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**PLANS PANEL (WEST)**

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 29th March, 2012  
at 1.30 pm

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**MEMBERSHIP**

**Councillors**

N Taggart (Chair)	B Chastney	P Wadsworth	T Leadley
J Akhtar	J Matthews	R Wood	
M Coulson			
K Groves			
J Hardy			
J Harper			

## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

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## A G E N D A

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### **APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS**

To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)

(\*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)

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### **EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**

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.

2 To consider whether or not to accept the officers recommendation in respect of the above information.

3 If so, to formally pass the following resolution:-

**RESOLVED** – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information:

Item No	Ward	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which may 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 interest for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence</p>	
6			<p><b>MINUTES - 1 MARCH 2012</b></p> <p>To approve as a correct record, the minutes of the meeting held on 1 March 2012</p>	3 - 10
7	Guiseley and Rawdon;		<p><b>APPLICATION 11/02069/FU - MILNERS ROAD, YEADON, LS19</b></p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the variation of Condition 10 (hours of operation) of application 08/05019/FU</p>	11 - 20

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8	Weetwood;		<p><b>APPLICATIONS 11/03234/FU &amp; 11/03370/CA - TETLEY HALL, BURTON CRESCENT, HEADINGLEY, LS6 4DN</b></p> <p>To receive and consider an attached report of the Chief Planning Officer regarding an application for the redevelopment of former halls of residence site comprising 4 storey residential care home, 3 blocks of 54 flats, 2 blocks of 14 townhouses, conversion of stables to detached house with landscaping and public open space and a conservation area application to demolish former student halls of residence and 11-13 Heathfield Terrace.</p>	21 - 36
9	Guiseley and Rawdon;		<p><b>APPLICATION 12/00244/FU - AIREDALE HOUSE, PARK ROAD, GUISELEY, LS20 8EH</b></p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for partial demolition, alterations, two storey and first floor extensions to offices with reconfigured car parking layout.</p>	37 - 44
10	Otley and Yeadon;		<p><b>APPLICATION 11/04612/FU - FORMER MIDWAY, 111 QUEENSWAY, YEADON, LS19 7PL</b></p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use of Public House to a Private Hire Office, awning to rear, boundary fence and entrance gates.</p>	45 - 54
11	Weetwood;		<p><b>APPLICATION 11/04959/FU - 4 ST ANNES ROAD, HEADINGLEY, LS6 3NX</b></p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a part two storey, part single storey rear extension with relocation of flue and condenser units; addition of access ramp to front.</p>	55 - 62

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12	Calverley and Farsley;		<p><b>APPLICATION 11/03873/FU - MONTROSE WORKS, WOODLANDS ROAD, STANNINGLEY, PUDSEY, LS28 6QG</b></p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for variation of Conditions 7 and 8 of Application 75/25/00257 relating to noise levels and to allow twenty four hour operations Monday to Sunday.</p>	63 - 72
13	Bramley and Stanningley;		<p><b>PRE-APPLICATION PRESENTATION PREAPP/08/00206 - KIRKSTALL FORGE, ABBEY ROAD, KIRKSTALL, LS5 3NF</b></p> <p>To receive and consider the attached report of the Chief Planning Officer and receive a pre-application presentation on masterplan revisions and reserved matters submissions.</p> <p><i>This is a pre-application presentation and no formal 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>	73 - 80
14	Kirkstall;		<p><b>PRE-APPLICATION PRESENTATION PREAPP/11/00782 - 65-71 ST ANN'S LANE</b></p> <p>To receive and consider the attached report of the Chief Planning Officer and receive a pre-application presentation on the redevelopment of 65-71 St Ann's Lane, including partial demolition of the main block and demolition of the gatehouse, to be replaced with a new 3 storey extension, to form 15 flats and the construction of a pair of semi-detached properties.</p> <p><i>This is a pre-application presentation and no formal 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>	81 - 86

Item No	Ward	Item Not Open		Page No
15	Pudsey;	10.4(3)	<p><b>APPLICATIONS 12/00014/FU &amp; 12/00598/LI - FORMER PUDSEY GRANGFIELD SCHOOL, MOUNT PLEASANT ROAD, PUDSEY, LS28 7ND</b></p> <p>To receive and consider the attached report of the chief Planning Officer regarding an application for the change of use of a former school including extensions to 49 flats and listed building application for internal and external alterations, partial demolition and extensions.</p>	87 - 102
16			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note the date and time of the next meeting as Thursday, 26 April 2012 at 1.30 p.m.</p>	

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To:

Members of Plans Panel (West)  
Plus appropriate Ward Members and  
Parish/Town Councils

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

Contact: Andy Booth  
Tel: 0113 247 4325  
Fax: 0113 395 1599  
andy.booth@leeds.gov.uk  
Your reference:  
Our reference: ppw/sitevisit/  
2011

Dear Councillor

### **PLANS PANEL (WEST) – SITE VISITS – THURSDAY, 29 MARCH AT 1.30 pm**

Prior to the next meeting of Plans Panel West there will be site visits in respect of the following;

- 1 9:25 a.m. **Pre app 11/00782** - Redevelopment of 65 -71 St Ann's Lane, Kirkstall, including partial demolition of the main block and demolition of the gatehouse, to be replaced with a new 3 storey extension, to form 15 flats, and the construction of a pair of semi-detached properties. Leave 9.40 (if travelling independently meet to front of premises on St Ann's Lane)
- 2 9:50 a.m. **Application 11/04959/FU** Part two storey, part single storey rear extension with relocation of flue and condenser units; addition of access ramp to front at 4 St Anne's Road - Headingley, Leeds LS6 3NX. Leave 10.10 (if travelling independently meet at entrance to restaurant off St Anne's Road)
- 3 10:30 a.m. **Application 12/00244/FU** – Partial demolition, alterations, two storey and first floor extension to offices with reconfigured car parking layout – Airedale House, Park Road, Guiseley. Leave 10.50 (if traveling independently meet on Park Road)
- 4 11.00 a.m. **Application 11/02069/FU** – Variation of condition 10 of Application 08/05019/FU – SBT Contracting LTD Skip Hire & Waste Transfer Station, Milners Road, Yeadon, Leeds. Leave 11.15 (if traveling independently meet at entrance to site on Milner Road)
- 5 11.30 a.m. **Applications 12/00014/FU** – Change of use of former school including extensions to form 49 flats and 12/00598/LI – Listed building application for internal and external alterations, partial demolition and extensions to form 49 flats – Former Pudsey Grangefield School, Mount Pleasant Road, Pudsey. Leave 11.45 (if traveling independently meet at entrance to former school off Richardshaw Lane)

**A minibus will leave the Civic Hall at 9.15 am prompt.** Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 9.10 am

Yours sincerely

**Andy Booth**  
**Governance Officer**

## PLANS PANEL (WEST)

THURSDAY, 1ST MARCH, 2012

**PRESENT:** Councillor N Taggart in the Chair

Councillors B Chastney, M Coulson,  
J Hardy, J Harper, T Leadley, J Matthews,  
P Wadsworth, R Wood and J McKenna

**99 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor K Groves and Councillor J Akhtar. Councillor J McKenna was in attendance as substitute for Councillor K Groves.

**100 Minutes**

**RESOLVED** – That the minutes of the meeting held on 12 January 2012 be confirmed as a correct record subject to the following amendment:

Minute no 95 – Application 11/03417/FU – Springfield Mill, Stanningley Road, Stanningley, Pudsey, LS13 3LY

Amend the last sentence of the first paragraph to read 'It had been brought to Plans Panel due to the level of local representation and because the proposal constituted out of centre retail development'

**101 LDF Core Strategy Publication Document**

The report of the Director of City Development informed the Panel that following consideration by the Executive Board, the City Council's Local Development Framework (Publication Draft) had been approved for public consultation. The consultation period was 28 February to 12 April 2012 (5.00 p.m.) and the purpose of the report was to make Members aware of the consultation and broad scope and content of the document.

It was reported that the Core Strategy formed part of the Local Development Framework as proposed by the Council and set the strategic context for long term growth in the city for site allocation, development planning and neighbourhood planning. Members attention was also brought to issues detailed within the report including Spatial Policies and housing allocations.

Members were informed that the Core Strategy would be considered by Development Plans Panel and Executive Board before submission to Full Council and then the Secretary of State for approval.

A concern was raised regarding recording of discussion from informal workshops and issues surrounding Policy H3. It was reported that previous points raised could still be considered under the ongoing consultation. It was further reported that the Core Strategy had been brought to Plans Panel as policies within would have an impact on decision making.

**RESOLVED** – That the report be noted.

**102 Application 11/04635/FU, Land off Bridge Street and Mill Lane, Otley, LS21**

The report of the Chief Planning Officer introduced an application to demolish a vacant school building and erect a 60 bed care home with car parking and landscaping at land off Bridge Street and Mill Lane, Otley. The application had been referred to Plans Panel for determination due to the significance of the site and the development and its impact on the local area.

Members attended a site visit prior to the meeting. Site plans and photographs were shown at the meeting.

Further issues highlighted in relation to the application included the following:

- The proposed development was in Otley Conservation Area.
- The site would be accessed using existing arrangements.
- Members were reminded of the pre-application presentation that had been received in August 2011. Members had been broadly supportive of the plans but had stressed that careful consideration needed to be given to residents of Manor Street.
- The proposed building was not out of scale or relatively large for the site.
- Distances between the proposed building and houses on Manor Street were in line with policy, however there were some flats that were felt to be too close. Projections of shading from the proposed building were shown.
- There had been support from local residents and Otley Town Council for the re-use of the site and for the provision of a care home.
- Further to the problems that would be caused by shading from the proposed development, it was reported that further negotiations had been sought with the developer and that it be recommended that the application be refused.

The applicants agent addressed the meeting. The following issues were highlighted along with responses to Members' questions:

- The development would provide a much needed care home for Otley.
- There had been lengthy negotiations with planning officers and extensive consultation with local residents, including those on Manor Street.

- It was felt that the objections based on overshadowing should be rejected. These objections were not made at the pre-application stage and there had been support from residents of Manor Street.
- Building work on the site could begin immediately.
- The building would have an undercroft due to the slope on the site and requirements of the Environment Agency due to the land being part of the flood plain. The undercroft would be used for storage.
- Further options including lowering the building and using other flood proofing measures than building an undercroft. The developer felt that the scheme proposed was reasonable and appropriate and alternative building solutions had been considered.
- Suggestions to have a T-shaped building. It was reported that this would have to be 3 storeys and would not satisfy the operational running of a dementia care home.
- It was felt that the proposals met all design guidelines.

A Local Ward Member addressed the meeting and answered Members questions. He acknowledged the fact that consultation had taken place with residents from Manor Street, the need for the redevelopment of the site and the provision of a care home. There were however concerns regarding the following:

- Concern regarding the windows on the proposed building.
- Greenspace for the home's residents would be minimal.
- The building would be unacceptable to certain properties on Manor Street and it was felt that there was no reason that it could be reconfigured to prevent loss of amenity to Manor Street residents.

Further issues discussed in response to Members comments and questions included the following:

- Suggestions that the building could be lowered by not having the undercroft – it was reported that similar overshadowing problems would still be experienced with a lower building in the same place.
- There had not been any formal letters of objection.
- There had been further negotiations with the developer since the application had been deferred in February.
- Possibility of the removal of a tree in the corner of the site so the proposed building could be moved.

**RESOLVED** – That the application be refused as per the reasons outlined in the report.

**103 Application 11/04612/FU - The Midway, 111 Queensway, Yeadon, LS19**

The report of the Chief Planning Officer referred to an application for the change of use of a public house to a private hire office, with alterations comprising the addition of an awning to the rear, boundary fence and entrance gates at the former 'Midway' public house on Queensway in Yeadon.

The application had been brought to the Panel at the request of a Ward Councillor who objected to the proposal for reasons related to visual amenity, residential amenity and highway safety.

Members visited the site prior to the meeting. Site plans and photographs were shown at the meeting.

Further issues highlighted in relation to the application included the following:

- The property was in a mainly residential area.
- There were very little external changes proposed other than the provision of a covered servicing area and fencing.
- Planning permission had previously been given for some flats at the rear of the site.
- The site would be open to the public until 9.00 p.m.
- Objections had been received from 2 Ward Councillors, the local MP and 5 local residents. The plans had also received support from 5 local residents.
- Objections related to loss of amenity and the loss of a public house as a community facility.
- The applicant had submitted some recent information stating that some vehicles would need to access the site through the night.

**RESOLVED** – That further to recent information submitted by the applicant, the application be deferred for further consideration.

**104 Application 11/04955/FU - Holt Avenue, Adel, LS16**

The report of the Chief Planning Officer referred to an application for the laying out of an access road, erection of 45 houses with garages and landscaping at Holt Avenue, Adel.

The application had been brought to Plans Panel due to the history associated with the site, scale of the development and the high level of local interest in the proposal. The principle of development was allowed on appeal when outline planning permission was granted for housing following a public inquiry.

Members attended a site visit prior to the meeting. Site plans and photographs were shown at the meeting.

Further issues highlighted that related to the application included the following:

- An addition to the Section 106 proposal – this would offer £35,000 for traffic signal improvements at the junction with Otley Road.
- The site had previously been arable land.
- The development would contain 15% affordable housing.
- Each property would have 2 parking spaces.

- Landscaping would take place at the rear of the site which was lined with trees that were subject to Tree Preservation Orders.
- Plans showing access to the site were shown.

A representative of the Adel Association addressed the Panel with objections to the application. These included the following:

- The land was Greenfield and it was felt should not be built on until all other areas had been used.
- The close proximity to the Grade I listed Church.
- Increased traffic.
- Primary schools in the area were full.
- Access to the north west area behind the site – any future applications would be opposed by the Adel Association.

In response to questions from Members, it was reported that the developers had consulted with the Adel Association regarding the materials to be used. Whilst it was felt that the materials offered were preferential to brick, they were still felt to be bland.

The applicants agent addressed the Panel. The following issues were highlighted:

- The development was based on the Inspector's decision.
- There were no outstanding objections from statutory consultees – reference to revisions to satisfy consultees was made.
- Reference to Section 106 proposals.
- Conservation area issues, Tree Preservation Orders and maintaining of the boundary hedge.
- Supported use of materials by the Adel Association.
- Affordable housing provision was grouped together by the Otley Road side of the site. This would give easier access to public transport.
- There were no plans in the near future to apply for developments beyond the north west boundary of the site.

Further discussion was held regarding the materials to be used and it was proposed to amend the condition outlined in the report regarding the use of materials. Concern was also raised by Members regarding the decision of the Inspector and the impact on the decision of the Panel.

**RESOLVED** – That approval be deferred and delegated to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 agreement within 3 months of the date of the resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the obligations as outlined in the report and to include £35,000 contribution to traffic signal improvements. Amendment to condition 4 in the report to allow further sample materials to be submitted for approval.

## **105 Application 11/05286/FU - Riverdale Gardens, Otley, LS21**

Draft minutes to be approved at the meeting  
to be held on Thursday, 29th March, 2012

The report of the Chief Planning Officer referred to an application that sought planning permission for the change of use of an area of public open space to inclusion within domestic rear gardens at land to the rear of Riverside Gardens, Otley. The land was provided as public open space in conjunction with the adjoining housing development in the 1990s and vested with Otley Town Council. Due to problems with the use/abuse of the area in subsequent years, the Town Council had proposed that the area be sold off to form enlarged private gardens for the adjoining houses.

The application had been referred to Plans Panel for determination due to the history of the site including that the application land is required to be vested as public open space.

Further issues highlighted in relation to the application included the following:

- The land would be fenced off for private gardens.
- The land had become neglected and a source of nuisance.
- There had been general agreement with the majority of adjoining homeowners regarding the proposed re-use of the land.

**RESOLVED** – That approval be deferred and delegated to the Chief Planning Officer

**106 Application 11/04959/FU - 4 St Anne's Road, Headingley, LS6**

The report of the Chief Planning Officer informed the Panel of an application for a rear extension to a restaurant enabling an increase in the amount of covers in the restaurant from 72 to 100 plus the relocation of an existing flue and the addition of an access ramp to the front.

The application had been referred to the Panel at the request of a local Ward Councillor on the grounds that a previous application for a neighbouring restaurant had also being referred.

Members were shown site plans and photographs of the site.

Further issues highlighted in relation to the application included the following:

- Representations from local residents included concerns regarding car parking in the surrounding residential streets.
- A petition of support had been received.
- Reference was made to the previous application to a nearby restaurant. It was reported that was for a smaller extension and didn't seek to increase the capacity of the building.

The applicants agent addressed the meeting. The following issues were highlighted:

- The application would enable the use of the upstairs of the premises as a function room which would be operated by a booking system.



- It was not felt there would be an increased need for car parking. Many of the staff lived locally/on site and a survey showed that many customers did not use cars to attend the restaurant.
- The applicant was willing to limit the number of covers to 100.
- The application would provide external and internal improvements with improved disabled facilities.
- There was an agreement with a neighbouring property regarding the servicing of the yard at the rear. There would also be improvements to this area including resurfacing.

In response to Members comments and questions, the following issues were discussed:

- The offer to reduce the number of covers to 100 was to reduce external activity.
- It was suggested that the item be deferred to allow a site visit in light of additional information regarding improvements to the rear and the offer to reduce the number of covers.

**RESOLVED** – That the application be deferred to allow a site visit and consideration of additional information provided.

**107 Application 11/05327/FU - Longfield House, Victoria House and Park House, Headingley Office Park, Victoria Road, Headingley, LS6**

This application was withdrawn prior to the meeting.

**108 Application 11/05337/FU - 13A North Lane, Headingley LS6**

The report of the Chief Planning Officer introduced a proposal to seek the change of the use of a Private Members club at first floor level to a bar (A4) forming part of the existing bar to the ground floor. The premises already operated as applied for and the application was therefore retrospective.

The application had been brought to Panel at the request of a local Ward Councillor on the grounds that the proposal would result in an unacceptable increase in the number of bars in Headingley Town Centre.

The following issues were highlighted in reference to the application and in response to comments and questions from Members:

- The upstairs at the premises had been converted from the use of snooker/pool to a bar.
- Main concerns involved impact on residential amenity.
- There had not been any objections from the Council's Licensing section.
- Concern from Members regarding complaints made about the premises.
- There had not been any enforcement issues with the premises.

**RESOLVED** – That the application be granted in line with the officer recommendation but with the removal of conditions 1 and 6 as superfluous on the first floor retrospective application.

Councillors Chastney and Matthews requested that their votes against this decision be recorded.

**109 Application 11/05195/FU -Servia Road, LS7**

The report of the Chief Planning Officer presented an application which proposed the demolition of existing commercial buildings on site and the erection of two part 6 and 7 storey blocks comprising a total of 72 cluster flats, providing 300 bedrooms and laying out of landscaping and 37 car parking spaces.

Members were shown site plans and photographs of the site.

Further issues highlighted in relation to the application and discussion following Members comments and questions included the following:

- Loss of employment land – this was acceptable within policy guidelines.
- Reference to Section 106 agreements.
- Colour schemes used – it would not be sought to use previous colour schemes used on neighbouring buildings.
- Concern was expressed regarding available amenity space for residents.

