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**PLANS PANEL (CITY CENTRE)**

**MEETING TO BE HELD IN ON**

**Tuesday, 27th September, 2011 AT 1.30 pm**

**PLEASE NOTE THE DIFFERENT DAY**

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**MEMBERSHIP**

Councillors

B Selby (Chair)  
G Driver (Chair)  
S Hamilton  
J Jarosz  
J McKenna  
E Nash

M Hamilton  
C Campbell

G Latty  
A Castle

A Blackburn

# 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 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 Head of Governance Services 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 the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><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>	
6			<p><b>MINUTES</b></p> <p>To approve the minutes of the last meeting held on 4<sup>th</sup> August 2011 as a correct record</p> <p>(report attached)</p>	3 - 8
7	Hyde Park and Woodhouse		<p><b>10/00267/UBAX3 - APPEAL AGAINST AN ENFORCEMENT NOTICE, 2 CLAREMONT VILLAS, WOODHOUSE LS2 9NY</b></p> <p>To consider the report on the outcome of an appeal against an Enforcement Notice issued by LCC against the installation of UPVC windows to the front and rear of 2 Claremont Villas, Woodhouse, Leeds LS2</p> <p>(Report attached)</p>	9 - 14

Item No	Ward	Item Not Open		Page No
8	City and Hunslet		<p><b>PRE APPLICATION PRESENTATION - PRE-APP 11/00336 PROPOSALS FOR INTERIM USES AT FORMER TETLEY BREWERY, HUNSLET ROAD, HUNSLET, LEEDS</b></p> <p>To consider the report of the Chief Planning Officer and receive a pre-application presentation on proposals for interim uses at the former Tetley Brewery site, Hunslet Road, Hunslet</p> <p><i>This is a pre-application presentation and no decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation</i></p> <p>(Report attached)</p>	15 - 20
9	All Wards		<p><b>DRAFT HOUSEHOLDER DESIGN GUIDE</b></p> <p>To consider the report of the Chief Planning Officer outlining the consultation strategy for the Draft Householder Design Guide</p> <p>(Report attached)</p>	21 - 74
10	Armley; Beeston and Holbeck; Burmantofts and Richmond Hill; City and Hunslet; Hyde Park and Woodhouse		<p><b>INFORMAL CITY CENTRE COMMUTER CAR PARKING POLICY</b></p> <p>To consider the report of the Chief Planning Officer on the progress made in preparing a policy to permit a number of cleared site commuter car parks</p> <p>(Report attached)</p>	75 - 108
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note the date and time of the next meeting as Thursday 27<sup>th</sup> October 2011 at 1.30 pm</p>	

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To:  
Plans Panel City Centre Members  
and appropriate Ward Members

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

Contact: Helen Gray  
Tel: 0113 247 4355  
Fax: 0113 395 1599  
helen.gray@leeds.gov.uk  
Your reference:  
Our reference: ccpp/sitevisit/  
19 September 2011

Dear Councillor

**PLANS PANEL CITY CENTRE – TUESDAY 27<sup>TH</sup> SEPTEMBER 2011 at 1.30 pm**

Prior to the meeting on Tuesday 27<sup>th</sup> September 2011 there will be site visits in respect of the following:

- 10:15 am 17 – 33 Hunslet Road, Hunslet – visit to the former Carlsberg Tetley site
- 10:45 am City Varieties – visit to see the completed refurbishment works
- 11:15 am Leeds Arena – visit to the arena site for an update on works

Panel Members are requested to meet in the Civic Hall ante-chamber for 9.55am, in readiness for a 10.00 am start. Please could you let Daljit Singh know (24 78010) if you will be attending the site visits.

Yours sincerely

**Helen Gray**  
**Governance Services**

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## Plans Panel (City Centre)

Thursday, 4th August, 2011

**PRESENT:** Councillor B Selby in the Chair

Councillors G Driver, S Hamilton, J Jarosz,  
J McKenna, E Nash, A Castle, R Pryke and  
C Fox

### 8 **Late Items**

No formal late items of business were added to the agenda however the Area Planning Manager indicated that additional information relating to Item 7 and Item 8 of the agenda would be provided during the meeting

### 9 **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

Councillor A Castle – Application 11/01798/FU 65 Clarendon Road – declared a personal interest as a member of Leeds Civic Trust as the Civic Trust had commented on the application. Councillor Castle also added that, should discussions on the application encompass car parking, she stated she worked very close to the application site and made use of a business parking permit (minute 12 refers)

Councillor Castle – Application 11/02799/FU City House – declared a personal interest as a member of Leeds Civic Trust as the Civic Trust had commented on the proposals (minute 13 refers)

### 10 **Apologies for Absence**

Apologies for absence were received from Councillors Campbell, G Latty and M Hamilton. The Panel welcomed Councillors Fox and Pryke as substitute members to the meeting

### 11 **Minutes**

**RESOLVED** – That the minutes of the meeting held 7<sup>th</sup> July 2011 be agreed as a correct record

### 12 **Application 11/01798/FU - 65 Clarendon Road, Woodhouse LS2**

The Panel considered proposals for the erection of a 4 storey block of eight 2 bedroom flats and refurbishment of the Victorian villa at 65 Clarendon Road, Woodhouse. Plans and photographs of the site were displayed at the meeting along with slides showing elevations, architects drawings and the relationship of the new build to the existing villa. Members had previously visited the site.

Officers highlighted the following:

- The new block would follow the existing building line along Clarendon Road

- The central amenity space to be provided between the block and the villa would be landscaped and any trees to be removed will be replaced
- 9 car parking spaces would be provided for the 12 flats
- There was a 7m level difference across the site, so levels would be conditioned to ensure the best possible level access and routes are achieved as far as practicable
- The hipped roof to the 2 bedroom ground floor extension reduced the scale of the extension and was designed to be in keeping with the existing villa. The ridge height of the 4 storey new build was similar to the ridge height of the adjacent property at No. 63
- Both new build elements incorporated traditional design and utilised stone and brick head and sills to the windows, red brick and slate materials

Officers responded to the comments of the Access Officer received since the despatch of the agenda for the meeting regarding direct pedestrian access to the disabled parking space. It was also reported that local ward Councillor G Harper had clarified that his objections were the same as those of local residents addressed in the report. The Conservation Officer outlined the history of the villa and members noted that the elevation facing Clarendon Road was originally the rear elevation as the villa had been built to face west and take in views across Aire Valley.

The Panel heard representation from Mr B McKinnon on behalf of Little Woodhouse Community Association who referred to planning policy PPS3 and expressed concerns over the height of the new build, the loss of family housing and garden; the intensity of the scheme and the impact the new build would have on light to Ripon House. He felt the modern block did not make any concession to the Conservation Area and the whole development was contrary to Policies N12, N13 and N 19 of the Leeds Unitary Development Plan Review 2006.

The Panel then heard from Mr A Watts, agent for the applicant, who stated that as the villa had previously been used as a hostel the garden would not be one of those protected under PPS3. He explained that the scheme had been developed in conjunction with LCC Conservation Officer and Design Team to ensure it was of an appropriate scale and massing for this streetscene. The restoration of the villa would bring it back into use and be funded by the new build. The Panel also heard from Mr B Davies within the time allowed for speakers, who was a local resident and expressed his support for the scheme

Members considered the following matters:

- The siting of the new build and whether it could be re-aligned to sit parallel to Victoria Street due to a concern that it would obscure the side elevation of No 63 Clarendon Road
- The possibility of dormer windows being included on the northern elevation of the new build

The Panel noted the agents' response that the proposed alignment of the new build would create an infill to Clarendon Road frontage as it would continue the tight building line on the streetscene. The proposed position would also

create the biggest space between the block and the villa, with only tertiary and secondary windows (kitchen/bedroom) facing onto the block. Furthermore, the windows to the side elevation of No 63 were stairway windows so there would be minimal overlooking issues and a 10 ft gap had been maintained

Members further commented on:

- The character and variety of the Conservation Area
- Acknowledged that this scheme may present the best opportunity to restore the villa
- The heights of the new building were generally felt to be appropriate to the rest of the streetscene
- Further clarification of Condition No.6 which covered any plant or machinery external to the buildings
- Car parking arrangements for the new residents and on street car parking in the locality generally. The Highways Officer provided details of the 2 hour short stay on street public parking available and the residents car parking permit scheme. He commented that the new development was not intended for student accommodation and that students would be less likely to bring a car to university due to the high running and insurance costs

**RESOLVED** – That the application be granted subject to the specified conditions contained within the submitted report plus one other condition to ensure the restoration of the existing house is undertaken concurrently with the new build and any others which may be appropriate

### **13 Application 11/02799/FU - City House, New Station Street, Leeds LS1 4JR**

The Panel considered proposals for the refurbishment of City House, New Station Street, Leeds, which included new glazing and cladding to the existing elevations and the provision of a new central link between the existing wings of the building. Undercroft car parking, new reception area and lifts, cycle store and shower facilities, a new mezzanine walkway to link the offices to the basement parking area and level access would also be provided along with proposals to widen the pedestrian footpath on New Station Street.

Photographs showing views to and across the existing building were displayed along with site plans, internal layout plans, architects drawings and computer generated graphics of the proposed elevational treatment. The Panel noted the intention to render the side elevation and officers outlined the difficulty of removing and replacing the existing brick façade due to the location of the building adjacent to the railway station. Officers reported the comments of British Waterways, Leeds Civic Trust and the contents of one letter of support received from a member of the public.

Members discussed the following:

- The impact of the proposed new entranceway on the adjacent Marks & Spencers store
- The suggestion that mirrored glass should be incorporated into the glazed elevations to reflect the listed buildings in the vicinity
- Noted the colour of the render to the side elevation would be determined by the appearance of the glazing

- Whether an element of public art could be introduced
- The disparity in the heights of the mezzanine walkway to City House and the City Station canopy
- Whether the pedestrian guardrail outside the existing entrance would be removed when the footpath was widened

**RESOLVED** – That determination of the application be deferred and delegated to the Chief Planning Officer for final approval subject to the conditions specified in the report and any others which may be appropriate and subject to consideration of the Panel comments regarding the following

- Removal of the guardrail to the pedestrian footpath
- Colour of the render proposed to the gable walls
- Level of the canopy
- Inclusion of public art

#### **14 Pre-Application Presentation - Pre-App 11/00400 -Proposed Student Accommodation at Leeds Met City Campus, Calverley Street and Woodhouse Lane, Leeds**

The Panel received a pre-application presentation on proposals for new student accommodation on land at Calverley Street and Woodhouse Lane, Leeds. The presentation afforded Members the opportunity to ask questions, raise issues, seek clarification and comment on the proposals at this stage in the application process, although no decisions were made.

Mr T Skipper and Mr D Dyson addressed the Panel on behalf of the developer. Site plans, floor plans, computer generated 3D graphics and slides showing the elevational details and levels were displayed at the meeting

The following points were highlighted during the presentation:

- The site was surrounded by sensitive buildings
- The permeability of and access to this site were key considerations which informed the appearance of the development
- Phase 1 of the development included new links from Calverley Street to Woodhouse Lane and a new pedestrian route to the site boundary. This second phase would provide a further route from the University's Rose Bowl building, through the Phase II site and on to the University itself
- The new building was designed to be a signature building to create another edge to the new public square included in Phase I. A terraced area was proposed to enhance the public realm, off-set from the central public square
- The site was located within that part of the city centre designated the "tall buildings" zone. Slides showing the 21 storey proposal in-situ were displayed which showed relative heights in the area and the impact of the block on key city views
- Phase II would provide active frontages through the inclusion of a student drop-in centre to Woodhouse Lane and cafes/kiosks to Calverley street at ground level
- The floor plan for subsequent levels was displayed showing the student facilities available including 1 DDA compliant room per floor and communal areas.
- Modern materials would support the linear and simple form of the block

Members noted the contents of the presentation and discussed the following points:

- The proximity of the new build to the Inner Ring Road and suitable noise mitigation measures such as improved landscaping
- The feeling that the terraced area would not be fully utilised and the preference for improved landscaping to that area instead
- Concern that those mature trees which are scheduled for removal should be replaced with a variety of trees which will be beneficial to the whole site.
- Similarly Members were keen to see a substantial compensatory landscaping scheme

**RESOLVED –**

- a) To thank the developer for the presentation
- b) That the contents of the presentation and the comments made by Members be noted

**15 Date and time of next meeting**

**RESOLVED –** To note the date and time of the next meeting as Thursday 1<sup>st</sup> September 2011 at 1.30 pm

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## **APPEAL DECISION**

**WARD: HYDE PARK AND WOODHOUSE**

**APPLICATION REF: 10/00267/UBAX3**

**ENFORCEMENT APPEAL BY MR P O'TOOLE AGAINST AN ENFORCEMENT NOTICE ISSUED BY LEEDS CITY COUNCIL REGARDING THE INSTALLATION OF UPVC WINDOWS TO THE FRONT AND REAR OF 2 CLAREMONT VILLAS, LEEDS**

### **1.0 INTRODUCTION**

1.1 2 Claremont Villas is located in the Woodhouse/Hanover Square Conservation Area within close proximity to Woodhouse Square. A planning application for the removal of timber windows and replacement with UPVc windows intended to match the appearance of the timber windows was refused on 13/10/09. However, the UPVc windows were still inserted therefore Enforcement notices were served that required the removal of the UPVc windows and replacement with timber framed windows and the removal of two metal grilles at the rear.

### **2.0 KEY ISSUES**

2.1 The Inspector identified the main issue to be whether the development preserves or enhances the character or appearance of the defined Woodhouse/Hanover Square Conservation Area.

### **3.0 DECISION**

3.1 The appeal was allowed in a letter dated 19<sup>th</sup> July 2011.

### **4.0 SUMMARY OF COMMENTS**

4.1 The Inspector highlighted UDPR policies N19 and BC7 that seek to preserve or enhance the character of the Conservation Area and normally place a requirement on the use of local and/or traditional materials. It was acknowledged that this approach was repeated in the Little Woodhouse Neighbourhood Design Statement. The Inspector also stated new developments in the Conservation Area require the most careful consideration.

4.2 The Inspector noted that the terrace of which 2 Claremont Villas was a part of was an important feature of an attractive vista unified by the common use of red brick and slate. The ornate brick detailing of the area was highlighted as was a wide variety in uses, shape and size of buildings, relationship between buildings and boundary treatments of the area. It was noted there was a wide range of window size and configurations, but that the frames are largely white.

- 4.3 The disparity between the character of UPVc and timber framed windows was recognised and it was stated that consistent use of timber windows would enhance the area.
- 4.4 However, the Inspector noted that many of the window replacements and the new dormers in the terrace of properties that the appeal site formed part of were in UPVc. In addition, almost all of those properties to the rear of the appeal site had been modernised with UPVc windows. The Inspector stated the use of UPVc was widespread and sets the context for the use of white, neo-Victorian UPVc windows and that the development is therefore consistent with its context.
- 4.5 The absence of an Article 4 Direction for the area was said to make it difficult for the Council to apply a robust and consistent approach to seeking the use of traditional materials. It was concluded that the development does not conflict with its local context as it is in keeping with the fenestration configuration and materials which existing in most of the surrounding properties. Whereas the Inspector did not believe it enhanced the area, it was felt it preserved the existing character and therefore does not undermine the thrust of policy N19.

#### **4.6 IMPLICATIONS**

- 4.1 Despite the Inspector's conclusion, it is considered that this decision significantly undermines the thrust of UDPR policy N19 and BC7. In the past these policies have been used to successfully prevent the insertion of UPVc windows in Conservation Areas but this may become increasingly difficult.





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## Appeal Decision

Site visit made on 23 May 2011

by **R E Watson BA (Hons)**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 July 2011

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**Appeal Ref: APP/N4720/C/11/2147943**

**2 Claremont Villas, Leeds, LS2 9NY**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr P O'Toole against an enforcement notice issued by Leeds City Council.
- The Council's reference is 10/00267/UBAX3.
- The notice was issued on 26<sup>th</sup> January 2011.
- The breach of planning control as alleged in the notice is the installation of UPVC windows to the front and rear of the building and the affixing of metal grills covering the two rear ground floor windows of the building known as 2 Claremont Villas, which comprises of four self-contained flats, resulting in a material alteration to the external appearance of the building.
- The requirements of the notice are:-

### Step 1

Remove all the unauthorised UPVC windows installed in the premises, consisting of seven windows sited in the ground floor bay, one window at the side of the front door and three windows sited on the first floor of the front elevation of the building shown on the attached photograph "A", eight windows contained in the dormer on the front elevation on the attached photograph "B", four windows sited in the first floor of the rear elevation, and seven windows contained in the rear dormer, all shown in the attached photograph marked "C" and two windows sited on the rear ground floor of the building shown on the attached photograph marked "D", and replace, with the exception of the front and rear dormers, with timber sliding sash windows of the same design and appearance of those as existed prior to the installation of the unauthorised UPVC windows and replace the front and rear dormer windows with timber windows with each having three even proportioned vertical divides.

### Step 2

Remove the metal grills covering the two rear ground floor windows as shown on the attached photograph marked "D" and make good the brickwork of the building to which they were attached.

- The period for compliance with the requirements is three months beginning with the day on which this notice takes effect.
  - The appeal is proceeding on the grounds set out in section 174(2)[a & f] of the Town and Country Planning Act 1990 as amended.
  - I have taken account of the views of local residents and other interested parties in reaching this decision.
-

## **Decision**

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the installation of UPVC windows to the front and rear of the building and the affixing of metal grills covering the two rear ground floor windows of the building known as 2 Claremont Villas, Woodhouse, Leeds, LS2 9NY.

## **Appeal made under ground (a)**

### **Main Issue**

2. The main issue in this case is whether the development preserves or enhances the character or appearance of the defined Woodhouse/Hanover Square Conservation Area.

### **Reasons**

3. Policy N19 of the adopted Leeds Unitary Development Plan (Review 2006) states that all new buildings and extensions within or adjacent to Conservation Areas should preserve or enhance the character or appearance of the Area by ensuring that, among other things, the materials used are appropriate to the environment of the Area and sympathetic to adjoining buildings. It further states that, where a local materials policy exists, this should be complied with. Policy BC7 states that normally within Conservation Areas development will be in traditional materials. This is repeated in the Little Woodhouse Neighbourhood Design Statement, recently adopted as Supplementary Planning Guidance, following its production by the local community. The draft Appraisal for the emerging combined Conservation Area, which would also include the existing Woodhouse/Clarendon Road Conservation to the north, further describes Clarendon Villas as positive features. I am satisfied, therefore, that new developments within this Area require the most careful assessment. However, I note that an Article 4 Direction is not in force within the Area.
4. I acknowledge that the terrace which includes the appeal property is an imposing element of the street scene. Because of its prominent siting it is an important feature of an attractive vista, as I saw when looking north along Clarendon Road from Woodhouse Square. Claremont Villas is a terrace of red-brick construction with grey slate roofs. The red-brick construction and roofing materials of most of the buildings in the surrounding area provide the main unifying design elements of the townscape. The detailing of the ornate brick work found in some of the buildings is particularly impressive. However, I also noted that the component buildings display a wide variety in terms of their uses, shape, size, boundary features and relationship with each other. The fenestration of the buildings in the area also displays a wide range of configurations and sizes, but the frames are largely white.
5. Of greater significance in assessing this case is the issue of the materials used in the construction of the window surrounds. As a general policy proposition I would support the use of traditional materials in developments within the defined Area. With regard to the fenestration, I recognise the disparities between the character of the UPVC windows and the timber sash openings which the Council have carefully described in their statement. I noted that the windows of some properties in the Area have retained their timber sash

character and I would subscribe to the view that replacements with that character, provided they were done consistently would undoubtedly enhance the character of the Area.

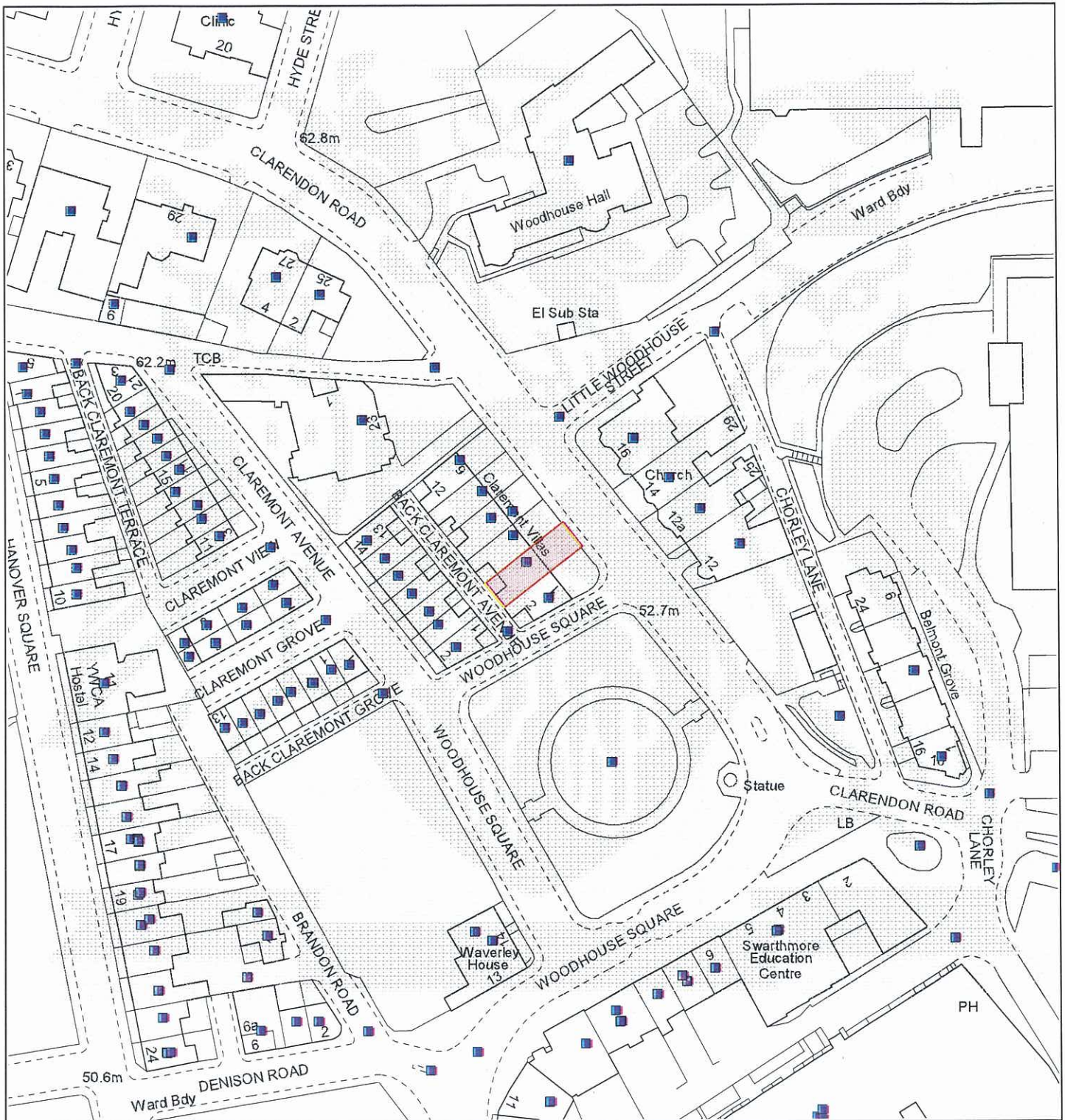
6. However, the reality is significantly different. The many replacements carried out in the remainder of the terrace are all of the UPVc material, as well as the insertion of dormers. To the rear of Claremont Villas, along Back Claremont Avenue and in Claremont Avenue virtually all properties have been modernised with UPVc windows inserted. I also saw many other properties on Clarendon Road where UPVc fenestration is in place. Certainly, in the immediate vicinity of the appeal site this type of window treatment is a dominant design element. It is clearly widespread and sets the context for the use of white, neo-Victorian, UPVc windows. The development sits within this context and is consistent with it.
7. I am not aware of the precise circumstances which have informed the Council's approach to controlling developments in this area, either through the determination of planning applications or initiating enforcement proceedings, but the absence of an Article 4 Direction clearly places them in a difficult position in attempting to apply a robust and consistent approach seeking the use of traditional materials. In this case, I am forced to the conclusion that this development does not conflict with the local context which has been set. It is consistent and in sympathy with the fenestration configuration and materials which exist in most of the surrounding properties. Although I do not believe it enhances the Area, it at least preserves its character. Accordingly, I conclude that it does not undermine the thrust of Policy N19.

