate footpath width would be retained within the adopted highway. On this basis, this part of the proposals is considered to be acceptable. However, for the reasons discussed above, the provision of the additional extension to the rear to include disabled toilet facilities is not considered to be acceptable in view of the highway safety concerns and the fact that it has previously been considered that there is capacity to provide these facilities within the building if this is considered necessary.

Residential amenity

- 10.9 In view of its single storey design, distance from neighbouring residential properties, and siting at a lower level within the site, it is not considered that the proposed extension itself would detract from the amenities of neighbouring residents in terms

of overlooking, overshadowing or overdominance. However, neighbours' concerns regarding noise and disturbance from existing visitors to the building and their vehicles at certain times are noted, and it is considered that the proposals to further increase the capacity of the building, whilst also reducing off-street parking within the site would result in additional on-street parking on surrounding streets and worsen this existing situation, as well as allowing for increased numbers of visitors and intensifying the use of the building. As a result, it is considered that the proposals would cause additional noise, disturbance and disruption for surrounding residents, to the significant detriment of their amenities and their enjoyment of their properties. The proposals are therefore considered to be contrary to policy GP5 of the UDP, and it is recommended that the application is refused on this basis.

Visual amenity

- 10.10 The proposed extension, whilst flat-roofed, would be located to the rear of the property in an area whose ground levels are lower than much of the surrounding land, and would therefore not feature prominently in any public views. The submitted details indicate that the proposed materials would match the existing building, and on this basis it is not considered that the proposed extension would detract from the character and appearance of the surrounding area or that refusal of the application on these grounds could be justified.
- 10.11 The proposed access ramp would be small in scale, and subject to appropriately designed and painted handrails, it is not considered that this would appear intrusive or incongruous within the streetscene, and this aspect of the proposals is considered to be acceptable in this respect.

Other issues

- 10.12 A number of issues have been raised by neighbouring residents that the building is being used for certain purposes and during certain hours which were not part of the original planning permissions for the use. These matters and others relating to parking around the building at certain times are the subject of ongoing enforcement investigations by the Council's compliance section.
- 10.13 Concerns have been raised about the numbers of people present on the premises at certain times, and whether this complies with health and safety legislation, and also that internal walls have been removed from within the building, and whether this is compliant with the building regulations. Whilst such matters are covered by other legislation and not directly relevant to the consideration of this application, the Council's compliance section have been made aware of these concerns in order that these can be referred to the relevant bodies or investigated as necessary.
- 10.14 Some residents have raised concerns that they were not individually notified of the proposals. In accordance with the Council's Statement of Community Involvement, applications for extensions to non-residential properties would usually be advertised by site notice only, rather than individual neighbour notification letters. In this instance, as well as the site notices which were posted on 17th February, individual letters were sent to those residents who commented on the previous application notifying them of this application for a similar development, as is common practice in circumstances where an application is received for a similar development to one which has recently been determined or withdrawn. The application has therefore been publicised in accordance with the SCI, and it is considered that local residents have been appropriately notified of the proposals and provided with the opportunity to comment.

11.0 CONCLUSION

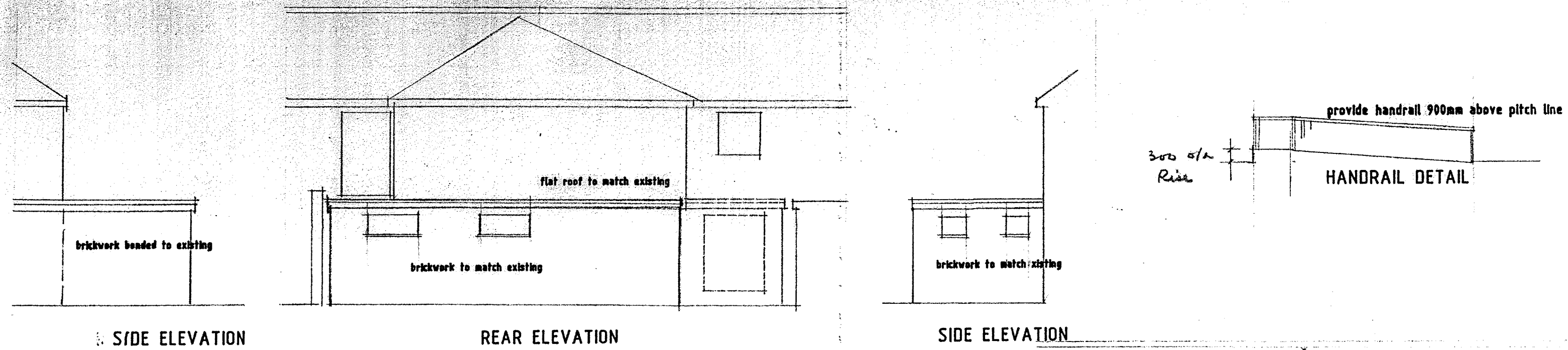
- 11.1 It is recognised that the centre provides a valuable community facility and the principle of improving disabled access and amenities are generally supported. There are no objections to the proposals to provide an access ramp to the front of the building, and the applicants still have the opportunity to provide a ramp to the front of the building in accordance with the permission which was granted in 2008 for the existing rear extension. Furthermore, alternative solutions have been presented to the applicants at various stages of the application, which would allow the provision of the necessary disabled access and toilet facilities without generating concerns regarding the provision of additional floorspace, however these have not been taken forward. In the light of this, whilst recognising the community benefits provided by the centre and those of the proposals themselves in improving facilities within the building, these are not considered sufficient to outweigh the significant concerns regarding highway safety and residential amenity that arise from the further increase in floorspace/capacity and intensification in the use of the building as proposed. On this basis it is considered that the proposals, in further increasing the capacity of a building which already causes considerable on-street parking problems, whilst simultaneously reducing the availability of off-street parking within the site, would further exacerbate existing on-street parking problems on surrounding streets, to the significant detriment of highway safety, and cause additional disturbance and disruption for neighbouring residents, to the detriment of their amenities. The proposals are therefore considered to be contrary to policies GP5, T2 and T24 of the UDP and the guidance in the NPPF and it is recommended that the application is refused.

