



NORTH AND EAST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 27th May, 2021
at 1.30 pm

MEMBERSHIP

Councillors

B Anderson

G Almass

Flint

C Gruen (Chair)

A Lamb

M Midgley

E Nash

N Sharpe

R. Stephenson

Whips Nominee Liberal Democrats

Whips Nominee Garforth & Swillington Independents

This meeting will be held at the Civic Hall, Leeds. Due to current restrictions arising from the pandemic, there will be very limited capacity in the public gallery for observers of the meeting. This meeting will be webcast live via the link below, however if you would like to attend to observe in person, please email (FacilitiesManagement@leeds.gov.uk) to request a place, clearly stating the name, date and start time of the committee and include your full name and contact details, no later than 24 hours before the meeting begins. Please note that the pre-booked places will be allocated on a 'first come, first served' basis and once pre-booked capacity has been reached there will be no further public admittance to the meeting. On receipt of your request, colleagues will provide a response to you.

Please Note - Whilst the rates of infection have come down, Coronavirus is still circulating in Leeds. Therefore, even if you have had the vaccine, if you have Coronavirus symptoms: a high temperature; a new, continuous cough; or a loss or change to your sense of smell or taste, you should NOT attend the meeting and stay at home, and [get a PCR test](#) . For those who are attending the meeting, please bring a face covering, unless you are exempt.

Note to observers of the meeting: To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=949&MId=11411&Ver=4>

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>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>	

Item No	Ward	Item Not Open		Page No
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>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 15TH APRIL 2021</p> <p>To consider the minutes of the meeting held on 15th April 2021, for approval as a correct record.</p>	5 - 12
7	Harewood		<p>18/06114/FU - ONE NEW AGRICULTURAL DWELLING WITH ATTACHED GARAGE AT LAND TO THE NORTH OF TRIP LANE, LINTON, WETHERBY.</p> <p>The report of Chief Planning Officer requests Members consideration on an application for one new agricultural dwelling with attached garage at Land to the North of Trip Lane, Linton, Wetherby.</p>	13 - 34
8			<p>DATE AND TIME OF NEXT MEETING</p> <p>The next meeting of the North and East Plans Panel will be on 24th June 2021, at 1:30pm.</p>	
9			<p>GUIDANCE FOR ATTENDING COMMITTEE MEETINGS WITHIN THE CIVIC HALL, LEEDS</p>	35 - 36
2				

Item No	Ward	Item Not Open		Page No
a) b)				

Third Party Recording

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.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

NORTH AND EAST PLANS PANEL

THURSDAY, 15TH APRIL, 2021

PRESENT: Councillor K Ritchie in the Chair

Councillors D Collins, D Jenkins, E Nash,
N Sharpe, M Midgley, T Smith, B Anderson
and K Brooks

CHAIRS OPENING COMMENTS

The Chair welcomed everyone to the remote meeting of the North and East Plans Panel.

The Chair requested that the meeting hold a minute silence to remember HRH Prince Philip, Duke of Edinburgh who had died on 9th April. He also passed on sincere condolences from the Panel to Her Majesty, The Queen and her family.

The Chair explained that internet connectivity may be an issue for some participants and suggested it may be appropriate to appoint a Deputy Chair who could assume the Chair should he lose connectivity.

The Chair proposed that Councillor Elizabeth Nash be nominated as the Deputy Chair, the proposal was seconded, upon being put to the vote the motion was passed.

The Chair invited the Legal Adviser to the Panel, Matt Hills to provide information on pre-election Purdah. The Panel were advised of the following:

As a result of elections being called for the 6 May, currently we are in the pre-election 'purdah' period.

The Chair has asked me to advise members that the purpose of the purdah period is not to prevent the Council carrying out its normal business, but it is to prevent the business conducted by the Council being used, or having the potential to be perceived as being used, to secure any electoral advantage.

As such, please treat this a normal Plans Panel meeting but be mindful of debate that amounts to or could reasonably be perceived to amount to electioneering.

77 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

78 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

79 Late Items

There were no late items.

80 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests. However, the following declarations of other interests were noted:

20/05669/RM – Application for reserved matters approval (appearance, landscaping, layout, and scale) for 163 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Mickelfield, Leeds. Cllr Midgley informed the meeting that she was one of the local ward councillors for Kippax and Methley. Her ward colleagues had been in consultation with the developers, but she had not taken part on the consultation process, so she was looking at this application with an open mind.

Also in relation to the above application Cllr Trish Smith declared that her son was a Co-Director of Avant Homes, but with no involvement in this region. Further, she had not discussed this application with him and came to the meeting with an open mind.

Cllr Jenkins asked that he be recused from item 8 - 20/08315/FU – Installation of a hard surfaced Pump Track for use by BMX's and other bicycles Rein Park, The Rein and Kentmere Approach, Seacroft, Leeds, LS14, due to the fact that he is a Ward Councillor for Killingbeck and Seacroft and did not have an impartial view. During this item Cllr Jenkins turned off his camera as is the protocol with remote meetings and took no part in the debate.

81 Apologies for Absence

Apologies were received from Cllr Almass. Cllr Brooks attended the meeting as his substitute.

82 Minutes - 18th March 2021

RESOLVED – That the minutes of the 18th March 2021 be approved as a correct record.

83 Matters arising

In relation to Minute 72 – Matters arising

Members had requested information in relation to the development at Mount St Marys Church, Church Road, Richmond Hill, Leeds, LS9 8LA. The Group Manager, David Newbury informed the Plans Panel that planning officers

Draft minutes to be approved at the meeting
to be held on Date Not Specified

were still investigating these matters, but was able to update on what was known so far.

With regard to the wall the applicant had said that they would take responsibility for that. Turning to the steps these are not within the ownership of the council. Ultimately, this means that the land owner is responsible for the steps. Previous planning applications dating back to 1998 indicate that the steps are owned by St Mary's School but Land Registry records were being searched to confirm this. It was noted that the Panel would be updated as and when more information was available.

84 19/07608/RM - Reserved Matters application for residential development (C3) for 129 dwellings at land at Leeds Road, Collingham, Wetherby, Leeds.

The report of the Chief Planning Officer presented a reserved matters application for residential development (C3) for 129 dwellings at Leeds Road, Collingham, Wetherby, Leeds.

Members were advised that further information had been received from the Environment Agency in relation to flood mitigation, with concerns raised on the sustainability for the development for its lifetime.

Officers requested that Members defer consideration of this application until they had been able to check the information and make the proper assessments with colleagues in Flood Risk Management.

Members were informed that should the further information lead to a significant revision of the scheme, officers would provide revised publicity with wider consultation.

RESOLVED – That the application be deferred to check the information provided by the Environment Agency and assess flood risk mitigation.

85 20/08315/FU – Installation of a hard surfaced Pump Track for use by BMX's and other bicycles Rein Park, The Rein and Kentmere Approach, Seacroft, Leeds, LS14

The report of the Chief Planning Officer requested Members consideration on an application for the installation of a hard surfaced Pump Track for use by BMX's and other bicycles at Rein Park, The Rein and Kentmere Approach, Seacroft, Leeds, LS14.

The Panel was shown slides and photographs throughout the presentation.

