



---

**PLANS PANEL (EAST)**

---

Meeting to be held in Civic Hall, Leeds on  
Thursday, 14th January, 2010  
at 1.30 pm

---

**MEMBERSHIP**

**Councillors**

D Congreve  
P Gruen  
M Lyons  
K Parker

A Taylor  
D Wilson

G Latty (Chair)  
J Marjoram  
P Wadsworth

R Finnigan

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded.)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of those 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.</p>	
3			<p><b>LATE ITEMS</b></p>	

Item No	Ward	Item Not Open		Page No
4			<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> <p><b>DECLARATIONS OF INTEREST</b></p> <p>To declare any personal / prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence.</p>	
6			<p><b>MINUTES</b></p> <p>To approve the minutes of the Plans Panel East meeting held on 10<sup>th</sup> December 2009</p> <p>(minutes attached)</p>	3 - 14
7	Harewood;		<p><b>APPLICATION 09/00541/FU - REAR OF BRYN, WINTON HOUSE AND TOWERHURST, THE AVENUE COLLINGHAM LS22</b></p> <p>Further to minute 129 of the Plans Panel East meeting held on 10<sup>th</sup> December 2009 where Panel resolved to defer consideration of the application to enable a site visit to take place, to consider a report of the Chief Planning Officer on an outline application to erect three detached houses</p> <p>(report attached)</p>	15 - 26
8	Morley South;		<p><b>APPLICATION 09/01462/FU - PEEL STREET/ MELBOURNE STREET MORLEY LS27</b></p> <p>Further to minute 136 of the Plans Panel East meeting held on 10<sup>th</sup> December 2009 where Panel resolved to defer consideration of the application for additional information and a site visit, to</p>	27 - 44

Item No	Ward	Item Not Open		Page No
			<p>consider a report of the Chief Planning Officer on an application for the variation of condition 22, laying out of car parking area of application 07/03669/FU</p> <p>Please note that clearer images of the photographic survey are being e-mailed separately to Members and better quality copies of the attached images will be available at the meeting</p> <p>(report attached)</p>	
9	Kippax and Methley;		<p><b>APPLICATION 09/02871/FU - CHURCHSIDE VILLAS METHLEY LS26</b></p> <p>Further to minute 124 of the Plans Panel East meeting held on 10<sup>th</sup> December 2009 where Panel resolved to defer consideration of the application to enable a site visit to take place, to consider a report of the Chief Planning Officer on an application for a change of use and alterations of former joiners shop to form one 4 bedroom dwelling house</p> <p>(report attached)</p>	45 - 56
10	Harewood;		<p><b>APPLICATION 09/04229/FU - OAKTREE HOUSE 9 BLACKMOOR LANE LS17</b></p> <p>To consider a report of the Chief Planning Officer on an application for a single storey rear extension and enlarged balcony with covered area to rear</p> <p>(report attached)</p>	57 - 62
11	Temple Newsam;		<p><b>APPLICATION 09/04286/FU - 164 RING ROAD HALTON LS15</b></p> <p>To consider a report of the Chief Planning Officer on an application for a part two single storey rear extension and part two storey side extension</p> <p>(report attached)</p>	63 - 70

Item No	Ward	Item Not Open		Page No
12	Harewood;		<p><b>APPLICATION 09/04313/FU - HOLLY CROFT SANDHILLS THORNER LS14</b></p> <p>To consider a report of the Chief Planning Officer on an application for a detached stable block/hay store and ménage to rear of dwelling</p> <p>(report attached)</p>	71 - 80
13	Harewood;		<p><b>APPLICATION 09/04522/FU - WARREN HOUSE THE RIDGE LINTON LS22</b></p> <p>To consider a report of the Chief Planning Officer on an application for a replacement detached five bedroom dwelling</p> <p>(report attached)</p>	81 - 90
14	Gipton and Harehills;		<p><b>APPLICATION 09/05236/LA - EASTERLEY MOUNT GIPTON</b></p> <p>To consider a report of the Chief Planning Officer on an application for a residential development comprising 39 houses, 2 two bedroom flats over garages and 12 two bedroom flats in 1 three storey block</p> <p>(report attached)</p>	91 - 100
15	Gipton and Harehills;		<p><b>APPLICATION 09/05235/LA - ST WILFRIDS AVENUE HAREHILLS</b></p> <p>To consider a report of the Chief Planning Officer on an application for 10 three bedroom semi-detached houses</p> <p>(report attached)</p>	101 - 106

Item No	Ward	Item Not Open		Page No
16	All Wards;		<p><b>NATURAL RESOURCES AND WASTE DEVELOPMENT PLAN DOCUMENT POLICY POSITION REPORT (PREFERRED OPTIONS)</b></p> <p>To consider and comment upon a report of the Chief Planning Officer on the Natural Resources and Waste Development Plan Document Policy Position Report (Preferred Options) which was released by the Council's Development Plan Panel as the basis for informal public consultation commencing on 18<sup>th</sup> January 2010</p> <p>(report attached)</p>	107 - 110
17			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Thursday 11<sup>th</sup> February 2010 at 1.30pm</p>	



To all Members of Plans Panel  
(East) and relevant Town and Parish  
Councils

**Chief Executive's Department**  
Governance Services  
4<sup>th</sup> Floor West  
Civic Hall  
Leeds LS1 1UR

Contact: Angela M Bloor  
Tel: 0113 247 4754  
Fax: 0113 395 1599  
angela.bloor@leeds.gov.uk  
Your reference:  
Our reference: ppe site visits  
Date 6<sup>th</sup> January 2010

Dear Councillor

## **SITE VISITS – PLANS PANEL EAST – 14<sup>TH</sup> JANUARY 2010**

Prior to the meeting of the Plans Panel (East) on Thursday 14<sup>th</sup> January 2010 the following site visits will take place:

9.00am		Depart Civic Hall
9.20am	Morley South	Variation of condition 22 – laying out of car parking area of application 07/03669/FU – Peel Street/Melbourne Street Morley LS27 – 09/01462/FU
9.50am	Kippax & Methley	Change of use and alterations of former joiners shop to form one 4 bedroom dwelling house – Churchside Villas Methley LS26 – 09/02871/FU
10.35am	Harewood	Oaktree House 9 Blackmoor Lane LS17 – Single storey extension and enlarged balcony with covered area to rear – 09/04229/FU
11.00am	Harewood	Outline application to erect 3 detached houses rear of Bryn, Winton House and Towerhurst The Avenue Collingham LS22 – 09/00541/FU
11.25am	Harewood	Replacement detached 5 bedroom dwelling – Warren House The Ridge Linton LS22 – 09/04522/FU
12.00 noon approx		Return to Civic Hall



For those Members requiring transport, a minibus will leave the Civic Hall at **9.00am**. Please notify David Newbury (Tel: 247 8056) if you wish to take advantage of this and meet in the Ante Chamber at **8.55am**.

Please note that after agenda item 16 there will be a pre-application presentation on proposals for a new West Yorkshire Police Headquarters building at the former Greyhound Stadium site, Elland Road LS11.

Yours sincerely

Angela M Bloor  
Governance Officer





# Agenda Item 6

## Plans Panel (East)

Thursday, 10th December, 2009

**PRESENT:** Councillor G Latty in the Chair

Councillors D Congreve, R Finnigan,  
P Gruen, M Lyons, J Marjoram, K Parker,  
P Wadsworth and D Wilson

### **120 Chair's opening remarks**

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

### **121 Declarations of Interest**

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 09/03181/FU – Wellfield House Victoria Road Churwell Morley LS27 – Councillor Finnigan declared a personal interest as a Member of Morley Town Council which will have been consulted on the proposals (minute 127 refers)

Application 09/03813/FU – Cockburn College of Arts Gipsy Lane LS11 – Councillor Congreve declared a personal interest through being a Governor at the school (minute 131 refers)

Application 09/01462/FU – Peel Street/Melbourne Street Morley LS27 – Councillor Finnigan declared a personal interest as a member of Morley Town Council which had objected to the application (minute 136 refers)

### **122 Apologies for Absence**

Apologies for absence were received from Councillor Taylor

### **123 Minutes**

**RESOLVED** – To approve the minutes of the Plans Panel East meeting held on 19<sup>th</sup> November 2009

### **124 Request for a site visit**

Councillor Parker requested that agenda item 9, application 09/02871/FU – Change of use and alterations of former joiners shop to form one 4 bedroom dwelling house with attached car port with 2 car parking spaces at Churchside Villas Methley, be deferred to enable a site visit to take place prior to the next meeting on the grounds of concerns relating to on-street parking and impact on residential amenity

**RESOLVED** - To defer consideration of the application to enable a site visit to take place

**125 Request to withdraw an item from the agenda**

The Panel's Lead Officer requested that the report relating to application 09/04265/FU – 12 Church Lane Swillington LS26 be withdrawn from the agenda to enable some highways issues which had recently come to light, to be considered. The Panel's Lead Officer also requested that if the highways issues could not be resolved then the recommendation be changed to a refusal of the application with this decision being deferred and delegated to the Chief Planning Officer

**RESOLVED-** That consideration of the report be deferred and that the application be dealt with as suggested by Officers

**126 Application 09/03527/FU - Amendment to previous approval 32/0352/FU - alterations and addition of roof lights and replacement of 1st floor window with emergency escape hatch (2m high fence to side Permitted Development) - 22 Barrowby Lane Austhorpe LS15**

Further to minutes 116 and 117 of the Plans Panel East meeting held on 19<sup>th</sup> November 2009 where Panel deferred the application to enable further discussions with all parties, the Panel considered a further report

Officers presented the report and outlined the amendments which had now been made to the application which would overcome the overlooking issues to the satisfaction of all affected parties

**RESOLVED** - To approve the application in principle and to defer and delegate final approval of the application to the Chief Planning Officer subject to signing of a Section 106 agreement to ensure that the previously approved permissions in respect of two central roof light and first floor window to the side elevation cannot be reinstated and that the window and roof lights shown to be removed on the layout plan are removed and subject to the conditions set out in the submitted report

**127 Application 09/03181/FU - Demolition of single storey extension and erection of two storey extension with glazed link and basement with additional car parking to offices at Wellfield House Victoria Road Churwell Morley LS27**

Plans, drawings, graphics and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which proposed the demolition of an existing glazed single storey extension and sought permission for a replacement two storey extension and additional car parking to offices at Wellfield House, Victoria Road, Churwell Morley LS27

Members were informed of an amendment to the report to state that 55 car parking spaces would be provided and not 51

The new extension would be in a contemporary design with materials comprising glazing, zinc and granite together with stone cladding columns to tie in with the host property which was a Georgian/Victorian stone villa surrounded by trees, some of which were protected

Members were provided with images showing summer and winter sun-path diagrams and whilst there would be some overshadowing of neighbouring properties in winter, there would be little impact during the summer months. The extension had also been designed with a set back at the first floor to further reduce its impact on residences at Laneside Gardens and the internal layout of the rooms would be arranged to minimise the impact of the development on residential amenity

The proposals aimed for a BREEAM 'excellent' rating

Members' attention was drawn to the principle of development and whilst the site was not in the town centre it was an existing office development; the proposals would provide for the retention of a local firm which employed locally and offered the opportunity for the creation of a further 50 jobs. In view of this, Officers had taken a pragmatic approach and were satisfied with the principle of development

Officers reported the receipt of two further letters of objection

If minded to approve the application Officers requested additional conditions be considered relating to highways and the provision of obscure glazing on the south and west boundary

The Panel heard representations from the applicant's agent and an objector who attended the meeting

Members discussed the following matters:

- the possibility of noise and light pollution and the need for this to be addressed
- the use of granite in the scheme with some views that this should be replaced with stone
- the hours of use of the premises, with some concerns being raised at the requirement for a 10pm finish; that this was not specified in the submitted report and that the hours of use should be restricted to 10pm for one year to ascertain the impact of this on local residents
- that the organisation had operated on the site for many years and had been reasonable and conscientious
- the need to include conditions to mitigate noise and light pollution
- the provision of obscure glazing and to require best endeavours to be used to employ local people including during the construction process

To address the concerns regarding the hours of use, the Head of Planning Services suggested that a condition could be imposed restricting later use to certain parts of the building and car parking area

Relating to the proposed materials and the mixed views of the Panel on this, Members noted the agent's comments that he was willing to consider increased stone elements alongside the granite

**RESOLVED** - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report; additional conditions relating to provision of:

- visibility splay
- obscure glazing to first floor windows on south and west elevation
- method statement for construction
- method statement to mitigate against noise and light pollution
- best endeavours to secure local employment
- hours of use for part of parking area and part of offices
- stone to be used as the material for the base building, not slate

and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligation; travel plan monitoring fee (£2500)

**128 Application 09/02779/FU - 1 detached three bedroom dwelling house with attached single garage to garden site - 36 Fearnville Mount Roundhay LS8**

Further to minute 113 of the Plans Panel East meeting held on 19<sup>th</sup> November where Panel resolved not to accept the Officer's recommendation to refuse an application for a detached dwelling house with garage to garden site at 36 Fearnville Mount LS8, Members considered a report setting out possible conditions to be attached to an approval

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report

**129 Application 09/00541/OT - Outline application to erect three detached houses at the rear of Bryn, Winton House and Towerhurst The Avenue Collingham LS22**

Plans, photographs and drawings were displayed at the meeting

Members considered a report on an application for the erection of three detached houses at the rear of properties known as Bryn, Winton House and Towerhurst on The Avenue Collingham LS22

Officers presented the report and stated that refusal of the application was being recommended to Panel as the proposals did not improve the quality or character of the area and did not accord with policy

Members heard representations from the applicants' agent and an objector who attended the meeting

Members commented on the following matters:

- that a similar development higher up the street had been erected and why on some occasions Officers were of the view that existing developments did affect proposed schemes and sometimes they did not
- the comments made by the applicant's agent that he had been advised that a recommendation to approve the application had been placed on the report, with this being altered following the Chair's briefing meeting

The Panel was advised that due to changes in planning legislation, greater emphasis was now placed on the character of areas and through PPS1 and PPS3, Local Planning Authorities were able to better control this aspect. In the case of the three properties which were sited to the rear of Low Garth, Oakroyd and Birkby, these were likely to have obtained planning permission prior to the increased emphasis on the character of an area

Regarding the statements made by the applicant's agent on an amendment to the report's recommendation, the Chair stated that the Chair's briefing meeting considered applications which were to come to Panel and occasionally an application was recommended to be examined further in a Senior Officer Review; this application was one such case

The Head of Planning Services reiterated these points and stated that for this application the key issue turned on the impact of the application on the character of the area and after further consideration Officers were of the view that the correct

recommendation had been brought to Panel for Members' consideration and determination

Members discussed the importance of Officers not indicating to applicants, agents etc a possible recommendation on an application when the final decision did not rest with them

A site visit was then proposed by Councillor Wilson to enable a more informed judgement to be made on the issues connected with the site

**RESOLVED** - That determination of the application be deferred to the next meeting to enable a site visit to be undertaken

### **130 Application 09/04153/FU - Proposed newspaper storage building at The British Library Wighill Lane Walton Wetherby LS22**

Plans, drawings, graphics and sample materials were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a newspaper storage building at the British Library, Wighill Lane Walton LS22, which would provide facilities to relocate and store the stock of printed information which was currently inadequately housed in premises in London. Two informal pre-application presentations on the proposals had been made to Plans Panel East earlier in the year

Members were informed that following criticisms that the recently constructed Automated Storage Building (ASB) was visually bland and uniform, more articulation was proposed on the elevations of the newspaper storage building through the use of random panelling in shades of grey

A visual impact assessment of the proposals had been carried out with Officers presenting the 'worse case scenario' images for Members' consideration

Officers reported the receipt of a further letter of objection and further comments from Boston Spa Parish Council which echoed those made by Walton Parish Council that a simpler single colour finish to the building might be more appropriate

Panel was also informed of Walton Parish Council's concerns at the proposed access route for construction traffic and vehicles delivering documents through the ingress period and its impact on the village, with the Parish Council proposing an alternative route

Officers referred to the proposed conditions set out in the submitted report and stated that condition 2 should read 08.00 to 18.00 hours Monday to Friday and condition 8 should be amended to include 'printed material' rather than newspapers

Following the submission of revised plans and additional information, if minded to approve the application, additional conditions were recommended in respect of:

- protection of trees
- construction traffic
- provision of detailed design of the swale and construction access including details of the retaining wall
- submission of utilities routing to avoid tree routes
- final heights of the building to match those of the site cross section drawings Reference LEO A(00)10 Rev 3

Members heard representations on behalf of the applicant and from

Councillor John Procter who whilst not wishing to oppose the application raised concerns relating to the visual impact of the building and the traffic route proposed by the applicant

Members commented on the issues which had been raised relating to possible glare from the building, particularly in sunlight, the cladding materials; their colour and the most appropriate route for construction traffic and delivery vehicles during the ingest period

**RESOLVED** - To defer and delegate the application for approval by the Chief Planning Officer subject to the conditions set out in the submitted report, subject to the amendments to conditions 2 and 8, further conditions to cover the issues outlined above, further consultations with Ward Members and the Chair of Plans Panel East on the route for construction traffic; the content of the Section 106 Agreement and details of external materials and the signing of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) taking into account the aforementioned discussions and covering the requirements of the travel plan, the implementation of a traffic management system for the routing of the construction traffic including a penalty for breaches of the agreed routing for the drivers; the submission of an ecological management plan for the British Library campus at Boston Spa and if these issues cannot be resolved, that the application be brought back to Panel for determination

### **131 Application 09/03813/FU - Detached prefabricated classroom block to school - Cockburn College of Arts Gipsy Lane LS11**

Plans and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a detached prefabricated classroom block at Cockburn College of Arts LS11

Members were informed that the prefabricated classroom block was currently on site and had been since 2004 when a three year temporary planning consent was granted for this use

The proposals were to use the classroom block as a vocational unit for the sole use of the school, with 12 – 15 students using each of the rooms. To improve the appearance of the block it was proposed to render this in the same off-white colour as that of the main school building

Officers reported a late representation from the Southleigh Residents Association who had raised objections to the proposals, stating that an agreement had been reached between them and the school regarding additional off-street parking arrangements so that particular objection had been withdrawn

If minded to approve the application Members' views on how to proceed with the increased off-street parking were sought as further consultation would be needed if it was to be included in the current application

The Panel heard representations on behalf of the college and from an objector who attended the meeting

Members discussed the following matters:

- the boundary fencing to the residential properties and that this seemed less robust than that provided by the school on the boundary to the adjacent golf course

- concerns that temporary planning permission had lapsed; that the Authority had been brought into disrepute because of this and the need to be fair and equitable when dealing with applications from the Council
- the need for Education Leeds to be asked to review its temporary permissions which had run out or were close to the expiry period and how it proposed to address the matter
- the suitability for permanent use of what was temporary accommodation and how this related to the school as a whole
- concerns about the impact on local residents of on-street parking; that temporary TROs had been introduced during the construction of the new school and that although these would become permanent, they were unlikely to be as effective as increased off-street car parking
- the need to resolve all elements of the application together rather than piece-meal

Members also discussed the fact that the description of the application had not explicitly indicated, as was usually the case, that the application was retrospective. In response to this Members were advised that as the use had expired in 2007 the application was for new proposals. Members questioned this, requested a consistent approach in the future and cited the way in which application 09/01417/FU for the New Horizons School had been dealt with (minute 108 refers)

**RESOLVED -**

i) To defer and delegate the grant of planning permission to the Chief Planning Officer subject to the conditions set out in the submitted report and subject to resolving issues of providing fencing to the boundary with the residential properties and additional parking and that the application be referred back to Panel for determination if agreement on these matters cannot be reached

ii) That Education Leeds be asked to review the temporary permissions it currently has in force and to address any which had expired or were close to expiring

**132 Application 09/04658/FU - Change of use and alterations of basement to one 2 bedroom flat with light-well to front to 106 Harehills Avenue Harehills LS8**

Plans and drawings were displayed at the meeting

Officers presented the report which sought permission for the conversion of a basement area to one 2 bedroom flat at 106 Harehills Avenue LS8

Members were informed that the property which was in use as three flats did not have the benefit of planning permission for this use. Whilst the onus was on the applicant to prove this use had been continuous for four years, a check had indicated that the property had comprised three flats since before Council tax records began

Officers reported receipt of a further letter of objection although this raised no new issues

The Panel raised concerns regarding the adequacy of the headroom which would be available in the proposed flat and the parking provision

**RESOLVED -** That determination of the application be deferred and a further report be brought back to the next meeting addressing the concerns raised by Members

**133 Application 09/03534/FU - Change of use of shop to hot food takeaway with flue to roof and part new shop front at 327 Harehills Lane Harehills LS9**

Plans, photographs and graphics were displayed at the meeting

Officers presented a report which sought permission for the change of use of a shop to a hot food take-away at 327 Harehills Lane LS9

Members discussed the following matters:

- the proliferation of hot food takeaways in the area and whether there was a policy against this
- that UDPR policy SF15 which related to change of use to hot food takeaways could be used to resist the expansion of this use in the area
- that the Local Authority had an obligation to contribute towards combating health inequalities which sat uneasily with this application
- that much money had been spent in the area to curb anti-social behaviour caused by people loitering around off-licences; that this problem had moved to takeaways and that granting planning permission would have an impact on residential amenity

Members were advised that UDPR Policy SF15 did contain some constraints but these were insufficient in this case as the application site was within the S2 centre and two parking spaces were being proposed. Furthermore the UDP policy dealing with Primary and Secondary Shopping frontages could not be applied in this case as the number of units of a single use was calculated within a block and not an area

Members considered how to proceed

**RESOLVED** - That the Officer's recommendation to approve the application be not agreed and that the Chief Planning Officer be asked to submit a further report to the next meeting setting out reasons for refusal of the application based upon the proliferation of hot food takeaways and the impact on residential amenity

**134 Application 09/03257/FU - Detached single storey tennis hall with two disabled parking spaces at Boston Spa Comprehensive School Clifford Moor Road Boston Spa LS23**

Further to minute 107 of the Plans Panel East meeting held on 19<sup>th</sup> November 2009 where Panel agreed to defer and delegate an application for a detached single storey tennis hall with two disabled parking spaces at Boston Spa Comprehensive School LS23, Members received a further report providing information on the issues raised at the previous meeting

Officers presented the report and informed Members that the existing and new facilities would be open to the community and that the school provided free tennis coaching to 25 schools, with this continuing once the new tennis hall was opened, with coaching for talented young players being included as part of the package

The funding had been secured through a grant of £369,000 although this had to be used by August 2010

Education Leeds had indicated there were no plans to demolish and rebuild Boston Spa Comprehensive School

Additional landscaping was being proposed to the north and south of the site to help to screen part of the development from residential properties

That the existing all-weather pitches were open and illuminated until 10.00pm and the same time limit would be applied to the indoor tennis hall



Members noted the information provided and the possibility of inter-school tennis competitions was suggested

**RESOLVED** - To note the report, the information provided and the additional condition relating to hours to use being limited to no later than 10.00pm to coincide with adjacent floodlighting

**135 Application 09/02491/FU -Conservatory with external access ramp to rear at Baab-UI-Ilm Jamaat Community Centre 166 Shadwell Lane LS17**

Further to minute 74 of the Plans Panel East meeting held on 24<sup>th</sup> September 2009 where Members deferred determination of the application for a conservatory and access ramp to the rear of Baab-UI-Ilm Jamaat Community Centre at 166 Shadwell Lane LS17, to enable further negotiations to take place between Officers, the applicants and neighbours, the Panel considered a further report

Officers presented the report and outlined the negotiations which had taken place which it was stated had concluded amicably

A restriction on the hours of use in line with that currently enjoyed by the community centre was being proposed, although the applicants had indicated that restricting the conservatory to dining use only could not be accepted in view of the cost of the proposals

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report

(During consideration of this matter, Councillor Gruen left the meeting)

**136 Application 09/01462/FU - Variation of condition 22 laying out of car parking area of application 07/03669/FU at Peel Street/Melbourne Street Morley LS27**

Members considered a report of the Chief Planning Officer seeking approval for a variation of a condition relating to laying out of car parking area at Peel Street/Melbourne Street Morley LS27, attached to application 07/03669/FU

It was noted that a parking statement which was referred to in the report had not been included in the information provided to Panel

Councillor Finnigan requested that a site visit should take place prior to the next meeting to enable full consideration of the issues raised by the application

**RESOLVED** - That consideration of the application be deferred to the next meeting to enable a site visit to take place and that details of the applicant's parking survey be attached to the report

**137 Applications 07/01009/FU and 07/0102/FU - Site 7 South Parkway Seacroft; Site 4 Thorn Walk and Site 5 Oak Tree Drive/Amberton Road Gipton LS9 for 249 houses - amendment to previously agreed legal agreement relating to developer contributions**

Further to minutes 377 and 380 of the Plans Panel East meeting held on 10<sup>th</sup> May 2007 where Panel approved in principle applications for residential developments as part of the EASEL scheme, Members considered a report of the Chief Planning Officer on a proposed amendment to the Section 106 legal agreement relating to developer contributions

Officers presented the report and stated that due to the downturn in the housing market there was no immediate prospect of the eight sites delivering the 700 homes which had been proposed

Sites 5 and 7 had seen the commencement of some development and Executive Board had agreed the purchase by the Council of 20 properties for social and intermediate housing, with funding secured to support 88 properties for the HomeBuy Direct equity share scheme and the delivery of 60 affordable properties to be owned and managed by Chevin Housing Association

The legal agreement required that the contributions for each site towards greenspace, public transport and education be made prior to development and in one lump sum. However to facilitate development, Officers within the Council's Regeneration Team had negotiated an amendment with Bellways for approval by Panel which would provide contributions upon the completion of each property. A proposed payment schedule was appended to the submitted report for Members' information and consideration

Officers were recommending to Panel that the proposed amendment to allow staged payments of contributions be accepted

Members commented on the following matters:

- the difficult situation which existed; that people had been rehoused from the site which had resulted in a knock-on effect on the availability of social housing to other needy people; that the sites had been cleared but that little development had taken place; concerns about Section 106 funds across the city and the view that the amendment which was being proposed was unsatisfactory
- how the situation could be resolved if Members did not approve the amendment
- what the start and finish dates were for the payment of the contributions
- the current constraints within the housing market
- if payments would be made on completion of a property or upon occupation
- that the proposals represented a sensible suggestion to progress the development

Officers provided the following comments:

- that what was being proposed was not a way of avoiding paying the contributions but was a way of ensuring the viability of developing the sites
- that buyers for 168 properties had been secured and that part of the agreement was that these contributions would be paid
- that if Members did not approve the amendment then a further agreement would need to be considered as currently the only interest for properties on the two sites was from Housing Associations which had grant money to purchase the homes
- regarding payment dates, it was not possible to indicate when payments would be made as this related to when each property was completed and then occupied, which was when the payment of contributions was required

Members considered how to proceed

**RESOLVED** - To agree the amendment of the existing legal

agreement to allow staged payments of contributions in accordance with the schedule set out in Annex 1 of the submitted report

(Under Council Procedure Rule 16.5, Councillors Congreve, Lyons and Parker required it to be recorded that they voted against the matter)

**138 Date and time of next meeting**

Thursday 14<sup>th</sup> January 2010 at 1.30pm in the Civic Hall, Leeds

This page is intentionally left blank



Originator:	Victoria Hinchliff Walker
Tel:	39 51343

**Report of the Chief Planning Officer**

***PLANS PANEL EAST***

**Date: 14/01/10**

**Subject: APPLICATION 09/00541/OT – outline application to erect three detached houses at the rear of Bryn, Winton House and Towerhurst, The Avenue, Collingham, Wetherby, LS22 5BU**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Mr M Walker, Mr M McPherson and Mr R Grange	07/08/09	02/10/09

**Electoral Wards Affected:**

**Harewood.**

Ward Members consulted (referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: REFUSE PERMISSION for the following reasons:**

The application site comprises mature garden spaces that are prominent in the streetscene, provide a positive element in the landscape, are intrinsic to the character of the local area and consequently are of significant public value. The proposed development by reason of its scale, extent and layout results in the loss of these mature gardens and produces a form of development that is inappropriate in its context and that fails to take opportunities available for improving the character and quality of the area. Consequently the proposed development is contrary to policies GP5, N12, H4 and BD5 of the Unitary Development Plans Review (2006) and the guidance set out in Planning Policy Statement 1, 'Delivering Sustainable Development' and Planning Policy Statement 3, 'Housing'.