**RESOLVED** – That approval be deferred and delegated to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 Agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include obligations outlined in the report.

**110 Date and Time of Next Meeting**

Thursday, 29 March 2012 at 1.30 p.m.



Originator:	Louise White
Tel:	0113 2478000

## Report of the Chief Planning Officer

### PLANS PANEL WEST

Date: 29<sup>th</sup> March 2012

**Subject: APPLICATION 11/02069/FU - VARIATION OF CONDITION 10 OF APPLICATION 08/05019/FU – SBT CONTRACTING LTD SKIP HIRE & WASTE TRANSFER STATION, MILNERS ROAD, YEADON, LEEDS.**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
SBT Contracting Ltd – S. Brehony	25 <sup>th</sup> May 2011	20 <sup>th</sup> July 2011

#### Electoral Wards Affected:

Guiseley & Rawdon

No

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

#### APPROVE subject to the following conditions:

1. The use hereby granted shall cease on or before 4<sup>th</sup> October 2019.
2. Development in accordance with plans.
3. No operations shall take place at the site before 0730 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1700 hours on Saturdays. By no later than 1 year from the date of this permission operations at the site on Saturdays shall take place between the hours of 0800 and 1300 only.
4. No operations on Sundays, Bank Holidays, Christmas Day and Good Friday
5. With regard to operations between the hours of 1300 hours and 1700 hours on Saturdays - waste from delivery lorries to be tipped in a designated internal area only – details to be submitted; the pushing of waste by the JCB to be undertaken with the JCB static and not moving between deliveries of waste; the tipping and pushing of waste only to be undertaken with the building's roller shutter doors closed; no operations to take place on the site using mechanical plant; and, no more than 1 vehicle every 30 minutes.

6. Proposed means of hard-standing and interception, collection, treatment and discharge of surface and ground water to be submitted for approval.
7. Waters to be settled and cleared of suspended solids prior to entering any drain, sewer, culvert or watercourse.
8. Dust Action Plan to be submitted for approval.
9. Details on vehicle reversing warning system and / or alarms to be submitted for approval.
10. Noise Mitigation Scheme to be submitted for approval.
11. Mud and debris mitigation scheme to be submitted for approval.
12. All oils and liquids to be stored safely.
13. No waste shall be processed, separated or sorted outside of the building.
14. Waste and product materials stored outside the building but within the site shall be separated and stored either within skips or dedicated bunkers. No outside storage of any description shall at any time exceed a height of 3 metres above existing ground levels.
15. Boundary fence to be retained at a height of no less than 1.8 metres but nor more than 2.4 metres and maintained at all times.
16. The construction and colour of the building shall be maintained in good condition.
17. Vehicles shall enter and leave the site in forward gear only.
18. No lighting fitments shall be installed in manner than would prejudice the living conditions of nearby residents.
19. No burning of waste materials on site at any time.
20. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, WM1, WM4, WM6 and WM8.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance. However, it is suggested permission is limited to a 12 month trial period.

## **1. INTRODUCTION:**

- 1.1 This application is brought to Panel due to its sensitivity and local interest. Ward Councillor Graham Latty also objects to the proposal for reasons related to highway safety and potential noise disturbance, and requests a site visit prior to a decision being made by Plans Panel West.

## **2. PROPOSAL:**

- 2.1 The existing skip hire and waste transfer station operates with the benefit of planning permission (ref. 08/05019/FU). Condition 10 restricts the operating hours to the following:
  - 0730 hours to 1800 hours between Mondays and Fridays
  - 0800 hours to 1300 hours on Saturdays.

- 2.2 The proposal seeks to extend the operating hours on Saturdays to between the hours of 0730 and 1800.

### **3. SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a skip hire and waste transfer station business. Waste brought into the site is deposited and processed inside the large purpose-built building. The rest of the site is open air and used for the storage of skips and other ancillary items.
- 3.2 The site is located at the foot of Milners Road in the private industrial estate, a former clay quarry. Surrounding land uses at level are largely industrial in nature (B2) and another similar waste development is located adjacent at Aireborough Skip Hire.
- 3.4 The local area is characterised by residential development despite the industrial estate having been established for a long time. Access into the Milners Road Industrial Estate is taken off the A65 New Road and through the residential street of Dibb Lane. Many other residential streets branch off Dibb Lane and the Council's Civic Amenity Site is located on Milners Road opposite South View Crescent.

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

- 4.1 Permission ref. 08/05019/FU – removal of condition 2 of application 28/228/04/MIN (from temporary to permanent permission) – approved 14<sup>th</sup> January 2009.
- 4.2 Permission ref. 28/218/05/MIN – two storey temporary office buildings to breakers yard – approved 7<sup>th</sup> December 2005.
- 4.3 Permission ref. 28/228/04/MIN – waste management facility and erection of waste management building (revised scheme) – approved 4<sup>th</sup> October 2004.
- 4.4 Permission ref. 28/285/03/MIN - change of use of a car breakers yard to waste management facility and erection of waste management building – approved 14<sup>th</sup> May 2004.

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

- 5.1 At the request of Environmental Health, the applicant was asked to carry out a second noise assessment to complement that already submitted.

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

- 6.1. The application has been publicised by means of site notices; 11 objections have been received, including one from Councillor G. Latty who states the following:
- The proposed site and associated wagons that service it cause a great deal of problem for residents around Milners Road;
  - LCC have built a large acoustic fence adjacent to Milners Road to protect residents from noise from the LCC Civic Amenity Site but this does nothing about the noise from the highway;
  - The problem is compounded in that the applicant wishes to extend opening to cater for Council wagons tipping domestic waste;

- The highways section raise no concerns as most of the access to the proposals site is a private road. They have overlooked the adopted part of the public highway, which is where the problem is.
- Requests that Committee Members carry out a site visit prior to making a decision.

Other objectors raise substantially the same points, and others including

- Highway safety and traffic – high volumes of heavy traffic already pass through the residential area; Milners Road has no footway but is used by pedestrians to reach the greenway footpath which intersects the carriageway; an increase in traffic would lead to an increase in the likelihood of accidents; there is a tight left-turn bend onto Milners Road from Dibb Lane which is difficult for HGVs to negotiate without damage to the bollard or overspill into the oncoming lane; and, do not agree with the comments made by the Highways section.
- Noise impact – there are existing complaints from local residents about what they say are unacceptable noise levels generated by both the site and the traffic to and from the site; and, access to the site passes through a residential estate and more HGVs over longer hours should not be encouraged, especially on Saturdays.

6.2 4 of the 11 objection letters from the public refer to the Council's Civic Amenity Site instead of the proposal site.

## 7. CONSULTATIONS RESPONSES:

### Statutory

7.1 Environment Agency – no objection to the proposal. The operations have a good general compliance record with the Environmental Permit. The Agency have been informed by LCC's Environmental Health section of the complaints regarding noise from the site.

### Non-statutory:

7.2 Environmental Health – *Initial response*: This department has received a number of complaints about noise from nearby residents. As part of the investigations noise monitoring was carried out in the garden of a complainant (but not recently) and the levels were found to be excessive at the time. The noise monitoring also identified that the tipping of skips was a problem and this would be at intervals throughout the day. This department has been working with the applicant but an extension of hours is very likely to increase noise complaints. The Acoustics Report (dated 03/05/11) submitted with the application identified that there was a problem with the tipping of skips, moving of waste and operation of the mechanical plant and this was based on 2 or 3 vehicles arriving in the extended period. The report made the following recommendations that should be imposed should the development department approve this application. It is recommended that the extension of hours is to 1700 hours on Saturday with the following conditions:

- That the waste from the delivery lorries be tipped in a designated area only;
- The pushing of the waste by the JCB be undertaken with the JCB static and not moving between deliveries of waste;
- That the pushing of the waste only be undertaken with the roller shutter doors closed; and,

- That no other operations using mechanical plant are undertaken during the extension of the working.

Environmental Health section are of the opinion that it is likely there will be more than 2 or 3 vehicles arriving on site during the extended period and this department feels that the above conditions would be difficult to adhere to and therefore would support the Development Department if they are minded to refuse this application.

- 7.3 *Second response from Environmental Health:* The Acoustic Report (dated 03/05/11) using the methodology in BS4142 (Method for Rating Industrial Noise) predicted that the rating level from the combined activities in any one hour period would be between 31 and 36dB, which compared to a background of measurement of 34dB gives an excess of -3 to +2dB. These excess levels indicate that the noise from the site would not be significant and therefore they would support the application. The difficulty in relying solely on this methodology is that the use of 1 hour LAeq effectively “averages out” the peaks from short term impacts, reverse beepers and engine noise. For instance the average tip comprising of a vehicle entering the site, manoeuvring onto the weighbridge, tipping then leaving is 8 minutes. Environmental Health suggest that, on its own, this would be subjectively noticeable and objectively clearly audible to the residents. But when the periods of inactivity are combined with the total operating time of 32minutes, the LAeq does not accurately reflect this. The concern therefore is that residents will suffer loss of amenity for the whole of their Saturday by virtue of the impulsive noise associated with the nature of the business so this department would now support refusal of this application if the planning department is so minded.
- 7.4 *Third and final response from Environmental Health:* The Acoustic Report addendum (dated 26/01/12) has been considered and this clarifies the numbers of council wagons expected to visit the site during the proposed extended hours. This report stated that with the measures proposed to mitigate noise, i.e. shutters closed and JCB static pushing waste inside, the noise was barely audible at the monitoring point which was slightly closer than the nearest residential properties. The recent proposal is also to restrict the number of wagons to a maximum of 2 per hour so that any audible noise from vehicles accessing and manoeuvring within the site will be less noticeable. On the basis that the site will only be accepting Council wagons, which are likely to be few and far between on a Saturday afternoon, this department is prepared to withdraw its objection.
- 7.5 *Highways – Initial response:* extending the hours of use should theoretically spread traffic levels and no concerns are raised. The scheme raises no specific road safety concerns. The proposal is acceptable in highway terms.
- 7.6 *Second and final response from Highways:* The proposed HGV movements and restriction in the extended opening hours set out below suggest a potential increase of 16 additional HGV movements per Saturday afternoon resulting from the application, one vehicle arriving and departing every 30 minutes. Automatic traffic counts undertaken in November 2009 show an average 1905 two way vehicle movements per day (or 2110 Saturday) to the north of the Council’s waste sorting site and of these, 636 HGV movements were recorded (69 on Saturday). The 16 HGV movements per Saturday would therefore equate to a 2.5% increase in the average number of weekly HGV movements which already take place and less than a 1% increase in the total number of weekly vehicle flows recorded in November 2009. The additional HGV movements on a Saturday would increase by 23%. It is acknowledged that any increase in vehicle movements may not be in the best interests of amenity to local residents but no accidents have been recorded on Milner

Lane or Dibb Lane in the last 5 years and it would be difficult to justify a highway objection on safety grounds due to the relatively small increase in total overall HGV traffic between existing and proposed. The amount of additional HGV movements on a Saturday afternoon may be more noticeable but would not have an adverse impact on capacity at the signal controlled junction. On balance, it is considered that a highway objection to the proposed extension in hours would be difficult to justify and it could be argued that the hours of operation would provide more flexibility in how traffic movements are spread through the week.

## **8. PLANNING POLICIES:**

8.1. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2. The most relevant policies in the adopted Leeds Unitary Development Plan are outlined below.

GP5 – general planning criteria;

T2 – highway access and highway impacts;

WM1 – general principals relating to waste management facilities;

WM4 – recovery of waste for recycling is promoted;

WM6 – the Council will have regard to the proximity, type and duration of other waste operations and their cumulative effect upon residents and the environment;

WM8 – general waste transfer station policy.

8.3. National Planning Policy Guidance:

- PPS1: Delivering Sustainable Development.
- PPS10: Planning for Waste Management;

## **9. MAIN ISSUES:**

9.1. The following main issues have been identified:

- Amenity Issues – Noise
- Traffic Movements and Highway Safety
- Representations

## **10. APPRAISAL:**

10.1 Local residents and a Ward Member have raised concerns about the potential for the proposed development to interfere with the living conditions of residents in the area. Section 6 of this report sets out their concerns, which can be divided into two main issues. Firstly, the potential for noise disturbance to emanate from the site and from vehicle movements on the public highways and, secondly, the potential for highway safety issues to arise.

10.2 With regard to the first issue, an increase in vehicle movements arising from additional Saturday operations could potentially affect the living conditions of occupants of nearby property. Officers recognise that local residents are likely to spend more time at their homes on Saturdays and so traffic noise may be more



subjectively noticeable. A complaint to the Council has been made by a local resident living on Dibb Lane regarding traffic disturbance from HGVs visiting the various businesses on Milners Road and its industrial estate. Officers are also sensitive to the fact that several complaints from local residents have been made to the Council regarding excessive noise emanating from the site operations. Both issues have been investigated by the Council and whilst it appears that little if anything can be done to prevent or restrict HGVs from using Dibb Lane to reach the business premises on Milners Road, the Council were able to impose actions to reduce noise emanating from the existing site operations. The applicant successfully complied with the Council's requirements.

- 10.3 The planning application included an Acoustic Report (dated 03/05/11) and the applicant was requested to provide an addendum (dated 26/01/12) to this in response to the first two consultation response received from Environmental Health. The acoustic reports were carried out in accordance with the requirements of BS4142 – *Method for Rating Industrial Noise* (1997), with reference to BS8233 – *Sound Insulation and Noise* (1987). These form the UK standard for such assessment.
- 10.4 The Acoustic Report results indicate that all residential property would be within the limits set as providing a reasonable living environment. Although the residential properties in closest proximity lie only approximately 100m away from the existing site to the south and southeast, they are located on land elevated well above the proposals site (above the former quarry). Whilst some of these residential occupiers have complained about excessive noise from the proposal site in the past, officers recognise that the existing ambient noise levels in the local area are higher than compared to a wholly residential environment due to the presence of industrial activity taking place within the Industrial Estate and at the LCC Civic Amenity Site. Furthermore, although it is sometimes difficult to pinpoint noisy activity and measure noise levels accurately when other industrial activity is taking place concurrently, the applicant has factored this into the noise study results to provide a degree of accuracy. The mitigation put forward also seeks to reduce 'impulsive' noise associated with the nature of a waste management business.
- 10.5 Therefore, subject to mitigation, it is unlikely that an extension to the Saturday working hours would result in any significant effect on the living conditions of nearby residents. However, it is recommended that permission is granted on the basis that operations commence at 0800 hours rather than 0730 hours and cease at 1700 hours rather than 1800 hours on Saturdays to further reduce the impact of the proposal.
- 10.6 Officers can advise that the Acoustic Reports carried out by the applicant do not include assessment on the potential affects of noise disturbance from vehicle movements on the public highway. However, in order to reduce noise at the proposals site the acoustic report (dated 26/01/12) suggests no more than 2 HGV will deliver waste to the site in each extended hour.
- 10.7 The proposed HGV movements based on the extended operating hours (referred to in section 10.5 of this report) suggest a potential increase of 16 additional HGV movements per Saturday afternoon resulting from the proposal, one vehicle arriving and departing every 30 minutes. This number of additional HGV movements is considered to be very low. However, in order to fully ascertain whether or not the proposal could impact on highway safety, the additional vehicle movements have been considered against the 2009 traffic count taken for Milners Road (please refer to section 7.6 of this report for more details). In summary, the addition of 16 vehicle

movements per Saturday would equate to a 2.5% increase in the average number of weekly HGV movements which already take place and less than a 1% increase in the total number of weekly vehicle flows recorded in November 2009. Notwithstanding this, the additional HGV movements on a Saturday would increase by 23% as a result of the proposal. Therefore, although the small increase in HGV movements using Milners Road is likely to be imperceptible over the week, it could be objectively noticeable on Saturdays.

- 10.8 The safety record for Milners Road and Dibb Lane have also been considered. Council records reveal that no personal injury accidents have been recorded on these public highways in the past 5 years. A personal injury accident does not include damage to highway furniture, such as damage to bollards. Nor is the lack of footway on Milners Road taken into account.
- 10.9 On this basis, it is the Highways section's view that it would be difficult to justify a highway objection on safety grounds due to the relatively small increase in total overall HGV traffic between existing and proposed. They further state that the amount of additional HGV movements on a Saturday afternoon may be more noticeable but would not have an adverse impact on capacity at the signal controlled junction.
- 10.10 Without a material planning objection from the Highways section it would be difficult to justify a refusal of planning permission in this instance, despite the likelihood of additional noise disturbance from HGVs using the nearby public highways. On a positive note, the Highways section suggest that it could be argued that the extended Saturday working hours would provide more flexibility in how traffic movements are spread through the week.

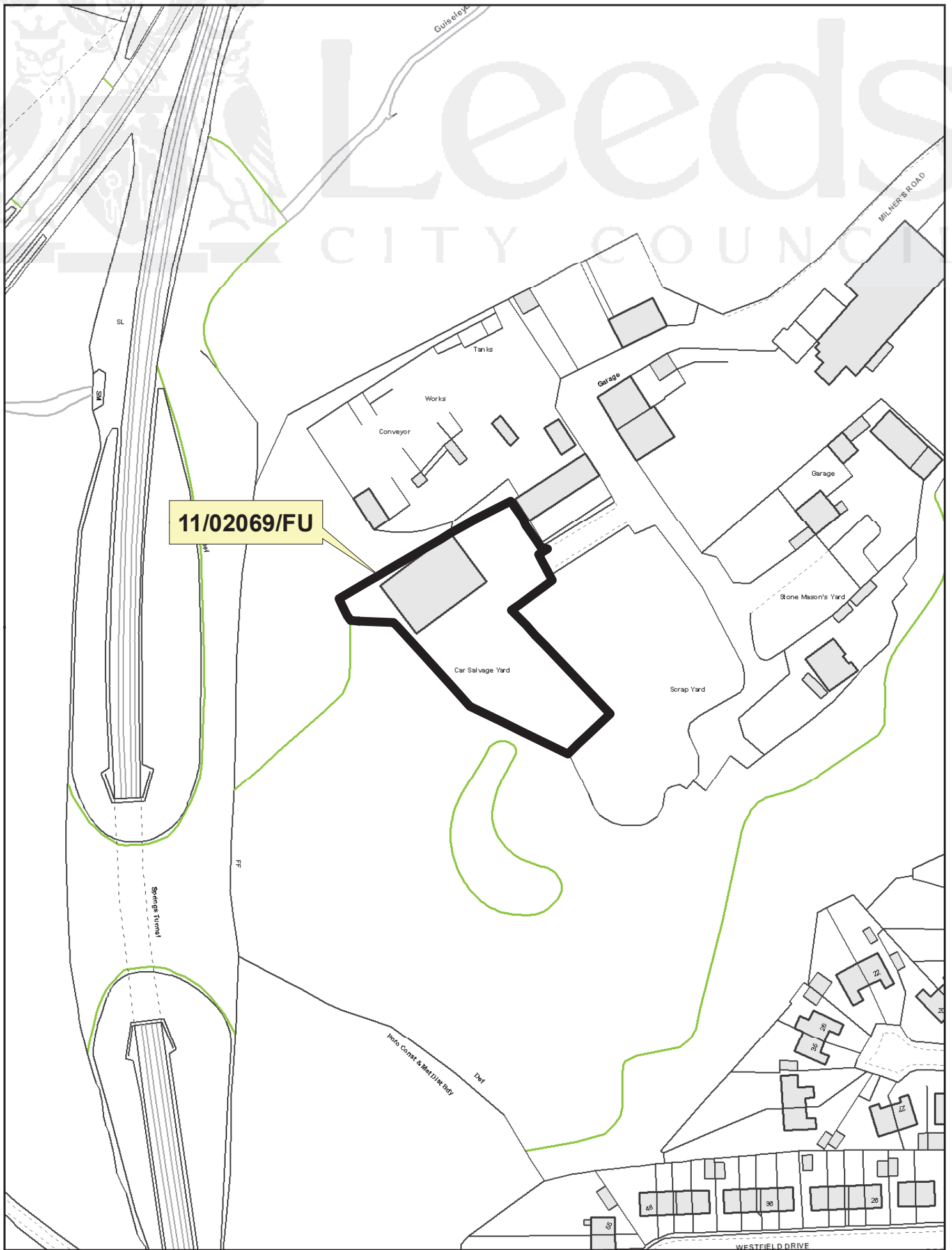
## **11. CONCLUSION:**

- 11.1 The principal considerations in terms of the overall planning balance are considered to be as follows:
- 11.2 The matters which weigh against the proposal (the harm):
- i) There would be a degree of harm to the living conditions of occupants of nearby property due to noise disturbance from additional HGVs associated with the proposal, which is of moderate weight;
- 11.3 The matters which weigh in favour of the proposal:
- i) There have been no personal injury accidents on either Milners Road or Dibb Lane within the last 5 years, which is of minor-moderate weight;
  - ii) The Acoustic Reports indicate that noise disturbance from on-site operations with the extended Saturday hours would be unlikely, which is of moderate weight;
  - iii) The proposed extended hours have been further restricted beyond that applied for by the applicant, which is of minor to moderate weight;
  - iv) The proposal would enable additional materials to be recycled / recovered, which is of moderate to substantial weight.
- 11.4 In relation to the other matters raised by local residents (e.g. a bollard being knocked over) it is considered that the matters do not detract from the proposal. But nor does that position add weight to the position in favour of the development. Such matters do not, therefore, materially affect the overall balance.

