

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 17TH FEBRUARY, 2022**

**PRESENT:** Councillor E Taylor in the Chair

Councillors B Anderson, S Hamilton,  
P Wray, R Finnigan, S Burke, D Collins,  
T Smith and D Jenkins

### **70 Appeals Against Refusal of Inspection of Documents**

There were no appeals.

### **71 Exempt Information - Possible Exclusion of the Press and Public**

There was no exempt information.

### **72 Late Items**

There were no late items.

### **73 Declarations of Interests**

There were no declarations.

### **74 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors C Campbell and D Ragan.

### **75 Minutes - 16 December 2021**

**RESOLVED** – That the minutes of the meeting held on 16 December 2021 be confirmed as a correct record subject to the following amendment:

Minute No 68 – Applications 20/01307/LI & 20/01306/FU – Micklefield House, New Road Side, Rawdon

To include the following:

- The three parking bays at the rear of the building , closest to the library, and outside the red line boundary were not part of the development and it should remain clear that these remain public.

### **76 Matters arising**

It was reported that there was an error in the amount of time allotted for speakers who addressed the Panel with objections to the application for Micklefield House. There had been concerns that this should have been reflected in the minutes. It was advised that the minutes reflected the debate and the resolution of the Panel but were not intended to give a verbatim account of the discussion. Procedural issues such as timing of speakers were not usually recorded in the minutes, but it was felt that the error in the timings should be recorded.

**77 Application 21/03265/FU: Belmont House, Round House and Coach House, 20 Wood Lane, Headingley, Leeds, LS6 2AE**

The report of the Chief Planning Officer presented an application for the conversion and extension of Belmont House to create 11 residential apartments; demolition of Round House and Coach House to be replaced by 7 and 6 residential apartments and other ancillary uses.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted in relation to the application:

- There would be 24 residential units in total. There was a slight amendment to the description of the application as the conversion of Belmont House would be for 10 apartments and 1 town house.
- The site fell within the Headingley Conservation area.
- There had been previous approval for the three buildings to be used for residential purposes.
- The single storey extension on Belmont House would be demolished and replaced with a three storey extension.
- Differences in levels across the site.
- There would be four trees removed from the site and replaced at a ratio of 3:1. Three of these trees were to be removed for the development and one because it was in a dangerous condition.
- Neighbourhoods for Living guidance was met with regard to distances to existing buildings.
- The extension on the rear of Belmont House would be made of stone to match the existing building.
- The replacement building for the Coach House would be one storey higher.
- CGI images of how the proposals would look were displayed.
- The site required 15% affordable housing which equated 4 units. There would only be 1 unit following the applicant's request for Vacant Building Credit.
- There would be an 11% biodiversity net gain following the development.
- It was considered that the level of parking with the addition of residential permits was acceptable.
- The scheme was compliant with policies EN1 and EN2.

- The application was recommended for approval subject to conditions and a Section 106 agreement as outlined in the report.

A local resident addressed the Panel with objections to the application. He was supported by a local Ward Councillor. The following was highlighted:

- Main objections focussed on the three storey extension to the rear of Belmont House as this was too high and too close to existing properties would lead to a loss of privacy for local residents.
- There had not been any communication with local residents at the design stage and the developers had not viewed the site from the western and southern side of the boundaries.
- There had been objections from all Ward Councillors.
- There was no opposition to a residential scheme and would like to see a reduction of the three storey extension to two storeys. There was other space on the site for additional units.
- In response to questions from the Panel, the following was discussed:
  - The mix of modern and traditional architecture was acceptable. The position of the extension was not suitable.
  - It was disappointing that there was only one affordable unit. Headingly needed affordable housing and the use of Vacant Building Credit was not appropriate.
  - Those living to the north and east of the site would not be affected by an extension to the proposals on Bray House.
  - The proposed extension would have a visual impact on existing properties which would also be overlooked. There was sufficient space elsewhere on the site for extra units without affecting residential properties.

The applicant's representatives addressed the Panel. Issues highlighted included the following:

- The applicant had worked collaboratively with various Council departments in the design of the proposals which met all technical standards.
- There had been extensive pre-application consultations which had addressed a number of concerns including those of local residents.
- The Coach House was to be replaced with a similar building which was marginally bigger.
- The scheme would provide a mix of sustainable high quality residential units.
- In response to questions from the Panel, the following was discussed:
  - Vacant Building Credits – this regime is built into the framework and there had been significant negotiations which had shown that the necessary criteria had been met and it was calculated that the scheme could go ahead with one affordable unit.
  - Consultation – there had been two leaflet drops to local residents and meetings with a Ward Councillor and a local resident. The applicant was aware of concerns and there had

been significant alterations to the proposals including the removal of balconies.