**1 INTRODUCTION:**

1.1 This application was deferred at the 10/12/09 Panel so that a site visit could be carried out at the request of Councillor Wilson and agreed by Panel. The application was originally referred to Plans Panel at the request of Ward Councillor

Rachel Procter due to concerns regarding the impact on both spatial character and residential amenity of the localities.

## **2 PROPOSAL:**

- 2.1 The application is made in outline only seeking approval for the means of access, layout and the scale of three detached houses. The houses are sited behind and facing away from Bryn, Winton House and Towerhurst, which front onto The Avenue.
- 2.2 Plot one is sited so that it fronts onto Linton Road, whereas plots two and three both face onto the shared access drive. All vehicle access for the three houses is taken from this drive. The existing hedge along Linton Road is proposed to be kept although a new pedestrian access to plot one will be formed within it. Additional tree planting is proposed to the rear of the hedge to screen plots two and three. A postbox and road sign will be relocated as they interfere with the access point.
- 2.3 All three proposed houses are shown as two storey's high with rooms within the roof space. The overall height is shown as marginally below the height of houses on The Avenue and Wharfedale Terrace. Indicative appearance shows the proposed properties to have hipped roofs with gable features and rendered to match the host properties. Appearance is however a reserved matter.

## **3 SITE AND SURROUNDINGS:**

- 3.1 The application site is made up of three back garden areas belonging to Towerhurst, Winton House and Bryn. These garden areas are long and wide, the curtilage of Bryn extends some 70m long by 19m wide. All three areas are currently laid out as garden space with fences, hedges and trees forming boundaries.
- 3.2 To the rear of these gardens there is a 4m wide access, which is grassed at the rear of Towerhurst but becoming more overgrown as you progress up it. This pedestrian route provides access to rear gardens and historically formed a route from the gardens up to the River Wharfe, or onto Linton Road. The access is currently blocked at the boundary of The Cottage which lies on the northern boundary of Bryn. Adjacent to the rear access is a further access road which serves properties on Wharfedale Terrace and The Bungalow. A rear parking area has been created behind the houses on Wharfedale Terrace which is used by residents of this terrace.
- 3.3 The Avenue is a development of large detached houses, dating from the 1920s. At that time there was very little development on Linton Road and The Avenue signalled new growth in the village brought about by new commuters using the station sited on the south side of Linton Road. The railway has gone now but the area has seen steady suburban growth since the Second World War. The two sides of The Avenue have similar sized detached properties, but in very different sized plots, the garden areas of those on the western side being much smaller than those on the eastern side. Adjacent to the west is the Lady Elizabeth Hastings primary school, whilst to the east of the site is a row of redbrick terraces fronting onto Linton Road (Wharfedale Terrace). A new (c. 2000) suburban estate of detached properties wraps around the side and rear of these terraces. To the south of Linton Road is again a modern suburban estate of detached properties, a mix of two-storey houses and bungalows. The boundary of the site with Linton Road consists of fencing with hedging to the rear. The boundary of the application site with Linton Road is marked by an attractive hedge and grass verge.

- 3.4 The site does not lie within the proposed Collingham Conservation Area; however it does lie close to the proposed area. There are no other policy designations affecting the site.

#### **4 RELEVANT PLANNING HISTORY:**

- 4.1 H31/195/89/ - three bedroom detached bungalow to garden site. Refused 31/07/89. The application was refused due to the proposed dwelling being too close to the highway and the rear boundary and lack of adequate garden space for both the proposed and existing property. The proposal was also considered to be intrusive in the street scene and detrimental to the spacious character of the locality. An appeal was lodged and dismissed on 26/01/90.
- 4.2 H31/144/88/ - outline to erect detached house to garden site. Refused 01/08/88. The proposal was refused as it would not provide sufficient parking, garaging or turning area, insufficient garden area and it was also considered to be intrusive to the street scene and detrimental to the spacious character of the locality.
- 4.3 Both of the above applications were for a site at the rear of Towerhurst. There are no other relevant applications; however two properties further north along The Avenue have lost part of the garden spaces to building of The Terns development. This is land to the rear of Birkby and Oakroyd, utilised in application reference 31/183/93/FU - laying out of access roads and erection of 54 dwellings. Approved 21/07/94.

#### **5 HISTORY OF NEGOTIATIONS:**

- 5.1 Initial concerns regarding the spacing and siting of the dwellings were raised with the agents and as a result the following changes to the scheme have been made.
- The garden area of plot three has been extended by 0.5m.
  - The boundary between plots one and two has been altered to give greater outlook distances for plot one.
  - The hedge is shown to be retained fully along the southern boundary of the site (although note landscaping is still a reserved matter).
  - Some large Juliet balcony shown at first floor level of plots two and three have been removed (although note the plans are indicative only in terms of appearance).
  - Additional tree planting to the boundary between Towerhurst and Plot 1 has been added along with a larger tree species at the corner of Plot 2. The existing gap in the hedge is also to be utilised for the pedestrian access from Plot 1, rather than creating a new opening.
  - Changes have been made to drive length and turning provision at Plot 2 following discussions with highway DC officers.

#### **6 PUBLIC/LOCAL RESPONSE:**

- 6.1 A site notice was not used to advertise this application due to a lack of available streetlamps in the area on which to place a notice. Neighbour Notification Letters were however sent out on the 10/08/09 to residents on The Avenue, Dewar Close, Wharfedale Terrace, Tern Park and The Bungalow. The deadline for comments was 02/09/09.

- 6.2 Collingham with Linton Parish Council - objects to the proposal on the grounds that it forms backland development which is out of character with the area. They also consider the development to be inappropriate in its context and to not integrate well with neighbouring buildings on to Dewar Close and The Avenue. The council further considers that it will impact on local access with regard to covenants regarding access to the River Wharfe and that the development is within the flood plain. *Issues of character, context and flooding are dealt with below. The issue of covenants is a civil matter, and is not a material planning consideration.*
- 6.3 31 objection letters were received raising the following concerns;
- Highway safety - the access is considered to be dangerous due to car parking on-street by school parents. *Highway issues are considered below.*
  - Overdevelopment of the site. *Issues of siting and layout considered below.*
  - Loss of view. *This is not a material planning consideration.*
  - Harm to character of the area. *This issue is considered below.*
  - Increase in traffic. *Highway issues are addressed below.*
  - Risk of precedent and prior refusals on the site. *See discussion of principle below.*
  - Flood risk - houses in the area have suffered from localised flooding. *Issues of flooding are dealt with below.*
  - Loss of privacy and overlooking. *Issues of amenity are addressed below.*
  - Covenants providing for access from the rear gardens to Linton Road and restrict development on site. *This is a civil matter concerning the land owners of the site and is not a material planning consideration.*
  - Trees have already been removed from site. *There are no protected trees within or adjacent to the site and the site is not in a Conservation Area, residents are therefore at liberty to remove trees in their rear garden areas.*
  - Gardens are an important open area. *See discussion of character below.*
  - Noise of construction. *Strictly not a planning matter, however, given the sensitive location of the site a condition controlling the hours of construction works could be considered.*
  - Properties will have an overbearing effect. *See discussion on siting and amenity below.*
  - Garages will be converted to habitable rooms, thus increasing pressure on parking. *This can be controlled through a condition to ensure garages remain as such.*
  - Lack of detail about materials. *The application is made in outline only, indicative plans suggest that the properties will be rendered to match those on The Avenue. Condition requiring approval of materials would be applied anyway.*
  - Loss of amenity to properties on Dewar Close. *See discussion of amenity below.*
- 6.4 Neighbours were notified following some small alterations to the plans on 12/10/09. 19 further letters of objection were received, which largely re-iterated all previous concerns.
- 6.5 Neighbours were further notified of some additional amendments on 30/10/09. Similar objections were received.



## **7 CONSULTATIONS RESPONSES:**

### **Statutory:**

- 7.1 Highways - officers raise no objection in principle to the formation of a vehicular access on the line of the existing pedestrian access subject to conditions.

### **Non-statutory:**

- 7.2 Comments from internal consultees are dealt with in the appraisal below.

## **8 PLANNING POLICIES:**

### **Development Plan**

- 8.1 The Regional Spatial Strategy (RSS) has no specific relevant policy to this site. However, the main objective of the plan is to achieve sustainable growth which includes locating housing development in main urban areas, particularly the principal, sub-regional and regional towns and cities (YH4, YH5 and YH7) and on previously developed land first. Policy YH8 requires LPA's to identify, protect and enhance green infrastructure, and ENV8D requires retention and incorporation of biodiversity into development and encourages networks of green infrastructure.
- 8.2 The adopted Unitary Development Plan Review (UDPR) includes the following relevant policies;
- GP5 - general planning considerations.
  - N12 – urban design principles – including spaces between buildings, respect for character, provision of lifetime homes.
  - N13 – building design should be of high quality and have regard to the character and appearance of their surroundings.
  - N39A – sustainable development.
  - N51 – new development should enhance existing wildlife habitats.
  - H4 - housing on unallocated sites should be in the main urban areas and on previously developed land first and shall comply with all other relevant policies.
  - T2 - and highway and access issues to be addressed.
  - T24 - car parking guidelines.
  - BD5 - issues of amenity.
  - LD1 – landscaping.

### **Relevant supplementary guidance**

- SPG13 - Neighbourhoods for Living - this provides general advice on housing design, including provision of amenity, protection from overlooking, parking layout etc.
- Street Design Guide – gives guidance on street design, layout and parking provision.

### **Government Planning Policy Guidance/Statements**

- PPS1 - Planning and Sustainable Development (2005) - advocates good design that contributes to the area and provides for sustainable development.

- PPS – Planning and Climate Change, supplement to PPS1 (December 2007) – new development should deliver a high quality local environment.
- PPS3 – Housing (2006) -provides advice on location of housing and also has an emphasis on good design.
- PPG17 – Planning for Open Space, Sport and Recreation (May 2006) – domestic gardens can play a role in providing amenity greenspace that may be of public value.

## 9 MAIN ISSUES

1. Principle of development.
- 2, Impact on spatial character of the area.
3. Impact on residential amenity.
4. Impact on highway safety.
5. Other issues, including flood risk.

## 10. APPRAISAL

### Principle of Development

- 10.1 The application site is not located within a Principal Town (as identified in the RSS) therefore meet the requirements of RSS policy or UDPR policy H4.
- 10.2 The site, as garden area, is classed as a brownfield site which does fit with the sequential approach adopted by PPS3 that seeks the re-use of developed land to comply with sustainable development principles.
- 10.3. However, PPS3 : Housing stresses the importance of good design which contributes to the creation of sustainable mixed communities. It states, in line with policy contained in PPS1 : Delivering Sustainable Development that good design should contribute positively to making places better for people and at paragraph 13 states that:
- “Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.”
- This sentiment is also expressed in identical terms in PPS1 at paragraph 34.
- 10.4. It is considered that the proposal is inappropriate in this location in that it does not improve the character and quality of the area within which it is located and is therefore unacceptable in terms of PPS1 and PPS3

### Impact on Spatial Character

- 10.5 This area of Collingham has a green and open character appropriate to the rural setting of the area. This is especially apparent on Linton Road with the visual openness provided by the rear gardens of houses on The Avenue, due to the fact that the road forms the side boundary of the gardens. This gives a distinct visual break in built development to either side and provides a highly attractive visual amenity of benefit to all who travel along Linton Road. This openness is further enhanced by the fact that on the southern side of Linton Road the boundary here is formed by rear gardens with boundary fences overhung with hedging. The openness arising from the long rear gardens gives the area an air of spaciousness which forms an important part of the character of this area. The garden areas contribute to this character by being in effect public open space within the private

realm providing long vistas of open land via glimpses between buildings and over boundaries.

- 10.6 The character of the eastern side of The Avenue is one of spacious villas set in large garden plots, with hedging and mature trees very much in evidence. The openness is enhanced as you travel up The Avenue, with views between the houses to the rear gardens beyond. These large rear gardens stretch all the way up The Avenue to open land on the banks of the River Wharfe. These gardens therefore help to bring this area of countryside down into the heart of the village and provide an important habitat corridor and element of the local green infrastructure. Due to the age of the properties these gardens are all mature and well developed and provide a spaciousness and openness that is not apparent in more modern developments within the village.
- 10.7. It is considered therefore, that to introduce built development into this openness would result in a discordant element in the streetscene and would interrupt the visual openness that provides so much to the character of this locality. Furthermore, the ability of the gardens to operate as part of the local green infrastructure and to provide this visual amenity for all will be much reduced. The proposal is therefore considered harmful to the character and appearance of the area contrary to policies GP5, H4, N12, BD5 and to guidance in PPS1 and PPS3.

#### **Impact on Residential Amenity**

- 10.8 The proposal provides the recommended amount of garden space for the new properties in line with Neighbourhoods for Living. The remaining garden areas for the host plots are also in line with guidance. Suitable outlook distances between the two sets of buildings are provided, for example plot one provides 2.5m to the shared boundary with Towerhurst and a distance of 9.5m to the garage of Towerhurst. Plots two and three have distances of 30 plus metres to the rear elevations of the host properties. The proposal is therefore not considered to result in harm to the amenity of the host or the proposed properties, due to overlooking, dominance, overshadowing or a lack of amenity space.
- 10.9 Concerns have arisen regarding overlooking and loss of privacy to properties to the east on Wharfedale Terrace and south on Dewar Close. Plot two looks onto the gable end of number one Wharfedale Terrace, which has windows at ground, first and attic level. The separation between the two buildings is 16m and plot two achieves 11m to the site boundary. This is more than adequate in terms of recommended distances from living room or bedroom windows to a boundary. Plot three faces the rear garden areas and parking areas of Wharfedale Terrace, again a suitable distance of 16m separation is provided.
- 10.10 The eastern boundary of the site is formed by a high hedge and trees which will be retained and enhanced giving an effective privacy barrier. Large Juliet windows, at first floor level have been removed from plots two and three and the second floor windows are velux windows in the roof. Although the elevational details are indicative only they do show that privacy can be protected adequately at the reserved matters stage. With regard to Dewar Close plot one is some 15m from the rear boundary, which is again considered sufficient for the protection of privacy, although again this can be controlled at the reserved matters stage.
- 10.11 The proposal is therefore considered to comply with H4, GP5 and BD5 in terms of amenity in relation to privacy distances between adjoining properties. However, in terms of the wider amenity of the neighbourhood it is considered that there will be a detrimental impact on residential amenity by virtue of the closing down of the current air of spaciousness that residents enjoy.

- 10.12 Government advice, as set out in PPG17 : Planning for open space, sport and recreation, is that green spaces perform vital functions as areas for nature conservation and biodiversity and by acting as ‘green lungs’ can assist in meeting objectives to improve air quality. In defining ‘open spaces’ PPG17 includes green spaces in and around housing and domestic gardens and village greens. The building over of these gardens areas as proposed in the current proposals is therefore at variance with government advice as to the importance of retaining such area as wild life corridors and green lungs.

### **Issues of Highway safety and Amenity**

- 10.13. The proposed access point utilises the existing 4m wide pedestrian access. This is considered to be sufficient for the number of properties requiring access from it and the formation of a new dropped kerb vehicle crossing here is not considered to result in any issues of highway or pedestrian safety.
- 10.14. Each property provides a double garage and two parking spaces within the plot curtilage so there is adequate parking provision for both residents and visitors within the site. The retention of the garages as parking provision can be ensured through a condition which will ensure control of parking provision within the site.
- 10.15. A number of objections have been raised regarding the safety of the proposed access point given the extent of on street parking that occurs along Linton Road. This on street parking is a result of “school run” parking for the nearby primary school. The issues that arise as a result of this parking are for residents and the relevant highway services to address and should not preclude development, which Highways consider to provide a safe access.
- 10.16. The proposal has been assessed against policies T2 and T24 and guidance in the Street Design Guide and has been found to comply with relevant policies.

### **Other Issues**

- 10.17 Some objections relate to flooding as properties in the local area have experienced such flooding in recent years. The site does not lie within the Strategic Flood Risk Zone or within the Environment Agency Flood Risk Zones so is therefore not considered to be particularly at risk. Comments from the Mains Drainage section have not raised any concerns regarding the proposal. It is undoubted, however that by allowing development additional surface water run-off would be greatly increased. The gardens currently act as part of a natural Sustainable Urban Drainage system and this would be interrupted. In light of known local concerns about recent flood events, it is considered important to ensure that the development does not result in an unacceptable increase in levels of surface water run-off that would impact on neighbouring properties. For this reason it is recommended that if approval is granted then conditions regarding surface water drainage should be applied and that all surfacing materials are porous to ensure natural drainage can occur.

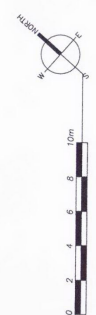
## **11 CONCLUSION**

- 11.1 The application is made in outline and seeks approval of the layout, the access and the scale of development. The layout is considered to result in detriment to the spatial character and visual amenity of this locality and the harm that arises from this is considered to outweigh all other matters. Members are therefore recommended to refuse planning permission on these grounds.

**Background Papers:**

Application file. 09/00541/OT

Certificate of Ownership – signed as applicants.



SITE AREA: 0.1722 Hectare

09/00541

- KEY
- 01: NEW VEHICULAR ACCESS WITH DROPPED KERBS
  - 02: COMMUNAL BIN AREA FOR WEEKLY COLLECTION
  - 03: NEW TREATED ACCESS DRIVE
  - 04: BIN STORES FOR SHRETLING

NEW TREES SHOWN WITH CROSS IN MIDDLE. SUGGESTED SPECIES NOTED ON PLAN



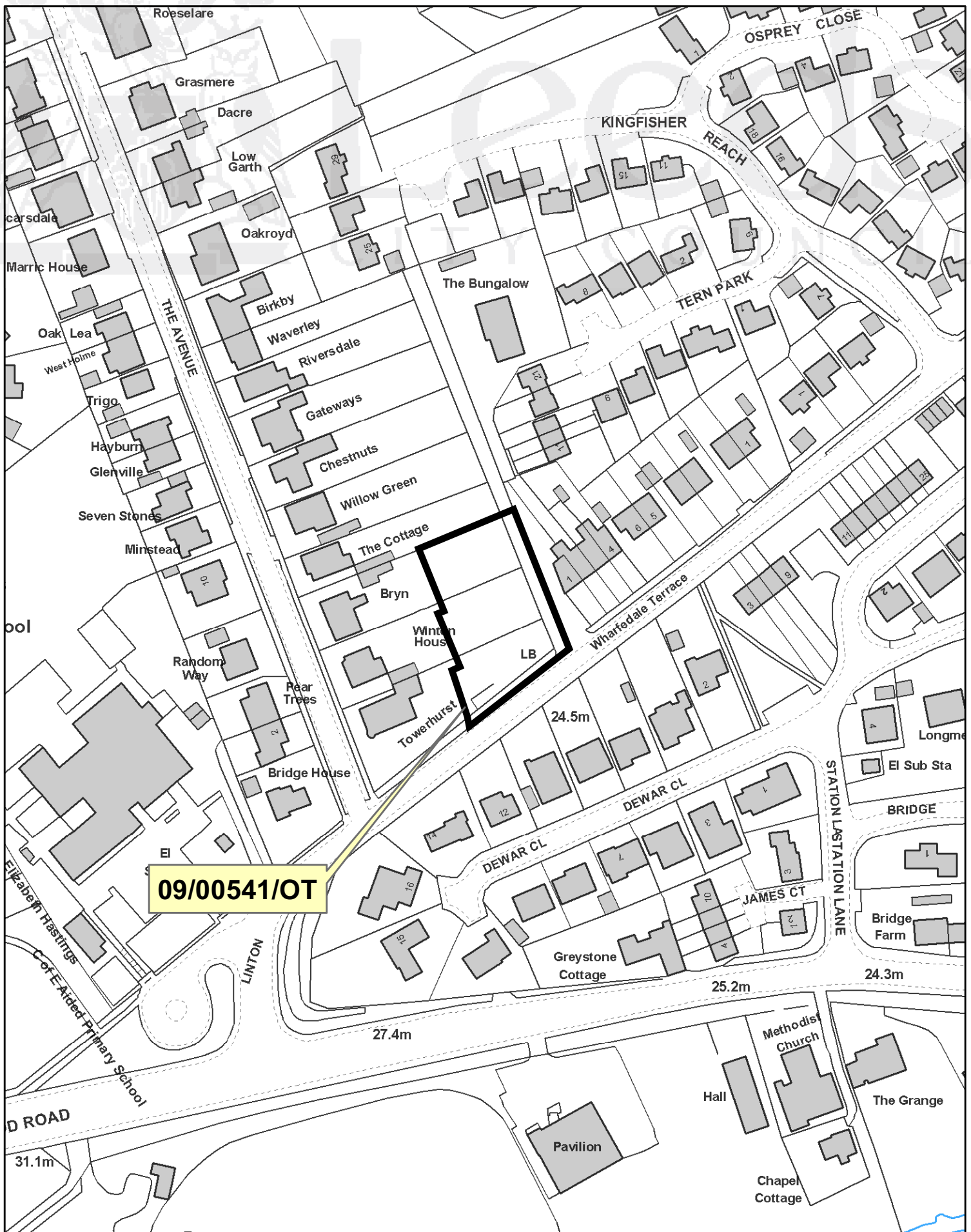
NEW TREATED ACCESS DRIVE TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 1 FROM PLOT 2 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 2 FROM PLOT 3 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 3 FROM PLOT 4 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 4 FROM PLOT 1 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 1 FROM PLOT 2 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 2 FROM PLOT 3 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 3 FROM PLOT 4 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE. ACCESS TO PLOT 4 FROM PLOT 1 TO BE SHOWN WITH DROPPED KERBS AND ACCESS TO EXISTING BRICK HEDGE.

**WILBROOD MACDONALD**  
 Chartered Architects  
 Patrick Shute, Patrick Weston Road,  
 Collingham, Leeds  
 T 01937 586 226  
 F 01937 586 329  
 email@wilbroodmacdonald.com  
 www.wilbroodmacdonald.com

PROPOSED DEVELOPMENT AT LINTON ROAD,  
 COLLINGHAM, LEEDS  
 PROPOSED SITE LAYOUT

LEEDS CITY COUNCIL  
 Please refer to Decision Notice  
 - 1 DEC 2009  
**REVISED**

Date	1:200@A2	Date	27.11.08	Drawn by	MB
Scale	1:200	Checked by	1955/SV/005	Reviewed by	J



# EAST PLANS PANEL

I  
Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL

This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567 2008



This page is intentionally left blank





Originator: Richard Smith

Tel: 0113 247 5518

## PLANS PANEL EAST

Date: 14<sup>th</sup> January 2010

Subject: APPLICATION 09/01462/FU – Variation of condition 22, laying out of car parking area of application 07/03669/FU at Peel Street/Melbourne Street, Morley.

APPLICANT	DATE VALID	TARGET DATE
Compass Properties (Leeds) LLP	3 April 2009	3 July 2009

### Electoral Wards Affected:

**Morley South**

Ward Members consulted  
(referred to in report)

### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION:

**GRANT PERMISSION subject to the following conditions:**

1. Time Limit on Full Permission 3 Years
2. Samples of Walling and Roofing materials to be submitted.
3. Fencing and/or walls to be provided.
4. Samples Surfacing Materials Submitted Landscaping to be submitted.
5. Submission of Landscaping Details
6. Implementation of Landscaping Scheme
7. Provision for Replacement of Trees
8. Provision of Cycle Parking
9. Facilities for Storage/Disposal Litter
10. Green-space enhancements
11. Water Disposal to be agreed.
12. Feasibility study into Infiltration Drainage
13. Contaminated Land Information
14. Contaminated Land Amended Remediation Statement
15. Contaminated Land Verification Report.
16. All car parking as provided, retained (amended no. of spaces) and to remain unallocated thereafter.

17. Visibility splay to be provided.

### **Reasons for approval:**

The application is considered to comply with policies GP5, N2, N4, N13, H4, T2, T24, BD5 and LD1 of the UDP Review, as well as guidance contained within the Supplementary Planning Document - Street Design Guide (2009), PPS1, PPS3 and PPG13, and having regard to all other material considerations, as such the application is recommended for approval.

### **1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel (East) given that it seeks to vary an earlier permission, ref. 07/03669/FU, as granted at Plans Panel (East) dated 30<sup>th</sup> August 2007. This variation amounts to a replacement of 13 'allocated' car parking spaces with 9 'unallocated' car parking spaces. Since the August 2007 Panel there has been a change in planning policy guidance in respect of parking provision and the recommendation to approve reduced parking reflects this updated guidance.
- 1.2 This application was considered at Plans Panel East on the 10<sup>th</sup> December 2009, where Officers had recommended approval of the proposal, subject to conditions. However, at that meeting Councillor Finnigan requested to defer the application to allow for a site visit to be made and the application's parking survey to be attached for Members to consider. Members agreed to this request.
- 1.3 The applicant's parking survey, which comprises a series of colour photographs and covering letter, is being distributed to Members under separate cover (so as to retain their original print clarity). The photographs are stamped with the time that they were taken; the letter refers to whether this is weekdays or weekends. The photos also show that little use through the day is made of the car park which is available to residents to the west side of Melbourne Street. The photos also show that on-street parking is more apparent during the weekday daytime hours but is much less evident during evening/off-peak hours when the residential parking demand will be much more apparent. As part of the assessment of the application, highway officers have carried out their own site visits to observe highway conditions, including the extent of off-street parking. In summary it is considered that on balance, the off-street parking capacity (and on-street capacity should it ever be required) for residents will be available at acceptable levels at all times and particularly so in evenings/off-peak when they would need it most.

### **2.0 PROPOSAL:**

- 2.1 The application is to re-designate and vary (reduce) the level of off-street parking that was attached to approval ref. 07/03669/FU, which has now been developed as a new build residential block of 13no x 1-bed flats. The flats are occupied.
- 2.2 The applicant is looking to re-designate the type of off-street car parking that is provided to serve the development. The current application is to provide a total of 9no 'unallocated' spaces as opposed to 13no 'allocated' spaces, which were previously approved in 2007. 3no spaces would remain within the site of the flat complex and 6no provided across Melbourne Street opposite the flats. Both of these pieces of land (either side of Melbourne Street) formed the overall 2007 site (as reflected in this application).

2.3 The term 'unallocated' means that spaces are not allocated to the individual occupiers of the flats and therefore can be used more flexibly. All other parts of the scheme are as previously approved and have not changed.

### **3.0 SITE AND SURROUNDINGS:**

3.1 The site was occupied by a red brick built commercial/industrial building previously used as a workshop before last being used as offices.

3.2 The approved development of 13no flats has now been built and is occupied by residents. The complex, which is located immediately outside the designated S2 town centre, features 3no car parking spaces immediately adjacent to the residential block. The remaining spaces are located on the opposite side of Melbourne Street, within outside the S2 centre, but have not formally been laid out.

3.3 The site is abutted by two storey residential properties/three storey flats alongside and opposite on Peel Street. Along Melbourne Street, the applicant has office premises (a converted workshop/warehouse building of 2 storeys) which adjoin the area proposed for the additional 4no parking spaces. Melbourne Street has an array of buildings used for education, office and industrial purposes. The area is mixed residential and commercial in character.

### **4.0 RELEVANT PLANNING HISTORY:**

4.1 07/03669/FU – Part two storey and part three storey block of 13 one bedroom flats, with 13 car parking spaces – Approved 03.09.07

4.2 08/03931/FU - Part 4 storey part 2 storey block of 13 flats, 1 office unit and ground floor covered car parking – Withdrawn 30.10.08 (this application was proposed largely on the adjoining site, as termed by the applicants as 'Phase II', but is relevant as it also formed part of the parking space afforded to the current application – termed by the applicants as 'Phase I').

4.3 09/00358/FU - Variation of condition 22, laying out of car parking area of planning permission 07/03669/FU at Peel Street/Melbourne Street, Morley – Withdrawn 01.04.09

### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 During the course of assessing application 08/03931/FU (for a mixed residential/office scheme) it became evident that the additional 10no car parking spaces attached to application 07/03669/FU (to be provided further to the 3 spaces sited adjacent to the residential block) had not been provided within the proposals being shown for the re-development of the former workshop/warehouse building site. This 2008 scheme was therefore withdrawn and the applicant was advised that a variation of condition application and a new layout would have to be submitted.

5.2 A previous application, ref. 09/00358/FU, proposed 7no spaces, which upon discussions with officers was considered insufficient and the application was therefore withdrawn with a view to increasing the number provided. This resulted in the submission of the current proposal for 9no spaces.

### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been advertised by site notices (on 24<sup>th</sup> April 2009, expired 15<sup>th</sup> May 2009).
- 6.2 1 letter of objection has been received from Morley Town Council which raises the following point:

- parking problems exist already given that many surrounding properties do not benefit from any off-street parking – *dealt with in appraisal section*

## 7.0 CONSULTATION RESPONSES

### Statutory:

- 7.1 None.

### Non Statutory Consultations:

- 7.2 **Highways** – No objections to level of parking being reduced to 9no spaces subject to a condition requiring that the spaces remain unallocated in perpetuity.
- 7.3 **Morley & Rothwell Town Centre Manager** – No comments received but on previous application 09/00358/FU it was stated that no objections would be raised subject to there being no additional car parking being evident at public car parks on Commercial Street.

## 8.0 PLANNING POLICIES:

- 8.1 **Development Plan** – The adopted development plan comprises the Regional Spatial Strategy (RSS) and adopted Unitary Development Plan (Review) (UDPR):

### UDPR:

GP5 – Requirement of Development Proposals: seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

N2 – Greenspace and Residential Developments: outlines the local ‘establishment hierarchy’ to green space provision

N4 – Greenspace Hierarchy: suggests appropriate calculations to be made for securing green space provision

N13 – Design and New Buildings: requires development to be of high quality and having regard to character/appearance of their surroundings.

H4 – Residential Development (Sites Not Identified in UDPR): development of such sites shall be in a sustainable location, within the capacity of infrastructure and complies with all other UDP policies.

T2 – Transport Provision for Development: development proposals should not create new, or exacerbate existing, highway problems.

T24 – Parking Provision and New Development: outlines guidance on the level of parking considered appropriate for development proposals.

BD5 – Amenity and New Buildings: Amenity and New Buildings: outlines that development proposals should be designed with consideration given to their own and neighbouring amenity considerations.

LD1 – Landscaping Schemes: details considerations required for any landscape scheme including existing and proposed soft (and hard) landscaping

- 8.2 **Relevant supplementary guidance**

Street Design Guide (2009) Supplementary Planning Document (SPD) was adopted in August 2009 – section 3.9 (Car Parking) refers to detailed guidance on suggested car parking provision for residential developments. The consultation draft of this document was approved for development control purposes in September 2007.

### 8.3 **Government Planning Policy Guidance/Statements**

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Planning Policy Statement 3 – Housing (2006)

Planning Policy Guidance Note 13 – Transport (2001)

### 9.0 **MAIN ISSUES**

- Principle of Development
- Car Parking
- Other Considerations

### 10.0 **APPRAISAL**

#### Principle of Development

- 10.1 The principle of a residential scheme for flats was established through the approval of application 07/03669/FU, the development of which has been built and now occupied by residents. The site is sustainable in location, being set within/on the border of the Town Centre with its shops, services, facilities and public transport. No concerns are raised under UDPR policy H4 or guidance set out in PPS1/PPS3.

#### Car Parking

- 10.2 It is understood all the 13 units are now occupied (all rented); however the uptake of the off-street car parking facilities has been limited. The units have been marketed for sale or for rent.
- 10.3 The applicant has produced a parking survey (as submitted through application 09/00358/FU) showing levels of parking on-street around the site arguing there not to be an evident local parking problem. They suggest that much of the on-street daytime parking can be related/connected to their existing operations at their Melbourne Street commercial premises. They outline that this would be re-developed at a future date for residential/commercial purposes, if this application is successful. An indicative layout of this has thus been provided.
- 10.4 The original application deemed that 1 space was required per flat, reflecting guidance set out in the UDPR that states that dwellings in S2 centres should have no more than 1 spaces per dwelling, or a maximum of 1.5 spaces per dwelling (averaged over a development) outside of S2 centres.
- 10.5 The Street Design Guide SPD now updates UDPR guidance with an alternative and more specific car parking advice (based on guidance carried out by the Department for Communities and Local Government, in their 2007 publication 'Residential Car Parking Research').
- 10.6 The current application has re-assessed the off-street parking provision in light of the Street Design Guide and DCLG research, which gives a methodology to differentiate between the off-street parking demand of a development depending on its proportion of

allocated and unallocated car parking spaces. Eventual car parking numbers are calculated in light of this proportion and a number of other factors.

- 10.7 The DCLG document uses 2001 census statistics and suggests that car ownership varies most directly in relation to dwelling type, size and tenure. The variables given are: type – house or flat, size – number of habitable rooms (i.e. all rooms excluding bathrooms – as used in census) and tenure – owned or rented. The 2001 census area statistics are then grown in line with forecasts for car ownership. Actual car parking provision is then related to allocation of spaces to individual dwellings.
- 10.8 The allocation of a spaces to an individual dwelling can have an adverse impact on the efficiency of car parking provision, as there is no flexibility on who can use the spaces. The proposal is that 0% of the spaces are allocated and planning controls will ensure that this remains so in perpetuity. On this basis, the provision of 9 unallocated spaces to serve the 13 flats (assumed to be owner occupied) meets the requirements of the guidance. By way of comparison, if each flat were provided with an allocated space (i.e. 13) then the methodology used would require a further 4 spaces be provided (17 in total).
- 10.9 In summary, the change from allocated car parking to unallocated warrants a review of the overall numbers required to prevent overspill parking taking place. The application seeks permission for the provision of 9 unallocated spaces (rather than the 13 allocated spaces approved under application 07/03669/FU) and a condition has been suggested to ensure that this remains the case thereafter. Given recently adopted local policy guidance and the context of the types/location of property, it is considered this is an acceptable level of parking provision. If the flats were to become owner occupied then the 9 spaces would still meet the guidance set out in the Street Design Guide. The application is therefore considered acceptable to policies T2 and T24 and guidance within the SPD and PPG13.

#### Other Considerations

- 10.10 All other considerations that were approved under the grant of application 07/03669/FU are still relevant and no concerns are raised against their original assessment; this includes the visual appearance and massing of the development, use of materials and provision of amenity space.
- 10.11 As with application 07/03669/FU, the applicant is still required to contribute to the enhanced provision of off-site green-space with a delivery mechanism achieved by planning condition.
- 10.12 The application is considered to accord with policies GP5, N2, N4, N13, BD5 and LD1.

#### **11.0 CONCLUSION**

- 11.1 The revised proposals and application are considered to provide sufficient shared off-street car parking at an appropriate level given the tenure and location of the flats and public transport/shops/facilities available in Morley in close proximity. On balance the application is considered acceptable subject to the application of all relevant conditions as again placed/varied to permission 07/03669/FU.

#### **Background Papers:**

Application file

History files 07/03669/FU & 09/00358/FU

**Certificate of ownership:**  
Signed by applicant.

DO NOT SCALE FROM THE DRAWING  
ALL DIMENSIONS TO BE CHECKED  
ON SITE

09 / 01462

T/S

DRAWING

Additional parking dedicated  
to Peel Street / Melbourne Street apartments  
Morley

NB in addition to 3no. spaces on site

SCALE

1:200

REV

DATE

March 2009

CLIENT

Compass Properties, 27 Melbourne Street,  
Morley LS27 8BG TEL: 0113 252 9772

PROJECT

13no. New Build Apartments,  
Peel Street / Melbourne Street,  
Morley

© Tim Bennett Dipl. Arch (LEEDS)  
27 Melbourne Street, Morley LS27 8BG  
Tel: 01675 267938 email: timbennett6@hotmail.com



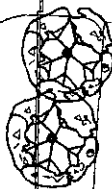
MELBOURNE STREET APARTMENTS  
PHASE 1

MELBOURNE STREET

Card-operated security  
gate

Access to 27 Melbourne Street

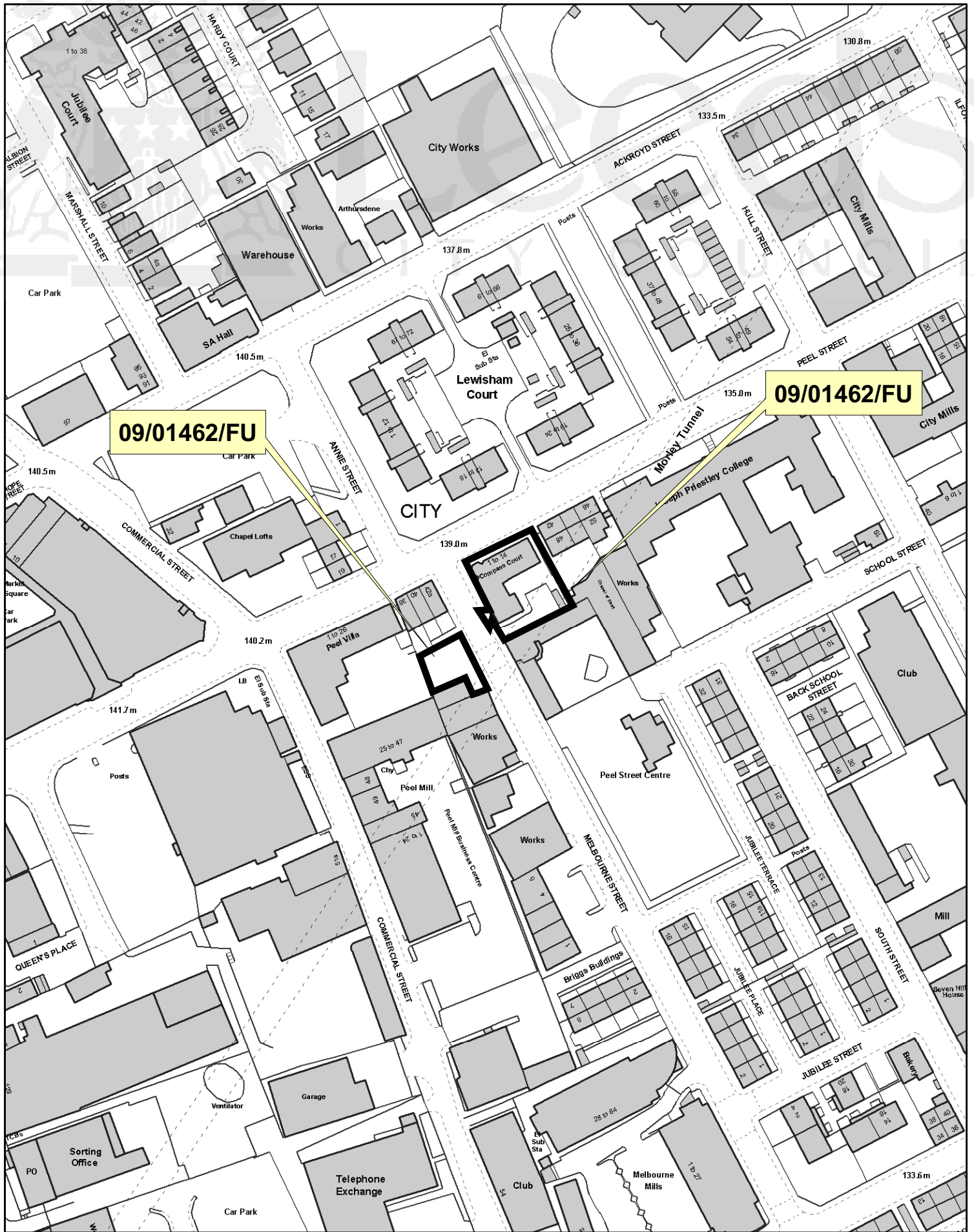
27 Melbourne Street



Dedicated Parking to Peel Street/  
Melbourne Street Apartments  
6 no. spaces







# EAST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL  
 This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567



This page is intentionally left blank

**SCANNED**

Leeds City Council,  
Department of Planning,  
Leonardo Building,  
2 Rossington Street  
LEEDS LS2 8HD

- 6 MAR 2009

PDBJON

DEVELOPMENT DEPARTMENT			
To	Action	Info	File
- 5 MAR 2009			

07/03669/FU

Date: 20<sup>th</sup>. February 2009

For the attention of Richard Smith Esq.: Senior Planning Officer-South Team:

Dear Mr. Smith,

**Re: Removal of Condition 22 -Melbourne Street Phase 1, Parking Analysis:**

Further to our discussion regarding the above I enclose for your attention a series of photographs taken at various times during typical days.

You will see that from photographs 1-8 incl. that prior to 8.00am on weekdays there is very little in the way of street parking requirement on Melbourne Street, and the offstreet parking Provision is occupied by one car only (please note the blue Rover is mine).

After 8.00am you will see the parking generated by companies operating out of the building which will be replaced by our phase 2 proposal, is very concentrated, but this requirement will of course disappear in the event of Phase 2 going ahead.

You will further see that after the initial demand in the early morning that the parking thins out again (photographs 13-19 incl.).

Photographs 20-22 incl. shown the requirement at the weekend as absolutely minimal both in terms of on and off-street parking.

I hope that this information is of use to you in your deliberations.  
I look forward to hearing from you.

Best regards,

Tim Bennett



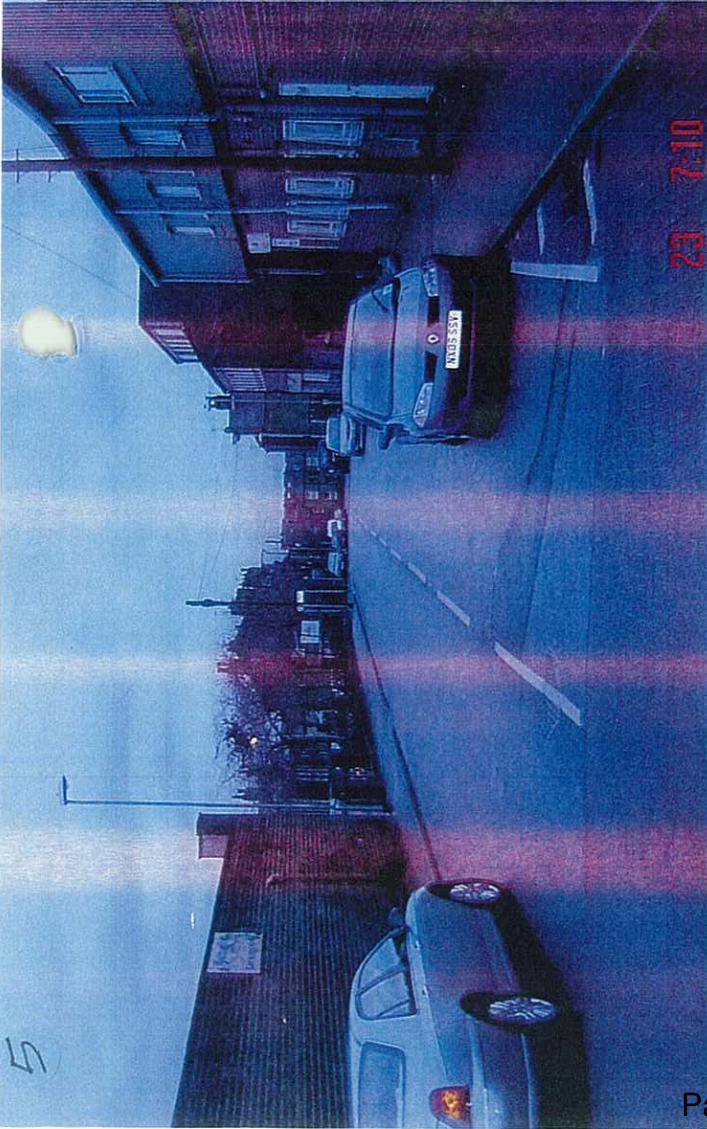
c.c Messrs. Compass Properties (LEEDS) LLP, Peter Baldwin Esq.

T.F.Bennett Dipl. Arch (LEEDS), 27 Melbourne Street, Morley,  
Leeds LS27 8BG

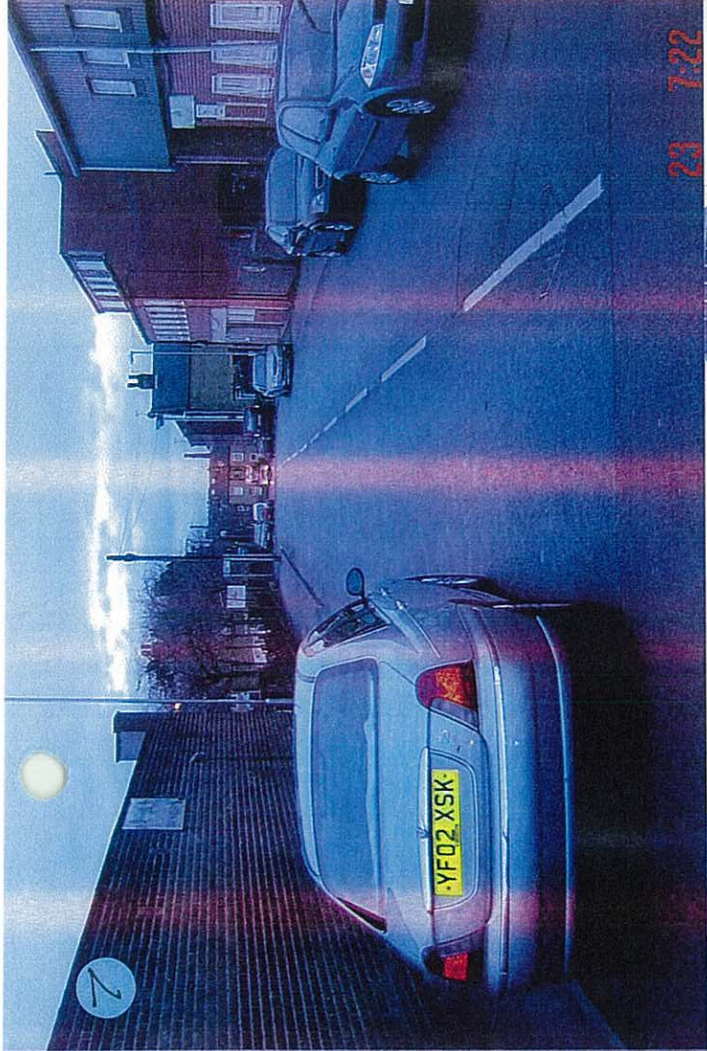
Tel: 07875 267938 E-Mail timbennett6@hotmail.com



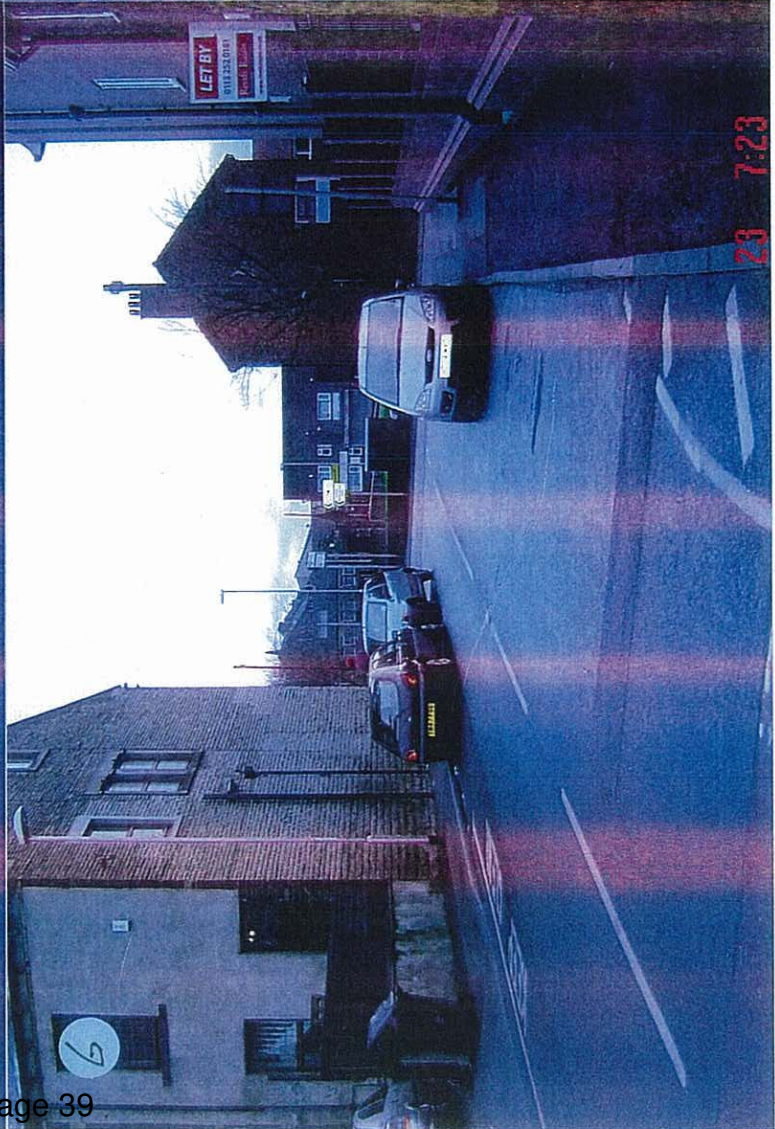
5



23 7:10



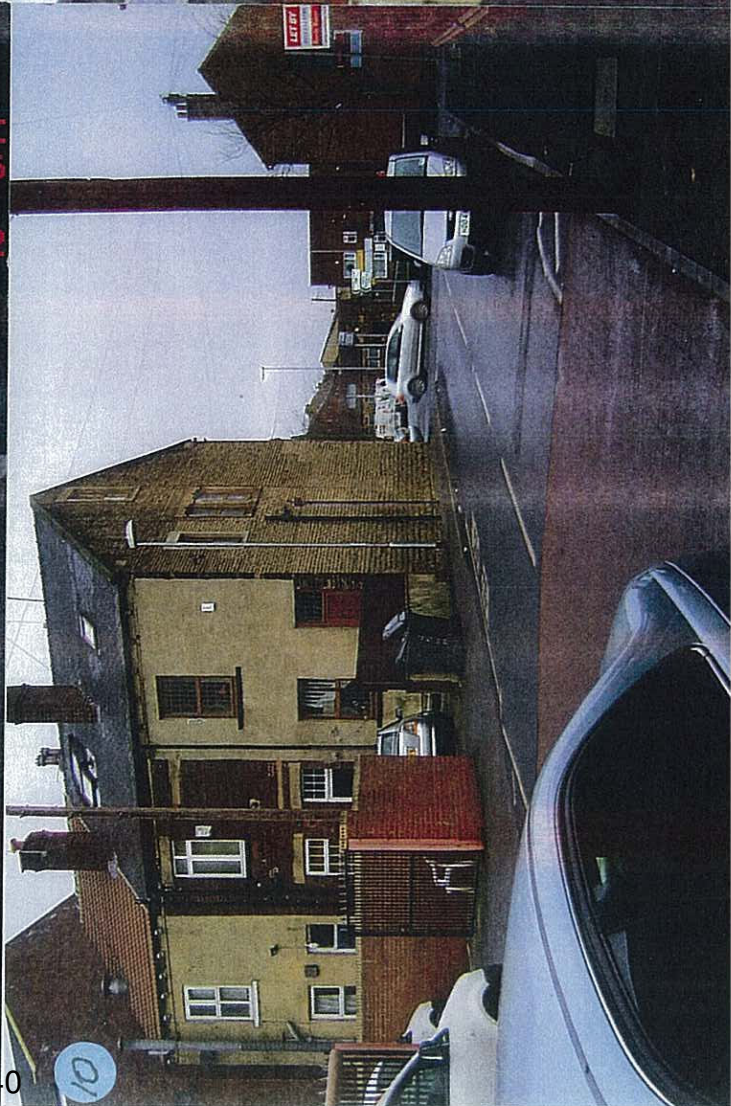
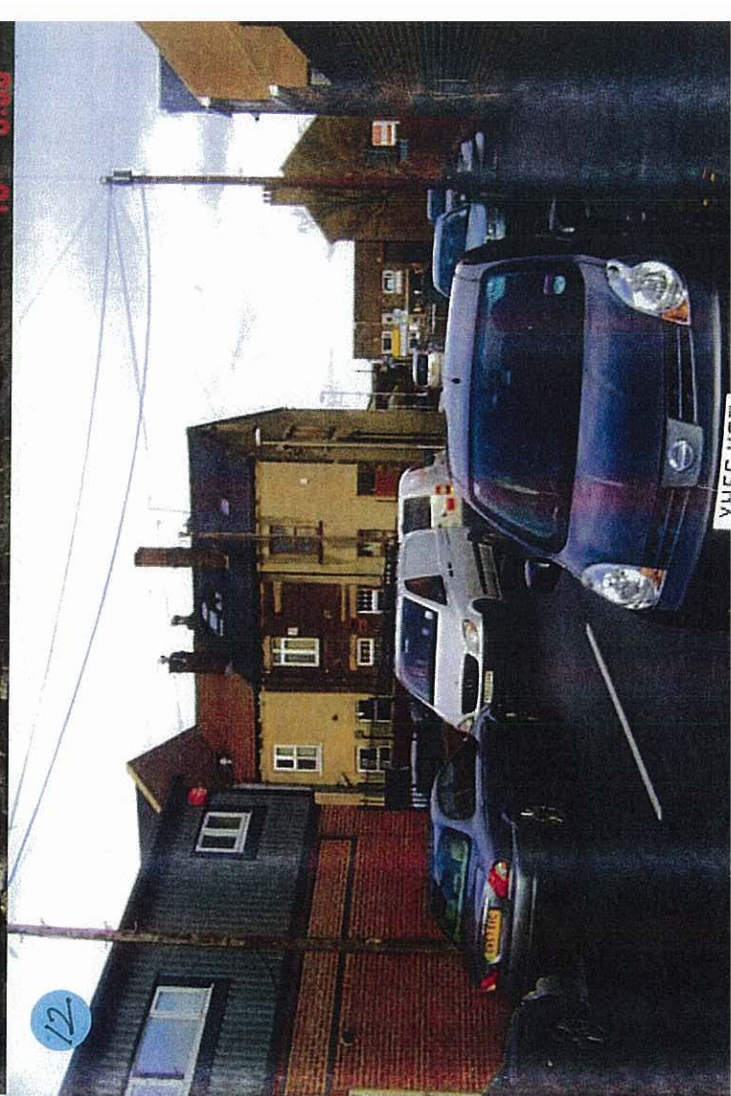
23 7:22

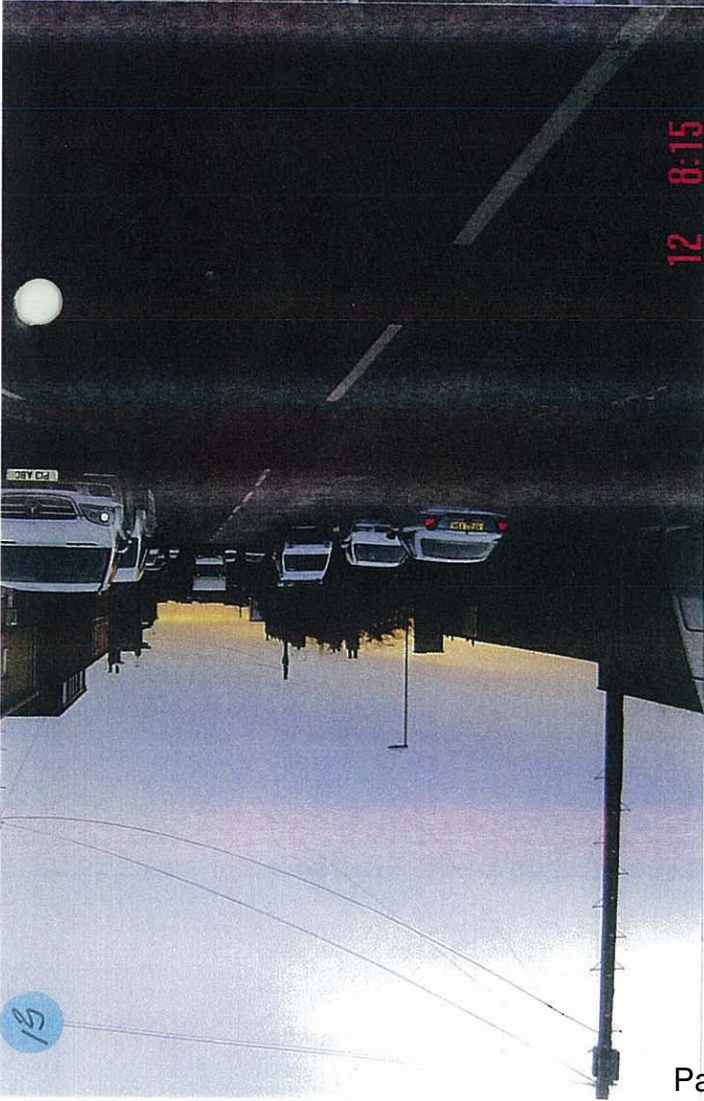


23 7:23



23 7:23









20



21







Originator: Nicola Moss

Tel: 01132 478028

## Report of the Chief Planning Officer

### *PLANS PANEL EAST*

Date: 14/01/2010

**Subject: APPLICATION 09/02871/FU – Change of use and alterations of former joiners shop to form one 4 bedroom dwelling house with attached car port with 2 car parking spaces, Churchside Villas, Methley**

#### **APPLICANT**

Prado Properties LLP

#### **DATE VALID**

01 July 2009

#### **TARGET DATE**

26 August 2009

#### **Electoral Wards Affected: Kippax & Methley**

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:**

1. Time limit on full permission
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule
3. External roofing and walling materials to match the existing stonework and natural slate roof tiles
4. Traditional local materials to be used
5. Pointing in lime mortar, brush compacted and finished flush or recessed
6. First floor window in west elevation to be obscurely glazed and non-opening
7. Details of surface materials to vehicular access
8. Details of re-grading of access track to new levels
9. No demolition to take place until Local Planning Authority is notified of contract for works
10. Restricted hours of construction and demolition
11. Report on noise and vibration control during construction
12. Removal of permitted development rights
13. Development to be carried out in accordance with section 4 of submitted Bat Survey

14. Written confirmation of implementation of bat access to dwelling and housing for nesting house sparrow and swallow in dwelling and car port
15. Car ports to remain as such for vehicular storage only and without garage doors
16. Details of potential contaminants used within the building to be submitted
17. First floor window in rear elevation to bedroom one shall contain obscure glazing
18. Finished floor levels in accordance with approved FRA

**Reasons for approval:** The application is considered to comply with policies GP5, BD5, BD6, BC7, N12, N13, N18A, N18B, N19, N25, N49, T2 and T24 of the UDP Review, as well as guidance contained within Neighbourhoods for Living: A Guide for Residential Design in Leeds and having regard to all other material considerations, as such the application is recommended for approval.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel East at the request of Councillor James Lewis, who as a Ward Councillor, objects to the proposed development on the grounds that it will result in an increase in on-street parking and traffic, which would cause detriment to highway safety, in addition to causing overlooking of surrounding residential properties and providing inadequate bin storage.
- 1.2 The application was deferred at the December Panel 2009, due to a request from Councillor Parker for a site visit.

