



NORTH AND EAST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 29th June, 2023
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar (Chair)
B Anderson
J Heselwood
D Jenkins
R Jones
J McKenna
M Millar
N Sharpe
R. Stephenson

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Agenda compiled by:
Debbie Oldham
Governance Services
Civic Hall

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

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3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 1ST JUNE 2023</p> <p>To receive the minutes of the previous meeting held on 1st June 2023, for approval as a correct record.</p>	9 - 16
7	Cross Gates and Whinmoor		<p>22/07335/RM & 22/07336/RM – RESERVED MATTERS APPLICATIONS FOR RESIDENTIAL DEVELOPMENT OF 294 DWELLINGS WITHIN THE MIDDLE QUADRANT (MORWICK GREEN) OF THE EAST LEEDS EXTENSION PURSUANT TO OUTLINE PLANNING APPROVAL 20/04464/OT.</p> <p>The Chief Planning Officer submitted a report for consideration on a Reserved Matters applications for residential development of 294 dwellings within the Middle Quadrant (Morwick Green) of the East Leeds Extension pursuant to outline planning approval 20/04464/OT.</p>	17 - 38

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8	Chapel Allerton		<p>22/07259/FU – ALTERATION AND EXTENSION OF EXISTING DWELLING INCLUDING TWO STOREY EXTENSION TO FRONT, SINGLE STOREY EXTENSION TO SIDE AND RAISING OF ROOF HEIGHT TO CREATE NEW PITCHED ROOF WITH DORMER TO FRONT; TWO STOREY EXTENSION TO SIDE TO CREATE NEW LIVING ACCOMMODATION, PARKING GARAGE AND ROOF TERRACE; ERECTION OF NEW TIMBER BOUNDARY FENCE; NEW LANDSCAPING AND PARKING AREAS INCLUDING ERECTION OF PARKING IMPACT BARRIER AND CREATION OF VEHICLE PASSING AREA AT THE BUNGALOW, WHARFEDALE STREET, MEANWOOD, LEEDS, LS7 2LF</p> <p>To consider the report of the Chief Planning Officer on an application for the alteration and extension of existing dwelling including two storey extension to front, single storey extension to side and raising of roof height to create new pitched roof with dormer to front; two storey extension to side to create new living accommodation, parking garage and roof terrace; erection of new timber boundary fence; new landscaping and parking areas including erection of parking impact barrier and creation of vehicle passing area at The Bungalow, Wharfedale Street, Meanwood, Leeds, LS7 2LF.</p>	39 - 58
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the next meeting of the North and East Plans Panel is scheduled for Thursday 27th July 2023 at 1.30pm in Civic Hall.</p>	
2				
a)				
b)				

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Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

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Planning Services

Merrion House
Merrion Centre
Leeds

To all Members of North and East Plans
Panel

Contact: David Newbury
Tel: 0113 378 7990
david.m.newbury@leeds.gov.uk

Our reference: NE Site Visits
Date: 23rd May 2023

Dear Councillor,

SITE VISITS – NORTH AND EAST PLANS PANEL – THURSDAY 29th JUNE 2023

Prior to the meeting of the North & East Plans Panel on Thursday 29th June 2023 the following site visits will take place:

Time	Ward	
10.00am		Depart Civic Hall
10:15 – 10:45am	Chapel Allerton	22/07259/FU – Alterations and extensions - The Bungalow, Wharfedale Street, Meanwood, LS7 2LF
11.10am – 11:40am	Crossgates & Whinmoor	22/07335/RM & 22/07336/RM – Details relating to residential development – Middle Quadrant, East Leeds Extension (to access the site via Fawdon Drive, LS14 5QR)
12.00 (noon)		Return to Civic Hall

For those travelling by mini-bus please meet in the ante-chamber at the Civic Hall, Portland Crescent at 09.55am for a prompt start at 10.00am. For those unable to use the minibus, or who prefer to travel separately, the visit timings and details above should allow for this. If you are making your own way to the site visits please let me know and we will arrange an appropriate meeting point.

Yours sincerely

David Newbury
Group Manager
Planning Services

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NORTH AND EAST PLANS PANEL

THURSDAY, 1ST JUNE, 2023

PRESENT: Councillor J Akhtar in the Chair

Councillors B Anderson, D Jenkins,
R. Stephenson, J Heselwood, R Jones,
J McKenna and M Millar

SITE VISITS

The Members site visit was attended by Councillors Akhtar, Anderson, Stephenson, Jones, Millar and Jenkins.

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

3 Late Items

There were no late items.

4 Declaration of Interests

No declarations of interests were made at the meeting.

5 Apologies for Absence

Apologies for absence were received from Cllr Sharpe.

6 Minutes - 9th February 2023

RESOLVED – That the minutes of the previous meeting held on 9th February 2023, be approved as a correct record.

7 Subject: 20/08547/FU - Change of use of land for the siting of 8No. glamping units for holiday use, storage building and ancillary works including a new access road at land off Hall Park Road, Walton, Wetherby, LS22.

The report of the Chief Planning Officer requested Members consideration on an application for change of use of land for siting of 8 glamping units for

holiday use, storage building and ancillary works including a new access road at land off Hall Park Road, Walton, Wetherby, LS22.

Members of the Panel had attended a site visit earlier in the day. Slides and photographs were shown throughout the presentation.

Members were provided with the following information:

- 10 more letters in objection to the proposed site had been received since the report had been published. The issues raised were already mentioned in the submitted report. Issues of concern were contamination of land and the footpath, which Members had walked along during their site visit. A letter from Cllr Stables was also read out which objected to the planning proposal and agreed with the points made by other ward councillors. It highlighted concerns for road safety as Hall Park Road has no footpath and cars travel along it at speeds reaching 60mph. This would be used by pedestrians for walks and as access to the village.
- An additional condition in relation to CCTV was to be added to those conditions listed in the submitted report for further details to be provided on CCTV, particularly in relation to siting of the same.
- It was noted that during the site visit Members had requested details of disabled access for the site. Officers had spoken with the applicant who was amenable to make 1 unit accessible for disabled people.
- It was noted that the applicant has control of the fields to the west and south of the proposed site and these would continue to be used for grazing.
- The proposal was for 8 glamping pods, 5 to be located on the north-west of the site and 3 on the south-east of the site. The first 20 metres of the access road was to be constructed of tarmac, with the remaining track to be constructed of a grass stabilisation product known as Geogrid system. The development would be served with a modest car park for up to 11 car parking spaces, including 1 for electric vehicle charging. A bin store and small timber storage shed were also proposed adjacent to the car parking area.
- The proposal also included a footpath link towards the village of Walton and landscaping of wildflowers and mixed natural planting.
- The design of the pods was timber clad structures located above ground which measure 7.3 x 3 metres externally with a height of 3 metres. The pods would be screened with new tree and whip planting.
- Drainage for the units for grey and foul water would be linked to the public sewer system which it was noted was to be agreed later.
- The site would be set back approximately 90 metres from Hall Park Road with natural screening.
- The site is located to the north-east of Walton which is a small village of approximately 225 occupants and benefits from a limited range of local services and community facilities.
- Members were advised that Walton is part of a conservation area. However, the site is 300 metres from the conservation area and the land is rural land not green belt land.

- The Neighbourhood Plan suggests that long range views should be protected. The proposal in its current iteration does not adversely impact on long range views and is regarded as being in accordance with the Neighbourhood Plan.
- It was the view that there would be little impact on the countryside, however the small number of tourists could help the economy of the area. The glamping site was not too conspicuous, screened from the road and away from residential properties. A noise impact assessment suggested that noise nuisance would not be an issue for concern.
- In relation to biodiversity the natural tree cover would be enhanced with new planting to increase the biodiversity net gain. The area is known for Great Crested Newts and the applicants had offered to consult with Natural England to assist in the management of the pond.
- In relation to drainage, the residents in the area have raised concerns as there is already a significant problem with sewerage during periods of heavy rainfall. The report specifies a condition that prior to any work on the site a feasibility study should be carried out to address ongoing issues in this location with drainage. It was noted that at the time of writing the report Yorkshire Water had not submitted any objections.
- It was noted that details were required in relation to the proposed footpath link between Bickerton and Walton and would need to be approved prior to the development, such that this could be controlled by way of planning condition. The Panel were advised that no PROW officer had been available to clarify the current position of the footpath.

In attendance at the meeting speaking in objection to the proposal were:

- Cllr Lamb - Wetherby Ward Member
- Mr Chris Johnson
- Mr Phil Robinson

The objectors informed the Panel of their concerns which were:

- The number of inaccuracies in the submitted report including:
 - Not sustainable
 - Not accessible, particularly for those with sight or other access difficulties.
 - It was noted that there is no regular bus service available, and the nearest bus stop is a 20 minute walk away.
- Cllr Lamb said that this is a forward-thinking neighbourhood, which welcomes appropriate development. The Neighbourhood Plan was good and should be applauded. It had achieved a 1st in the National Award Scheme and had been agreed by Leeds City Council
- Walton is a quiet rural village adjacent to Thorp Arch Village which is a rapidly expanding area, but with no suitable associated travel packages to support the expansion.
- Drainage in the location of Hall Park Road is an ongoing issue especially during heavy rainfall. Residents in the area complained of having raw sewage in their gardens. This issue had been addressed with Yorkshire Water, but no solution to the problem had been found. It

was the view that if the site was to be developed and link into the sewer system it will cause more adverse issues.

- Hall Park Road was dangerous to walk along as there were no footpaths and in some places no grass verges, such that even current local residents do not walk along this stretch of road. Highways had promised traffic calming measures for this road in 2022 to reduce the speed of vehicles travelling along it. To date no traffic calming measures had been put in place.
- Concerns were also raised in relation to the importance of the area for local wildlife.

Responding to questions from the Panel the objectors provided further information on the following:

- The farmer who owns the land which the proposed footpath crosses has said that there is no public right of way across his private land and disputes public access. The farmer also has concerns that the access is narrow, and he uses it for his farm vehicles.
- The National Planning Policy Framework requires that tourism should be encouraged and local businesses supported, but this proposal has led to displacement of a tenant from the land who has farmed in the area for many years.
- There are no bus services serving this location, which in general has very poor accessibility.
- There had been no contact with the Parish Council from the applicant. Consultation seemed to comprise only one visit to the site and a brief discussion with some local residents on that occasion.
- Residents in the area have been dealing with the drainage issue for 30 years. Yorkshire Water had been to assess the situation on numerous occasions and had removed 11,000 litres of water from a neighbour's garden on one occasion in November 2021. It was noted that when the drainage system fails the residents are unable to use their toilets or take a shower. The Panel were advised that Yorkshire Water said separately to a Ward Councillor that they had not yet assessed the site, so were unable to say if the issues were solvable. A site visit is needed by Yorkshire Water.
- Members were advised that no ramblers used the pathway from Bickerton to Walton. Hall Park Road was not used for walking, the gate on the track was closed and track was only used for moving farm vehicles.
- The Panel were advised that the track is unlit and extremely dark and there were concerns for safety. Locals do not use the track to pass and repass due to this, as well as the poor surface to the track.
- The Members were told the grazing land used a rotation system. Currently there were horses grazing there but the field had been used for cattle previously. The Panel noted this was the last grazing area and it was supposed to be retained.

The Agent Ms Sockett attended the meeting on behalf of the applicant and provided the Panel with the following information:

- The proposal was for 8 small units on the outskirts of Walton offering quiet short breaks for mainly couples.
- What is proposed is what is only absolutely necessary to provide a glamping facility on this site, such that the extent of development proposed is kept to the absolute minimum.
- The proposed development is sympathetic to the nearby St Peter's Church, other key views and existing wildlife / nature on the site.
- Proposed landscaping would provide ecological benefits for the area, through the design layout, wildflower planting and maintenance of the site.
- The closest unit would be 150 metres from the nearest residential property. Appropriate separation distances have therefore been ensured.
- A footpath would link the site to Hall Park Road, this would be constructed using a Geogrid system to provide access and be suitably robust for ongoing use, but retain a natural look.
- In consultation with Yorkshire Water who have said the sewerage system can be linked and could be beneficial to residents in the area to in fact possibly ease existing drainage and sewerage issues.
- This proposal would provide business for the area, and this would be in accordance with planning.