- The use of other space on the site had been considered. This was difficult due to the protection of trees. Bray House would be smaller than was initially planned due to the need to protect tree roots.
- Replacement of trees would exceed the required ratio of 3:1.
- The replacement Coach House would have an additional story but would only be two thirds of a storey higher than the original building.
- There would be photovoltaic panels on the flat roofed parts of the buildings so as to reduce their visibility.
- Due to the constraints of the site it was not viable or practical to have ground or air sourced heat pumps.
- Two full units would be lost without the third storey on Belmont House.
- To put another story on Bray House may cause overlooking elsewhere.
- The Round House had been designed as an office building and was not suitable for conversion for residential.
- It was proposed to preserve and re-use as much of the Yorkshire stone on site as was possible.
- Other options for the site had been considered but there were constraints on the footprints for the buildings.

In response to questions and comments, the following was discussed:

- Increasing the height of Bray House would impact the tree protection zone and there would also be an impact on Belmont House which would require further assessment.
- From a conservation point of view there was an assessment that the replacement building and extension did not ignore the style of existing buildings and would not have a detrimental visual impact. The materials to be used had been carefully considered.
- It was considered that use of Vacant Building Credit did apply to this application and reasons for this were given to the Panel.
- Conditions regarding Policies EN and EN2 could be added to ensure that the requirements are met.
- The scheme as policy compliant with regard to parking spaces. The access road to the site was narrow but there were parking restrictions in place. There was sufficient access room for refuse vehicles.
- Concern that the third floor extension on Belmont House was over-dominant and that there should be further consideration to extending the height of Bray House.
- Concern regarding the use of Vacant Building Credits and reduction in the provision of affordable housing.

A motion was made to move the officer recommendation with an additional condition regarding Policies EN1 and EN2. This was seconded and put to the vote. The Panel voted against.

Following further discussion, a motion was made to defer the application to allow for further negotiation regarding the extension and design. A further amendment was made to request further information with regards to the use of Vacant Building Credits with the application.

**RESOLVED** – That the application be deferred for the following:

- Further negotiation with the applicant regarding the extension to Belmont House and consideration be given to extending Bray House.
- Further information regarding design and materials.
- Further information regarding Vacant Building Credits.

**78 Application 21/05782/FU: Carr Farm Cottage, 74 Carr Road, Calverley, Pudsey, LS28 5QR**

The report of the Chief Planning Officer presented an application for the change of use of land (paddock and woodland) to an outdoor pet recreation and exercise facility and erection of fencing.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted in relation to the application:

- The application had been referred to Panel at the request of a local Ward Councillor.
- There was a linear access point to the site from Carr Road.
- To site was formerly used as a paddock area.
- There was a private drive to the rear of the site that provided access to residential properties.
- The change of use was to provide an exercise area for pets.
- The site fell within the Calverley Conservation Area.
- The site would be made available via a booking service.
- There would only be minimal physical alterations.
- There would be car parking for up to three vehicles.
- There would be post and rail fencing to enclose the paddock area and fencing towards the woodland area.
- The fencing would be set in from the nearest residential properties by two metres with additional planting in place. The distance would be 5 metres from Clara Drive.
- The site was within the greenbelt.
- There would be no access from Clara Drive.
- The walls at the access to the site would need to be lowered to improve visibility.
- There were woodland areas to the rear of the site. that were popular with dog walkers.
- Main issues to consider included the following:
  - Use of land within the greenbelt,

- Highway safety.
- Intensity of use – there would be limited numbers using the site at any one time.
- Impact on heritage assets within the conservation area
- Impact on living conditions of local residents particular those in close proximity to the site.
- There had been additional representations from residents of Clara Drive which had included queries regarding the supervision of the site, staff training, concern regarding dangerous dogs and hours of operation.
- Further objections had focussed on the impact on access, not suitable use of the land, impact on biodiversity and noise from barking dogs.
- An objector to the application had engaged a noise consultant and had provided a report. It was felt that only limited weight could be afforded to this.
- The application was recommended for approval subject to the conditions outlined in the report.

Objectors to the application addressed the Panel. Issues highlighted included the following:

- The development was not essential as per saved policy N33 of the UDP and the proposals did not demonstrate the very special circumstances for development within the greenbelt.
- The report failed to deal with noise nuisance. The facility would be in a place with low ambient noise. The noise of four dogs barking would impact on the quality of life for local residents.
- The proposed hours of operation were very long. From 8.00 a.m. there would be an irreversible loss of amenity due to barking dogs. There was no proposed noise management plan.
- There could be disturbance from people using torches and other lighting.
- The purpose of the application is to run a business which was not appropriate to the greenbelt or conservation area.
- The character of the area was of regional and historical significance and had been virtually unaltered since 1755. This application was likely to change the character of the area.
- Disturbance for people who worked from home, worked shifts and wanted to enjoy the amenity of their garden spaces.
- There would be disturbance seven days a week.
- Only three of the people supporting the application lived in Calverley.
- There could be up to 96 dogs a day causing a disturbance with 8 dogs an hour.
- The application was not appropriate next to a residential area.
- In response to questions from the Panel, the following was discussed:
  - If the owner of the site had their own dogs there wouldn't be the disturbance of up to 30 people a day. They wouldn't be outside all day.