Members were informed of the following points:

- A pump track requires people to create momentum by going up and down mounds;
- This application had been brought to Panel due to the sensitivity of the proposal;

- The pump track would be located at the southern end of Rein Park, to the rear of properties located on The Rein and Kentmere Approach;
- Access to the park was via 'A' frames. It was noted that Parks and Countryside are currently reviewing access at parks, looking at access for all but also looking at safety. Members were advised that in future the 'A' may be made wider to allow access for all;
- The start of the pump track would be located close to the Multi-Use Games Area (MUGA) in the park. Members were advised of the location of a CCTV camera which is linked to Leeds Watch and would provide coverage of the proposed track and existing park area;
- The track would be made of crushed limestone with tarmac to the corners, the jumps and bumps would be in the downward part of the track. The bumps would be made of earth and would of the standard recommended to Olympic BMX cycle tracks.
- The track would be located at a minimum of 20 metres from the nearest property on The Rein. No external lighting would be provided, which would mean that the use of the track would mainly be in daylight hours;
- As part of the proposal, additional tree planting would be located to the east and western boundaries, with full details of this planting required by condition;
- It was acknowledged that a number of representations had been received in relation to the proposed pump track, with the main concerns being that the track would cause more anti-social behaviour and be used by motorcycles and quads. It was noted that the style of the track would require low speed and control to be able to manoeuvre the jumps. Those using motorcycles and quads would require more open space to gain speed;
- The highest aspect of the track would 2 metres and would be located on the corner sections;
- The Panel were shown photographs of the pump track at Fearnville.

Miss Edwards a resident of The Rein was in attendance at the meeting and presented her concerns as follows:

- The pump track is too big for the park;
- Too close to houses;
- Quads and motorcycles could use this track and do use the park currently;
- Will attract more anti-social behaviour. Youths gather on the park and there have been fights, some with knives, and bikes have been stolen;
- There is already a pump track located at Fearnville which is only half a mile away;
- The pump track is too niche and male orientated, the park should be for everyone.

Mr Woodcock, the applicants' agent attended the meeting and provided the following information:

- The pump track had been developed in consultation with the LS14 Trust, looking at potential improvements to Rein Park. The consultation

began in July 2019, since then there had been an interactive conversation with over 300 people of all ages from the local community. There had been an open session at Kentmere Community Centre, sessions in the Park, sessions at Bishop Young Academy, the Youth Café at the LS14 Trust, a questionnaire had also been sent to local residents;

- During the conversation, it was noted that the community wanted Rein Park to be improved to include; sport and health, youth provision, a play area, bike track/skate park, improved infrastructure, a food offering and a focus on nature;
- Members were advised that there is currently an application in for the proposed new play area which includes new toddler facilities, junior play and trim trail equipment;
- Within the park there is already a MUGA , sports pitch, performance area, as well as a picnic area and footpaths for dog walking and exercising;
- Consultation on the location of the pump track had been undertaken with local Councillors, residents and the LS14 Trust;
- It was noted that the location was 20 metres from the boundary line not from the houses, with trees planted to screen the track from the houses;
- In addressing concerns about anti-social behaviour Mr Woodcock said that it was well documented that pump tracks provided something for young people to do to relieve boredom and stopped them carrying out their frustration damaging equipment in parks;
- The CCTV camera captures a good proportion of the pump track area including the upper area near the MUGA.

Member's discussions included:

- Funding for the new pump track;
- Discussions and comments from local Ward Members;
- Feedback from all consultation that had been undertaken and that all comments had been taken into consideration;
- Access to the park in relation to emergency services;
- It was noted that the track did not cross any footpaths;
- It was also noted that West Yorkshire Police had been supportive of the scheme, as it would deter anti-social behaviour. There was also surveillance from the CCTV which had been installed for some time;
- Future projects to assist children and young people to take ownership and pride in the pump track.

Members recognised the concerns raised in relation to anti-social behaviour, but were of the view that the pump track would alleviate boredom, and welcomed this proposal.

RESOLVED – To grant permission subject to the conditions specified in the submitted report

86 20/05669/RM – Application for reserved matters approval (appearance, landscaping, layout, and scale) for 150 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Micklefield, Leeds.

The report of the Chief Planning Officer presented an application for reserved matters approval (appearance, landscaping, layout, and scale) for 150 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Micklefield, Leeds.

This application had been presented to the Plans Panel on 18th March 2021, but was deferred due to concerns in relation to the density on the site.

Members were advised of the following points:

- The applicant had agreed to reduce the number of units from 163 units to 150 units;
- Members were shown revised layout plans. Members heard that new site notices had been posted and consultation was ongoing with the local ward members and the community with the deadline for comments being 15th April. Acknowledgment of the revised plans had been received from Cllr Lewis with Cllr Harland included in the acknowledgement. It was noted that no comments had been made. The Parish Council had also acknowledged the revised plans and were positive about the changes that had been made but had flagged an issue which related to the link route through to Churchville Terrace, which had been moved slightly, and an objection had been received from the resident at 27 Churchville Terrace as the new link route utilised his driveway. This had been an omission and it was now proposed to widen the defer and delegate recommendation to allow for this issue to be revisited. Essentially the route would be moved westwards so that there was no direct impact on neighbours driveway;
- Chimneys had been added to all the houses along Church Lane frontage;
- Affordable houses had been reduced by 2 units but was still within policy;
- The same amount of green space would be available. There had been an over provision before the revision to reduce the density;
- Community Infrastructure Levy had been reduced to £835,339.34.

There were no speakers for this item on this occasion.

Responding to questions from Members, officers provided the following information:

- The consultation period for the site notices was due to close on the evening of the 15th April. It was noted that should any significant new issues which had not been heard before be raised, these would be reported back to the Plans Panel;
- The housing mix had been discussed at the meeting held in March, and it had been noted that the applicant had been in discussion with a registered provider in the area. The mix of Affordable housing was based on the need within the area;

- 6 x 3 Bed units;
- 13 x 2 Bed units;
- 4 x 1 bed apartments;
- Conditions 3 and 4 in relation to permitted rights development related to the properties along the southern boundary. Should owners wish to extend these properties in the future they would have to seek permission through a planning application. It was noted that none of these properties were affordable units;
- It was noted that the recommendation would be slightly modified to allow for the inclusion a revised plan to address with the link route through to Churchville Terrace.

Members' discussions included:

- Members appreciated that the developers had agreed to reduce the number of dwellings on the site;
- The plan was much improved for the residents in the area;

The Chair was of the view that it was right for the Members to raise concerns about the density and the contribution that they had made to this development.

RESOLVED – To defer and delegate reserved matters approval to the Chief Planning Officer, subject to expiry of the revised publicity period and no significant new issues being raised and an acceptable revised plan being provided in respect to Churchville Terrace link and subject to the conditions specified in the submitted report.

87 Date and Time of Next Meeting

The next meeting of North and East Plans Panel will be on Thursday 27th May 2021, at 1:30pm.

CHAIRS CLOSING COMMENTS

The Chair thanked Members for their contributions to the planning process throughout the year, which he said were thoughtful and incisive, with through debate.

He went on to thank officers including administration officers had worked hard in the background, particularly this year with the remote meetings.

He thanked all the planning officers, technical officers and legal advisers for their advice and support. He said a thank you to Adam Ward who is moving to South and West Plans Panel. He welcomed Ryan Platten to North and East Plans Panel.

He thanked the Group Manager David Newbury for his advice and expertise which he had valued.

The Chair wished everyone well for the future, with a hope to see them in the new municipal year.

The meeting concluded at 15:20



Originator: Steven Wilkinson

Tel: 0113 3787662

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 27th May 2021

Subject: 18/06114/FU - One new agricultural dwelling with attached garage at Land to the North of Trip Lane, Linton, Wetherby.