#### **Other Matters**

8. In reaching this conclusion, I have taken account of all other matters raised in the representations, including the rehearsal of the history of the discussions between the Appellant and the Council leading to the enforcement action; the alleged use of the adjoining property at no. 1 Claremont Villas and the character of its replacement windows and the history of the rear window security bars in the appeal property. None of these has persuaded me to alter my conclusions on the principal issue. Consequently, I conclude that the appeal made under ground (a) succeeds and that the deemed planning application should be granted. As a result, the appeal made under ground (f) does not fall to be considered.

*RE Watson*

Inspector`



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

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<b>Leeds City Council</b>	
<b>Development Department</b>	
<b>Scale</b>	1:1250
<b>Date</b>	09 September 2011
<b>Comments</b>	City Centre Panel 27/9/11



Originator: C. Briggs

Tel: 0113 2224409

## Report of the Chief Planning Officer

### *PLANS PANEL CITY CENTRE*

Date: 27 September 2011

Subject: PRE-APPLICATION Reference PREAPP/11/00336 – Proposal for interim uses at Former Tetley Brewery, Hunslet Road, Leeds

#### Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: This report is brought to Panel for information. The landowner's representative will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.**

## 1.0 INTRODUCTION:

- 1.1 A long term process of change has now started in the South Bank area of the City, with the closure and commencement of partial demolition at Tetley's Brewery. During the last two years the City Council has been in discussions with major landowners in the area to arrive at a common vision for the delivery of a City Centre Park together with sustainable employment and homes, as a catalyst for the regeneration of the South Bank and the wider area to the south of the City Centre. This long term vision will be encapsulated by the adoption of the South Bank Planning Statement.
- 1.2 The promotion of active interim uses and temporary greenspace in the meantime was highlighted as an important next step for the area at the City Centre Vision Conference last year, and Carlsberg have drawn up proposals which they feel can contribute positively to the area in the short term, pending future redevelopment proposals coming forward.

- 1.3 The proposals are presented to Panel to allow Members to comment on the evolving scheme and raise any issues, prior to the intended submission of a planning application.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 Tetley's Brewery dates back to 1822, and is one of Leeds' most famous names. The site occupies some 8.5 hectares to the south of the River Aire, between the wide multi-lane road network of Meadow Lane, Great Wilson Street, Crown Point Road, Bowman Lane, and Black Bull Street. Following the closure of Tetley's Brewery, the majority of the site now lies vacant. Amongst the remaining buildings on the site are a number of historically and architecturally significant listed and non-listed buildings, in particular the Hunslet Road/Sheaf Street Brewery cottages (Grade II listed and designated Buildings At Risk), and the unlisted 1930s Central Brewery building, Crown Hotel on Crown Point Road, and malhouses on Crown Point Road and Cudbear Street.

- 2.5 The surrounding area is a mixture of uses including residential (such as Brewery Wharf), offices (such as Asda House) and retail (Crown Point Retail Park). The area was mainly commercial and industrial in nature, characterised by large impermeable single use sites, however recent developments such as Clarence Dock and Brewery Wharf have increased the mix of uses and facilities in the area. The site lies unallocated within the designated City Centre in the Leeds Unitary Development Plan Review 2006, and lies within the area covered by the emerging Aire Valley Area Action Plan and the draft South Bank Planning Statement.

## **3.0 PROPOSAL**

- 3.1 Carlsberg UK Ltd propose to submit a planning application for temporary use of a significant part of the Brewery site for a period of five years. The application will comprise:

- approximately 900 temporary short stay car parking spaces
- a greenspace of around 1.2 acres
- the conversion of the former Tetley Headquarters building into a cultural hub, including an art gallery and workspace, and a restaurant and bar.
- the retention of a Carlsberg office function on the site in Tetley House
- the creation of new pedestrian/cycle routes to connect to the surrounding area

- 3.2 These uses will help maintain activity on the site, enhance its visual amenity, and help to improve pedestrian and cycle permeability to the wider area. The proposals have been developed to support the City's long term ambitions for redevelopment in this area as described in the draft South Bank Planning Statement.

## **4.0 HISTORY OF NEGOTIATIONS**

- 4.1 Carlsberg have been involved in detailed discussions with the Council regarding the draft South Bank Planning Statement since mid- 2009. The draft South Bank Planning Statement was agreed by the Council's Executive Board for consultation purposes in July 2010, and presented to Plans Panel (City Centre) for information that month. Following the consultation process, discussions have continued with landowners, and a revised draft Planning Statement is to be recommended for approval as site specific informal planning guidance at Executive Board October 2011, to guide the preparation of development proposals, and the delivery of the City Centre Park. The South Bank Planning Statement has the following Vision:

*To transform the South Bank of Leeds City Centre into a distinctive, vibrant, well connected sustainable business and residential community which has at its heart a new City Centre Park. The new park will act as a catalyst for the regeneration and place-shaping of the South Bank of Leeds City Centre, by creating a vibrant and outward-facing public space that also provides the context for the broader redevelopment of the area, and will help to improve connections to the surrounding communities in the Aire Valley, Hunslet, Richmond Hill, Beeston Hill and Holbeck.*

The Carlsberg site is a major landholding with potential to contribute strongly to this Vision, and Plans Panel will be kept informed of the progress of any future permanent re-development proposals.

- 4.2 Discussions with Officers regarding interim uses have been in progress since early 2011. Officers have highlighted the importance of promoting active interim uses on sites awaiting development. Where the previous use of the land has ceased or is being reconfigured, and areas of land are left vacant and under utilised as a result of demolition works, the Council will seek temporary 'greening' or the early laying out of the phases of the City Centre Park where appropriate. This should incorporate the walking and cycling connections identified in the draft South Bank Planning Statement. People will then become familiar with these connections, with temporary land uses taking place on the future development plates where practical. This will prevent the kind of visual blight experienced on vacant sites elsewhere around the city centre fringe, and help to promote the South Bank as a place to visit now.
- 4.3 Officers have also encouraged Carlsberg to engage with local communities at the earliest opportunity during this period of change at the site. Carlsberg have responded positively by arranging an open public consultation event on 22 September 2011 at Tetley House on the Brewery Site.

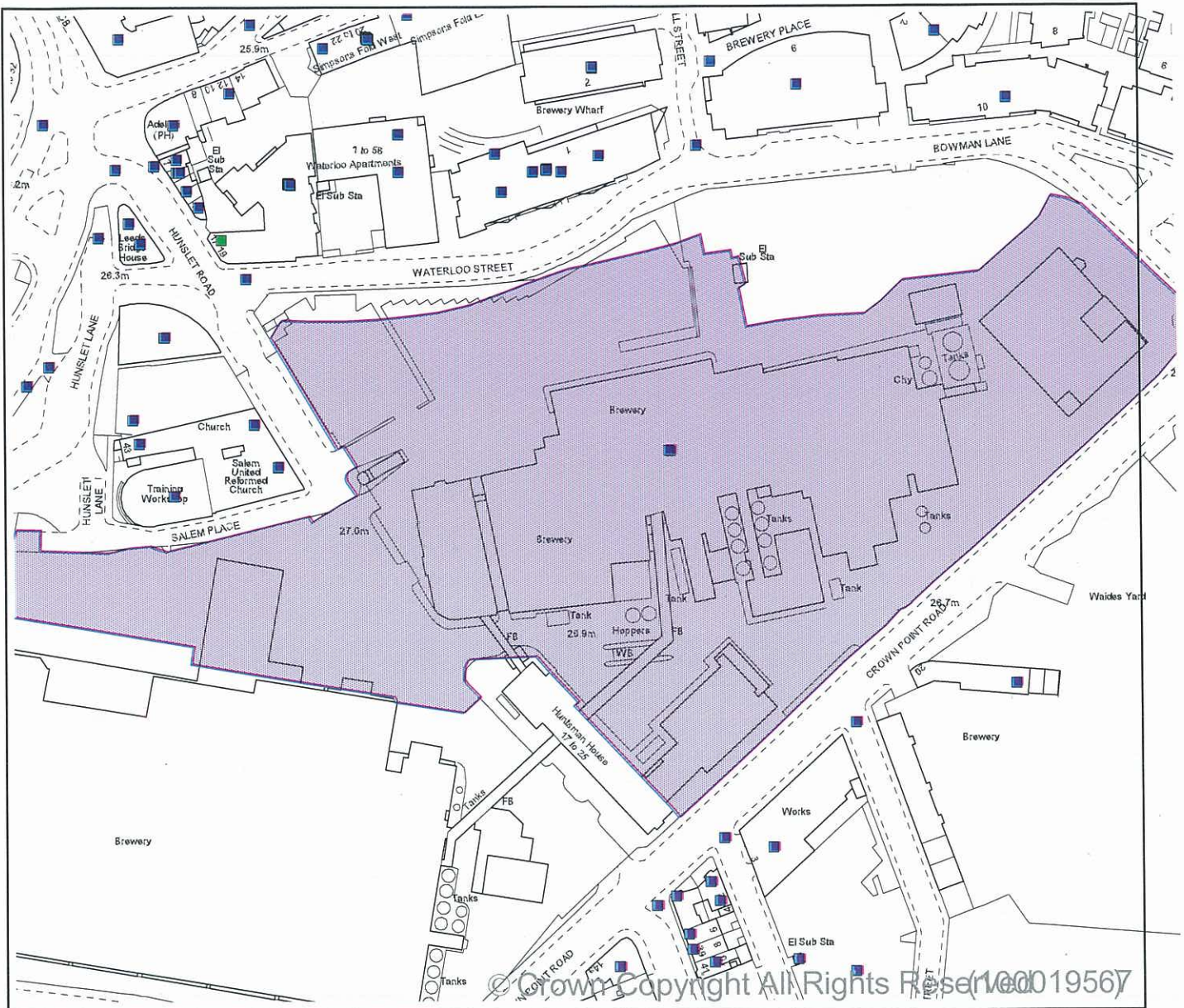
## **5.0 ISSUES**

Members are asked to consider the following matters in particular:

- 5.1 The principle of the proposed temporary uses, in particular the potential to promote activity, the re-use of buildings of historic and architectural character, and the provision of short stay car parking for visitors and shoppers to support the local economy.
- 5.2 The quality of re-opened historic street patterns and new connections linking to the surrounding area
- 5.3 The location, size and quality of new temporary greenspace, as a fore-runner to the delivery of a City Centre Park in this location







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### Legend

### Leeds City Council

### Development Department

**Scale**

1:1975

**Date**

15 September 2011

**Comments**

PREAPP/11/00336

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Originator: J Thomas

Tel: 0113 2224409

## Report of the Chief Planning Officer

### PLANS PANEL

**EAST** 8<sup>th</sup> September 2011  
**WEST** 15<sup>th</sup> September 2011  
**CITY CENTRE** 27<sup>th</sup> September 2011

**Subject: Draft Householder Design Guide**

**Electoral Wards Affected: All**

x

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **RECOMMENDATION:** Members are asked to:

- 1) Note the contents of the attached Draft Householder Design Guide and support Officers' aspirations for good design;
- 2) Note the contents of the report and the proposed consultation strategy.

### **1.0 Introduction**

- 1.1 This report outlines the consultation strategy for the Draft Householder Design Guide. It is intended that the Design Guide will be adopted as an SPD within the Local Development Framework.
- 2.1 The Draft Householder Design Guide offers advice to those wishing to extend their houses and encourages good design in all aspects of building and development. This replaces the superseded Residential Design Aid 6 which was withdrawn following the introduction of Planning Policy Statement 1.
- 2.2 The design guide has been designed with two distinct purposes in mind. Its primary function is to provide clear, detailed and comprehensive advice for agents and applicants who are thinking about developing their properties. The guide is also a policy document and contains three policies which officers will use when assessing and determining planning applications.

- 2.3 An Equality Impact Screening has been undertaken and is currently being assessed by the Equality Team. Initial comments suggest that a full Impact Assessment will not be necessary.

## **2.0 Summary of Contents**

- 2.1 The Draft Householder Design Guide is split into two distinct sections. The first section outlines the general areas which officers will look at when assessing applications, such as design and character or overlooking. These are demonstrated visually through a diagram and expanded with text, with more detail being given within the following pages. The importance of considering conservation areas, listed buildings, the Green Belt and protected species is also outlined. This section essentially provides a walk through to the site appraisal process.
- 2.2 The second section provides information about the types of extensions which may be built and gives detailed advice regarding the issues which will be relevant to each particular extension.
- 2.3 A policy summary is provided at the end of the document.

## **3.0 Summary of New Policies**

- 3.1 The Draft Householder Design Guide contains three new policies, HDG1, HDG2 and HDG3 which can be found on pages 8, 11 and 19 respectively. These are to be read in conjunction with the development plan and do not seek to supersede the UDPR.
- 3.2 Policy HDG1 expands and develops policy BD6 of the UDPR. Policy BD6 notes that “all alterations and extensions should respect the scale, form, detailing and materials of the original building.” HDG1 continues this approach but also notes that the character of the locality must be considered. Attention is also drawn to elements such as window detailing and boundary treatments.
- 3.3 Policy HDG2 expands and develops policy GP5 of the UDPR. Policy GP5 notes that “development proposals should seek to avoid...loss of amenity”. Policy HDG2 elucidates this text by noting that development proposals should protect the amenity of neighbours and should not create unreasonable levels of overdominance, overshadowing or overlooking.
- 3.4 Policy HDG3 is a Green Belt Policy which has been created following the deletion of policy GB8 during the review of the UDP in 2006. Policy GB8 was the only Green Belt policy which made specific reference to house extensions, and thus since its loss householder applications have been refused on N33, which is a summary of Planning Policy Guidance Note 2. As such householder have had no local Green Belt policy for five years. The text of this policy summaries the approach of PPG2 to house extensions within the greenbelt and seeks to define “limited extensions” as those which represent approximately a thirty percent increase on the volume of the original building.
- 3.5 It should be noted that the use of a thirty percent threshold is a new approach. The deleted GB8 suggested that a one hundred percent increase was appropriate, however the Inspectorate considered this too generous and thus an informal approach based on a fifty percent threshold was instituted. Within this environment the householder team have had a noticeable appeal success with Green Belt applications and this suggests that a lower figure may be more appropriate. The approach taken by surrounding Authorities has also been considered, and the

majority of these work to between thirty and forty percent. As such it is considered that the introduction of the thirty percent threshold is reasonable and consistent with general practice and national policy.

#### **4.0 Publicity and consultation**

- 4.1 It is intended that the Draft Householder Design Guide will be adopted as an SPD. The council's commitment to this is outlined in paragraph 4.12 (pg 14) of the Statement of Community Involvement which notes that the Draft Householder Design Guide is being produced as an SPD.
- 4.2 Appendix 5 (pg 34) outlines the process of engagement and consultation for SPD's, with additional detail about the methods of consultation and participation contained within Appendix 1. In line with this advice regarding the methods of consultation and participation outlined within Appendix 1 the following consultation will be undertaken.
- The document will be made available on the Council's website with comments forms available so that all stakeholders can provide written comments.
  - Reference copies of the document and comments forms will be available in the Development Enquiry Centre and other appropriate venues across the city.
  - A letter will be sent to all libraries directing them to the document and comments forms on the website and encouraging them to provide reference copies for the public to view and offer comments on.
  - A press release will be issued and information placed on Talking Point. Information will also be placed on Twitter with a re-tweet by Tom Riordan.
  - Two half day public events, one covering the Householder West Team and one the Householder East Team will be held. These events will involve a formal public meeting. Ward Councilors, Parish Councilors and local residents/amenity/civic groups will be invited. These events will also be advertised, where possible, in the local press. Officers from the relevant team will be in attendance to answer questions and provide advice and guidance.
  - Attention will be drawn to the consultation process with regular agents through an email at the start of the consultation process. They will be directed to the information on the website.
- 4.3 Public consultation will therefore begin on 19<sup>th</sup> September 2011 and will be for a six week period, ending 21<sup>st</sup> October 2011. The dates of the public meetings are yet to be determined but will be toward the end of this process to allow ample time for all stakeholders to have read and absorbed the document.

#### **5.0 Recommendation**

- 5.1 Note the contents of the above report and the content of the attached document.

**Background Papers:**  
Draft Householder Design Guide

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# Householder Design Guide

Leeds Local Development Framework

DRAFT



Draft Supplementary Planning Document  
September 2011

This publication can also be made available in large print, Braille, on audio tape, audio cd and on computer disk.

If you do not speak English and need help in understanding this document, please telephone the number below and state the name of your language. We will then put you on hold while we contact an interpreter. The number is 0113 247 4190.

(Bengali):-

যদি আপনি ইংরেজীতে কথা বলতে না পারেন এবং এই দলিলটি বুঝতে পারার জন্য সাহায্যের দরকার হয়, তাহলে দয়া করে 0113 247 4190 এই নম্বরে ফোন করে আপনার ভাষাটির নাম বলুন। আমরা তখন আপনাকে লাইনে থাকতে বলে কোন দোভাষীর (ইন্টারপ্রিটার) সাথে যোগাযোগ করব।

(Chinese):-

凡不懂英語又須協助解釋這份資料者，請致電 0113 247 4190 並說明本身所需語言的名稱。當我們聯絡傳譯員時，請勿掛斷電話。

(Hindi):-

यदि आप इंग्लिश नहीं बोलते हैं और इस दस्तावेज़ को समझने में आपको मदद की ज़रूरत है, तो कृपया 0113 247 4190 पर फ़ोन करें और अपनी भाषा का नाम बताएँ। तब हम आपको होल्ड पर रखेंगे (आपको फ़ोन पर कुछ देर के लिए इंतज़ार करना होगा) और उस दौरान हम किसी इंटरप्रिटर (दुभाषिए) से संपर्क करेंगे।

(Punjabi):-

ਅਗਰ ਤੁਸੀਂ ਅੰਗਰੇਜ਼ੀ ਨਹੀਂ ਬੋਲਦੇ ਅਤੇ ਇਹ ਲੇਖ ਪੱਤਰ ਸਮਝਣ ਲਈ ਤੁਹਾਨੂੰ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰ ਕੇ 0113 247 4190 'ਤੇ ਟੈਲੀਫ਼ੋਨ ਕਰੋ ਅਤੇ ਅਪਣੀ ਭਾਸ਼ਾ ਦਾ ਨਾਮ ਦੱਸੋ. ਅਸੀਂ ਤੁਹਾਨੂੰ ਟੈਲੀਫ਼ੋਨ 'ਤੇ ਹੀ ਰਹਿਣ ਲਈ ਕਹਾਂਗੇ, ਜਦ ਤਕ ਅਸੀਂ ਦੁਭਾਸ਼ੀਏ (Interpreter) ਨਾਲ ਸੰਪਰਕ ਬਣਾਵਾਂਗੇ.

(Urdu):-

اگر آپ انگریزی نہیں بولتے ہیں اور آپ کو یہ دستاویز سمجھنے کیلئے مدد کی ضرورت ہے تو براہ مہربانی اس نمبر 0113 247 4190 پر فون کریں اور ہمیں اپنی زبان کا نام بتائیں۔ اس کے بعد ہم آپ کو لائن پر ہی انتظار کرنے کیلئے کہیں گے اور خود ترجمان (انٹریپرٹیر) سے رابطہ کریں گے۔



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## Introduction

This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seek to protect and enhance the residential environment throughout the city.

The document is currently in a draft form for formal public consultation and will be used as a working document for Development Management purposes. It is intended that following consultation it will be adopted as a Supplementary Planning Document within the Leeds Local Development Framework by the City Council. The guide will take the place of the interim Residential Design Aid 6: House Extensions which was withdrawn from use following the introduction of Planning Policy Statement 1: Delivering Sustainable Development.

The guide is split into two sections. The first tells you where to begin when thinking about extending your home and outlines the general principles which you will need to consider when thinking about designing an extension. The second describes the common types of extension and aims to give more focused advice.

### Scope of the Guidance

The aim of the guidance is to assist anyone who wishes to extend their home whether or not they require planning permission to do so. It sets out the general principles which should be considered when designing an extension as well as giving advice on particular types of extensions and alterations. The guide seeks to achieve good design and protect the amenity of neighbours. Every site is unique and this means that the scope for development may well vary depending on the surroundings. This document provides guidance on what will usually be acceptable and should not be seen as a rule book which can be applied everywhere.

When planning an extension or other improvement to your property, this is also an ideal opportunity to make sure that any improvements also help to improve the environmental performance of your property, increasing its value and reducing your household running costs by saving energy and water. The document "Building for Tomorrow Today" includes many suggestions and examples of good practice which can be applied to extensions and other improvements.



## Where to Start

### Do I need permission?

If you are considering extending or altering your home you should first establish whether or not you require planning permission. Permission can be required for a range of activities including: landscaping works, constructing a porch, creating a patio or raised deck, building a conservatory and pruning a tree. Before beginning work on any extension or alteration you are advised to contact our Development Enquiry Centre who confirm in writing whether or not planning permission is required. There is a £30.00 charge for this service. The Development Enquiry Centre can be contacted on 0113 2224409.

Some simple works may not need planning permission. These are often referred to as Permitted Development. Further information on Permitted Development rights can be found on the Planning Portal website (<http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/permitted>). Not all houses in Leeds have Permitted Development rights. Even if you think the works you want to carry out do not need planning permission you should still ring our Development Enquiry Centre to check.