## **2.0 PROPOSAL:**

- 2.1 The proposal seeks full planning permission for the change of use of a part two storey, part single storey, former joiners building, into a four bedroom dwelling house. The proposal includes the demolition of an existing single storey outbuilding, to be replaced with an attached, new build, single storey car port, to accommodate two off-street car parking spaces.
- 2.2 The majority of the existing fabric and apertures of the building are to be retained with limited rebuild where required for structural purposes. Existing materials will be utilised as far as possible and any new materials will consist of local traditional materials to match the existing.
- 2.3 The existing courtyard will serve as an amenity space for the dwelling which will be enclosed by 1.5m high walling to match the existing building and adjacent boundary treatments.
- 2.4 A new dropped kerb will be provided to the front of the car port to enable vehicular access.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a part two storey, part single storey, L-shaped building, formerly an old joinery, which fronts onto Church Side Villas directly addressing the road. The building is characterised by the industrial apertures and mix of sandstone and red brick materials. The two storey part of the building adjoins the side of no.9 Little Church Lane, to the south of the site, and creates the eastern side of an enclosed courtyard to the rear of nos.1-7 Little Church Lane.
- 3.2 The property is situated in Methley Church Side Conservation Area in a predominantly residential area, and is mentioned in the Methley Church Side

Conservation Area Appraisal and Management Plan, including reference to its mixed construction of red brick side and rear walls and front elevation of sandstone with brick dressings. It is also quoted as a “semi-derelict” sandstone and brick workshop marked as “Smithy” on the 1892 OS.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 08/05517/FU – Change of use of former joinery works to one 3 bedroom dwelling, refused 05/12/08 due to highway grounds in relation to vehicular access off Church Lane.  
22/269/92/FU – Single storey front extension, refused 11/02/93.  
H22/170/86 – Alterations, including part new roof and extension to form porch, enlarged bathroom and enlarged garage to side, approved 20/10/86.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 An application was previously submitted for change of use of the building to a dwelling house in 2008 which was refused on highway grounds. This was due to the proposed vehicular access being taken from Church Lane, which it was considered would be detrimental to highway safety, due to the proximity to the railway bridge. The applicants for the previous application were advised that access should be taken directly off Churchside Villas.
- 5.2 The current application has overcome the reason for refusal of the previous application by taking the vehicular access directly off Churchside Villas as advised by Highways.
- 5.3 Further to consultation with the Council's Design and Conservation Officers, revised plans have been received, which retain the majority of the fabric of the building and original apertures and incorporate design features to the proposed car port, including curved stone to reveals on the piers and timber heads above the car port openings, to preserve the character and appearance of the property and the conservation area. The revised plans also seek to resolve any concerns regarding overlooking, particularly regarding the retention of the in-filled aperture in the west elevation facing onto Little Church Lane, which was originally proposed to be re-opened, and the obscure glazing of the first floor window in the west elevation facing the rear elevation of 7 Little Church Lane.

#### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application was advertised by site notices posted on 10/07/09 and Neighbour Notification Letters posted 06/07/09. The publicity period expired on 13/08/09.
- 6.2 Ten letters of representation have been received in relation to this application including a letter of objection from Councillor James Lewis for the reasons as stated in the introduction. The letters of representation from local residents consist of two letters of comment, one of support (as the development will repair the dangerous state of the building) and 7 letters of objection (including a joint letter from the occupants of 1 & 2 Churchside Villas and 11 Little Church Lane, and 2 other letters from the same person).
- 6.3 The seven letters of objection from local residents, express concern regarding the following issues:

- Proposed six foot fence to enclose courtyard area will prevent the occupant of no.81 from hanging out their washing in this area, using it as a garden and for car parking. It will also block sunlight into their property.
- Proposed bin store proposal to side of no.81 is inconsiderate and will obstruct private right of way.
- New tenants at no.3 Little Church Lane have not been consulted.
- Impact on privacy.
- Access is restricted by the current users of the property?
- Overlooking to front of no.9 Little Church Lane from proposed opening up of first floor aperture in west elevation.
- Impact of building works on adjoining property no.9 Little Church Lane.
- Increase in traffic and detriment to highway safety exiting onto Church Lane.
- Corraling effect of boundary treatment to courtyard.
- Obstruction of private right of way.
- Potential contamination of site due to historical uses.
- Impact on bats.
- Service pipes underlying private right of way to front of property.
- Wider context of the site e.g. junction layout etc. is not shown on submitted plans
- Revised plans increase the number of bedrooms from 3 to 4, as such, the off-street parking should be increased
- No guarantee that any conditions attached to a planning permission will be adhered to in the future
- Most recent previous use was light industrial which had little impact to residential amenity
- Vermin within the building
- Structural and general safety of building
- Although mentioned in the Conservation Area Appraisal the building is not seen or noticed by many local residents
- If not used for light industrial use, the building should be demolished.

6.4 A letter of representation has also been submitted by the owners of the site, Mexborough Estates, who want to emphasise the fact that they are in the process of trying to sell the workshop following representations, largely by the Council, that the buildings are unsafe and also used by children, for drugs and general vandalism, as well as the possibility of vermin living in them. The intention therefore is to improve the area, particularly at the back of the cottages. They also point out, that although there will be unavoidable disruption during building work, this would be temporary and the whole area would be improved when work has been completed.

6.5 The Estate state that the objections to the planning application by the current occupiers of the cottages will be addressed by the Estate as and when the development progresses and the land is sold.

6.6 Any material planning considerations are addressed within the Appraisal section of the report.

6.7 *It should be noted, that the recently submitted joint letter of representation, with attached road safety document, from the occupants of 1 & 2 Churchside Villas and 11 Little Church Lane, received on 29 December 2009, requests that the road safety document is presented to the Panel. However, any additional material issues raised within the letter and road safety document, have been addressed in the same way as the issues raised in the other letters of representation, in the Appraisal section of the report, where possible, or will be covered in the Panel Update.*

## 7.0 CONSULTATIONS RESPONSES:

### 7.1 Non-statutory:

Highways comments received 14/07/09 & 05/08/09 – no objections subject to re-graded land to front of property being adequately surfaced such that loose material is not carried by vehicles from the vehicular access onto the highway. In addition, the Highway Contracts Engineer must be consulted regarding the construction of the dropped kerb.

Drainage comments received 06/07/09 & 28/09/09 – initial comments required further information in relation to finished floor levels due to the location of the site within Flood Risk Zone 2. Further to receipt of FRA, no objections and any on-site drainage matters can be dealt with by the Building Inspector.

Environmental Protection comments received 16/07/09 – no objection subject to conditions controlling noise nuisance from construction and demolition works.

## 8.0 PLANNING POLICIES:

### 8.1 Development Plan

The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region setting out regional priorities in terms of location and scale of development. No RSS policies have a specific relevance to the application site.

### 8.2 Leeds Unitary Development Plan (Review):

GP5 – seeks to resolved detailed planning consideration including design, access and amenity.

BD5 – all new builds should respect their own amenity and that of their surroundings.

BD6 – all alterations and extensions shall respect the scale, form, detailing and materials of the original building.

BC7 – Development in Conservation Areas will normally be required in traditional local materials.

N12 – Urban Design Principles.

N13 – new development should be of a high quality design.

N18A – Presumption against demolition of a building/parts of, which makes a positive contribution to the character and appearance of a Conservation Area.

N18B – Consent not given for demolition in Conservation Area unless detailed plans for redevelopment of site have been approved.

N19 – All new buildings and extensions within or adjacent to Conservation Areas should preserve or enhance the character or appearance of the area.

N25 – boundary treatments.

N49 – Development should not threaten or impoverish wildlife or habitat resources.

T2 – Highway safety.

T24 – Parking requirements.

### 8.3 Local planning policy guidance documents:

Neighbourhoods for Living: A Guide for Residential Design in Leeds.

Methley Churchside Conservation Area Appraisal and Management Plan.

### 8.4 National planning policy guidance documents:

Planning Policy Statement 1: Sustainable Development

Planning Policy Guidance 15: Planning & the Historic Environment

## 9.0 MAIN ISSUES

- Principle of development
- Impact on Conservation Area
- Impact on residential amenity
- Highways
- Drainage
- Nature conservation
- Outstanding issues
- Conclusion

## 10.0 APPRAISAL

### Principle of Development

- 10.1 The application site consists of an unlisted building situated in Methley Churchside Conservation Area. The proposed development involves the conversion of the main two storey part of the building from a former commercial use, believed to be a former joinery, to a residential dwelling house. The conversion of the property is acceptable in principle, provided it is compliant with conservation area policies which seek to preserve the character and appearance of the property and the conservation area, as discussed in paragraph 12 below.
- 10.2 The proposed development also involves the demolition of the single storey outbuilding, attached to the main two storey building. This is to be replaced with a new attached, single storey building, to facilitate the provision of off-street parking within the site, as the existing building is not sufficient in size to accommodate the length of a vehicle.
- 10.3 Although there is a presumption against any demolition of a building or parts of a building which makes a positive contribution to the character and appearance of a conservation area (policy N18A), demolition can be acceptable where it is part of a detailed proposal for redevelopment of the site (policy N18B). As such, it is considered that the limited demolition proposed as part of the overall scheme for redevelopment of the site is acceptable in principle.

### Impact on Conservation Area

- 10.4 The application site is situated within Methley Churchside Conservation Area, towards the northern end closest to Church Lane, opposite the railway line which forms the eastern boundary of the conservation area. The conservation area is characterised by its rural village character, flat landscape and buildings which directly address the road.
- 10.5 Reference is made to the former joinery building in the Conservation Area Appraisal and Management Plan, due to its distinctive mixed construction of red brick and sandstone and use as a "Smithy" in the late 19<sup>th</sup> Century. The building is unlisted, as are the majority of the buildings which are considered to make a positive contribution to the character of the area.
- 10.6 The proposed development will retain much of the fabric of the original two storey building, including the majority of the original apertures and features from the former



industrial use of the building, thereby preserving the character and appearance of the original building and wider conservation area compliant with policy N19.

- 10.7 The proposal also involves the demolition of the attached single storey outbuilding, which is to be replaced with a new attached single storey building, to serve as a car port to provide off-street car parking. The existing outbuilding is insufficient in length to accommodate a vehicle. As such, the new build will be slightly deeper to accommodate a vehicle, but will be in keeping with the character of the original building, reusing existing materials as far as possible. Permission would be subject to a condition for use of traditional local materials where needed, in accordance with policy BC7. The new build will also incorporate additional features, including stone curves to reveals on the piers and a timber head extending above the openings to enhance its appearance. As such, this part of the proposed development is considered to be acceptable as part of the overall scheme for the site, which it is considered will preserve the character and appearance of the conservation area.
- 10.8 Fundamentally, due to the poor state of repair of the original building, which has been vacant for many years, the proposal, including the replacement build for off-street parking and part re-build of the main building, will facilitate an appropriate use of the building in this residential area, and ensure the future existence of the building, which makes a positive contribution to the character and appearance of the conservation area. Accordingly, the development is welcome in conservation terms.

#### Impact on residential amenity

- 10.9 It is considered that residential use of the former joinery building would be preferable to a commercial use, in terms of the potential impact on neighbouring residential amenity from noise disturbance as a result of commercial activities and the comings and goings of employees and traffic.
- 10.10 It is considered that the proposed conversion will not cause significant detriment to the residential amenity of the occupants of adjacent properties around the courtyard, from overlooking, overshadowing or over dominance. In particular, revised plans have omitted the proposed re-opening of the first floor aperture in the west elevation, which could have caused overlooking to the front of no.9 Little Church Lane.
- 10.11 Furthermore, the distances of the windows at ground floor level facing over the courtyard are compliant with guidance contained in Neighbourhoods for Living (NfL), as is the distance of the bedroom windows in the south elevation facing towards no.81 Church Lane. The distance of the bedroom window in the west elevation to the boundary and to the secondary windows in the rear elevation of no.7 Little Church Lane, on the opposite side of the courtyard, is substandard in terms of guidance distances, which recommend a minimum distance of 7.5m from a secondary window to a boundary and 15m from bedroom to bedroom windows. However, this window is shown as obscurely glazed on the submitted plans and would be conditioned to be fixed shut, to prevent overlooking to this aspect at first floor level. This is considered to be an acceptable compromise, as this would not be the only window to serve the proposed bedroom.
- 10.12 Although the replacement single storey car port will extend approximately 1.5m further to the rear than the existing outbuilding, it is not considered that this will cause significant additional impact to the amenity of the occupant of no.81 Church Lane, due to the single storey height of the building and the maintained distance between the two properties of approximately 6m.

- 10.13 The use of the existing courtyard would be substandard as an amenity space for a new build residential property, particularly in terms of the level of privacy. However, this application relates to the conversion of an existing, older property, in a unique setting and therefore, warrants an exception to the normal guidance/standards. There is also considered to be an element of “caveat emptor”, such that any potential occupants would be able to make an informed decision as to the suitability of the amenity space for their requirements.

#### Highways

- 10.14 Highway Planning Services have no objection to the proposed development, due to the proposed off-street parking provision of two spaces within the attached car port, which is compliant with guidance and should prevent an increase in on-street parking on Churchside Villas. Any permission must however be subject to a condition regarding the resurfacing of the strip of land to the front of the property in a suitable material that would not cause loose material to be carried onto the highway. In addition the Highway Contracts Engineer must be consulted regarding installation of the dropped kerb.
- 10.15 It is not considered that the traffic generated by one dwelling house would cause significant additional impact to highway safety, bearing in mind the former commercial use of the site.

#### Drainage

- 10.16 Further to assessment of the submitted Flood Risk Assessment and consultation with the City Council’s Mains Drainage Section, there are no objections to the proposed development, and it is considered that the Building Inspector can deal with on-site drainage matters.

#### Nature Conservation

- 10.17 The submitted Bat Survey confirms that there is no evidence of roosting bats in the existing buildings. As such, the proposed development is considered to be acceptable, subject to conditions, including the provision of bat access in the new dwelling and the provision for nesting House Sparrows on the main dwelling and for Swallows in the open car port.

#### Outstanding issues

- 10.18 In response to the outstanding issues raised in the letters of representation the following points are made:
- The previously proposed 1.8m high close boarded fence illustrated on the original plans, has been replaced with 1.5m high brick walling, which is in keeping with the materials of the adjacent boundary treatments within the courtyard, and at a reduced height, will not have such an over bearing effect on the adjacent path.
  - Although the occupant of no.81 has been utilising the courtyard area to hang out washing and park their car, the land is not within the residential curtilage of no.81, and accordingly they have no legal right to use this land. Whilst no.81 does not have the benefit of off-street car parking, similar to other older properties along Church Lane and Little Church Lane, it is not considered

appropriate or reasonable as part of this application to try and resolve an existing parking problem.

- The revised layout plan has omitted the bin store area to the side of no.81; as such there will be no obstruction of the private right of way along this strip of land. Bin storage for the proposed dwelling house will be contained within the courtyard. All of the other properties, except no.81, have front and rear yards where they can and do store their bins, as witnessed by the Planning Officer during the site visits. No.81 has land immediately to the rear of the property where bins can be placed, even though the area is not enclosed. As such, it is not considered that the proposed development will result in the presence of 15 bins to the side of no.81.
- The issue of any potential impact of building works on adjoining property no.9 Little Church Lane, is a private civil matter to be dealt with between the relevant parties.
- Due to the nature of the proposed development, it should not have any detrimental impact on any service works that might be sited beneath the strip of land to the front of the property, as it only involves minor regarding and re-surfacing.
- A Neighbour Notification Letter was sent to no.3 Little Church Lane, the Local Planning Authority cannot be reasonably expected to know that new tenants have since moved into a property. However, a letter of representation has been received from occupants of no.3.
- The issue of contamination at the site has been dealt with by the Council's Land Contamination Team, permission will be subject to a condition to confirm the use of potential contaminants within the building.
- Although the submitted plans may be limited in terms of showing the wider context of the site, e.g. the nearest junction layout etc., the assessment of the proposal by Highway Planning Services is not based solely on the plans and information submitted by the applicants. They also use the City Council's own map/highway databases and carry out a site visit, in order to carry out a full assessment of the site and proposed development.
- The increase in the proposed number of bedrooms within the dwelling house from 3 to 4, does not require an increase in the number of proposed off-street car parking spaces. Two off-street car parking spaces is considered to be acceptable for a 4 bedroom dwelling house.
- The structural safety of the building in it's present state is a health and safety issue. The structural implications of the proposed development e.g. the re-opening of former apertures, is a matter for building control. Although the building has fallen into a state of disrepair over a number of years, the proposed development if implemented, would resolve this issue.
- The presence of vermin is an Environmental Health issue and not a material planning consideration. Again, development of the property should also resolve this issue.
- It is stated that there is no guarantee that any conditions attached to a planning permission are adhered to into the future. Conditions, where necessary, would be worded such that they must remain in effect thereafter for the lifetime of the development, and any breach of the conditions will then be dealt with by the Council's Compliance Department.
- The amount that a building is seen or noticed by local residents does not determine it's inclusion or importance in a Conservation Area. The building is identified as a positive structure in the Appraisal and is one of a group of buildings which together form a historic record and make a positive contribution to the overall character of the village.

- Demolition of the building would require Conservation Area Consent to demolish and due to the identification of the building as a positive structure in the Conservation Area Appraisal, demolition is likely to be resisted.
- Although the most recent previous use of the building did not generate a significant impact on neighbouring residential amenity, the use was still B2 general industrial use and as such, if the use of the building was recommenced within this use class, it could be a more intensive B2 use, with an increase in activities, employees and vehicle movements etc., which would have a greater impact on residential amenity. The change of use of the building to a single dwelling house, it is considered would not result in as significant a potential impact on residential amenity.

## **CONCLUSION**

- 11.0 For the above reasons, it is considered that the proposed development is acceptable in principle and will preserve the character and appearance of the Methley Churchside Conservation Area. The scheme also does not raise concerns relating to residential amenity, highway safety or nature conservation and as such is recommended for approval subject to conditions specified.

### **Background Papers:**

Application file: 09/02871/FU

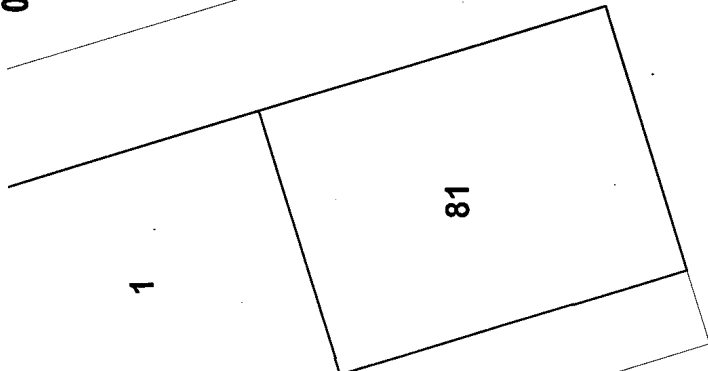
Certificate of Ownership: The Trustees of Viscount Pollington

09/02871

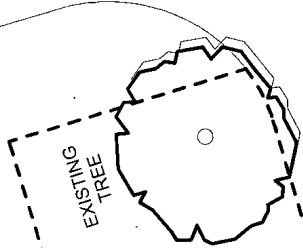
- A 10/0/09 SURVEY INFORMATION ADDED. PROPOSED BUILDING REDESIGNED TO SUIT EXISTING FOOTPRINT. REQUESTED BY PLANNERS 5/06/09. 150MM BRICK BOUNDARY WALL INDICATED.
  - B 01/10/09
  - C 29/10/09
- BIN STORE SHOWN ON PLAN  
LINE OF NEW BOUNDARY WALL TO SOUTH SIDE OF SITE REVISED

CHURCH LANE

FOOT PATH

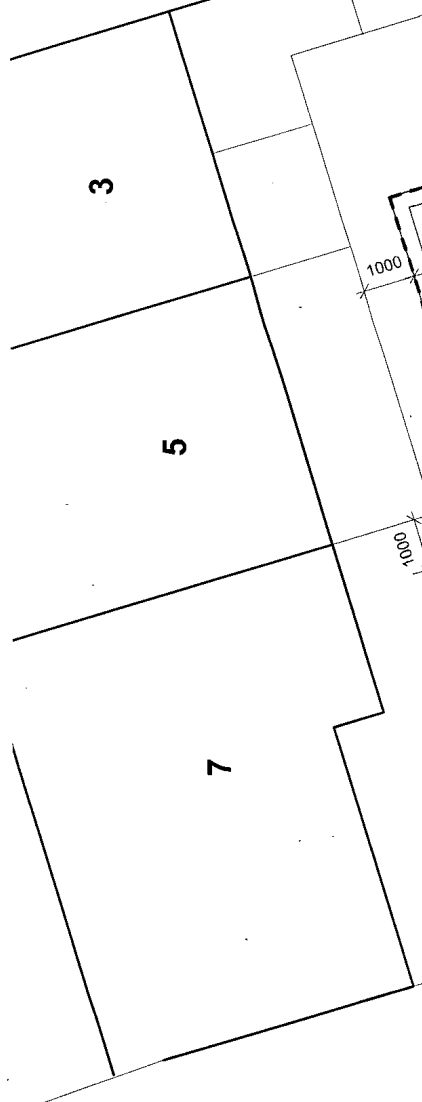


81



EXISTING TREE

GATE  
1500MM HIGH BRICK BOUNDARY WALL TO MATCH EXISTING BUILDING



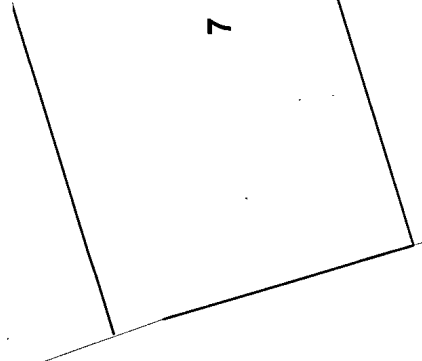
BIN STORE

REAR COURTYARD

ENTRANCE

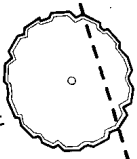
NEW DROPPED KERB

CHURCHSIDE VILLAS

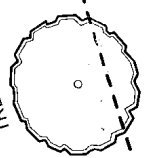


9

EXISTING TREE



EXISTING TREE



KEY  
 --- BROKEN LINE INDICATES SITE BOUNDARY

DO NOT SCALE  
 ALL DIMENSIONS TO BE CHECKED ON SITE  
 ANY DISCREPANCIES TO BE REPORTED

**Ashley Design Consultants Ltd**  
 Ashley House, High Street, Boston Spa, Wetherby, LS23 8EA  
 email: info@ashleydesign.co.uk phone: / fax: 01937 541282

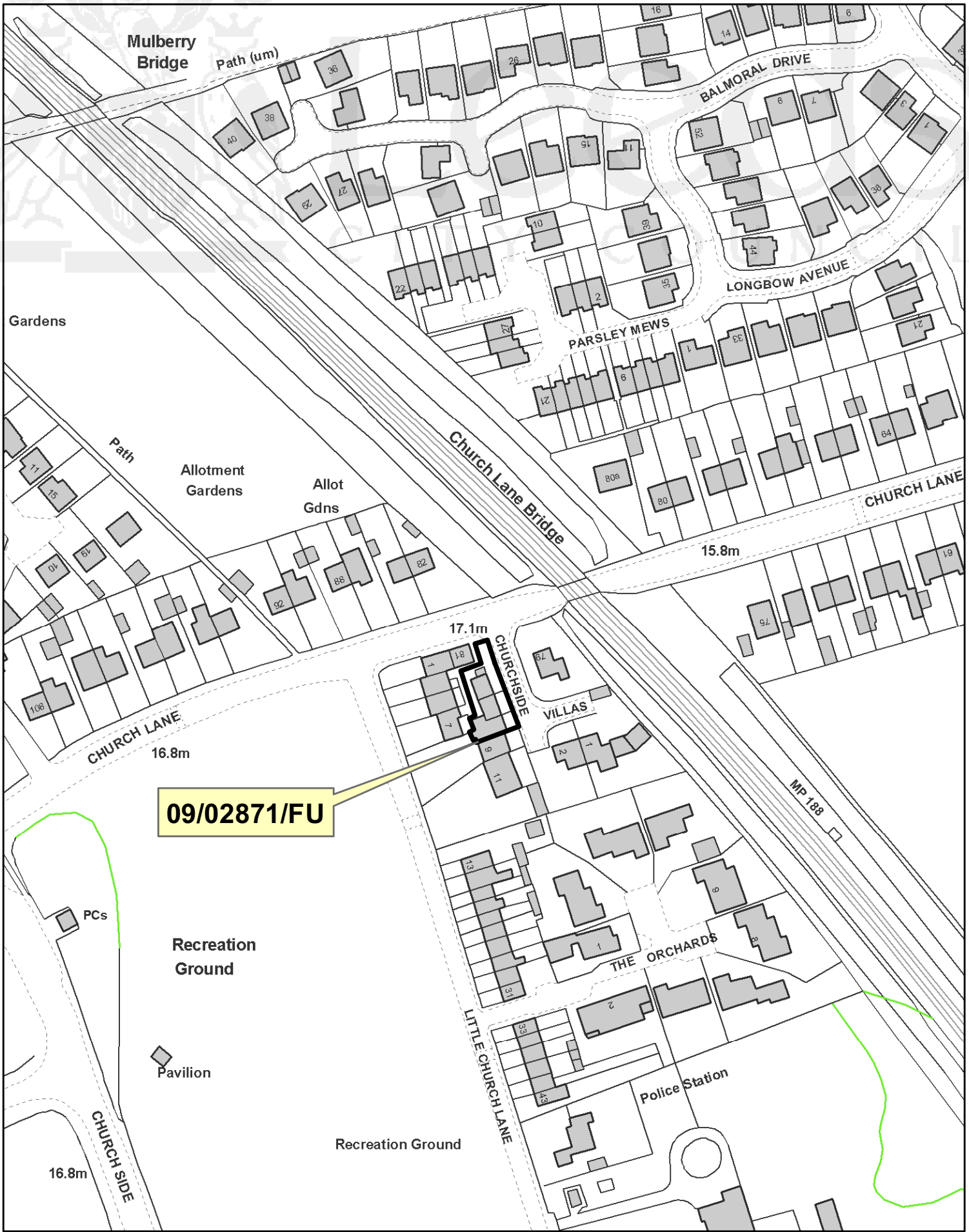
THE OLD JOINERY, CHURCHSIDE VILLAS,  
 METHLEY  
 PROPOSED SITE PLAN (PLANNING)

DATE: 11/06/09  
 DRAWN BY: JP  
 CHECKED BY: C

LEEDS CITY COUNCIL  
 Please refer to Decision Notice  
 2 - NOV 2009  
**REVISED**

NORTH





# EAST PLANS PANEL

I

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL

This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567 2008





Originator: G Read

Tel:0113 222 4409

## Report of the Chief Planning Officer

### PLANS PANEL EAST

Date: 14<sup>th</sup> January 2009

**Subject: APPLICATION 09/04229/FU - Single storey rear extension and enlarged balcony with covered area to rear (other single storey rear extension is Permitted Development) at Oaktree House, 9 Blackmoor Lane, Bardsey.**

**APPLICANT**  
**Ms K Plews**

**DATE VALID**  
**28.09.2009**

**TARGET DATE**  
**23.11.2009**

**Electoral Wards Affected:**  
Harewood

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:**

1. Time limit
2. External walling and roofing materials to match
3. Erection and retention of side obscure glazed screen

Details of conditions to be deferred and delegated to officers.