Background papers

Application file and history files: 30/14/02/FU, 30/590/04/FU, 30/596/04/FU, 06/05583/FU, 06/07312/FU, 07/02136/FU, 08/03417/FU, 09/03967/FU, 10/02399/FU, 11/02312/FU.

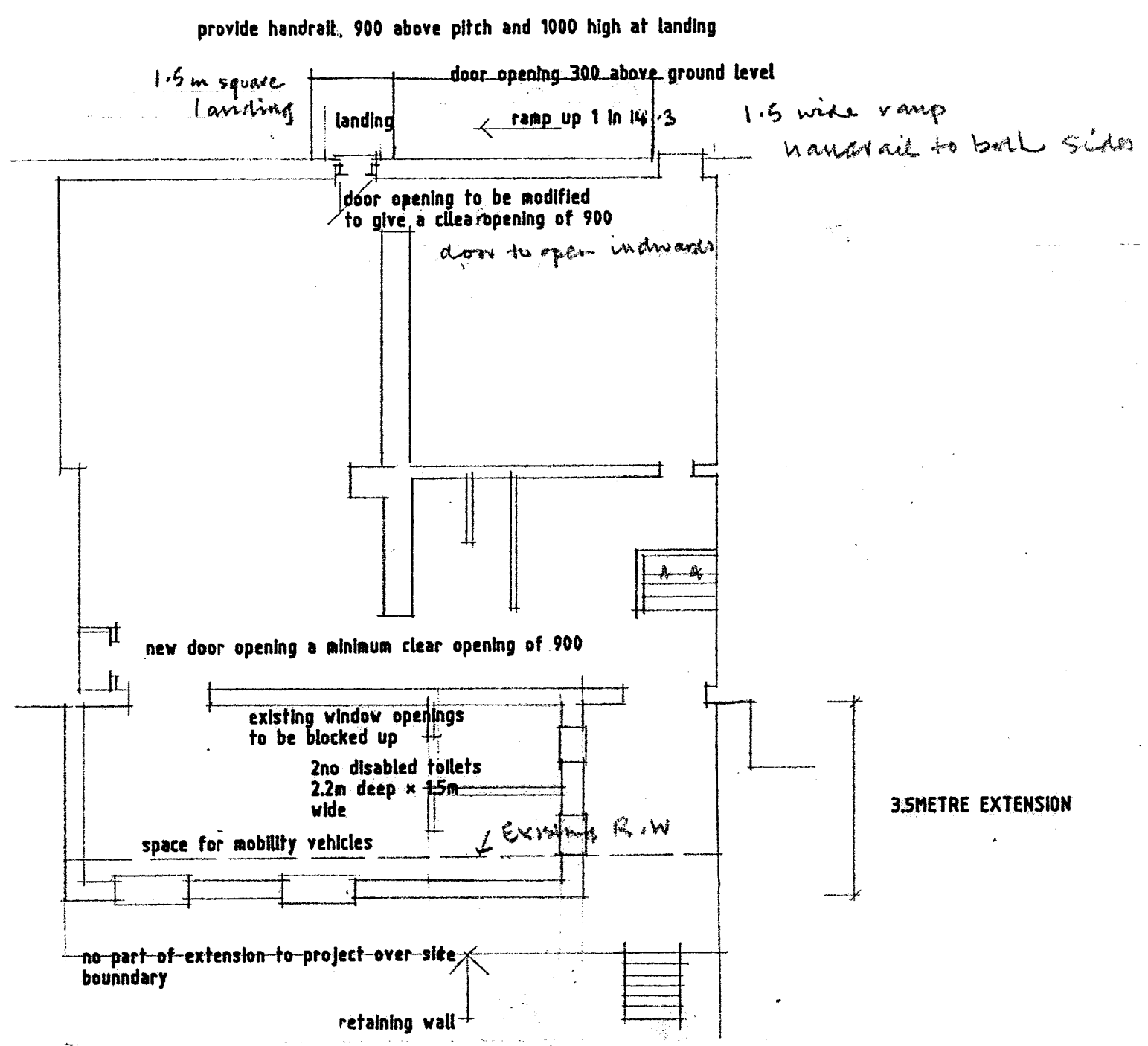
Certificate of Ownership

Signed by applicant.