Even if your proposal does not require planning permission we do want to encourage good design. Good design is always important and can enhance the value of your property. Please read on as the following guidance may be useful to you.

### Pre-application advice

It is hoped that the guidance contained within this document will allow you and your agent to submit an acceptable planning application without the need for pre-application advice. However, we are able to offer informal advice before the submission of a full planning application. In order to offer good quality pre-application advice the following information needs to be submitted with an enquiry:

- A covering letter explaining your enquiry (with contact details);
- Details of the address of the property and a location plan;
- Plans or sketches showing the works you want to carry out.

if you provide more details we may be able to give a more detailed response. We aim to provide a response (either verbally or in writing) to such enquiries within 21 days, however as this is a free service priority will be given to planning applications for which a planning fee has been paid.

### What must be included as part of a householder planning application?

In line with the criteria set at the National Government level Leeds City Council has adopted a validation checklist which explains what plans and documents need to be submitted in order to create a valid

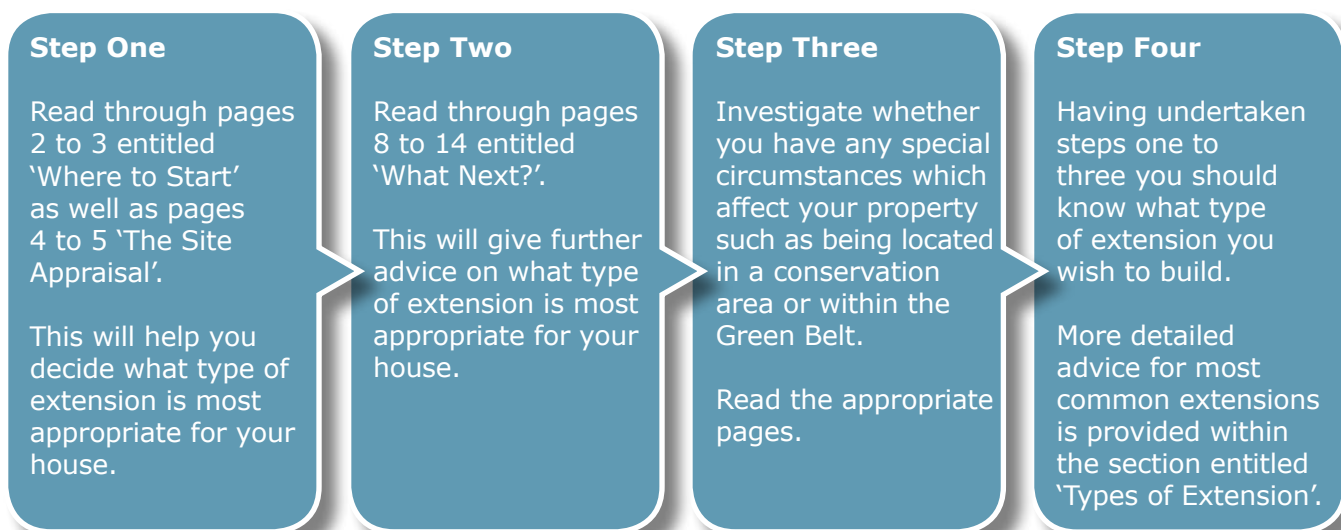
application. This checklist can be viewed on the council's website at [www.leeds.gov.uk](http://www.leeds.gov.uk).

### Other consents and regulations

After obtaining planning permission you may also require other permissions before you begin work on site, for example building regulation approval. It may also be necessary to obtain consent from some statutory bodies and other interested parties. These can include:

- the owners of adjoining land;
- public utilities or authorities;
- the Council's Environment Department, Department of Highways and Transportation (Highways Maintenance and Main Drainage Divisions), or Department of Housing Services;
- the West Yorkshire Fire Officer;
- the Health and Safety Executive; or
- the Coal Authority.

### *How to use this guide*



## The Site Appraisal

Each house has a unique set of circumstances and the potential for extensions can vary significantly, even between next door neighbours. Understanding the particular circumstances and characteristics of your home is the starting point for designing an extension.

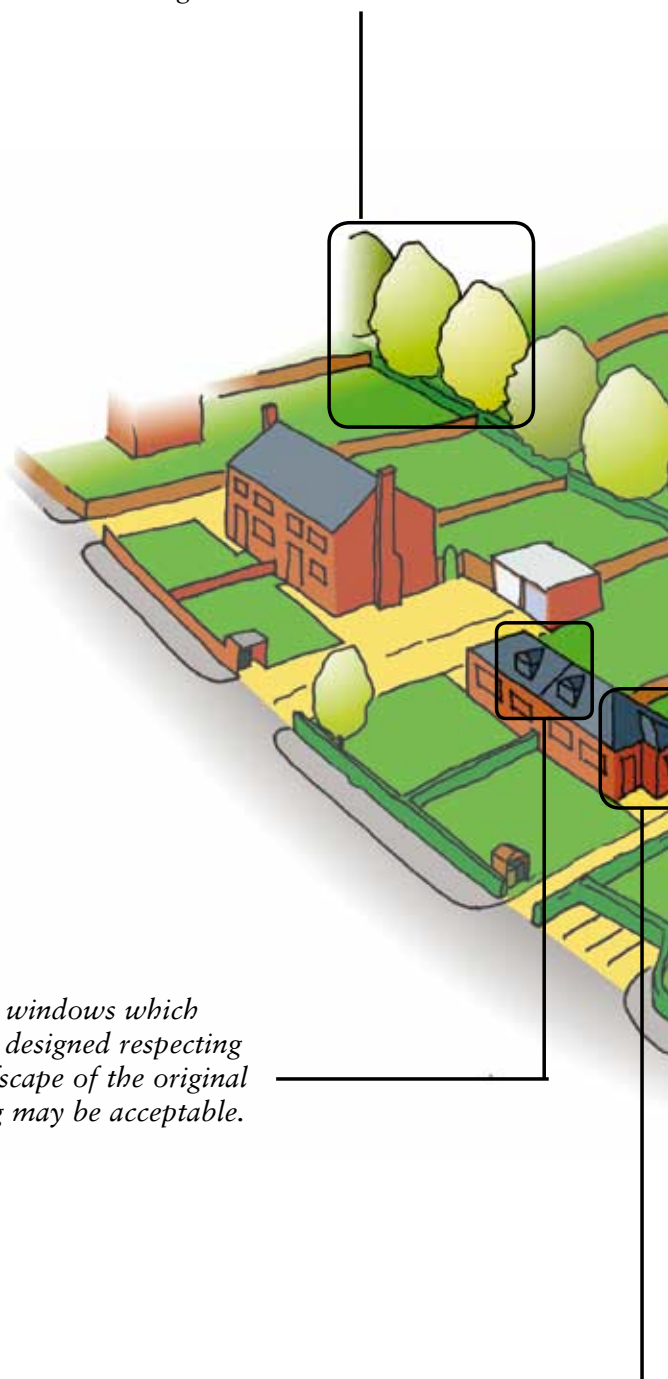
It is important when beginning to think about extending your property to undertake a site appraisal. This appraisal will inform the shape, position, size and scale of the extension and thus, in turn, inform the level of additional accommodation which is possible. The site appraisal should include an analysis of the character of the dwelling and the locality, level differences within the site and the position of the dwelling in relation to neighbouring dwellings. Attention should also be paid to the position of the house in relation to the path of the sun, the positions of windows on both the dwelling and neighbouring dwellings and any significant vegetation within the vicinity. The overall amount of development on a site is also important. If a property has already been extended it may not be possible to extend again.

### Design and character/streetscene

The character and appearance of a dwelling and the character of the local streetscene are important considerations when deciding the appropriate shape and form of an extension and where it is to be sited. The character of a house is formed by its proportions, materials, roof shape and architectural details. The character of an area is formed by the style of houses within it, the spaces between them, the boundaries (walls, railings, fences, hedges) and trees and vegetation within the area. Extensions should be in keeping with the character and appearance of the dwelling and the wider area.

Some sites will be within more sensitive locations such as Conservation Areas, the Green Belt or close to protected trees. Some houses are also listed buildings or may be close to listed buildings. On such sites special restrictions may apply. Further advice is offered later on in this document. Additional information can be found within documents such as Conservation Area Appraisals, Village Design Statements or

*Trees, hedges and planting can provide an effective screen ensuring the retention of privacy but in the wrong location and at an inappropriate height can impact significantly on neighbouring amenity through overshadowing and overdominance.*



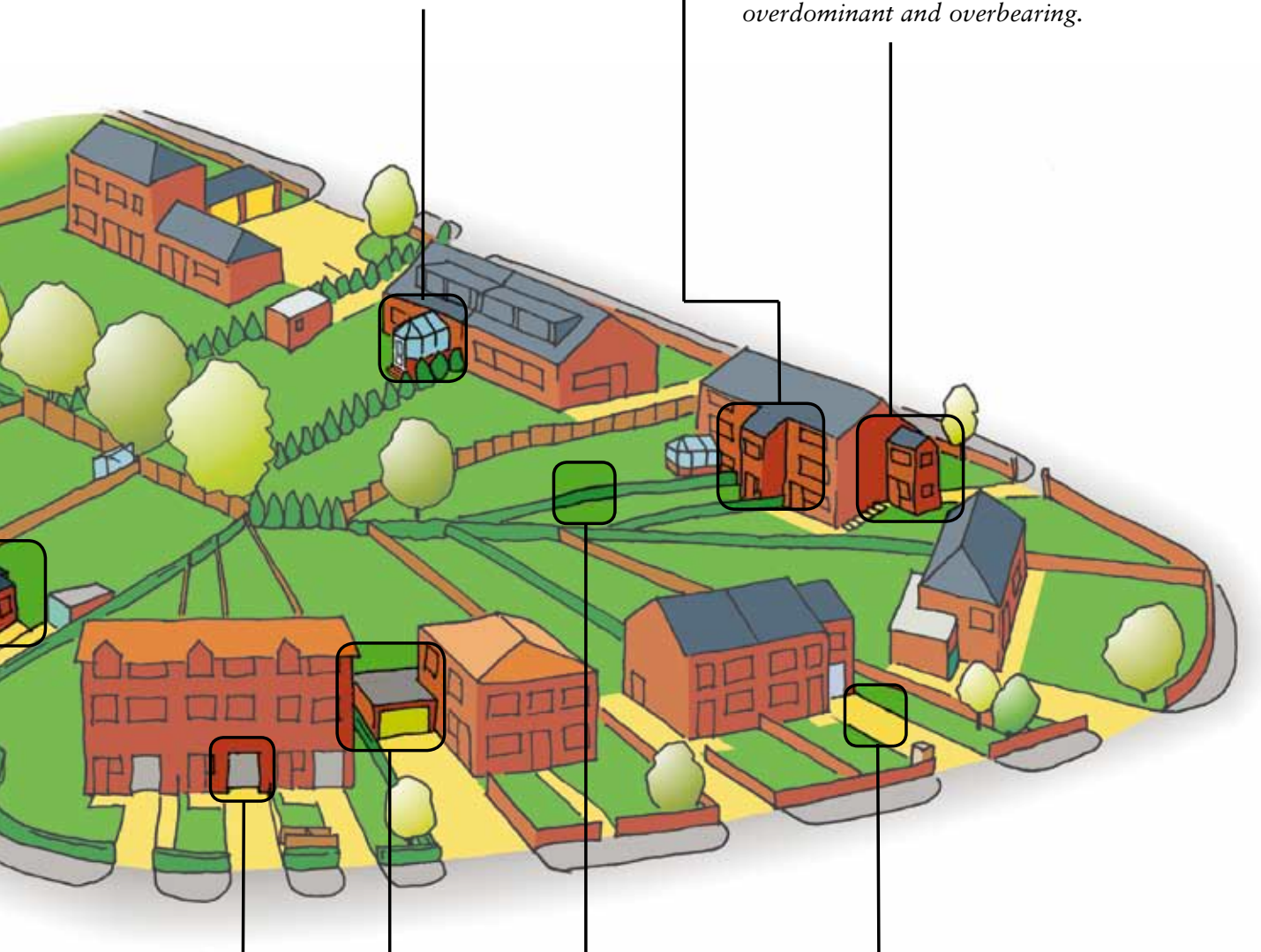
*Dormer windows which are well designed respecting the roofscape of the original dwelling may be acceptable.*

*The building types such as detached, semi-detached, terrace, bungalows, hipped roofs and gable ends are all important features in assessing the character of an area. The spaces between the buildings and the landscaping are also an important consideration.*

*The siting of a two storey rear extension may, as result of the position (i.e. south facing elevation), height, projection and orientation result in a significant impact on neighbouring amenity through overshadowing and overdominance.*

*Careful consideration of window positioning in proposed extensions is required to ensure that there is no overlooking of neighbouring private space and windows. Overlooking can result in a loss of privacy and harm residential amenity.*

*Two storey side extensions, especially in elevated positions can result in significant harm to neighbouring residential amenity through being overdominant and overbearing.*



*Access to the rear garden for bin storage*

*Two off street car parking spaces are required.*

*The character of the existing dwelling and the street scene should be taken into account when designing extensions.*

*Boundary fences of a sufficient height can ensure that there is no loss of privacy from the side windows of conservatories and rear extensions. Care must be taken because if they are too high, fences may become intrusive and impact on light. Fences higher than 2.0 m will require planning permission.*

Neighbourhood Design Statements. A list of these is provided on page 43.

### **Privacy**

Extensions should not unreasonably impact upon the privacy levels of neighbours. Care should be taken to ensure that additional windows do not allow intrusive views through neighbouring windows or toward private garden areas. Where new windows do cause conflict obscured glazing, non-opening windows or screening can be used to ensure that amenity levels are maintained. Supplementary Planning Guidance 13: Neighbourhoods for Living outlines the suggested minimum distances. This guidance is replicated on page 12.



### **Overshadowing**

Extensions and outbuildings must be sited to ensure that they do not take significant daylight and sunlight from the main windows and garden areas of neighbouring dwellings. Overshadowing is normally related to the side boundary between dwellings and therefore the larger the extension the further it needs to be set away from the boundary. A 45° code should be applied (see page 13).

### **Dominance**

Extensions should not unreasonably dominate or result in a significant loss of outlook from the main windows and garden areas of neighbouring dwellings. This matter is

particularly important in relation to two storey side and rear extensions. The relationship between the first floor element of the proposal and the neighbouring side boundary is important when assessing if a proposal is overdominant, overbearing or impacts upon a neighbour's outlook.

### **Driveways and Parking**

There should normally be provision for two off-street car parking spaces provided within a site in order to prevent on-street car parking which can cause congestion of the highway. Where extensions are to be built over the existing driveway thought should be given to incorporating a garage within the extension. Where no garage is provided additional parking areas will need to be created. In circumstances where these parking areas remove much of a front garden or cause significant additional water run-off this may not be appropriate.

Larger houses in areas with poor public transport provision are likely to need additional parking provision, to ensure that on-street car parking does not occur.





## **Private garden space**

Extensions should leave sufficient usable private garden space for the enjoyment of residents. Dwellings of three bedrooms or more should provide a reasonable garden area for family living. Normally no more than half the existing garden space should be covered by extensions and the space should normally be free of extensions and car parking.

## **Overdevelopment**

There is a limit to the number of extensions which can be added to a property or to a site. What constitutes overdevelopment will vary from site to site, as each set of circumstances is unique. If extensions are beginning to overwhelm a property or if there are a large number of outbuildings in close proximity to each other, site boundaries or the main house, it may be that a site is beginning to be overdeveloped. In such circumstances additional development may not be appropriate.

## **Bin stores**

In circumstances where bins are stored within public view screening is necessary and can make an important contribution to the visual amenity of the area.





## What Next?

### General Principles

Having undertaken your site appraisal you should have a good idea of what type of extension you want to build. This section of the design guide explains the general principles which the Council will use when assessing your application and also possible special circumstances.

All extensions should be appropriately designed (HDG1) and should not harm the amenity of neighbours (HDG2). Extensions which do not adhere to these principles are unlikely to be considered acceptable.

In some cases your property will be located within a sensitive area (conservation area, listed building, the Green Belt) or have a unique set of circumstances which require additional attention (protected trees, protected species). Extensions to properties in such special circumstances will require more care and thought at the design stage. More information on these special circumstances can be found on pages 11 to 18.

### Design and appearance

HDG1 All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality. Particular attention should be paid to:

- i) the roof form and roof line;
- ii) window detail;
- iii) architectural features;
- iv) boundary treatments and;
- v) materials.

Extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.

Extensions can have a significant impact upon your home and the homes of your neighbours. Many people often design an extension from the inside out by focussing on internal space rather than the external appearance of the building. This approach often leads to a poor design which harms the character and appearance of a building. Even small extensions can significantly alter the appearance of a building. Where extensions are visible from the street they can harm the appearance of a wider area if the design is inappropriate.

An extension which is well designed should be of a size and shape which is in keeping

with the building. In most circumstances extensions should be subordinate and the windows and detailing should reflect those on the original house.



*Extensions which reflect the scale, proportions and detailing of a house are attractive additions which can add value to both the house and the wider area.*

All parts of the extension (including its roof) should adequately reflect the proportions of the existing house and mirror its architectural details. Particular attention should be paid to:

- the shape and size of windows and doors, including pane size and arrangement, glazing bars, heads, cills and lintels;
- the roofline, including eaves details, guttering, corbels, barge boarding, overhangs and crest tiles;
- other architectural details such as string courses and quoins;
- the construction of the building and the external materials used.

### **Roofs**

Roof styles often contribute significantly to the appearance and character of a house. A Victorian villa and a suburban semi-detached property are both houses which can be built out of red brick but the differences in their roof form helps define their character. Roofs have an important part to play in ensuring an extension is appropriately designed.

In order to ensure an extension is sympathetic to the original dwelling its roof should replicate the proportions, pitch, shape and materials of the main house. This is just as important for single storey extensions as those at two storey level.



*Even for a single storey extension it is important to get the details right. The wrong roof form can result in an extension which harms the appearance of a property.*

### **Windows**

Inappropriate window detailing can spoil an otherwise acceptable extension and make the addition appear out of character. All new windows and doors should respect the character and appearance of the original house. Particular attention should be paid to the front and side elevations, especially those which are visible from the public highway. Details which need to be considered are:

- the size, shape, design and materials;
- the placement of windows and doors within the building;
- any recessing or reveals;
- head and cill details.

The position of new windows can also have an impact upon the privacy levels of surrounding houses and gardens (see page 11) and care should be taken with side windows and those on upper floors.



▲ Window details vary from house to house and it is important to make sure the windows in an extension reflect those of the main house ▶



## Impact on neighbours

HDG2 All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

Extensions often have an impact upon the amenity of neighbours. This impact can be through increased levels of overshadowing and overlooking or by having an overdominating effect. Extensions which have too great an impact upon the amenity of the occupants of neighbouring dwellings will not be permitted.

### Dominance and overshadowing

The impact an extension will have upon neighbours should be considered at the outset. Large extensions which impact upon private garden space should be set away from the boundary; generally speaking the larger the extension the larger the required distance to the boundary. As a general rule of thumb single storey extensions can project 3.0m on a common boundary and first floor extensions 1.0m on the common boundary. This allows a sufficient level of sunlight and daylight to enter neighbouring windows. It also allows a sufficient level of outlook. For further details on this please see The 45° Code (see page 12). These dimensions are based on a level site. Where there are level differences between a site and the neighbouring dwelling such dimensions may not be appropriate.

Extensions should also allow sufficient outlook in situations where windows face directly toward the extension. For further details on this please see the 12m code (see pages 13 and 14).

Extensions which significantly increase levels of overshadowing to neighbouring private gardens and neighbouring windows will not be permitted. Extensions should be sensitively located to minimise their impact upon neighbouring gardens.



*Care should be taken to ensure that extensions do not overshadow or overdominate neighbouring gardens and windows.*

### Overlooking

Windows which directly overlook neighbouring gardens or cause conflict with existing windows at close quarters will not be permitted.

Upper floor side windows which overlook neighbouring properties will only be permitted if obscure glazed (eg bathrooms) or if they serve non-habitable area (ie staircases). The table on page 12 gives some indication of the minimum distances which will be required.



*Care should be taken to ensure that windows are positioned to avoid overlooking neighbouring gardens.*

Balconies are not often a common feature within a street and balconies to the front will often be resisted. Balconies on period properties may also cause concern. Balconies which allow a person to step out onto them are often difficult to accommodate when in close proximity to neighbours. Juliet balconies can be an acceptable addition to a building in some cases, but special care needs to be taken when positioning them. Juliet balconies to the

rear may be acceptable, however they often create a perception of increased overlooking and this can increase the number of objections that a planning application receives.

Proposals which create a raised platform will only be acceptable where they do not directly overlook neighbouring gardens and are in keeping with the character and setting of a building. If you are thinking about incorporating a balcony or deck as part of an extension you are strongly advised to talk to all affected neighbours before submitting an application, however support from your neighbours will not guarantee an approval.

Traditional minimum guide distances			
	Boundary	Highway	Side
<b>Ground Floor Main to</b>	10.5m	4.0m	12.0m
<b>Secondary to</b>	7.5m	4.0m	9.0m
<b>Tertiary to</b>	2.5m	2.5m	3.5m
<b>Side to</b>	2.5m	-	3.5m

*Definitions*

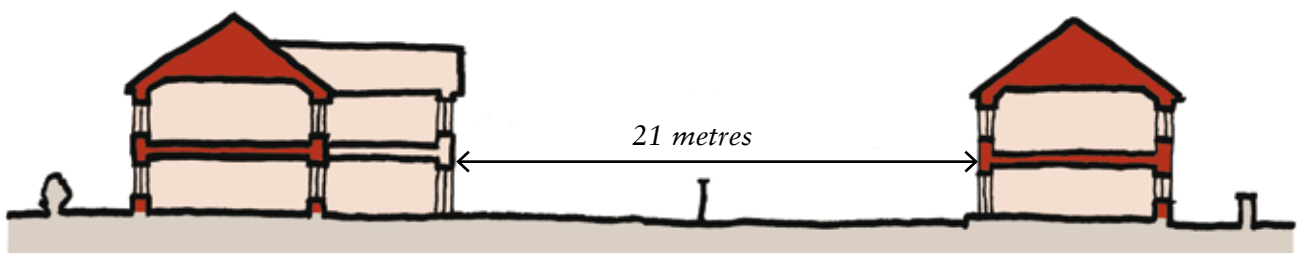
- Main Main windows to living and dining rooms/areas
- Secondary Windows to bedrooms, ground floor kitchens (when overlooking)
- Tertiary Windows to kitchens and utility rooms excluding dining areas
- Side Windows to bathrooms, staircases and landings as well as blank walls
- Boundary Limit of curtilage

*Applying the guidance*

These distances are a guide only and should not be taken as a hard and fast rule. These are regarded as the normal minimum requirements for flat sites within suburban areas. When applying these guidelines care should be taken to appreciate the local character. Some existing intensive forms of development may justify lower distances being used but with sloping sites greater distances are likely to be required.