11.5 The competing matters in this balance are all of importance but in this instance it is considered that the case in favour of the proposed development outweighs the potential harm identified. Officers acknowledge that an increase in vehicle movements on Milners Road may not be in the interests of the living conditions of local residents but without there being clear demonstrable grounds for objection it cannot be demonstrated that significant impacts would arise and that permission should be withheld. It is therefore concluded that there is no conflict with the saved policies of the UDP and the application is recommended for approval.

**Background Papers:**

Application file  
Planning Permission ref. 08/05019/FU  
Certificate of Ownership  
2009 Traffic Count for Milners Road.



# WEST PLANS PANEL



Originator: Mathias Franklin

Tel: 0113 24 77019

## Report of the Chief Planning Officer

### PLANS PANEL WEST

Date: 29<sup>th</sup> March 2012

**Subject: APPLICATION NUMBER 11/03234/FU and 11/03370/CA: Demolition of 11-13 Heathfield Terrace and redevelopment of former halls of residence site comprising 4 storey residential care home of 46 apartments (C2 Use Class), 3 blocks of 54 flats, 2 blocks of 13 townhouses, conversion of stables to detached house, with landscaping and public open space, Tetley Hall, Burton Crescent, Headingley**

**APPLICANT**  
Pickard Properties

**DATE VALID**  
21.09.2011

**TARGET DATE**  
Planning Performance Agreement

#### Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**Defer and delegate approval to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 Agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:**

- The development must begin prior to 29 April 2014 (in view of interim affordable housing policy reduction of affordable housing requirements).
- On site affordable housing (Block I, all 11 apartments to be provided as submarket tenure) to be provided prior to occupation of the 46<sup>th</sup> dwelling or if no RSL wants Block I default to off site payment totalling £800,000.
- On site greenspace provision and off site contribution (£42,380.47)
- Public Transport Infrastructure SPD (£41,407)
- Metrocards for residents (£28,611.00)
- Real Time Bus Display unit at bus stop number 10445 (£10,000)
- (£20,000) towards off site highway works on Moor Road for parking bays.
- Travel Plan Monitoring fee (£2500)

- **Off site highway works to be funded by the developer to include: footway widening with build-outs to accommodate a parking bay on Moor Road and the introduction of parking restrictions in the vicinity of the site. Redundant crossings would also need to be reinstated as pavement.**
- **A management company to be established for landscaped areas maintenance.**
- **A management fee to cover the implementation of the S106**

**Defer and delegate to the Chief Planning Officer the granting of Conservation Area Consent for the demolition of Tetley Hall and 11-13 Heathfield Terrace in accordance with the conditions specified below.**

1. Two year time limit on full permission
2. Development carried out in accordance with the approved plans.
3. External walls and roof, door and window frames materials to be provided with sample panel on site
4. Details and samples of all surfacing materials.
5. Only natural slate, natural stone and timber framed doors and windows shall be used on site for the lifetime of the development
6. Removal of permitted development rights
7. New vehicular accesses and off-site highway works to be approved and implemented prior to first occupation
8. Areas to be used by vehicles must be hard surfaced and drained
9. Methods to be employed to prevent mud, grit, dust and dirt being carried onto the public highway
10. No construction, demolition or engineering works (including land reclamation, stabilisation preparation, remediation or investigation) shall take place on any Sunday, Bank Holiday or Public Holiday and otherwise such works shall only take place between the hours of 08:00hr to 18:00hr weekdays and 08:00hr to 13:00hr Saturday, unless otherwise permitted in writing by the Local Planning Authority. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.
11. Boundary treatment across all site frontages of all dwellings fronting the adopted highway must be no greater in height than 1m
12. Details and provision of secure cycle parking
13. Details and provision of bin storage
14. All car parking to be unallocated on site
15. Residents of the retirement block M shall be 55 or over.
16. Block M shall be occupied as a C2 Use Class Residential Institution.
17. All flats and houses shall be constructed and occupied as C3 dwellinghouses
18. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Scott Wilson dated August 2008.
19. Full details of the drainage strategy for the whole site approved.
20. Levels details to be provided and no development or change of levels allowed in root protection areas of retained trees
21. Pre start meeting to agree tree protection measures
22. Arboricultural method statement
23. Protection of Trees/Hedges/Bushes during construction
24. Preservation of Retained Tree/Hedge/Bush
25. Replacement of Trees/Hedges/Shrubs
26. Landscape scheme and management plan to be submitted and implemented
27. The public open space area as shown on the approved layout plan shall be available for public access in accordance with a timetable agreed in writing with the LPA and shall be retained and maintained as public open space for the lifetime of the development.

28. Bat and bird surveys to be carried out prior to commencement of development (including demolition) and approved by LPA.
29. Submission and implementation of hard and soft and landscape details
30. Unexpected Contamination
31. Importing soil
32. Details of sustainable construction with reference to the Council's policy Building for Tomorrow Today to be approved and implemented.
33. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

Policies GP5;N2/N4;N8; N12;N13;N19;H1;H3;H11;H12;T2;T24;BD5;LD1

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

**Conditions for Conservation Area Consent for demolition of Tetley Hall and 11-13 Heathfield Terrace.**

1. Time limit.
2. In accordance with approved plans
3. No demolition until allowed as part of agreed timetable and phasing plan and subject to the commencement of development for the replacement buildings.
4. Demolition works restricted to 08:00 hours and 18:00 Hours Mondays to Saturdays or at any time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
5. Tree protection measures to be agreed and in place prior to commencement of development.
6. In granting Conservation Area Consent the City Council has taken into account all material matters relating to the building's contribution to the architectural or historic interest of the area and the wider effects of demolition, including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), and The Development Plan consisting of the Regional Spatial Strategy 2004 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

Policies N18A, N18B, GP5 and BD5.

On balance, the City Council considers the proposal would not give rise to any unjustified consequences for the character and appearance of the conservation area.

## **1.0 INTRODUCTION:**

1.1 This application is brought to Panel due to the history associated with the site, scale of development and the high level of local interest in the proposal. Members may recall this scheme was presented before Panel in April 2011 as a pre-application item. Panel visited the site and saw the layout and masterplan along with elevation drawings. Broadly the scheme was well received and Panel were pleased with the revised layout and design approach.

## **2.0 PROPOSAL:**

2.1 This proposal comprises three new apartment blocks of 54 units in total (three storeys with fourth level accommodation in the roofspace) and 13 townhouses in two terraced rows (three storeys in height) with a coach house linked onto the end of the first terrace row. The proposal also includes the conversion of an existing outbuilding into a Mews dwelling. The scheme also includes a retirement complex of 46 units in a part five part four storey building. The purpose built halls of residence are to be demolished as is the existing villa known as Heathfield Terrace(11-13).

2.2 The design and appearance of this scheme is traditional Victorian style housing and villas with natural stone and slate and timber door and window frames. In total this residential development comprises 114 units with 96 car parking spaces. Vehicular access will be split between the retirement block and 3 apartment blocks accessing from the existing Moor Road access and the terraced rows and conversion dwellings accessing from the existing access on Burton Crescent. There will be no through access from Burton Crescent to Moor Road.

## **3.0 SITE AND SURROUNDINGS:**

3.1 The site is within a leafy suburb of predominantly family residential properties. The actual site boundary is spread over six acres, and bordered on the north-east side by Moor Road, a wide residential access road. The site is currently accessed on the south side from Burton Crescent, a tree lined residential access road which has links to the Otley Road (A660) and Meanwood village. The site contains a number of buildings. The main building is the purpose built Student Block. There is a 1960s four storey student block which currently dominates the site which will be demolished as part of the proposals. This building has no architectural merit and its removal and replacement with smaller residential buildings will be a positive improvement.

3.2 The site also contains eight existing buildings converted for student use: -

- Moorfield Lodge;
- Moor Grange;
- Moor Grange Gatehouse;
- Heathfield Cottage (11 to 13 Heathfield Terrace);
- Burton Grange (17 Burton Crescent);
- Burton Lea (19 Burton Crescent);
- Burton Lea Stable Block; and
- Moor Grange Stable Block.

3.3 The site is within the Far Headingley Conservation Area, within the Area of Housing Mix and is designated as an Urban Green Corridor in the UDP Proposals Map.



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

4.1 Following a review of the Council's records the following planning history on the site is considered relevant:-

4.2 **08/04024/FU** – 3 new student flat blocks comprising 45 cluster flats with 259 bedrooms and 17 student townhouses with 102 bedrooms, with car parking and public open space. Refused 22.02.2010 on grounds of principle of student development, design & layout issues, loss of amenity for neighbours, tree loss, none compliance with S106 policies; and

4.3 **08/04049/FU** - Redevelopment of former halls of residence site comprising conversion of 6 buildings to 29 flats and 2 houses, erection of 3 blocks totaling 70 flats, 17 townhouses, one block of 51 retirement flats, with landscaping and public open space. Refused 22.02.2010 on grounds of design and layout, loss of residential amenity, tree loss and none compliance with S106 policies.

4.4 The same applicant's were refused planning permission on the 28<sup>th</sup> April 2008 for the redevelopment of former halls of residence site comprising: conversion of six buildings to 29 flats and two houses; erection of three blocks totaling 75 flats; 17 townhouses, one detached dwelling and a part four/part five storey block of 53 retirement flats with landscaping and public open space, under reference 08/00471/FU. The reasons for refusal cover the following points: -

- Over-intensive nature, height, scale, massing, separation distances, access layout and associated parking;
- The premature loss of protected trees;
- Insufficient provision of affordable housing within the application;
- Insufficient provision of additional or improved Greenspace;
- Failure to secure provision of education facilities;
- Insufficient enhancements to strategic public transport infrastructure, basic public transport site access provision and fails to encourage and promote access by sustainable modes of travel, and
- Lack of a Flood Risk Assessment.

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

5.1 Prior to submission of this scheme, the applicant met with Officers to discuss the development of a suitable design approach. The current scheme results in smaller buildings, a reduction of 22 units from the scheme previously refused by Panel, and a reduction of about 40 car parking spaces. The building design has also altered significantly as a traditional design approach is being employed. Changes to the layout of the site have also taken place with the terrace row being split into two blocks. The nursing home element has been redesigned and orientated to better front the public open space. The style of the apartment blocks has also changed and the scale of these buildings has been reduced from the previous application and also have been reduced through negotiation during this pre-application process.

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

- 6.1 The application has been advertised via a site notice (posted on 30.09.2011) and an advert in the local newspaper (published on 05.10.2011). 39 letters of objection and 2 letters making representations have been received including comments from the Headingley Development Trust and Councillor Walshaw on behalf of the Inner North West Area Committee Planning subgroup. The Leeds Civic Trust and Ward Councillors Chapman and Bentley have objected to the application. The following issues have raised:
- The scale and massing of the development is out of keeping with the area.
  - The buildings will dominate the surrounding area
  - The development is over intensive
  - Insufficient car parking is provided on site
  - Detrimental impacts on the surrounding road network
  - Loss of greenspace
  - The loss of 11-13 Heathfield Terrace would be harmful to the conservation area
  - Concern over student lets
  - Impact on birds and squirrels in the area
  - Loss of trees and greenspace
  - Block J too close to residential properties
  - Removing the existing villas from the plans does not provide a true picture of the impact on the highway network and on street parking problem in the area
  - Contrary to Far Headingley Design Guide and the Conservation Area Appraisal and Management Plan
- 6.2 The Headingley Development Trust have made the following comments: Can the S106 affordable housing obligation be provided in the form of an off site commuted sum so that the money can be used to buy vacant HMO's in the Area of Housing Mix? These HMOs could be converted into affordable housing and thus meet two objectives in rebalancing communities and providing housing which is affordable.
- 6.3 The Leeds Civic Trust wrote in twice to comment on the application. Their second letter adds to their first in that they now object to the loss of greenspace which provides a setting of the villas. They also want to see as much green space as possible retained on the scheme. They also consider the scheme is not in accordance with the guidance in the Neighbourhood Design Statement for Far Headingley. Their first letter stated they supported the principle of design approach but had concerns about the quality of surface treatments, the value of the open space when surrounded by cars, bin and cycle provision and that natural local materials should be retained for the lifetime of the development.
- 6.4 Councillors Chapman and Bentley both object to the application for the same reasons:
- The site consists of many trees of good quality and I have concerns about their fate during construction and would like to have a condition that any trees removed are replaced with like for like where appropriate.
  - The proposed application is an overdevelopment of a beautiful parkland site set in the heart of the Far Headingley Conservation Area and is one of the lungs in this urban setting and will cause some loss of amenity for local residents

- Whilst welcoming a care home on site as part of a balanced community I have concerns that the four story block will dominate the site and affect residents in Cottage Road in particular through lack of privacy and cause shading
- In a similar way the town houses affect residents in Shaw Lane as they are very tall and dominant
- There are too many flats compared to houses and there is a real need for family housing in this area
- There are concerns about the boggy area which has not been addressed near where the town houses are proposed
- Parking is a major issue in this area and there will be extra pressure on local roads which are already fully parked up day and night
- I welcome the idea of parallel parking with outbuilds and trees on Moor Road as there's been a history of speeding on this road and this would address both issues
- There are real issues for vehicles on both Moor Road and Burton Crescent accessing and entering the site not least due to the speed on Moor Road and the parking on both roads
- Traffic congestion is also high in the area with many drivers using Moor Road as a short cut and I find the extra car movements in the transport report difficult to believe with a proposed development of this size
- This is further exacerbated by the junctions at Cottage Road (several near missess and bumps not recorded in the Council's statistics as no injuries), Moor Road with Shaw Lane and Monk Bridge Road - there have been several accidents around this junction in the last few years
- I'd like to see a commuted sum of the Section 106 Agreement on affordable housing from the development to be used to return HMO properties to family accommodation to bring a more sustainable balance of population to the area.

6.5 The Inner North West Area Committee Planning Sub Group would like to make clear that they believe that, despite the financial viability appraisal put forward by the applicant, the necessary section 106 contributions for the Tetley Hall development should be required where the respective thresholds are met in order to facilitate the development.

## 7.0 CONSULTATION RESPONSES:

### **Statutory:**

7.1 Environment Agency: No objection subject to conditions.

### **Non-Statutory:**

7.2 Highways: No objections in principle subject to a revised plan to address the visibility splays within the site and ensuring adequately sized turning heads and conditions/S106 contributions attached to any subsequent planning permission.

7.3 Metro: No objection, subject to the provision of the residential metro card scheme and a contribution towards upgrading a bus stop to real time display.

7.4 NGT: Supplementary Planning Document (SPD) "Public Transport Improvements and Developer Contributions" has a threshold of 50 units for residential dwellings. The proposed development therefore triggers a public transport contribution as listed above in the recommendation box.

7.5 Land Contamination: No objection subject to conditions.

- 7.6 Mains Drainage: No objection subject to conditions.
- 7.7 Yorkshire Water: An initial objection, which has now been resolved through additional information. Therefore, no objection.

## **8.0 PLANNING POLICIES:**

8.1 The development plan for Leeds comprises the Regional Spatial Strategy for Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007.

8.2 Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SP) as follows;

- Policy SG2: To maintain and enhance the character of the District of Leeds;
- Policy SG4: To ensure that development is consistent with the principles of sustainable development;
- Policy SA1: To secure the highest possible quality of the environment throughout the District, by protecting existing good environment, conserving and enhancing where there is scope for improvement, including initiating the renewal and restoration of areas of poor environment;
- Policy SA7: To promote the physical and economic regeneration of urban land and buildings within the urban areas, taking account of the needs and aspirations of local communities; and
- Policy SP1: Greenspace is protected and enhanced as an important land use in its own right in conferring amenity, quality of life and sense of identity to established communities and proposed extensions.

8.3 The application site is in the AHM and is an Urban Green Corridor site. Therefore the specific development Leeds Unitary Development Plan policies are: -

- Policy GP5: Development control considerations;
- Policy GP7: Where development would not otherwise be acceptable and a condition would not be effective, a planning obligation will be necessary before planning permission is granted. This obligation should cover those matters which would otherwise result in permission being withheld and if possible should enhance the overall quality of the development. Its requirements should be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects;
- Policy GP9: Promotes community involvement during the pre-application stages.
- Policy H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.
- Policy H3: Delivery of housing land release.
- Policy H4: Residential development on non-allocated sites.
- Policy H11: Refers to the provisions of affordable housing within new housing proposals which meet the requirements of PPS3;

- Policy H12: The council will negotiate the proportion and type of affordable housing required for individual sites in the context of the extent, nature and need of affordable housing in the locality and the characteristics of the site;
- Policy H15: Refers to all new housing developments intended for occupation by students to satisfy five criteria tests prior to being acceptable;
- Policy BD5: New buildings design consideration given to own amenity and surroundings;
- N1: Public open space provision.
- Policy N2: Support given to establishment of a hierarchy of greenspaces;
- Policy N4: Refers to provision of greenspace to ensure accessibility for residents of proposed development;
- Policy N8: Urban Green Corridor
- Policy N12: Refers to all development proposals should respect fundamental priorities for urban design;
- Policy N13: Refers to design of new buildings should be of high quality and have regard to character and appearance of surroundings;
- Policy N14 to N22: Listed buildings and conservation areas.
- Policy N23: Incidental open space around new built development.
- Policy N38B and N39A: set out the requirement for a Flood Risk Assessment.
- Policy LD1: Criteria for landscape design.
- Policy T1: Refers to transport investment being directed towards, improving the quality and provision for alternatives to the car by improving public transport. The policy lists 5 criteria for improving public transport and promoting alternative forms of sustainable transport;
- Policy T2: Refers to development capable of being served by highway network and not adding to or creating problems of safety;
- Policy T2D: Refers to proposals that would otherwise be unacceptable due to public transport accessibility issues being addressed through developer contributions or actions to make enhancements, the need for which arise from the proposal;
- Policy T5: Seeks to ensure the safe and secure access and provision for pedestrians and cyclists within highway and new development schemes;
- Policy T6: Refers to satisfactory access and provision for people with mobility problems within highway and paving schemes and within new development; and
- Policy T24: Refers to parking guidelines for new developments.