**Reasons for Approval:** The application is considered to comply with policies GP5 and BD6 of the UDP Review 2006 as it is respectful of the host dwelling and has no significant impact on residential amenity and having regard to all other material considerations, as such the application is considered acceptable.

#### **1.0 INTRODUCTION:**

- 1.1 The application is reported to Panel for determination at the request of Councillor Rachael Procter as the window design is considered to be at odds with the host dwelling and due to the impact of the extension on the surrounding area.

## **2.0 PROPOSAL:**

- 2.1 The development is set at the rear but is in two distinct parts. The first part on the western side consists of a single storey rear extension and constitutes Permitted Development so does not form part of this application and is not considered in this report.
- 2.2 On the eastern side of the rear elevation a further single storey extension is proposed , this links with some first floor alterations, including an enlarged balcony. The rear extension will measure 2.8m in width and project 0.7m. Above this the existing bedroom will actually be reduced by 1.3m in depth making the whole bedroom flush with the main rear elevation . Large sliding doors are proposed on the rear elevation. These will open up to an enlarged balcony (a smaller balcony is already in existence) projecting 2.9m at the rear and measuring 5.8m in width. The original side wall of the bedroom will remain. An obscure glazed screen is to be positioned along the east elevation of the balcony after the bedroom wall to screen all remaining views to the east.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a detached property set in the green belt. It is in a fairly isolated position, with only one close neighbour set to the east, to the other side and the rear are open fields. The house is rendered with adequate parking to the front and a detached garage set in the south east corner. At the rear the property has a flat roof two storey extension on the eastern side that enlarges the master bedroom. From here access is provided to an existing small balcony.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 31/355/96/FU - Two storey side extension conservatory to rear and detached double garage to side (approved).

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Following discussions with the applicant and agent an obscure glazed screen will now be placed on the eastern side of the balcony to provide screening.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 Bardsey Parish Council – Objection  
Design is incongruous to main house. Obscure screen would help with privacy (this has been added and a new plan sent to the Parish Council) but would not help design. Work has already started on site (it is understood this is on the single storey extension that does not require permission).

The neighbours at 7 Blackmoor Lane have also objected. They support the single storey extensions but not the first floor / balcony development as they consider this will harm their privacy and appear out of character.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 None.



## **8.0 PLANNING POLICIES:**

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. As the RSS is a strategic document, it is considered that there are no specific policies which are relevant to this application.

### **8.3 Local – Leeds Unitary Development Plan (Review 2006) Policies:**

GP5: Gives advice in relation to new development stating that all new development should not have a detrimental impact on amenity.

BD6: Gives advice in relation to extensions to residential properties which states that extensions should respect the scale, form, detailing and materials of the original building.

N33: Except in very special circumstances approval will only be given in the Green Belt for limited extensions or alterations.

## **9.0 MAIN ISSUES**

9.1 Green Belt  
Townscape / Design and Character.  
Privacy  
Overshadowing / Over dominance.  
Representations

## **10.0 APPRAISAL**

### **Green Belt**

10.1. Policy N33 of the Unitary Development Plan and guidance contained within PPG2 states that limited house extensions within the green belt can be considered appropriate development provided that they do not result in additions that are disproportionate to the original dwelling. The Local Authority normally determines a 50% increase in volume of the original dwelling to be the maximum permitted within the green belt. In this case the proposed balcony does not create any real additional volume due to its nature, also as the bedroom is being reduced in mass to allow for a larger balcony the over all volume of the property is actually reduced by this part of the proposal. For this reason there is considered no harm to the green belt in this case.

### **Townscape / Design and Character**

10.2. The balcony is set to the rear and as such will have no real impact on the streetscene. In design terms the balcony is a large addition, however, the principle for a balcony in this position has already been established as an existing balcony is in place. Also, the increase in size of the balcony is actually created by reducing the size of the bedroom. The large glazed doors do have a visual impact on the rear elevation but as this does not face the streetscene they are not considered unduly detrimental and are more commonplace on the rear elevation of properties. The development is well designed and retains the side wall of the existing dwelling and creates a new flush rear elevation, removing the flat roof addition. Materials are proposed to match the existing and these will be conditioned.

## **Privacy**

- 10.3. The balcony projects further than the existing and will result in views being possible to be seen to the sides as well as the rear view currently available. For this reason, even though it is acknowledged that the existing garage and neighbouring side gable makes it difficult to see into the one property to the east a screen will be erected on this side to reduce the perception of overlooking. It is also noted that the neighbour has a large amount of foliage along the shared boundary, but as this is not within the applicants control it can not be conditioned for retention, therefore, a screen is considered necessary.

## **Overshadowing / Over dominance**

- 10.4. Due to the orientation of the site, location of the applicant's property and the scale of the development, there will be no detrimental overshadowing. Similarly, as the balcony is set away from the shared boundary it is not considered to be overbearing in this case.

## **Representations**

- 10.5. The objections from the neighbours and Ward Member involving the design of the scheme and potential overlooking have been discussed in the above appraisal. It is not considered that the proposals cause any significant harm given their location and design.

## **11.0 CONCLUSION**

- 11.1 Consideration has been given to all material planning considerations and it is considered that the proposals raise no significant concerns in relation to design or amenity and as such subject to the appropriate conditions it is recommended that planning permission be granted.

## **12.0 BACKGROUND PAPERS**

- 12.1 Application and history files.  
Certificate A signed by the applicant declaring that all land is owned by applicant.

LEEDS CITY COUNCIL  
Please refer to Decision Notice  
3 - NOV 2009  
**REVISED**

The client has agreed to pay for the design fees. The client has agreed to pay for the design fees. The client has agreed to pay for the design fees.

For all dimensions, check all dimensions on site, use only metric dimensions. This drawing must not be reproduced in whole or part without written authority.

REVISIONS

NO	DATE	DESCRIPTION
A		

TITLE  
PROPOSED EXTENSIONS &  
INTERNAL ALTERATIONS TO  
DETACHED HOUSE

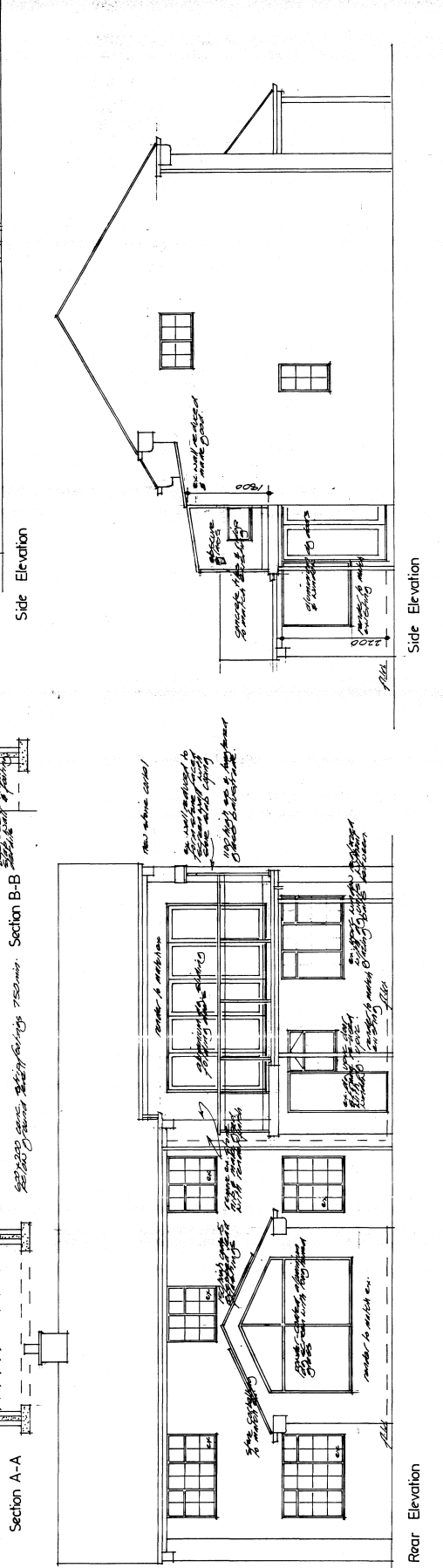
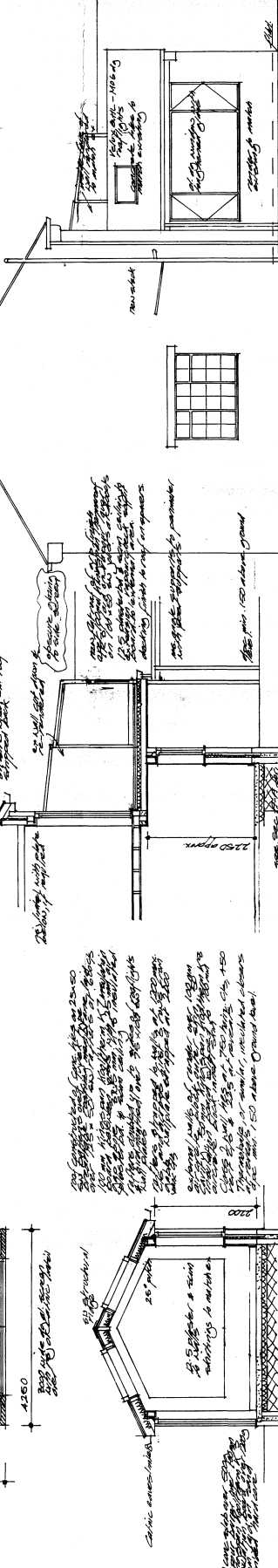
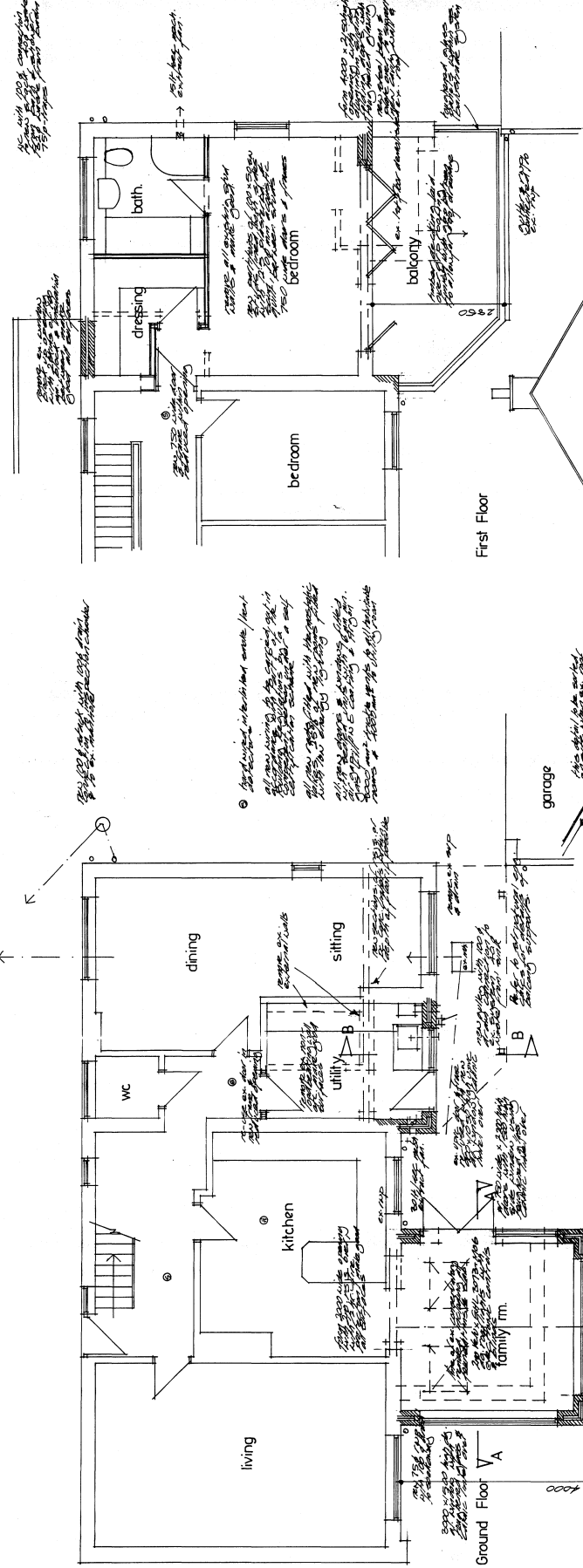
ADDRESS  
OAKTREE HOUSE  
9 BLACKMOOR LANE, BARDSEY

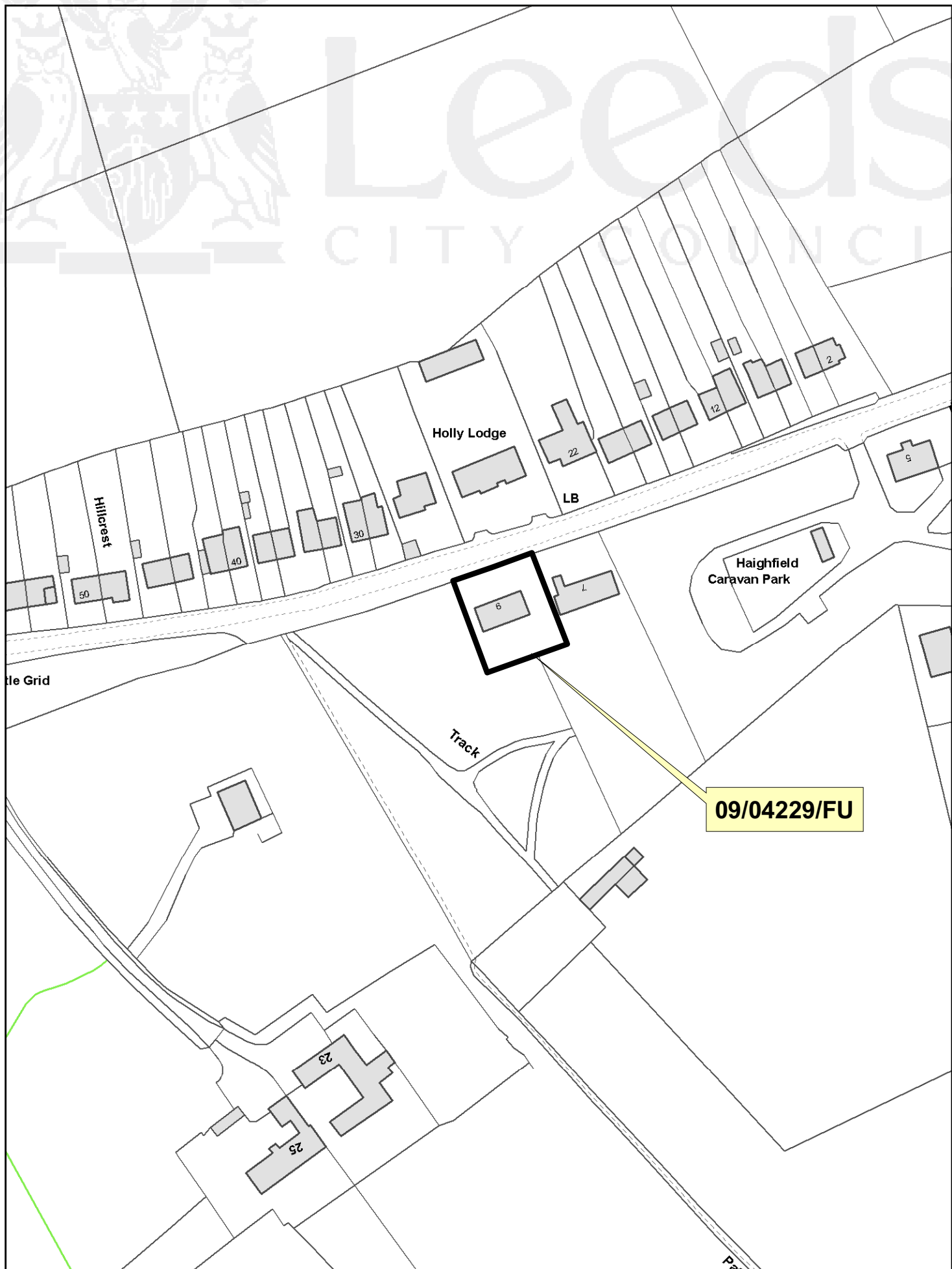
CLIENT  
MR & MRS FLEWS

SCALE: 1:50 DATE: 10.9.09  
DRAWN BY: rhg CHECKED:  
DRAWING No: 144672 A A1



Design Services  
Clitheroe House, School Lane  
East Keswick  
Leeds LS17 9DA  
Tel / Fax: 01937 573355  
email: royd@designserv.co.uk  
architectural and interior design





## EAST PLANS PANEL

Scale 1/1500



Originator: K Sandhu

Tel:0113 222 4409

## Report of the Chief Planning Officer

### *PLANS PANEL EAST*

Date: 14<sup>th</sup> January 2009

**Subject: APPLICATION 09/04286/FU – Part two storey, part single storey rear extension and two storey side extension at 164 Ring Road, Halton, Leeds 15.**

**APPLICANT**  
Mr C Barraclough

**DATE VALID**  
1.10.09

**TARGET DATE**  
26.11.09

**Electoral Wards Affected:**  
Temple Newsam

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **GRANT PERMISSION subject to the specified conditions below:**

1. Time limit
2. External walling and roofing materials to match
3. No insertion of windows to side
4. Obscure glazing to side bathroom window

Details of conditions to be deferred and delegated to officers.

**Reasons for Approval:** The proposed part two storey part single storey extension to the rear and part two storey side extension complies with the planning guidelines set out in the Leeds Unitary Development Plan (Review 2006) and the Supplementary Planning Guidance document 'Neighbourhoods for Living', and therefore it is recommended that planning permission be granted.

## **1.0 INTRODUCTION:**

- 1.1 The application is reported to Panel for determination at the request of Councillor Lyons and Councillor Schofield due to the objections from the immediate neighbour at No. 162 Ring Road.

## **2.0 PROPOSAL:**

- 2.1 The applicant seeks full planning permission to construct a part two storey part single storey rear extension and a separate two storey side extension to their detached property. The rear extension would project 3m from the host property and measure 7.8m in width with a mono pitched roof over the single storey part which will join to the side of the proposed two storey extension. The proposal would create a kitchen/diner and family room at ground floor . The two storey part of the rear extension would be set down from the main roof ridge by 1m with a gable roof. The two storey element would measure 4.1m in length, project 3m from the host property, creating an extended bedroom. In terms of fenestration patio doors and windows are proposed in the rear elevation and windows along the northern side elevation. The existing dormer on the rear elevation will be removed.
- 2.2 The side extension would project 1.2m from the side wall of the host property in line with the existing extension creating a WC, store and enlarged utility at ground floor and an extension to the existing bathroom and staircase at first floor level.
- 2.3 The distance from the two storey extension to the shared boundary with 162 Ring Road would be 5m, a distance of 1m from the single storey element and 21m to the rear boundary. There would be a distance 1.7m from the two storey rear and side extension to the neighbouring property at 166 Ring Road.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site is a detached property with a gable roof, finished in pebble dash and has a side extension which is set back from the main wall of the house, which appears to be part of the original design of the dwelling. There is a medium sized front garden which is mainly hard standing and a generous sized rear garden. The property has an existing dormer window to the rear. The boundary treatment between the host and neighbouring property at no. 162 Ring Road consists of a 1.8m high close boarded fence. A large detached garage at the neighbouring property no. 166 Ring Road constructed of breeze block forms the rear boundary treatment with the host property.
- 3.2 The neighbouring property at 162 Ring Road is a bungalow and has a detached garage to the rear garden and a conservatory /porch located on rear elevation. The other neighbour at 166 Ring Road has a two storey rear extension and a part two storey part single storey side extension and a large detached garage to the rear of their property.
- 3.3 The surrounding area is predominately residential in character with a mix of detached, semi-detached houses and bungalows of various designs and appearances.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 None

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The application was originally submitted for a full width 3 storey rear extension and full height side extension. This was considered excessive and overdominant in relation to its immediate neighbours. Discussions with the applicants agent have resulted in the current proposals being submitted.

## **6.0 PUBLIC/LOCAL RESPONSE:**

The neighbours at 162 and 172 Ring Road and 3 Baronsmead object to the proposal. The objection letters raise the following issues:

Available light to neighbouring property reduced.  
Roof of extension too high in close proximity to the boundary.  
Extension will be difficult to construct without encroachment  
Neighbours will be overwhelmed and overshadowed  
Plans do not accurately reflect on site situation .  
Application should be decided by Members.  
Loss of value to properties

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None.

## **8.0 PLANNING POLICIES:**

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. As the RSS is a strategic document, it is considered that there are no specific policies which are relevant to this application.

8.3 Local – Leeds Unitary Development Plan (Review 2006) Policies:  
GP5: Gives advice in relation to new development stating that all new development should not have a detrimental impact on amenity.  
BD6: Gives advice in relation to extensions to residential properties which states that extensions should respect the scale, form, detailing and materials of the original building.

### Neighbourhoods for Living: A Guide for Residential Design in Leeds

“The scale, massing and height of proposed development should be considered in relation to its surroundings.”

## **9.0 MAIN ISSUES**

1. Townscape /Design and Character
2. Privacy
3. Overshadowing
4. Dominance

## 5. Representations

### 10.0 APPRAISAL

#### **Townscape/Design and Character**

- 10.1 The design of the extensions are complementary to the existing dwelling in terms of scale, form and detailing. The use of matching materials would help blend the extensions with the main dwelling. The roof of the proposed rear two storey extension would be set down from the ridge of the main house by 1m, it is therefore considered that the extension would be subordinate to the original house at the rear. The side extension, whilst at full height would form a continuation of the host dwelling but is of a scale and design that is respectful to the host property. The main mass of the extension would be to the rear of the property, given that the extensions would be set away from neighbouring boundaries, and there are existing extensions to one of the neighbouring properties, it is not considered to be detrimental to the original dwelling or the present street scene as the current visual gaps between properties will be maintained. The removal of the rear dormer is an improvement on the existing situation. The proposed development complies with the Supplementary Planning Guidance in 'Neighbourhoods for Living: A Guide for Residential Design in Leeds'.

#### **Privacy**

- 10.2 The windows proposed to the front and rear look onto the applicant's own gardens with a sufficient distance (approximately 21m) to the rear boundary. Windows are proposed within the side elevation of the two storey side extension at ground floor level housing a WC and utility and at first floor level for a landing, however a planning condition will be attached to the approval stating that they shall be obscure glazed, to prevent any overlooking of the neighbouring property.

#### **Overshadowing / Overdominance**

- 10.3 The two storey element of the proposal is set away from the neighbours at 166 Ring Road by 1.7m and given that they have an existing two storey rear and side extension, similar to that which is proposed as part of this application, it is considered that the impact of the proposal in terms of over shadowing and over dominance would be minimal. The two storey rear extension would be set away from the neighbouring bungalow (No. 162) by 5m. The section of the proposed extension which will be closest to the neighbouring property at 162 Ring Road will be the single storey rear extension. However, given its modest size and height and that there is an existing detached garage close to the boundary, it is not considered that any significant overshadowing impact will occur from this part of the proposal.

#### **Representations**

- 10.4 Nearby neighbours at No. 162 Ring Road have raised concerns regarding overdominance and overshadowing in relation to the proposed extension. These issues have been considered in the above appraisal. In relation to the other matters raised it is considered given the distances to the boundaries that will remain that the extensions proposed could easily be accommodated without any requirement to enter third party land. The granting of planning permission does not give any rights of entry onto third party land. The plans provided are considered to be accurate. It is accepted that the neighbours conservatory is not shown on these plans however



consideration of this fact has been made through visiting the neighbouring property and viewing the application site from the neighbours garden. The value of property is not a material planning consideration.

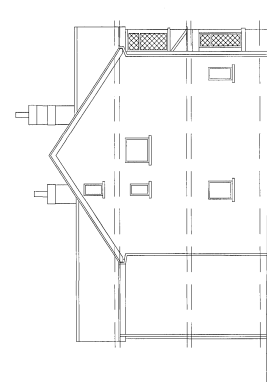
- 10.5 The scheme has been reduced following discussions with the Local Planning Authority. The two storey rear extension has been reduced and set away from the neighbouring bungalows boundary (no.162 ) by 5m in order to reduce its impact on them in terms of over dominance. A single storey extension has been proposed along the elevation closest to that property instead. It is considered given that the extension will be located adjacent to the garage of No 162 and only a small portion of roof will be visible above the garage that the amendments made have overcome the Local Planning Authority's concerns in relation to dominance and overshadowing.

## **11.0 CONCLUSIONS**

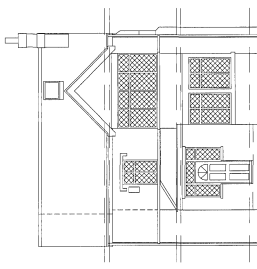
It is considered in light of the above that the proposed part two storey part single storey rear extension and part two storey side extension meets the requirements of the relevant policies and guidelines and will not have a significant impact on the amenity of nearby occupiers and is respectfully designed as such is acceptable in planning terms. Approval is recommended subject to conditions.

## **12.0 Background Papers:**

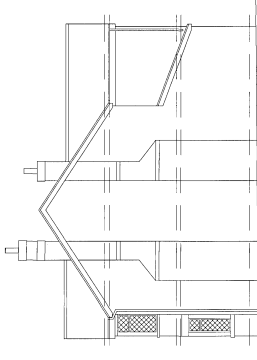
- 12.1 Application file.  
Certificate A signed by the applicant declaring that all land is owned by applicant.