The table indicates the expected minimum distances which need to be maintained from windows in a variety of circumstances. Where windows face each other across a neighbouring boundary the minimum distance of each window to the boundary should be added together. For instance ground floor main windows should be set a minimum of 21.0m apart. This is because each ground floor main window should be set a minimum of 10.5m from the boundary. Therefore 10.5m and 10.5m is added together to produce 21.0m.

The minimum distance between a main window and a secondary window should therefore normally be 18.0m (10.5m + 7.5m).



*Distances between main windows*

## The 45° code and the 12 metre code

The 45° code and the 12m code can be a useful way of assessing the impact that an extension will have upon your neighbours. These codes will be used by the Council as part of the assessment of your planning application. The code does not take account of all factors on site (such as land level differences) and compliance with the 45° code and 12m code does not guarantee an approval.

### The 45° code

The 45° code usually applies to two storey extensions although it can inform the decision making process for single storey extensions. This code takes account of the position of neighbouring windows. It relates to main living areas such as living rooms, bedrooms, dining rooms and kitchens; it does not usually apply to utility rooms, toilets, staircases or landings.

In order to apply the code you should first locate the nearest edge of the closest window on your neighbour's property (fig 1). A line which extends from the wall of the house at an angle of 45° should then be drawn from this point (fig 2). Extensions should then be set within the green area. Extensions set within the red area may well be considered to have too great an impact upon your neighbours and could be refused (fig 4).

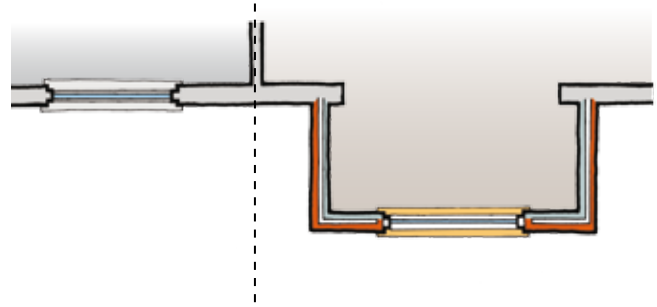


Fig. 1

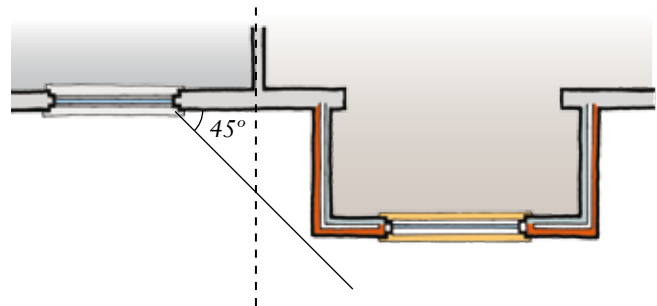


Fig. 2

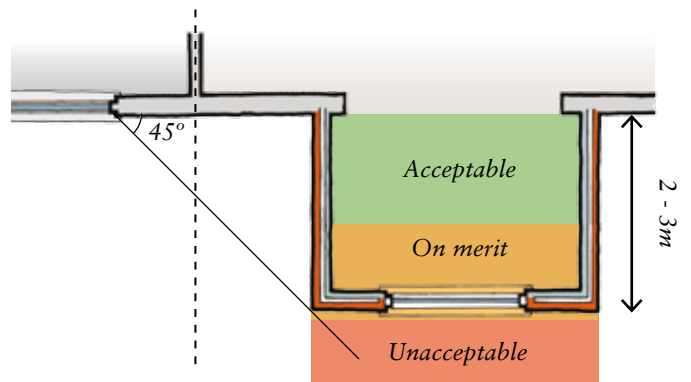


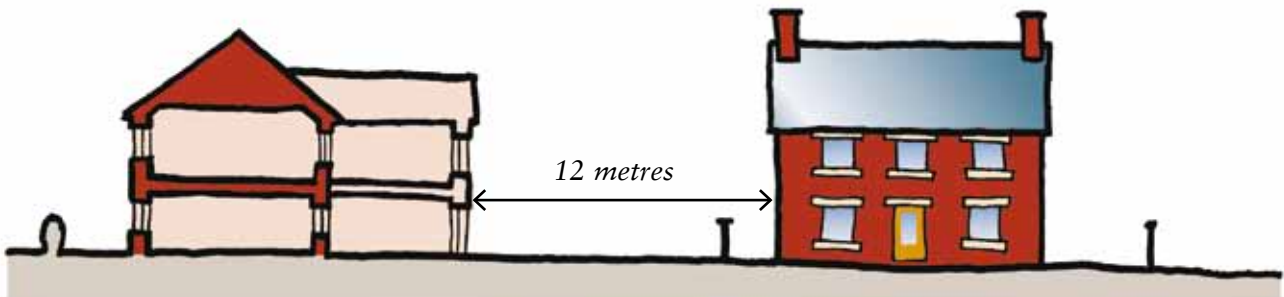
Fig. 3

### *The 12 metre code*

The 12 metre code usually applies to two storey extensions although it can inform the decision making process for single storey extensions. This code applies in situations where an extension projects towards the blank side gable of a neighbour's property, or where the blank side gable of an extension projects towards the windows of a neighbour's house. Like the 45° code it relates to main living areas and does not usually apply to non habitable rooms.

A distance of 12 metres should be maintained between main windows and a blank side elevation. This is to allow sufficient outlook and to prevent unreasonable over dominance. The Council will usually apply a further 3 metres for each additional floor above two storey level.

In some areas of Leeds houses can be close together and so may not meet this 12 metre distance. In such circumstances a judgement will be made about whether the impact of an extension is unreasonable.



*Fig 1*





## Special Situations

### Conservation Areas and Listed Buildings

Conservation areas and listed buildings are often sited in the more historic parts of Leeds and many have a unique and special character. Some conservation areas such as Headingley and Chapel Allerton are within high density urban environments whilst other such as Linton and Thorp Arch are within village contexts. Extensions or alterations to listed buildings or within conservation areas must be very carefully designed to ensure that they are in keeping with the character and appearance of the locality.

#### Conservation Areas

There are a large number of conservation areas in Leeds and many have Conservation Area Appraisals which outline their unique and special character. A definitive list of the conservation areas, their character statements and maps are available on request. Please phone our Development Enquiry Centre on 0113 2224409 for more details.

Extensions within conservation areas must preserve or enhance the character or appearance of the area. Policy N19 (see page 40) outlines what should be considered when assessing an extension within a conservation area. This includes the siting and scale of the building, the roofscape, materials and boundary treatments. These things should also be considered when designing an

extension. Development proposals which fail to adequately respect each of these matters may be considered to harm the character of the conservation area and will struggle to gain planning permission.

All development proposals within a conservation area will require a design and access statement to be submitted with the application. The design and access statement should be a written summary of the site assessment which has been carried out prior to the extension being designed. For more information on site appraisals see pages 4 and 5 of this guide.



*Older properties often have unique features which add to their character and which should be retained. Details such as wagon arches are an interesting feature which show the history of the building.*

## Materials and details

Inappropriate materials or detailing can make an otherwise acceptable extension within a conservation area unacceptable. Many dwellings within conservation areas are older properties which have been built from traditional materials and contain traditional architectural details such as stone heads and cills. In order for an extension to appear as an appropriate addition these elements must be respected. Policy BC7 states that development within conservation areas should normally be in traditional local materials. Particular attention should be given to:

- The shape and size of windows and doors, including pane size and arrangement, glazing bars, heads, cills, lintels and reveals;
- The roofline, including eaves details, guttering, corbels, barge boarding, overhangs, and crest tiles;
- Other architectural details such as string courses and quoins;
- The construction of the building and the external materials used.



*The materials, roof form and window details of a property all combine to create a particular and unique character. Extensions should respect these details to ensure new additions work well with the house.*

## Boundary treatments

Boundaries and particularly front boundaries, are very important within or adjacent to conservation areas. The boundaries between properties or between the house and the road

are often formed by hedging or low stone walls which are important features of an area. Proposals to increase the height of boundary walls, to introduce railings or to incorporate different materials will often be inappropriate. Careful attention should be paid to traditional construction methods and the way in which the wall is finished. Inappropriate coping or mortar treatment can result in a wall which is harmful to the character of the area.



*In rural areas a mixture of stone walls, low fences and open gates create an attractive streetscape. Introducing high fences and gates is often not appropriate*

## Listed Buildings

Leeds also has a large number of listed buildings. Buildings are listed which are of special architectural or historic interest and there is a strong presumption in favour of their preservation. Listed buildings may often have unique features and details which are important to their character. Internal alterations can also impact upon the character of a listed building and must be carried out in a sympathetic manner. Details about all listed buildings are available online through Heritage Gateway (<http://www.heritagegateway.org.uk/gateway/>). This information is from English Heritage and highlights the interesting aspects of a property. It should not be read as a definitive list of all the important features of a building, nor an exhaustive list of its interest and special character.



*The curved frontage of these buildings is a unique feature and creates an interesting streetscape. Other details such as the window forms, doors and chimneys contribute to the character of the properties and all such details are important.*

### **Materials and details**

Appropriate materials and detailing are essential in any alteration or extension to a listed building. As with extensions in conservation areas particular attention should be paid to window details, the roofline and other architectural features. When considering making changes to a listed building it is also important to consider the shape and form of internal openings and the original plan form of the dwelling.

In some circumstances it may be possible to introduce contemporary design or materials to a listed building. This may be particularly relevant where attempts to replicate the traditional built form will result in a poor imitation of the historic fabric. Such matters need to be very carefully considered and it is advisable to contact us before submitting such an application.



### **Listed building consent**

Listed building consent is required when extensions or alterations impact upon the special character of the building.

Listed building consent will not be required for:

- Repairs (where matching materials are used);
- Free standing buildings within the curtilage of a listed building (see below).

### **Extensions within the curtilage of listed buildings**

Although separate listed building consent is not required for free standing structures within the curtilage of listed buildings special attention should still be paid to their design, size, siting and materials. Outbuildings which harm the character, appearance or setting of a listed building will not be considered acceptable.

Traditionally outbuildings would have had a particular function, such as stable blocks, and as a consequence are not as ornate as the main house. Usually they have a simple, gabled form and are single storey in nature. It may well be possible to construct more modern additions (such as garages, garden stores and bin stores) within the grounds of listed buildings provided that the outbuildings are carefully designed and appropriate to their context.

### **Setting of a listed building**

Extensions, outbuildings and alterations to properties which are situated close to listed buildings must respect the setting of the listed building. This means that, like development within the curtilage of the listed building, all additions or alterations must respect the special character of the listed building. This special character will vary depending upon the type of listed building. For example a large, detached, manor house often has a great amount of space around it and adding lots of outbuildings within neighbouring gardens which erode this sense of space will not be appropriate. Equally where an

◄ *More contemporary extensions can complement historic properties however these need to be very carefully considered. This extension has a very conventional shape and form which is augmented by the use of traditional and modern building materials.*

old, stone cottage is listed, it will not be acceptable to build a large extension on an adjacent property which dominates the listed building.



*The spaces around listed buildings are important. The wider setting of a listed building must be considered when designing an extension, even if the extension is to an unlisted property.*



## Green Belt

The provisions for extending your house within the Green Belt are more limited than in other areas. National and local policies aim to restrict inappropriate development within the Green Belt and to protect its character, appearance and openness.

Policy N33 of the Leeds Unitary Development Plan (Review) 2006 and National Guidance states that limited house extensions within the Green Belt may be considered appropriate provided that they do not result in additions that are disproportionate to the original dwelling and also do not harm the character and the openness of the Green Belt. Within Leeds City Council a guideline of approximately thirty percent volume increase over and above the original building is used as a threshold for residential development within the Green Belt.

**Original** The house as originally built or as existing in 1947, whichever is the later.

**Extension** Any additions to the dwelling (including garages and outbuildings) which have been constructed after 1947, or after the dwelling was built, whichever is the later.

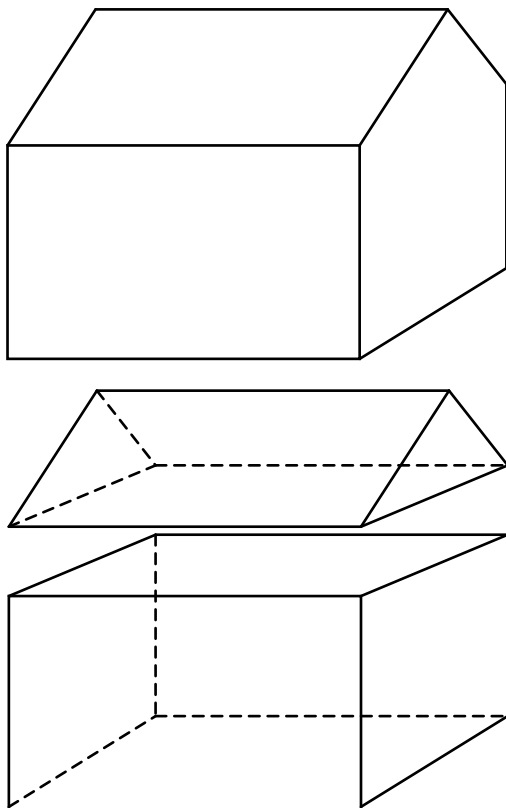
**HDG3** All extensions and alterations to dwellings within the Green Belt should represent limited development and should not harm the character, appearance and openness of the Green Belt. In order to be considered as limited development all existing and proposed extensions should not exceed a thirty percent increase over and above the original house volume. Development proposals which exceed thirty percent or which harm the character, appearance or openness of the Green Belt are considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and will be resisted unless very special circumstances can be demonstrated.

When designing extensions within the Green Belt the thirty percent guideline should be used as a strong indicator as to the acceptability of a proposal. Although this figure is not definitive it will inform the majority of decisions involving Green Belt applications. It may be possible to improve the viability of a proposal by demolishing existing outbuildings and extensions, although this will not allow extensions of a harmful nature to be approved.

## How to calculate volume

The Council calculates the volume of your property by using the external measurements of buildings, including all internal spaces such as roof voids which may not be living areas. The volume of the existing and proposed extensions are then calculated using the same method and a percentage increase is calculated over and above the original. Before submitting an application within the Green Belt you should calculate the volume of the original dwelling and the cumulative volume of all existing and proposed extensions. These figures should be included in your submission. The diagrams show how a simple house volume can be calculated. The Planning Portal website provides a useful tool for calculating volume. This can be found at [www.planningportal.gov.uk](http://www.planningportal.gov.uk) in their Useful Tools section.

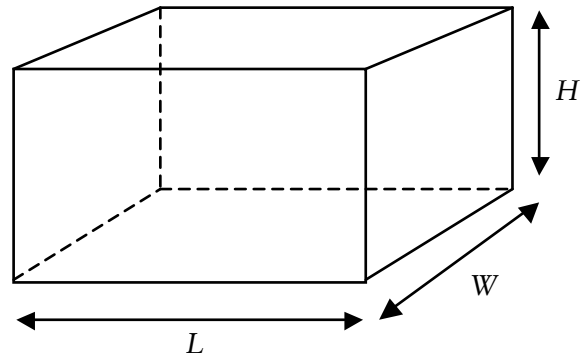
### Basic Volume Calculations



A typical house is made up of two different shapes. In order to calculate the house volume each shape must be calculated and the two added together.

### Calculating the volume of a cuboid

To calculate the volume of a cuboid its height (H), length (L) and width (W) must be multiplied together.

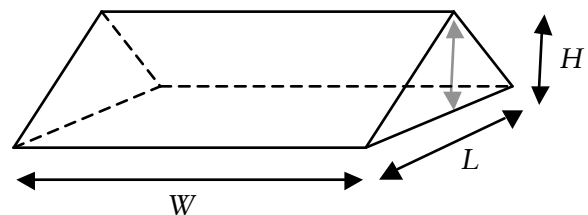


If the width of the house is 8.0m and its length is 5m and the height to the eaves is 5.2m then its volume will be:

$$8 \times 5 \times 5.2 = 208\text{m}^3$$

### Calculating the volume of a gabled roof

To calculate the volume of this gabled roof you must again multiply its width, length and height, however the answer must be divided by 2.



If the width of the house is 8.0m and its length is 5m and the height from the eaves to the ridge is 3.2m then its volume will be:

$$(8 \times 5 \times 3.2) \div 2 = 64\text{m}^3$$

### Calculating the volume of the house

To calculate the volume of the house the two should be added together, so here the volume would be:

$$208 + 64 = 272\text{m}^3$$

## Openness

The openness of the Green Belt is one of its most important attributes and this should be safeguarded. To protect openness all new development should be of an appropriate size and scale in relation to the original dwelling and should be sited so as to prevent sprawl and protect long range views.

Even if a development proposal can be considered as a limited extension (ie under thirty percent) it should still preserve the openness of the Green Belt. This means that the alterations and extensions should not:

- impact upon long range views;
- close the gaps between buildings;
- have a significant degree of massing;
- introduce or increase the sprawl of buildings within a site.

Development sites which lie adjacent to the Green Belt can impact upon the openness and character of the Green Belt. Care should be taken to ensure that extensions within such areas are sensitively designed and do not harm the openness of the Green Belt. Good landscape design can often be used to achieve greater assimilation which respects the character of the Green Belt. Policy N24 offers further guidance on this matter (see page 40).



*Some properties are located in the Green Belt. The most important aspect of Green Belt land is its openness and the possibility of extending such properties is often very limited.*

## Boundaries

Boundaries, in particular front boundaries, are very important within the Green Belt. Houses within the Green Belt are often in semi-rural locations and the areas have a verdant character.

The boundaries between properties or between the house and the highway are often formed by hedging or low stone walls and these are important features of the area. Proposals to increase the height of boundary walls, to introduce railings or to incorporate different materials will often be inappropriate.

Good landscaping can be used to enhance development proposals. Where development proposals impact upon long range views or have the potential to impact upon the character of the Green Belt a landscaping scheme may be required.



*Introducing high fences and gates in rural areas can create a suburban character which harms the appearance of the property and the wider area.*

## Inappropriate development and very special circumstances

Development which is disproportionate to the original dwelling or which harms the openness, character or appearance of the Green Belt is considered inappropriate. Inappropriate development is, by definition, harmful to the Green Belt and will be resisted. In a very small number of cases there may be very special circumstances to justify an exception to policy. It is for the applicant to show if very special circumstances apply and to adequately demonstrate these.

Special circumstances which could justify development in the Green Belt will be considered on their individual merit. Examples of developments which generally do not constitute special circumstances would include extensions to provide additional accommodation for relatives, inappropriate boundary treatments for purposes of privacy, and relatively minor extensions which represent additions to existing larger extensions which are already disproportionate additions.



## Protected Species

Alterations and extensions to your home should take account of the natural environment. The natural environment includes trees, vegetation, animals and watercourses. All development will have some impact upon the natural environment and care should always be taken to ensure that no significant harm is caused.

In some instances particular animals, trees or vegetation are protected against harm. This means that extensions or outbuildings which will impact upon them must be carefully designed to ensure that long term damage is not caused.

### Protected Trees

If a tree has been served with a tree preservation order (TPO) it is considered to have a particular amenity value and is protected from harm. All trees in conservations areas over 75mm in diameter at 1.5m above ground level are also protected. Protected trees will often, although not exclusively, be important to the character and appearance of the locality. This means that although protected trees are on privately owned land development proposals which could harm the trees may not be acceptable. This also includes trees on neighbouring land.

Development close to protected trees needs to take account of the potential root spread of the tree and its canopy spread. The siting of an extension in relation to a protected tree is important as foundations and other excavation works (such as for services) can harm the

existing roots or prevent the tree growing to its full maturity. Extensions which include main habitable rooms (such as living rooms/dining rooms and bedrooms) can also create concern as windows which are close to or under the tree canopy will inevitably have restricted light levels. This often leads to future pressure to prune or lop the tree.

Some construction methods (such as non-dig or raft foundations) can help to mitigate against the impact of development in proximity to protected trees but a less invasive building method will not guarantee that planning permission will be granted.

The distance that an extension should be sited from a protected tree will depend upon three things:

- The species of tree;
- The nature of the extension;
- The placement of windows.

Further information is contained within the council's document "Guideline Distances from Development to Trees". This is available to download or by contacting our Development Enquiry Centre on 0113 2224409. Further guidance is also available within the BS5837: 2005, available from the British Standards Institution.

In circumstances where a development proposal will impact upon a protected tree a tree survey and method statement may need



to be submitted with the application. The tree survey and method statement will identify important trees and outline the measures which will be taken prior to and during the building process to ensure that the protected tree is not harmed. These details will be assessed by the Council's tree officers.



*Trees and vegetation are very important features in lots of areas in Leeds. Extensions which are built close to trees can harm their vitality and even cause the tree to die.*

## **Hedges and Hedgerows**

Hedges and hedgerows are important habitats for wildlife and can also form an important part of the character of an area. If hedges are present on an application site it is important that they are not harmed as a result of the development proposal. Careful thought should be given to how hedges and hedgerows will be protected during the building works.

If a development proposal involves the partial removal or loss of hedgerows it may not be considered appropriate. In some instances replacement planting can be used to mitigate against the harm caused by the loss of vegetation. If your development proposal is likely to involve the removal of hedges and hedgerows you are advised to contact us prior to the submission of an application. If replacement planting is to occur details of this will be required with the application. These details should indicate the species, maturity, density and placing of all replacement plants.

## Bats

Bats are a protected species. This means that we are required to consider the potential impact on bats and their roosts when determining planning applications. All species of bat in the UK are protected under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c) Regulations 1994, as amended. Under these Acts it is an offence to recklessly kill, injure or disturb bats or to destroy or obstruct access to their roosts, whether or not they are occupied.

Many bats use buildings for roosting and extensions which impact upon the roofspaces of buildings have the potential to harm bats and their roosts. Bats are often found in heavily wooded areas and near watercourses. Properties close to these habitats may require a bat survey to be submitted with the application. A bat survey will establish whether or not bats are likely to be present on site and recommend an appropriate course of action. The Council has a record of all properties which are situated within areas that have a high probability of bat activity (the Bat Alert Layer).

Properties which are located within Leeds City Council's Bat Alert Layer will require a bat survey to be submitted with any application where there is the chance of a bat roost being affected by the development. Bat roosts may be present on a site when an unsealed roof line allows access to a roof void. If you are unsure whether you require a bat survey, or want further details of the Bat Alert Layer, please phone our Development Enquiry Centre on 0113 2224409.





## Types of Extension

### Single storey extensions

#### Single storey side extensions

Single storey side extensions are a good way of providing additional living space and, if well designed, can be an attractive addition to your property whilst having a minimal impact upon neighbouring gardens.

Particular care should be also be taken to ensure that the scale of the extension is appropriate. As a general rule of thumb extensions to the side of a house should be no greater than two thirds of the width of the main house. If a greater level of accommodation is required then thought should be given to also creating a single storey rear extension.