Responding to questions from Panel Members the following information was provided:

- It had been decided not to consult with the community as this was a small development and they had opted to do the consultation through the planning process. It was noted that the Panel were of the view that consultation with residents should be encouraged.
- In relation to drainage issues the Agent said that they were aware of some leaks in the system and flooding issues. However, she was of the view that this was a technical issue, which could be resolved with Yorkshire Water.
- The Agent went into some detail regarding the types of drainage and sewerage problems experienced on other sites, such as to provide reassurance to Members that – in her experience of working on a variety of sites – there had not been situations and difficulties which could not be resolved in conjunction with Yorkshire Water and solutions they suggested.
- It was clarified that Yorkshire Water have not submitted an objection to the proposal. The process would now be – as with many other development sites across the country – that there would be a pre-commencement condition attached to the permission requiring a technical solution to be found and details of that to be submitted within the 3-year 'window' for commencement of development. If a technical solution could not be found, development could simply not be commenced, and the proposal could not proceed.
- In relation to making the units accessible for disabled people, she said that the units could be easily modified using ramps and for those who were visually impaired. No specific details could be provided at the

meeting, but this would form part of the more detailed design for planning. It was noted that one or more of the units could be modified to be fully accessible.

- The agent said that she had not seen the deeds for the land, so was unable to comment on the access of the footpath. However, people do not usually have an issue when repairs and maintenance of pathways are offered. It was noted that the landowner had not been spoken to by the agent.
- The design of the glamping site had been done in accordance with the Neighbourhood Plan ensuring that key views remained, and the units were away from residential properties.
- It was the view of the agent that the small development would not have an impact on the roads around the area, as there were to be only 8 units, so only a small increase in the number of vehicles. Signs would be used to direct visitors to use the footpaths.
- In relation to mature trees in the area, an assessment had been carried out and the trees would be protected during construction with the loss of no trees. Only a small section of hedgerow would be removed, and landscape planting was to be provided.
- This site was for people mainly couples who wanted a quiet break. They would be able to bring their own alcohol if they wished to do so. A noise assessment had been undertaken and it was the view that the site would have little impact in relation to noise nuisance. Should residents have complaints, contact details would be provided. Should anyone be found to be acting in an anti-social way they would be asked to leave the site immediately. This was not proposed as a site for stag and hen parties.
- The site would be operational 365 days a year providing maximum economical benefits. During hours of darkness torches would be provided and light sensors were to be used to minimise the effect of light pollution from site lighting.
- The agent advised the Panel that a site manager was to be employed as an emergency contact who would live close by and be on 24 hour call out.
- There was no discussion about increasing the number of units, this was to be a long-term investment.
- The applicant proposed to use a gate to the site which would be accessible for wheelchair users.
- The agent was of the view that dogs would not be allowed on the site, due to grazing animals. However, if this restriction was not maintained long-term there would in any event be the installation of stock-proof fences and robust hedgerows on the boundaries to protect grazing animals. Ongoing maintenance of the site would ensure that any 'breaks' on the boundaries would be remedied.
- It was noted that Natural England would be consulted in relation to the Great Crested Newts and their management. Work would only be undertaken once the necessary licence(s) had been obtained from Natural England and work could proceed legally under the licence(s).
- Recycling bins would be provided.

Officers responded to questions from the Panel providing the following information:

- In relation to the proposed traffic calming measures which had been promised in 2022, the Highways Officer was unable to provide information on why there were delays. He said that he would check and provide an update to Members.
- The proposed pumping station would be a subterranean unit which was standard for this type of development.
- The position was clarified again with regards to Yorkshire Water, confirming that they had not raised a formal objection in their role as consultee when consulted on the proposal. Conditions were proposed that would prevent commencement of development until a solution to any potential sewerage and drainage problems was found
- In relation to Condition 25 it was suggested that the log burners in the units should only use smokeless fuel.
- The units would use solar panels for electricity, and a backup generator would also be installed which had a low noise output. There were currently no details where this would be controlled from.
- Officers acknowledged this location was not well served by public transport. It was noted that Accessibility Standard T2 did not provide a clear definition for this type of development, it mainly related to employment, infrastructure, health, education and retail.
- It was recognised by officers there was no policy on glamping sites, and this could be investigated for the future to assist Members with their consideration of any future sites.
- Members were provided with clarification on the definition of PROW and possible current ownership of / responsibility for the trackway, subject to confirmation of this following further investigation into and overlay of plans.
- Comment could not be made on what may be developed on this site if permission were not given to the current proposal, nor what Members may like to see on the site. Members must focus on the application submitted and before them for determination.

Members comments included:

- Protocols for Panels when considering camping / glamping sites.
- Confusion over ownership of the footpath.
- Pedestrian links to village unsafe and dark.
- Drainage issues, no evidence submitted to resolve the situation.

Cllr Barry Anderson proposed a motion to refuse the application for the following reasons:

1. No public transport
2. Drainage issues
3. Footpaths / PROW issues and uncertainty
4. No clarification on disabled access
5. Proposal contrary to Policy BE2 of the Walton Neighbourhood Plan

This was seconded by Cllr Stephenson.

Officers advised Members that if they resolved that planning permission should be refused then officers, in accordance with established protocol, would bring back a further report to Plans Panel for Members to consider the detailed wording of suggested reasons for refusal based on the Panel resolution. On being put to the vote this motion was not carried with 2 votes for, 6 votes against and no abstentions.

Cllr Heselwood proposed a motion to defer the application for further information on:

1. Highways
2. Footpaths
3. Drainage
4. Disabled access
5. Consultation with community

This was seconded by Cllr Ray Jones, and on being put to the vote was carried with 6 votes for, no votes against and 2 abstentions.

RESOLVED – To defer the application for further information as set out above.

8 Date and Time of Next Meeting

RESOLVED – To note the next meeting of North and East Plans Panel will be on Thursday 29th June 2023 at 1.30pm in Civic Hall.

The meeting concluded at 15:40



Originator: Glen Allen

Tel: 0113 3787976

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 29th June 2023

Subject: 22/07335/RM & 22/07336/RM – Reserved Matters applications for residential development of 294 dwellings within the Middle Quadrant (Morwick Green) of the East Leeds Extension pursuant to outline planning approval 20/04464/OT.

Applicants- Taylor Wimpy (22/07335/RM) & Cullen Land (22/07336/RM)

Electoral Wards Affected:

Crossgates & Whinmoor

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

POSITION STATEMENT: Members are requested to note the contents of this report and presentation and to provide views in relation to the questions posed to aid the progression of these applications prior to their consideration and determination at Panel.

INTRODUCTION:

- 1 These reserved matters applications are brought to the North and East Plans Panel seeking the views of Members on various outstanding matters to aid progression of the reserved matters applications. This follows City Plans Panel consideration and determination (on 25th November 2021) of the outline application – planning application 20/04464/OT - for the whole of the Middle Quadrant which allows for up to 875 dwellings and forms part of the East Leeds Extension (ELE).
- 2 These applications cover roughly half of the Middle Quadrant (to be known as Morwick Green) and is divided up between two applicants, Taylor Wimpy and Cullen Land. The 294 dwelling total is divided into 250 units for Taylor Wimpy and

44 on the Cullen Land site although Taylor Wimpy would also build these. As such, although two separate planning applications have been submitted, this is purely due to land ownership reasons and in all other respects a single development is proposed.

- 3 The applications are seeking to address the matters remaining which were identified as 'Reserved Matters' and therefore were not considered under the outline application although both the main points of access and the provision of the spine road are fixed. Those matters reserved for determination thereby comprise:
- Appearance
 - Landscaping
 - Layout and
 - Scale
- 4 The means of access (north and south connections from the East Leeds Orbital Road (ELOR)) and through the Middle Quadrant in the form of the spine road were approved under the outline application. The spine road serves the interior of the site and is designed to accommodate bus services.

EAST LEEDS EXTENSION (BACKGROUND AND UPDATE)

- 5 The ELE is a significant housing allocation in the Development Plan, incorporating an area of largely undeveloped land extending over 233 hectares around the edge of Swarcliffe, Whinmoor and Crossgates, which has been identified for the development of around 5,000 homes. This includes the site of Red Hall, which was presented to Members by way of a Position Statement in June 2022. The ELE has required substantial new infrastructure, including ELOR, which is now open and in use. A plan showing the various 'quadrants' of the ELE and ELOR is attached at Appendix 1.
- 6 To date, a number of planning applications for housing in the ELE have or are being considered. The various applications are summarised below (moving north to south geographically):
- Red Hall – planning application 21/04468/FU - Residential development of 360 new build dwellings, conversion of offices to form 2 apartments in the Old Farmhouse, refurbishment and extension of Gate House, conversion of outbuildings to form garages, bin and cycle store; and associated works. The application was submitted in June 2021 and is subject to ongoing negotiations.
 - Whinmoor Fields, 'Northern Quadrant' – planning application 12/02571/OT – Outline application for means of access and erection of residential development (up to 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on land between Wetherby Road, Skeltons Lane and York Road. The application was approved on 5th July 2022. Members may recall that a pre-application presentation (PREAPP/19/00258) for the reserved matters in relation to the first phase of development was provided at the North and East Plans Panel of 30th June 2022. This has subsequently been followed by the submission of reserved matters application 22/05970/RM for 423 dwellings on Phase A (land to the east of A58 Wetherby Road), which is currently under consideration.
 - Whinmoor Fields 'Northern Quadrant' (part) – planning application 17/01858/FU - Demolition of existing buildings; erection of 51 dwellings and garages; with

associated highway infrastructure, landscape and drainage works on the site of the former Bramley Gardens Home, Skeltons Lane. This application was approved on 16th October 2017 and the development is now complete.

- Morwick Green, 'Middle Quadrant' – planning application 20/04464/OT - Outline application for up to 875 dwellings including means of primary vehicle access and central spine road and associated infrastructure works (All other matters reserved) on land between York Road and Leeds Road. The application was approved on 24th August 2022. Three reserved matters applications have subsequently been submitted - 22/07335/RM for 250 dwellings, 22/07336/RM for 43 dwellings and 23/00848/RM for 517 dwellings – all are subject to ongoing negotiations. It is the first two of these reserved matters applications that are the subject of the report before Members.
- Pendas Beck, 'Southern Quadrant' – planning application 21/08379/OT – Outline application for up to 925 dwellings, including means of primary vehicle access, central spine road and associated infrastructure works and a 2.6ha Community Hub facility (provisionally comprising primary school, convenience store and health provision) all on land pertaining to the Southern Quadrant, between Leeds Road and Manston Lane. The application was submitted in November 2021 and a Position Statement reported to Plans Panel on 22nd September 2022. The application is subject to continuing negotiation with a view to conditions being brought back to Panel for Members' consideration.

PROPOSALS:

- 7 Significant design work went into the Middle Quadrant masterplan as part of the outline planning application to align with the requirements set out in the adopted Supplementary Planning Document (SPD) for the ELE. As such, relatively detailed proposals were advanced at that stage. Key components of the outline masterplan include the position of the spine road (to be tree lined), retention of the woodland area to the west of the former Leeds to Wetherby railway line and delivering good east to west links including the need to integrate with the new bridge crossing over ELOR and also the existing crossings over Cock Beck. These requirements, combined with the relative narrowness of the application site and the need to avoid areas at risk of flooding and the general requirements for surface water drainage features, broadly define the areas where residential development can take place. The detailed proposals for both reserved matters applications very closely follow the guiding principles as set out in the outline masterplan and SPD.
- 8 In terms of the detail, the Taylor Wimpy application is for 250 dwellings and the Cullen Land site proposes 44 dwellings giving a combined total of 294. A mix of housing and flats are proposed to be provided in two different character areas. The southern section of the site adopts a more contemporary design approach for the housing with larger format windows with no head or cill details to give a modern appearance, including the use of brick and render spilts and flat roofed canopies over front doors. The second character area in the northern section of the site is more traditional and includes the use of heads and cills, greater focus on the single use of brick, pitched roof canopies over front doors and more symmetrical window sizes.
- 9 The housetypes include a mix of 1, 2, 3 and 4 bedroom properties to be provided through a combination of detached, semi-detached, short terraces and small blocks of flats. Most houses would be two storey although a number also include rooms

within the roofspace and are provided with dormers. The blocks of flats would be three storey and include external balconies to the upper floors and some shared amenity space. Two bungalows are also proposed.

- 10 The dwellings are arranged in a series of perimeter blocks leading off the spine road and which ensures most private rear gardens back onto other private gardens. Greenspace provision is concentrated around the retained woodland but other, smaller spaces are distributed throughout the layout and include the provision of number of local play spaces. Surface water drainage management is also to include SUD's features which are shown to be integrated into the overall landscape/greenspace strategy.
- 11 The proposals include the provision of 45 affordable houses (15.3%) and compliance with the Nationally Described Space Standards is achieved for all housetypes with the exception of one, which accounts for 5 units in total. In terms of accessible housing, 265 dwellings are identified to be M4(2) compliant (90.1%) and 26 would be M4(3) compliant (8.8%).