#### 8.4 Supplementary Planning Guidance

- SPG3: Affordable Housing;
- SPG4: Greenspace Relating to New Housing Development;
- SPG11: Section 106 Contributions for School Provision;
- SPG13: Neighbourhoods for Living;
- Far Headingley, Weetwood and West Park Neighbourhood Design Statement;
- Far Headingley conservation area appraisal and management plan;
- SPD Public transport improvements and developer contributions;
- Street design guide SPD, and
- Travel plans SPD (Draft).

#### 8.5 Government Guidance

- PPS1: Delivering Sustainable Development;
- PPS3 Housing;
- PPG13 Highways, and
- PPS5 Planning for the Historic Environment.

### **Emerging Core Strategy**

8.6 The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

### **9.0 MAIN ISSUES:**

9.1 The following are the main issues for consideration:

- Principle of the development
- overcoming the previous reasons for refusal
- Impact of the proposal on the setting of the Conservation Area and the Urban Green Corridor;
- Highway matters on and off site; and
- Section 106 package

### **10.0 APPRAISAL:**

#### **Principle of Development:**

10.1 The site is considered to be a mixture of both previously developed land (brownfield) and Greenfield (never having been previously developed). The site is located within the main urban area of the city and in a sustainable location with good access to public transport routes and local services and amenities. Panel may recall they discussed the principle of the redevelopment of the entire site at the pre-application presentation and were broadly supportive of the proposed masterplan which included development on the Greenfield parts of the site. Since the 2011 pre-application presentation the Council has elected to release for development all of its phase 2 and phase 3 housing sites in response to appeal decisions and has also removed its objection to the principle of developing on unallocated Greenfield sites which are in sustainable locations. Accordingly the principle of development is considered acceptable in relation to UDP policy H4 and in accordance with the guidance contained within PPS3 (Housing) 2010.

#### **Overcoming the previous reasons for refusal**

10.2 The changes to the layout of the site and the changes to the scale, massing, design and appearance of the this scheme are considered to be positive changes that are responding to the previous reasons for refusal relating to both layout and design matters and also in relationship to the reason for refusal relating to impacts on neighbouring properties amenity. The existing land use is for C3 student residential occupation. The removal of a purpose built student block which does not make a

positive contribution to the character and appearance of the conservation area is welcome. The creation of a range of housing, including C3 Use Class family terraced houses and retirement flats the within the C2 Use Class is considered positive. The developer has committed to building all the dwellings (flats and houses) within the C3 Use Class so as to exclude C4 Use Class HMOs. This element will be conditioned.

- 10.3 The previous application for residential redevelopment of the site was for a total of 144 dwellings. The current application has reduced the intensity of the site's development by 30 units.
- 10.4 The modern design approach of the previous application formed part of the reason for refusal. In response to this the current application would be constructed in a traditional style of Victorian architecture. Although the scale of the apartment buildings is still large at 3 storeys or 4 storeys for the retirement block with a further level of accommodation in the roofspace, it is considered the use of traditional designs of pitched roofs, dormers, large windows with heads and cills and large bay features will help break up the scale and massing of these blocks.
- 10.5 The previous reasons for refusal included the relationship of the apartment blocks to the neighbouring dwellings. The current masterplan re-sited the blocks further away from the neighbouring dwellings such that the current proposal does not generate any serious concerns with regards to over looking or loss of privacy.
- 10.6 The reasons for refusal relating to lack of affordable housing, greenspace contributions and travel planning measures have also been overcome by this application. The S106 package is explained in the relevant section of the report below.

### **Impact of the proposal on the setting of the Conservation Area and the Urban Green Corridor**

- 10.7 The application site was first designated as 'The Cottage Road' Conservation Area in 1972. It was subsequently merged with the larger Headingley Conservation Area. Since the applications submissions, the site has been included within the 'Far Headingley' conservation area via the adoption of the Far Headingley conservation area appraisal and management plan in November 2008. Far Headingley, Weetwood and West Park have also been subject to the adoption of a Neighbourhood Design Statement in 2005. This adopted document builds on existing statutory planning policy to ensure that change contributes to the sustainability of the area, its heritage, its design quality, its landscape and its social cohesion.
- 10.8 The former hall of residence is identified in the conservation area appraisal as a building with the opportunity for enhancement while the retained villas are identified as positive buildings. The proposal involves the demolition of the student halls of residence and the semi detached villas of 11-13 Heathfield Terrace. It is considered that the student block makes a negative contribution to the character of the conservation area and can be demolished. The villa on Heathfield Terraces makes a positive contribution to the overall street scene and whilst not overly impressive in its own right does currently fit in with the existing character. As such the demolition of this building is balanced against the benefits of bring forward the overall project and delivering a housing scheme that is well designed and contributes to local objectives. The replacement building, block I has been sited and designed to respond both with regard to its prominence in the Heathfield Terrace street scene by

having articulated gable ends but also its relationship to the wider site. Although the car parking area is proposed in the grounds of the former villas it is considered that well designed boundary treatments and landscaping can help screen this car park from public views from Heathfield Terrace. Overall this element of the proposal is considered to preserve the character and appearance of this part of the conservation area.

- 10.9 The scale and massing of the retirement block will mean that it will be one of the largest buildings in the area. The scale and massing of the existing Tetley Hall building is a material consideration in considering whether a replacement building on site of the scale proposed is appropriate of this conservation area setting. Members will recall they commented upon this block during the pre-application presentation and acknowledged that its size, siting and design had responded positively to the previous reasons for refusal and although large the building was set within its own grounds and would sit comfortably in the context of the open space being created in front of the building.
- 10.10 The two rows of terraced houses which would take their access from Burton Crescent would face the retirement apartment blocks at the lower end of the site. These terraces would be three storeys, with the third level of accommodation provided within the roof. The scale and massing of the block is considered to sit well in the context of the areas. The terraces provide a frame to the proposed area of public open space. The terraces will have good rear gardens. The gardens will be between 12 and 14 metres in length. This provides future occupiers with good levels of amenity whilst ensuring that the residential properties adjoining the rear gardens are not over looked. It is not possible to provide car parking directly outside each unit because of the need to protect important trees on site, protect the Urban Green Corridor and not eat into the area of public open space and as such parking for these units is located in parking courts. This is not ideal but it is a practical and sensible solution to the sites constraints. Gable end windows will be inserted into the terrace rows to provide over looking and surveillance of these parking courts. Although not explicitly mentioned in the Far Headingley, West Park and Weetwood Neighbourhood Design Statement it is considered that overall the development complies with the design aims of the Far Headingley, West Park and Weetwood Neighbourhood Design Guide. In addition the developer's commitment to fund parking bays along Moor Road is referred to in the document on page 15.
- 10.11 The proposed development within the grounds of the former Tetley Hall would involve building on the land designated as Urban Green Corridor. The objectives of the Urban Green Corridor are to provide a series of links from the countryside through the urban area such that people and nature can benefit from greenspaces in built up urban areas. The possibility of providing improved access into these areas for recreation is one of the suggested benefits that should be provided should development in these areas be allowed. As part of the proposal this application would create an area of publicly accessible open space that could be used by both future occupiers and existing residents. The masterplan has been designed to frame this space and the configuration of buildings is such that there we will good over looking and surveillance of this space making it attractive for people to use. Members will recall they were broadly supportive of the masterplan and the creation of a central area public open space on site and Members acknowledged that as a consequence this would result in development within the Urban Green Corridor.

## **Highway matters on and off site**



- 10.11 The overall parking provision on the site is considered acceptable as it meets with minimum parking guidance standards and is in a highly sustainable area. Bays in parking courts to blocks I, J and K must remain unallocated for the lifetime of the development in order to maximise efficient use of the parking bays within the development, this should be secured by condition of any approval. In addition, part of the development is to be marketed to over 55s and this should also be a condition. However, parking in the surrounding streets is already a concern and can be a problem, particularly in the evenings when the cinema is open. In order to maintain safety at local junctions and to ensure residents and visitors do not add to existing parking problems, the development will fund Traffic Regulation Orders in the vicinity of the site to protect safety at local highway junctions. These works would include the junctions of Cottage Road/Moor Road, Heathfield Terrace/Cottage Road, Burton Crescent/A660, Burton Crescent/Shaw Lane and junctions on Moor Road opposite the development frontage. The developer has committed to delivering all the required off site highway works.
- 10.12 The developer has committed to funding parking bays on Moor Road. This is a request of local residents and should improve off street parking whilst also helping to reduce vehicle speed along Moor Road.
- 10.13 The Site lies close to Otley Road which is one of the busiest public transport corridors in the City providing frequent services to a wide range of jobs, educational facilities, shops and services and leisure facilities. The site is fully accessible by pedestrians with a wide range of services and amenities within easy walking distance and the Site is readily accessible by cycle. A Transport Assessment and Travel Plan have been submitted with the applications which provide details relating to highways and transportation matters including the metro cards for future occupiers and the improvements to the bus stop with real time display.
- 10.14 The developer is currently providing preparing further information on the visibility splays within the site and also in relation to showing the tracking for refuse vehicles in the turning heads. It is anticipated this work will be done by the time of the Panel meeting and that a verbal update can be provided on these element at the Panel meeting.
- 10.15 Subject to the above being satisfactorily addressed the proposal is considered acceptable in relation to highway safety and car parking considerations.

### **Section 106 package**

- 10.16 The S106 package outlined at the head of this report has been agreed with the developer and is in compliance with the planning policy requirements generated by this application accept for the provision of affordable housing. All contributions in the S106 would be indexed linked.
- 10.17 As stated above the affordable housing element of the S106 package represents a departure from the normal policy approach. Ordinarily this development would be required to provide 15% of all its C3 dwellings as affordable with a split of 50-50 between submarket and social rented properties. The developer has submitted a viability case with this application to justify not providing this normal policy requirement. The viability demonstrated that to build the blocks in natural materials to the specifications befitting this conservation area would render the development none profitable and as such would not incentivise development. Officers have carefully consider this appraisal and have though negotiations with the developer suggested that Block I which is 11 apartments of a mixture of 1 and 2 bedroom units

should be provided on site as the affordable housing element of the development and that instead of a mixture of social rented and submarket tenure they could all be for sub market tenure to acknowledge the high build cost in bringing forward the development.

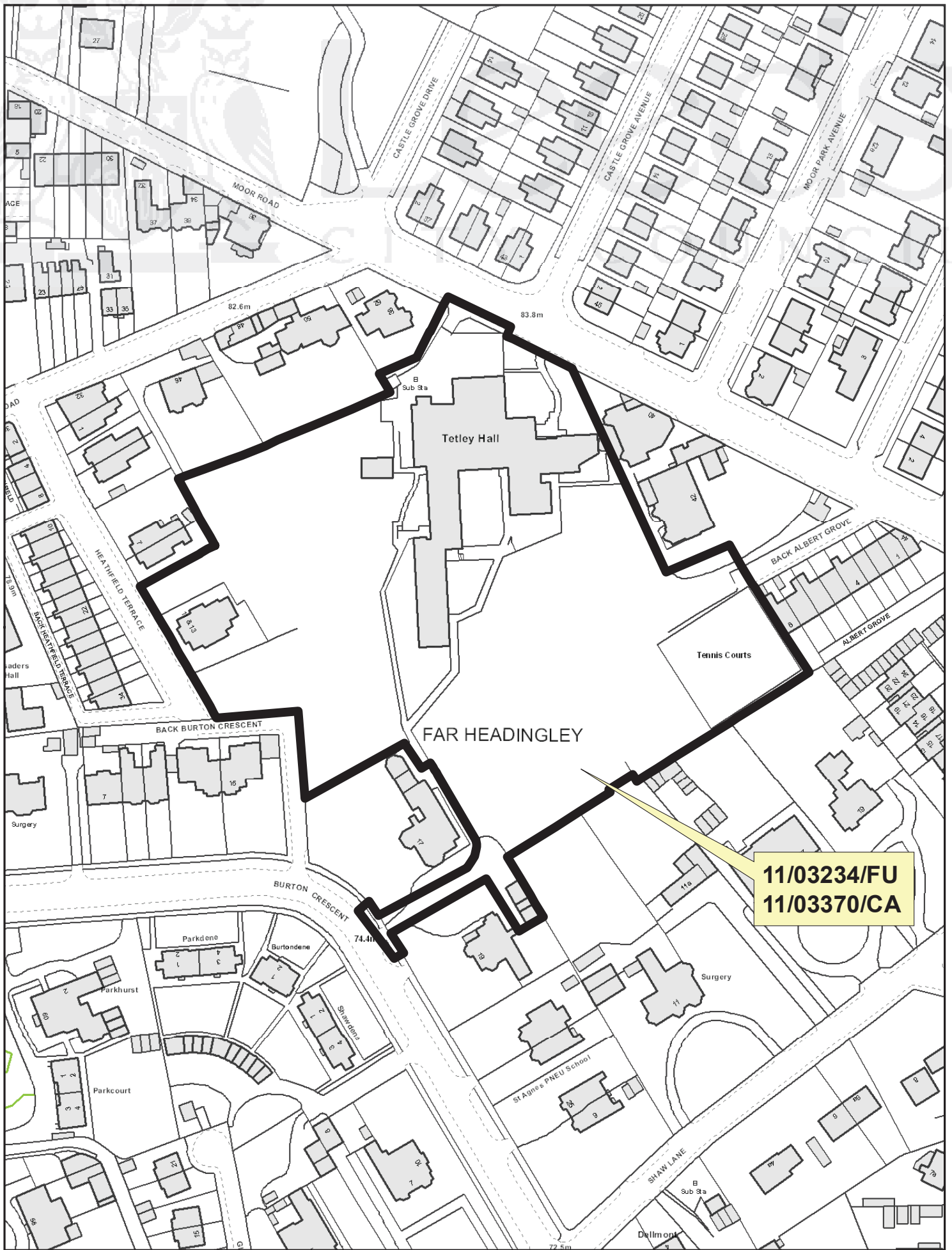
- 10.18 Whilst normally the policy seeks to provide a mix of accommodation types and in pepper potted locations across the site it is considered there are reasons in this instance to depart from this approach. This development would require 10 affordable housing units if the normal policy approach was applied, this option delivers 11 units. The developer is able to achieve financing of the development with this affordable housing approach and can bring forward housing on this site and commence building. The housing need in the area would support delivery of 1 and 2 bedroom units. The Registered Social Landowners (RSLs) have been informed of this approach and have expressed an interest in this option. As such and on balance it is considered that given the high build costs associated with this development that this option is acceptable in this instance.
- 1019 Furthermore the developer has also offered that if Panel do not wish to pursue an on site affordable housing proposal then the cash equivalent of £800,000 could be provided for an off-site contribution to meet the aspirations of the Leeds HMO lobby which are hoping to buy back vacant HMOs in the Area of Housing Mix and turn them into affordable housing. Whilst this was agreed at the Leeds Girls High School site it is an untested method and it is unknown how many units this could actually deliver and the delivery of new build units on site is being preferred for the recommendation of this application.

## **11.0 CONCLUSION:**

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable and complies with the planning policies set out in the Leeds Unitary Development Plan Review (2006), supplementary planning guidance and national planning guidance. The proposed development is considered to preserve the character and appearance of this part of the Far Headingley Conservation Area. There are no other material planning considerations that outweigh this finding. The proposal is therefore recommended for approval.

### **Background Papers:**

Site history files



11/03234/FU  
11/03370/CA

# WEST PLANS PANEL



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Originator:	Mathias Franklin
Tel:	0113 24 77019

## Report of the Chief Planning Officer

### PLANS PANEL WEST

Date: 29 March 2012

**Subject: APPLICATION NUMBER 12/00244/FU – Partial demolition, alterations, two storey and first floor extensions to offices, with reconfigured car parking layout, Airedale House, Park Road, Guiseley, LS20 8EH**

APPLICANT	DATE VALID	TARGET DATE
J M Glendinning (Insurance Bankers) Ltd	30.01.2012	26.03.2012

#### Electoral Wards Affected:

Guiseley and Rawdon

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**Grant permission subject to the following conditions.**

1. Standard 3 year time limit.
2. Details of approved plans
3. Samples of materials to be submitted, walls and roof, doors and windows
4. Car parking layout to be in place prior to first use
5. Off site highway works to be complete prior to first use
6. Travel plan measures to be in place prior to first use and retained for lifetime of development
7. Prior to commencement the developer shall agree in writing details of the tree works required to the Oak tree in the adjoining neighbours garden overhanging the site. The works shall be done prior to the commencement of development.
8. Tree protection measures to be in place prior to commencement
9. Existing hedgerow adjacent to adjoining dwelling house to be protected and retained for the lifetime of the development
10. The Local Planning Authority shall be notified a minimum of seven days in advance of the Start on site hereby approved to attend a tree/vegetation protective pre-start meeting. This meeting shall coincide with the completion of any approved tree works (such as

fellings and pruning) and after tree/vegetation protective fences and ground protection measures have been installed in accordance with previous conditions 7,8 and 9

11. Landscape scheme to be approved prior to commencement and implemented within first planting season after occupation.
12. Bin and cycle store details to be approved
13. Standard land contamination conditions

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5;T2;T7a;T24;N19;BD6:

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

### **Informative**

In relation to condition 10, the purpose of the meeting will be to check tree/ vegetation protective fencing locations and the specification of the protective fencing. To also check additional ground protection measures. To agree any further protection measures /restrictions and to agree the timing of any further meetings with the Tree Officer.

(Pre Start on site shall mean before any materials or machinery are brought onto the site and before any demolition/ site clearance, contamination works or soil stripping, grading operations etc)

## **1. INTRODUCTION:**

- 1.1 This application is brought before Members at the request of Ward Councillor Graham Latty on the grounds that the proposal would result in an increase of on street car parking to the detriment of residential amenity.

## **2. PROPOSAL:**

- 2.1 The proposals involve the reconfiguration of the layout and external alterations and part first floor extension of the existing building on site to accommodate additional office space. A two storey extension will also be at the rear of the site. The alterations and extensions would be built in matching materials to the existing which includes stone, render and natural slate.
- 2.2 The existing car parking layout will also be reconfigured to provide additional car parking off street. In total 18 car parking spaces are proposed which is an increase of 4 over the existing situation. The site currently has 590sq.metres of floorspace over ground and first floor. The proposal would increase the extent of floorspace by 134sq. metres to provide a total over 724sq. metres over the ground and first floor.