If a side extension is building over an existing driveway then you will need to think about parking provision. Two car parking spaces should normally be provided on site. If you are thinking of converting your existing front garden we will require a landscaping scheme to be submitted with the planning application showing where planting will be retained. An area of soft landscaping should ideally be located next to the pavement edge to help the soften the impact of the proposal and help prevent problems associated with surface water run-off.

Care should also be taken if your property is located on a corner plot. Where the extension will be visible from two streets you will need

to ensure that the design is suitable in relation to both streets. You will also need to take account of the building line of the side street.

Single storey side extensions should mostly be acceptable where:

- the design is appropriate to the main house and the locality;
- appropriate materials are proposed;
- adequate space is maintained to allow access to the rear (where this is not possible space should be provided for wheelie bins to the front of the property but these will need to be screened and not obtrusive);



*The extension mirrors the details of the main house and creates an attractive addition to the street.*

- there is no harm to neighbouring properties through excessive overshadowing, over-looking, or by creating an overly dominant addition;
- sufficient parking is retained on site.

### Single storey rear extensions

Single storey rear extensions are a common way of extending living rooms and/or kitchens. As these extensions are sited to the rear they can have a big impact upon neighbouring gardens. Care needs to be taken when designing an extension to ensure that the height of the building is not excessive and that windows do not harm the privacy of neighbours.

In cases where the extension is to be located on the boundary with a neighbour (such as terraced or semi-detached houses) a projection of 3.0m is normally acceptable. A smaller projection may be required where neighbouring gardens are short or where neighbouring windows are close to the extension. If the extension is stepped away from the boundary a greater projection may be permissible.

Although extensions to the rear of a property rarely have a significant impact upon the streetscene design is still an important consideration. Extensions which are poorly designed or are to be built of inappropriate materials will not normally be acceptable.



*This extension has a simple shape and form and is of a modest size and scale. The use of matching materials helps to ensure it blends well with the house.*

As a general rule extensions to the rear will be acceptable where:

- the size and scale of the extension respects the dimensions of the original property and garden space;
- appropriate materials are proposed;
- the extension will not have a significant negative impact on neighbouring gardens
- the extension will not have a significant negative impact on neighbouring windows in terms of overshadowing and loss of outlook (see 45 degree code).

### Single storey front extensions

Extensions to the front of properties are often very difficult to accommodate. The front is often the most visible and prominent part of the house and it has a key role to play in defining its character and that of the street. Very small additions to the front such as porches or a bay windows might be possible. Larger additions are unlikely to be acceptable especially where a row of properties display a uniform character. Particular attention should be paid to the building line.

Single storey front extensions may be acceptable where:

- the house is well set back from the front boundary;
- there is a lack of uniformity within the streetscene;
- where the proposal will not harm the character of the locality.

### Porches and bay windows

#### Porches

A porch is a small addition to the front or side of a house which provides a covered entrance to the building. They should be small, sympathetically designed structures which appear unobtrusive and do not overwhelm the building. Matching materials should be used. Large porches which seek to provide seating areas or additional facilities (such as utility rooms or toilets) are unlikely to be acceptable.

### Bay windows

Bay windows can be an effective way of extending front living and dining areas, although they do impact upon the character and appearance of a building and may not be acceptable in all circumstances. Bay windows should be small, sympathetically designed additions which adequately reflect the proportions and details of existing windows. In a street characterised by simple houses with unadorned front elevations bay windows are unlikely to be acceptable.



*The small bay window and the canopy are very simple additions which do not detract from the appearance of the main dwelling.*



*In some circumstances small front extensions may be possible however these must be very modest additions.*

### Conservatories and sun rooms

Conservatories are a popular way of extending properties but design is still an important consideration as they can have a big impact upon neighbours and the character of a locality.

The large amounts of glazing mean that overlooking is a particular concern. Most conservatories are located to the rear, and side windows will often face toward neighbouring gardens. If there is insufficient screening (a fence or hedge high enough to prevent views of neighbouring gardens from inside the conservatory) obscure glazed panels should be proposed. Care should also be taken to ensure that conservatories do not overdominate neighbouring gardens.

Conservatories are often constructed of white upvc. This material is highly visible and rarely reflects the main external building materials of a property. This means that conservatories located in highly visible locations (such as front or side gardens) will not normally be acceptable.

Sun Rooms can normally be accommodated to the rear. The considerations relevant for single storey rear extensions also apply to their addition, but due to their extensive glazing care should also be given to protect neighbouring private amenity with the use of obscure glazing or boundary treatments of an appropriate height.

As a general rule conservatories and sun rooms to the rear will be acceptable where:

- the size and scale of the conservatory/sunroom respects the dimensions of the original property and garden space;
- appropriate materials are proposed;
- the conservatory/sunroom will not have a significantly negative impact on neighbouring gardens
- the conservatory/sunroom will not have a significantly negative impact on neighbouring windows in terms of overshadowing and loss of outlook (See 45° code and 12 metre rule).



*The use of obscure glazed or solid side panels prevents the neighbouring garden being directly overlooked.*



*Using matching materials and designing the conservatory to respect the existing two storey gable results in a well proportioned addition which enhances the character of the property.*

## Two storey extensions

Two storey extensions, by their very nature, are larger and more prominent than single storey additions. They therefore have a greater impact upon the character and appearance of the house and the locality. Particular care should be taken when designing two storey extensions to ensure that the proportions of the extension (including the roof) respect those of the main house and that the extension does not unreasonably overshadow or overdominate neighbours' gardens and windows.

### Two storey rear extensions

Many houses within Leeds will not be capable of accommodating a two storey rear extension. As a general rule of thumb first floor extensions sited on a common boundary should not project more than 1.0m beyond a neighbouring rear elevation in order to comply with the 45° code. This means that for terraced and semi-detached properties it will be difficult to provide an adequate level of accommodation without negatively impacting upon neighbours.

Where a two storey extension is proposed to a detached dwelling it should be proportionate to the size of the house and garden and should not usually include first floor side windows, except if obscure glazed or serving a non-habitable room.

### Part two storey, part single storey rear extensions

One solution to providing two storey accommodation to the rear is to design a stepped extension, where the first floor element of the proposal is sited away from common boundaries. As with single storey extensions it may be possible to provide additional depth where extensions are sited away from neighbouring boundaries. If the site is level and the rear elevations are flush a 3.0m depth may be possible if the extension is set a minimum of 2.0m away from neighbouring boundaries. Care still needs to be taken to ensure that the placement of windows takes account of neighbouring gardens.

*The repeated gaps between properties results in a very regular streetscene with a clear and defined character.*



*Keeping the extension as a single storey addition where it lies close to the boundary helps to reduce the impact on neighbours.*

### Two storey side extensions

Two storey side extensions are the most difficult extension to accommodate on a site. Whilst many people see them as an easy way to provide additional bedrooms without impacting upon neighbouring gardens, these extensions often have a big impact upon the character of the house and the street.

The main difficulty in relation to side extensions is in maintaining adequate spaces between buildings. The spaces between houses are important in defining the character and appearance of an area. Semi-detached houses are often separated by driveways and this creates a very regular streetscene, the character of which it is important to retain. On the other hand, some detached houses are individually designed and have larger spaces around them which produces a more irregular but quite spacious feel to the area. This sense of space is often important to the character of an area and should be retained.



Two storey side extensions can very easily erode this character as they often take up all or most of the space to the side of a house and bring the building very close to its neighbour. In a street of regular, semi-detached dwellings at least a 1.0m gap should be maintained to the side boundary with a 2.0m set back from the front wall of a property. This prevents the important gaps within the street being eroded and maintains the character of the area. On a street where larger gaps are more common, more space will be needed to the side boundary.



*These two side extensions are built over the driveways of the houses and have wholly closed the gap between the two buildings.*

Given the prominence of two storey side extensions great care needs to be taken with the design. The proportions of the extension must respect the proportions of the house and generally they should not exceed two thirds of the width of the main house. The roof form and window detail must also match the existing and any particular architectural features (such as plait bands or string courses) must be replicated.

It is also important that extensions achieve some degree of subservience. The usual method of achieving this is to set the extension back from the front wall of the dwelling and thus also lower the ridge line. The set back which is needed will depend on a number of factors including the proportions and dimensions of the extension, the risk of terracing and the prominence of the extension. A set back also helps to avoid the awkward join of new and old materials and allows the development of the property to be read in its fabric.



*Two storey extensions are more dominant than single storey additions and so can be much more visible in the wider area. Care needs to be taken with their materials and detailing.*

As a general rule two storey side extensions will be acceptable where:

- the size and scale of the extension respects the dimensions of the original property;
- the detail of the extension respects the original property;
- the extension retains a sufficient distance to the side boundary and a sufficient set back from the main front wall of the house;
- the roof ridge of the extension is set down from the house roof ridge;
- the extension will not have a significantly negative impact on neighbouring gardens or windows;
- appropriate materials are proposed;
- appropriate levels of parking are maintained.

#### *Semi-detached houses*

Adding a two storey side extension to a semi-detached dwelling can often be difficult as they are designed as a symmetrical pair. Adding a two



storey extension to one side means the pair of semi-detached buildings becomes unbalanced and this is harmful to the character and appearance of the extended house and its neighbour.

Two storey extensions to semi-detached properties are also difficult as a 2.0m set back and the retention of 1.0m to the side boundary often leaves little room for additional accommodation. Normally only one, small bedroom can be created. Two storey side extensions which retain no distance to the boundary will not normally be acceptable.

### *Terraces*

In some circumstances it may be possible to accommodate a two storey side extension on an end terrace property provided that it is well designed and reflects the character of the area. It must also not detrimentally impact upon neighbouring gardens and windows. The exact circumstances on site will determine the design of the extension though it is quite likely that a set back will not be desirable provided a good materials match can be found.

### **Two storey front extensions**

As with single storey front extensions, two storey front extensions will not normally be acceptable. The front of a house is the most visible and prominent part of the dwelling and it has a key role to play in defining its character. Very small additions to the front (such as a porch or a bay window) might be possible however larger additions are unlikely to be acceptable. Particular attention should be paid to the building line.

Two storey front extensions may be acceptable where:

- the house is well set back from the front boundary;
- there is a lack of uniformity within the streetscene;
- the proposal will not harm the character of the locality.



*This front projection is modest, well proportioned and also mirrors the architectural details of the main body of the house.*

## Dormer Windows

Dormer windows are used as a way of providing light into existing roof spaces. They should be small, discrete additions which retain the character of the original roof. Given the importance of roofs in defining the character of a house and an area, particular care needs to be taken when deciding the siting and design of a dormer.

Ideally dormers should be located to the rear of a house and should be as small as possible with a substantial area of the original roof retained. Dormers should be set down from the ridge, up from the eaves and set in from the sides. They should not dominate the roof plane and unbalance the existing dwelling.

Dormer windows can be constructed using a variety of external materials, however in the vast majority of cases they should be constructed in materials to match those of the existing roof. This usually means that the front and cheeks should be clad in tiles or slate which represent a sympathetic match in form and colour to those existing. Timber and upvc cladding is inappropriate in the majority of cases.



*This dormer is located in a prominent position on the property and the use of materials which do not match or complement the roofscape makes it a very stark addition.*

The windows and detailing of a dormer window should reflect the style and architecture of the original house. Therefore:

- window detailing should match the character, proportion and style of windows on the main house;
- dormer windows should be located to enhance the design and proportions of the original house;
- front elevations of dormer windows should be predominantly glazed (to lessen the impact of their addition);
- eaves and guttering details should reflect the details of the original house.



*These dormers are small additions which are well positioned in the roofscape and do not cramp the chimneys. They sit above the existing first floor windows, use appropriate materials and are suitable to the age and style of the house.*

For dormers to be considered acceptable they should be designed to:

- remain subordinate to the main property by not being of a size and scale which dominates the existing roof;
- maintain and respect the features of the existing house;
- be designed in proportion to existing windows (the windows in dormer windows should generally appear smaller than existing windows);
- maintain the appearance and symmetry of the house (and also in relation to neighbouring properties);
- prevent any significant loss of privacy to neighbouring properties due to overlooking from an elevated position.

### Dormer Windows to the Front

Dormer windows to the front will not normally be considered acceptable, particularly in prominent locations, on unbroken roof slopes or where traditional dormers are being replaced by box-style structures. In some streets the overwhelming predominance of existing dormer windows has changed the appearance of a street sufficiently for dormer windows to be considered part of the character. In these circumstances dormer windows to the front should be;

- small, well designed additions which retain the original roof form;
- constructed of appropriate materials;
- reflect the proportions and positions of existing windows.

Two small well designed dormer windows are generally considered to be more sympathetic than one large dormer window.



*The clean, unbroken roofline of this terrace is an attractive part of the streetscene. The introduction of a front dormer would interrupt the simplicity of the buildings and would harm the character of the house and the wider area.*

### Dormer Windows to the Side

Dormer windows to the side of properties can be difficult to accommodate as they often unbalance the appearance of a property or a pair of semi-detached houses. Where they are appropriate they should be modest in size and seek to prevent a significant overlooking impact.

### Dormer Windows to the Rear

Dormer windows to the rear which do not face a public highway or other public area may be marginally larger to provide extra accommodation within the roof. However, they should still seek to be set down from the roof ridge, up from the eaves level, and in from the sides. Matching materials should also be used.

## Parking and Garages

Providing sufficient car parking within a site is important when thinking about extensions and additions to a property. An extension should allow a sufficient number of car parking spaces to prevent on-street car parking. On-street car parking can be dangerous to highway safety as it narrows the street, causes congestion and can reduce visibility for drivers, cyclists and pedestrians.

Generally two car parking spaces should be provided within the site. In circumstances where fewer than two car parking spaces exist on site extensions should not reduce available parking provision.

### Car parking

In order to be considered as a parking space the area proposed should be able to accommodate a large car; a parking space should measure 3.0m in width by 5.0m in length. Whilst you may not own a large car the Local Authority can not control what size of vehicle future occupants will have and we need to be confident that future problems will not occur as a result of allowing your extension.

#### *Parking in front gardens*

When extensions build over driveways many people choose to hard surface their front garden to provide replacement parking. The replacement of front garden areas by open hard surfaced parking areas is generally not considered acceptable as is often harmful to the appearance of a locality and will also increase surface water run off. This in turn can lead to pressure on drainage systems and increase the risk of flooding. Where you are proposing to hard surface part or all of a front garden it will be necessary to provide some soft landscaping areas (flower beds and/or hedges). These should normally be located to the front and will help to soften the appearance of the hard surface. They will also provide an area within the site for water from the parking area to drain to and help prevent surface water drains being overwhelmed.

## New Access Points

In order to gain access to a new driveway the installation of a dropped vehicle crossing may be required where the kerb is also lowered to avoid damage to the footpath. In order to carry out these works Leeds City Council's Highways team should be contacted on 0113 2224407.

If a new access point is to be created onto a classified road (i.e. an A, B or C road) planning permission will be required to carry out these works. In order to be considered acceptable a new access point must:

- allow motor vehicles to enter and leave the site in a forward gear (usually achieved by incorporating a turning circle within the site);
- have a high degree of visibility when leaving the site;
- be at a safe point (away from junctions, blind bends and high density parking areas).

New access points onto roads, particularly where they are primary routes or are very heavily trafficked, may not be acceptable on highway safety grounds.

## Garages

Garages provide secure, off street parking and can also be used to store garden items or children's toys. The intended use of the garage will determine its size. In order to be considered as a parking space a garage must measure at least 3.0m by 6.0m. If a large area of the garage is to be used for storage a greater depth will be necessary. Garages which are smaller than 6.0m by 3.0m will not be considered as a parking space; if a garage smaller than 6.0m by 3.0m is proposed it will be necessary to show that two additional parking spaces can be provided on site.

Garages should be sited to the side or rear of the dwelling and ideally should respect the materials of the existing house. Whilst pre-fabricated garages may be acceptable in some circumstances these often detract from the appearance of the property. Garages which project forward of the main front wall or are in highly prominent locations (such as side gardens on corner plots) may not be acceptable.

The size and scale of a garage should also reflect its function. Overly large garages and those with storage areas over may not be acceptable as their size and proportions are often inappropriate in a domestic garden setting.

Driveways to the front of garages need to be long enough to allow a car to be parked wholly within the site whilst the garage door is open. A length of 6.0m should be provided when a garage is fitted with an up and over door. This distance can be reduced slightly if a roller shutter door is proposed.



*This garage has a simple shape and form and allows plenty of room to its front to park an additional car. It is important that cars do not overhang onto the footpath and also allow the doors and the boot to be opened without blocking the footpath.*

A garage will normally be acceptable where:

- it is of an appropriate design, scale and size;
- it is sited to the side or rear of the property;
- the garage will not have a significantly negative impact on neighbouring gardens or windows;
- sufficient space is retained in front of the garage for off-street parking.

#### *Converting an integral garage*

It may be possible to convert an existing garage into living accommodation without the need for planning permission, however in many instances consent will be required. If you are thinking about converting an existing

garage you should contact our Development Enquiry Centre before beginning work. The Development Enquiry Centre can be contacted on 0113 2224409.

Many modern houses are built with integral garages with a driveway to their front. The driveway is often only long enough to park one car. If such a garage is converted into additional living space then it is no longer possible to park two cars within the site. This then leads to on-street car parking and is damaging to highway safety. If you are thinking of converting an integral garage you will need to demonstrate that two cars can be parked within the site and that they can be manoeuvred in to and out of the site in a safe manner. The information in the 'Parking in Front Gardens' section of this guide (page 34) must be taken into account.

Converting a garage will only normally be acceptable where:

- sufficient replacement parking is available on site without detriment to the character of the street;
- the replacement window and brickwork match the existing;
- sufficient planting is provided.



*Large areas of tarmac or concrete to the front of properties can be very hard and stark. They also create surface water run-off and can contribute to flooding. Areas of vegetation to the front boundary help to soften the appearance of the parking area and can also help drainage.*

## Outbuildings, Annexes and Decking

### Outbuildings

Outbuildings can include such things as sheds, stores and greenhouses. Where planning permission is needed care should be taken to ensure that the position and size of the building does not have a negative impact upon neighbouring gardens or windows. The size and scale of the building should reflect its domestic use and its materials should be appropriate. In some instances this will mean that the materials should match the existing house whereas in other circumstances a wooden construction will be more acceptable. Outbuildings should also retain a sufficient amount of private garden space.

Outbuildings will normally be acceptable where:

- they are sited at the side or rear of a property;
- they are sympathetically related to their context in terms of materials, style and proportions;
- they will not have a significantly negative impact on neighbouring gardens or windows;
- they allow sufficient private garden space at the property;
- they can reasonably be considered to be ancillary to the main dwelling.

### Ancillary use

In order to be considered an outbuilding a structure must be ancillary to the main dwelling. This means that its main function must support or enhance the use of the main house. Examples of ancillary buildings would be a garage used to store a family car or a shed used to store garden equipment and bikes.

Self contained accommodation is not considered ancillary to the main dwelling and is defined as an annexe (see below).

### Decking, terraces and patios

Decking, terraces and patios are raised areas which are usually located to the rear of a property and are used to extend the main living areas of a property. Any raised platform over 0.3m (300mm) in height will require planning permission. Decking, terraces and patios are

often located close to neighbouring gardens and because they are often used for sitting out can have a big impact upon neighbours. As they are raised up above ground level they can very easily allow views into neighbouring gardens and this is not usually acceptable.

If you are thinking of installing a deck, a terrace or a patio which is over 0.3m in height you must ensure that the deck will not harm the privacy of neighbours. The usual way to achieve this is to install screening on the boundaries. A screen is usually a fence or hedge which blocks views of neighbouring gardens. In order to be considered as a screen the fence or hedge must be at least 1.8m above the level of the decking.



*Where balconies, terraces or decking project out from the house a solid screen to the side will be needed to prevent overlooking of neighbours. Juliet balconies do not allow a person to step out and so no screen is needed.*

Decks, terraces and patios are usually installed at a height which is similar to the floor level of the house. Where there is a big difference between the land level of the rear garden and the floor level of the house a deck may not be acceptable as the levels of screening on the boundary would be too dominant for the neighbours.

Decking is usually constructed of wood and is often a fairly pale colour. This means that it can be a very noticeable addition which does not match the materials of the main house. For this reason it should be located to the rear of the property and should be stained an appropriate colour. Decking which is sited to the front or is in a highly prominent location is unlikely to be considered acceptable.

## Annexes

An annexe is an area of accommodation which is associated with, but not used as part of the main house. In order for an extension to be considered an annexe the accommodation must be associated with the main house, be of a scale to reflect this subsidiary function and must not be a commercial venture. Semi-private guest areas or accommodation for dependent relatives can be considered as annexes, provided the above conditions are met.

Annexes are often relatively large additions within garden areas and this means that they have a big impact upon neighbours and reduce the garden space of the main house. An annexe will also increase levels of activity and noise within the garden area and this can also have a big impact upon the private gardens of neighbours. Windows which overlook neighbouring gardens will not be considered acceptable. For this reason particular care should be taken when thinking where to site an annexe building, what size it will be and how the accommodation should be laid out. Annexes which are very large or very close to neighbouring gardens will not be acceptable.

In deciding whether or not an annexe is an appropriate addition the Council must also consider the living conditions of future occupiers. This means that the accommodation must be of a reasonable size and have an appropriate outlook. If planning permission is granted for an annexe a condition may be applied to restrict its use to an ancillary function. If this ancillary link is broken then the annex becomes a self-contained dwelling unit and will require a separate planning permission.



Large buildings containing multiple bedrooms and parking areas will not be considered as annexes, nor will buildings which have limited connections to the main house. If the Council considers a building cannot be considered as an annexe your application will be considered as a new dwelling.

## Walls, Fences and Hedges

Boundary treatments (fences, walls and hedges) can have many functions. They are used to enclose garden areas around houses and to differentiate between public and private areas. The type of boundary treatment, its materials and its height help to define the character and appearance of an area.

As a general rule boundaries between domestic gardens are often formed by fences or hedges up to 2.0m in height. In some areas vegetation of a greater height is commonplace.

To the front of properties the types of boundary treatment can vary dramatically. In many housing estates there is little or no boundary treatment to the front and the boundary between the public and the private is noted by a change of materials (from tarmac to grass). In many villages low stone walls are a common feature and within more rural locations hedges and vegetation are often found.

Proposals which seek to erect large fences, walls and solid gates to the fronts of properties and adjacent to public areas will not normally be acceptable. Applications which seek to dramatically vary the height, materials or style of front boundaries will not normally be acceptable.

In some locations where front walls and gates are part of the character of the area new gates and walls may be acceptable. These should be low walls topped by open railings; a suitable planting scheme to soften the appearance of the wall and railings should also be proposed. In order to maintain visibility low boundary treatments and gateposts should be maintained adjacent to driveways.