APPLICANT	DATE VALID	TARGET DATE
Mrs S. Kilby	10.10.2018	EoT – 28.05.2021

<p>Electoral Wards Affected:</p> <p>Harewood</p> <div style="border: 1px solid black; display: inline-block; padding: 2px 5px;">Yes</div> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION: REFUSE PERMISSION for the following reasons:

1. The Local Planning Authority consider that the proposed development would constitute inappropriate development within the Green Belt whilst also leading to a loss of openness and failing to assist in safeguarding the countryside from encroachment. No Very Special Circumstances are considered to outweigh this harm. In particular it has not be demonstrated that an essential need for a rural worker’s dwelling on the site exists. The proposal is considered contrary to saved policy N33 of the Leeds Unitary Development Plan (Review) 2006 and the guidance contained within the National Planning Policy Framework.

2. The Local Planning Authority consider that the proposed development given its nature and prominent location would urbanise and erode an area of high quality open landscape to the detriment of the character of the Special Landscape Area and the openness of the Green Belt, contrary to saved policies N33 and N37 of the Leeds Unitary Development Plan (Review) 2006 and the guidance contained within the National Planning Policy Framework.

INTRODUCTION

1. This application is brought to Plans Panel following a request from Councillor Stephenson who believes that the application deserves broader consideration by Panel Members. In particular, Councillor Stephenson has stated that 'unlike most planning applications that are determined principally with a judgement on material planning matters, the nature of this application is one that requires a judgment to be made, in part, on the personal circumstances of the applicant and the needs of their farming business'.
2. As the ward Member has raised material planning considerations that give rise to concerns affecting more than neighbouring properties one of the exceptions, as set out in the Officer Delegation Scheme, is met and it is appropriate to report the application to Plans Panel for determination.

PROPOSAL

3. The proposal relates to the construction of a large four bedroom detached dwelling with an attached double garage to the side/rear. The proposed dwelling is two storeys in height and will be constructed of stone under a pantile roof with painted timber door and window openings. The proposed design incorporates solar panels and a small entrance canopy to the front elevation.
4. The proposed dwelling is located centrally towards the front of a larger arable field which is owned by the applicant. The proposed garage is accessed via a driveway which extends from Trip Lane along the western part of the site before curving around the rear of the property. The main amenity space is proposed to the front and side of the dwelling which is south facing.
5. The applicant currently resides in a farmhouse off Jewitt Lane in Collingham which is tenanted. The proposal would effectively move the farmhouse and yard operations from Collingham to Trip Lane, Linton.
6. The applicant has stated that the dwelling will be occupied by themselves as an essential rural worker. Information has been submitted in the form of a Design and Access Statement, Planning Statement and various emails detailing the justification for the proposed development and personal circumstances relating to the application which are discussed in detail later within this report.

SITE AND SURROUNDINGS

7. The site comprises of a small part of a wider arable field which is open in nature. The site is situated approximately 250 metres to the west of the built up area area of Linton which is a small village with limited local services and facilities. The site lies within land designated as Green Belt and Special Landscape Area.
8. To the west of the site lies a couple of modern barn style agricultural buildings which are owned by the applicant. The buildings are used for the storage of machinery, the storage of grain and for the pressing of oil. The buildings are accessed from Trip Lane and have a yard area to the front. A Public Right of Way

is present to the west of the agricultural buildings which extends from Trip Lane northwards towards Wetherby Road.

9. To the north and east of the site lies the remainder of the arable field which is open and fairly flat in nature. Trip Lane which is situated to the south of the site is a narrow country lane with no road markings close to the site entrance.

RELEVANT PLANNING HISTORY

10. The recent planning history for the wider agricultural site relates to the construction of the existing agricultural buildings. The full planning history is as follows:
- 16/02556/DAG – Determination for detached agricultural building (*Approved - 2016*)
 - 14/06527/DAG - Agricultural Determination for extension to agricultural storage building (*Refused – 2014*)
 - 09/04645/DAG - Determination of agricultural storage building (*Prior Approval not required – 2009*)
 - H31/249/74/ - Outline application to erect detached dwelling house two workmen's cottages, fodder store, loose boxes and ancillary (*Refused – 1974*)
11. The detached agricultural building determined under 16/02556/DAG is currently in situ to the south-western part of the site.
12. A pre-application enquiry on the site was submitted in 2018 for a similar development to the current proposal. The Officer response stated that whilst the principle of development might be acceptable, should a full application be submitted, information should be provided to show there is an essential need for the dwelling to serve an agricultural worker.

PUBLIC/LOCAL RESPONSE

13. 22 letters of representation have been received in relation to the proposed development. 20 of the representations are in objection to the proposed development, with 1 letter in support and 1 general representation neither supporting nor objecting to the scheme.
14. The 20 letters of objection, including comments from Collingham with Linton Parish Council and Linton Village Society raise the following issues:
- Green Belt impact / No exceptional circumstances.
 - Lack of justification for the proposal
 - The dwelling is not required to support the adjacent buildings and small acreage
 - The current farm has no livestock, or crops which require 24 hour protection.
 - Concerns that current agricultural buildings at Trip Lane are not being used for an agricultural use.
 - Impact on the character of the village
 - Highway safety
 - Noise from generators

- Concerns in relation to further future development at the Trip Lane site, in particular if the applicant relocates the commercial (Wharfe Valley) parts of the Jewitt Lane site.

15. The letter of support is from the Tenant Farmers Association and raises the following points:

- Uncertainty over how long the existing rented farm will be available to the applicant.
- The current proposal is the most cost-effective way of replacing the current rented farmhouse.
- The applicant has a tenancy governed by the Agricultural Holdings Act 1986, in many circumstances this gives the tenant lifetime security of tenure however there are a number of exceptions whereby the landlord can gain vacant possession of the whole or part of the farm. One of these exceptions includes the situation where the landlord gains planning permission for a non-agricultural use, known as a Case B Notice to Quit (as set out in Schedule 3 of the Act). The current tenancy allows the landlord to use Case B to serve just three months' notice to end the tenancy on any part of the holding. This means there is the potential for the applicants to lose their farmhouse at very short notice.

16. Ward Members: As previously outlined a representation has also been received from Councillor Stephenson requesting that the application is determined at Plans Panel. The representation states 'unlike most planning applications that are determined principally with a judgement on material planning matters, the nature of this application is one that requires a judgment to be made, in part, on the personal circumstances of the applicant and the needs of their farming business. Maintaining the vitality of Leeds's rural economy requires the flexibility afforded to local planning authorities in the National Planning Policy Framework. Our city's farmers, particularly tenant farmers, already operate in a volatile market dependent upon the climate, international grain markets and fluctuating rental charges from often inflexible landlords'.

17. No other comments from ward Members were received.

CONSULTATIONS RESPONSES (SUMMARY)

18. Agricultural Surveyor – Objections, essential need for a rural worker has not been justified (this issue is examined in detail at paragraphs 47 to 64 and this section reflects the advice received).

19. Highways Officer – No objections subject to conditions.

20. Flood Risk Management – No objections, subject to conditions.

21. Contaminated Land – No objections, subject to conditions.

PLANNING POLICIES & LEGISLATION

Relevant Legislation

22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Local Development Plan, unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises of the Core Strategy as amended by the Core Strategy Selective Review (2019), Site Allocations Plan (2019), Natural Resources and Waste Local Plan (NRWLP) (2013) including revised policies Minerals 13 and 14 (2015), Aire Valley Area Action Plan (2017), saved policies of the UDPR (2006) and any made Neighbourhood Plan.