## **3 SITE AND SURROUNDINGS:**

- 3.1 The site lies in a suburban residential area, to the south-west of Guiseley town centre. The locality is residential in character and dominated by traditional styled post war semi-detached properties, and older stone built terraced dwellings. The site lies adjacent to a Conservation Area which is situated to the east of the site. A small sector of the site, and stone boundary wall which lies to the southern boundary lies within the Conservation Area.
- 3.2 The site itself consists of a mainly stone built, single storey building with hipped roof, which has two more modern extensions which are rendered. The site operates as offices. The site has small curtilage areas around the building which are hard-surfaced and used as parking for its employees/ visitors. The site lies at a corner location and has boundaries to roads to three sides, Hawksworth Avenue to the north, Back Lane to the east, and Park Lane to the south. An end terrace property lies adjacent to the side to the west.

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

- 4.1 The following planning history on the site is considered relevant:-
- 06/03264/OT: Outline application to demolish existing buildings and erect a 3 storey block of 13 flats. **Refused** in 2006 because of over development of the site, limited space for parking and amenity and harm to character of the conservation area.
  - 10/05484/FU: First floor extension including part 2 storey element and creation of new car park. **Withdrawn** due to concern over the design of the extensions and also due to issues around car parking and increased capacity
  - 11/05103/FU: Partial demolition, alterations, two storey and first floor extensions to offices, with reconfigured car parking layout. **Withdrawn** to enable the applicant to conduct his own community consultation event which was attended by local residents and Councillor Latty.

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

- 5.1 There have been pre-application discussions prior to this application being submitted. The pre-application discussions considered several different design options for the site including an option of demolishing the existing buildings and erecting a new purpose built office block on the site.
- 5.2 Since the new build option was discounted due to the size of the block a reconfiguration of the existing buildings on site with alterations and extensions was reconsidered. The current application has developed from this discussion and whilst not without some constraints it is considered by the applicant to be the only solution that meets the floorspace needs to enable him to stay on site whilst improving the car parking situation and not resulting in a building which is out of scale or character with its surroundings.

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

- 6.1 This application was advertised by Site Notice on 02/03/2012. There have been 3 letters of representation have been received which neither object nor support including Councillor Latty's request for the application to be heard by Panel. The following issues have been raised:
- No objections with the proposed extension or the alterations to the building.

- Concerns over the increase of floorspace which will add to the problems of on street car parking in the area.
- The developer should be made to have a travel plan and promote car sharing schemes
- Parking permits and double yellow line road restrictions should also be considered

## **7 CONSULTATION RESPONSES:**

7.1 **Highways:** No objections to the application. The addition of 4 car parking spaces is sufficient to meet the needs of the extra floorspace being created and the introduction of TROs and travel planning measures should assist the on street parking issue in the area.

7.2 **Land Contamination:** No objection subject to conditions

## **8 PLANNING POLICIES:**

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

### **Development Plan:**

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

- Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.
- Policy BD6 refers to the consideration of building extensions and alterations which should respect the scale, form and detailing of the area and host building.
- Policy N19 refers to development proposals which should preserve or enhance the character of a conservation area
- Policy T2 seeks to avoid any harm or detriment to all users of the highway.
- Policy T7a states that all development must provide adequate and secure means of cycle storage.
- Policy T24 sets out specific criteria for parking provision.

### **Supplementary Planning Guidance**

Neighbourhoods for Living SPG

Guiseley Conservation Area Appraisal.

### **National Guidance/Statements:**

8.3 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be relevant, including;

- PPS-1 – Delivering Sustainable Development This PPG sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.



- PPS-4 Planning for Sustainable Economic Growth. This sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.
- PPS-5 Planning for the Historic Environment. This sets out the Government's approach to protecting and enhancing conservation areas and listed buildings and historic assets.

### **Emerging Core Strategy**

- 8.4. The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

## **9 MAIN ISSUES:**

- 9.1 Having considered this application and representations, it is considered that the main issues in this case are:
- Principle of the development
  - Impact on the adjacent conservation area from the design and appearance of the alterations and extensions proposed
  - Impact on the living conditions of neighbouring residents
  - Highway safety and car parking

## **10 APPRAISAL:**

- 10.1 The site is in use as an office for an Insurance Broker. Although the site is outside of the defined town centre it is still possible to extend existing commercial premises and not adversely affect the vitality and viability of the defined town centres. The scale of the extension is under 200sq.metres. Extensions below 200sq.metres do not require any impact assessments as this level of extension is considered relatively small such that no serious harm is envisaged on the commercial premises within defined town centres. As such the principle of the extension is acceptable and in accordance with PPS4.
- 10.2. The extensive pre-application discussions has resulted in various design options to try and meet the owners needs. The current design is considered the best option taking account of all the material planning considerations. The challenge of providing the floorspace the owner needs so that he can stay in the current premises whilst trying to make improvements to an acknowledged parking problem in the area has been central to this design option. In addition the impact on the setting of the adjacent conservation area from the design and appearance of the alterations and extensions proposed is also an important consideration in the determination of this application.
- 10.3. The design and appearance of the extensions and first floor alterations including the dormers is considered acceptable. The scale of the alterations and extensions is considered to relate to the domestic scale which is a characteristic of the area. The proposed two storey rear extension located adjacent to the boundary with Park Road is considered to sit comfortably in the street scene. The change of ground levels and

the screening afforded by the row of TPO'd trees in the neighbouring gardens help to soften this element of the proposal. The use of materials to match the existing building also complement the surrounding stone and render faced properties which is also considered positive.

- 10.4. The proposed alterations and extension are not envisaged to result in any harm to the amenity of the neighbouring residents by reason of size, siting or appearance. The alterations to the existing building do not result in any increases of height or footprint in close proximity to the adjoining dwelling. The introduction of the dormers to the first floor front and side elevations is not envisaged to result in over looking of habitable room windows and sufficient distances are retained to protect privacy. The proposed two storey extension at the rear of the site is set back from the neighbour's boundary and its size is largely screened from views by the existing buildings on site and also by the mature Oak tree in the neighbours garden. Overall the physical alterations should not adversely affect residential amenity.
- 10.5. The key issue in the delivery of this application has related to the need to improve the existing car parking both on site and on street around the road junction of the site. Currently there are 14 spaces available on site, the existing floorspace area would require up to 20 spaces to be provided. Given the historical nature of this site officers have in this instance accepted the existing situation as the starting point for negotiations about how to improve the parking and highway safety concerns in the vicinity of the site. The parking requirement generated by the increase in floorspace is 4-5spaces. The current layout shows that 18 off street spaces could be provided which effectively mitigates the impact of the increases in floorspace. The applicant has indicated that should he get planning permission and implement the plans he could employ an additional 10 people. This is a positive element of the application but clearly adds more people and activity into this busy area. Pedestrian and vehicular activity in this location is significant, particularly during the am and pm peak times and at school arrival and departure times. Accordingly Traffic Management Measures in the form of waiting restrictions are required on Back Lane and Hawksworth Avenue in the vicinity of the site. The extent of these measures will be subject to detailed design and consultation and will require the applicant to enter into a Section 278 Agreement (Highways Act 1980) with the Council. The applicant will be required to fund the full cost of Traffic Regulation Orders.
- 10.6. The over-all scale of the proposals falls below the threshold for requiring the submission of a Travel Plan or Travel Plan Statement. The applicants have however submitted a Travel Plan Statement which aims to promote sustainable alternatives for travel to/from the site. The applicants have indicated that they will appoint a Travel Plan co-ordinator and that they intend to join the West Yorkshire Travel Plan network.

## 11 **CONCLUSION:**

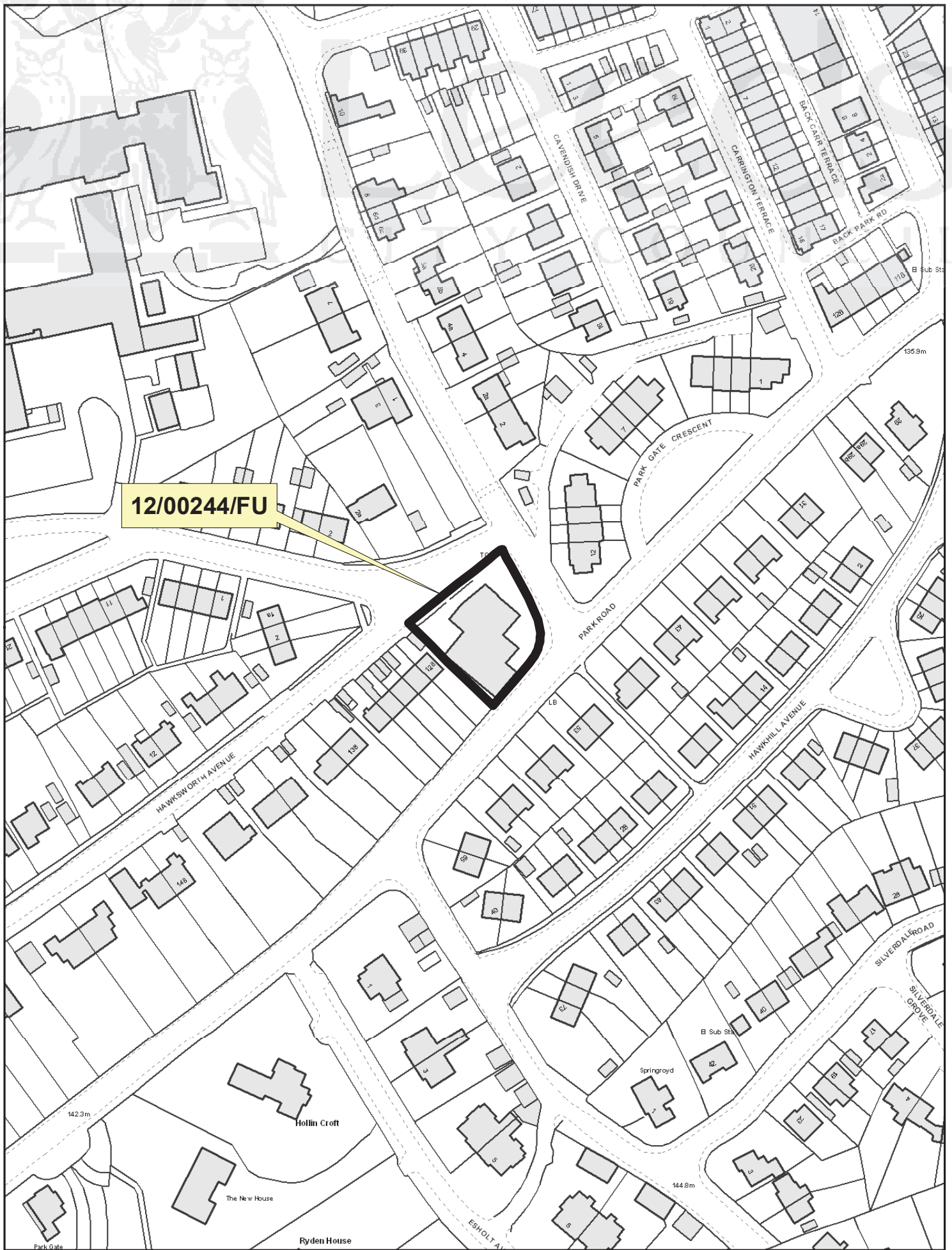
- 11.1 Officers consider that on balance the application should be supported. The design and appearance of the proposed extensions and alterations has evolved into a form which will not look out of character with its surroundings and although increasing the mass and footprint on site is considered to look appropriate in scale and detailing for this residential area and having regard to the setting of the adjacent conservation area. In addition the benefits of retaining an existing business in situ whilst enabling it to grow and employ people is a strong material consideration.
- 11.2 The applicants' and officers have taken the opportunity to do as much as is possible to try and improve the existing highway safety and overspill car parking which is

taking place in the locality. Whilst not providing a complete solution it is considered that the applicants have as a minimum mitigated the impacts of their own development proposal and beyond that improved the safety around a busy road junction where people not connected to the applicant's site also park and cause highway safety problems. The applicant's commitment to promote a travel plan also adds weigh to this recommendation in this instance.

11.3 As such approval is recommended.

**Background Papers:**

Application and history files.



**12/00244/FU**

# WEST PLANS PANEL





Originator: Patrick Bean

Tel: 0113 3952109

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 29<sup>th</sup> March 2012

**Subject: APPLICATION 11/04612/FU - CHANGE OF USE OF PUBLIC HOUSE TO A PRIVATE HIRE OFFICE, WITH ALTERATIONS COMPRISING THE ADDITION OF AN AWNING TO THE REAR, BOUNDARY FENCE AND ENTRANCE GATES AT THE MIDWAY, 111 QUEENSWAY, YEADON, LEEDS LS19 7PL.**

#### **APPLICANT**

Mr J Kotchie

#### **DATE VALID**

7<sup>th</sup> November 2011

#### **TARGET DATE**

2<sup>nd</sup> January 2012

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

Otley & Yeadon

Yes

Ward Members consulted  
(referred to in report)

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

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**APPROVE subject to the following conditions:**

1. Time limit three years for implementation
2. Development in accordance with plans
3. maximum five private hire vehicles on site between 22.00 – 08.00 daily
4. Office to be closed to the public between 22.00 – 08.00 daily
5. Music / amplified sound restriction
6. No vehicle access to rear canopy area outside the hours of 08.00 – 18.00 Monday to Saturday and 10.00 – 18.00 on Sundays. Gates and fencing to be provided in accordance with an approved scheme and this area to be closed off to vehicles between those hours.
7. Lighting to be approved
8. Details of landscape works to be submitted
9. All staff vehicles parked within the site
10. Parking area not to be used for customer parking
11. No more than 24 vehicles on site 08.00 – 22.00 daily unless otherwise agreed
12. Storage areas within building to be used for purposes of the taxi operation only

13. Area used by vehicles laid out, surfaced and drained
14. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, BD6, T2, T24, E1

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **1 INTRODUCTION:**

- 1.1 This application is brought to Panel at the request of Ward Councillor Colin Campbell, who objects to the proposal for reasons related to visual amenity, residential amenity and highway safety.
- 1.2 Panel Members will recall that the proposal was previously considered at the Plans Panel meeting of 1<sup>st</sup> March. At that meeting Officers reported that revised information had been received prior to the meeting regarding a request for private hire vehicles to be able to attend the site during night time hours. In view of the potential impact of this change Panel Members determined to defer the application for further consideration.

## **2 PROPOSAL:**

- 2.1 The proposal is a full application for the change of use of a public house to a private hire office, with alterations comprising the addition of an awning to the rear, boundary fence and entrance gates at the former 'Midway' public house on Queensway in Yeadon.
- 2.2 The company presently operates from a site on Coney Park near Leeds Bradford International Airport. However the applicant indicates that the present site is unsatisfactory due to the poor quality of the accommodation in portable buildings, lack of parking provision and lack of security of tenure.

## **3 SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a large detached public house. The building is a two storey structure of brick and tile construction. External finishes also include render and timber boarding. The design of the building features a large asymmetrical gable structure facing Queensway, with a single storey element attached.
- 3.2 The building stands approximately in the middle of a relatively large site. This slopes gently from north to south, where it adjoins Queensway. The southern part of the site is a large car parking area and is bounded by a low stepped stone wall. To the north of the building there is more hard standing and a grassed area, bounded by a timber close boarded fence. This marks the boundary with the rear curtilages of

properties on Shaw Leys. These properties have rear gardens typically approximately 10m deep. The western boundary is marked by a dilapidated fence and three mature trees which separate the site from the adjacent site.

3.4 The local area is characterised by a mix of houses and flats.

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

4.1 The site adjoining to the immediate north west is presently vacant, but an extension of time application has been granted consent in March 2012 for the erection of a part two and part three storey block of 9 two bedroom flats with 11 car parking spaces.

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

5.1 The application has been the subject of discussions regarding the hours of use of the site, aimed at addressing the impact of the proposal on residential amenity, and seeking modifications to some aspects of the design such as boundary treatments and landscaping. To this end revised plans were submitted on 24th February.

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

6.1 The application has been publicised by means of site notices and neighbour notification letters; eight objections have been received, including ones from Greg Mulholland MP, as well as Councillors Campbell and Downes.

6.2 Mr Mulholland objects on the grounds of:

- Loss of a community facility;
- The proposal would lead to increased traffic on Queensway;
- Opportunity should be provided for local people to buy and run the pub for the community.

6.3 Councillor Campbell objects on the following grounds:

- Drivers are likely to return to the site, particularly at anti-social hours, causing a loss of residential amenity.
- The use of the proposed canopy for vehicle repairs, cleaning etc is likely to lead to a loss of residential amenity, particularly if carried out in the evening or at weekends;
- The proposal might lead to overspill parking;
- The proposed fence would be detrimental to visual amenity;
- Existing traffic calming on Queensway is likely to result in drivers using other residential streets.

6.4 Councillor Downes objects on the following grounds:

- The use of the proposed canopy for vehicle repairs, cleaning etc is likely to lead to a loss of residential amenity, particularly if carried out in the evening or at weekends;

6.5 Other objectors raise substantially the same points, and others including:

- The proposal would be likely to cause an increase in traffic on Queensway, particularly late at night;
- The building would be unsuitable for the proposed use;
- The large amount of car parking is likely to be used as a central waiting / parking point for large numbers of taxis;
- The proposal would lead to a loss of highway safety, in particular due to the proximity of a school.

6.6 In addition, five letters of support have also been received. These raise the following points:

- The business would not make a great difference to the numbers of taxis already using Queensway;
- The building is sufficiently far from residential properties so as not to cause a problem due to noise and disturbance;
- A 24hr business could bring a degree of safety / surveillance to the area;
- It is unlikely that drunks would congregate at the premises due to distances from public houses.
- The current premises cause problems of anti-social behaviour;
- The current premises are an eyesore in need of refurbishment.

6.7 Leeds Bradford International Airport have submitted a representation that requests that if the application is approved a condition should be imposed to limit the number of parking spaces for customers in order to prevent the site being used for off-site airport car parking.

## **7 CONSULTATIONS RESPONSES:**

### **Non-statutory:**

7.1 Highways – no objections subject to conditions referring to:

- Staff vehicles being able to park within the site and all parking to remain unallocated;
- Gates to remain open during all hours of operation of the building;
- A limit on the number of vehicles operating at any one time;
- Storage areas to be used for the purposes of the taxi operation only.

7.2 Neighbourhoods and Housing – if permission is to be granted it is recommended that the following conditions are imposed:

- No taxis to return to the site between 23.00 – 07.00;
- Office closed to the public after 22.00;
- Drivers shall not leave engines idling, rev engines or sound horns at any time;
- No playing of music or amplified sound in any external area;
- All work associated with vehicle servicing, repair, cleaning and maintenance under the proposed canopy carried out between 08.00 – 21.00 Monday to Saturday and 10.00 – 18.00 on Sundays;
- No lighting source shall be visible from nearby residential properties or a hazard to nearby highways.

7.3 Vehicle Licensing and Enforcement – a licence will be required to operate private hire vehicles from this site. A copy of the standard conditions has been provided;



this includes a requirement that the operator shall ensure designated off-street parking provision at all times for the number of vehicles being operated.