◀ *The outbuilding has been designed so that its shortest side is located closest to the neighbour and this helps to reduce its impact. Matching materials mean it respects the character of the main house.*

Changes to front boundaries will normally be considered acceptable where:

- the height, material and style of boundary treatment reflect the local character;
- the height and position of boundary treatment is not harmful to highway safety;

Hedges do not require planning permission although they may be controlled by planning conditions or a covenant. Excessively high hedges may be the subject of action under the High Hedges legislation.



*High fences and walls to the front and side of properties can be very stark additions which harm the character of an area. Where boundaries are low or open such additions will not be considered appropriate.*

## Security

Although increasing the height of boundary treatments can sometimes improve security at a site it can also lead to other security concerns such as providing a screen for potential intruders to work behind. Whilst the Local Authority understands concerns and will work with you to help address these issues, the desire for greater security cannot outweigh concerns regarding the impact of high fences and walls upon the character of a street. Other measures such as increased lighting, well maintained boundaries and dense, prickly shrubs can improve security without harming the character of an area.





## Policies

The following policies could be used to assess your planning application. Whilst this list attempts to be comprehensive it does not necessarily cover all potentialities and other policies may be applicable. The Leeds Unitary Development Plan (Review) 2006 contains a full list of policies and is available on our website at [www.leeds.gov.uk](http://www.leeds.gov.uk).

The following national planning policy statements and planning policy guidance notes are also relevant:

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Guidance Note 2: Green Belts  
Planning Policy Statement 5: Planning for the Historic Environment  
Planning Policy Statement 5: Historic Environment Planning Practice Guide

### Local Policy Context

The Leeds Unitary Development Plan (UDP) (Review) 2006 is the main planning document in the Leeds area. The relevant policies from the Leeds UDP include:

#### Key Policies

GP5: Development proposals should resolve detailed planning considerations (including access, drainage, contamination, stability, landscaping and design). Proposals should seek

to avoid problems of environmental intrusion, loss of amenity, pollution, danger to health or life, and highway congestion, to maximise highway safety, and to promote energy conservation and the prevention of crime. Proposals should have regard to the guidance contained in any framework or planning brief prepared for the site or area.

BD6: All alterations and extensions should respect the scale, form, detailing and materials of the original building.

#### Planning and the Historic Environment

N14: There will be a presumption in favour of the preservation of listed buildings. Consent for the demolition of substantial demolition of a listed building will be permitted only in exceptional circumstances and with the strongest justification.

N16: Extensions to listed buildings will be accepted only where they relate sensitively to the original buildings. In all aspects of their design, location, mass and materials, they should be subservient to the original building.

- N18a: There will be 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.
- N18b: In a conservation area, consent for demolition will not be given unless detailed plans for redevelopment of the site have been approved. Such a permission will be subject to the condition that demolition shall not take place until a contract for an approved scheme of redevelopment has been let.
- N19: All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area by ensuring that:
- i. The siting and scale of the building is in harmony with the adjoining buildings and the area as a whole;
  - ii. Detailed design of the buildings, including the roofscape is such that the proportions of the parts relate to each other and to adjoining buildings;
  - iii. The materials used are appropriate to the environment area and sympathetic to adjoining buildings. Where a local materials policy exists, this should be complied with;
  - iv. Careful attention is given to the design and quality of boundary and landscape treatment.
- N20: Demolition or removal of other features which contribute to the character of the conservation area and which are subject to planning control, such as trees, boundary walls or railings, will be resisted.
- N22: The special architectural or historic interest of each conservation area will be assessed, defined and recorded as resources permit. This statement will inform both development control decisions and any proposals for the preservation or enhancement of a conservation area. The public will be fully consulted on any such proposals.
- BC7: Development within conservation areas will normally be required to be in traditional local materials.

## Green Belt

- N24: Where development proposals about the Green Belt, green corridors or other open land, their assimilation into the landscape must be achieved as part of the scheme. If existing landscape features would not achieve this, a landscaping scheme will be required to be implemented which deals positively with the transition between development and open land.
- N33: Except in very special circumstances approval will only be given in the Leeds Green Belt for:
- Construction of new buildings for purposes of agriculture and forestry; essential facilities for outdoor sports and outdoor recreation; essential facilities for the park and ride sites shown on the proposals map; and other uses compatible with Green Belt purposes;
  - Limited extension, alteration or replacement of existing dwellings;
  - Limited infilling and redevelopment of identified major existing developed sites;
  - Limited infilling in villages and limited affordable housing for local community needs.
  - Re-use of buildings, where all the entailed criteria of policy gb4 are satisfied;
  - Change of use of land for purposes which do not compromise Green Belt objectives;
  - Cemeteries.

Development within the Green Belt will only be permitted if it conforms to the detailed Green Belt policies contained in appendix 5 in volume 2.

## Design Principles

- GP11: Where applicable development must ensure that it meets sustainable design principles.
- N12: Proposals for development should respect the following fundamental priorities for Urban Design:

- i. Spaces between buildings are of considerable importance. Development should create a series of linked and varied spaces that are defined by buildings and landscape elements;
- iii. New developments should respect the character and scale of buildings and the routes that connect them;
- vii. Design and inclusion of facilities should reflect the needs of elderly people and of people with disabilities and restricted mobility;
- viii. Visual amenity should be encouraged throughout.

must be sympathetic to its setting and, where necessary, landscaping of the site will be required.

- N50: The design of new development, including landscaping, should wherever possible enhance existing wildlife habitats and provide new areas for wildlife as opportunities arise. Where new development is proposed adjacent to an area of existing nature conservation interest, a buffer zone will be required.

### Access

### Landscaping/Green Space

LD1: Any landscape scheme should normally:

- i. Reflect the scale and form of adjacent development and the character of the area;
- ii. Complement and avoid detracting from views, skylines and landmarks;
- iii. Provide suitable access for people with disabilities;
- iv. Provide visual interest at street level and as seen from surrounding buildings;
- v. Protect existing vegetation, including shrubs, hedges and trees. Sufficient space is to be allowed around buildings to enable existing trees to be retained in a healthy condition and both existing and new trees to grow to maturity without significant adverse effect on the amenity or structural stability of the buildings;
- vi. Complement existing beneficial landscape, ecological or architectural features and help integrate them as part of the development;
- vii. Be protected, until sufficiently established, by fencing of a type appropriate to the prominence of the location, around all those parts of the landscaping susceptible to damage.

N37: In the designated special landscape areas, development will be acceptable provided it would not seriously harm the character and appearance of the landscape. The siting, design and materials of any development

T2: New development should normally:

- i. Be served adequately by existing or programmed highways or by improvements to the highway network which are funded by the developer via planning conditions on planning permissions or planning obligations, and will not create or materially add to problems of safety, environment or efficiency on the highway network; and
- ii. Be capable of being adequately served by public transport and taxi services and should ensure that necessary infrastructure for new services is included in the development; and
- iii. Make adequate provision for easy, safe and secure cycle use and parking; and
- iv. Additionally in the case of residential development, be within convenient walking distance of local facilities and does not create problems of personal accessibility.

T5: Satisfactory safe and secure access and provision for pedestrians and cyclists will be required within highway schemes and new development.

T24: Parking provision in all development proposals should reflect the detailed guidelines contained in appendix 9 in volume 2.

Residential, Elsewhere: 1.5 spaces per dwelling

A4: Development and refurbishment proposals should be designed to ensure a safe and secure environment, including proper consideration of access arrangements, treatment of public areas, service and maintenance requirements, materials and lighting, including external lighting of prominent buildings and their surroundings.

### **Other**

N10: Development will not be permitted which adversely affects a Public Right of Way unless an alternative is provided which maintains the convenience, safety and visual amenity offered by the original Right of Way.

N25: Boundaries of sites should be designed in a positive manner, using walls, hedges, or railings where appropriate to the character of the area. All paving materials should accord with the character of adjacent buildings and surrounding areas.

N38B: Planning applications must be accompanied by a Flood Risk Assessment where consultations with the council or the Environment Agency have identified a need for such assessment, or where there is other clear evidence that a proposal is likely to be affected by flooding, or could increase the risk of flooding elsewhere. Where a development is to be delivered in phases planning permission will only be granted for an individual phase where an overall Flood Risk Assessment has been conducted that takes account of the cumulative flood risk and drainage impacts of both current and future phases.

N39A: Applicants for planning permission for development likely to significantly increase run-off of surface water should demonstrate that they have explored the feasibility of incorporating sustainable drainage systems into their proposals. Such systems should be implemented unless demonstrably impracticable or inappropriate, and provision should be made for their future maintenance.

N54: Proposals for the development of renewable energy resources will in general be supported in accordance with the principles of the Green Strategy and the securing of sustainable development. They will be assessed against Policy GP5 and National Planning Guidance.

H15: Within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:

- i. The stock of housing accommodation, including that available for family occupation, would not be unacceptably reduced in terms of quantity and variety;
- ii. There would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing similar accommodation;
- iii. The scale and character of the proposal would be compatible with the surrounding area;
- iv. Satisfactory provision would be made for car parking; and
- v. The proposal would improve the quality or variety of the stock of student housing.

BD5a: The design of all development should maximise opportunities to conserve energy and water resources and use materials appropriate to these aims.



### Supplementary Planning Guidance:

Supplementary Planning Guidance Note 13, Neighbourhoods For Living: A Guide for Residential Design in Leeds - This document sets out the principles for good design in residential developments.

Headingley and Hyde Park, Little Woodhouse, Thorner and Kippax. An up-to-date list of Village Design Statements is available from our Design Team who can be contacted through the Development Enquiry Centre on 0113 224409.

### Conservation Area Appraisals

Conservation Area appraisal documents are available for some conservation areas in Leeds. These documents outline the history of the area and its characteristic built form(s). More appraisals are being carried out and an up-to-date list is available on our website at [www.leeds.gov.uk](http://www.leeds.gov.uk).

### Supplementary Planning Documents:



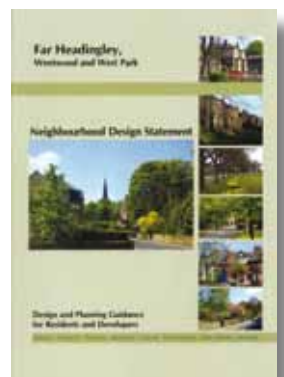
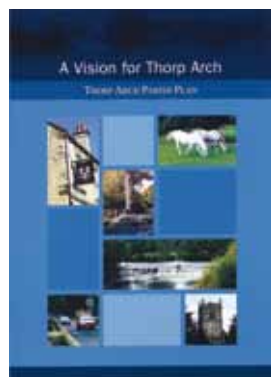
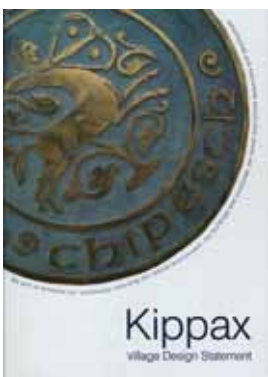
Street Design Guide (adopted August 2009) – This document provides guidance on highways requirement in relation to planning applications.

Building for Tomorrow Today, Sustainable Design and Construction – This document aims to provide practical guidance to developers

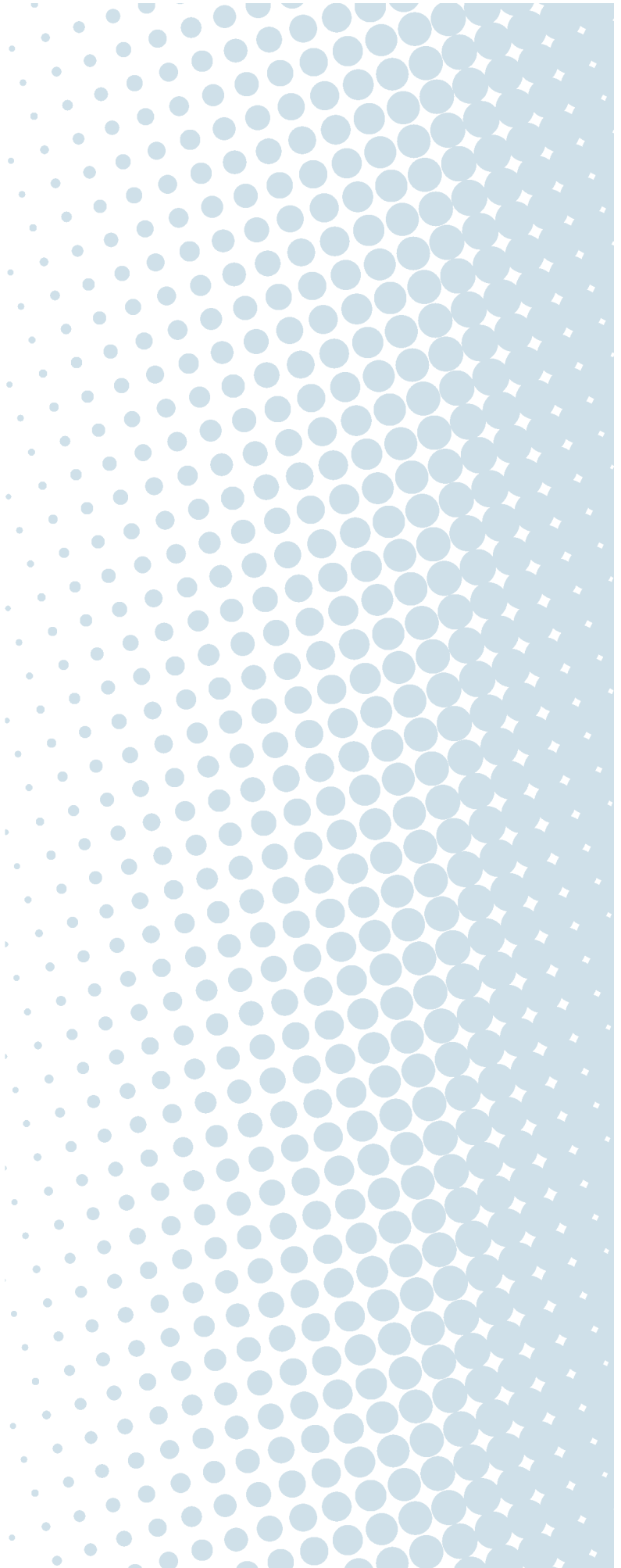
in Leeds wishing to build to high levels of sustainable design and construction.

### Village and Neighbourhood Design Statements

There are a number of Supplementary Planning Guidance documents in the form of Village and Neighbourhood Design Statements which cover specific areas of the city. These currently include Bramhope, Bardsey, East Keswick, Far Headingley, Weetwood, West Park, Thorp Arch, Hawksworth, Collingham with Linton, Adel,



This guide is dedicated to Dan Devine who worked in the Planning Service in Leeds from October 1988 until his untimely death in March 2009 and who was passionate about the training of young planners in "good design" and contributed so much to the development and production of this document.



## Contact Details

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# Householder Design Guide

Leeds Local Development Framework

Draft Supplementary Planning Document  
September 2011





Originator: Robin Coghlan

Tel: 247 8131

## Report of the Chief Planning Officer

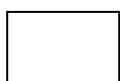
### **PLANS PANEL CITY CENTRE**

Date: 27<sup>th</sup> September 2011

### **Subject: Informal City Centre Commuter Car Parking Policy**

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

**Hyde Park & Woodhouse, Holbeck & Beeston, City & Holbeck, Armley, Burmantofts and Richmond Hill**



Ward Members consulted  
(refer to Executive Board report  
Report, Appendix 1)

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

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

City Centre Plans Panel is asked to note the contents of this report, in particular that there will now be a 3 month window for car park applications to be submitted after which officers will assess the schemes together and bring a single report to Panel early in 2012

#### **1. Purpose of this report**

1.1.1. To inform City Centre Plans Panel of progress in preparing policy to permit a number of cleared site commuter car parks.

#### **2. Background information**

2.1. A Report was approved by Executive Board 7<sup>th</sup> September 2011 agreeing to adopt the City Centre Commuter Car Parking Policy as a material consideration in determining planning applications. Full copies are provided as appendices to this report.

2.2. During 2010 Leeds City Council was successful in enforcement appeals against a number of unauthorised car parks in the City Centre; the Inspector concluded that the use of pricing structures to ensure that the car parking spaces are taken up by short stay visitors is ineffective; he concurred with the Council that an opening hour condition preventing parking before 9.30am would be much more reliable and enforceable means of discouraging commuter car parking

2.3. The implication of the appeal decision was that the City Council would be able to pursue enforcement action and effectively prevent illegal commuter car parking on **all** city centre sites. However, the City Council became concerned that this course of action would be too harsh because public transport infrastructure enhancements anticipated in the UDP had not been delivered and car park closures could be damaging to the economy of Leeds. Instead, the City Council prepared the City Centre Commuter Car Parking Policy. A draft was subject to public consultation between 31<sup>st</sup> March and 6<sup>th</sup> May 2011 and over 20 responses were received. The draft policy was revised as a result.

### 3. **The Policy**

- 3.1. The essential intention of the policy is to permit commuter car parks on the proviso that their physical attractiveness is improved. The policy also has a number of other strands worthy of summary:
- 3.2. The policy sets a “cap” of 3200 spaces. This is to try to ensure that the overall amount of car commuting into the city centre does not increase.
- 3.3. Potential developers will be offered a 3 month window up to Christmas 2011 to submit applications which will then be determined en-masse.
- 3.4. In the situation where applications exceed the cap, the following criteria (summarised here) were agreed to help discriminate between applications:
- Preference to sites that will generate least localised congestion or junction problems Most important
  - Preference for sites which display high safety design features
  - Preference for sites that contribute the greatest enhancement in terms of visual appearance and biodiversity.
  - Preference for sites inside the city centre boundary
  - Preference to sites that contribute other beneficial temporary uses such as greenspace, sports pitches, Least important

### 4. **Conclusions**

4.1. Executive Board considered that in the context of long term objectives to reduce car commuting into the centre of Leeds, the proposed policy provides a pragmatic temporary solution to permit and regularise a limited number of car parks whilst waiting for public transport improvements and also achieving improvements to the appearance and quality of existing car parks and cleared sites.

### 5. **Background documents**

5.1. Report to Executive Board 7<sup>th</sup> September 2011

**Report of Director of City Development**

**Report to Executive Board**

**Date: 7 September 2011**

**Subject: Informal City Centre Commuter Car Parking Policy**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Hyde Park & Woodhouse, Holbeck & Beeston, City & Holbeck, Armley, Burmantofts and Richmond Hill	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. The City Council had been successful in taking enforcement action during 2010 against a number of unauthorised car parks on cleared sites. The action accorded with policy of the Unitary Development Plan (UDP) and Local Transport Plan (LTP) to promote sustainable transport and was taken on the basis that LCC couldn't allow a proliferation of unregulated car parking to be developed unchecked. However, it is recognised that an immediate clamp down on such sites would penalise commuters who have not had the benefit of public transport infrastructure improvements which were anticipated by the UDP and LTP.
2. An informal policy has been drawn up to regularise up to 3,200 city centre commuter car parking spaces for a temporary period of 5 years on unauthorised sites on condition that physical improvements are made to the appearance and layout of sites.
3. A draft policy was approved for public consultation by Executive Board in March 2011. This was subject to 5 weeks of public consultation from 31st March to 6th May.
4. The policy has been refined in response to consultation and is presented for approval.

**Recommendation**

5. The Executive Board is asked to approve the policy set out in Appendix A as a material consideration in planning decisions.

## **1 Purpose of this report**

- 1.1 To seek approval of Executive Board to introduce an informal interim policy (Appendix A) to deal with commuter car parking sites in the city centre.

## **2 Background information**

- 2.1 This policy initiative concerns one particular aspect of car parking control in Leeds, which fits within a wider transportation context for Leeds and the City Region. It is important that this parking policy is kept under review particularly in terms of impacts on other transportation issues such as park and ride and residential on-street parking.
- 2.2 During 2010 Leeds City Council used policy in the Unitary Development Plan (UDP) to take enforcement action against a number of sites in and around Holbeck Urban Village which were being used for commuter car parking without the proper planning consents in place. In essence, UDP policy encourages provision of *Short Stay* car parking in the city centre to support shopping and leisure trips but discourages *Long Stay* car parking in order to promote sustainable transport choices and lessen congestion. Leeds City Council was successful in the enforcement appeals; the Inspector concluded that the use of pricing structures to ensure that the car parking spaces are taken up by short stay visitors is ineffective; he concurred with the Council that an opening hour condition preventing parking before 9.30am would be much more reliable and enforceable means of discouraging commuter car parking
- 2.3 The implication of the appeal decision was that the City Council would be able to pursue enforcement action and effectively prevent illegal commuter car parking on all city centre sites. However, it is recognised that the Council immediately implementing widespread enforcement against the unauthorised car parking spaces could be damaging to Leeds' city centre economy and could be unfair to commuters who have no choice but to commute by car. In recognition of this the council has prepared an alternative to the UDP policy; in essence this would legitimise a fixed amount of commuter car parking on the proviso that the physical appearance of car parks is improved.
- 2.4 On 30<sup>th</sup> March 2011, Executive Board agreed to issue a draft informal policy for public consultation. The consultation ran between 31<sup>st</sup> March and 6<sup>th</sup> May 2011 and 24 responses were received. Officers have considered the comments raised (see appendix B) and have revised the draft policy accordingly

## **3 Main issues**

- 3.1 Three main issues were identified from the consultation:
  - i) is the cap of 3000 spaces proposed in the draft policy for consultation the right number?
  - ii) is the "first come first served" approach for dealing with proposals appropriate?  
and
  - iii) is the list of physical improvements expected for car parks to be approved reasonable?

### **“The cap of 3000 spaces”**

- 3.2 In addition to the 1890 spaces that were subject to enforcement action during 2010, there are over 4000 further unauthorised spaces available for use. Potentially, the proposed policy can also apply to cleared sites that have never been car parks before, of which there is thought to be more than 45ha. A cap is needed to limit the number of car parking spaces that could be regularised so that road congestion is not exacerbated and the Council’s target for reducing carbon emissions and the objectives of the West Yorkshire Local Transport Plan are not compromised. The draft policy subject to public consultation proposed a “cap” of 3000 spaces. However, the public consultation and other new information meant that the Council’s calculations behind the 3000 space cap needed to be reviewed
- 3.3 The new information included the announcement of additional rolling stock for commuter trains into Leeds and more detailed information about the availability and lawfulness of commuter car parking spaces (see Appendix C). The conclusion is that a “cap” of only 3200 would be more appropriate, which includes a 10% allowance for under occupancy. It should also be noted that officer investigation revealed that nearly 700 of the 6000+ unauthorised available spaces are actually immune from enforcement action. Hence, in practice a total of 3900 spaces would be retained under the proposed policy.