SITE AND SURROUNDINGS:

- 12 The majority of the site comprises gently undulating land, currently worked as arable farmland, and spans an area between York Road (A64) in the north and Leeds Road in the south. The western boundary is formed by Cock Beck and adjacent existing woodland, whereas the eastern boundary is formed by ELOR, which is now fully open and in use.
- 13 Accordingly, the main urban area of East Leeds sits to the west of the site, with open countryside designated as Green Belt, located to the east of ELOR. The village of Scholes is located to the east and is separated from ELOR and the site by a 'strategic gap' of land in the Green Belt.
- 14 The former Leeds – Wetherby railway line crosses the site from north to south, being elevated on an embankment to where it once crossed Leeds Road (the wing walls of a bridge structure are still evident). The south-western part of the site contains a significant area of woodland, between Cock Beck and the former railway line. Leeds public footpath nos. 114 and 116 (Wood Lane) cross the middle of the site, linking to Scholes to the east, Swarcliffe to the west, as well as having links to the north and south, adjacent to Cock Beck.

RELEVANT PLANNING HISTORY:

- 15 The following planning history is considered to be of relevance and includes all 'Condition Discharge' applications (COND) in respect of both reserved matters applications currently under consideration.

- 17/04351/LA - Construction of a dual carriageway orbital route incorporating new roundabouts, cycle and pedestrian bridges, underpass and overbridge; laying out of country park – Granted 11.12.17
- 20/04464/OT - Outline Application for up to 875 dwellings including means of primary vehicle access and central spine road and associated infrastructure works, (All other matters reserved) – Granted 24.08.22
- 23/01696/COND - 6 and 8 (Construction phasing and statement of construction practice) (Taylor Wimpey)
- 23/01689/COND - 6 and 8 (Construction phasing and statement of construction practice) (Cullen Land)
- 23/01572/COND - 7 (Archaeological recording) (Taylor Wimpey Phases 1, 2, 3 (Cullen) and 4) – Granted 19.04.23
- 23/01573/COND – 7 (Archaeological recording) (Taylor Wimpey Phases 1, 2, 3 (Cullen) and 4) - Granted 02.05.23
- 23/00962/COND - 9 (Phase II site investigation) (Taylor Wimpey)
- 23/00960/COND – 9 (Phase II site investigation) (Cullen Land)
- 23/00969/COND – 12 (site levels) (Taylor Wimpey)
- 23/00970/COND – 12 (site levels) (Cullen Land)
- 22/08099/COND – 13 (Sustainability statement) (Taylor Wimpey)
- 22/08102/COND – 13 (Sustainability statement) (Cullen Land)
- 23/01807/COND – 15 (Bus stops and shelter strategy) (Taylor Wimpey)
- 23/01555/COND - 15 (Bus stops and shelter strategy) (Cullen Land)
- 22/08100/COND - 16 (Greenspace strategy) (Taylor Wimpey)
- 22/08103/COND - 16 (Greenspace strategy) (Cullen Land)
- 22/08104/COND - 21 (EVPC details) (Cullen Land) – Granted 03.04.23
- 22/08101/COND - 21– (EVCP) (Taylor Wimpey) Granted 25.01.23
- 22/08370/COND - 22, 23 and 24 (Housing mix, space standards, assessable housing) (Taylor Wimpey)
- 22/08371/COND – 22, 23 and 24 (Housing mix, space standards, assessable housing) (Cullen Land)
- 23/03215/COND – 27, 28, 29, 30, 32, 35 and 36 (Drainage/Surface Water Management), (Taylor Wimpey)

23/03216/COND - 27, 28, 29, 30, 32, 35 and 36 to Planning Application
20/04464/OT (Cullen Land)

22/08339/COND - 49 (Cycle parking details) (Taylor Wimpey)

22/08338/COND - 49 (Cycle parking details) (Cullen Land)

PUBLIC/LOCAL RESPONSE:

16 The applications have been advertised by site notices and newspaper advert. As a result of this publicity 2 letters of objection have been received raising the following concerns:

- Objection raised to any of this project going ahead due to potential flooding being caused by surface water running into the Cock Beck. It is set out that there is already more surface water running into the Cock Beck from the ELOR, there is a bottle neck (a large culvert) on Barwick Road that needs altering before any houses are built (in response to 22/07336/RM only)

Leeds Civic Trust:

- Critical of the permeability within the site and to the neighbourhoods and their facilities to the west.
- Car parking is an issue and front gardens are not the location for people to park their cars.
- The concept of Place making is very poor for a new development.
- The developer should demonstrate the Fabric First Approach in the interest of the Council's climate emergency declaration.

(Note: the comments from Leeds Civic Trust are in response to both applications)

CONSULTATION RESPONSES:

17 At the time of writing negotiations were still underway with the agents on behalf of the two applications and therefore any updates will be reported orally at the Plans Panel as part of the officer presentation.

Statutory Consultees:

18 Environment Agency –
No objection in principle as conditions on the outline application are adequate.

Non-Statutory Consultees

19 Environmental Studies (Transport Strategy Team):
Noise Assessment in support of the original (outline) application detailing predicted noise levels within the site as a result of traffic using the ELOR, together with mitigation measures to ensure that acceptable noise levels are achieved. Agree with the methodology, findings and recommendations.

20 Land Contamination Team:

No additional information relating to land contamination has been provided but understand the issue is conditioned on the outline.

- 21 Influencing Travel Behaviour Team:
- The internal pedestrian and cycle connections to the existing urban area are not clear. Connectivity needs to be maximised to encourage residents to walk and cycle to local facilities. Existing residents will need links to the proposed playground too.
 - 1 car club space was identified on the layout plan. 2 spaces have been secured through the outline consent. The car club will need to be launched on site when the development is first occupied and provision made for a second space.
- 22 Highways/Landscape/Access officer:
Ongoing negotiations are underway at the time of writing and include the following:
- pedestrian connections between any proposed cul-de-sacs
 - Copenhagen style crossings at the junctions with the spine road
 - pedestrian routes towards the east (ELOR) and the west (existing housing),
 - Carriageway and footway widths, parking provision and dimensions, garages, EVCP, cycle storage etc. to be in accordance with Transport SPD.
 - Any proposed bus stops along the spine road to be shown in the reserve matters plans.

PLANNING POLICIES:

- 23 Section 38(6) 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 currently comprises the Core Strategy (as amended by the Core Strategy Selective Review 2019), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013), Site Allocations Plan (July 2019) and any made neighbourhood plan.
- 24 With respect to the Site Allocations Plan (SAP) (adopted in July 2019), following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the Green Belt, has been remitted to the Secretary of State. The ongoing remittal is at an advanced stage, with public comments on the main modifications proposed having closed in late January 2022. The Inspector will take these representations into account before issuing final conclusions. However, at this stage, it remains that Policy HG2 is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight. This site is identified in the SAP as HG1-288. Policy HG1 is not affected by the statutory challenge and therefore remains adopted and should be afforded full weight.

Core Strategy:

- 25 General Policy Sustainable Development and the NPPF
SP1 Location of development in main urban areas on previously developed land.
SP6 The Housing Requirement and Allocation of Housing Land
SP7 Distribution of Housing land and Allocations
P10 Green Belt
P11 Transport infrastructure investment priorities
H1 Managed release of sites
H3 Housing density

H4 Housing mix
 H5 Affordable housing
 H8 Housing for Independent Living
 H9 Minimum Spacing Standards
 H10 Accessible Housing Standards
 P9 Community facilities and other services
 P10 High quality design
 P12 Landscaping
 T1 Transport management
 T2 Accessibility
 G4 Greenspace
 G6 Protection of existing greenspace
 G8 Protection of important species and habitats
 G9 Biodiversity improvements
 EN1 Climate Change – Carbon Dioxide Reduction
 EN2 Sustainable design and construction
 EN4 District heating networks
 EN5 Managing flood risk
 EN8 Electric Vehicle Charging Infrastructure

Site Allocations Plan:

26 The Middle Quadrant is part of a wider housing allocation for ELE in the SAP (reference HG1-288), carried forward from the adopted Leeds Unitary Development Plan (UDP) Review (2006) (reference H3-3A.33).

Unitary Development Plan (UDP) Review:

27 The UDP established the land use allocation and planning policy for the ELE. Under Policy H3-3A.33 the whole of the ELE is identified for housing under Phase 3 of the Review, together with employment uses, greenspace and other ancillary facilities subject to:

1. Preparation of a development framework which will determine the phasing, mix and location of uses, density of development and location of access points;
2. Assessment of the need for an orbital relief road and if required, funding by the development;
3. The provision of appropriate highway infrastructure incorporating the facility for public transport to serve the development;
4. An assessment of the appropriateness of an extension of the proposed supertram line;
5. Financial support for enhanced public transport routes, provision and services;
6. Provision of local, community and education facilities;
7. Provision of an appropriate level of affordable housing;
8. Establishment of a significant overall landscape structure including substantial planting to site boundaries and main highway and footpath corridors;
9. Retention of existing footpaths and creation of additional links to existing communities, local facilities and the countryside;
10. Submission of a sustainability appraisal;
11. Submission of a satisfactory flood risk assessment incorporating an appropriate drainage strategy.

28 The ELE allocation will be brought forward for development only if:

- i. Monitoring indicates the need for further land to be released to meet the RSS annual average housing requirement;

- ii. The assessment of the need for an orbital road demonstrates that such a road would both serve the proposed development satisfactorily and produce clear public benefits to users of the highway system; and
- iii. Sustainability appraisal demonstrates that there are no preferable, more sustainable sites; and that the detailed proposals for the extension are intrinsically sustainable.

29 The UDP Review goes on to say that development will need to be planned in an integrated way, which links to adjacent residential communities and employment areas. New highway infrastructure will be required at an appropriate level based upon an assessment of the need for a new orbital relief road which would not only serve the development but offer an alternative to the existing A6120 Ring Road and could relieve the main built-up area from congestion.

30 GP5 General planning considerations
 N23 Incidental open space around development
 N25 Landscaping and site boundaries
 BD5 General Amenity issues
 LD1 Landscaping

Natural Resources and Waste Local Plan

31 The Leeds Natural Resources and Waste Local Plan (NRWLP) sets out how land is needed to enable the City to manage resources, e.g. minerals, energy, waste and water over the next 15 years and identifies specific actions which will help use natural resources in a more efficient way. The most relevant policies from the NRWLP are outlined below:

- GP1 Support for sustainable development.
- AIR1 The Management of Air Quality through Development measures
- WATER1 Water efficiency
- WATER2 Protection of Water Quality
- WATER4 Impact on flood risk
- WATER6 Provision of Flood Risk Assessment
- WATER7 No increase in surface water run-off, incorporate SUDs
- LAND1 Land contamination to be dealt with
- LAND2 Development to conserve trees and introduce new tree planting.
- MINERALS3 Surface coal resources

Neighbourhood Plans:

32 The Barwick in Elmet and Scholes Neighbourhood Plan was approved on 6th November 2017 and whilst it does not actually cover land within the application site, it is acknowledged that ELOR forms the western boundary of the Neighbourhood Area. The following policies have some relevance:

- LE2 Enhancing the public rights of way network (including the former railway line)
- BE3 ELOR green corridor

Supplementary Planning Guidance and Documents

33 The following SPGs and SPDs are relevant:

- SPD East Leeds Extension (2018)
- SPG22 Sustainable Urban Drainage (2004)
- SPD Designing for Community Safety (2007)
- SPD Sustainable Design and Construction: Building for Tomorrow Today (2011)
- SPG13 Neighbourhoods for Living (2003)

National Planning Policy

- 34 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied (para 1) and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). In order that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38).
- 35 The Framework sets policies on the following issues which are relevant to these planning application proposals (including section numbers):
- 2 Achieving sustainable development (paras 7-14)
 - 4 Decision making (paras 38 - 58)
 - 5 Delivering a sufficient supply of homes (60-77)
 - 8 Promoting healthy and safe communities (92-103)
 - 9 Promoting sustainable transport (110-113)
 - 11 Making effective use of land (119-125)
 - 12 Achieving well designed places (126-135)
 - 14 Meeting the challenge of climate change and flooding (152-169)
 - 15 Conserving and enhancing the natural environment (174-188)
 - 17 Facilitating the sustainable use of minerals (209-212)

KEY ISSUES:

- 36 Members are asked to comment on the proposals and to consider the following matters.