## **8 PLANNING POLICIES:**

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.

GP5 – general planning criteria  
BD6 – alterations and extensions  
T2 – highway access  
T24 – parking guidelines  
E1 – relocation of existing firms  
SA8 – access to community facilities

8.3 National Planning Policy Guidance:

- PPS1: Delivering Sustainable Development;
- PPS4: Planning for Sustainable Economic Growth.

### **Emerging Core Strategy**

The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

## **9 MAIN ISSUES:**

9.1 The following main issues have been identified:

- Neighbour amenity
- Highways
- Visual amenity
- Loss of a community facility

## **10 APPRAISAL:**

10.1 The site lies within the existing built up area of Yeadon and is currently in use as a public house. The surrounding land uses are predominantly residential. UDP policy states that existing land uses should generally remain the dominant uses of an area, and changes of use should be permitted only where the proposed uses are compatible with existing uses in the area.

10.2 The site is adjoined to the north by three terraced properties facing Shaw Royd, no.'s 29-31; and four terraced properties facing Shaw Leys, no.'s 47-53. Other

adjoining sites include two electricity sub-stations, and a vacant site formerly occupied by two shop / take away units located at the junction of Queensway with Shaw Royd which has an existing commitment for the erection of nine flats. These would be sited adjacent to Shaw Royd and Queensway in an 'L' shaped building. The nearest of these properties is located approximately 20m away, while the furthest is approximately 40m. Additionally there is a block of flats, 113-123 Queensway, located approximately 20m to the south east. Overall it is considered that there is a reasonably good degree of physical separation between the property and those of existing neighbouring occupiers.

- 10.3 The impact of the proposals on these neighbouring occupiers is critical to the determination of the application. In particular, the proposal clearly has the potential to create a significant number of vehicle movements, from taxi drivers returning to the base, staff parking, and customer parking. The application seeks 24 hour use of the site. However, the applicant states that it is proposed that the site is only open to the public until 21.00. It is not anticipated that customers would usually attend the site however. Staff numbers would also be very small, often only a single operator overnight. The demand for customer and staff parking, and related vehicle movements, would be very small.
- 10.4 In respect of drivers attending the site in order to return to base, the applicant states that a maximum of five drivers would attend the site at any one time. It is understood that a Licensing requirement is that the operator provides some off-street parking to enable this to happen when drivers do not have jobs on. However, driver numbers on night time shifts are very low, usually in single digits, with the exception of peak demand on a Friday and Saturday night. However at the same time the busy nature of these periods would generally mean that drivers would not attend site as they usually do not have a break between jobs, rather they will go from one job to the next. In view of this the applicant has indicated that he would accept a condition limiting the numbers of vehicles attending the site as proposed.
- 10.5 In respect of drivers attending the site for repairs to their vehicle radios and GPS systems, the application proposes the addition of a canopy to the rear of the property. This part of the site would be separated from the rest of the site by a gate and fence. The applicant has indicated that a condition limiting the use of this part of the site to between 08.00 – 18.00 Monday – Saturday and 10.00 – 18.00 Sundays, would be acceptable to him.
- 10.6 The current use of the site as a public house has the potential to cause amenity issues such as noise and disturbance, particularly at anti-social hours. Some of the representations in support have referred to such problems being caused by the existing premises. The public house is licensed to open 10.00 – 00.30 Monday – Thursday, and 10.00 – 01.00 Friday – Saturday.
- 10.7 Overall it is considered that with suitable conditions the proposal could be accommodated on the site without significant detriment to nearby residential occupiers. In order to protect amenity, it is recommended that conditions be imposed which limit the number of private hire vehicles on the site between 22.00 – 08.00, and that the office should be closed to the public between 22.00 – 08.00. Additionally it is proposed that access to the area to the rear of the building, including the area to be covered by the proposed awning, be limited by condition to usage between 08.00 – 18.00 Monday to Saturday and 10.00 – 18.00 on Sundays. Such conditions have been discussed with the applicant, who has indicated that they would be able to adhere to them.

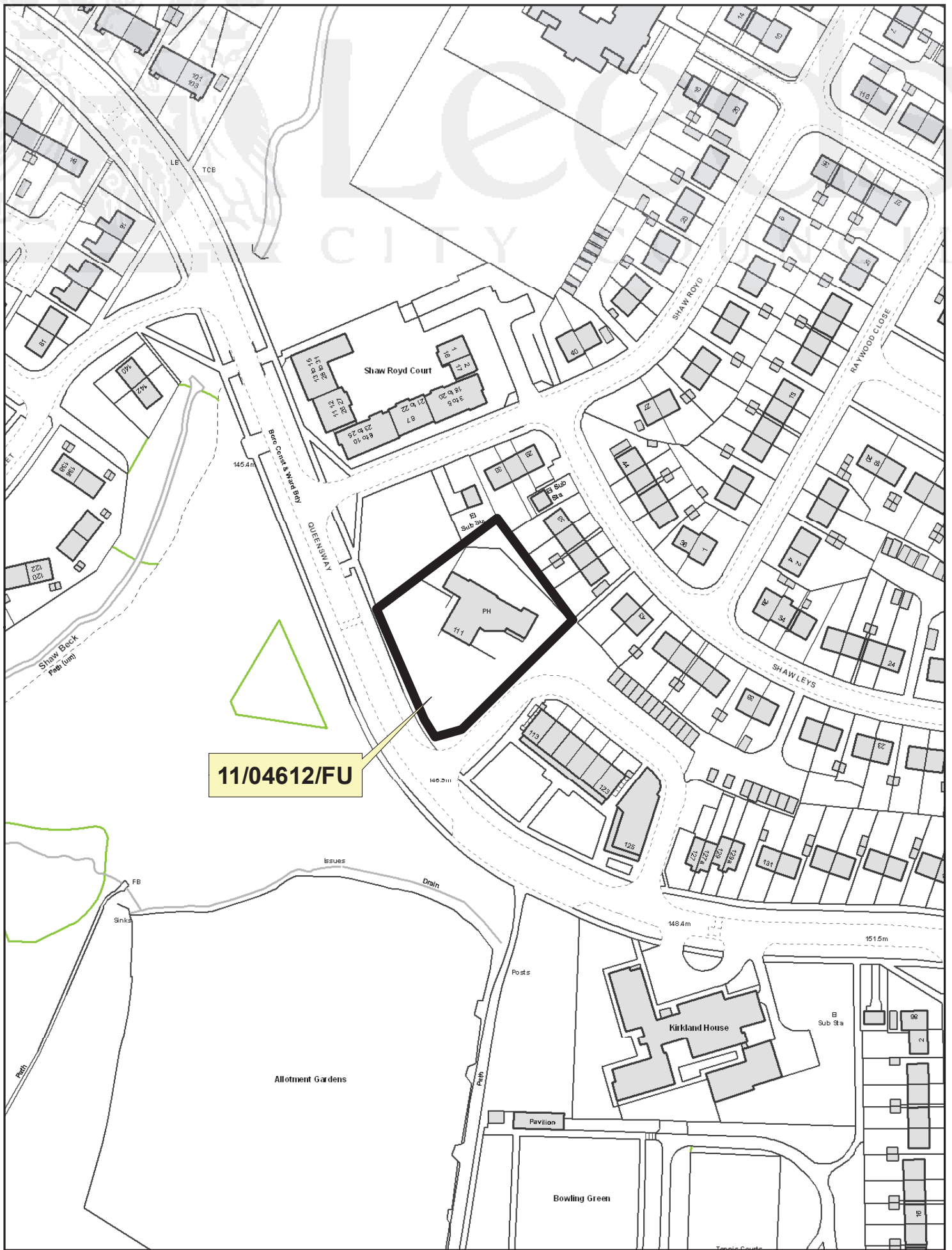
- 10.8 The use of the building itself would principally be by a small number of radio operatives. Proposed floor plans depict a ground floor operations room, an office and a meeting room. Much of the rest of the building is shown as ancillary storage, toilets etc. The use of the building itself is not considered likely to cause overlooking, noise or disturbance which would constitute a loss of amenity for neighbouring occupiers.
- 10.9 The proposed layout plan depicts an amount of parking, 24 spaces, arranged predominantly adjacent to the site boundary adjoining Queensway. Given the foregoing information regarding the parking behaviour of drivers and customers there does not seem to be a need for this parking. The application states that this would be used for staff, visitors and emergency parking. However the current car park surface is in poor condition, and this would be resurfaced with macadam with white lining to show marked bays. This would be an improvement in visual terms. Highways officers have estimated that the hard standing on the site could potentially accommodate 60-70 vehicles. While the applicant has agreed that the site would be attended only by small numbers of drivers at any one time as referred to above, in view of the location and amount of proposed parking this would be considered acceptable in this respect.
- 10.10 An assessment of the impact of the proposals in terms of two-way traffic movements based on a maximum of 56 operating vehicles indicates that this level of traffic could be satisfactorily accommodated by the highway network. Again it should be stated that this would seem to be a worse case scenario as the applicant has stated that taxi drivers would return to the site only rarely. The access visibility splay from the slip road onto Queensway meets the requirements of the Street Design Guide and there have been no recorded accidents within the last five years. It is therefore considered that the existing vehicular access to the site onto the slip road and onto Queensway are acceptable. The proposal also includes the addition of an electronic sliding gate; this would be kept shut the majority of the time, but operatives inside the building would have prior notification of private hire vehicles attending the site and would be able to open the gate as required.
- 10.11 The proposal also includes a 600mm timber fence which would be sited to the top of the existing boundary wall which is approximately 800mm. There would also be a small amount of landscape planting to the south and western corners of the site adjacent to Queensway. The overall approach is considered acceptable in terms of the visual impact of the proposal.
- 10.12 Public houses often perform an important and valuable function in acting as a focal point for their communities. Not only do they provide a venue for meeting and socialising but they often help to create a sense of place and identity. The retention of public houses for their own intrinsic value is therefore a worthwhile aim. Members will note that the MP Greg Mulholland has objected to this application on the basis of loss of a valuable community asset. This argument is not without merit. The Midway serves the residential community lying between Guiseley and Yeadon and no doubt is of value to that community. There are however, a range of alternatives, the nearest being the Tut n' Shive on Kirk Lane which is around 600m or about a 10 minute walk along Queensway and a range of other pubs in Yeadon a little further beyond that. On balance, it is concluded that it would be difficult to substantiate grounds for refusal based on loss a community asset, no matter that some users of the pub would be disadvantaged.

11.1 Overall it is considered that the proposal is a finely balanced one. While there may be the potential for uncontrolled use of the site as a private hire office to cause loss of amenity for surrounding residents, officers consider that the recommended conditions would overcome residential amenity objections. In reaching the recommendation that planning permission should be granted, officers have also had careful consideration to the existing use of the building as a public house and the consequent residential amenity issues that such usage can bring with it.

**Background Papers:**

Application file;

Certificate of Ownership.



11/04612/FU

# WEST PLANS PANEL



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Originator:	Patrick Bean
Tel:	0113 3952109

## Report of the Chief Planning Officer

### PLANS PANEL WEST

Date: 29th March 2012

**Subject: APPLICATION 11/04959/FU - PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION WITH RELOCATION OF FLUE AND CONDENSER UNITS; ADDITION OF ACCESS RAMP TO FRONT AT 4 ST ANNE'S ROAD, HEADINGLEY, LEEDS LS6 3NX.**

#### APPLICANT

Mr G Marks

#### DATE VALID

7 December 2011

#### TARGET DATE

1st February 2011

#### Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

##### REFUSE for the following reasons:

The Local Planning Authority considers that the proposed enlarged building would result in an increase in capacity of the restaurant and thereby an increased demand for vehicle parking and additional vehicle manoeuvres in a locally congested location close to a major junction, with no additional provision for off-street parking. This would be to the detriment of highway safety and would be contrary to policies GP5, T2 and T24 of the Leeds UDP Review (2006).

#### 1.0 INTRODUCTION:

- 1.1 This application was previously considered by Panel Members at the meeting of 1<sup>st</sup> March 2012. During the discussion of this item the applicant offered to reduce the number of covers provided to 100 from 110, and to re-surface of the area to the rear

of the property. In the light of this change Panel Members decided to defer consideration. Members also requested further clarification regarding the status of the unauthorised pay-and-display car park opposite the site, as well as information regarding the applicants travel survey.

## **2.0 PROPOSAL:**

2.1 The proposal is a full application for a rear extension to a restaurant, enabling an increase in the amount of covers in the restaurant from 72 to 100, plus the relocation of an existing flue and the addition of an access ramp to the front.

## **3.0 SITE AND SURROUNDINGS:**

3.1 The site is a restaurant, known as 'Sukhothai', which is housed in a two storey brick building which is part of a parade. Elsewhere in the same parade there are a range of uses, including shops, offices, restaurants and a take away.

3.2 The parade is identified as a Secondary Shopping Frontage, and also lies within the Headingley Town Centre boundary.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 10/01144/FU – external seating area with retractable canopy and covered eating area to front – refused for reasons relating to design and highway safety.

4.2 11/01459/FU – Part 2 storey, part single storey rear extension with relocation of flue and a/c units – refused for reasons relating to highway safety.

4.3 (nearby unit in same parade) 10/03806/FU – change of use of vacant retail unit (Class A1) to restaurant (Class A3) to facilitate an extension to the adjoining Italian restaurant and laying out of new parking area to rear with addition of new cycle stands to front, at Salvo's Restaurant, 111 Otley Road – approved.

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The application has been the subject of a previous application as above determined on 1<sup>st</sup> June 2011, and a subsequent pre-application meeting on 15<sup>th</sup> July 2011.

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

6.1 The application has been publicised by means of site notices; a total of eight representations have been received.

6.2 Becketts Park Residents Association object to the proposal on the following grounds:

- The proposal would result in an increase in cars attempting to park in the vicinity; local roads are already heavily parked during the day and in the evening; the restaurant attracts customers from outside the local area and the proposed 53% increase in covers is substantial and could set a precedent.

6.3 An additional objection makes similar points:



- Car parking is already an issue in and around this site. Any increase in the number of covers at this site will only increase the number of cars parking in the surrounding residential streets causing further disruption to local residents and increasing the risks to health and safety.

6.4 Representations in support of the proposal comprise five support letters which make the following points:

- The proposals would improve the facilities offered by the restaurant;
- The proposals would improve the visual amenity of the parade;
- The restaurant is an asset to the community and people travel from far and wide to visit it.

6.5 Additionally a petition containing 382 signatures has also been received. This states that the petition is to support the planning application to extend the restaurant and improve the facilities.

## 7.0 CONSULTATIONS RESPONSES:

7.1 Highways –

Objections, the application cannot be supported

- No provision of cycle parking for staff and no space has been left to accommodate this, which would have a further impact on the available servicing and parking space at the back of the building;
- The extension to the rear of the property would further impact on the shared parking area, which is already constrained and poorly surfaced. The footprint of the extension is still 2m deeper than the existing footprint. The extension would move bins further into the parking and servicing area and this could only be detrimental to the operation of this area. An extension would set a precedent for other buildings in the parade.
- Car parking within the vicinity of the site is currently an issue and as the proposal reduces available parking and servicing space whilst increasing the capacity of the restaurant it could only be detrimental to road safety.
- The scheme does not provide additional off street parking and would increase demand for parking in an area which already attracts a high concentration of on street parking. Additional demand for parking could only be detrimental to road safety.

In respect of the revised scheme for 100 covers:

- The proposed layout extends the building footprint into the rear yard area which would narrow the already constrained space available in the rear yard area;
- The offered limit of 100 covers would go some way to reducing the potential added demand for on-street car parking from customers;
- The resurfacing of the rear yard area could not be secured through the planning application as it does not fall within the red line boundary.

7.2 Environmental Health – no adverse comment

## 8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan

unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.

Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.

Policy S2: This stated that the vitality and viability of the following town centres will should be maintained and enhanced.

Policy BD6 refers to the scale, materials, character and design of extensions.

Policies T2 and T24 seek to maintain adequate levels of vehicle parking provision with no undue detriment to other highway users.

National Planning Policy Guidance:

PPS1 Planning for Sustainable Development

PPS4 Planning for Sustainable Economic Growth

### **Emerging Core Strategy**

The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

## **9.0 MAIN ISSUES:**

9.1 The following main issues have been identified:

- Vitality and viability of the local centre
- Visual amenity
- Neighbour amenity
- Highways

## **10.0 APPRAISAL:**

10.1 The application site is located within a local centre. A restaurant use is compatible with this area as it is identified as a main town centre use in national planning policy such as PPS4. Such a use is therefore broadly acceptable in principle.

10.2 The proposal seeks consent to erect a two storey extension to the rear of the building, and to relocate an existing flue. The area to the rear of the parade is presently a somewhat untidy area which is used by businesses in the parade for ancillary purposes. The area comprises an unmade track which slopes down to the northern end of the parade. Vehicles are parked informally on this track, which presumably belong in the main to employees working in the businesses. The area is also used for bin storage, although much of this is fairly haphazard. To the rear of the track there is also a line of lock-up garages. The application indicates that two of these garages belong to the applicant.

- 10.3 The rear of the application property is a somewhat untidy collection of extensions, air conditioning units and a large flue. The property has a single storey rear extension, which is partly render finished, and partly brick. This projects approximately 3.5m. Four air conditioning units are attached to the rear elevation at first floor level, and a large and prominent flue also emerges at the same level and rises above the eaves.
- 10.4 The proposal would rationalise this situation somewhat by creating a part single and part two storey extension. The ground floor elevation would have a brick plinth and white painted render. This would then have pitched tiled roof, and there would be a smaller first floor element. This would have a flat roof and be render finished. The air conditioning units would be relocated to the roof, and the flue would be altered such that it would run up the side of the extension. Roof lights would be added to illuminate existing bedrooms on the first floor which would be reconfigured in order to increase the amount of accommodation.
- 10.5 The proposed extension would rationalise the somewhat untidy rear elevation, and to this extent it would represent an improvement. However at the same time the extension would be quite large, projecting out some 5.5m, with a width of 9.6m.
- 10.6 Overall it would be a fairly prominent visual incursion into the shared area to the rear, but not to the extent that permission should be refused on design grounds.
- 10.7 The proposed relocation of the flue could potentially cause noise and odour problems to existing residential occupiers within the unit. However it is recommended that additional conditions requiring details of noise levels etc from this flue, and the air conditioning units, could be obtained via appropriately worded conditions.
- 10.8 The proposal as amended would increase the amount of covers in the restaurant from the current provision which is stated to be 72, to 100, revised from the original figure of 110. This represents an increase of 39%. However 84 of these are shown to be downstairs in the main part of the restaurant, while an additional 16 are shown to be included within a function room upstairs. As depicted neither of these spaces would be used to their full capacity. The applicant's Design and Access Statement states that the function room would only be used from time to time for special occasions. The applicant states that the function room would not be used as a general overflow for the restaurant but instead would only be used via a booking system. The applicant has therefore suggested the use of conditions limiting the use of this area to bookings only and for a maximum of 100 covers overall. By this method, the applicant suggests that the parking demand generated by the proposal would be lessened.
- 10.9 It is considered that the proposed extension would generate a demand for an additional eight parking spaces, four to each of the ground floor restaurant area and to the first floor function room respectively. The reduced numbers of covers to the ground floor could reduce the potential added demand for parking from customers to a total of five spaces. The UDP guidelines would suggest seven spaces for the function room, however booked groups of diners would be more likely to travel together, and as such a reduced figure has been identified.
- 10.10 The applicant also states that all the staff either live in the premises or locally in the Headingley area, thus it is suggested that the proposal would not cause an increase in demand for staff parking. Additionally the applicant does not think it necessary to provide long stay cycle parking for staff, as required by the UDP parking guidelines.