- The fundamental objection was that the application was not for essential development. This did not detract from the issue of noise and other issues.
- Residential dog ownership is a different proposition to the possibility of having a turnover of 8 different dogs every hour. These could be dogs that need training and have behaviour issues.
- Residents felt that noise was the primary consideration.
- The location was currently quiet. There would be no other competing noise with dogs barking. These were likely to be dogs with behavioural problems. The average dog bark is between 8-80 and 90 decibels.
- There were different places to take dogs and there was no requirement for such a facility in this area.
- There were already facilities for dog training in Calverley and Calverley Woods was well used for dog walking.
- This was a facility in a greenbelt area that was not essential.
- If the number of dogs was restricted the application would be more favourable as it was very different to having eight dogs on site.
- Disturbance from the site would be continuous. Noise levels in neighbouring properties would be breached.

The applicant addressed the Panel. The following was highlighted:

- The applicant runs a dog walking and pet care business and has operated in the area for a number of years.
- Calverley Woods was an area that the applicant worked in and they had become involved in the community getting involved in events such as litter picks.
- The proposals would provide a fully enclosed secure and safe place with no fear of dogs escaping. It would be possible to drive into the enclosure so dogs could not escape before entering.
- The facility could be used for a variety of reasons including for those who aren't comfortable having their dogs near other dogs or traffic and for training. This kind of facility was more and more becoming an essential resource.
- There would be robust and suitable fencing and would be continually checked to ensure there were no weaknesses or escape points. There were already a number of mature trees on the boundary and there could be additional planting.
- Potential disturbance – dogs that bark incessantly would not be allowed to use the site. It was anticipated that the majority of bookings would be from sole dog owners with one or two dogs. Other bookings may involve one to one training sessions. There may be bookings with professional dog walkers and these could be the bookings that raised the concerns by residents. This kind of booking was only likely to take place between 11 a.m. and 2 p.m. on weekdays and it was highly unlikely that there would be eight dogs at any one time.
- Activity at the site would be carefully monitored.

- In response to questions from the Panel, the following was discussed:
  - A limit of eight dogs had been agreed with planning. A professional dog walker was permitted to take six dogs in a public place in Leeds and any individual could walk up to four. There was no limit on private land.
  - The woodland space within the site was required as it provided more space and features to keep dogs occupied. The paddock area was too small on its own and would have limitations.
  - The exercise area would be 5 metres further back from the road rather than the 2 metres initially proposed.
  - The facility would not be open after 3.00 p.m. in the winter during limited daylight. The paddock did get very wet and it would be likely that the facility would be closed for a period.
  - It was not proposed for the facility to be open on a Sunday afternoon.
  - Fencing would be regularly checked and there would also be CCTV for additional security.
  - The applicant was willing to put in additional hedging between the site and 28 Clara Drive.
  - There was no intention of providing any lighting on the site.

In response to questions and comments, the following was discussed:

- Policy N33 gave a list of types of development that could be approved in the Green Belt (without having to demonstrate Very Special Circumstances). The application was for a change of use of land and there was some alteration with the proposed fencing. It was not felt that the application would compromise greenbelt objectives. Applying the "essential" test was therefore incorrect.
- The noise monitoring report had only been received recently and there had not been an opportunity to consult Environmental Health.
- Car parking would be permitted under policy as it did not impact on the openness of the greenbelt. There was already a hard standing area that would be used for parking.
- There would be one parking space within the paddock area and it was unknown if this would need some kind of surface treatment. It was reported that this would not impact on the openness of the greenbelt and could be covered by an additional condition to the application.
- There was no requirement to demonstrate the need for the application.
- The applicant could erect fencing under permitted development rights.
- Comments from Environmental Health on the potential for noise disturbance would be welcome before making a decision.
- The possibility of restricting the number of dogs that could be on site at different times of the day.
- Could there be conditions for no lighting; to have additional hedging or acoustic fencing and that the car parking within the paddock should not be hard standing.
- There was not any fundamental disagreement from Members with the change of use of the site.

- A more detailed analysis of the noise report provided by the objectors was requested.
- The principle of the change of use of the site was acceptable.

**RESOLVED** – That the item be deferred to give consideration to the following:

- Use of a potentially smaller area within the site.
- Reduced or staggered hours of use.
- Reduction in the number of dogs at any one time.
- The provision of acoustic fencing.
- Surfacing of the parking space within the paddock area.
- Comment from Environmental Health on the noise report.