Scope of Consideration

- 37 The principle of bringing this site forward for residential development is well established through the site's long-standing allocation for housing and the granting of the outline permission in 2022. Furthermore, both the masterplan on the outline permission and the SPD for ELE show exclusively residential development within this area of the Middle Quadrant phase. Accordingly, there is no need to give further consideration to the principle of development. In addition, as details of access to the sites was approved as part of the outline application this matter is not for consideration
- 38 As these are Reserved Matters applications, they will seek the Local Planning Authority's approval of the detail of the proposed development and specifically in this instance matters of the appearance of the buildings, the landscaping of the site, the layout of the site and the scale of the buildings. As details of the design of the dwellings has been provided then matters of compliance with policies concerning housing mix (including the mix of affordable units), compliance with internal space standards and independent living all fall to be considered.

- 39 The government's Planning Practice Guidance gives the following definitions to these specific reserved matters:
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
 - 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
 - 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.
- 40 The layout broadly complies with the layout that was shown under the outline approval. However, there are discussions taking place with regard to particular "pinch-points" on the southern edge of the layout where the landscape buffer has been reduced and the layout requires some amendment to prevent the development becoming overly prominent particularly from Leeds Road. As set under the consultation section there are a few relatively minor points relating to the road layout and highway matters that are under negotiation.
- 41 It is considered broadly that the layout complies with the minimum space standards of the SPG Neighbourhoods for Living, and therefore there are few concerns that neighbour's amenity might be compromised by reason of loss of privacy or overlooking. The layout does not allow for some tree planting in the rear gardens of the development but most are at the minimum required depth according to the SPG Neighbourhoods for Living and thus it is not always practical.
- 42 The provision of Green Space was dealt with at the Outline stage and is conditioned to be provided within the various Reserved Matters applications to be submitted. The currently proposed layouts for the Taylor Wimpy site and the Cullen Land site shows policy compliant levels of provision of open and green spaces for the developments proposed.
- 43 The Design and Access Statement identifies that there is no prevailing traditional building style within the area; the local stock comprising largely housing from the mid-twentieth century according with nationally common styles. The challenge is, therefore, to establish a coherent style within the development that helps to create a distinct sense of place. It is suggested that to achieve this, requires a degree of confidence and consistency of response to the particular characteristics of this site.
- 44 Many different house types (17) are employed across two different character areas. It is considered that to make this work and read as a cohesive pair of neighbourhoods, a degree of restraint is required over all the other potential variables, such as materials.
- 45 Discussion have been held with the applicant's agent with regards to detailed design finishes of the various dwelling types proposed and the result of those discussions are presented to Plans Panel for their consideration. Mostly, in respect of the architectural detailing, they related to the insertion of window voids in some of the dwelling types to prevent large blank areas of brick work and in the case of the flats they are related to the provision of "frontages" where necessary so that the

block is a) more easily accessible for pedestrians from the main spine road, and b) do not give the appearance that the block has “turned its back” on the public realm.

- 46 The scale of the development is very much in line with what would have been anticipated in that it comprises a mix of two storey houses, some with dormers added to the roofspace and three storey blocks of flats. There are also a couple of bungalows proposed. The scale of the buildings is in keeping with the prevailing established residential character of the wider area.

Question 1: Do Members have any comments in respect of the layout and the appearance of the dwellings including the concept of two different character areas?

Design of the dwellings and housing policy considerations

- 47 As set out above, as the proposal presents details relating to design of the houses then whether the scheme complies with policies relating to matters such as housing mix, internal space standards and independent living fall to be considered.

Housing mix:

- 48 Core Strategy Policy H4 seeks to ensure that all residential development provide an appropriate mix of dwelling types and sizes. The explanatory text to the policy explains that the policy is deliberately worded to offer flexibility to have regard preferences and demand in different parts of the city. The explanatory text progresses and includes a table (Table H4) that identifies the preferred housing mix for a development including the split between houses and flats and for the proportion of units by size (measured by the number of bedrooms per property). The table identifies a preferred range, expressed in terms of a minimum and maximum percentage, and a target percentage. It is important to note that the table is not part of the Policy H4 but is there to help in the consideration of whether a proposal complies with the policy. Table H4 is repeated below with additional information added to show how the current proposals compare against the preferred range and targets:

Type	H4 Max (as %)	H4 Min (as %)	H4 Target (as %)	Proposal (units)	Proposal (as %)
Houses	90	50	75	246	84
Flats	50	10	25	48	16
Size	Max%	Min%	Target%		
1	50	0	10	10	2
2	80	30	50	83	28
3	70	20	30	104	35
4+	50	0	10	97	33
Total				294	100

In considering the above table, it is apparent that most provision falls within the minimum and maximum ‘range’ rather than hitting the preferred ‘target’. The exception to this is an under-provision of 2 bed dwellings at 28% rather than the minimum requirement of 30%. It is also notable that overall provision is weighted more heavily towards delivering larger family homes.

49 Housing mix is specifically conditioned as part of the outline permission and a Housing Mix report has been submitted. This housing mix report seeks to justify a greater proportion of larger properties coming forward across the Middle Quadrant than the targets suggest. It notes that there are currently more 2 and 3 bed properties in the area than in the rest of Leeds and against the national trend, and less 4 bed properties. It reports strong demand for family properties in this area. It also suggests that the figures in H4 don't reflect the updated 2017 SHMA and cites research by the Place Alliance that suggests that post-covid people have a greater desire for space at home. It also identifies that a significant proportion of the housing supply pipeline in Leeds is flats/apartments. Many of which will be focused in the City Centre.

50 The aim of H4 is to ensure a mix of provision across the whole city and whilst there are properties coming forward in the City Centre of 1 and 2 bed apartments, there is still a need for a good mix in provision in the outer areas also.

51 The crux of this matter is one of interpretation, in that there is a slight under provision of 2 bed properties when considered against the preferred range in Table H4. However, if the view is taken that the provision of 1 and 2 bed properties constitutes the provision of smaller units then the overall combined percentage provision is consistent with the preferred range.

Affordable Housing:

52 A total of 45 affordable units are proposed across the two applications which equates to 15.3% of the units. This satisfies the policy requirements of Policy H5 in terms of overall numbers.

53 The tenure split is not clearly identified at the time of writing this report and discussion are still ongoing with the developers on this matter.

54 The Affordable units are not a pro-rata mix in terms of the size and house types of the total housing provision:

Size	Proposal (units)	Overall Mix (as %)	Affordable mix (as %)
1	0	3	0
2	33	28	73
3	8	35	18
4+	4	33	9
Total	45	100	100

55 However, the Housing Mix report submitted with the associated discharge of condition applications justifies this discrepancy on the basis of the SHMA identifying that the need for smaller affordable homes is greater across the market more generally.

Houses for Independent living:

56 Policy H8 seeks to ensure that developments of 50 or more dwellings are expected to make a contribution to supporting needs for independent living. The Planning Policy Compliance Statement, submitted by the developers, does not specifically engage with Policy H8. It is recognised that specialist provision for older persons is being developed within the Northern Quadrant of the ELE, and that the number of M4(2) and M4(3) dwellings being provided on this site does exceed the minimum

requirements of H10. A total of 2 bungalow units are also being proposed, along with 16 ground floor apartments.

Minimum Internal Space Standards:

- 57 Policy H9 seeks to ensure that all new dwellings are compliant with Nationally Described Space Standards to ensure adequate living space for future occupiers. At present one of the smaller flats falls below the required size and a total of 5 units are to feature across the combined development. Officers are in discussions on this matter and consider that full policy compliance should be achieved.

Accessible Housing Provision:

- 58 Policy H10 relates to the provision of accessible housing and sets out minimum requirements. These are that 30% of dwellings will be M4(2) compliant 'accessible and adaptable' and 2% will be M4(3) 'wheelchair user dwellings'. These applications seek to significantly exceed these policy requirements with 265 dwellings identified as M4(2) compliant (90.1%) and 26 of dwellings will be M4(3) compliant (8.8%). Officers welcome this level of provision.

Question 2: Are there any comments Members would wish to make in respect of the housing mix?

Question 3: Are there comments Members would wish to make with regards to the affordable housing provision proposed?

Question 4: Are Members in agreement that all units should meet the minimum internal space standards?

Landscaping

- 59 The government's Planning Practice Guidance defines the landscaping reserved matter as follows:
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.
- 60 The Landscape masterplan submitted seeks to protect the main existing woodland situated between the disused railway and Cock Beck. Additionally, a linear landscape/wildlife corridor running along the western boundary and adjacent to Cock Beck is proposed and would link into similar proposals submitted as part of the Persimmon Homes application to the north. Also included within the wider landscape proposals is provision of 3 No. SUDs attenuation basins which will include a wetland meadow mix and aquatic marginal planting.
- 61 Tree planting is indicated along the entirety of the spine road and to a lesser degree on the roads off the spine road which is considered commensurate with the "hierarchy" of those roads.

- 63 Connectivity through the development in an east west direction is indicated and a connection through to The Stanks estate shown maintained at Wood Lane. This will provide a pedestrian link to the Spine Road and the East Leeds Orbital Route and beyond towards the northeast of the development.
- 64 Local play areas for each part of the site are indicated on the Landscape Master Plan and concern has been raised that their locations appear to be an afterthought with some located in positions that are simply left over from the remainder of the layout rather than having been considered as an integral part of the overall layout design.
- 65 There are 8 LEAP/LAP areas, and these encompass the majority of the proposed dwellings in terms of walking distances been within 100 metres for LAP installation and 400 Metres for LEAP installations. Only the northeast most part of the site consisting of circa 12 units does not lie within these distances although the Persimmon Homes layout does provide local provision.
- 66 A pump station is proposed adjacent to one of the SUD's features. Whilst directly overlooked by plots 127 and 128 which is positive, details of this infrastructure are awaited as the existence of security fencing and/or above ground pumping equipment could pose visual amenity concerns.

Question 5: Do Members have any comments in respect of the landscaping proposals?

CONCLUSION

- 67 As outlined above, Officers continue to work with the applicants to secure the best possible provision in relation to these applications. Members views will help to steer the direction of those discussions, particularly with regard to the design of the dwellings, housing mix, satisfaction of internal space standards, and landscaping proposals. This will then enable the applicants to work-up more detailed proposals for Panel's consideration. There are also a number of technical matters where work is ongoing, such as in relation to drainage and flood risk, and these need to be resolved before a recommendation can be made.
- 68 Members are therefore asked to note the contents of the report and are invited to provide feedback, in particular, in response to the key questions asked in the report above and as follows:

Question 1: Do Members have any comments in respect of the layout and the appearance of the dwellings including the concept of new different character areas?

Question 2: Are there any comments Members would wish to make in respect of the housing mix?

Question 3: Are there any comments Members would wish to make in respect of the affordable housing provision proposed?

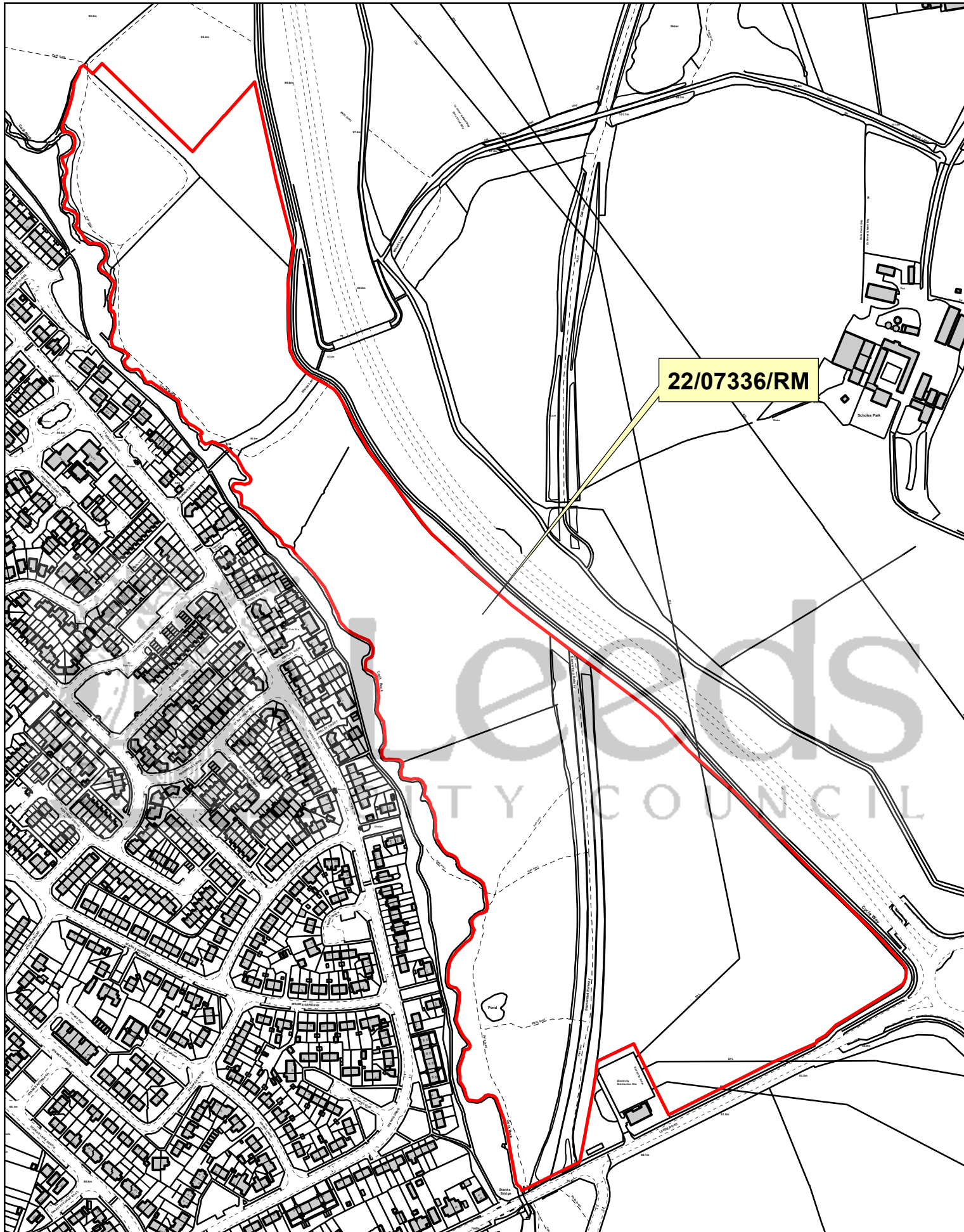
Question 4: Are Members in agreement that all units should meet the minimum internal space standards?