National Policy

National Planning Policy Framework (NPPF)

23. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan, and is a material consideration in planning decisions.
24. Chapter 12 - Achieving well-designed places, states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities, and that Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.
25. Paragraph 127 states that:
"Planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

26. Paragraph 130 states:
“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”
27. Section 13 of the NPPF relates to protecting Green Belt land. Paragraph 133 states *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*.
28. Paragraphs 143-146 of the NPPF are particularly relevant in relation to ascertaining whether the principle of development within the Green Belt is acceptable in any one instance. Paragraph 143 states that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*.
29. Paragraph 144 states *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*.
30. Paragraph 145 states *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- a) buildings for agriculture and forestry;*
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
 - e) limited infilling in villages;*
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”*.

31. Paragraph 146 outlines certain other forms of development which are also not inappropriate in the Green Belt (provided they preserve its openness and do not conflict with the purposes of including land within it). *“These are:*
- a) mineral extraction;*
 - b) engineering operations;*
 - c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
 - d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*
 - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order”.*
32. Paragraph 79 relates to rural housing and states *‘planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside...’*

National Planning Practice Guidance (NPPG)

33. Provides further detailed guidance on a range of planning issues, in particular in relation to Paragraph 79a of the NPPF and the essential need for a rural worker. Paragraph 010 (Reference ID: 67-010-20190722) of the Housing needs of different groups section of the NPPG states:

“How can the need for isolated homes in the countryside for essential rural workers be assessed?

Considerations that it may be relevant to take into account when applying paragraph 79a of the NPPF could include:

- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products); the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.*

Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings”.

Local Policy

Core Strategy, as amended (2019)

34. H2 - Relates to new housing development on non-allocated sites
P10 - Seeks to ensure that new development is well designed and respects its context
P12 - Landscape
T2 - Seeks to ensure that new development does not harm highway safety
G9 - Biodiversity improvements
SP1 – Location of Development
EN5 - Managing Flood Risk
EN8 - Electric Vehicle Charging Infrastructure
H9 - Minimum Space Standards for new dwellings

Natural Resources and Waste DPD (2013)

35. General Policy 1 General planning considerations
Water 4 Development in Flood Risk Areas
Water 6 Flood Risk Assessments
Water 7 Surface Water Run Off
Land 1 Land contamination

Linton Neighbourhood Plan (2014-2029)

36. The policies relevant to this proposal are:

Policy A1: Design of development
Policy B2: Access to facilities

Saved UDPR (2006) Policies

37. GP5 - Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
BD5 - The design of new buildings should give regard to both their own amenity and that of their surroundings.
LD1 - Seeks to ensure that development is adequately landscaped.
N25 - Seeks to ensure boundary treatment around sites is designed in a positive manner.
N33 – Refers to approval in the Green Belt to only be given for certain developments unless very special circumstances can be established.
N37 – Special Landscape Areas

Relevant Supplementary Planning Guidance

38. SPG Sustainable Urban Drainage
SPD Street Design Guide
SPD Leeds Parking
SPG Neighbourhoods for Living

Site Allocations Plan (SAP)

The SAP was 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 allocated and within the Green Belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight. The application site lies within the designated Green Belt, but is unallocated.

Climate Emergency

The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.

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 at paragraph 148 and footnote 48 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.

As part of the Council's Best Council Plan 2019/20 to 2020/21, 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.

MAIN ISSUES

39. The main issues relating to this development proposal are considered to be:
- The principle of the development / Green Belt / Essential rural worker needs
 - Special Landscape Area
 - Design and Character
 - Residential Amenity – Neighbouring residents
 - Residential Amenity – Future occupants
 - Highway Safety
 - Climate emergency
 - Representations

APPRAISAL

The principle of the development / Green Belt / Essential rural worker needs

Green Belt

40. The proposed development is located within the Green Belt. As outlined within the NPPF, the essential characteristic of the Green Belt is its openness and permanence. There is a presumption against inappropriate development except within certain circumstances. The NPPF (Paragraph 143) advises that inappropriate development is harmful to the Green Belt and local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
41. The construction of new buildings is inappropriate within the Green Belt, such that inappropriate development should not be approved except in very special circumstances. Exceptions to this are set out in Paragraphs 145 and 146 of the

NPPF. Saved UDPR Policy N33 also lays out a list of exemptions which are broadly in line with the NPPF criteria. Further, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

42. The main issues when considering development proposals within the Green Belt are therefore:
- a. whether the proposal constitutes inappropriate development in the Green Belt as set out in the Development Plan and having regard to national policy framework set out in the NPPF; and
 - b. if it is inappropriate development, whether the harm, by reason of inappropriateness, is clearly outweighed by other considerations – so as to amount to the very special circumstances needed to justify the development.

(a) Inappropriate development

43. The applicant's position is that the dwelling forms a new building for agricultural and forestry and constitutes appropriate development as outlined in paragraph 145(a) of the NPPF. It is noted that new buildings for agriculture and forestry are listed as exceptions to inappropriate development that *may* be permitted. However, dwellings for rural workers in agriculture and forestry are primarily intended for residential use and not regarded as buildings for agriculture or forestry purposes per se. Consequently, even though they are intended to support such a use, they are not buildings for agriculture or forestry.
44. Therefore, the proposed development does not meet any of the Green Belt exceptions and is considered to form inappropriate development, which is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
45. It is acknowledged in guidance from the Ministry of Housing, Communities and Local Government, that assessing the impact of a proposal on the openness of the Green Belt is subject to judgment based on the circumstances of the case. The guidance states that:
- a. openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
 - b. the duration of the development, and its remediability – taking into account any provisions to return the land to its original state or to an equivalent (or improved) state of openness; and
 - c. the degree of activity likely to be generated, such as traffic generation.
46. The NPPF states that an essential characteristic of Green Belts is their openness, and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Furthermore, one of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment.
47. Whilst the proposal relates to the construction of a single dwelling, it is large in scale and would introduce a built form in a place that is currently void of development, reducing openness and ultimately encroaching into the countryside. As such, the proposal would conflict with both the spatial and visual aspects of openness and will be permanent in nature. There would also be a small increase in activity such as vehicle movements compared to the existing situation.

Consequently, the proposal would impact upon openness and the purposes of Green Belt contrary to Policy N33 and guidance contained within the NPPF.

(b) Very special circumstances

The applicants have put forward the following considerations which will be assessed to see if they constitute very special circumstances:

Essential rural worker needs

48. The NPPF sets out in Paragraph 79a *'planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply - a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside...'*
49. In the first instance a judgement needs to be made regarding whether the development constitutes an isolated home in the countryside. In this regard, the development will create a new dwelling some 250 metres from the nearest neighbouring dwelling and within a countryside setting. Whilst the built urban edge of Linton can be viewed within the backdrop of the dwelling, it is considered that the location of the dwelling can reasonably be described as being isolated for the purposes of this assessment.
50. In terms of whether an essential need for a rural worker to live permanently at or near their place of working in the countryside exists, common considerations (as outlined in the NPPG) include whether there is a need to live at, or in close proximity to their place of work to ensure the effective operation of an agricultural enterprise (for instance where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops) and the degree to which there is confidence that the enterprise will remain viable for the foreseeable future.
51. The applicant has stated that they are a third generation farming family who have been farming in the area since 1967. The farming business is predominantly focussed on cultivating a mix of owned and tenanted arable land in the following locations:
- 201 acres at Lilac Farm, Collingham which includes the existing farmhouse and buildings let on an Agricultural Tenancy Act.
 - Approximately 27 acres at Trip Lane which includes 2 existing storage buildings and is owned by the applicant.
 - Approximately 248 acres at York which does not include any residential premises and let on an Annual Farm Business Tenancy.
 - 150 acres of arable and grass land in Shadwell
 - Potentially another 90 acres which the applicant is to take over in July in Collingham.
52. The applicant currently resides in an existing tenanted farmhouse at Lilac Farm Collingham. The farming business/land at this site has seen a significantly diversified with the applicant's Wharfe Valley businesses which encompass the production and selling of oils, a stoves showroom and the selling of hearths.