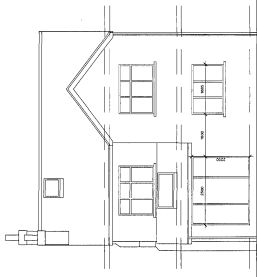
Proposed North Elevation



Proposed East Elevation

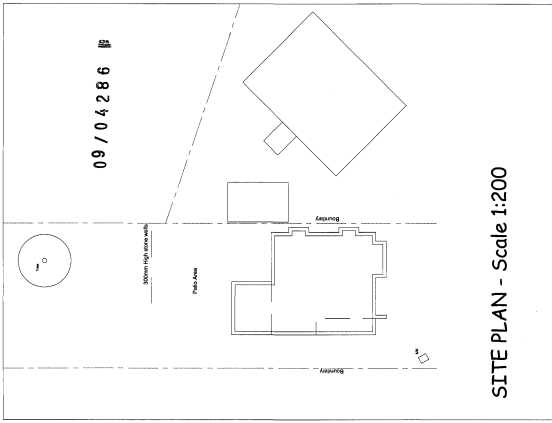


Proposed South Elevation

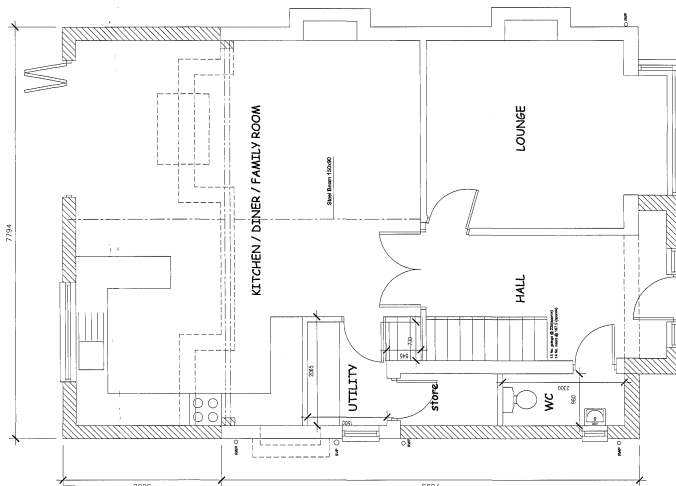


Proposed West Elevation

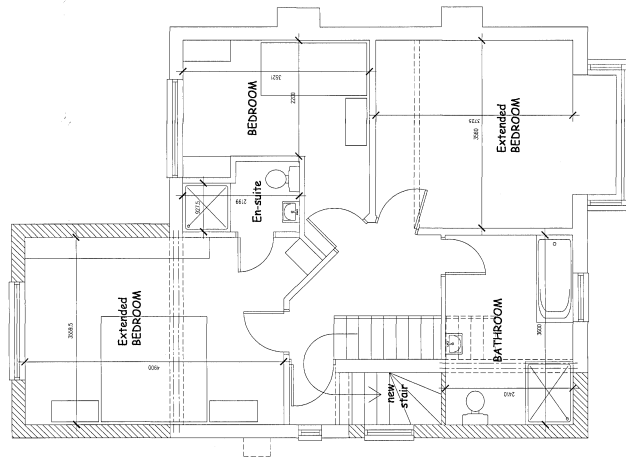
ELEVATIONS - SCALE 1:100



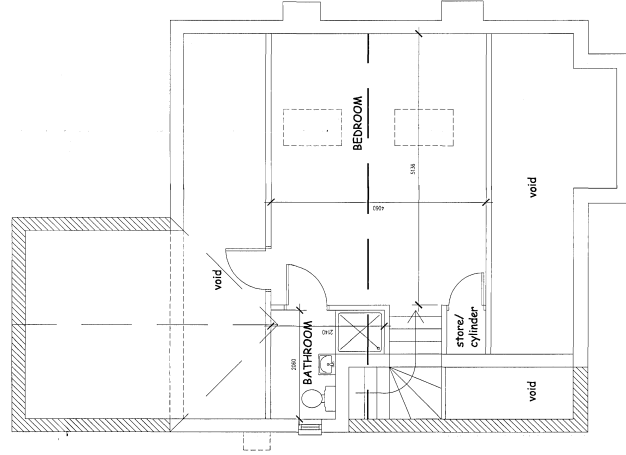
SITE PLAN - Scale 1:200



Proposed Ground Floor Plan



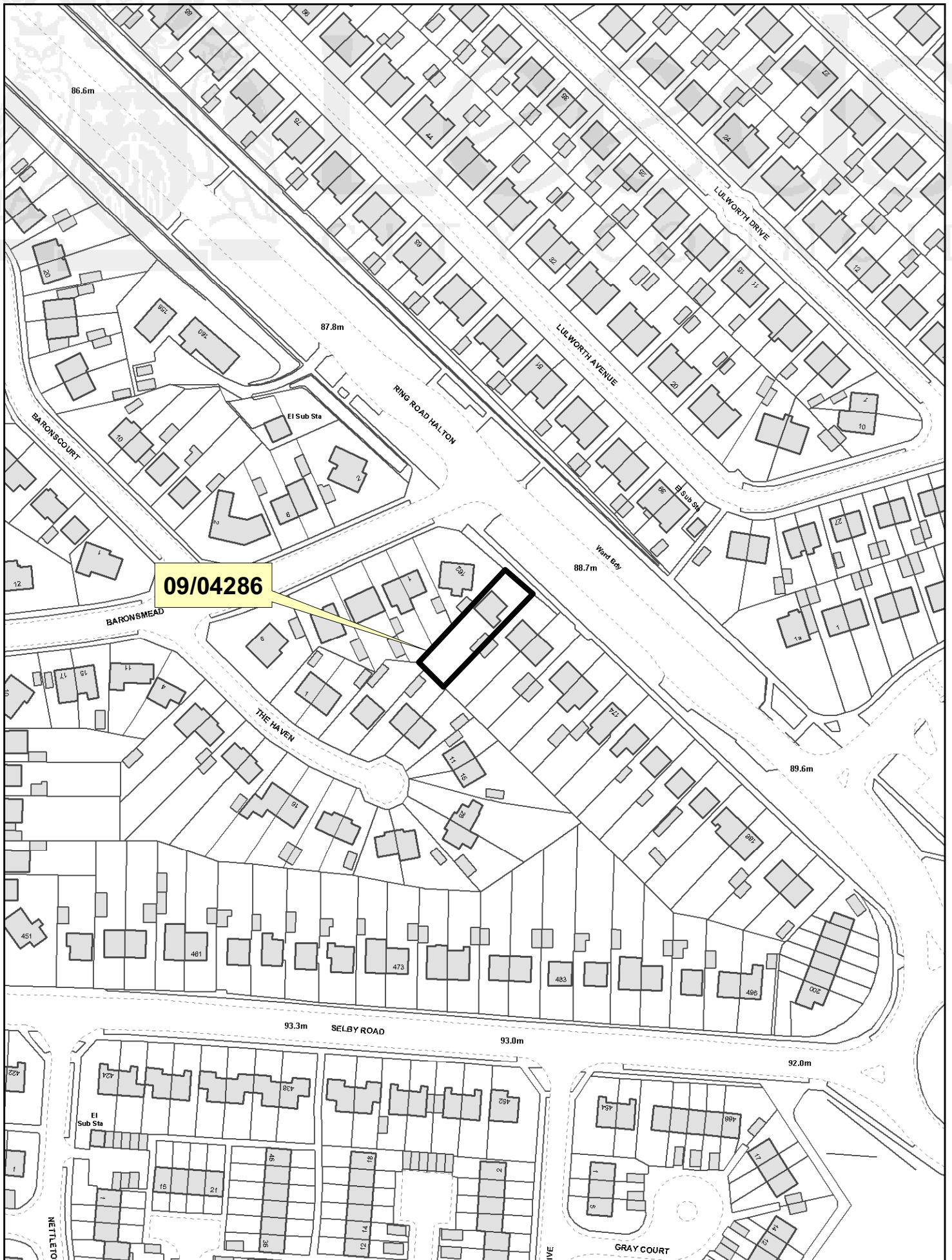
Proposed First Floor Plan



Proposed Loft Floor Plan

LEEDS CITY COUNCIL  
Please refer to Decision Notice  
23 NOV 2009  
**REVISED**

<b>B</b>	1st & 2nd floor and elev amended after Planner discussion. Parcl added 23/11/09
<b>A</b>	5th floor position amended as prelim. scheme. Submitted for Planning - 28 Sept 2009
Extension to 164 Ring Road for Mr Barracough	
Plans, Site Plan & Elevations As Proposed	
Scale	1:100
Date	09/09
Drawing No	1:200 @ A1
Revision	B
Drawn by	0355/02
Checked by	Michaela Nash
Designed by	Michaela Nash
Project No	164/09/02
Client	Mr Barracough



09/04286

# EAST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL  
 This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567



This page is intentionally left blank



Originator:	Victoria Hinchliff Walker
Tel:	0113 395-1343

## Report of the Chief Planning Officer

### PLANS PANEL EAST

Date: 14/01/10

**Subject: APPLICATION 09/04313/FU –Detached stable block/hay store and ménage to rear of dwelling. Holly Croft, Sandhills, Thorner, Leeds, LS14.**

APPLICANT	DATE VALID	TARGET DATE
J Shaw	05.10.2009	30.11.2009

<p><b>Electoral Wards Affected:</b> Harewood</p>  <p><input checked="" type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
---	--

### RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Standard Time limit.
2. All areas associated with the equestrian use hereby approved shall be used solely for the enjoyment of the occupants of Holly Croft only, and shall not be used for or by any commercial venture or for the purposes of livery, riding schools or commercial breeding.
3. Materials to match existing house.
4. Use of the ménage hereby approved shall not commence until details of the proposed construction, which shall include all details of boundary treatments, levels and surfacing materials, as well as details of how surface water discharges will be dealt with such that there is no increase in Greenfield rates of run-off, are submitted to and approved in writing by the Local Planning Authority.
5. Details of extent of residential curtilage to be agreed.

**Reasons for approval:** The proposed use is considered to be appropriate to the Green Belt and the scale, size and form of the proposed buildings is considered to be acceptable for the level of use being proposed. The design and appearance are rural in nature and given the limited views into the site, the proposed development is not considered to be detrimental to the character and appearance of the Conservation Area or Special Landscape Area. The proposal is considered to comply with policies GP5, N19, N33, N37, T2, BD5 and GB13 of

the UDPR and to guidance contained within the Thorner Conservation Area Appraisal and Management Plan and to government guidance contained within PPG2, PPS7 and PPG15.

## **1 INTRODUCTION:**

- 1.1 This application is reported to Plans Panel following a request from Councillor Alec Shelbrooke in his capacity as a Ward Councillor for the area and on the grounds that the development will encroach into the Green Belt.

## **2 PROPOSAL:**

- 2.1 The application is made in full, and seeks permission for the erection of a stabling block with attached hay store and tack room and the laying out of a ménage for the exercising of ponies/horses.
- 2.2 The stable block measures 7.8m wide x 9.9m deep x 4.2m to the ridge. It will be constructed from brick in the front half, with the rear half being fully open to form the hay store. A pitched roof will be supported at the rear by steel columns. Two stables are provided.
- 2.3 The proposed ménage measures 20.4m x 34.5m and will be constructed from a typical rubberised surface made from recycled tyres and overlaid on sand and hardcore to provide a permeable surface.
- 2.4 An area of the hardstanding will be laid for the creation of a turning area for vehicle and horsebox.
- 2.5 The proposal will also involve change of use of a strip of land which is currently in lawful agricultural use. This will change to equestrian use.

## **3 SITE AND SURROUNDINGS:**

- 3.1 Sandhills is a linear settlement extending from the south end of Thorner, stretching out towards Bramley Grange close to the A64 York Rd. The settlement consists of a number of large houses set in large plots on either side of the road interspersed with farm buildings. This is a rural area with agricultural fields surrounding residential plots.
- 3.2 Holly Croft is a detached house on the eastern side of Sandhills. The property is two-storey with hipped roof and gardens laid out to the south and eastern sides. A driveway access runs along the northern boundary giving access to the house, garages and a small, private use office building. To the rear of the site is a grassed paddock, separated from the residential unit by a post and wire fence. A large area of hardstanding adjacent to outbuildings to the rear has been constructed, which crosses the boundary between the garden and the agricultural land. The site is relatively well screened on all sides by hedging.
- 3.3 To the north and east of the site are agricultural fields. To the south is another residential plot, although the house is sited some 70m plus away from Holly Croft and the two sites are separated by mature hedging. To the east is another dwelling, but this is set well back from the road and again is heavily screened by mature trees and hedging.
- 3.4 The site lies within designated Green Belt, an area of special landscape and is within the Conservation Area of Thorner.

## **4 RELEVANT PLANNING HISTORY:**

- 4.1 Aside from a number of household extensions there has been one previous planning application on the site (reference 33/639/04/FU) for a change of use of paddock/agricultural land to domestic hardstanding to the rear of Holly Croft. This was refused on 21/01/05 on the grounds that it conflicted with Green Belt policy and that it had a detrimental impact on the Special Landscape Area. *It should be noted that in*

*this application the change of use was to domestic uses which is inappropriate within the Green Belt. The current application is for an equestrian use.*

- 4.2 In 2006 enforcement action was commenced (reference 06/01359/UOPS2) for the excavation to land to rear of dwelling, this case has been closed with no further action being taken as a planning application was submitted.
- 4.3 Further enforcement action commenced in 2007 (reference 07/01543/UCU3) for the extension of domestic curtilage into paddock and the extension of existing hardstanding area within the paddock area which has acted as a turning circle for residents vehicles. This case is still open, and this planning application is the result of negotiations that have taken place on this matter.

## **5 HISTORY OF NEGOTIATIONS:**

- 5.1 Enforcement officers have undertaken extensive dialogue with the applicant in recent years, which has culminated in the submission of this application to regularise the use of the land and seek permission for the unauthorised hardstanding and erection of the stable buildings.
- 5.2 During the course of the planning application the applicant has been asked to provide details of the proposed ménage including levels and surfacing materials and to consider slightly increasing the size of the stables and ménage in order to better accommodate larger animals. The applicant has indicated that the ménage is not currently needed for use, but that the area will be fenced off with a view to installing it in a few years. The stables have been marginally increased in size to provide more suitable accommodation for larger animals, they are still within the recommended sizes for horse provision.

## **6 PUBLIC/LOCAL RESPONSE:**

- 6.1 A site notice of an application for planning permission, which is a departure and which affects the character of the Conservation Area was posted on the 4<sup>th</sup> November 2009. Deadline for comments expired on the 25<sup>th</sup> of November 2009.
- 6.2 Ward Councillor Alec Shelbrooke objects to application on the grounds that the proposals encroach into the green belt. *Please see the appraisal below.*
- 6.3 Thorner Parish Council commented that they query whether the development is appropriate for the green belt location. *Please see the appraisal below.*
- 6.4 One letter of support from a neighbour has been received.

## **7 CONSULTATIONS RESPONSES:**

- 7.1 Highways Officers have advised that due to limited sightlines at the access point the proposal can only be supported if it is for the personal use of the occupants of the dwelling house.
- 7.2 Response: the size of the stables proposed and of the ménage are such that it would be unsuitable for any form of commercial activity. The applicant has also further advised that the stables are for the housing of his daughter's ponies, and that he accepts any condition requiring a restriction to family use only.
- 7.3 The Group Surveyor advises that the proposed stables are if anything slightly on the small side but that the size of both stables and the paddock is acceptable for two small ponies. The proposed hay store is acceptable and the proposed ménage is again on the small side.
- 7.4 Response: the applicant fractionally increased the size of stable so that it could accommodate a horse in future years.

## **8 PLANNING POLICIES:**

## 8.1 **Development Plan** – Regional Spatial Strategy (RSS) and adopted Unitary Development Plan ( Review) (UDPR)

- 8.1.1 There are no policies of specific relevance within the RSS.
- 8.1.2 Within the UDPR, the following policies apply.
- 8.1.3 GP5 - general planning considerations
- 8.1.4 N13 - design for the building should be of high quality and have regard to the character and appearance of surroundings.
- 8.1.5 N19 - all new buildings or extensions within or adjacent to a Conservation Area should preserve or enhance the character or appearance of the area.
- 8.1.6 N24 - development proposals that abut the green belt should achieve assimilation into the landscape.
- 8.1.7 N32 - Green Belt designation.
- 8.1.8 N33 - approval in the Green Belt will only be given for “.... essential facilities for outdoor sports and outdoor recreation”.
- 8.1.9 N37 -development in Special Landscape Areas will be acceptable, provided it does not seriously harm the character and appearance of the landscape.
- 8.1.10 N37A - all new development or change of land use within the countryside should have regard to the character of the landscape in which it is set and contribute positively to restoration objectives where appropriate.
- 8.1.11 T2 -highway and access issues
- 8.1.12 GB13 - stables and other equestrian development will only be permitted where:
  - That element is essential to outdoor equestrian activity and is subservient to that activity; and
  - Serious harm does not arise to the highway and bridleway network, visual amenity, the operation of neighbouring land uses or the living conditions of adjacent occupiers.

## 8.2 **Relevant supplementary guidance**

- 8.2.1 Thorner Conservation Area Appraisal and Management Plan approved 12/01/09. This document notes that Sandhills acts as wooded and rural corridor into the main settlement of Thorner and that predominant building materials are local sandstone, slates, pan-tiles, and stone slates.

## 8.3 **Government Planning Policy Guidance/Statements**

- 8.3.1 **PPG2 – Green Belt** – one of the objectives of designating Green Belt is to provide opportunity for outdoor sport and recreation, there is no differentiation between public and private provision of recreational facilities. The construction of new buildings in the green belt is inappropriate unless they are for e.g. essential facilities for sport and recreation. Essential facilities should be genuinely required for the use of land which preserves the character of the Green Belt and which do not preclude the purpose of including land in it. Possible examples of such facilities include small stables for outdoor sport and recreation.
- 8.3.2 **PPG15 – Historic Environment**
- 8.3.3 **PPS7 - Sustainable Development in Rural Areas** – Horse riding and other equestrian activities are popular forms of recreation in the countryside and can fit in well with farming activities and help to diversify rural economies.

## 9 **MAIN ISSUES**



- 9.1 Principle of use.
- 9.2 Appropriateness in the Green Belt.
- 9.3 Impact on Special Landscape Area.
- 9.4 Impact on Conservation Area.
- 9.5 Highway and access issues.
- 9.6 Other issues.

## **10 APPRAISAL**

### **10.1 Principle of Use**

- 10.1.1 The red line boundary encompasses two long standing existing uses - an agricultural use to the eastern end and on the western side (and the majority of the site) the residential use associated with the house and its curtilage. It should be noted that the paddock area has not been used for agricultural purposes for some years and is clearly separated from surrounding fields by mature hedging.
- 10.1.2 The construction of the stables and the ménage, although it will be used by the family only, is best described as an equestrian use. The paddock is to be retained in its current use as grazing for the ponies. This application if approved will therefore create an area to the eastern edge of the residential curtilage that has a lawful equestrian use. A condition is proposed to control the extent of the residential curtilage and to prevent the inclusion of the proposed stables and menage into the curtilage.
- 10.1.3 Given the current lack of agricultural activity on the site and the fact that an equestrian use is an appropriate rural use then this change of use is not objected to.

### **10.2 Appropriateness in the Green Belt**

- 10.2.1 One of the objectives of designating land as Green Belt is the use for outdoor sport and recreation purposes, into which an equestrian use falls. There is no differentiation between whether the recreation use is a purely private facility or open to the public. The use of the land for equestrian purposes is therefore considered to be appropriate in the Green Belt and complies with policy N33 of the UDPR and guidance in PPG2.
- 10.2.2 When considering development associated with appropriate uses it is necessary to consider whether the facilities are needed and whether the structures are of a scale that is commensurate with the use. The aim should be to achieve minimal impact on the openness of the green belt.
- 10.2.3 The proposed stables, attached hay store and the ménage will provide for two small ponies, which is consistent with the use purely for family purposes. The stable block has been designed within the specifications for such animals and is not considered to be excessive in scale or form.
- 10.2.4 An area of hardstanding is also created which provides a turning circle for a vehicle and horsebox. This is considered necessary as the existing access has poor visibility and any reversing of vehicles out of this access would endanger highway safety.
- 10.2.5 Given that the limited size, form and design of the facilities being provided is commensurate with the small-scale domestic use proposed, then it is considered that the proposal complies with guidance in PPG2 and with policy GB13 of the UDPR.

### **10.3 Impact on Special Landscape Area**

- 10.3.1 The proposed building is a small single storey structure, the front half of the building is divided into two stables with traditional doors recessed to provide a porch area. The rear half of the building is designed as an open haystore with pitched roof supported on steel columns. The building is proposed to be built from bricks to match the house and the garage with a concrete tiled roof, again to match the existing house and garage.
- 10.3.2 The proposed stable will be seen in conjunction with existing low-level buildings on the site and will largely be screened by the existing mature hedging on the northern boundary. Long distance views into the site are very limited due to the hedging as well. The building is of a design that is quite typical for the intended use and would not look out of place in this rural area.
- 10.3.3 Given the small-scale nature of the proposal along with the design and use of matching materials it is not considered that the proposal is detrimental to the character or appearance of the Special Landscape Area and that it does comply with policy N37.
- 10.3.4 The proposed ménage will be surfaced with recycled rubber chips which are likely to be in a grey/black colour. Such surfaces can be relatively intrusive in open areas, however in this instance it is considered that the site is largely hidden from views and further hedging along the eastern boundary could help to further reduce impact. Subject to appropriate landscaping the scheme could be adequately screened with no detrimental impact on landscape.

#### **10.4 Impact on conservation area**

- 10.4.1 The Conservation Area Appraisal notes that this area is rural in character. The nature and appearance of the proposed stable and the ménage is not considered to be out of character and it is relatively well hidden and screened from general views. The proposal is therefore considered to comply with policy N19.

#### **10.5 Highway and Access Issues**

- 10.5.1 The proposed access into the site will be used for both the domestic vehicles and vehicles associated with the equestrian use. There is substandard visibility at this access point in both directions along Thorner Lane, and for this reason the use of the access for a general/commercial equestrian use is not accepted (as this would lead to an increase in use of the access point). However use of the access for equestrian purposes associated with the family only, is considered to be acceptable as it would not lead to any greater increase in use of the access than already exists. It is considered that a condition can be applied to any permission granted to ensure that the use of the land remains for the family's enjoyment only.
- 10.5.2 Parking for a horsebox plus turning is provided within the site and there will be no loss of existing parking provision for the domestic use. The proposal, subject to the above condition therefore complies with policy T2 of the UDPR.

#### **10.6 Other Issues**

- 10.6.1 Concern has been raised with regard to the potential for the extended hard surfacing to cause flooding issues due to the location of a natural spring in the rear paddock area. An area of hardstanding already exists and although unlawful it is not much larger than that which already exists for the domestic use in terms of vehicle circulation space and parking.
- 10.6.2 Details of the ménage have been provided and show use of a recycle rubber chip layer over sand and hardcore. This is designed to allow drainage through to the soils below so that surface water does not collect which could be dangerous. It is therefore not considered that the proposed development will detrimentally increase surface water run-off that will result in local flooding. Furthermore the

development is surrounded by open grassed areas which would absorb any such run-off.

## **11 CONCLUSION**

11.1 The proposed use is considered to be appropriate in the Green Belt and associated buildings can be considered as essential facilities for this appropriate use. The limited scale, size, form and the intended materials, along with restricted views into the site ensure that the proposal is not detrimental to character or appearance of the Special Landscape Area or of the Conservation Area. All relevant policies of the UDPR have been complied with and the application is therefore recommended to Members for approval subject to conditions.

### **Background Papers:**

Application and history files –

- Planning application - 33/639/04/FU
- Enforcement case - 07/01543/UCU3
- Enforcement case - 06/01359/UOPS2

Certificate of Ownership – signed as applicant.

EXISTING FIELD SHELTER

PROPOSED STABLE BLOCK  
For details refer to  
drg NO 949/2A

AA

Domestic/Agricultural  
boundary

AA

Merriage

34.5 m

PROPOSED STABLE BLOCK  
For details refer to  
drg NO 949/2A

EXISTING FIELD SHELTER

LEEDS CITY COUNCIL  
Please refer to Decision Notice  
11 DEC 2008  
**REVISED**

20.5 m

SITE LAYOUT  
1:200

HOLLYCROFT

GARDEN

EXISTING HOUSE

EXISTING GARAGE

EXISTING OFFICE

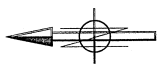
PARKING SPACE FOR HORSE BOX

TURNING CIRCLE FOR VEHICLE AND HORSE BOX

ROOF LAYOUT

THORNER LANE

AA



EXISTING HOUSE

EXISTING GARAGE

EXISTING OFFICE

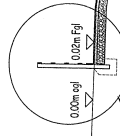
SECTION A - A  
1:200

Stone Wall

Existing timber post and rail fence 1800mm high, 75 x 150 posts at 1800mm c/s, 4 No 19 x 75 upper rails, 19 x 150mm licker board

20mm thick layer of rubber chips on 50mm compacted silica sand on 150mm thick drainage layer of 40 to 75mm layer of crushed stone compacted imported horizons.

Detail X  
1:10



20mm thick layer of rubber chips on 150mm compacted silica sand on 150mm thick drainage layer of 40 to 75mm layer of crushed stone compacted imported horizons.

SECTION B - B  
1:50

0.37 m Fd

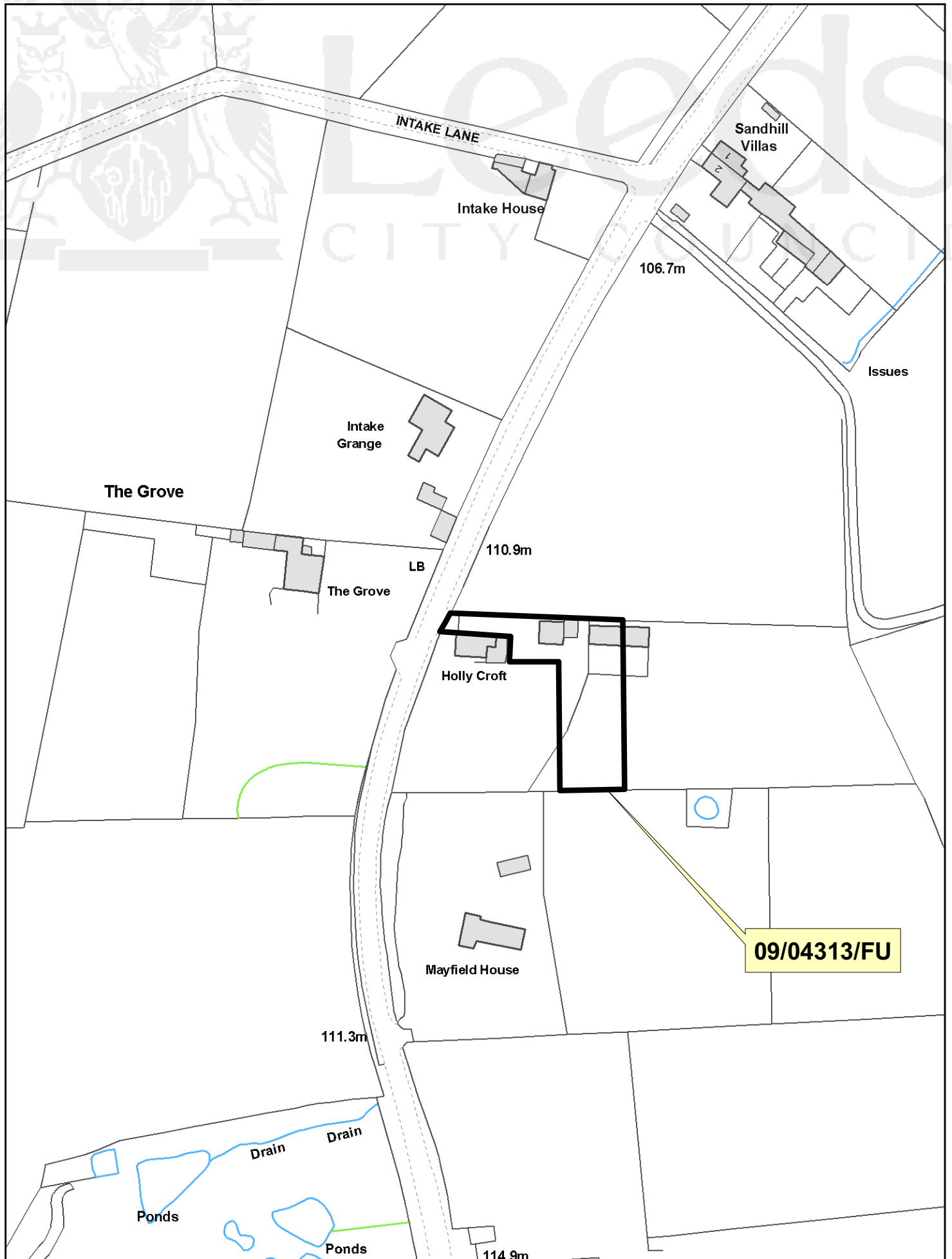
Existing timber post and rail fence 1800mm high, 75 x 150 posts at 1800mm c/s, 4 No 19 x 75 upper rails, 19 x 150mm licker board

PROPOSED STABLES HOLLYCROFT AND HILLS, THORNER LANE, LEEDS LS14 3BN	
SITE LAYOUT AND SECTIONS	
Scale	1:50
Drawn	EH
Checked	EH
Date	23.1.2009
Rev	3
Scale	1:50
Drawn	EH
Checked	EH
Date	23.1.2009
Rev	A

EDMUND HALEY ASSOCIATES  
Building Design Consultants  
19 Oak Road, Thornwood, Leith Hill, Stroud,  
Gloucestershire, G12 8JH  
Tel: 01453 872222  
www.edmundhaley.co.uk

Rev	Date	Description
A	26.1.09	Minor specification added and Stables enlarged

All dimensions are to be checked on site prior to ordering of materials and before any work is commenced. Dimensions are given in metres unless otherwise stated. Dimensions are given in metres unless otherwise stated. Dimensions are given in metres unless otherwise stated. Dimensions are given in metres unless otherwise stated.



# EAST PLANS PANEL

Scale 1/1500

This page is intentionally left blank



Originator: Umar Dadhiwala

Tel: 0113 2478175

## Report of the Chief Planning Officer

### *PLANS PANEL EAST*

Date: 14<sup>th</sup> January 2009

Subject: APPLICATION 09/04522/FU – Replacement 5 Bedroom Dwelling at Warren House, The Ridge, Linton, Leeds.