Question 5: Do Members have any comments in respect of the landscaping proposals?

Question 6: Are there any other matters, that relate to the scope of consideration of these applications, that Members wish to raise?

Background Papers:

Application files: 22/07335/RM & 22/07336/RM



NORTH AND EAST PLANS PANEL

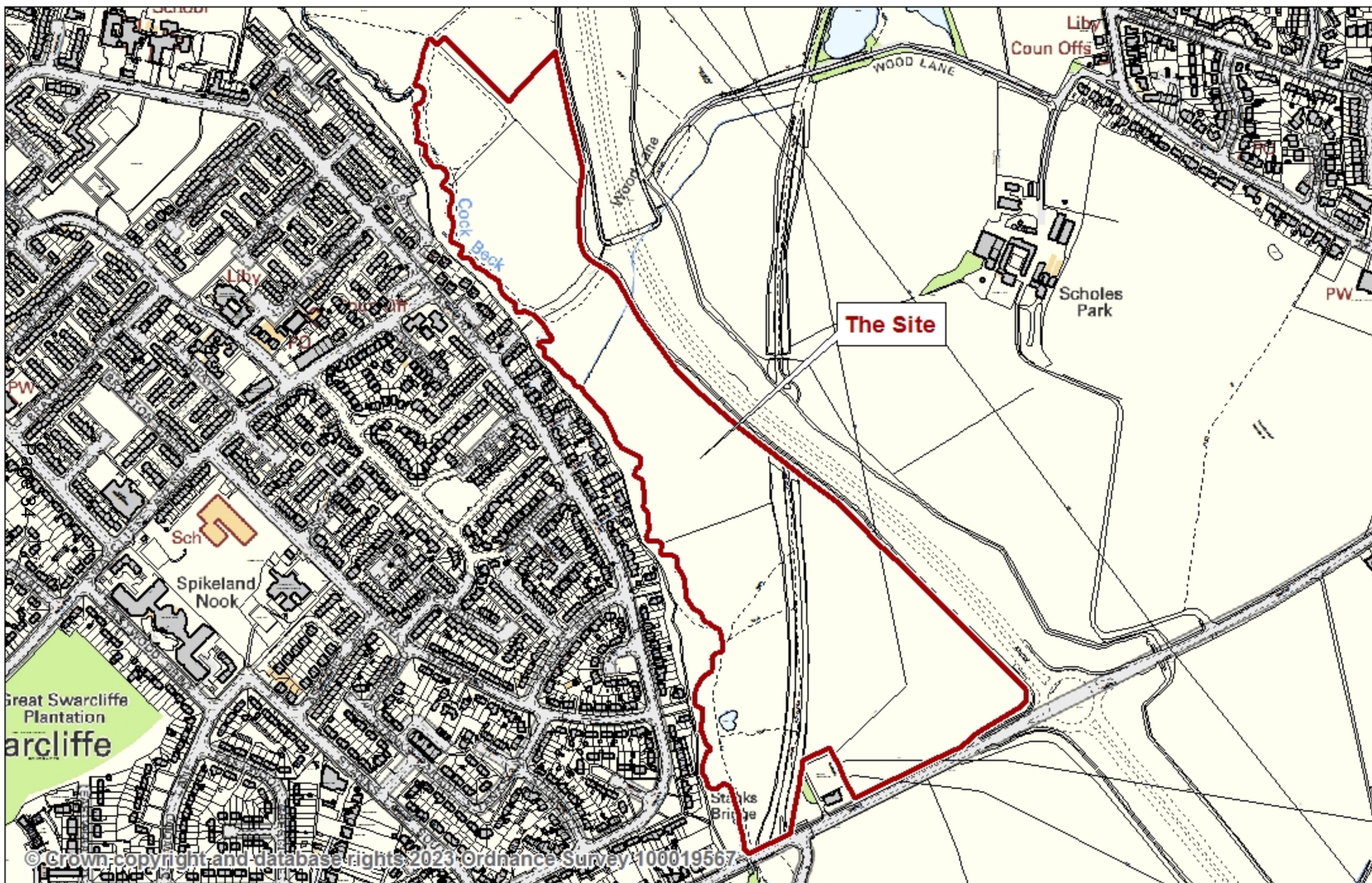
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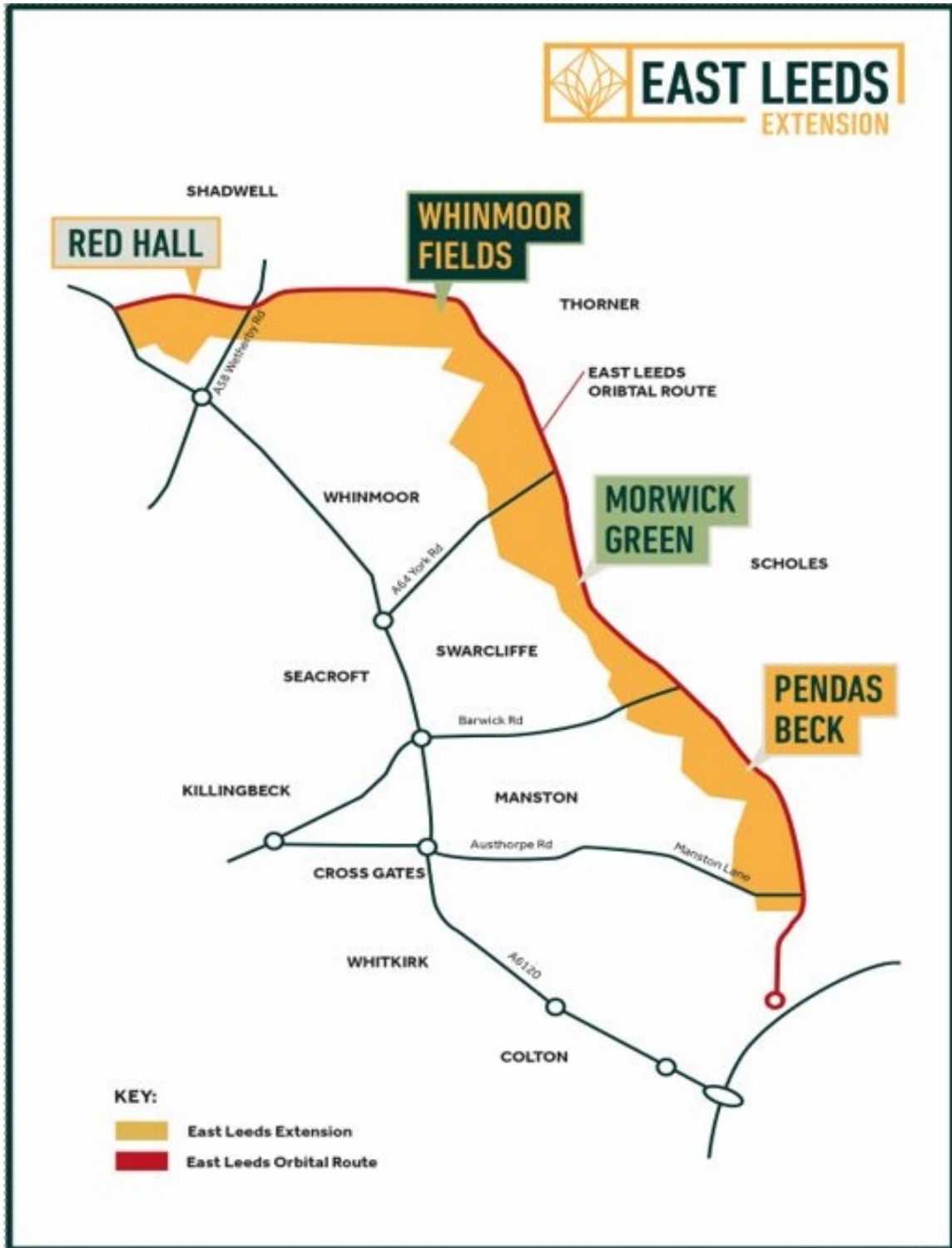


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PLANS PANEL PRESENTATION

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APPENDIX 1 (ELE QUADRANT PLAN)





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Originator: Umar Dadhiwala
Tel: 0113 37 82511

Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 29th June 2023

Subject: 22/07259/FU – Alteration and extension of existing dwelling including two storey extension to front, single storey extension to side and raising of roof height to create new pitched roof with dormer to front; two storey extension to side to create new living accommodation, parking garage and roof terrace; erection of new timber boundary fence; new landscaping and parking areas including erection of parking impact barrier and creation of vehicle passing area at The Bungalow, Wharfedale Street, Meanwood, Leeds, LS7 2LF

APPLICANT	DATE VALID	TARGET DATE
Mr L Riley	28.10.2022	23.12.2022 (EoT Agreed 6 th July 2023)

Electoral Wards Affected:

Chapel Allerton

Yes Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT planning permission subject to the conditions set out below (with amendments or addition to the same as deemed appropriate):

1. Standard time limit 3 years
2. Development to be built in accordance with the approved plans
3. Materials detailing to be approved and implemented
4. Landscaping details – including laying out of hard surface areas and vehicle spaces
5. Access road and passing place to remain clear of obstructions
6. New boundary treatments to be agreed and erected prior to building works in relation to the proposed extensions and alterations to the dwelling
7. Parking barrier details to be submitted and implemented prior to new adjacent car parking area coming into use.
8. Electric Vehicle Charging Point provision
9. Restriction to residential use as a single planning unit
10. Management Plan for future hobby use

INTRODUCTION:

1. This application is being presented to the North and East Plans Panel at the request of Councillor Jane Dowson (Chapel Allerton), with expressed support for doing so from Councillor Al Garthwaite (Headingley and Hyde Park). The application site falls within Chapel Allerton ward but is situated in close proximity to Headingley and Hyde Park ward. Given that the proposal concerns an application within Councillor Dowson's ward that she represents and to which Councillor Dowson considers that the development would have a significant effect on the ward – as detailed further below – it is considered that exceptions, as set out in the Officer Delegation Scheme, are met and it is appropriate to report the application to Plans Panel for determination.
2. Councillor Dowson has requested that the application be heard at Plans Panel on the basis that the proposal will impact on one of the cities wild green areas – namely Woodhouse Ridge. Councillor Garthwaite supports this view, expressing concern at the alleged actions of the applicant in relation to land outside of his ownership falling within designated public greenspace.
3. Woodhouse Ridge is a protected greenspace in Leeds' Site Allocations Plan and is covered by a number of policy designations relevant to its function. Concern has been expressed locally, including through Councillors Dowson, Garthwaite and former Councillor Walshaw, in relation to a number of unauthorised works allegedly carried out by the applicant on land which falls under the ownership and responsibility of the Council's Climate, Energy and Green Spaces service.
4. However, whilst there is obvious concern in relation to these matters from the Council, these are matters which are within the power of the Council's Climate, Energy and Green Spaces service to take appropriate enforcement action and which are being pursued by that Council team. The alleged actions of the applicant fall outside of the red line site boundary of the current planning application and should not be matters which influence the determination of the planning application. Planning law is clear on this point, namely that local planning authorities should not seek to withhold planning permission based on an applicant's previous behaviour or in an attempt to address issues which fall outside the purview of the planning application in front of them.
5. The current planning application seeks permission for significant alterations and extensions to the existing dwelling at the application site including landscaping, parking and access improvements. The proposals are considered acceptable when considered against the Development Plan and in light of all other relevant material planning considerations and, subject to the relevant conditions as outlined in this report, the proposals are recommended for an approval of planning permission.