53. Furthermore, the applicant has put forward the following additional arguments / justification to support the proposed development:
- The proposal will help to secure the future viability of the farm.
 - Existing site is tenanted and they are unable to expand.
 - The family's current tenancy at Jewitt Lane, Collingham is insecure. The land is listed as possible development land. Permission for a house (at Trip Lane) will enable the family to have security for the businesses moving forward, whilst giving them peace of mind that they will not be placed under undue pressure from their landlord.
 - Safer working conditions on the site. At present it can be the case that one or two people are on site, whereas if the house were approved there would be 4 or 5 people on site at any one time.
 - Reduced traffic generation both in the village of Collingham and Linton as the number of trips to the site will be reduced. The existing farmyard is in the centre of Collingham which creates a number of issues, in terms of vehicular movement in that the main Wetherby Road is often held up while agricultural wagons turn in to the narrow, Jewitt Lane.
 - There are no other suitable or affordable properties in the area and therefore this site is the family's only option.
 - Enhanced residential amenity for those properties who are adjacent to the existing operation in Collingham.
 - The current buildings in Collingham flood.
54. In terms of the assessment of the essential rural worker needs. Firstly, in terms of the landholdings it is notable that the location of the proposed dwelling (Trip Lane), constitutes the applicant's smallest landholding at just 27 acres. This would not be independently viable as currently farmed, however Linton could reasonably be considered as 'near' to Collingham for the purposes of the Paragraph 79 assessment. The 201 acres at Lilac Farm, Collingham are noted and are material to considerations. The holdings at York are only let on an annual basis and it is believed that this holding has a separate on site manager. Given that this holding is only let on an annual basis there is no certainty that this landholding will remain as part of the enterprise within the foreseeable future. Furthermore, the landholding's location cannot be described as being near to the proposed dwelling which significantly reduces its relevance to the planning considerations. The 150 acres of arable and grassland in Shadwell appear to be a recent acquisition, as they did not form part of the applicant's landholdings when the application was submitted. No further details of this landholding have been provided. However, given the newness of this landholding its functional need for this element of the enterprise has not been established for a recognised period time, nor is there any indication this landholding will be sustainable in the future. Shadwell is also situated some 15 minute drive away from Trip Lane, which is on the cusp of being defined as being near, or being able to respond to on site emergencies quickly. Likewise, very limited weight can be attached to the potential future landholdings at Collingham as these are yet to form part of the established agricultural enterprise. Consequently, only the Trip Lane, Linton and Lilac Farm, Collingham landholdings are considered to be particularly relevant to considerations for this proposal.
55. The Linton, Collingham and Shadwell landholdings are all arable in nature. Thus there is no vulnerable young or breeding livestock nearby requiring out of hours care etc. The essential need to be close to crops, and whether this is an all year requirement, has not been suitably demonstrated by the applicant.

56. Material to the essential need assessment are the current living arrangements 'need' of the applicant. As previously specified, the applicant resides at Lilac Farm, Collingham in a tenanted farmhouse which is well related to the large Lilac Farm landholding. The applicant and representation from the Tenant Farmers Association have raised concerns in relation to the security of this tenancy and the potential for the land to be re-developed, thus losing their current residence at short notice. Whilst the farmhouse and surrounding farmland at Lilac Farm formed a SHLAA site and were considered for potential housing development during the SAP process, the site was ultimately not allocated for development. It is unlikely that such sites will be reassessed again within the near future given the SAP's recent adoption and long plan period. It is acknowledged that the current farmhouse and farm yard lay within the defined urban area of Collingham. However, the land is not subject to any residential planning permissions or even recent enquiries in this regard. No correspondence has been received from the landowners stating their future intentions. As such, there is no evidenced likelihood that the current farmhouse will be lost in the near future. Consequently, whilst there is a desire to move the farmhouse to Linton it is considered that there is a limited need argument at the present time. Indeed, the current farmhouse is geographically better placed in relation to the surrounding landholdings.

57. In terms of assessing the confidence that the farming enterprise will remain viable for the foreseeable future, whilst it is acknowledged that the applicant is a long term farmer within the area, very limited information has been submitted to demonstrate the ongoing and long-term viability of the enterprise. Within the Council's response to the 2018 pre-application enquiry for a similar development, Officers advised the applicant *'Should a full application be submitted a supporting statement should be provided to demonstrate there is an essential need for the new dwelling. The following information would help support the application:*

- *At least the last 3 years accounts (which should be the full accounts and include the trading account, and not simply be partial or summary statements)*
- *Details of consideration that has been given to alternative existing housing in locality*
- *Information should be provided in regard to the long term growth of the business and its commercial aspects. Commercial businesses would not be supported in the Green Belt.*

No such information has been submitted to support this application.

58. The role of the applicant's Wharfe Valley commercial/diversification businesses within the wider farming enterprise is ambiguous. Whilst farm diversification is generally supported by national policy, these commercial enterprises cannot be used as justification to construct an isolated home in the Green Belt. The applicant describes Wharfe Valley as a "thriving and growing agricultural business presently located in the centre of the village of Collingham employing over 20 people. As tenant farmers with another two generations of occupation to come they need to continue to expand their operation to be able to survive". There are concerns that these diversification aspects are not ancillary and form a key element of the wider enterprise. In particular, the applicant's day-to-day working schedule has not been demonstrated. It is unclear how much of the applicant's daily work schedule relates to traditional farming as opposed to the diversification enterprises. The applicant has previously provided evidence to support the need for an office at the dwelling (since removed from the proposals). However, this evidence detailed that regular meetings were taking place with oil clients and reps for bottles, caps, stoves, labels,

flues etc. all of which are outside the remit of traditional agricultural work. Likewise, it is unclear how much of a financial role the Wharfe Valley business's play in the overall enterprise, and whether this will be expanded in future years.

59. Correspondingly, no information has been submitted to support the applicant's claim that there are no other suitable properties or land within the surrounding area. The proposed dwelling is of significant scale and will have a considerable construction value. It is feasible that alternative affordable accommodation would be available close to the main landholdings.
60. It has been suggested that the proposal will reduce traffic generation. However, this claim is disputed given the geographical range of the applicant's five main landholdings which will require vehicular travel wherever a new dwelling is situated. The no evidence has been put forward to support the assertion that siting the dwelling at Linton will reduce traffic generation.
61. The applicant has raised the issue of reducing crime as justification for the proposals and have detailed the theft of a tractor and fly-tipping at the Trip Lane site. Whilst an on-site presence at the site may reduce crime, this issue on its own is not sufficient to justify an isolated dwelling within the Green Belt. There are also other ways and means of preventing crime, such as improving security around the site.
62. Furthermore, the applicant has stated that the proposal will improve safety conditions on the site at there will be 4 or 5 additional people at the Trip Lane holdings. How the increase in the number of people on site fundamentally improves on site safety is unclear, however this would seemingly be at the detriment to safety on the Lilac Farm site which is the larger landholding. There is also a concern that the current operations at Trip Lane, which include a pressing plant to extract oil, are more akin to an industrial process. It is not the purpose of Paragraph 79a to support the increased safety of industrial processes within rural areas.
63. The suggestion that the proposal would enhance residential amenity for existing properties are adjacent to the existing operation in Collingham has also been raised. However, this can at most only be attributed very limited weight given that the future use of the Lilac Farm site is unclear. The proposal would also transfer any existing amenity issues to Linton.
64. In addition, it has been claimed that the current Lilac Farm site is not fit for purpose and that the current buildings flood. This issue has not been robustly evidenced, however grain and machinery storage has already been relocated to the existing building at Collingham overcoming key aspects of these concerns.
65. Consequently, having considered all of the matters raised, there is considered to be insufficient justification for a rural worker to live permanently on the site and the proposal fails to comply with guidance contained within the NPPF and NPPG in relation to the construction of isolated homes within the Green Belt. None of the other considerations raised by the applicant are also considered to warrant any significant weight.