### **“First come first served”**

- 3.4 Officers accept that the proposal in the draft policy that applications be considered on a “first come first served” basis would cause unfairness if date of submission was the only factor and if applications for *more* car parking spaces than the “cap” were submitted. One or two respondents suggested different criteria which would enable certain site proposals to be preferred over others. In situations of over-subscription, officers consider that it would be fairer and more transparent to offer a 3 month window for applications to be submitted after the adoption of the policy. The applications could then be considered together. It is suggested the following sequentially preferable list of factors would be worthy of consideration in helping to discriminate between applications:

- Preference to sites that will generate least localised congestion or junction problems in Transport Assessments (assuming a baseline that ignores traffic generated by unauthorised car parks) Most important
- Preference for sites which display high safety design features, such as good clear sight lines. Landscaping schemes should be designed so as not to impede sight lines or provide “places to hide”.
- Preference for sites that contribute the greatest enhancement in terms of visual appearance and biodiversity. Good quality landscaping including greenery will be a plus. It will be recognised that larger sites may have the opportunity to install

landscaping in the same locations as approved on permanent schemes; as such investment will be longer term, the landscaping quality will be expected to be higher than would otherwise be the case.

- Preference for sites inside the city centre boundary
- Preference to sites that contribute other beneficial temporary uses such as greenspace, sports pitches, public spaces, seating areas, electric charging points  
It will be recognised that smaller sites will not be capable of delivering large temporary uses. Least important

### **Physical Improvements**

- 3.5 A number of car park users and owner/operators felt that the physical improvements expected were in excess of what would be strictly necessary and would be too costly. However, officer calculations suggest that the costs of between approximately £1500 and £3000 per space could be accommodated by increases to parking charges which would keep per-day parking fees competitive with public transport prices. Also, expectations for improvements will need to be proportionate to the scale of car park and potential to bear costs. Overall, it is considered that the extra cost would be worth it to make the car parks more visually attractive. In addition, applicants will be able to balance the improvements put forward in their applications in the context of their own assessment of cost and viability.
- 3.6 In order to help to ensure that the landscaping and other improvements provide real enhancements rather than minimal “tick box” efforts, the policy is now supported by advice and illustrations of best practice. This will give a greater steer to planning officers dealing with planning applications in making judgements on proposals, particularly where it may be necessary to distinguish between different schemes.

### **Other Matters**

- 3.7 A number of further points were raised in the consultation exercise which have been summarised in Appendix B. Some have prompted minor improvements to the text of the Policy. Others do not warrant any further changes.
- 3.8 Of interest, concerns were raised that the requirement for transport assessments and flood risk assessments to accompany planning applications could be too onerous. Officers consider that Transport Assessments will be required but they only need to be of a type and standard that is fit for purpose and proportionate to the scale and nature of the proposal. To assist, officers have assembled guidance on what level of detail will normally be expected (Appendix D).
- 3.9 The report to Executive Board 30<sup>th</sup> March 2011 presented a screening of whether Strategic Environmental Assessment (SEA) would be necessary. The screening concluded that the proposed car parking policy would not need an SEA. This conclusion has since been ratified by the Environment Agency and Natural England.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The informal policy was subject to 5 weeks of public consultation. The main points of issue are discussed in section 3 above. A summary of all comments and officer responses is provided in Appendix B.
- 4.1.2 The new policy will apply equally to both Fringe and Core city centre car parking zones as defined in the UDP (see map at appendix 1). For commuter car parking policy generally, there are stricter standards for the Core area because of better public transport accessibility and the greater need for short-stay spaces close to the Prime Shopping and Entertainment Quarters. In the case of cleared sites being used for commuter car parking there are only one or two sites within the Core Area (Whitehall Road), and these are in a peripheral location to the main retail quarter where short stay demand is limited.
- 4.1.3 The Council operates a small percentage of spaces within the fringe and core areas, meaning that the private sector influences the price of parking in the city quite considerably. This is moderated by there being several major providers allowing market forces to take effect. However, it should be noted that the LTP does provide guidelines on parking prices and it is recognised that changes in prices can displace parking patterns.
- 4.1.4 This report recognises that the Wards identified above could be affected by parking displacement but the consultation period has allowed for local comments to be taken into account when designing this policy.
- 4.1.5 The proposed policy is for a period of 5 years only at which point it will be reviewed in the light of public transport infrastructure changes. These changes will not occur overnight, and the consequences on parking and transport provision will be reviewed at each significant juncture.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 The report to Executive Board 30<sup>th</sup> March 2011 presented a scoping study of whether an Equality Impact Assessment (EIA) would be necessary. The study concluded that the proposed car parking policy would not need an EIA.

### **4.3 Council Policies and City Priorities**

- 4.3.1 The proposed informal policy cannot technically replace UDP policy which can only be changed through formal statutory processes. However, the informal policy will act as a material consideration in planning decisions. The fact that it has been subject to public consultation gives it more weight than if it had simply been adopted by the City Council.

### **4.4 Resources and Value for Money**

- 4.4.1 There are no financial or resource implications arising from the information in this report.

## **4.5 Legal Implications, Access to Information and Call In**

### **4.5.1 Legal Implications**

Enforcement Powers may be used against unauthorised car parks that are not regularised by this policy or against permitted schemes that fail to comply with planning conditions.

### **4.5.2 Call-in**

This is a key decision and is eligible for call-in.

## **4.6 Risk Management**

4.6.1 There are no significant risks identified in this report.

## **5 Conclusions**

5.1 In the context of long term objectives to reduce car commuting into the centre of Leeds, the proposed policy is considered to provide a pragmatic temporary solution to permit and regularise a limited number of car parks whilst waiting for public transport improvements and also achieving improvements to the appearance and quality of existing car parks and cleared sites.

## **6 Recommendation**

6.1 The Executive Board is asked to approve the policy set out in Appendix A as a material consideration in planning decisions.

6.2 As a temporary policy, to request that officers monitor impact in the context of public transport improvements and development in the city centre.

## **7 Background documents**

7.1 None



## City Centre Commuter Car Parking Policy July 2011

CCCCP1. To permit temporary car parks in the city centre core and fringe car parking areas to accommodate commuter car parking subject to:

- a) Physical improvements to the quality and appearance of the car park. Improvements may include the following: i) an attractive surface, making use of sustainable urban drainage solutions, ii) clear space markings, iii) appropriate landscaping, iv) security lighting, v) attractive means of enclosure and boundary treatment and vi) appropriate signage in terms of size and location. Physical improvement works and a maintenance programme should be agreed in writing with the City Council prior to planning permission being granted and implemented before commencement of operation of the car park,
- b) where the site is of a scale and location that pedestrian movement between different areas of the city is impeded and where security of pedestrians and vehicles would not be endangered, insertion of pedestrian linkages through the site,
- c) the total number of commuter car parking spaces permitted by this policy not exceeding 3200 for Leeds city centre Core and Fringe areas only,
- d) Permission being temporary for 5 years from the grant of planning permission.

On expiry of the 5 year temporary planning permissions, the City Council will consider whether the delivery of public transport improvements would justify the cessation of the car parking or the granting of further temporary extensions of permission.

Parts a) and b) of the policy will be informed by other planning policies and guidance notes adopted by Leeds City Council, for example on design and drainage.

### Further Explanation

#### *Policy Justification*

1. Unitary Development Plan (UDP) policy is the development plan for Leeds which has been subject to Examination so should be afforded considerable weight. Good reasons need to be advanced to justify any new informal policy which supersedes UDP policy. In this case, it should be noted that UDP policy on commuting into the city centre was conceived on the basis of West Yorkshire Local Transport Plan objectives. UDP paragraph 6.5.7 explains the overall objective is to reduce the rate of traffic growth, particularly into the city centre at peak periods, and this would include "...the promotion of all forms of public transport to provide an attractive alternative to the car, park and ride facilities in the suburbs..." Since the UDP was originally adopted in 2001 the delivery of new public transport infrastructure such as Supertram/NGT and the provision of park-and-ride schemes has been delayed. The effect of the government's spending cuts has further impacted on the ability of the Council to bring forward such schemes. Major

interventions of this nature are unlikely to be delivered in the short term. This new policy takes stock of non-delivery of public transport infrastructure and provides authority for an amount of commuter car parking to operate legitimately for a temporary 5 year period.

### *Physical Improvement Considerations*

2. In return for permitting use for commuter car parking Policy CCCCP1 Policy expects that car parks will be improved to a reasonable quality and appearance. This will be of benefit to the local environment, and will thus assist developers in these areas in marketing their developments to potential tenants. It will also improve security for users. The following points provide guidance on what the policy expects as a minimum:

- surfaces should be regular and unbroken and where possible include sustainable urban drainage solutions which protect against risks of water pollution;
- appropriate landscaping will be expected to help break up and hide from view the density of vehicles; on the basis that many sites will be subject to a requirement for public space as part of permanent development schemes, it would make sense for the same areas to be laid out as the landscaped areas in the temporary car parks
- security lighting should ensure that all parts of a car park are well lit during the hours of operation and hours of darkness
- boundary treatments should be tidy and presentable
- signage should be tidy and presentable and of an appropriate size and location on the site

The Council's other planning policies, for example on design and drainage, will ensure that the physical improvements are appropriate for the local context. If the number of spaces proposed in planning applications exceeds the "cap" (see below), the *quality* of physical improvements will be considered as a means of distinguishing between schemes.

### *Quantity of Car Parking Spaces*

3. Given the availability of unauthorised commuter car parking spaces in the centre of Leeds and potential for this policy to apply to newly cleared sites, an overall limit to the quantity of spaces that can be permitted is necessary. Otherwise road congestion will be exacerbated and the Council would be undermining the policies set out in the West Yorkshire Local Transport Plan and its own targets to reduce CO<sub>2</sub>.

5. A cap of 3200 spaces that can be permitted through this policy is set in order to help maintain the overall amount of car commuting to the centre of Leeds at roughly the same level. It was calculated starting with the actual amount of parking on unauthorised spaces and followed by adjustments to account for greater use of lawful commuter car parking (on and off-street), enforceability of existing unauthorised spaces and recently agreed increases in seats on commuter trains.

### *Process for dealing with Planning Applications*

6. On initial adoption of the policy it is anticipated that there may be more applications submitted, which together with applications held in abeyance, will propose more spaces than the “cap”. To help fairness, the City Council will consider together all applications submitted during an “application window” of 3 months from the date of adoption of the policy. To deal with oversubscription the following sequential preferences will be assessed:

- Preference to sites that will generate least localised congestion or junction problems in Transport Assessments (assuming a baseline that ignores traffic generated by unauthorised car parks) Most important
- Preference for sites which display high safety design features, such as good clear sight lines. Landscaping schemes should be designed so as not to impede sight lines or provide “places to hide”.
- Preference for sites that contribute the greatest enhancement in terms of visual appearance and biodiversity. Good quality landscaping including greenery will be a plus. It will be recognised that larger sites may have the opportunity to install landscaping in the same locations as approved on permanent schemes; as such investment will be longer term, the landscaping quality will be expected to be higher than would otherwise be the case.
- Preference for sites inside the city centre boundary
- Preference to sites that contribute other beneficial temporary uses such as allotments, sports pitches, public spaces, seating areas, electric charging points Least important  
It will be recognised that smaller sites will not be capable of delivering large temporary uses.

Those sites subject to enforcement action during 2010 which had been given an amnesty will be offered 3 months to submit planning applications following adoption of this policy. After this period, enforcement action will recommence on those sites that do not respond or do not secure temporary planning permission.

### *Geographic distribution*

7. To avoid local traffic impacts that are greater than the network can accommodate each planning application should submit a Transport Assessment. Permission may be refused if unacceptable local traffic impacts would be

generated<sup>1</sup>. Guidance on what Transport Assessments should consist of will be provided by Leeds City Council.

8. The new policy will apply equally to both Fringe and Core city centre car parking zones as defined in the UDP (see map at appendix 1). For commuter car parking policy generally, there are stricter standards for the Core area because of better public transport accessibility and the greater need for short-stay spaces close to the Prime Shopping and Entertainment Quarters; but in the case of cleared sites being used for commuter car parking there are only one or two sites within the Core Area (Whitehall Road), and these are in a peripheral location where short stay demand is limited. In addition, much of the existing commuter parking on cleared sites is used by people who work in the Core area, so applying further restrictions in the Core would not necessarily have any impact on overall levels of car use. On this basis it is unnecessary to have separate policy standards for both areas.

#### *Duration of permissions and cost*

10. Permissions should not be permanent or for such a long length of time that the City Council is unable to take stock of the impact of anticipated public transport infrastructure and park-and-ride schemes. On the other hand, permissions need to be long enough to justify the investment that site owners/operators will have to make in physical improvements. Officer calculations suggest that 5 years will be long enough for financial investment to be recouped. 5 years is also about the time when park-and-ride schemes might be realised.

11. The 5 year period should normally begin when permission is granted as this builds in an automatic incentive for the owner to carry out improvement works promptly. If there are exceptional circumstances why works cannot be implemented promptly, alternative arrangements can be agreed.

12. The physical improvement works should normally be completed within a reasonable period after temporary planning permission is granted. A condition should make clear that the use for commuter car parking is not sanctioned until the physical improvements are completed. A maximum of 3 months from date of planning permission is considered reasonable, but individual site circumstances might justify a longer period (for example, to take account of planting seasons)

#### *Flood Risk*

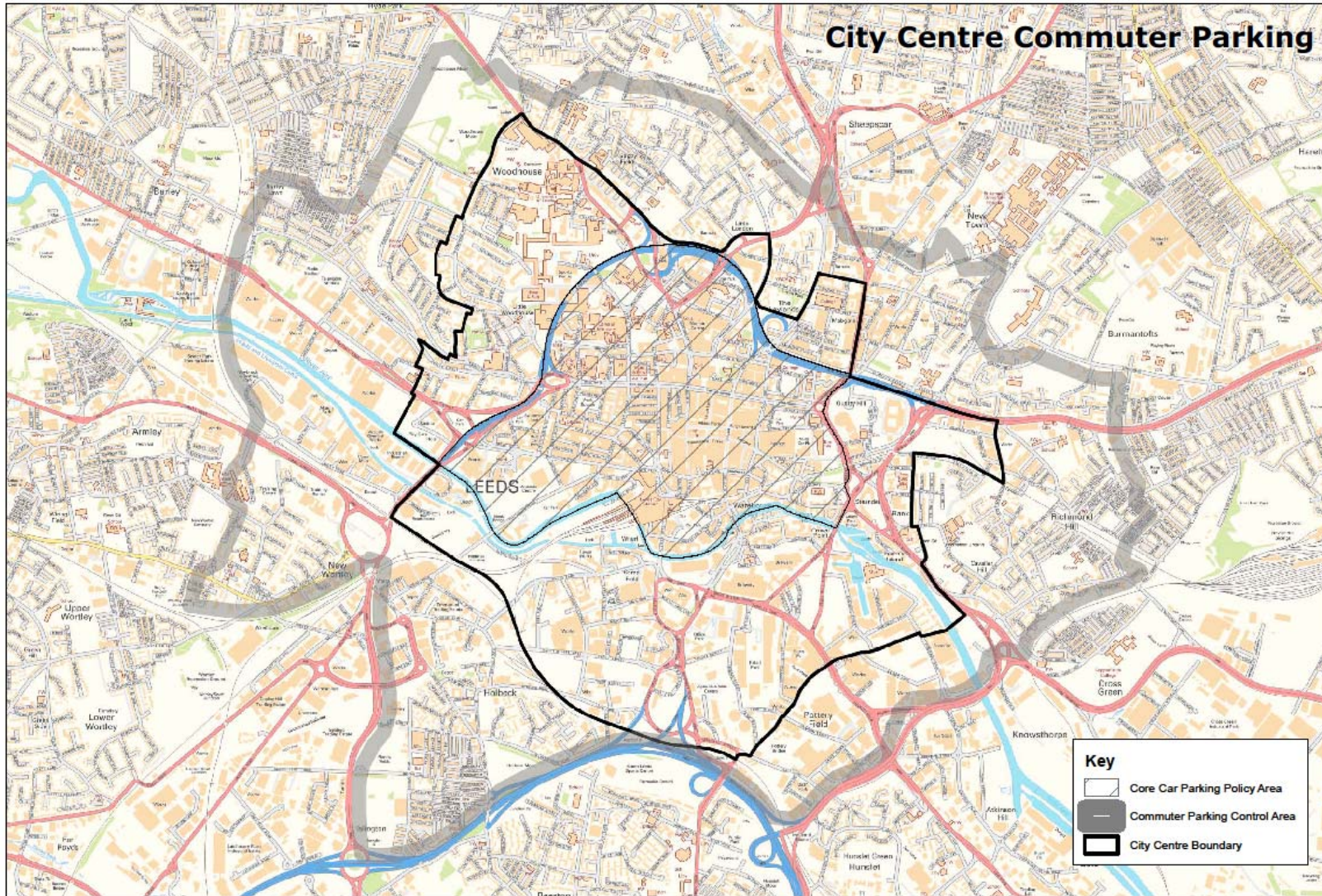
13. Some parts of Leeds city centre and fringe areas are classified as areas of high flood risk. Even though the planning permissions achievable through this policy would only be for temporary periods, it is still necessary for the impact of flooding to be taken into account. Therefore, in accordance with Leeds' standard practice, all applications for car parking under this policy should submit Flood Risk Assessments. Guidance on what they should consist of will be provided by Leeds City Council. It should also be noted that applications under this policy which concern land that is within 8 metres of the top of the bank of the river will require the prior consent of the Environment Agency.

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<sup>1</sup> It should be noted that if future planning applications are submitted for permanent use of a site, Leeds City Council will expect the transport assessment to compare the impact of the proposed use with a situation where the temporary car park has, or is assumed to have ceased operation.

Useful website link:

<http://webarchive.nationalarchives.gov.uk/20110118095356/http://www.cabe.org.uk/files/land-in-limbo.pdf>



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## Report of Consultation on the City Centre Commuter Car Parking Informal Policy

### 1 Introduction

1.1 The CCCC Draft Informal Policy was approved for 4 weeks of public consultation by Executive Board on 30<sup>th</sup> March 2011. The first part of this report describes the measures taken to publicise the policy particularly to those persons, businesses and organisations which were thought to have a direct interest in commuter car parking and to invite comments to be made. The second part summarises the comments made and offers responses on behalf of Leeds City Council.

### 2 The Consultation Exercise

2.1 The following activities were undertaken to achieve effective consultation:

- i. **Notification of known interests.** 258 emails and 61 letters were sent to a range of organisations and individuals known to be interested in this matter
- ii. **Website.** A webpage was created on Leeds City Council's website giving a brief explanation of the proposed policy and the consultation exercise and offering downloads of the proposed policy, a map of the areas and a comment form. The screening for the Environmental Impact Assessment was also made available.
- iii. **Site Notices.** Site notices were placed at strategic locations around the City Centre, particularly near to existing unauthorised car parks. Each notice provided a summary of the proposed policy and explained how further information could be obtained and comments made.
- iv. **Press Release.** Leeds City Council issued a press release on the day before the draft policy was issued for consultation. The press release described the background, intentions and purpose of the policy and offered ways to find out more and make comments.
- v. **Officer Advice.** Planning and transport officers were on hand to offer further explanation about how the policy was proposed to operate in practice. In particular, meetings were held with the Highways Agency and Metro and advice was given to planning consultants acting for particular land owners, developers and/or car park operators.

2.2 Originally, the consultation period was set to run from 31<sup>st</sup> March to 29<sup>th</sup> April. However, it became apparent in mid-April that two of the planning consultants representing unauthorised car parks had inadvertently not been notified and another three notifications had not been addressed to the correct individual. In response, officers immediately offered to extend the consultation period for

another week to 6<sup>th</sup> May. The individuals concerned indicated verbally that they were content with this arrangement.

### **3 The Consultation Responses**

- 3.1 Comments were received from 26 respondents. In particular this included responses behalf of owners/developers/operators of 6 car parks and responses from statutory bodies and agencies Network Rail, the Highways Agency, the Environment Agency, Yorkshire Forward. The remainder were from a mix of individuals who use the car parks and we also had comments from Barwick & Scholes Parish Council, Little Woodhouse Community Association, Tom Holvey (LCC Economic Policy) and the Campaign for Better Transport. An earlier letter was considered from DWP Solicitors who raised concerns about the impact of car park availability on staff who use their office in Bridgewater Place.
- 3.2 The respondents were sent acknowledgement of receipt explaining the next step in the process.
- 3.3 The vast majority support the principle of the policy but raised concerns about the details. Key issues included i) whether the 3000 space "cap" should be increased, ii) whether to replace the "first come first served" approach to dealing with planning applications iii) whether the physical improvements required are too onerous. The responses are summarised in the following table:



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Policy/Para	Rept	Comment (summary)	Change sought (if any)	LCC Recommended change	LCC reasoning
General	IC1, IC4, IC6, PCon1, CPO1, CPO2, CPO3, LWCA, MPA, SL, SG, ASDA	Support principal of policy intention. It is needed to support the economic growth of Leeds.  The proposed policy accords with national guidance in PPG13 which offers flexibility for car parking to support the vitality of centres	Changes to details	See detailed changes suggested below	Detailed points addressed individually
General	BSPC, LCCEP,  CPO4  CBT  CPO1 CPO5	Object to principle of policy. Acceptance of temporary car parking creates a financial disincentive for development which will put pressure on release of greenfield sites.  Not convinced that vacant sites deter investment. Potential occupiers expect development sites to appear vacant and disused.  Car parking for commuters will not help the cause of reducing congestion  Commuter parking provides an important source of income to the site	Withdraw the proposals or introduce a binding legal clause on green infrastructure  LCC to abandon policy and introduce other measures such as higher charges for commuter parking, 10am opening hours, promotional campaigns to use public transport and a 20mph speed limit	None	The policy is necessary to retain commuter parking until public transport improvements are made. A requirement for landscaping improvements remains part of the policy.