PROPOSAL:

6. The application seeks permission for significant alterations and extensions to the existing house at the site in addition to associated landscaping, parking and access proposals.
7. The existing house will be extended to the front and side with a new, higher, pitched roof proposed. The new roof will include a new dormer window to front. In addition to this a substantial two storey extension is proposed to the east side of the existing dwelling and will accommodate new living accommodation at first floor level alongside

an external raised terrace area. At ground floor level the proposal will include a four car garage with a workshop and gym to the rear.

8. The proposals are intended to provide living accommodation for the applicant, his partner, and his son who are collectors and restorers of classic and vintage cars. The living accommodation will be in the form of the main dwelling and an ancillary annex with shared spaces within the building. The new parking garage and workshop area will be used by both the applicant and his son in pursuant of their hobby to restore classic and vintage cars.
9. The proposals will allow for improved living and working arrangements for the family and allow new landscaping and parking areas to be created within the site. A new timber panel fence is proposed to the site boundary to replace existing metal security style fencing and a new vehicle passing place is proposed on the access to the site.

SITE AND SURROUNDINGS:

10. The site is accessed via a long private drive connected to Meanwood Road. The site occupies an elevated position above Meanwood Road, which is a busy main highway, but is situated approximately 44 meters away from the road. The site lies within a mixed area in terms of land uses with predominantly residential properties to the west and immediately to the north with commercial premises to the north and east. Buildings within the proximity of the site are of various sizes and scales with the majority of residential properties being two or two and half storeys in scale. Dormer windows are a common feature of the locality.
11. The existing dwelling whilst described as a 'bungalow' sits on an elevated plinth and includes an existing lower ground floor. It is clear that the site has been utilised to serve the applicant and his son's hobby – to collect and restore classic and vintage cars – with aerial photographs of the site showing large numbers of vehicles parked at the site and along the access road at various points over the last two decades (the applicant has lived at the site for over 20 years).
12. The application site falls within the 'Woodhouse Ridge Key Corridor' of Strategic Green Infrastructure designated as such under Spatial Policy 13 of the Core Strategy. However, the application site falls outside, but is adjacent to, the Woodhouse Ridge public greenspace designation (Site Allocations Plan reference G160), the Woodhouse Ridge Urban Green Corridor designation (Saved Unitary Development Plan policy N8) and the Woodhouse Ridge Leeds Nature Area designation (Reference Leeds Nature Area 114).
13. It is clear that activities have taken place outside of land within the applicant's ownership but adjacent to the application site in recent history. The extent of these activities is however disputed by the relevant parties involved.

RELEVANT PLANNING HISTORY:

14. The following planning applications are relevant:

H34/116/90 - Detached store and garage, to dwelling (Approved 1990) (not implemented, no longer extant)
18/00094/FU - Demolition of bungalow and erect one house (Approved 2018) (not implemented, no longer extant)

15. The following planning enforcement case is relevant:

22/00166/UOPS2- Change of use of site for car storage and possible unauthorised development (Pending)

HISTORY OF NEGOTIATIONS:

16. In response to concerns raised by the Council in relation to the accuracy of the site ownership red line plan, the applicant has submitted a revised red line plan which has addressed relevant concerns.

PUBLIC/LOCAL RESPONSE:

17. The application was advertised via Neighbour Notification Letters Posted 7th November 2022.
18. Councillor Dowson has requested that the application be heard at Plans Panel on the basis that the proposal will impact on one of the city's wild green areas – namely Woodhouse Ridge. Councillor Dowson has also requested that Plans Panel members visit the site so that the impacts can be fully assessed. Councillor Dowson has noted in her representations that because the enforcement process relevant to the alleged activities of the applicant on Council owned land does not offer an avenue for local residents (including the Woodhouse Ridge Action Group (WRAG)) to have a voice that the application should be referred to Plans Panel to allow for local residents to have their say in a public forum.
19. Councillor Garthwaite has endorsed Councillor's Dowson's view as above. In addition to this Councillor Garthwaite has set out that having attended meetings of WRAG, the group has expressed concern that even in light of the inability of Plans Panel to resolve matters which falls outside of its remit, that having the application heard at Plans Panel will allow members of WRAG to put their views across in a public forum. Councillor Garthwaite also notes that she intends to pursue this further with the Council's Climate, Energy and Green Spaces service under whose remit it does fall separately. Furthermore, Councillor Garthwaite notes that what the owner of the application site does with his own property is not of a concern to WRAG.
20. Former Councillor Neil Walshaw has objected to the application on behalf of all the Headingley and Hyde Park Ward Members (at the time of objection this included himself, Councillor Garthwaite and Councillor Jonathan Pryor). Former Councillor Walshaw draws attention to the comments of WRAG noting that Headingley and Hyde Park Ward Members, at the time of writing, endorse those comments.
21. The Woodhouse Ridge Action Group (WRAG) has objected to the application. The following is a summary of the group's objections:
 - The group observed, and has photographic evidence, of red heras-style metal fencing extending beyond the applicant's boundary and into land owned by the Council leading to unauthorised enclosure of land, alongside the dumping of subsoil and excavated material (from the application site) onto Council owned land to the south of the site. These matters were reported to the Council's Planning Enforcement Team and the Council's Climate, Energy and Green Spaces service alongside local ward members;
 - The group has requested a plan be submitted by the applicant to show the line and nature of the intended enclosure of the application site with a suggestion that a more conventional fencing material (e.g. timber boarded fencing) be used;

- The group has requested that the applicant enter into a legal agreement with the local planning authority to remove unauthorised materials and fencing from land outside of the application site alongside returning the land to its previous state;
- The group has requested that planning conditions be introduced to prevent any unauthorised dumping or any other works to this land in the future.

22. Two letters of objection have been received from members of the public raising the following concerns:

- Fencing being erected on the site, which extends encroaches on land that is not owned by the applicant.
- Soil tipping on adjacent land.
- Waste being burnt on site.
- Frequent noise nuisance from the site
- Close proximity of the proposed parking spaces to 7 Wharfedale Avenue, could lead to damage if the vehicles misjudge and crash into the wall of the dwelling.
- Shared boundary wall with No7 Wharfedale Avenue should be repaired.
- Boundary hedges between Wharfedale Avenue should be retained
- Noise from the building works

CONSULTATION RESPONSES:

23. The Council's Highways Team has suggested a number of conditions to make the development acceptable including to control new surfacing, to prevent the obstruction of the access road and passing place, and in respect of electric vehicle charging points.

24. The Council's Climate, Energy and Green Spaces (formerly Parks and Countryside) team has offered comments in respect of the separate enforcement investigation relating to Council owned land to the south of the site. It is noted here that these comments are offered for information purposes as they do not relate to material planning considerations relevant to the consideration of the current planning application. The team note that, in response to complaints received that there has been (1) the erection of unauthorised fencing and enclosure of Council land, (2) the dumping of subsoil, and (3) the damage of flora to the south of the site, allegedly by the applicant, that separate site visits were undertaken by the relevant Technical Officer and Community Tree Officer to investigate these complaints. The conclusion from these site visits was that there was no evidence of work being undertaken on Council owned land with the exception of some minor shrub removal and the removal of two older tree stumps (noting that the trees to which the stumps related appeared to have been removed some considerable time ago). There was no evidence of tipping or the felling of trees on Council owned land at the time of the site visits. It was however evident that a heras-style fence had been erected on Council owned land without permission and the removal of this is currently being sought through, and actioned by, colleagues in the Council's Legal Team, on behalf of Council's Climate, Energy and Green Spaces team.

PLANNING POLICIES:

The Development Plan

25. As required by section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of decision-making in relation to this application, the Development Plan for this part of Leeds currently comprises the adopted Local Development Framework Core Strategy (2014, as amended by the Core Strategy Selective Review 2019), those policies saved from the Leeds Unitary Development Plan (Review 2006) (included as Appendix 3 of the Site Allocations Plan), the Site Allocations Plan (2019), and the Natural Resources and Waste Development Plan Document (2013 and 2015) (NRWLP).

26. The following policies from the Core Strategy are considered to be of most relevance to this development proposal:

- General Policy – Sustainable Development and the NPPF
- SP1 – Location of development
- SP13 – Strategic green infrastructure
- P10 – Design
- P12 – Landscape, quality and character
- T1 – Transport management
- T2 – Highway safety
- G1 – Green infrastructure
- G2 – Creation of new tree cover
- G4 – Green space improvement and new green space provision
- G6 – Protection and redevelopment of existing green space
- G8 – Protection of important species and habitats
- G9 – Biodiversity net gain
- EN8 – Electric Vehicle Parking Spaces

27. The following saved policies from the Unitary Development Plan are considered to be of most relevance to this development proposal:

- GP1 – Land use and the proposals map
- GP5 - Seeks to ensure that development proposals resolve detailed planning considerations, including amenity
- BD6 – All alterations and extensions should respect the scale, form, detailing and materials of the original building
- N8 – Urban Green Corridors
- N25 – Boundary treatments
- LD1 – Landscape schemes

28. The following saved policies from the Site Allocations Plan are considered to be of most relevance to this development proposal:

- GS1 – Designation/protection of green space

29. The following saved policies from the Natural Resources and Waste DPD are considered to be of most relevance to this development proposal:

- General Policy – Designation/protection of green space
- WATER7 – Surface water run off
- LAND2 – Development and trees

Relevant Local Supplementary Planning Guidance/Documents

30. The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:

Householder Design Guide SPD (April 2012)
Building for Tomorrow Today: Sustainable Design and Construction SPD
(August 2011 and Update Note June 2020)
Neighbourhoods for Living SPG (December 2003 including memorandum to 3rd
Edition August 2015 and Update Note June 2020)
Transport SPD (February 2023)

Other Relevant Documents

31. Other relevant documents include:

Guideline Distances from Development to Trees (March 2011, revised February 2021)

National Planning Policy Framework

32. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
33. The following sections of the NPPF are most relevant for the purposes of determining this application:
- 2. Achieving sustainable development;
 - 4. Decision-making;
 - 12. Achieving well-designed places;
34. The Planning Practice Guidance (PPG) provides commentary on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted; enforceable; precise and reasonable in all other respects.

CLIMATE EMERGENCY:

35. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.
36. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
37. As part of the Council's Best City Ambition, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.

PUBLIC SECTOR EQUALITY DUTY

38. The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. The requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.
39. In this instance it is considered that the proposals do not raise any specific implications in these respects and therefore it is not considered that a full Equality, Diversity, Cohesion and Integration Impact Assessment (EDCI) is required.

MAIN ISSUES:

40. The following main issues have been identified:
- (1) Relevant Material Planning Considerations
 - (2) Relevant Planning History
 - (3) Strategic Green Infrastructure
 - (4) Design and Character
 - (5) Residential and Other Amenity
 - (6) Highways and Parking
 - (7) Representations
 - (8) Other Matters

APPRAISAL:

- (1) Relevant Material Planning Considerations
41. As is outlined above, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is important to be clear in this context what may constitute a material planning consideration in this instance.
42. As is detailed earlier in this report, the concerns of objectors, including WRAG, and local ward members principally relate to activities which have been allegedly undertaken by the applicant outside of the application site. Indeed, Councillors Dowson and Garthwaite, in addition to WRAG, in written representations to the Council, set out that they have no concerns in relation to the development proposals within the red line site boundary – that is the redevelopment of the property and the associated landscaping, parking and access works which are the subject of this planning applications.
43. Furthermore, it is understood from written submissions from Councillor Garthwaite that WRAG support the amendment put forward by the applicant during the course of negotiations to erect a timber boarded fence along the boundary of the application site as part of the current proposal.
44. As such, the remaining area of concern from WRAG and local objectors relate to the unauthorised works allegedly undertaken by the applicant outside the application site.