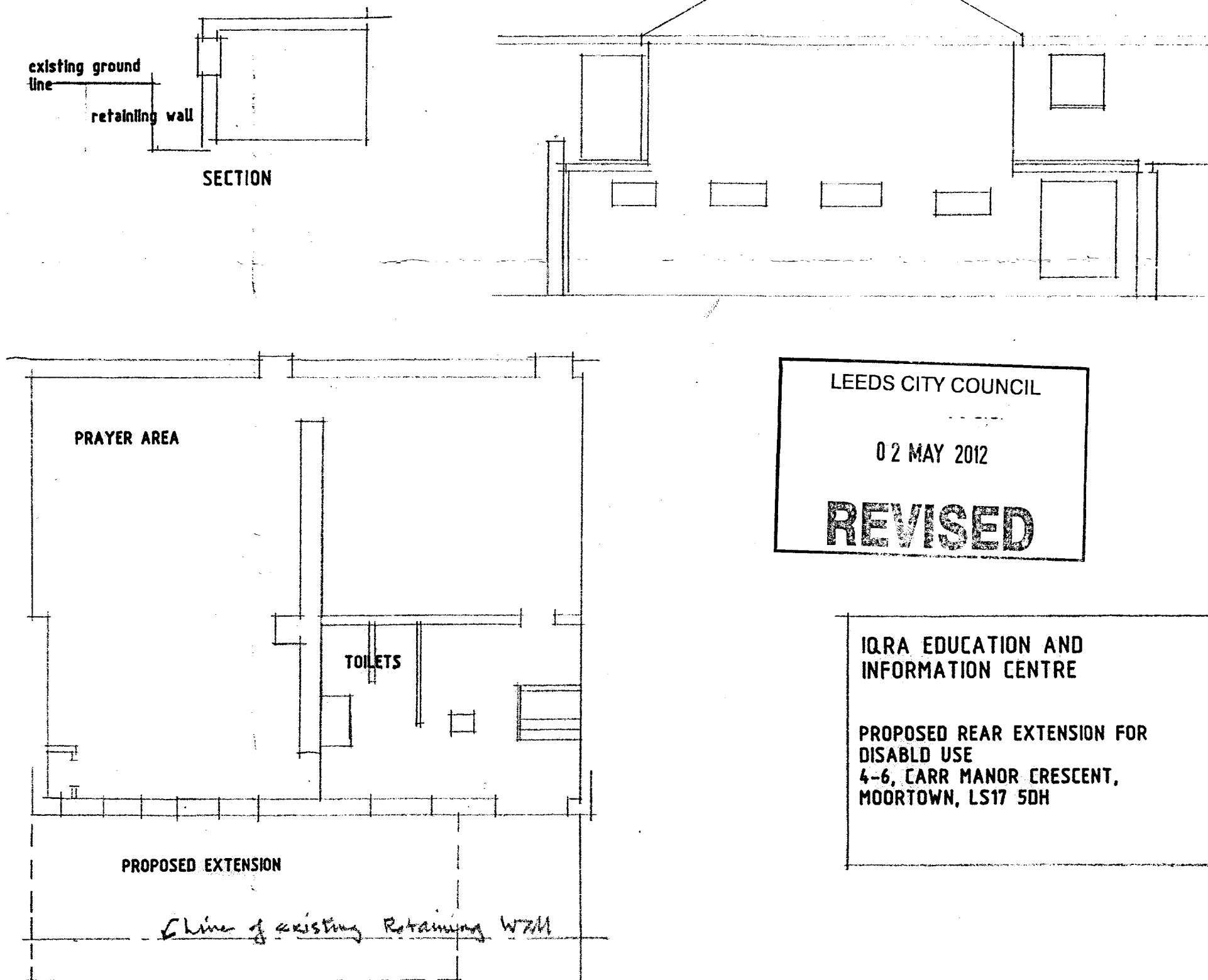


ELEVATIONS - AS PROPOSED

note: all new work to comply with bsi british standards bs 8300:2009



FLOOR PLAN - AS PROPOSED



FLOOR PLAN - AS EXISTING

LEEDS CITY COUNCIL
02 MAY 2012
REVISED

IQRA EDUCATION AND
INFORMATION CENTRE

PROPOSED REAR EXTENSION FOR
DISABLD USE
4-6, CARR MANOR CRESCENT,
MOORTOWN, LS17 5DH

Notes
All work to be in accordance with the Building Regulations and to the satisfaction of the Local Authority.
All measurements to be checked on site prior to commencement of work.
No measurements to be scaled off this drawing.

Drawn by: [Signature]
Checked by: [Signature]
Date: 02/05/2012

Revisions		
No.	Date	Description

April 2012 A Further information added

Client	
Project	
Title	
Date december 2011	Drawing No. BDS/2010/2011/13.1
Scale 1:100	Revision B

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EAST PLANS PANEL