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		owners who having bought the site for development purposes and await improvements to market conditions to allow the schemes to be built			
General	CPO1	Insufficient consultation time.	The consultation period should be extended to 6 weeks.	None	For an informal policy change, 4 weeks offered sufficient time. Those with a particular interest in the policy were notified immediately of the proposals by email. Interests who were inadvertently not notified were given extra time to respond.
General	EA	The flood risk implications of permitting car parks should be assessed.	The policy should clarify that all applications should be accompanied by a Flood Risk Assessment.	Agree. The supporting text to the policy will make clear that Flood Risk Assessments are required. The policy will be accompanied by a guidance note to help applicants understand what is required.	The submission of Flood Risk Assessments is a requirement of national planning policy set out in PPS25. More detailed assessments will only be required for sites in high risk flood risk areas.
General	EA	It will be as well to make developers aware that development within 8 metres of the top of the bank of the river will require the prior consent of the Environment Agency	The policy should make clear that any proposal within 8 metres of the top of the bank of the river will require the prior consent of the Environment Agency	Agree. Make a note of the requirement in the supporting text of the policy.	This is a statutory requirement.
Physical Improvements Policy a)	IC1, IC2, CPO1, CPO4,	Most of the physical improvements are unnecessary and will increase costs. Elite Parking estimates that improvements would cost between	No physical improvements should be required, or they should be limited in scale and	Clarify in the policy that the physical improvements listed are examples not	LCC does not want the cost of improvements to undermine the viability of schemes, so physical improvements will not be

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Physical Improvements Policy a)	RA	£1850 and £3150 per space. As up-front costs, these improvements would be unviable and are therefore unreasonable. Dandara suggest £750k of unnecessary expenditure per car park	cost and the length of time for implementation should be extended	mandatory requirements.	mandatory. However, LCC calculations based on the actual costs of constructing two car parks recently in Leeds validate the costs estimated by Elite Parking. However, officers believe that even the upper-range costs of improvement could be absorbed without having to raise prices beyond £5 per day which compares reasonably with public transport prices.
	IC1, IC4	Improved surfaces are needed with improved drainage	None		
	IC3, IC4, CPO4 CPO5	Space markings are unnecessary because attendants direct cars into spaces	Delete requirement for clear space markings		Not a mandatory requirement although it is good practice to provide space markings and clarifies exactly how many spaces exist. Also, attendants might not always be available.
	SG	Spaces should be enlarged to improve quality and usability of car parks	Spaces to have a minimum width of 2.7m	None	Size of spaces should comply with existing standards set out in the UDP Vol II including provision of larger spaces for disabled people.
	IC4, RA	Cost is a more important factor than appearance for sites south of the river		None	Appearances are also important south of the river in order to help attract investment
	LCCEP	Poor appearances and a sense of insecurity will deter investment		Agree	

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Physical Improvements Policy a)	EA	The Environment Agency welcomes the policy criterion on provision of sustainable drainage. It goes on to offer detailed advice.	“For sites within 50m of the River Aire, surface water draining from areas of hardstanding should be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) should be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.”	None	The policy already includes a policy criterion on provision of sustainable drainage. The advice offered is considered too detailed to be included in the policy, but would be included in conditions on planning permissions.
	IC5	The 20% landscaping is a punitive measure which is not necessary	Delete the requirement for 20% landscaping	Delete 20% requirement	The policy will not make the 20% a mandatory requirement However, 20% provision will be

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Physical Improvements Policy a)	CPO2, CPO3, CPO5	The 20% landscaping is too prescriptive and may not be appropriate for each site	Substitute a new requirement: to provide an adequate and proportionate amount of landscaping relative to the site's layout and configuration taking into account wider development areas where applicable	Delete 20% requirement	comparable with the UDP policy requirement for major site redevelopments to provide 20% public space. On the basis that most of the car parks will subsequently be subject to this policy, it makes sense to be consistent. The landscaping space provides opportunity to make significant visual enhancement including greenery where appropriate. It is also a means of helping spread the distribution of car parking spaces.
	ASDA	The high density character of the city centre means that the most efficient uses should be preferred (ie car parking rather than landscaping) to achieve sustainable development		Delete 20% requirement	
	CPO4	20% landscaping unjustified. Better to focus improvements on the boundary areas.	Policy should prefer sites that offer improvements to boundary areas and improvements to security.		
	LWCA	The requirement for 20% landscaping could be interpreted as provision of gravel, which would not provide sufficient visual enhancement	Landscaping should specify provision of greenery including shrubs, bushes, grassy areas and the protection of any existing trees on the site	Offer further advice on what forms of landscaping would be sought in the supporting text.	Agree that as far as possible the landscaping should be good quality and suited to the site context including greenery as appropriate.
Pedestrian Linkages Policy b)	IC3	Requirement for improved pedestrian linkages is unnecessary. Bridgewater Place is the biggest impediment because of the risk from high winds.	Delete criterion b)	None	The City Council has aspirations to achieve greater pedestrian permeability of city centre areas and appropriate opportunities should be taken to create wider linkages as part of car park development. Security will need to be considered in determining
	CPO4	Providing pedestrian linkages across car parks could pose security risks	Pedestrian links should be established through boundary buffer areas	Security of pedestrians and vehicles should be inserted as a factor	

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	CPO5	Better to allow pedestrian access only during operational hours	Reword policy to allow pedestrian access only during operational hours	into the policy considerations	where a pedestrian link should be made and what times of day it should be open. Depending on site circumstances, certain routes may be safer or as safe to open at different hours to operational hours.
Quantity of Spaces  Policy c) and Paras 3-5	PCon1, CP01, IC2, IC5, DWF, SG	6000+ long stay unauthorised spaces are currently in use and are important for the economic growth of Leeds.	The "cap" should be removed altogether or increased to cover all redundant development sites.	Replace the cap of 3000 with 3200	In response to all comments, it is considered that a cap is needed to limit the number of car parking spaces that could be regularised so that road congestion is not exacerbated and the Council's target for reducing carbon emissions and the objectives of the West Yorkshire Local Transport Plan are not compromised. The City Council does not want the policy to draw in any more car commuting than before. Therefore, the cap has been calculated, taking account of the existing stock of unauthorised spaces, the number that can/cannot be enforced against, and potential to make better use of under-occupied lawful commuter car parking spaces (on and off-street). It also takes into account additional seats being made available on commuter trains into Leeds city centre.
	CPO4	The Council's evidence to support the 3000 cap lacks transparency and reliability			
	RA	The Council's calculations are too tight. Just 5% under-count would result in a need for 300 more spaces.	Build in safer margins to the figures. The cap should be at least 4800 spaces		
	IC3	Take account of the total number of city centre employees; in this context 3000 spaces is wholly inadequate			
Quantity of Spaces  Policy c) and Paras 3-5	PCon1, CPO4	Lack of consideration of anticipated losses of long stay spaces because of redevelopment, eg Sovereign St			
	IC1	Will force commuters who work south of the river to park on insecure streets.			
	IC1	Better usage of authorised car parks			

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Quantity of Spaces Policy c) and Paras 3-5		(which tend to be north of the river) will not help commuters who need to park south of the river			In particular, it should be noted that nearly 700 unauthorised spaces appear to be immune from enforcement action and therefore will remain available for commuter car parking.
	IC2	24 hour commuter car parks are also used by residents who don't have sufficient residential spaces	On-street car parking south of Granary Wharf should be made available to residents.		Also, the cap makes allowance for expected under-occupancy of spaces being permitted by this policy by 10%.
	DWF	Public transport cannot always substitute for travel by car which offers the flexibility needed for modern lifestyles.			
	IC3, SG	LCC should be less concerned about car commuting as increasing numbers of electric vehicles will lower CO2 emissions	LCC should i) explore car share schemes ii) be more restrictive of large cars/4x4		
	CPO2, CPO3	It is not appropriate to factor in the following: i) under-occupancy @ 80% because the newly regularised car parks are also likely to occupancy of 80%, ii) on-street car parking because it is typically short stay nor iii) permitted car parks because they charge uncompetitive rates.	The "cap" should be raised to 6070 spaces (CPO2)		
	CPO4	The 80% occupancy rate is only applicable now in recessionary conditions.	The cap should be based on calculation of a higher rate of occupancy in subsequent years.		
	CPO5	The "cap" of 3000 spaces is not justified.	The cap should be 4800 spaces		

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	RA	Not appropriate to expect authorised car parks to increase occupancy from 80% to 100%. There has to be some slack; otherwise, cars will cause congestion going from car park to car park. Also, many commuters currently using unauthorised car parks will find the authorised car parks too expensive.	The cap should be at least 4800 spaces		
	ASDA	The assumption that 1800 spaces (Cap of 3000 against current occupancy of 4800 unauthorised spaces) can be absorbed by public transport and unused spaces of authorised car parks is unrealistic. No evidence is presented that existing car commuters will switch.	Set cap at or nearer to 4800		
	NR	Concerned that the cap should only apply to cleared sites, and not other car park proposals, eg long stay spaces at Leeds Train Station	Rewrite clause c) to say "The total number of commuter car park spaces <i>the subject of this policy</i> not to exceed..."	Rewrite clause c) to say "The total number of commuter car park spaces <i>permitted by this policy</i> not to exceed..."	Should be obvious that the cap applies to cleared sites only, but no harm in making it clear.
Quantity of Spaces Policy c) and Paras 3-5	HA	Is LCC going to extend the Fringe area southwards?		None	Not part of this policy
	HA	Will LCC hold back planning applications beyond 3000 spaces			
"First come first served" means of implementation	PCon1, CPO1, CPO2, CPO3,	Raises many questions about how the Council will be fair and even handed in dealing with applications.	Delete the "cap" (CPO1)	In response to all comments regarding "First come first served" means of	Officers agree with comments that the "first come first served" approach could be unfair and difficult to operate if the cap on

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Para 6	CPO4			implementation:	number of spaces is over-subscribed.
	PCon1 ASDA	Sites that are more suitably located could loose out to badly located sites that are submitted early. Contrary to PPS1 and PPG13		Introduce a new method for considering applications based on an "application window" of 3 months from adoption of the policy. In order to deal with over-subscription and distinguish between applications, sequential preference will be given to the following:	The preferences suggested aim to maximise the benefits to the city in terms of i) avoidance of localised congestion. ii) visual appearance, iii) ability to walk from car parks to a variety of central destinations, and iv) provision of beneficial temporary uses.
	PCon1	Potential bias in favour of unauthorised sites that have broken the rules but are advantaged by being in the system already.	New sites should be considered equally against sites that are already in the system		
"First come first served" means of implementation	PCon1	Will encourage hurried applications that might be badly designed as a result			It is considered that the individual economics of each and every scheme should not be assessed and compared. Such exercise would not necessarily make comparisons any fairer because the city council will not have full information about each site. It would also add a level of complexity which strays beyond normal planning expertise and could delay the whole process.
Para 6	CPO2, CPO3	The policy should set down criteria for differentiating between proposals. Sites that are already in operation as car parks will not generate additional congestion and environmental impact.	Preference should be given to sites which have been in existence for 10+ years and sites that benefit from extant or recently lapsed permission for car parking. Preference should be given to sites that can offer most contribution to environmental quality.	<ul style="list-style-type: none"> <li>Preference to sites that will generate least localised congestion or junction problems in Transport Assessments (assuming a base-line that ignores traffic generated by unauthorised car parks)</li> <li>Preference for sites that contribute the greatest enhancement in terms of visual appearance and biodiversity. High</li> </ul>	However, it is recognised that ability to meet preference iv) will depend on size of site, which is why preference iv) is ranked least important
	CPO4	Case by case judgements should be made of which sites perform better.  Can LCC provide reassurance that sites in appropriate locations that are suitably improved will be selected?	Preference to sites offering 1) environmental improvements to boundary areas 2) ability to intercept		In terms of preferences to fringe areas, this part of Policy T28 of the UDPR concerns parking

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	CPO4, CPO5	Ability to cover costs, including abnormals, should be considered and whether certain car parks may have a cost advantage.	traffic which would otherwise drive more centrally 3) less negative impact upon the highway network; and 4) positive measures being advanced to promote site redevelopment.	quality landscaping including greenery will be a plus. It will be recognised that larger sites may have the opportunity to install landscaping in the same locations as approved on permanent schemes; as such investment will be longer term, the landscaping quality will be expected to be higher than would otherwise be the case.	related to new development rather than cleared sites.
	CPO5	The "first come first served" approach does not make sense.	Give preference to sites that would comply with all other planning policies and which are most used by commuters. Give preference to fringe locations in accordance with UDPR Policy T28	<ul style="list-style-type: none"> <li>• Preference for sites inside the city centre boundary</li> <li>• Preference to sites that contribute other beneficial temporary uses such as allotments, sports pitches, public spaces, seating areas, electric charging points. It will be recognised that smaller sites will not be capable of delivering large</li> </ul>	

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				temporary uses.	
Geographic Distribution Para 7	HA	The Policy should distinguish between different parts of the city centre	Authorise say up to 600 spaces around Mabgate and up to say 2,000 spaces in the south west quadrant? These areas would serve the main commuter corridors of A64 and M621 (HA)	None	In response to all comments it is considered that geographic quotas are not supported because i) a good proportion of commuters walk to sectors beyond where they park, often to the city core, ii) they would unduly complicate the process of distinguishing between applications in the likely situation of over-subscription.
	SG	The policy should set quotas for different parts of the city to ensure even distribution (no figures are suggested)			
	IC3	Commuters parking south of the river appear to work locally. Restriction of car parking south of the river will merely shift where people park and will not help congestion overall.			
	IC5	There are several large office blocks located on Sweet Street: Lateral, 1 City Walk, 2 City Walk, The Mint, with the Central Park and Apex View offices across the road and Victoria House offices and other office blocks one street away on Manor Road. This represents several thousand workers.	Local workers should be given priority to Sweet Street car parks.		
Geographic Distribution Para 7	CPO2, CPO3	Survey work for the Wellington Place planning application found that most commuter car park users worked in the Prime Office Quarter/West End. Restriction should not be applied to particular areas, but preference should be given to areas proximate to the west end.			

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	CPO4 CPO5	Preference should be given to fringe areas which have the ability to take cars off the highway network before they reach core locations.			
	RA	Agree no local apportionment is appropriate.			
Use of TAs Para 8	HA	Questions of how TA consideration would work in practice: i) need for a full TA? ii) what baseline? iii) consultation with the HA? iv) cumulative impact of other sites? v) growth beyond temporary period?		Retain the need to submit Transport Assessments but provide guidance on what should be included.	In response to all comments it is considered necessary to require TAs in order to assess impact on <i>local</i> traffic flows. The baseline traffic flow should ignore traffic generated by unauthorised car park use. Any applications for LCC car parks will be treated the same.
	CPO1	Transport Assessments are costly. The requirement to undertake a TA is too onerous.	The requirement for a TA is omitted or at least downgraded to a Transport Statement given the costs involved		
	CPO2, CPO3	TAs are unnecessary because the policy implicitly accepts that car parking spaces up to the level of the cap are acceptable. For existing unauthorised car parks, traffic impact is already known and the Screening for the Environmental Impact Assessment by the City Council indicates that no worsening of the current situation in terms of quantum of car commuting is expected.	The need for a TA should be determined on a site by site basis		
Use of TAs Para 8					

**IC1/2/3/4/5** = Individual Car Park Users Kevin Coyle (1), Craig Miles (2), Jennie Frost (3), Joanne Douglass (4), NR (5), **HA** = Highways Agency, **BSPC** = Barwick & Scholes Parish Council, **PCon1** = Planning Consultant ARUP, **CPO1/2/3/4/5** = Car park operator/Developer Elite Parking(1), MEPC (2), Town Centre Securities (3), Montpellier Estates (4), Ingram Row/Dandara (5), **LWCA** = Little Woodhouse Community Association, **EA** = Environment Agency, **LCCEP** = Leeds City Council's Economic Policy Team, **MPA** = Mrs P Auty, **NR** = Network Rail, **CBT** = Campaign for Better Transport (West Yorks), **RA** = Robin Adams, **SG** = Stuart Garforth, **DWF** = DWF Solicitors, **ASDA** = ASDA HQ

Appendix B - Comments received on Draft City Centre Commuter Car Parking Policy March 2011

Policy/Para	Rept	Comment (summary)	Change sought (if any)	LCC Recommended change	LCC reasoning
	IC3	Inequitable that Tas required for unauthorised car parks in the fringe but not for those owned by LCC in the core	Require Tas for LCC owned car parks in the core area.		
Duration of permissions Para 10	HA	Will permissions be renewed and the 3000 cap be reviewed depending on progress in delivering public transport improvements?		None	Permissions will be reviewed on expiry. Renewal will depend upon progress in delivering public transport. These will be decisions to be taken at the time; policy now cannot second guess what the outcome should be.
	CPO4	The evidence to justify 5 years as a sufficient time to recoup investment should be made available.		None	Five years is considered sufficient time to recoup investment ensuring developments remain viable and proposals and their viability will be shaped by applicants against non-mandatory requirements.
	CPO4	3 months is too short a time to expect for the physical improvement works to be carried out. For example, it takes no account of planting seasons	Delete 3 months. The time required should be negotiated on a case by case basis	3 months is retained in the supporting text as a benchmark, but with acknowledgement that individual site circumstances may justify a longer period.	It is assumed that most owners will be keen to complete the works ASAP in order to re-open for business. However, it is accepted that there may be exceptional site circumstances to justify a longer period than 3 months to complete works.
Map of Core and Fringe areas	IC3	Map lacks clarity and reference points	Show street names so that car park locations can be identified	Provide a map with an ordnance survey base	Improve clarity.
Miscellaneous	CPO4	Danger that permitted schemes may delay or fail to deliver the agreed physical improvements. This would		None	LCC aims to be rigorous in using its enforcement powers to ensure that physical

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Appendix B - Comments received on Draft City Centre Commuter Car Parking Policy March 2011

Policy/Para	Rept	Comment (summary)	Change sought (if any)	LCC Recommended change	LCC reasoning
		be unfair to schemes refused permission.			improvements are delivered to time. LCC would be aided by the favourable appeal decision achieved in 2010.
Miscellaneous	CPO2, CPO3	The status of the policy should be clarified.	State that the policy will be treated as a material consideration in determining proposals for city centre car parking	Insert: This policy will be treated as a material consideration in determining proposals for car parking on cleared sites in the city centre core and fringe car parking zones.	Clarify the status of the policy.
Miscellaneous	LWCA	Overnight car parking should be restricted	Ensure erection of barriers to prevent overnight car parking	None	Hours of opening and means of control of opening hours would be a site specific matter for determination in planning applications.
Miscellaneous	IC3	"there are stricter standards for the core area because of public transport accessibility" (para 9) – are there really? – the state of some of the existing car parks suggests not!		None	"Stricter standards" refers to policy controlling the number of on site parking spaces to accompany development proposals, not to standards of maintenance
Miscellaneous	IC3	"much of the existing commuter parking on cleared sites is used by people who work in the Core area" (para 9) – where is the evidence of this?		None	Periodic surveys carried out by Leeds City Council.

## Appendix C: Quantity of Car Parking Spaces Affected

The March 2011 report to Executive Board proposed that a cap should be applied to the number of spaces permitted under the proposed new policy. The level for this cap was suggested as 3000 spaces.

A review of the affected sites has revealed that a number of the car parks previously identified as unauthorised could not be subject to enforcement action because the sites have either been in operation for more than ten years or have historical consents for car parking use. Consequently it is proposed that the cap is modified to reflect the continued usage of these sites. In addition, the estimated number of spaces has been modified slightly to reflect more recent survey information.

The number of spaces under consideration is therefore as follows:

Spaces directly affected by recent enforcement action	1890
Spaces immune from enforcement	670
Further spaces currently available for use	3530
Total	6090

The occupancy of these car parks is estimated at around 4750 vehicles, of which 500 are parking in the spaces immune from enforcement. In total therefore there are an estimated 4250 cars parking in unauthorised car parks.

As stated in the March report these are a significant number of spare long stay spaces available within authorised car parks and on-street within the City Centre. In addition, the Department for Transport has announced that extra trains are to be introduced on a number of commuter lines into Leeds from December 2011 which will provide additional peak hour capacity. It has been assumed that a proportion of these parking spaces and train seats will be available to accommodate commuters currently using the unauthorised car parks:

Spaces available in lawful long stay car parks	500
Long stay spaces available on-street	450
Additional seats on peak hour trains	450
Total	1400

A revised cap has therefore been derived as follows:

$$(4250 - 1400) / 0.9 = 3167 \text{ spaces (allowing for 90\% occupancy)}$$

It is therefore proposed that the new policy incorporates a cap of 3200 spaces, which reflects the availability of alternatives but also makes an allowance of 10% for under occupancy. In combination with the spaces that are immune from enforcement, this would retain 3870 parking spaces for commuter parking out of the 6090 identified above.

## **Appendix D - Advice on the preparation of a Transport Assessment to support a planning application.**

### **Context:**

1. The Local planning Authority has prepared a policy to support long stay car parking for temporary period.
2. A transport assessment is required to support a planning application for long stay car parking for temporary period of 5 years in accordance with the policy.
3. In preparing the policy, a cap was placed on the number of commuter spaces acceptable within the City Centre Core and Fringe; therefore the analysis of the impact of a car park across the wider highway network is not of critical interest.
4. The purpose of the assessment will be to demonstrate that the impact of the proposal is acceptable locally to the site.

### **Basic Information**

All transport assessments should contain the following information:

1. Location of the site
2. Baseline traffic data (observed traffic less traffic associated with unauthorised use of the site)
3. Number of car parking spaces proposed
4. Access / Egress arrangements, including plans demonstrating compliance with highway geometry.
5. Traffic generation: am peak 7:00 – 9:30 and pm peak 16:00 – 18:00.
6. Distribution of generated traffic on radial routes approaching the city, including the Motorway network.
7. Distribution of generated traffic on the primary and local network adjacent to the site, i.e. how traffic arrives at the site from the radial routes approaching the city.
8. Capacity calculations at the site access/egress and at the point of connection to the primary road network, if different.
9. Positive or negative impacts on sustainable means of travel.
10. Positive or negative impacts on road safety.

### **Further information for larger sites**

If a proposal seeks to concentrate more than 300 spaces in one area, a more extensive analysis of the impact of the proposal will be required than described above. In such cases the applicant should discuss the proposals with the Local Planning Authority before submission of the application.

### **Future Development of the site.**

In any future planning application for a permanent use on the site a more extensive transport assessment will be required. In terms of methodology, the level of car park generated movement should not be included within the baseline traffic flow for the assessment supporting an application for permanent use.



## **Advice on the preparation of a Flood Risk Assessment to support a planning application.**

All Applications should be supported by a Flood Risk Assessment - that examines the risk of flooding to the site, the means of drainage and outlines mitigation of flood risk both on site and from the discharge of surface water off site. If a site is in a location where there is unlikely to be any flood risk to the site and no possibility of impact on others, then a simple statement to that effect may be all that is required.

However some parts of Leeds City Centre and adjacent areas are classified as areas of high risk of flood including zones 2 (1 in 1000 chance of flood), 3ai (1 in 100) and 3aia (1 in 20) – these areas will require a more detailed FRA. Car parking can be acceptable in areas of flood risk, but it is necessary for dangers to be properly considered as part of the planning application process. This is the role of the Flood Risk Assessment (FRA) which is required to accompany planning applications for temporary car parking in flood zones 2, 3ai and 3aia. FRAs need to be structured to address the following of matters of safety and environmental protection:

- i) Surface rainwater run-off. How will run-off be handled to avoid pollution of watercourses but also absorb water from downpours?
- ii) Evacuation routes. Have appropriate routes been identified for cars to leave a car park in an emergency flood situation
- iii) Where there might be a danger of cars being swept away (flooding to a depth in excess of 300mm), include physical measures to prevent cars being swept off site
- iv) Include signage warning that the car park may be liable to flood and any instructions

Areas of flood risk can be identified in Leeds' Strategic Flood Risk Assessment. This is available for download on Leeds City Council's website. Map 24 covers the area of Leeds City Centre. It will also be necessary to consult national planning advice, PPS25 and the associated practice guidance available on the Communities and Local Government website..

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