45. It is important to consider two factors here. The first is that what is before the local planning authority is the proposal for consideration at the application site. The proposals do not include the land outside the application site, which is relevant to the concerns of WRAG, local objectors and ward members. Neither can the local planning authority require the applicant to include this land within his submission so that other matters could be considered under the umbrella of the application.
46. The alleged unauthorised activities are under current investigation by the Council's Climate, Energy and Green Spaces service who have appropriate enforcement powers to take action as they see fit to address relevant matters (an update is offered in this respect at paragraph 24 of this report). The Council has, correctly, identified that the correct mechanism to take action is not within its role as the local planning authority, but as its role as the landowner. Given this is the case, it falls outside of the powers of the local planning authority, or Plans Panel acting within its role as decision maker here, to give significant material weight to such considerations. Whilst, understandably the Council has, and Plans Panel members are likely to have, concerns in relation to what has taken place outside the application site, the planning system does not serve to address other unauthorised activities which can and should be addressed through relevant powers under other 'non-planning' legislation – as is being actively pursued by the Council's Climate, Energy and Green Spaces team here.
47. This brings us on to the second matter. Local ward members have identified that the enforcement process which is relevant to such matters does not include a public forum for discussion and engagement with WRAG and other interested parties. As such local ward members have expressed a view that because the local planning authority has a planning application in front of it for determination, that to have the application heard at Plans Panel, would allow local concerns to be raised in a public forum albeit in relation to other 'non planning' matters. However, it is important to note that it would be inappropriate for Plans Panel, notwithstanding that it does not have any powers to take action in these circumstances for the reasons noted above, to be utilised for such a purpose. Plans Panel serves as a decision-making body on behalf of the local planning authority – it should not serve to seek to police other matters which fall outside of its remit. In addition to this, Plans Panel members must be mindful that planning law is clear that the planning system should not be used by local planning authorities, including Plans Panels, as a reason to withhold planning permission on the basis of previous actions of an applicant or as a forum to seek other unrelated action against an applicant. Such matters are straightforwardly not a material planning consideration which can be taken into account as part of the decision-making process.
48. Planning officers have sympathy with the position of WRAG, local residents and local ward members here in relation to the matters raised and the frustration caused in relation to activities which have taken place outside of the application site. It is also understandable that comments offered are seeking to have matters heard in a public forum which allows local voices to be heard. However, these matters have no material relevance to the consideration of the current application and Plans Panel does not serve such a purpose. Local ward members have been advised on these matters by planning officers as part of discussions.
49. This also extends to matters raised by WRAG in relation to the potential use of planning obligations (section 106 legal agreements) or planning conditions. It would be inappropriate to use such mechanisms to seek to resolve matters which fall outside of the application site and are not reasonably related to the planning application being considered. In relation to planning obligations such obligations must be (1) necessary

to make the development acceptable in planning terms, (2) directly related to the development, and (3) fairly and reasonably related in scale and kind to the development. These three requirements are set out as statutory tests at Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the NPPF. The use of a planning obligation here – as proposed by WRAG - would fail to meet any of the three requirements, noting that all three would need to be met. In relation to planning conditions, national planning policy (Paragraph 55 of the NPPF) includes six tests for conditions; that they are (1) necessary, (2) relevant to planning, (3) relevant to the development to be permitted, (4) enforceable, (5) precise, and (6) reasonable in all other respects. The use of conditions here – again as proposed by WRAG - would fail to meet a significant number of these tests, noting that all six would need to be met.

- 50.. On a final note in relation to the aforementioned matters, it is noted that the applicant has expressed a willingness to resolve the matters raised in relation to land outside of his ownership through the proper processes for doing so. This is ultimately be a matter for colleagues in the Council's Climate, Energy and Green Spaces service to pursue – as they are doing through the appropriate mechanisms. It is also noted that, whilst these matters are not considered to be relevant materials planning considerations which can be afforded any weight in the consideration of the current application, that the proposal, if granted planning permission, is likely to act as a driver for positive action in relevant respects. The Council, acting in its role as local planning authority, can, for example, seek to control the delivery of the new boundary treatments at the site – supported by WRAG and local Ward Members – to ensure that these are delivered as part of the development. There are also wider benefits likely to arise as a result of the proposal, including in tidying up the appearance of the site and in making a positive contribution to wider amenity, including that of the Woodhouse Ridge Key Corridor, as set out further in this report.

(2) Relevant Planning History

51. As is set out in the Relevant Planning History section of this report, the site was previously granted planning permission for a replacement house in 2018 (18/00094/FU). Whilst the Council understands that the planning permission has lapsed and so this cannot be afforded any material weight as a fallback position, it is helpful to note that the proposals were supported in principle for a replacement house at the site of a not dissimilar nature to that which is now before the local planning authority.

(3) Strategic Green Infrastructure and Biodiversity

52. As noted in the Sites and Surroundings section of this report, the application site sits within the Woodhouse Ridge Key Corridor as designated by Spatial Policy 13 (Strategic Green Infrastructure) of the Leeds Core Strategy. Spatial Policy 13 sets out that within key corridors development is expected to enhance corridor functions, including in relation to biodiversity. Core Strategy Policy G1 stipulates that development should retain and improve existing green corridor functions, particularly in areas experiencing growth. There exist a number of other relevant policies within the Development Plan which serve to protect flora and fauna and provide enhancements with Core Strategy policy G9 (supported by the NPPF) requiring a net gain to be achieved for all development proposals in respect of biodiversity.
53. The proposal includes new landscaping proposals including the planting of trees and other vegetation at the site. It is considered that this will make a positive contribution to the wider corridor function of the land. Not only will this lead to an improvement visually but this will also provide for a better assimilation into the wider corridor land alongside providing for an appropriate biodiversity net gain at the site.

54. As such the proposal is considered to be in keeping with relevant Development Plan policies and guidance including Core Strategy policies SP13, G1 and G9 and the NPPF in relevant respects.

(4) Design and Character

55. As noted in the Sites and Surroundings section of this report, the application site sits within a mixed area in terms of surrounding land uses but notably surrounding residential properties are predominantly two or two and a half storeys in scale with dormer windows being a common feature of the locality. The application site itself is of a generous size and it has previously been accepted that it could reasonably accommodate larger buildings (planning permission 18/00094/FU).

56. The proposed alterations and extensions to the building are significant in nature. However, it is not considered that these will overdominate or overwhelm the site given the above. It is also considered that the extensions represent a sympathetic form of development which is reflective of the surrounding built environment. The extended and altered dwelling would include living accommodation for the applicant and his partner and, in separate ancillary accommodation, his son. The proposed alterations to the main building will retain its simple rectangular footprint and pitched roof, allowing it to blend with neighbouring buildings that also feature traditional pitched roof rectangular forms. While the two-storey extension is of considerable size, it will have a similar pitched roof and rectangular shape and include a link between the two main habitable areas. Furthermore, the use of matching materials will ensure a cohesive integration of the two structures.

57. It is also noted that the site is not prominent in any wide-ranging public views. Although the dwelling will be positioned significantly above the main highway (Meanwood Road) and visible from it, the distance of approximately 44m from the highway edge means that the proposal is not expected to be overly prominent. Therefore, its impact on the visual amenity of the road will not be significant. Similarly, the dwelling will be situated approximately 22m away from the highway edge of Wharfedale Street, providing a comfortable separation distance that ensures it does not appear prominent or have a significant impact on the character of the street.

58. When viewed from the protected greenspace and public right of way to the north, the development will be situated considerably below the level of the footpath and will be seen in context with the other built developments to the south, east, and west of the site. Additionally, the massing of the dwelling will be screened and softened by mature vegetation and the proposed fencing. As a result, it is anticipated that the proposal will not appear intrusive or out of character from the perspective of the public right of way.

59. Significantly, whilst the proposal includes extensive new built development at the site, it does so alongside a sympathetic proposed landscaping arrangement. The proposal will not only introduce more sympathetic boundary treatments but also include soft landscaping areas, tree planting and other vegetation which will represent a significant improvement on the site's current appearance. These matters are appropriate to control by way of planning condition.

60. The proposals also include the provision of a parking barrier within the site alongside a formalisation of parking areas and the access road (the latter including the formulation of a vehicle passing place). These are appropriate within this context and relevant matters can be controlled by condition.

61. On the whole, it is considered that the proposed alterations, extensions and associated works represent an acceptable form of development which will respect the character of the existing property and wider streetscene, the proposal will meet the wider aims of Core Strategy policies SP13, P10 and P12, saved UDP policies GP5 and BD6, policy HDG1 of the Householder Design Guide, and the guidance contained within the NPPF in these respects.

(5) Residential and Other Amenity

62. Development proposals should seek to reasonably protect the amenity of both existing and future residents alongside the amenity of other neighbouring sites in different uses.

63. The proposed extensions and alterations will be situated approximately 17.5m away from the nearest dwelling at 2 Wharfedale Street. This separation distance is deemed adequate to prevent any negative impact on neighbouring amenity in terms of overshadowing/loss of light, overdominance/loss of outlook or overlooking/loss of privacy. The proposed roof terrace will be situated to the south of a site most recently in use as a children's nursery to the north, but the separation distance retained to that site of 6.5m is considered to be appropriate given the nature of the neighbouring land use.

64. As a result, the proposal raises no concerns in relation to this or any other neighbouring site in terms of such amenity impacts. Furthermore, the proposals will provide for a good level of amenity for the applicant and any future occupiers of the development. As such the proposal is acceptable in amenity terms and can be considered to meet the wider aims of Core Strategy policy P10, saved UDP policy GP5, policy HDG2 of the Householder Design Guide, and the guidance contained within the NPPF in these respects.

(6) Highways and Parking

65. As is set out earlier in this report, the circumstances at the application site are relatively unusual in that the applicant and his son collect and restore classic and vintage cars as a hobby. The aerial photography of the site over the last 20 years show – at various times – that this hobby has included the storage of a large number of vehicles at the site. It is helpful to note here that whilst it is unusual to have such a large number of vehicles at any one time for the purpose of a hobby, not only has this situation clearly persisted for some time at the site, but the Council can find no evidence that this is part of a commercial operation that would suggest this goes beyond a hobby in this context. As such the considered conclusion here is that the nature of the activities do relate solely to the hobby of the applicant and his son.

66. Putting aside the matter of the applicant's hobby, in normal circumstances new car parking provision for a development of this scale and nature would only attract a requirement to provide for a modest number of car parking spaces – almost certainly less than the seven formal parking spaces proposed here (consisting of four parking spaces in the proposed garage and three to the driveway area to front). In normal circumstances therefore, the proposal would include for an overprovision of on-site car parking spaces.

67. However, the evidence before the Council, that a large number of vehicles are likely to be stored at the site once the development is completed means it is sensible to consider whether the proposals could reasonably meet this need. With this in mind, the applicant has set out that the intention post development is that no more than 12 vehicles will be present at the site at any one time. Given that this will go beyond the

seven formal spaces available, the Council subsequently asked the applicant to offer clarity on where the additional five vehicles will be parked/stored.

68. In response the applicant has set out that, in addition to the seven formal spaces proposed, it is expected that the workshop area will be sufficient to store three vehicles in the process of being repaired/restored and there is further potential for up to two vehicles to be parked to the front of the garage and up to four vehicles to be parked to the front of the main house. This will provide for a combined total of up to 16 formal and informal parking spaces at the site.
69. The applicant's response in this respect is considered to have addressed any relevant concerns and officers consider, particularly bearing in mind these activities are somewhat longstanding at the site at present, that this would provide for an acceptable solution which would represent an improvement over the existing situation. As such the proposals are considered to provide for an adequate level of on-site parking that are responsive to the unusual circumstances in this instance without leading to harmful highway impacts. Furthermore, it is considered that the formalisation of the parking arrangements through the development will address some of the concerns resulting from the haphazard way vehicles are stored at the site at present. The Council's Highways team has also suggested that a condition be attached to any permission granted requiring details of electric vehicle charging point(s) to serve the development and it is considered this is appropriate in the circumstances. It is also considered appropriate to agree further details with the applicant as to how the site will be managed in future if the development proceeds through planning condition. Such a condition would look to agree measures to limit noise and disturbance to nearby neighbours.
70. The proposed alterations to the private access road to the site – to provide for a vehicle passing place – are also considered to be an improvement over the existing situation. Further to advice from the Council's Highways Team, it is considered appropriate to control works relating to the resurfacing of the relevant section of this access road. It would also be appropriate to attach a condition to any planning permission granted to ensure that the access road and passing place remain free of obstruction to provide a safe and usable access, not only for the applicant but also for vehicles visiting the site or for emergency vehicles. In addition to the proposal addressing some of the existing parking concerns at the site, it is also considered that this will go some considerable way to addressing concerns in relation to the obstruction of the access road which has occurred in recent history.
71. As such the proposal is acceptable in parking and highway terms and can be considered to meet the wider aims of Core Strategy policies P10 and T2 saved UDP policy GP5, and the guidance contained within the Transport SPD and NPPF in these respects.