The proposal does however include three short stay 'Sheffield' type cycle stands to the forecourt area.

- 10.11 The applicant has, however, supplied a Travel Plan, although one is not required for this scale of development.
- 10.12 This includes a number of proposed measures designed to encourage sustainable travel, such as encouraging staff to use taxis or car share, and encouragement of staff to use buses, walk or cycle. Travel packs would be provided to staff to achieve this, and a fee provided to the City Council in order to monitor the travel plan.
- 10.13 The area around the parade already suffers from high levels of on-street parking demand. The applicant considers that the site is well located for public transport links, and has a high demand from customers who attend the site on foot. A survey included within the Travel Plan suggests that around 50% of customers currently travel to the restaurant by car, while around 20% walk. However off-street parking provision in the locality is poor. Members at the 1<sup>st</sup> March Panel meeting questioned the status of the 'pay and display' car park close to the site. This is unauthorised and is currently the subject of a planning application to regularise its use. However at the time of writing this application remains under discussion. The applicant has stated that they support this application as it would provide a community benefit, but they consider that even without the potential use of these spaces the proposal would not impact upon parking issues in the locality. The submitted Travel Plan suggests that customers arriving by car can legitimately use the Headingley Taps car park. However this is situated approximately 0.5km from the site.
- 10.14 The proposed extension would clearly impact upon the rear parking area by reducing the amount of space available and thereby worsening provision, principally for staff. This area is already constrained, and poorly surfaced. While the area to the rear of the property would be resurfaced, this is shown on the submitted plans as the area to the rear of the property only. The applicant has stated however that they have had discussions with neighbouring occupiers such as Salvo's in respect of resurfacing a larger part of the rear yard area. While there would be some benefit in laying out the rear yard area it should be noted however that such work would not form part of the current application and its delivery could not be ensured; therefore it should not form part of the consideration of this application.
- 10.15 The site includes two lock up garages to the rear of the yard. It is understood that these are used for ancillary storage, however they are not referred to in the application other than on the red line plan. However the floor plans show that at present much of the existing ground floor extension and much of the first floor area now proposed to be a function room is presently used as storage. No explanation has been given as to where this storage would be displaced to. The use of the garages as storage could also be problematic as they may be difficult to use due to the increasingly constrained nature of the rear area and the use of the unmade track.
- 10.16 The footprint of the proposed extension is only 0.5m shorter than that previously refused under 11/01459/FU, but still 2m deeper than the existing footprint. The proposal would therefore move bins and parking significantly further into the yard area, to the detriment of the use of the yard. The extension of the footprint of the building is a particular concern as the rear yard area is already constrained, and the proposal would exacerbate this. It has been suggested by officers that it may be more appropriate for the applicant to consider extension within the existing footprint. However the applicant considers that if the existing extension, with parking at right

angles to the wall, is measured the footprint of this would be only approximately a metre less than the proposed extension with parking aligned parallel to the wall.

- 10.17 The proposal does not include any additional parking to accommodate the additional demand which will be likely to accrue from the proposed increase in capacity of the restaurant. Car parking is already an issue in the local area, with a high concentration of on-street parking. The proposal would clearly exacerbate this situation.
- 10.18 Overall therefore it is considered that the proposal would be to the detriment of highway safety.
- 10.19 The applicant compares the proposal to the expansion of Salvo's restaurant, which is located within the same parade, and claims that the current proposal is significantly smaller. Panel Members will recall that an application for the expansion of this restaurant was approved by Members at their meeting of 7<sup>th</sup> October 2010. However, in reality this represented a much smaller increase in covers, from 66 to 88, a total of an additional 22 covers or a 33% increase. Additionally, and significantly, the Salvo's proposal was a change of use of an existing unit without extension, as opposed to the current application which seeks to physically extend the premises. The proposal would increase the numbers of covers in the restaurant by almost 40%, while at the same time reducing the amount of space available to the rear of the property.

## **11.0 CONCLUSION:**

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is unacceptable and does not comply with the planning policies set out in the Leeds Unitary Development Plan Review (2006), supplementary planning guidance and national planning guidance. The proposal is therefore recommended for refusal.

### **Background Papers:**

Application file;  
Certificate of Ownership.



# WEST PLANS PANEL



Originator: Carol  
Cunningham  
Tel: 0113 247 8017

## Report of the Chief Planning Officer

### PLANS PANEL WEST

Date: 29<sup>th</sup> March 2012

**Subject: Application Number 11/03873/FU – Variation of conditions 7 and 8 of application 75/25/00257, relating to noise levels and to allow twenty-four hour operations Monday-Sunday, Montrose Works, Woodlands Road, Stanningley, Pudsey.**

**APPLICANT**  
ATB Morley

**DATE VALID**  
17<sup>th</sup> October 2011

**TARGET DATE**  
12 December 2011

#### Electoral Wards Affected:

Calverley & Farsley

No

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

## RECOMMENDATION

**APPROVE SUBJECT TO THE FOLLOWING CONDITIONS**

### PROPOSED CONDITIONS

1. Time limit for full permission
2. Temporary approval for one year
3. Development in line with the approved plans
4. Samples of materials to be submitted
5. Part of site for vehicles to be laid out and surfaced
6. Landscaping scheme to be submitted
7. Landscaping scheme to be implemented
8. Road improvement to access to be provided
9. The combined noise from fixed plant shall not exceed a rating level as defined by BS4142 by more than 5dB (A) below the lowest background (L90) during which the plant will operate. Details of said plant shall be submitted to the Local Planning Authority and approved in writing prior to the building being used for 24 hours 7 days a week. To be measured at the Northern Boundary of the site adjacent to Woodlands Terrace.'
10. Vehicle washing facilities to be provided.

## **1.0 INTRODUCTION:**

- 1.1 The Chief Planning Officer considers that this application should be referred to the Plans Panel due to the number of objections that have been received.

## **2.0 PROPOSAL:**

- 2.1 Planning permission was granted in 1975 for extensions and alterations to an existing mill at Montrose/Troy Works. This building is now known as Montrose Works. As part of this permission two conditions were attached to the approval which stated

Condition 7 'Noise from activities carried out within the building shall not exceed NR45 as measured at the north boundary of the site adjacent to Woodlands Terrace'

Condition 8 'Hours of operation shall be limited to 0715 to 1815 hours, Monday to Friday and 0715 to 1200 on Saturday and not at all on a Sunday. '

- 2.2 Over the last few years condition 8 has been breached. The company wants to reallocate the noisy part of the operation from an existing building Troy Works which has no hours restriction to Montrose Works which has the operating hours restriction. This application seeks to change the opening hours in the Montrose Works building to 24 hours 7 day a week to allow this relocation. Because of the hours proposed condition No 8 of the approval will be in essence deleted. The space vacated in Troy Works will then be used for ancillary offices and fitting for the company and the condition 7 is to be changed to no more than 5dB(A).

- 2.3 Therefore condition 7 will be proposed to be changed to:

'The combined noise from fixed plant shall not exceed a rating level as defined by BS4142 by more than 5dB (A) below the lowest background (L90) during which the plant will operate. Details of said plant shall be submitted to the Local Planning Authority and approved in writing prior to the building being used for 24 hours 7 days a week. '

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is an existing industrial warehouse which was granted planning permission in 1975. This building is known as Montrose Works. The other building linked to this business known as Troy Works is located to the north of the application site and there is an unadopted road separating the two buildings. Either side of Troy Works are residential properties. The premises have been occupied by ATB Morley since 1975. To the west of Montrose Works is another industrial unit which is in a different ownership and use from those of the applicants. There is also planning permission to extend Montrose Works in this location. To the east is some open ground which has planning permission for a car park linked to the proposed extension to Montrose Works. To the rear is the railway line and on the opposite side of the railway line is Pudsey Railway Station.

- 3.2 ATB Morley were previously known as Morley Motors and Manufacture and test on site and have existed as a company since 1897. The company is known as a UK based leading manufacturer of large rotating electrical machines, particularly 3 phase AC induction motors used in the mining and energy sector. The company has won Queens awards for enterprise in 2009 and 2010 and currently employs



approx 130 at the Leeds site and is part of a Austrian owned parent company employing approximately 3800 worldwide. We are advised that the British based arm is currently considering further expansion plans and the amendments to the conditions proposed in this application besides improving production are likely to lead to a further 10 jobs at the site.

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

75/25/00257 – Alterations and extension to form enlarged mill and ancillary office  
Approved 29/09/1975

11/00394/FU – Single storey extension and laying out of car park Approved  
21/9/2011

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

5.1 The application was originally submitted as a Certificate of Lawfulness but there was not enough evidence to prove that the opening hours had been breach for more than 10 years so the application was at validation changed to seek planning permission for the variation in opening hours.

5.2 The applicant has submitted additional information with the application in response to objections received from nearby residents. The change of hours is required so that the noisy operations can be moved from Troy Works to Montrose Works which is further away from residential properties and Montrose Works has no windows. The space vacated by these machines in Troy works will be replaced with office accommodation and fitting activities which are less noisy than the testing activities and in particular the metal cutting that currently takes place in Troy Works.

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

6.1 Seven letters of objections concerned with the following matters:

- with 24 hour operation there will be an increase in traffic via Woodlands Road which is unadopted, unmade and not suitable for heavy good vehicles
- Road dangerous as no refuge for pedestrians and road condition has deteriorated.
- Increase in number of vehicles parking in the residential only zone
- Increase in noise due to operation of machinery at premises and increase in noise due to HGV movements and fork lift truck operation. Impact greatest over summer months when windows open and using gardens
- Vehicles park up overnight which means we have to close bedroom curtains to protect our privacy.
- The whole process of their production is very noisy and would make living in our homes intolerable
- Have since 2004 increased the working hours slowly
- Openly admitted to non compliance of existing restrictions so why are these actions going to be awarded?
- Privacy compromised by workers walking from one building to another and lorry drivers have direct line of sight into our kitchen.
- Have very unpleasant and intrusive comments from workers when we are using our garden
- Recently woken up by fork lift trucks moving from Troy Works to Montrose works early on a Sunday and a lorry parking up for 2 days before collecting there load

- Noise from a machine producing a high pitched screeching noise is very unpleasant and could not be tolerated at night.
- HGVs use and park on residential roads which are getting damaged and not appropriate
- Currently significant reduction in noise in the evening on Saturday afternoon and evening and all day Sunday and bank holidays
- Lighting on all night which streams light into any room facing the factory making its seem like daylight
- Environment health state that the building is 35 metres away from houses but this is more like 15 metres. The buildings are uninsulated and noise break out levels are high especially when large doors are open

## **7.0 CONSULTATIONS RESPONSES:**

7.1 Statutory: None

7.2 Non statutory

Environmental Protection Team – Originally objected to the scheme but was reconsulted after the additional information was submitted by the applicant. Revised comments state:

There are two buildings related to the use being Troy Works which is sandwiched between two rows of terraced houses and Montrose Works which is adjacent to the railway line. This is further away from the residential houses and its this building related to this application. If planning permission is granted would want to see the following conditions:

- Manufacturing processes in Troy Works moved into Montrose works
- Roller shutter and wooden doors to Troy Works shall be subject to sound insulation measures
- Signs erected to discourage drivers from parking on Montrose Works and ensure engines are not left idling.
- No manufacturing operations including jet cleaning before 0600 on weekday and 0900 hours on sat and sun nor after 1800 hours on weekdays Saturday and Sunday
- Restricting on hours of delivery shall be restricted to 0700 to 1800 hours Monday to Saturday with non on Sunday or bank holiday.

In relation to the noise condition this should be varied to:

‘The combined noise from fixed plant shall not exceed a rating level as defined by BS4142 by more than 5dB (A) below the lowest background (L90) during which the plant will operate. Details of said plant shall be submitted to the Local Planning Authority and approved in writing prior to implementation. ‘

Highways – No objections as considered that the variation in opening hours would not increase the parking requirement and raises no specific road safety concerns.

## **8.0 PLANNING POLICIES:**

8.1 **Relevant UDP policies;**

BD5 – new buildings design consideration given to own amenity and surroundings.  
 T2 – development capable of being served by highway network.  
 T24 – car parking guidelines.

GP5 – detailed planning considerations should be resolved including design and loss of amenity.

## 8.2 **Emerging Core Strategy**

The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

## 9.0 **MAIN ISSUES**

1. Residential amenity
2. Highway safety
3. Representations

## 10 **APPRAISAL**

- 10.1 Both the Troy Works and Montrose Works buildings are located within a residential area although there are other buildings in industrial buildings close by. Troy Works was the original building for the company and this building has houses on either side. There is no control over the operations within this building or the opening hours. Montrose Works is located on land between the houses and the railway line and does have a restriction for operating hours. The intention is to move the noisier elements of production from Troy Works to Montrose works which is located further away from the residential properties. This is the reason for the submission. The noisy works can currently be undertaken within Troy Works without any control. Allowing the 24 hour in Montrose Works ensures that the noisier operations are moved away from the residential properties and will improve residential amenity for the occupiers of those houses. To ensure that this movement of equipment occurs it is suggested that if Members are minded to approve the application that the approval is one year only so the impact on the revised operating hours can be monitored. This intended to ensure that the office use is transferred to Troy Works. The applicant is agreeable to this one year permission. One issue that this raises however, is what level of control will remain over operations within Troy Works. It would be possible for a noisy operation to move back into Troy Works at a later date. The applicants offer some comfort that this would not be the case as they have stated that the noisy elements that re intended to be moved to Montrose works will be replaced by less noisy office and fitting activities. Means to control this are still being considered.
- 10.2 The current use of Montrose Works will be moved to the extension which was granted planning permission last year and will be attached to Montrose Works.
- 10.3 Another condition on the permission for Montrose Works dating from 1975 restricted the level of noise that could be heard at the northern boundary to protect residents from noise disturbance. This level of noise was considered acceptable for the daytime operating hours at the time of the permission. As the proposal is now for 24 hours the condition for noise levels needs to be amended so that the level of noise during the night does not impact on the residential amenity of the surrounding houses. The amended condition limits the noise below 5db which if complied with

should ensure that the operations in Montrose Works should not have a detrimental impact on residential amenity. The applicant may have to provide sound attention measures to ensure that the 5dB(A) is not breached and the condition does request for the sound attention measures to be submitted for approval. Again as the condition is limited to a temporary consent for one year the noise levels can be monitored and reassessed if another planning application is received.

- 10.3 In conclusion it is considered that the change of operating hours and a reduced noise level will ensure that there will be no additional detrimental impact on residential amenity due to the noisy elements being moved into a building with no windows, further away from the houses and the anticipated lower level of noise there could even be an improvement to residential amenity.

## 2. Highway safety

- 10.4 The change in operating hours and noise levels should not increase the volume of traffic to the site and the numbers of people who will be employed so there should be no additional impact on the safe and free flow of traffic over and above the current operation.

## 3. Representations

- 10.5 There are a number of other issues raised by the objectors which are not covered above. It should be pointed out that the application is for a change in operating hours and a related condition for noise. These are the only two conditions that have been applied for and that can be altered. All other matters in relation to the operation of the company cannot also not be addressed in this application. Having said that the application is to amend the operating hours so that production can be moved from one building to another. All other matters such as numbers of staff, number of vehicles, hours of deliveries should remain unchanged.

The issues raised by the objectors are:

### Highway matters:

- With 24 hour operation there will be an increase in traffic via Woodlands Road which is unadopted, unmade and not suitable for heavy good vehicles.
- Road dangerous as no refuge for pedestrians and road condition has deteriorated.
- Increase in number of vehicles parking in the residential only zone.
- HGVs use and park on residential roads which are getting damaged and not appropriate

As stated previously the application should not increase traffic levels within the area. The condition of the road should not deteriorate quicker due to traffic levels remaining the same.

### Amenity issues

- Vehicles park up overnight which means we have to close bedroom curtains to protect our privacy.
- The whole process of their production is very noisy and would make living in our homes intolerable
- Privacy compromised by workers walking from one building to another and lorry drivers have direct line of sight into our kitchen.
- Have very unpleasant and intrusive comments from workers when we are using our garden
- Recently woken up by fork lift trucks moving from Troy Works to Montrose works early on a Sunday and a lorry parking up for 2 days before collecting their load
- Noise from a machine producing a high pitched screeching noise is very unpleasant and could not be tolerated at night.
- Currently significant reduction in noise in the evening on Saturday afternoon and evening and all day Sunday and bank holidays
- Lighting on all night which streams light into any room facing the factory making it seem like daylight
- Environment health state that the building is 35 metres away from houses but this is more like 15 metres. The buildings are uninsulated and noise break out levels are high especially when large doors are open
- Increase in noise due to operation of machinery at premises and increase in noise due to HGV movements and fork lift truck operation. Impact greatest over summer months when windows open and residents are using their gardens

All the aforementioned issues relate to management of staff and vehicles visiting the premises which do not fall within the remit or control of this application. Environmental Health have been made aware, however, so they can consider if any of the issues raised can be controlled under their legislation.

#### Compliance issues

- Have since 2004 increase the working hours slowly
- Openly admitted to non compliance of existing restrictions so why are these actions going to be awarded?  
It is considered that the company is not being rewarded, we are hoping to facilitate production for a local company and ensure that the detrimental amenity of residents is no worse.