#### **APPLICANT**

Mr. P. Jones

#### **DATE VALID**

3 November 2009

#### **TARGET DATE**

29<sup>th</sup> December 2009

#### **Electoral Wards Affected:**

Harewood



Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:**

#### Conditions

1. Time Limit
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.
3. Sample of walling and roofing materials to be submitted.
4. Areas Used by Vehicles to be laid out, drained, surfaced and sealed.
5. Submission of landscape details.
6. Implementation of landscaping scheme.
7. Existing trees on site shall be protected during the construction period.
8. Details of potential contaminants used within the building to be submitted.
9. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising to be tested for contamination and suitability for use.
10. The works to be carried out in accordance with the recommendations made in section 10 of the Bat survey.
11. Planning permission to be obtained before any extensions, garages, or windows (not shown on the approved plans) are erected or installed.

12. A method statement for the management of construction traffic associated with the approved development to be submitted to and approved in writing by the Local Planning Authority.

**Reasons for approval:** It is considered that the proposed house will not appear prominent or out of place in the street scene nor will it have a detrimental impact upon the amenities of adjoining residents. The proposal is also similar to a scheme that has already been granted planning permission at the site but this permission has not yet been implemented. The application proposal is considered to comply with policies GP5, BD5, T2, H4, LD1 and N24 of the UDP (Review), as well as guidance contained within *Neighbourhoods for Living: A Guide for Residential Design in Leeds* and having regard to all other material considerations, as such the application is recommended for approval.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to the Plans Panel at the request of Councillor Rachael Procter. The Councillor highlights that the proposed height and mass of the property would result in the dwelling over-dominating the neighbouring property. The Councillor also raises overlooking concerns resulting from close proximity of the proposed windows to the neighbouring dwellings.
- 1.2 In 2007, planning permission was granted for part two storey part first floor front and side extensions to the host property (ref: 07/07215/FU). This approval represents a fall back position that has to be given weight as a material consideration. The proposed dwelling is very similar to a scheme approved in 2007, however this proposal is in many ways more acceptable in design terms. When compared to the 2007 approval, there is no difference in the footprint of the dwelling, whilst only a modest 0.4m height difference is evident.

## **2.0 PROPOSAL:**

- 2.1 In 2007 permission was granted for a part two storey part first floor front and side extensions to the existing property on the site (ref: 07/07215/FU). This application seeks full planning permission to demolish the existing dwelling on the site and replace it with a dwelling which is similar in siting and width. The proposed dwelling will be approximately 0.4m higher than the approved scheme.
- 2.2 As part of this application, front dormers were proposed to the main building. It was considered that the dormers would have resulted in the property appearing excessive and dominant from the street. Therefore, the applicant was advised to revise the scheme to show the front dormers omitted from the proposal.
- 2.3 The proposed two storey dwelling will be traditional in design and will measure 9m in height and 18.1m by 11.2m in mass. The property will feature three bedrooms at first floor level and two bedrooms within the roof space. An attached double garage will be located to the southwestern elevation of the property, adding a further 7.5m to the width of the dwelling. The garage will feature a hipped roof with dormers to the front and rear, which will serve a games room proposed within the roof space. The walls are noted to be of render and stone with details of the final materials and roof tiles to be agreed.

## **3.0 SITE AND SURROUNDINGS:**



3.1 The application relates to a detached dwelling built of artificial stone, set on a private drive of approximately twenty dwellings. The street features dwellings that are quite different in style and size. However, the dwellings are all detached and set within good sized gardens. The Ridge has a significant gradient and the host is sited toward its highest point. This means that the neighbouring dwelling to the east is set lower. The open Green Belt adjoins the site to the northwest. The existing dwelling on the site is part bungalow and part two storey. The dwelling is set back from the main road and is screened to the north and west by high evergreen hedging.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 31/78/98/FU- Two storey side extension (Approved)

4.2 07/07215/FU- Alterations including new roof, part two storey, part first floor front and side extension, open porch to front and new dormer window to front (Approved)

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.2 The original scheme proposed dormers to front elevation of the main building. It was considered that the proposed dormers will add additional bulk to the roof, resulting in the property appearing excessive and dominant from the street. Therefore, the applicant was advised to revise the drawings and omit the front dormers from the proposed plans.

#### **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 Site Notice posted 4<sup>th</sup> November 2009.

6.2 Neighbour Notification letters posted 3 November 2009.

6.3 Publicity Expiry Date 1<sup>st</sup> December 2009.

6.4 3 letters of support received. The letters highlight that the proposal will enhance the appearance of the street.

6.5 4 Letters of the objections received. Objectors raise issues concerning;

- The recent felling of trees on the site.
- The proposed dormer window over the garage overlooking the neighbouring dwelling Larchwood.
- The proposed dwelling appearing over-dominant from neighbouring property.
- The proposed dwelling appearing excessive from the streetscene.
- The large vehicles using the street during the construction period will compromise highway safety and will harm residential amenity by way of noise and disturbance.

6.6 Collingham and Linton Parish Council states that the concern raised by the objectors, should be taken in to consideration when determining the application.

#### **7.0 CONSULTATIONS RESPONSES:**

##### **Non-statutory:**

7.2 Highways officer- No objections

7.3 Nature Conservation- The Nature Conservation Officer highlights no significant concerns with regards to the potential harm to the bats that may be using the site. However, recommends that a condition should be attached to ensure the development is carried out in accordance with the recommendation contained within the submitted bat survey.

7.4 Landscape Officer – No objections

7.5 Contaminated Land – No objections

**Statutory:**

7.6 **None**

**8.0 PLANNING POLICIES:**

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. Given the strategic nature of the RSS, it is not considered that there are any policies relevant to the determination of the current proposal.

8.2 Local  
Unitary Development Plan Review Policies:

GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

H4: Provisions for residential development.

N13: Requires all new buildings to be of high quality and have regard to character and appearance of their surroundings.

BD5: States that new buildings should give consideration to both their amenity and that of their surroundings.

LD1: Landscaping.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

N24- Developments which adjoin the Green Belt to be adequately assimilated within the landscape.

8.3 Supplementary Planning Guidance

SPG13: Neighbourhoods for Living.

8.4 National Planning Policy

Planning Policy Statement 3: Housing.

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

**9.0 MAIN ISSUES**

- Principle of Development
- Visual Amenity
- Residential Amenity

- Highways
- Landscaping
- Nature Conservation
- Public Representation
- Conclusion

## 10.0 APPRAISAL

### Principle of Development

- 10.1 The application site lies within the Linton Village envelope and is located within the residential curtilage of Warren House. According to PPS3 'Housing', land within the envelope of a developed area is classed as 'previously-developed' and is acceptable for housing development subject to all other material planning considerations.

### Visual Amenity

- 10.2 In 2007 planning permission was granted for part two storey part first floor front and side extensions to the host property (ref: 07/07215/FU). This approval represents a fall back position that has to be given weight as a material consideration.
- 10.3 The proposed mass and layout of the dwelling will be similar to the approved 2007 extensions scheme on the site, whilst only a modest 0.4m increase is proposed to the height of the dwelling when compared to the approved scheme. Therefore, it is not considered that mass and height of the proposal will have a detrimental impact on the character of the streetscene.
- 10.4 In terms of design, it is acknowledged that the dwelling proposed, although traditional in design, is considerably different in character and appearance to the existing dwelling. This is largely due to the change in height, roof form and the fenestration. However, the streetscene consists of dwellings that are varied in design and scale, and together with the fact that the extant planning consent on the site gives approval for a dwelling which is also considerably different in character to the existing dwelling on the site, it is not considered that the proposed dwelling will have a detrimental impact on the streetscene.
- 10.5 Owing to the fact that the existing property is part bungalow, part two storey with a mixture of roof types, it is considered that the existing property has a rather disjointed appearance and has no significant architectural merit. Therefore, the proposed dwelling represents a house form that is more balanced and aesthetically attractive.
- 10.6 The proposed dwelling would be located close to the Green Belt boundary, to northwest of the site. Policy N24 of the UDPR states that where new development abut the Green Belt or other open green land, their assimilation into the landscape must be achieved. It is considered that the existing landscaping along the rear boundary of the site is adequate to soften the appearance of the proposed dwelling from the open Green Belt.
- 10.7 It is considered that a condition should be attached, requesting details of the walling and roofing materials to be submitted and approved. Such a condition will ensure that the materials used are of good quality and allows the property to tie in with the character of the street scene.

### Residential Amenity

- 10.8 In order to assess the impact of the proposed dwelling on neighbouring residential amenity, consideration has been given to the potential impact of the proposal from overshadowing, dominance and overlooking. Consideration has also been given to the extant planning permission on the site, which has to be given weight as a material consideration. Therefore, this application is required to be assessed, taking the view, that the approved scheme is acceptable in terms of its impact on residential amenity.
- 10.9 Given that the proposed dwelling is similar in mass and position to the scheme approved on the site and that only a modest 0.4m increase in the height of the dwelling is proposed when compared to the approved scheme, it is not considered that the proposed property represents an increase in the levels of overshadowing or over-dominance, above that would be experienced if the approved scheme on the site was implemented.
- 10.10 It is considered that the proposed front dormer window over the garage which serves a games room, will overlook the neighbouring dwelling 'Larchwood'. Therefore, it is considered that a condition should be attached to ensure a landscape scheme is implemented along the southwestern boundary, in order to obstruct views of the neighbouring dwelling. The landscaping will also soften the appearance of the dwelling from 'Larchwood'.

### Highways

- 10.11 The Highway Officer does not raise concerns with regards to highway safety or traffic. However, it is recommended that a condition is attached in order to ensure that all areas used by vehicles are hard surfaced.

### Landscaping

- 10.12 No concerns are raised with regards to the harm to trees and shrubs on the site. However, a condition should be attached to ensure the trees within the site are protected during the construction period.

### Nature Conservation

- 10.13 A bat survey of the property was carried out in November 2009. The survey included an internal and external inspection of the building but no bat activity was recorded due to the time of year. The survey concludes that the presence of a significant roost is unlikely, however, indication of a feeding or day roost was found behind a shutter to one of the windows. Such roosts are considered to be of low conservation value. It is also considered that the presence of a significant roost cannot be ruled out. Therefore, it is recommended that a condition should be attached to ensure the development is carried out in accordance with the precautionary mitigation measures outlined in Section 10 of the bat survey.

### Public Representations

- 10.14 The comments received from the Ward Member and the members of the public highlight concerns with regards to the excessive scale and height of the proposal, which it is claimed would result in the proposed dwelling appearing prominent on the street and over-dominant from neighbouring dwellings. The proposed dwelling is

similar in terms of its layout and mass, to the scheme approved on the site in 2007 whilst, compared to the scheme approved, only a modest 0.4m increase in the height of the dwelling is proposed. Therefore, it is considered that the proposal will not have a significant detrimental impact on the character of the street-scene or on neighbouring residential amenity,

- 10.15 The proposed overlooking issues highlighted have also been discussed in the appraisal. Only the dormer window above the garage was found to overlook the neighbouring dwelling 'Larchwood'. In order to overcome the concern, a condition requiring adequate screening along the shared boundary has been recommended to be attached. Apart from the dormer window over the garage, no other windows were found to directly overlook neighbouring dwellings.
- 10.16 The issues raised with regards to disturbances during the construction period particularly from the movement of large vehicles, is a concern. It is recommended that a condition should be attached in order to ensure that a method statement dealing with the management of construction traffic is submitted, and approved prior to works commencing on site.
- 10.17 The objectors also highlight that a number of trees have been recently felled within the site. Given that the trees on the site are not protected by a Tree Preservation Order and that this street is not within a Conservation Area, the felling of trees within the site can not be controlled.

## **11.0 CONCLUSION**

- 11.1 The proposed dwelling is similar in terms of its mass and layout to the scheme approved on the site in 2007 and only a 0.4m height difference is evident, when compared to the approved scheme. Therefore, it is considered that the proposal will not appear prominent from the street nor will the proposed height and mass of the dwelling have a detrimental impact on the amenity of the neighbouring dwellings. Furthermore, given that the dwellings on the street are varied in style and design, it is not considered that the proposed dwelling, which is traditional in design, will detract from the character of the street-scene. No significant concerns have been raised with regards to highways safety or harm to the local bats using the site. Therefore, it is considered that subject the recommended conditions being imposed, the application is recommended for approval.

### **Background Papers:**

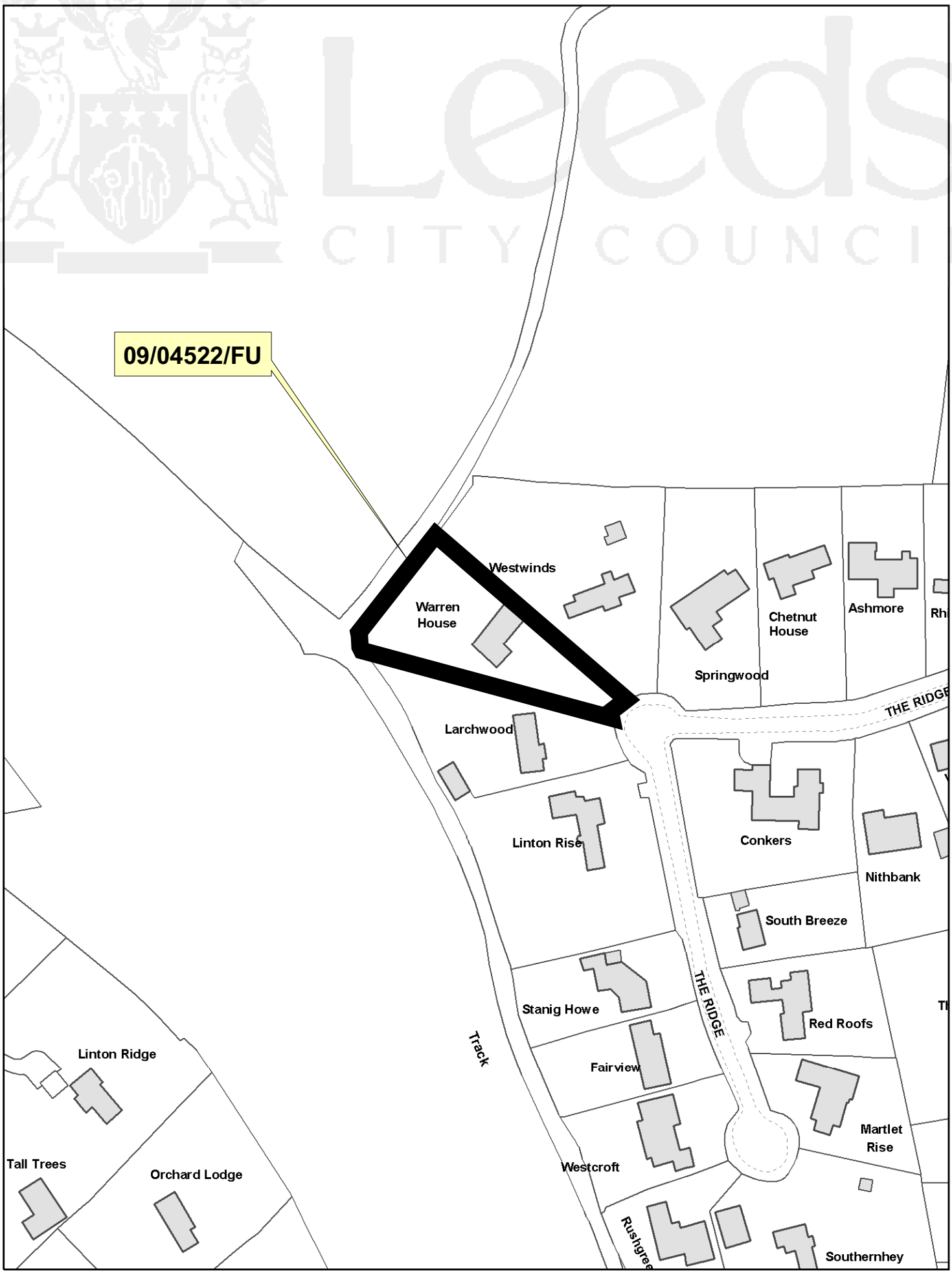
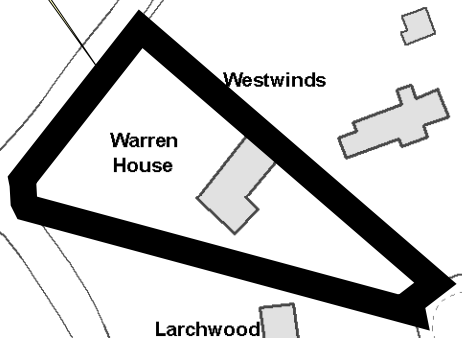
Planning application file: 09/04522/FU

Certificate of Ownership: Mr Peter Jones





09/04522/FU



## EAST PLANS PANEL

Scale 1/1500



This page is intentionally left blank





Originator: P Eggleton

Tel:0113 2478000

## Report of the Chief Planning Officer

### *PLANS PANEL EAST*

Date: 14<sup>th</sup> January, 2009

**Subject: APPLICATION at Easterly Mount, Gipton, Leeds (09/05236/LA) – Residential development comprising of 39 houses, 2 two bedroom flats over garages and 12 two bedroom flats in 1 three storey block.**

**APPLICANT**  
Leeds City Council

**DATE VALID**  
01.12.2009

**TARGET DATE**  
02.03.2010

**Electoral Wards Affected:**  
Gipton & Harehills

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: DEFER AND DELEGATE to the Chief Planning Officer for approval, subject to the specified conditions below, and to allow for the expiry of the public notification period and no adverse representations being received that raise new issues:**

1. Time limit
2. Plans agreed
3. External walling and roofing materials details
3. Landscaping conditions re. details and implementation
4. Contamination conditions
5. Drainage conditions
6. Home Zone conditions inc landscaping
7. Parking area surfacing and allocation
8. Details of carports
9. Highway materials
10. Boundary treatments adjacent to access points
11. Provision for contractors during construction
12. Mud on road measures
13. Levels details
14. Security measures

Details of conditions to be deferred and delegated to officers.

**Reasons for Approval:** The application is considered to comply with the general thrust of the UDP policies. Whilst it fails to provide contributions towards Education and Public Transport and does not make a full contribution towards open space provision as required by UDP Policies and SPG/SPD's, it would provide 53 (100%) affordable housing and a central area of open space within the development. The scale of investment in affordable housing, the use of brownfield land in a sustainable location, the provision of on-site Greenspace, the high quality of the layout of the development, the bespoke designs of the dwellings, the sustainable construction methods. The use of a Local Lettings Policy and the use and training of local labour are considered to outweigh the harm that would result in terms of the shortfall of financial contributions and any other concerns. As such the application is considered acceptable.

## **1.0 INTRODUCTION:**

- 1.1 A previous permission was considered by Panel and was granted on 27 March 2008. That was for a near identical proposal although it allowed for 85% private housing as part of Phase I of the East and South East Regeneration Initiative (EASEL). It included 15% affordable housing and contributions towards Education, Public Transport and Greenspace.
- 1.2 Due to the economic downturn the private housing scheme, which was to be developed by Bellway Homes Ltd in partnership with the Council, is no longer a viable option. The proposed scheme, the funding for which has been secured by the Regeneration Team from the Homes and Communities Agency (HCA), is therefore the only development option currently available and viable. The proposal although offering 100% affordable housing does not include any other developer contributions.

## **2.0 PROPOSAL:**

- 2.1 The site has permission for a 53 unit housing scheme granted as part of the EASEL Phase 1 development programme. This proposal differs from that permission in that the development would be for affordable housing rather than 85% private and 15% affordable; there would be very small increases in floorspace within some of the houses; properties would be built to higher environmental standards; and the Home Zone would have minor modifications to reflect the Council's SPD relating to road layouts which would improve pedestrian accessibility. Furthermore, the contributions previously agreed for the private development have not been offered as part of this 100% affordable housing proposal.
- 2.2 This application is for 39 houses, 2 two bedroom flats over garages and 12 two bedroom flats in a three storey block. The proposal would take advantage of grant funding from the HCA. The funding would be matched by the Council's prudential borrowing and would result in a development investment in excess of £7million.
- 2.3 The grant funding mechanism is the reason why financial contributions are not being offered. The grant is set by HCA but requires further borrowing which in this case represents about 50% of the development costs. A requirement of the grant is that the financing of any further borrowing be covered by income from rentals. The

overall scheme would therefore be sustainable in the long term in that the cost of borrowing would be fully met by the rents from the scheme.

- 2.4 The scheme has been fully costed and the Council's contractor is awaiting instruction to commence development. The cost of servicing the amount of borrowing required and the management of the scheme would result in ongoing costs that would be matched by projected income from rentals. The cost of additional borrowing to meet any contributions would take the ongoing costs beyond the projected annual income. The income cannot be increased as the rents are fixed. Additional borrowing to cover additional costs would therefore result in the project operating at a loss. This would take it outside the strict requirements of the grant and as such the grant would be withdrawn. A requirement for additional funds would therefore jeopardise the development. This proposal seeks to waive such requirements on the basis that firstly they would prevent development and secondly the benefits of the contributions would be dwarfed by the scale of investment in affordable housing provision which would exceed £7m.
- 2.5 With regard to the previous permission, the overall partnership agreement with Bellway Homes Ltd required that development would only take place if the individual sites were predicted to be sufficiently profitable. This was to ensure that the use of Council owned land for private housing would result in a satisfactory return to the Council for the exchange of the land so that it could be re-invested in the area to aid regeneration. This site did not meet this profitability criteria based on 2007 house prices. Its development was therefore not considered for the first phase of building and effectively relied upon continued rises in house prices. The fall in house prices following the permission was not anticipated. The local housing market would need to first return to and then exceed 2007 house prices before development could commence. This is not anticipated to be likely within the timetable of the approved application or the near future. Without the current grant funded proposal it is unlikely that development would take place on this site in the foreseeable future and as such no contributions would be forthcoming in any event.
- 2.6 The proposal would represent development on brownfield land which would bring benefits in terms of resisting other development on Greenfield sites. The grant funding is dependent on an agreed timetable and as such development would be complete by March 2011.
- 2.7 The development would involve the employment of two apprentices from the local area during the construction process. Letting of the properties would be based on a Local Lettings Policy that has been developed in consultation with local Ward Members.
- 2.8 The original EASEL proposals for market housing and the layouts and designs were subject to considerable local consultation. Three public exhibitions were held; sessions with local Councillors and community groups were undertaken; questionnaires were distributed and returned; and publicity leaflets distributed. With regard to this site no comments were received during the original application process. As part of this application normal publicity was undertaken for a major development. In addition, leaflet drops were made to 400 local houses and the plans displayed in three local schools between 4 and 7 January. Details of the public response to the proposal will be reported at Panel.
- 2.9 The dwellings would be set around a central area of Greenspace. The layout would remain identical to that approved by Panel in 2008. It would provide a high quality environment which has been designed using bespoke house designs. Security and

accessibility issues have been a key element of the design process from conception. The materials would reflect those already in use on Site 5 and 7 which have proved successful in achieving a high quality environment. In addition, the development would be built to Sustainable Homes Level 3 standard.

### **3.0 SITE AND SURROUNDINGS:**

3.1 This site was previously two separate housing areas. Development along Easterly Mount followed the general linear form of the road with flatted buildings beyond wide grass verges on both sides of the road. The area off St Wilfrid's Avenue is at a lower level and had semi-detached and terraces of four dwellings grouped around a cul-de-sac known as Easterly Square.

3.2 The site was cleared several years ago. The reasons for clearance were a combination of the properties being no longer sustainable due to the level of investment required to bring them up to standard and a lack of demand for certain property types particularly the flats. Both parts of the site are now laid to grass although the road that formed the cul-de-sac remains.

### **4.0 RELEVANT PLANNING HISTORY:**

4.1 07/01007/FU – Sites 1 and 2 - 63 dwelling houses and associated access works approved 27/3/2008

### **5.0 PUBLIC/LOCAL RESPONSE:**

5.1 None

### **6.0 CONSULTATIONS RESPONSES:**

**Environment Agency:** Recommend conditions and informatives.

**Yorkshire Water:** Recommend conditions and informatives.

**Non Statutory Consultations:**

**Drainage Officer:** Recommends conditions.

**Contamination:** Recommends conditions

**Highways:** Recommends conditions and continuing detailed highway design work to allow for adoption.

### **7.0 PLANNING POLICIES:**

7.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development and includes the following policies:

The RSS for Yorkshire and Humber adopted in May 2008.

YH1 Growth and change will be managed to achieve sustainable development  
YH2 Need to reduce greenhouse gas emissions

- YH7 Location of development - This identifies the need for a sequential approach giving first priority to the re-use of previously developed land and buildings and making effective use of existing transport infrastructure and capacity.
- H2, B2 Indicates that housing development on brownfield sites should be prioritised.
- T1 Identifies aims for personal travel reduction and modal shift.

Local – Leeds Unitary Development Plan (Review 2006) Policies:

- H3 Phasing of housing sites
- H4 Housing upon unallocated sites
- H11-13 Affordable housing
- H21 Need for Greenspace
- N2 Need for Greenspace
- N4 Requirement for Greenspace
- N12 New development design considerations
- N13 Building design
- N24 Assimilate development into adjoining Greenspace
- N25 Boundary treatments of new developments
- T2 Highways Safety
- T5: Satisfactory and secure access and provision for pedestrians and cyclists.
- T6: Seeks to ensure satisfactory access for disabled users.
- T7A: Seeks secure cycle parking facilities
- T24 Parking requirements
- LD1 Landscaping
- GP2 Development of vacant/underused sites
- GP5 General development requirements
- BD2: Design and siting of new buildings should complement and enhance surroundings.
- BD3: Seeks to achieve access for all.
- BD4: Seeks to minimise the impact of plant and machinery.
- BD5: Satisfactory level of amenity for occupants and surroundings.
- SPGs Neighbourhoods For Living: A Guide for Residential Design; Greenspace
- SPDs Community Safety; Public Transport; Street Design; Biodiversity.

National Planning Guidance

- PPS1 Delivering Sustainable Development, PPG3 Housing; PPG13 Transport; PPG17 Sport and Recreation

**MAIN ISSUES**

- Principle of Development.
- Developer contributions.
- Developer contributions Analysis.

**APPRAISAL**

**Principle of Development**

- 8.1 The principle of development has been accepted by the previous permission. The land was formerly housing which has been cleared and therefore the proposal makes a positive contribution to achieving housing targets on brownfield land.

- 8.2 The land has been vacant now for a number of years and although grassed does not contribute positively to the appearance of the area. The existing permission is now extremely unlikely to be implemented and as such this cleared site has little prospect of being developed without this proposal.
- 8.3 The nature of the grant funding requires that the build programme is specified and the project must be implemented in accordance with this schedule. This proposal will therefore ensure that the development is commenced immediately and completed by March 2011. This is a significant benefit of the application given the current uncertainty over development projects.
- 8.4 The approved scheme represents a very high quality design and layout. The Greenspace would provide significant enhancements to the character and appearance of the area. The buildings have bespoke designs developed to integrate into and to complement the area. The materials have been carefully considered as part of the on going development of EASEL Sites 5 and 7 and have proved very successful in providing attractive and distinctive dwellings on these sites.
- 8.5 The Home Zone concept is common to most of the EASEL sites. It provides for attractive and safe shared areas with maximum speeds of 10 mph. One additional and important feature of the layouts is the use of feature buildings set within the structure of each site. These are located to frame and add interest to key views into and within the sites and to enhance prominent corners. The buildings retain the designs of the surrounding development but have different materials that would add character and interest. The materials/colours for all the various character areas and feature buildings are deliberately innovative in order to create a high profile, high quality environment that would assist in raising the profile and distinctiveness of the area and the overall regeneration objectives of the EASEL initiative.
- 8.6 The sites have been designed to accommodate a refuse vehicle and its requirements for turning. Provision for storage of bins and cycles would be within the curtilage of each dwelling as required by the Code for Sustainable Homes. There are dedicated storage facilities for the blocks of flats and also for the flats above garages.
- 8.7 The original EASEL concept sought to attract new development and investment into the area. This would be achieved. It was also an objective to use Council owned land for private development in order to achieve profit that would be re-invested into the local area to further assist with regeneration. This would not be achieved by this proposal. The programme also sought to initiate a shift in tenure by introducing additional private housing. This would also not be achieved. Although some of the regeneration objectives would not be met, the introduction of this level of investment (over £7million) in a new high quality development which would provide affordable housing on brownfield land is considered to outweigh any concerns in this regard and overall is considered to represent a very positive contribution towards the regeneration initiative in this area.