Green Belt balancing exercise

66. The proposal seeks to provide a rural worker's dwelling, however a functional need to live on site has not been demonstrated. Moreover, there would be harm arising from the inappropriateness of the development, as well as harm to the openness of

the Green Belt and conflict with one of the purposes of including land within it. These matters attract substantial weight against the development. The matters raised in support of the proposal have been considered, however none of these issues either individually or cumulatively are considered to clearly outweigh the Green Belt harm. Consequently it is considered that very special circumstances necessary to justify the development do not exist and the proposal is contrary to saved UDPR Policy N33 and guidance contained within the NPPF.

Special Landscape Area

67. The site is also situated within a Special Landscape Area. These are considered to form the most attractive areas of countryside in Leeds. Development proposals in the areas of best quality landscape must show particular regard to conservation of the landscape. Whilst the proposal has been designed to appear as a modern farmhouse, as discussed above it has not been demonstrated that there is an essential need for the dwelling. Consequently, the introduction of a dwelling within the high quality open landscape is considered to be out of keeping whilst also urbanising and eroding the landscape's character. This harm be readily viewed from the adjacent highway and Public Right of Way. The siting of the new dwelling will also impact upon Key View 4 outlined within Linton NP. As such the proposal is considered to be contrary to saved Policy N37 of the UDPR.

Design and Character

68. Policies within the Leeds development plan and the advice contained within the NPPF seek to promote new development that responds to local character, reflects the identity of local surroundings, and reinforces local distinctiveness. The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is therefore fundamental that new development should generate good design and respond to the local character. The NPPF goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
69. Policy P10 of the Leeds Core Strategy deals with design and states that *inter alia* alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. Developments should respect and enhance streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing. Proposals will be supported where they accord with the principles of the size, scale, design and layout of the development and that development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.
70. The proposed dwelling is setback from Trip Lane and it is positioned to address the shared access point and adjacent agricultural buildings. The dwelling's design and detailing is considered to be akin to a modern farmhouse which is appropriate to the rural context. The proposed dwelling will be constructed of stone with a pantile roof and timber openings which are traditional materials commonly found within Linton. The proposed solar panels will be prominent to the front elevation of the roofline and will contrast with the red pantiles. Whilst this will give the dwelling a modern appearance, the solar panels will have a low profile against the roof and on

balance are considered to be acceptable.

71. Policy A1 of the Linton Neighbourhood Plan relates to the design of developments. The policy includes considerations of key views within Linton. The associated key view map indicates that the proposal will be visible within Key View 4 – View north of Trip Lane towards Northgate Lane. The policy requires development to minimise adverse impacts on key views. Whilst regrettably no landscape plan has been provided with the proposal, it is considered that one could be secured by planning condition should the development be approved which will help to minimise the visual impact of the development and help it to assimilate into the surrounding open countryside setting.
72. Overall the proposal is considered to be acceptable in terms of visual amenity. Consequently, the proposal is considered to satisfy policy P10 of the Core Strategy, Policy A1 of the Neighbourhood Plan, saved policies GP5 and BD5 of the UDPR and guidance contained within the NPPF

Residential Amenity – Neighbouring residents

73. Core Strategy Policy P10 and saved UDP policy GP5 note that development should protect amenity whilst policy BD5 notes that “all new buildings should be designed with consideration given to both their own amenity and that of their surroundings”.
74. The proposed new dwelling is situated in an isolated location well away from any neighbouring properties. As such, it is considered that the proposal will not significantly harm neighbouring amenity in terms of loss of light, over-dominance or overlooking. Whilst there may be an increase in the level of farm activity within the wider site, given the rural nature of the area and the substantial distance to the nearest neighbouring dwelling this is not considered to give rise to any significant concerns.

Residential Amenity – Future occupants

75. The NPPF (paragraph 127) states decisions should ensure that developments create a “high standard of amenity for existing and future users”. New residential development should look to provide a good level of amenity for future occupiers. This includes providing living accommodation which is of an appropriate size, offers appropriate outlook, gives good daylight and sunlight penetration, protects privacy and ensures an appropriate juxtaposition of rooms both within a property and with neighbouring properties to prevent general noise and disturbance issues. This also includes providing good quality outdoor amenity areas for the enjoyment of occupiers.
76. The proposed new dwelling is large and will provide a spacious living environment for the occupiers. The internal spaces within the dwelling easily meet the minimum space standard requirements contained within Policy H9 of the Core Strategy. The dwelling has been designed so that it will receive adequate sunlight and outlook. It is noted that the main amenity space at the dwelling will be situated to the front of the dwelling. However, this is considered to be acceptable given the property’s isolated location and the presence of a substantial hedgerow which will provide privacy from Trip Lane. The proposed amenity space is also of a reasonable size and is south facing.
77. Privacy could be further improved through the introduction of a landscaping scheme, which could be secured by way of a condition if the application was to be

approved. Overall it is considered that the proposal provides a good standard of amenity for future occupants.

Highway Safety

78. Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety. This means that the applicants must demonstrate that the development can achieve safe access and will not overburden the capacity of existing infrastructure.
79. The proposal incorporates a substantial attached double garage which is large enough to accommodate two larger vehicles such as 4x4's which might be required for farm workers. This level of provision alongside the substantial driveway is considered acceptable to ensure that the proposal will not result in on-street parking.
80. The proposal relates to a single dwelling which will generate a modest volume of additional traffic and utilises an existing access point. The dwelling is accessed off Trip Lane which is a narrow country style lane. However, given the nature of the proposal which is to serve an agricultural workers dwelling, this is not considered to be unreasonable or unexpected. Consequently, the proposal is not considered to be detrimental to highway safety.

Climate Emergency

81. The proposal relates to a minor development and does not meet the thresholds for compliance with Core Strategy policies EN1 (Climate Change – Carbon Dioxide Reduction) and EN2 (Sustainable Design and Construction). The proposal relates to the construction of a single dwelling on a greenfield site. Whilst the dwelling is situated in an isolated location with poor accessibility to services, its intended purpose is to be ancillary to and assist the agricultural land.
82. Notwithstanding the above, the design of the proposed development does comprise elements demonstrating positive sustainability credentials. The dwelling proposed incorporates solar panels to the roof. An EVCP could also be conditioned if the application was to be approved alongside a landscaping scheme which is likely to provide biodiversity benefits beyond the agricultural baseline. Overall, the proposal is not considered to raise any notable concerns in relation to the Council's Climate Emergency declaration.

Representations

83. As previously outlined, 22 letters of representation have been received in relation to the proposed development. 20 of the representations are in objection to the proposed development, with 1 letter in support and 1 general representation neither supporting nor objecting to the scheme.
84. The 20 letters of objection raise the following main issues which are responded to in turn:
 - *Green Belt impact / No exceptional circumstances* – This issue has been covered within the appraisal above.
 - *Lack of justification for the proposal* - This issue has been covered within the appraisal above.