(7) Representations

72. As is noted in the Public/Local Response section of this report the application has attracted comments from Councillors Dowson and Garthwaite and objections from former Councillor Walshaw on behalf of himself and Councillors Garthwaite and Pryor, from the Woodhouse Ridge Action Group (WRAG) and from two local residents.
73. The substantive points made through these representations in relation to the activities which have occurred outside of the red line site boundary are discussed in Section 1 of this appraisal. It is noted that the applicant has amended the red line site boundary and proposed timber boarded fencing to the site boundaries in response to matters relevant to the planning application. Furthermore, the applicant has responded to

concerns raised in relation to the proximity of proposed parking spaces to the residential site at 7 Wharfedale Avenue (including the potential risks of vehicles colliding with the dwelling's wall) through an amendment to the scheme to install a parking barrier within the application site. The applicant has also set out in writing his commitment to work with the Council in relation to matters outside of the application site.

74. Additional concerns have been raised in relation to noise and waste management at the site and in relation to noise from building works that would result from the granting of planning permission. In the first respect, the proposal would be for residential extensions and alterations and whilst these would allow for the continuation of the applicant and his son's hobby to restore vintage and classic cars, these would not amount to a commercial use of the site which would raise concerns in relation to noise and waste management. Any permission granted would be controlled to prevent a commercial use of the site and to ensure appropriate management of the site in the future. Furthermore, it is helpful to note here that not only could these activities continue at the site under the current arrangements, but that the granting of permission for an internal garage and workshop area should assist in tackling noise issues in particular by moving such activities indoors. In the second respect, the proposed development is relatively modest in the context of the requirements of the construction phase and it is not considered, as a result, that this will lead to unreasonable noise and disturbance, notwithstanding that existing government legislation governing building operations already ensures that appropriate measures are in place to minimise disturbance to neighbours during the construction process.
75. The suggestions made in respect of the future repair and maintenance of the shared boundary wall with 7 Wharfedale Avenue and the retention of the boundary hedge along Wharfedale Avenue are noted. In respect of the latter, the proposal does not include the removal of the hedge. In respect of the former, this would be a civil matter between the parties involved rather than a matter which should be controlled through the planning process.

CONCLUSION:

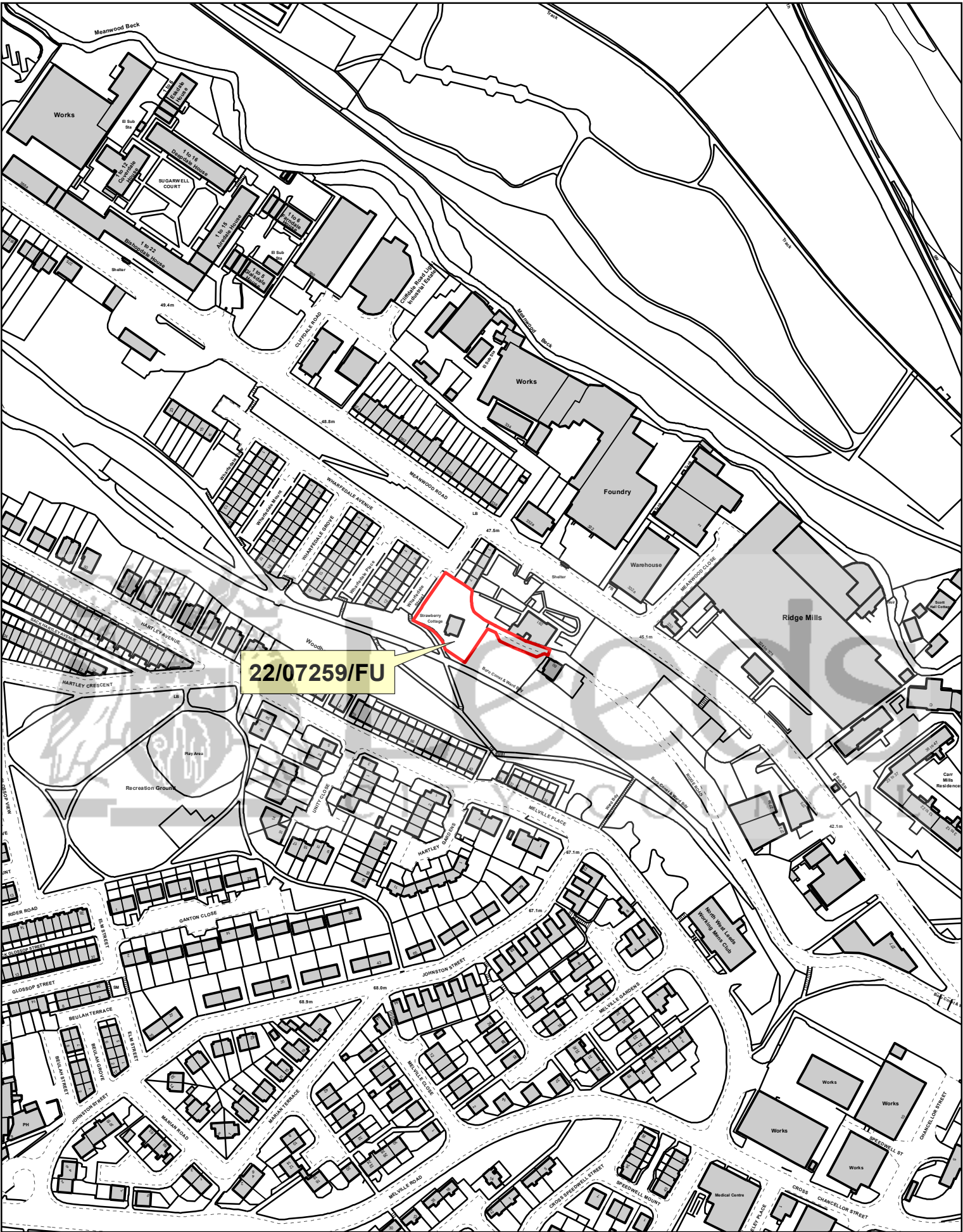
76. The proposal represents significant alterations and extensions to the existing house at the site in addition to associated landscaping, parking and access proposals. However, it is considered that the proposals have addressed all relevant material planning considerations and are in-keeping with the requirements of the Development Plan and other relevant policies and guidance.
77. The proposals will lead to material improvements at the site in terms of its corridor function within the wider Woodhouse Ridge Key Corridor as designated by Core Strategy policy SP13 through new landscaping and the planting of trees and other vegetation. Existing hedges at the site will be retained. This will lead to visual amenity and biodiversity benefits including allowing for a net gain to be achieved for biodiversity commensurate with policy G9 of the Leeds Core Strategy.
78. The new built form at the site has been designed sympathetically for its context and will allow for the applicant, his partner and son to live at the site and fulfil their hobby to collect and restore classic and vintage cars in a space fit for purpose and which should lead to material improvements for not only the applicant but for nearby residents in terms of noise and disturbance. The proposals do not lead to any significant concerns in respect of neighbouring amenity or in terms of car parking provision or impacts to the highway. Indeed, in respect of car parking and matters

relating to the use of the access road to the site, it is considered that the proposal will lead to a betterment over the existing situation.

79. Whilst comments raised by local ward members and the Woodhouse Ridge Action Group in relation to alleged activities which have occurred outside of the application site, including unauthorised works likely to have caused harm to Council land which is protected by a number of planning policy designations (protected public greenspace, urban green corridor, Leeds Nature Area) are noted, and a great deal of sympathy is held by planning officers in respect of relevant matters, for the reasons set out in this report, these do not form material planning considerations which can be afforded any significant weight in relation to the consideration of the proposal. The Council's Climate, Energy and Green Spaces team are already taking appropriate action under relevant powers to address these concerns through the appropriate mechanisms for doing so. Neither is Plans Panel an appropriate forum to air grievances which should be addressed through relevant 'non-planning' processes. As such they would not be reason to refuse the application.
80. As a result and taking into consideration all the aforementioned and other relevant considerations, the proposal is recommended for a planning approval, subject to the conditions noted at the start of this Report and amendment of/additions to the same as deemed appropriate.

BACKGROUND PAPERS:

81. Application file reference: 22/07259/FU
Certificate of ownership: Cert A signed by the Agent



22/07259/FU

NORTH AND EAST PLANS PANEL





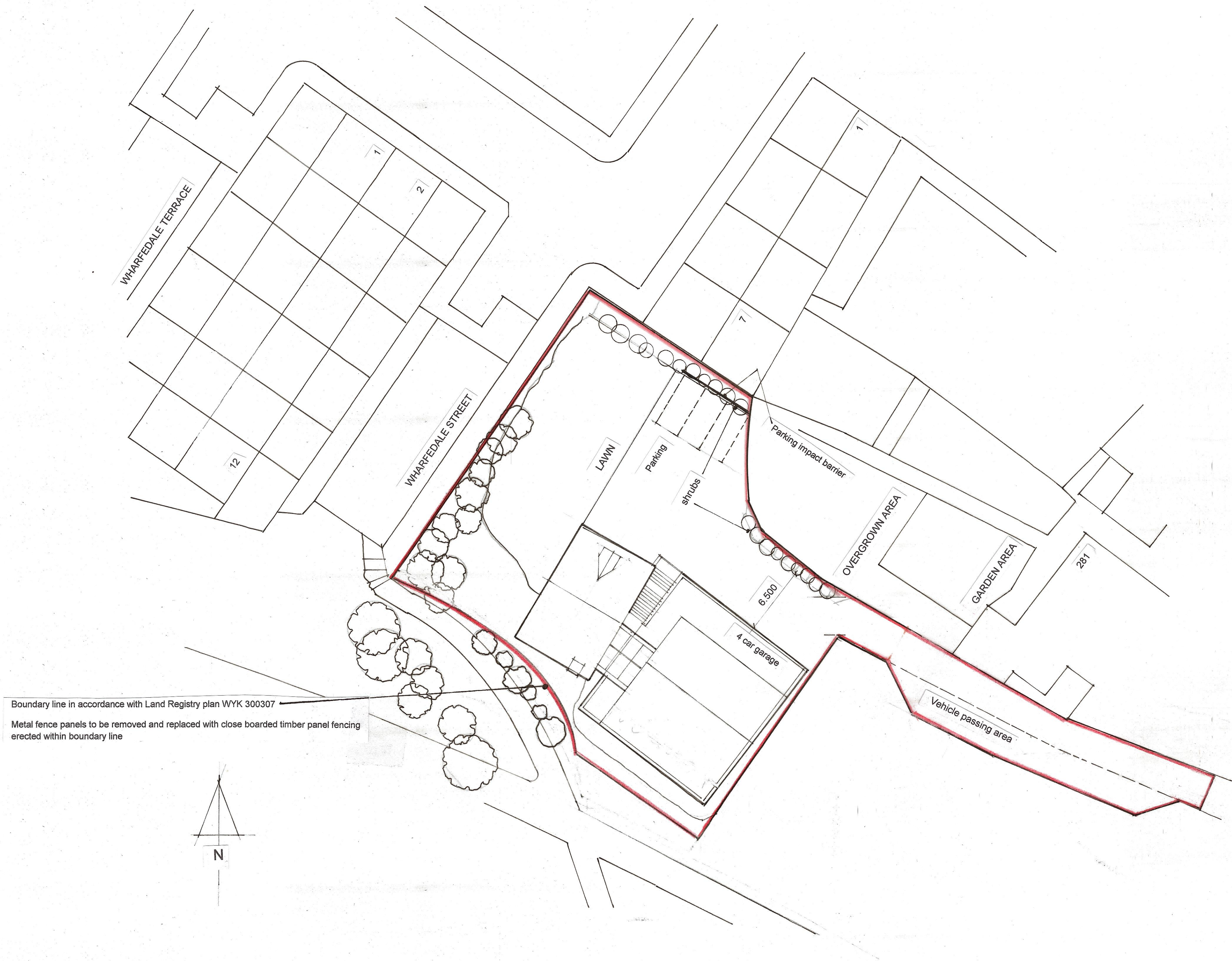


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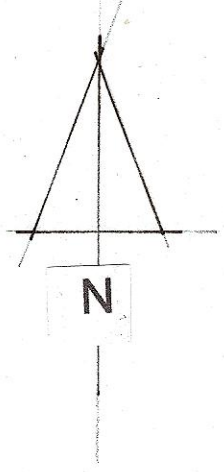
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PLANS PANEL PRESENTATION

SCALE 1:2500



Boundary line in accordance with Land Registry plan WYK 300307
 Metal fence panels to be removed and replaced with close boarded timber panel fencing erected within boundary line



A boundary line amended

planning unit ARCHITECTURAL SERVICES · DESIGN · PLANNING 16 chequerfield ave • pontefract • wf8 2tb	PROJECT	SCALE 1:200 @ A1
	THE BUNGALOW WHARFEDALE ST LEEDS	DATE
	TITLE	SEPT 2022
	SITE BLOCK PLAN	DWG NO
		22-475-06

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