## **Developer Contributions**

### Greenspace

- 8.8 Open space provision is required by the *Greenspace relating to new housing development* SPG for all sites of 10 units or more. This is provided on site although

it does not achieve the full area required. The shape of the site prohibits larger provision as this would result in the Greenspace bounding the existing rear gardens of properties which would result in security concerns. Management of this Greenspace would be by ENE Homes who would also manage the housing. The shortfall in Greenspace would normally be compensated for by an off-site contribution which would go towards new or improved provision in the area.

#### Education Contributions

- 8.9 A contribution towards the provision of education facilities in the area is normally required for development in excess of 50 units. Although this site is for 53 units, only 39 are family units that would generate demand for education provision. Education Leeds have however requested that contributions be paid for these 39 units. This would amount to a payment of £185,788.
- 8.10 This contribution is justified by Education Leeds on the basis of their projected school places provision and projected demand. In primary education there is expected to be an over supply of 9 places in 2010 but this is anticipated to become a deficit by 2011 of 153 and this deficit is predicted to increase over the following three years. With regard to Secondary School places it is estimated that there will be a small oversupply of places at Primrose High School until 2013 but for the following two years a small deficit. For Roundhay School Technology College there would be a deficit of 71 places in 2010 which would remain although this would reduce to 15 over the 5 year period.

#### Public Transport Contributions

- 8.11 As the site exceeds 50 units a public transport contribution would normally be expected. Metro have requested that MetroCards be provided for the future occupants. The financial requirement for such provision is considered to be £20,584 (plus a possible increase of no more than 50% should there be any rise in MetroCard costs). A contribution towards strategic public transport provision would also be expected for housing developments of this size.

#### Affordable Housing

- 8.12 A scheme of this size would be expected to provide 15% of the dwellings as affordable dwellings to be managed by a Registered Landlord. This would represent 8 units. The proposal is to provide all 53 units as affordable housing that would be managed by East North East Homes on behalf of the Council.

#### **Developer Contribution Analysis**

- 8.13 Executive Board agreed on 13<sup>th</sup> February 2009 that S106 contributions for residential developments of 50 units or less, which consist solely of affordable units, could be waived due to exceptional circumstances surrounding these types of developments given the current financial climate and to ensure that these 100% affordable housing schemes remain deliverable.
- 8.14 This proposal exceeds the 50 unit threshold first anticipated by the Executive Board. However, Executive Board agreed to the funding mechanism for this development on 4 November 2009. The funding mechanism does not allow for additional costs. The borrowing required to match the HCA funding has to be financed by projected rental incomes which are fixed. Additional finance costs would therefore result in the scheme becoming unviable and not self sustaining and

as such it would not qualify for the HCA grant. As incomes from the scheme cannot be increased, additional costs cannot be sustained.

8.15 A number of sites have recently been given permission for development without the need for contributions in accordance with the February 2009 Executive Board decision. Although this site exceeds the threshold by three, the same principles apply to this proposal as it represents 100% affordable housing and is not for profit.

8.16 It is considered that the £7million of affordable housing provision (53 units plus 10 on St Wilfrid's Avenue) compensates for the lack of contributions. The lack of provision of financial contributions would not set an undesirable precedent as it is justified on the provision of 100% affordable housing. Any similar proposal, although more difficult to resist would make a significant contribution toward affordable housing provision which is a key objective.

8.17 The actual impact of not providing contributions can be considered. Education would have a theoretical deficit in funding. As Education Leeds is part of the Council and the monies to pay for this contribution would have to be sourced from Council reserves or borrowing if it could be found, there would be no overall impact on the Council's overall resources, it would be an internal matter for the Council.

8.18 Furthermore, the allocation of properties would be based on a Local Letting Policy. Future residents in many cases would already be placing demands on education provision in the area. Private housing could reasonable be expected to generate new demand.

8.19 With regard to Metro's requirements the residents of these houses would not benefit from free MetroCards. Although this reduces the drive to encourage a change in transport patterns, these residents would be in a similar position to new residents in the majority of existing houses and new houses on sites of less than 50 units.

8.20 With regard to Greenspace, this site would provide an attractive area of open space which would be well integrated into the housing area and benefit from good general surveillance. The lack of additional contributions would be to the detriment of wider improvements but this money would not be forthcoming in any event if no development were to take place which would be the likely outcome.

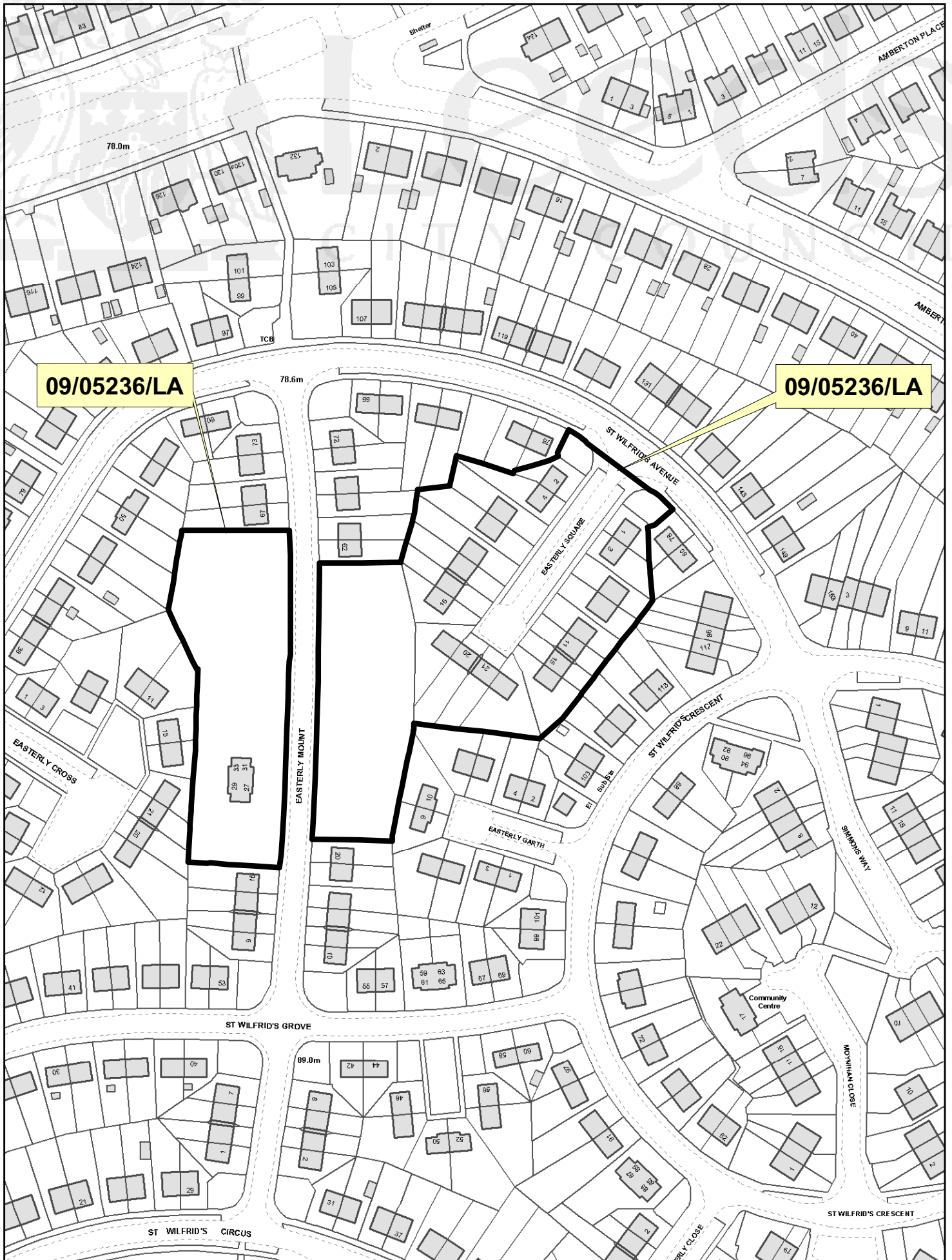
8.21 Overall, although the importance of the normally required contributions should not be under stated, the benefits of new investment in this area and the provision of a large number of affordable houses, which is a key Council objective, is considered to outweigh the negative aspects of a lack of payment of such contributions.

8.22 The reduction in new private house building throughout the Council's area as a result of the recession has clear implications for affordable housing provision as this is reliant on the completion of such developments. This proposal would make a significant contribution towards the current shortfall in affordable housing provision. The 63 units on this and the St Wilfrid's Avenue site would provide the equivalent amount of affordable housing in this area as a private development of 430 new units. This scale of development is considered to outweigh any contribution shortfalls.

## **9.0 CONCLUSION**



- 9.1 Consideration has been given to all material planning considerations. The scheme would not be viable and would not be implemented if financial contributions were to be required. Without this development the site would be likely to remain vacant for the foreseeable future.
- 9.2 The proposal would bring significant benefits in terms of inward investment to the area. It would make a major contribution to affordable housing provision. There would be other significant benefits including the use of brownfield land in a sustainable location; the provision of on-site Greenspace; the high quality of the layout of the development; the bespoke designs of the dwellings; the sustainable construction methods; the use of a Local Lettings Policy; and the use and training of local labour.
- 9.3 It is considered that the benefits of the proposal far outweigh the lack of contributions that would be generated by a private development, even if such an option was likely to emerge. As a private development would be unlikely to return a profit, such contributions would not be likely to be forthcoming in any event. Subject to the appropriate conditions it is recommended that the application be accepted.
- 9.4 As the end of the consultation process coincides with the date of the Panel, the recommendation seeks the delegation of the decision to the Chief Planning Officer following consideration of any new representation prior to the deadline for representations.
- 10.0 Background Papers:**
- 10.1 Application and history files.  
Certificate A signed by the applicant declaring that all land is owned by applicant.



# EAST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL  
 This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567





Originator: P Eggleton

Tel:0113 2478000

**Report of the Chief Planning Officer**

***PLANS PANEL EAST***

**Date:** 14<sup>th</sup> January, 2009

**Subject:** APPLICATION at St Wilfrid's Avenue, Harehills, Leeds (09/05235/LA) – Residential development comprising of 10 three bedroom semi-detached houses.

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
<b>Leeds City Council</b>	<b>01.12.2009</b>	<b>02.03.2010</b>

<p><b>Electoral Wards Affected:</b> Gipton &amp; Harehills</p>  <div style="border: 1px solid black; display: inline-block; padding: 2px;">✓</div> Ward Members consulted (referred to in report)	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
--	--

**RECOMMENDATION: DEFER AND DELEGATE to the Chief Planning Officer for approval, subject to the specified conditions below, and to allow for the expiry of the public notification period and no adverse representations being received that raise new issues:**

1. Time limit
2. Plans agreed
3. External walling and roofing materials details
3. Landscaping conditions re. details and implementation
4. Contamination conditions
5. Drainage conditions
6. Parking area surfacing and allocation
7. Mud on road measures
8. Levels details

Details of conditions to be deferred and delegated to officers.

**Reasons for Approval:** The application is considered to comply with the general thrust of the UDP policies. Whilst it fails to provide a contribution towards open space provision as required by UDP Policies and the Greenspace SPG, it would provide 10 (100%) affordable houses. An area of open space would be provided within the nearby development at

Easterly Mount. The scale of investment in affordable housing, the use of brownfield land in a sustainable location, the high quality of the layout and design of the dwellings, the sustainable construction methods, the use of a Local Lettings Policy and the use and training of local labour are considered to outweigh the harm that would result in terms of the shortfall of the financial contribution towards Greenspace and any other concerns. As such the application is considered acceptable.

## **1.0 INTRODUCTION:**

1.1 A previous permission granted on 27 March 2008 and relating to this site and Easterly Mount, was for a near identical proposal but for market housing. That was as part of Phase I of the East and South East Leeds regeneration Initiative (EASEL) and was also considered by Panel. This proposal complements the previous agenda item relating to an application for 53 units at Easterly Mount, Gipton. Due to the economic downturn the private housing scheme, which was to be developed by Bellway Homes Ltd in partnership with the Council, is now not a viable option. The proposed scheme, the grant for which has been secured by the Regeneration Team from the Homes and Communities Agency (HCA), is therefore the only development option currently available and viable.

## **2.0 PROPOSAL:**

2.1 The site has permission for 10 houses as part of the EASEL Phase 1 development programme. That permission was for private housing whilst this would be for 100% affordable housing. In addition, the houses would be very slightly increased in floorspace to meet HCA house size standards. This would not however alter the layout.

## **3.0 SITE AND SURROUNDINGS:**

3.1 This site was previously a housing area. It was cleared several years ago. The reasons for clearance was a combination of the properties being no longer sustainable due to the level of investment required to bring them up to standard and a lack of demand for certain property types, particularly flats. The site is now laid to grass.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 07/01007/FU – Sites 1 and 2 - 63 dwelling houses and associated access works approved 27/3/2008

## **5.0 PUBLIC/LOCAL RESPONSE:**

5.1 None

## **6.0 CONSULTATIONS RESPONSES:**

**Environment Agency:** Recommend conditions and informatives.

**Yorkshire Water:** Recommend conditions and informatives.

**Non Statutory Consultations:**

**Drainage Officer:** Recommends conditions.

**Contamination:** Recommends conditions

**Highways:** Recommends conditions.

## 7.0 PLANNING POLICIES:

7.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development and includes the following policies:

### The RSS for Yorkshire and Humber adopted in May 2008.

- YH1 Growth and change will be managed to achieve sustainable development
- YH2 Need to reduce greenhouse gas emissions
- YH7 Location of development - This identifies the need for a sequential approach giving first priority to the re-use of previously developed land and buildings and making effective use of existing transport infrastructure and capacity.
- H2, B2 Indicates that housing development on brownfield sites should be prioritised.
- T1 Identifies aims for personal travel reduction and modal shift.

### Local – Leeds Unitary Development Plan (Review 2006) Policies:

- H3 Phasing of housing sites
- H4 Housing upon unallocated sites
- H11-13 Affordable housing
- H21 Need for Greenspace
- N2 Need for Greenspace
- N4 Requirement for Greenspace
- N12 New development design considerations
- N13 Building design
- N24 Assimilate development into adjoining Greenspace
- N25 Boundary treatments of new developments
- T2 Highways Safety
- T5: Satisfactory and secure access and provision for pedestrians and cyclists.
- T6: Seeks to ensure satisfactory access for disabled users.
- T7A: Seeks secure cycle parking facilities
- T24 Parking requirements
- LD1 Landscaping
- GP2 Development of vacant/underused sites
- GP5 General development requirements
- BD2: Design and siting of new buildings should complement and enhance surroundings.
- BD3: Seeks to achieve access for all.
- BD4: Seeks to minimise the impact of plant and machinery.
- BD5: Satisfactory level of amenity for occupants and surroundings.

SPG - Neighbourhoods For Living: A Guide for Residential Design; Greenspace  
SPDs - Community Safety; Public Transport; Street Design; Biodiversity.

### National Planning Guidance

PPS3 Housing;  
PPG13 Transport;  
PPG17 Sport and Recreation

## **MAIN ISSUES**

Principle of Development  
Greenspace

### **APPRAISAL**

#### **Principle of Development**

- 8.1 The principle of development has been accepted by the previous permission. The land was formerly housing/flats which has been cleared and therefore the proposal makes a positive contribution to achieving housing targets on brownfield land.
- 8.2 The land has been vacant now for a number of years and although grassed does not contribute positively to the appearance of the area. The existing permission is now extremely unlikely to be implemented and as such this cleared site has little prospect of being developed without this proposal.
- 8.3 The nature of the grant funding requires that the build programme is specified and the project must be implemented in accordance with this schedule. This proposal will therefore ensure that the development is commenced immediately and completed by March 2011. This is a significant benefit of the application given the current uncertainty over development projects.
- 8.4 The layout would remain identical to that approved by Panel in 2008. It would provide bespoke house designs along a dedicated service road. The materials would reflect those already in use on Site 5 and 7 which have proved successful in achieving a high quality environment. In addition, the development would be built to Sustainable Homes Level 3 standard.
- 8.5 The site has been designed to accommodate a refuse vehicle. Provision for storage of bins and cycles would be within the curtilage of each dwelling as required by the Code for Sustainable Homes.
- 8.6 The development in conjunction with the Easterly Mount proposal would involve the employment of two apprentices from the local area during the construction process. Letting of the properties would be based on a Local Lettings Policy that has been developed in consultation with local Ward Members.
- 8.7 The original EASEL proposals for market housing and the layouts and designs were subject to considerable local consultation. Three public exhibitions were held; sessions with local Councilors' and community groups were undertaken; questionnaires were distributed and returned; and publicity leaflets distributed. With regard to this site no comments were received during the original application process. As part of this application normal publicity was undertaken for a major development. In addition, leaflet drops were made to 400 local houses and the plans displayed in three local schools between 4 and 7 January. Details of the public response to the proposal will be reported at Panel.

- 8.8 The proposal would take advantage of grant funding from the HCA as described in the report relating to Easterly Mount. A proposal for ten houses would not normally attract a requirement for any developer contributions other than Greenspace and no such contributions are proposed in this case.

### **Greenspace**

- 8.9 Open space provision is required by the *Greenspace relating to new housing development* SPG for all sites of 10 units or more. This is not provided. The shortfall in Greenspace would normally be compensated for by an off-site contribution which would go towards new or improved provision in the area. The provision of this contribution would make the development unviable as fully explained in the Easterly Mount report. A new Greenspace would be provided on the nearby Easterly Mount development.

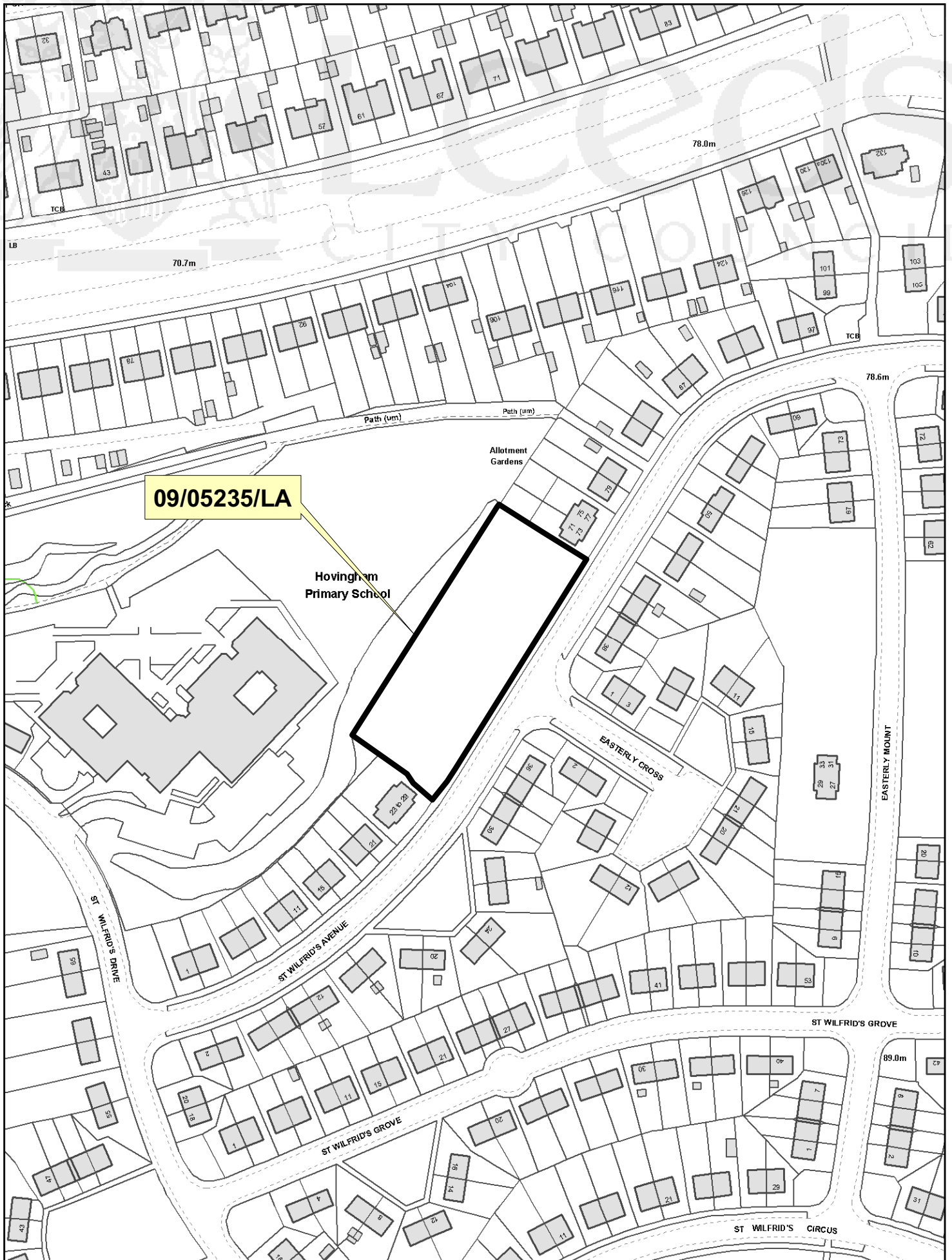
### **9.0 CONCLUSION**

- 9.1 Consideration has been given to all material planning considerations. The scheme would bring many significant benefits in terms of inward investment to the area and make a contribution to affordable housing provision. Without this development the site would be likely to remain vacant for the foreseeable future bringing no benefit to the area and stalling the regeneration initiatives. It is considered that the benefits of the proposal far outweigh the concern with regard to the lack of developer contributions towards Greenspace. Subject to appropriate conditions it is recommended that development would be acceptable and would make a positive contribution to the area.

- 9.2 As the end of the consultation process coincides with the date of the Panel, the recommendation seeks the delegation of the decision to the Chief Planning Officer following consideration of any new representations made prior to the deadline.

### **10.0 Background Papers:**

- 10.1 Application and history files.  
Certificate A signed by the applicant declaring that all land is owned by applicant.



09/05235/LA

Hovingham Primary School

Allotment Gardens

EASTERLY CROSS

ST WILFRID'S DRIVE

ST WILFRID'S AVENUE

ST WILFRID'S GROVE

ST WILFRID'S GROVE

ST WILFRID'S CIRCUS

# EAST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL  
 This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567







Originator: Helen Miller

Tel: 0113 2478132

## Report of the Chief Planning Officer

### *PLANS PANEL EAST*

Date: 14<sup>th</sup> January 2010

**Subject: Natural Resources and Waste Development Plan Document Policy Position Report (Preferred Options)**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
N/A	N/A	N/A

#### **Electoral Wards Affected:**

All

x

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:** To receive a presentation on the content of the Natural Resources and Waste DPD Policy Position Report and to make comments as part of the consultation process.

## **1.0 EXECUTIVE SUMMARY**

- 1.1 Development Plan Panel Members agreed to release the Natural Resources and Waste Development Plan Document (DPD) Policy Position Report on 13<sup>th</sup> October 2009, as the basis for informal public consultation. The consultation runs for 6 weeks commencing on 18<sup>th</sup> January 2010.
- 1.2 The Natural Resources and Waste Development Plan Document (NRWDPD) is part of the new Local Development Framework. The Policy Position Report sets out the Council's preferred options for planning policies relating to minerals, renewable energy, water resources (including flood risk), air quality and waste. It aims to help us use our natural resources in a more efficient way.

## **2.0 PURPOSE:**

- 2.1 This report and accompanying presentation are intended to brief Members of the Plans Panel on the content of the Natural Resources and Waste Development Plan Document (DPD) Policy Position Report and provide opportunity for Members to make immediate comments. In addition, the briefing should equip Members to be able to make further considered written comments during the consultation period if they so wish.

## **3.0 BACKGROUND:**

- 3.1 The Natural Resources and Waste Development Plan Document is currently being prepared and is a significant part of the Leeds Local Development Framework (LDF). This DPD aims to provide an integrated approach to managing natural resources within Leeds, to ensure that they are used in the most efficient way and to give an indication of how Leeds will manage its waste now and in the future until 2026. This DPD (and supporting material) has been subjected to “Issues and Alternative Options” public consultation (May - June 2008). Following consideration of the comments received and further technical work, Jacobs (Strategic Design Alliance) and City Council officers (via a Technical Steering Group), have developed this ‘Policy Position’ report.
- 3.2 Within the context of the City Council’s Statement of Community Involvement, a programme of consultation has been developed. This includes the creation of consultation and display material, the hosting of exhibitions and “drop-in-sessions”, outreach contact with minority groups and the use of the City Council’s web site. We are also notifying a wide range of stakeholders, neighbouring local authorities and Parish Councils.

## **4.0 MAIN ISSUES:**

- 4.1 This DPD will set out where land is needed to enable us to manage resources, like minerals, energy, water and waste, over the next 15 years and identifies specific actions which will help us use our natural resources in a more efficient way. Planning policies are used to control and encourage development patterns to:
- Ensure responsible use of natural resources such as minerals, water and energy;
  - Predict future pressures on resources, such as climate change and increased housing growth, and plan for these by reducing flood risk, improving air quality and increasing renewable energy provision;
  - Ensure that sufficient sites are provided to enable us to manage our waste;
  - Increase waste recycling and processing so that less waste goes to landfill;
  - Encourage more use of those resources that don’t run out, such as solar and wind energy.

### LAND USE

- 4.2 In order to improve air quality and reduce carbon emissions we need to make the most of opportunities for alternative transport from road. To support this, where there are railway sidings and canal wharves which are, or could be, used for mineral and waste activities, it is proposed to safeguard them for that purpose. This helps to reduce the extent to which bulky materials have to be transported by road.

These sites are shown as B2 sites on the attached Maps A1 and A2

### MINERALS

- 4.3 To ensure that we have sufficient mineral reserves we propose to safeguard existing mineral sites to make the most of current workings and reduce pressure for new workings. Safeguarded mineral sites are shown as B1 sites on the attached Maps A1 and A2.
- 4.4 To ensure that we have sufficient mineral resources to last for the next 15 years we propose to identify Mineral Safeguarding Areas where the land will be protected from development that would prevent future quarrying and where mineral operators will be expected to look for resources should the need arise. Mineral Safeguarding Areas are shown as B4 sites on the attached Maps A1 and A2.

### WATER RESOURCES

- 4.5 We intend to require all developments to include measures to improve their water efficiency and deal with sources of wastewater. To help manage flood risk we propose planning policy that:
- Allows space for flooding by preventing most types of development in areas defined as 'functional flood plain'
  - Avoids inappropriate development in high flood risk areas wherever possible
  - Controls development in locations that could be at risk of rapid water inundation should flood defences fail
  - Requires an assessment of flood risk for any development (the assessment will be in proportion to the development size and flood risk)
  - Reduces surface water runoff in new developments.

### AIR QUALITY

- 4.6 We intend to include a policy to require all new developments to include measures to improve air quality (commensurate with the scale of the development). We are investigating whether it would be beneficial to create Low Emission Zones in some areas of the District. These would be areas where the more polluting vehicles would not be permitted.

### ENERGY

- 4.7 The Regional Spatial Strategy (RSS) sets targets for installed, grid-connected renewable energy provision in Leeds. We have set out how we think the RSS targets might be met from different sources of renewable energy in the District. We have included a map of wind speeds which indicates that there are areas in the District where there is potential for wind energy generation to be viable and alongside this we have included a criteria based policy which gives an indication of the factors which will be considered when wind energy applications are submitted. We have also made a commitment to the setting up of an Energy Service Company in Leeds which will act as a delivery vehicle for low carbon projects.

### WASTE

- 4.8 We want Leeds to be self sufficient so that the District has sufficient waste management facilities and sites to manage all the waste it produces. This means

increasing the overall waste management capacity to meet this need (i.e. waste collection, transfer, sorting and treatment facilities). We intend to do this by safeguarding existing waste sites across the District (shown as sites C1 to C5 on Maps A1 and A2), providing a limited number of strategic sites for larger facilities in the industrial areas of the Aire Valley (shown as E sites on Maps A1 and A2) and identifying where there are existing industrial estates that have potential for more waste related activities to take place (shown as F sites on Maps A1 and A2).

## **5.0 NEXT STEPS:**

- 5.1 Following informal consultation on the Policy Position document, a “Publication” draft of the DPD, will be prepared and this will be subjected to further consultation prior to submission to the Planning Inspectorate for Examination and then Adoption.

### **Background Papers:**

Natural Resources and Waste DPD – Policy Position Report (and associated documents)