- *Impact on the character of the village* - This issue has been covered within the appraisal above.
- *Highway Safety* – This issue has been covered within the appraisal above.
- *Noise from generators* – The applicant has confirmed that the site has an electric supply and a generator will not be required for the new dwelling.
- *Concerns in relation to further future development at the Trip Lane site, in particular if the applicant relocates the commercial (Wharfe Valley) parts of the Jewitt Lane site* – The applicant has confirmed that existing commercial / farm diversification elements of the Jewitt Lane site will not be moving to Trip Lane. Any future intensification of the wider Trip Lane site will be subject to planning controls and will be considered on its individual merits.

85. A letter of support has also been received from the Tenant Farmers Association and raises the following points:

- *Uncertainty over how long the existing rented farm will be available to the applicant.*
- *The current proposal is the most cost-effective way of replacing the current rented farmhouse.*
- *The applicants have a tenancy governed by the Agricultural Holdings Act 1986, in many circumstances this gives the tenant lifetime security of tenure however there are a number of exceptions whereby the landlord can gain vacant possession of the whole or part of the farm. One of these exceptions includes the situation where the landlord gains planning permission for a non-agricultural use, known as a Case B Notice to Quit (as set out in Schedule 3 of the Act). The current tenancy allows the landlord to use Case B to serve just three months' notice to end the tenancy on any part of the holding. This means there is the potential for the applicants to lose their farmhouse at very short notice.*

In response, these issues have largely been considered within the appraisal above. The issue of the proposal forming the most cost-effective way of replacing the rented farmhouse is not a material planning consideration. The proposal is required to be assessed in line with the relevant planning policies and guidance.

CONCLUSION

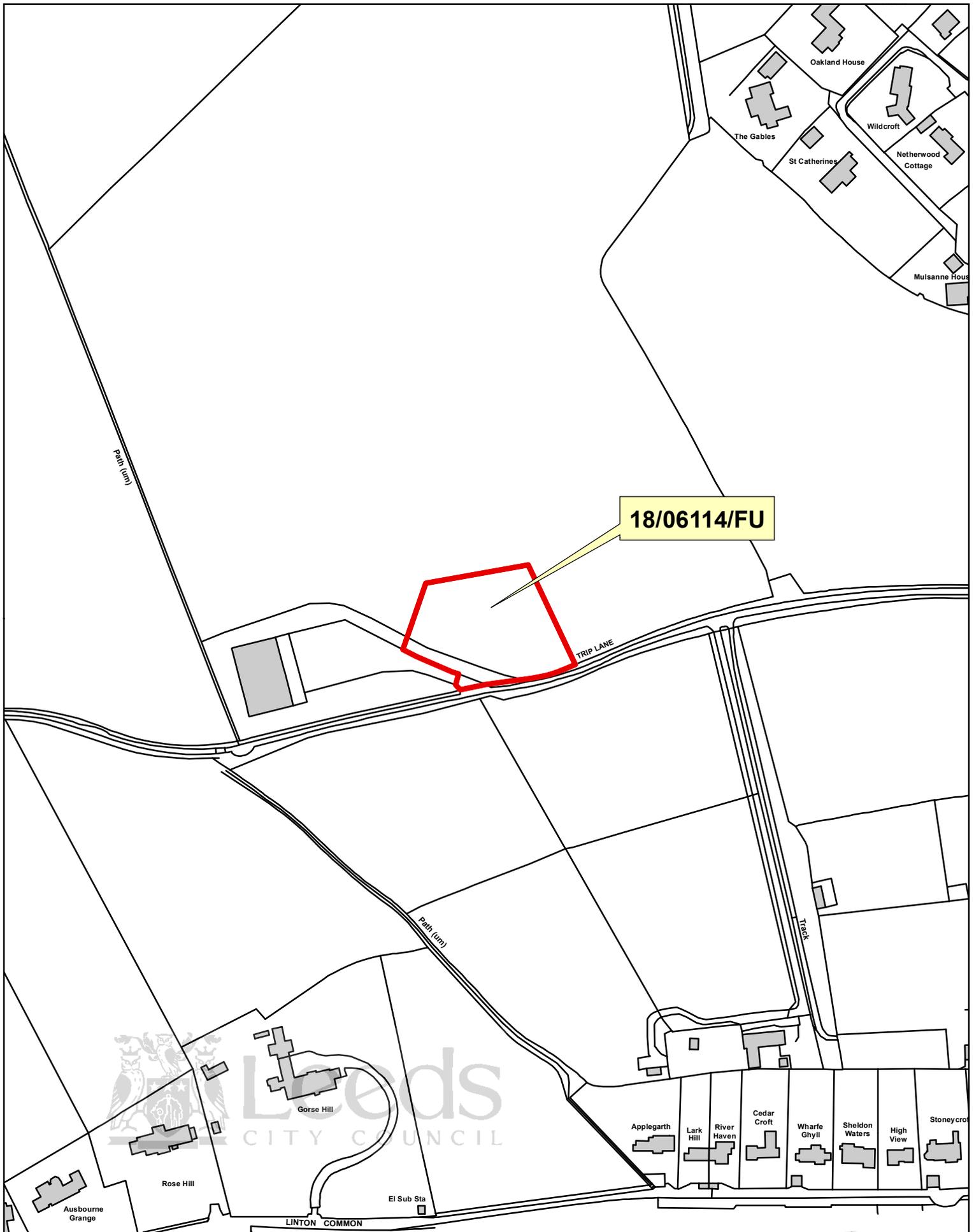
86. In light of the above, it is concluded that the proposal would constitute inappropriate development within the Green Belt whilst also leading to a loss of openness and, failing to assist in safeguarding the countryside from encroachment and harm to the Special Landscape Area. No Very Special Circumstances have been evidenced that are considered sufficient to outweigh this harm.

87. In particular, it has not be demonstrated that an essential need for a rural worker's dwelling on the site exists. The proposal is considered contrary to saved policies N33 and N37 of the Leeds Unitary Development Plan (Review) 2006 and the guidance contained within the National Planning Policy Framework. As such, the application is not recommended to Members for approval.

Background Papers:

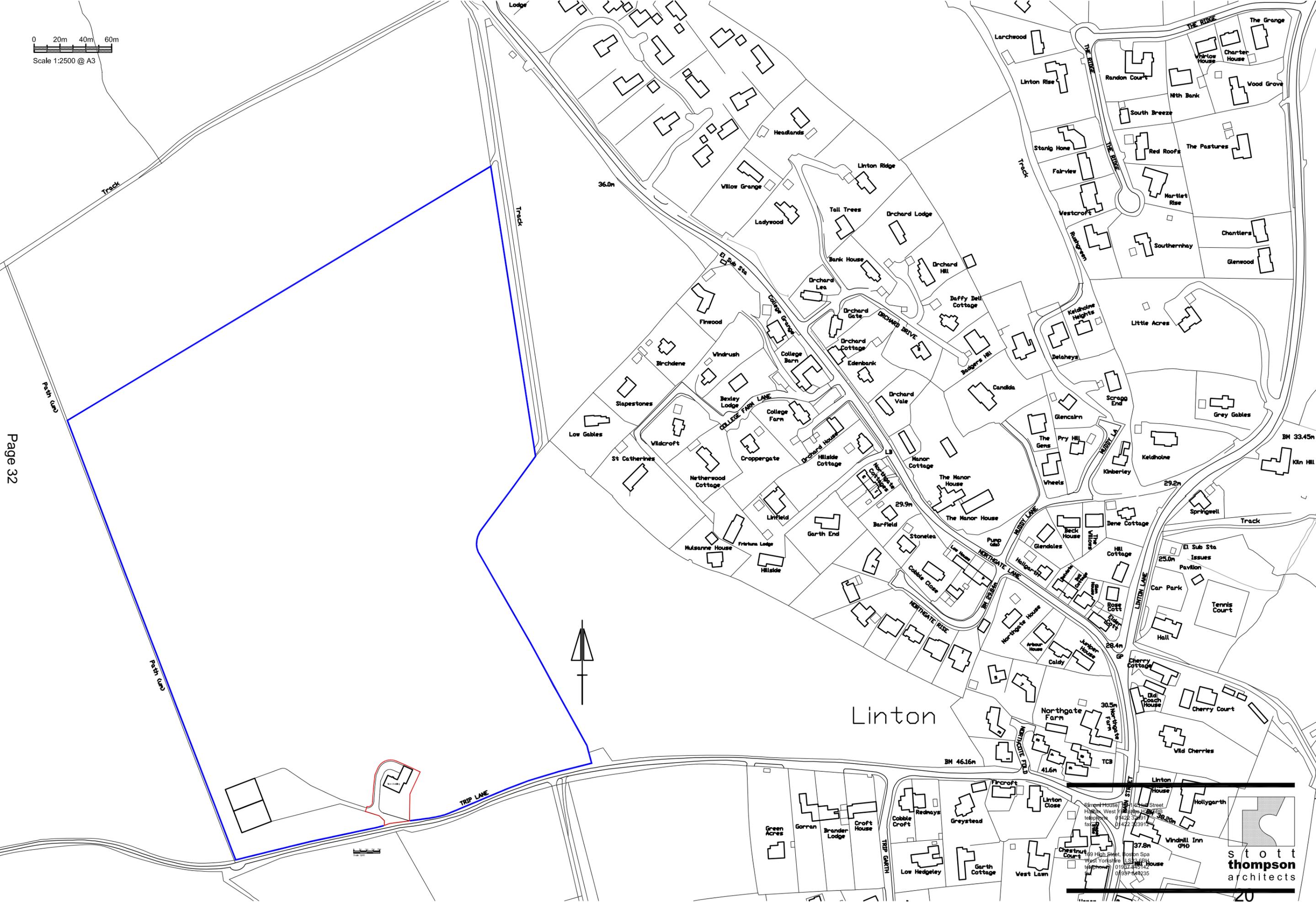
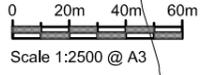
Application file: 18/06114/FU

Certificate of Ownership: Mrs S. Kilby



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stott thompson architects

All work to be carried out in accordance with the requirements of the Building Regulations, Water Authority and the Construction (Design and Management) Regulations currently in force.

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Verify relevant dimensions on site before commencing work or preparing shop drawings. This drawing is copyright.

Rev:	Date:	Action:	Initia:
A	12 Sep 18	Design amendments	ARB
B	13 Sep 18	Design amendments, garage added	ARB
C	14 Sep 18	Window changes	ARB
D	27 Feb 20	Re-design	ARB
E	15 Apr 21	Bi-fold doors to the South Elevation changed to a window, solar panels added	ARB



South Elevation



East Elevation



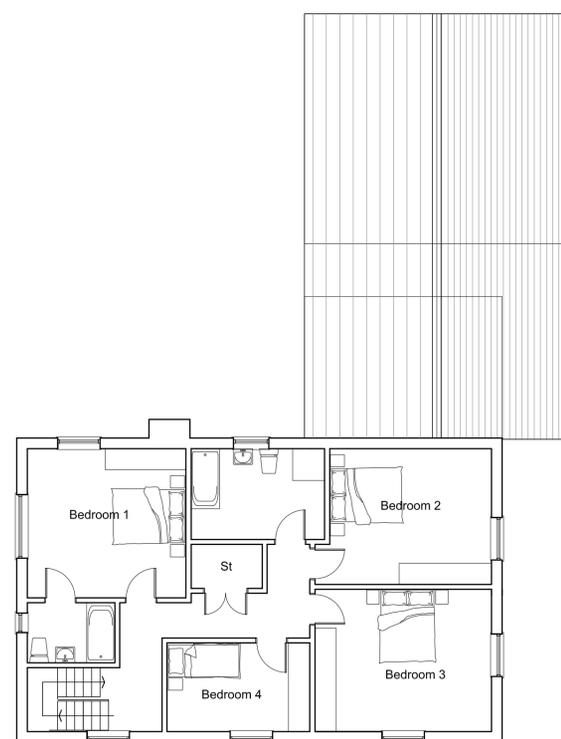
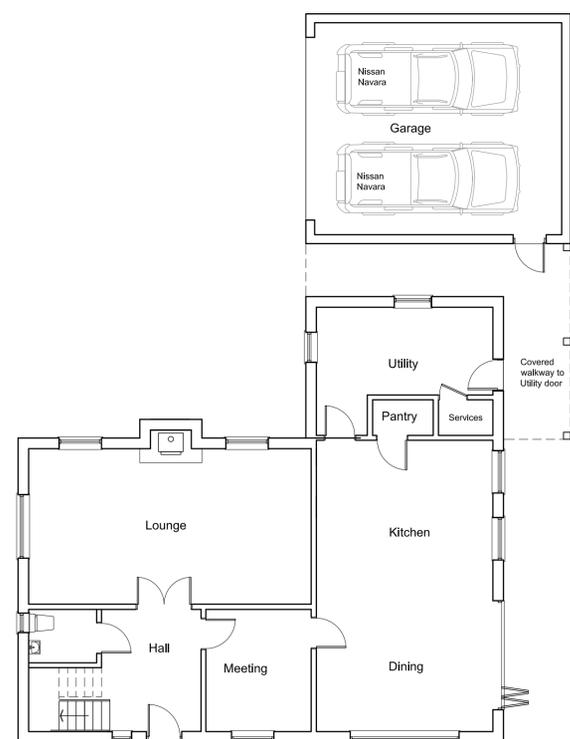
North Elevation



West Elevation

Materials

Walling - Stone
 Roof - Pantiles
 Windows and doors - Painted timber



Rimani House, 14-16 Hall Street
 Halifax, West Yorkshire HX1 5BB
 telephone 01422 323911
 fax 01422 323912

169 High Street, Boston Spa
 West Yorkshire LS23 6BH
 telephone 01937 845142
 fax 01937 844235



scale: 1:100
 drawn by: ARB
 date: Aug 18

Client: **Mr and Mrs Kilby**
 Project: **New Dwelling
 Trip Lane, Collingham**
 Drawing: **Floor Plans and Elevations**

Drawing Number:	1034	02	01	E
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All attending the meeting must adhere to the guidance that has been set by the government and the council to keep all attending any meetings within a council building safe

- All attending any meeting must sign in at the main reception.
- Turn up on time so you can be seated whilst adhering to social distancing guidance.
- Stay in your designated seat during the meeting.
- You must wear a face covering whenever you are not in your seat (unless exempt).
- Do not stand and talk in walk ways.
- You must adhere to the one way system that is in place.
- You must adhere to the social distancing guidance at all times.
- Use the hand sanitizer that is placed at the entrance and the exit of the meeting room.
- Where possible use electronic agenda packs.
- Bring your own refreshments.

Note:

Best endeavours have been taken to manage committee business from the outset to prevent a meeting running over the prescribed 1.5 hour guidance. If it becomes apparent that debate is going to exceed this then an adjournment of proceedings will be called by the Chair at an appropriate point. All attending the meeting must vacate the meeting room to enable further ventilation and cleaning. Participants must return to their original seat.

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