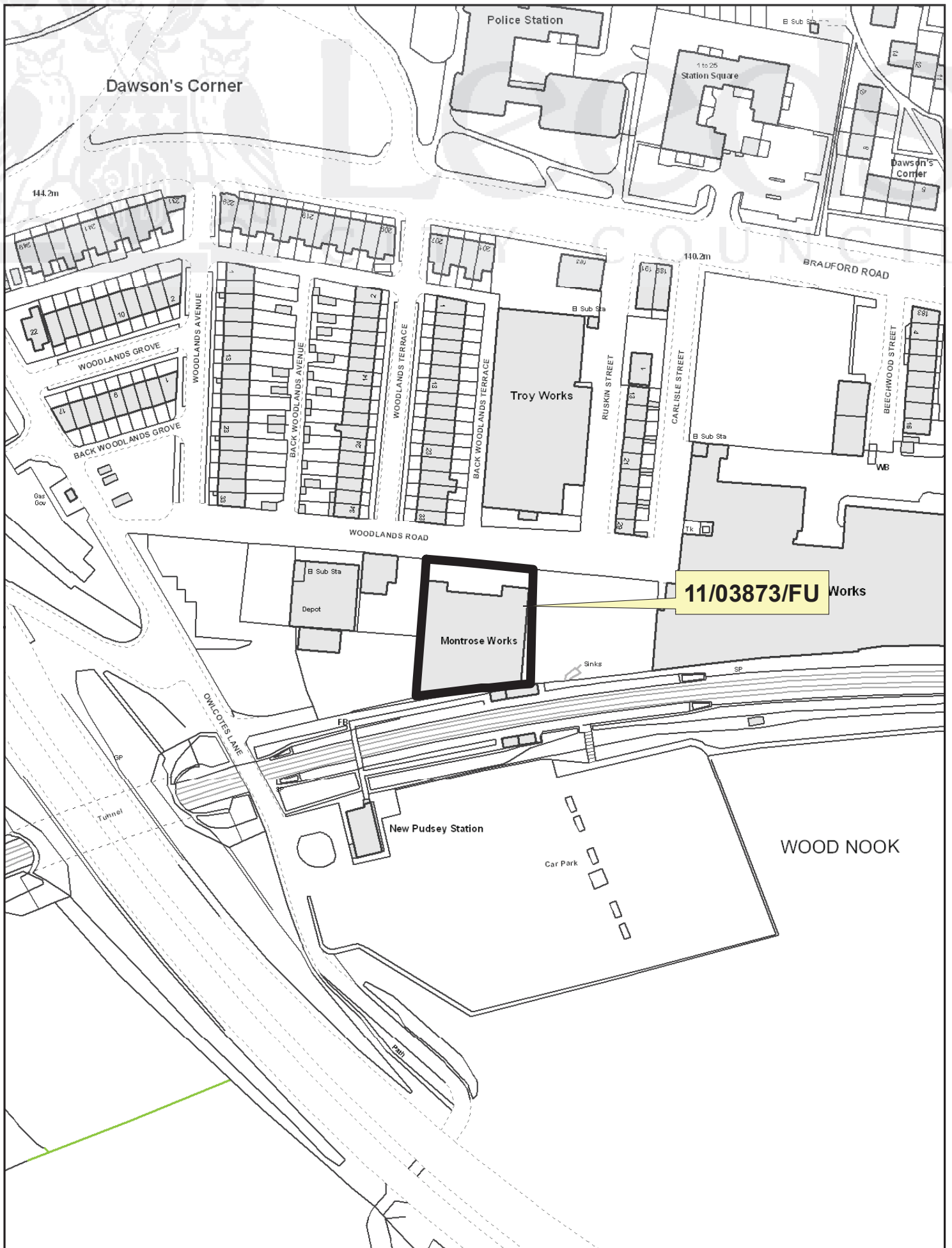
## CONCLUSION

The application is to vary two conditions from an approval for a industrial unit in 1975. The variations relate to allowing 24 hours operation 7 days a week and a lowering of the noise levels that will exist on the northern boundary. The application is considered acceptable as it facilitates the movement of noisy production to a building further away from residential properties and it allows more stringent noise controls to be attached as part of the revised conditions. To assess the impact it is recommended that the permission is for one year. Overall the application is considered acceptable.

## BACKGROUND PAPERS

Planning application number 11/03873





# WEST PLANS PANEL

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Originator: Peter Jorysz

Tel: 0113 247 7998

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

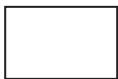
Date: 29<sup>th</sup> March 2012

**Subject: PRE-APPLICATION PRESENTATION (PREAPP/08/00206)  
UPDATE REPORT; KIRKSTALL FORGE DEVELOPMENT, KIRKSTALL.**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Commercial Estates Group	01.07.2009	n/a

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

Kirkstall, Horsforth and  
Bramley & Stanningley



Ward Members consulted  
(referred to in report)

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

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**That members note this update report and associated pre-application presentation by Commercial Estates Group.**

#### **INTRODUCTION:**

- .1 The primary purpose of this report and associated presentation by Commercial Estates Group is to update Panel regarding progress on the redevelopment and regeneration of the Kirkstall Forge site; in particular METRO/Network Rail's plans for a railway station and Commercial Estates Group's (CEG) plans for mixed use development on the site.

#### **2.0 PROPOSAL:**

- 2.1 The indicative Masterplan has been reviewed since the original approval in 2007 given changing economic circumstances. The proposal has been revised to

accommodate the demand for more family housing and less apartments, to take the opportunity to increase jobs and to kick start development in a difficult economic climate.

2.2 The Masterplan has been revised following the appointment of Fielden, Clegg, Bradley ( FCBS) as architects for the scheme. FCBS were chosen following a design competition and long selection process and have a reputation for innovative, quality schemes including the “Arcadia” residential scheme in Cambridge which has won national design awards.

2.3 The revised FCBS Masterplan has been evolving, in discussion with Leeds’ officers and currently comprises:

1. Identical red-line, description of development and mix of uses as outline planning permission;

2. Similar level of total floorspace to the outline at about 1.5 million square feet;

3. Doubling of office floorspace from 146,000 sq ft to 300,000 sq ft provided in three buildings sited close to the proposed station ;

4. Reduction of dwellings from 1,355 to 1,045 with revised mix comprising 585 apartments and 460 town houses/maisonettes (previous mix 1,109 apartments and 246 town houses/maisonettes).

2.4 These proposed revisions have already been brought before Panel as part of a previous report on 21<sup>st</sup> January 2010. At that meeting members noted a desire to:

-keep an overview of the development,

-receive regular update reports and

-have a summary of the approval process to date in the next Panel update report.

2.5 Since the previous report discussions have continued regarding:

-the Masterplan,

-the Train Station,

-the joint “Design Framework” document to guide future reserved matters.

This report updates Panel on these elements and responds to Panel’s previous comments.

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

3.1 The site comprises the former Kirkstall Forge site. This totals circa 23 hectares, located off the A65, about 6km (3.7m) from the city centre. The former commercial buildings have now been fully cleared with the exception of the listed buildings. Archaeology work and remediation are largely complete.

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

**Original Outline Planning Permission (24/96/05/OT)**

4.1 Outline planning permission (with access determined at outline stage) was originally granted on 20 July 2007 for a major mixed use scheme. The description of development comprised:

“Residential, offices, leisure, hotel, retail and bar/restaurants including access, site remediation, construction of bridges and river works, car parking and landscaping.”

4.2 An indicative Masterplan contained the following elements:

- 1,355 dwellings ( 1,109 apartments and 246 townhouses/ maisonettes);
- 146,000 square feet of offices;
- Support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a creche and accommodation for social community uses totalling 104,000 square feet;
- Preservation and change of use of existing grade 2 listed lower forge building to provide food and drink uses;
- Change of use grade 2 listed stables to residential;
- Areas of amenity green space;
- Wildlife and ecological enhancements;
- Park and ride for approximately 150 cars;
- Improvements to vehicular junctions, allowing access to the A65;
- Internal access roads, catering for new bus services;
- Network of pedestrian and cycle routes, enabling connections to the national cycle network and canal towpath, including new footpaths alongside the former abbey mill race;
- New pedestrian and vehicular bridge across River Aire;
- Site remediation works;
- Riverside improvement works and creation of flood relief channel.

An integral part of the development (although outside the outline application site) is the delivery of a new railway station on adjoining land.

#### **Full Planning Permission for Train Station (10/01211/FU)**

4.3 Full planning permission for the new railway station and car park was subsequently granted on 18th June 2010.

#### **Extension of Time application (11/01400/EXT)**

4.4 An extension of time for the original outline planning permission was considered by Panel on 18<sup>th</sup> August 2011. Panel resolved to approve the extension of time, allowing for a 15 year timescale and a revised S106 package. The revised S106

increased contributions from £7.6 million to a sum between a minimum £10 million and a maximum £13 million (depending on financial viability).

- 4.5 A deed of variation to the original Section 106 has been provided, but has not yet been signed pending confirmation of DfT funding for the new Train Station. Funding has now been confirmed and once the revised agreement between CEG and METRO/Network Rail has been signed, which is imminent, the S106 agreement can be signed and the planning permission formally released.

#### **Discharge of Conditions: Full Planning Permission for Train Station (10/01211/FU)**

- 4.6 Officers have been approached to meet METRO/Network Rail to discuss the extent of information necessary to discharge the conditions. An application will be submitted shortly.

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

- 5.1 Positive discussions have been held with Planning, Design, Landscape and Highways officers regarding the developing Masterplan and Design Framework although detailed negotiations on the scheme will not commence until the first phase of reserved matters.

- 5.2 Positive community engagement will continue with the thrice yearly Kirkstall Forge Liaison Group, a community group chaired by Councillor Yeadon and attended by other ward members, CEG, representatives of local residents groups and individual residents. CEG also attend the annual Kirkstall Festival.

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

- 6.1 Ward members will continue to be informed of ongoing discussions and community engagement will continue under the auspices of the existing Kirkstall Forge Community Liaison Group prior to the submission of any reserved matter application.

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

- 7.1 Following consideration by Panel in January 2010 pre-application discussions have been held with internal and external consultees.

#### **8.0 PLANNING POLICIES:**

- 8.1 The principle of development is established by the outline consent. Relevant policies will be reported to Panel as part of the ongoing decision making process.

#### **9.0 MAIN ISSUES/APPRAISAL**

##### **Masterplan**

- 9.1 The Masterplan has not changed significantly since last displayed at Panel; though some minor changes have been incorporated regarding the softening of development form and integration into the landscape at the eastern and western edges of the development. Discussions have also been ongoing on the form of open space with the layout.

9.2 CEG will provide a presentation of the latest Masterplan.

### **Train Station**

9.3 In December 2011 the DfT confirmed that the Leeds City Region Rail Growth package of £17 million towards the train stations at Kirkstall Forge and Apperley Bridge would receive central government funding. This major boost to both the area and this site paves the way for a successful development, both in planning terms and commercially. Construction could start as early as July 2013 with the station operational by December 2014.

9.4 CEG will provide a more detailed presentation of the Leeds City Region Rail Growth package, DfT funding and proposed construction timescales.

### **Design Framework**

9.5 The original planning permission and subsequent application for extension of time contain Masterplans for the development and Design and Access Statements. However as both are outline (with all matters bar access reserved for subsequent approval) the nature of the Masterplan and design documentation is illustrative. Both parties have agreed that it is important for the quality of the development and coherent sense of place that a Design Framework document be agreed to guide future applications for different phases of reserved matters.

9.6 Leeds' officer have been in discussion with CEG and FCB regarding the structure of this document, its parameters and focussing on key issues such as the range of materials and variety of elevational approaches to different building types.

9.7 CEG will provide a presentation of work done to date on the Design Framework.

### **Future Planning Applications**

9.8 Once the Design Framework is agreed CEG intend to submit an application for the first phase of development, including key infrastructure such as the main road in/out of the site. The timing of this will be largely dependant on the performance of the national economy and construction timescales for the train station.

9.9 More details will be provided for members when pre-application discussion on the first phase of development commence.

## **10.0 CONCLUSION**

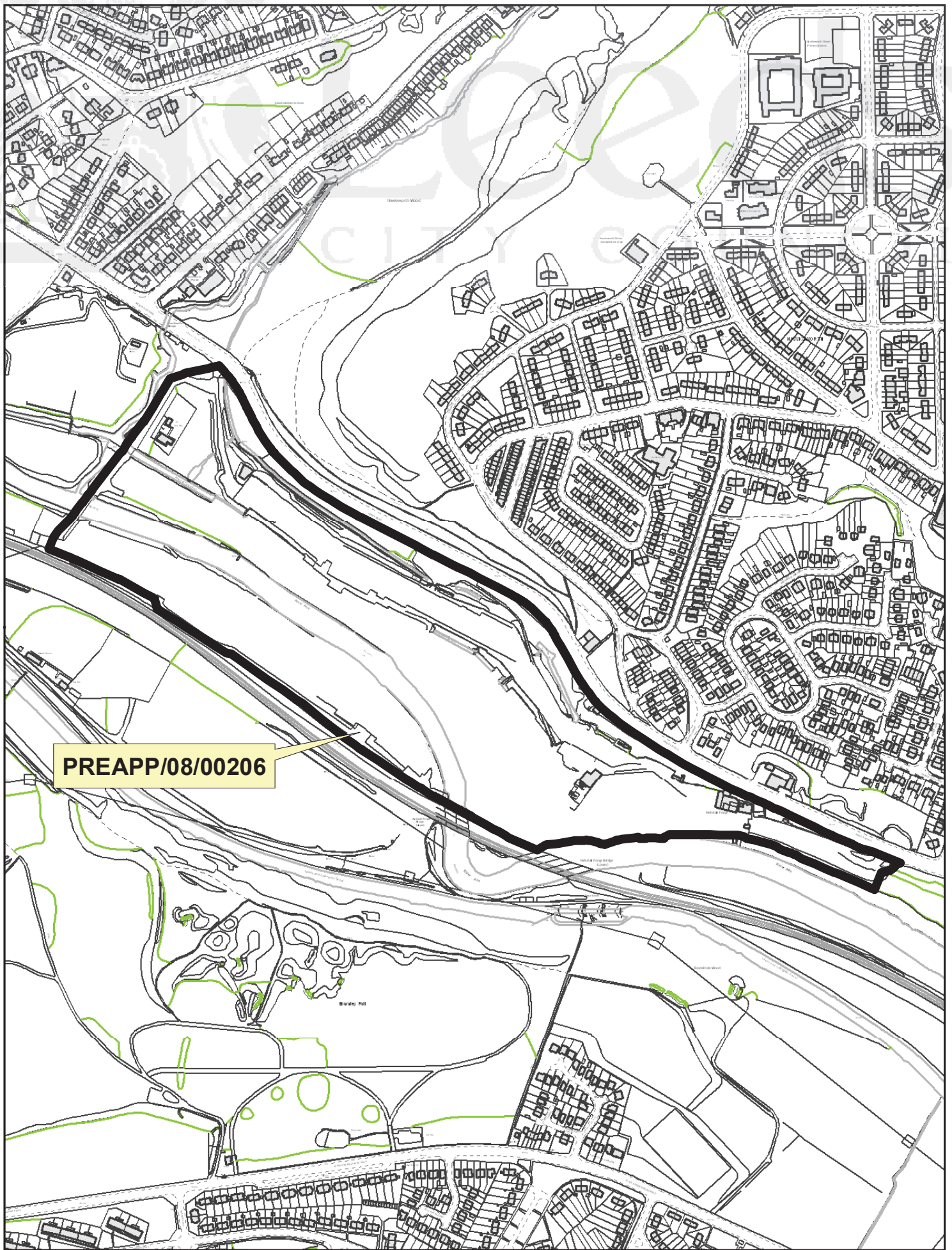
10.1 The site is one of the key regeneration sites in the city with outline permission for a mixed use redevelopment. The delivery of a new railway station at Kirkstall Forge (linked with the provision of a new rail station at Apperley Bridge) is facilitated and partly financed by this development.

10.2 The project has been delayed due to the economic downturn and has been revised to move it forward. The Train Station has also now received funding with a timetable that will encourage development of the site.

10.3 The delivery of this major brownfield site, in a sustainable location, supported by rail infrastructure must remain a key objective given the pressure on greenfield sites around the city. Panel are asked to note this update and Commercial Estate Groups' presentation.

- 10.3 Members are asked to comment on any matters they would wish to be considered as part of ongoing pre-application discussions.

**Background Papers:** Outline permission ref 24/96/05/OT, Panel Report 21st January 2010, application 11/01400/EXT and Panel Report 18<sup>th</sup> August 2011.



PREAPP/08/00206

# WEST PLANS PANEL

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Originator: Ian Cyhanko

Tel: 0113 247 4461

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 29<sup>th</sup> March 2012

Subject: **PRE-APPLICATION PRESENTATION (PREAPP/11/00782)**

**REDEVELOPMENT OF 65-71 ST ANNS LANE, KIRKSTALL, INCLUDING PARTIAL DEMOLITION OF THE MAIN BLOCK AND DEMOLITION OF THE GATEHOUSE, TO BE REPLACED WITH A NEW 3 STOREY EXTENSION, TO FORM 15 FLATS, AND THE CONSTRUCTION OF A PAIR OF SEMI-DETACHED PROPERTIES**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Leeds and Yorkshire Housing Association	N/A	N/A

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

Kirkstall

Y

(Ward Members consulted referred to in report)

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

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**Members are asked to consider the scheme as presented and are invited to comment on the proposals at this stage.**

#### **INTRODUCTION:**

This proposal is brought before Members to provide an opportunity for Members to comment on the issues raised in this report.

## **2.0 PROPOSAL:**

- 2.1 The proposal seeks to partially demolish the existing property at 65-71 St Anns Lane, and totally demolish a separate detached former gatehouse, and replace these with a new larger combined 3 storey extension. The proposed extension occupies a larger footprint than the existing structures which are to be demolished and will effectively remove the existing gap which exists at present between the main building and gatehouse. This extension along with alterations to the remaining building would result in 15 new apartments.
- 2.2 The proposed extension is to have facing material of stone and lightweight cladding panels, and includes both pitch and flat roofs, with Juliet balconies. The proposed extension has been divided into 3 separate sections. The first section is located where the existing gatehouse is at present, and has a similar siting and appearance of the gatehouse (although larger), this adjoins a 3 storey flat roof section (which is located on the existing parking area) which then links into a new 3 storey stone replacement extension to the main block which has pitch roofs.
- 2.3 It is also proposed to construct a new rear parking area on land which is currently grassed, which lies to the rear of the building, and construct a pair of semi-detached properties, to the rear of 65 -71 St Anns Lane. These proposed properties would be accessed from St Ann's Square.
- 2.4 The site is owned by a Housing Association and the scheme would deliver additional affordable housing which would be owned and managed by Leeds and Yorkshire Housing Association. The scheme would be part funded by the Homes and Communities Agency, and the applicants have stated this funding is dependant on delivering a scheme of 17 units.

## **3 SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a former Victorian Villa and a detached gate house. The original building is stone built, two storey in height, and has a hipped slate roof. The building appears to have been constructed in the 1850's and is at present sub-divided into self contained flats. The building would have originally had a symmetrical appearance. The property has later (circa 1890) rear extension to the building, this extension matches the design and materials of the original building.
- 3.2 The property benefits from landscaping areas to all sides. The property has a large garden area which lies to the rear of the property (which faces east). The site contains 4 protected trees. Access into the site is from St Ann's Lane and a parking area exists between the former gatehouse and main building.
- 3.3 The site lies in an established residential area which lies between the main settlements of Kirkstall and Headingley. The locality is mixed in character and is made up of both stone built Victorian properties and increasingly modern 1960's styled, suburban properties. This site lies within a group of Victorian villa's which lie on this eastern side of St Anns Lane. These properties are separated from the road by a stone wall which is approximately 2m in height. The site lies opposite the former Boston Diner site, where only the former gatehouse now remains.

## **4 RELEVANT PLANNING HISTORY:**

- 4.1 There are no records of any previous planning applications to redevelop this site.
- 4.2 Members may recall that planning consent was granted by Plans Panel West, on 8<sup>th</sup> December 2011 (Planning Application 11/04581/FU) for the change of use of the adjacent building which lies to the north of this site, from a hostel to student accommodation.
- 4.3 This site also lies opposite the Boston Diner site. Members may recall this site, which has a long and complex planning history. Planning consent was granted for the development of 12 houses upon this site on 22<sup>nd</sup> March 2010 (Planning Application 09/03799/FU), following resolution at Plans Panel West on 17<sup>th</sup> December 2009.
- 4.4 Prior to this application, an appeal against the refusal of 48 flats and 5 separate dwellings (Planning Reference 24/412/05/FU) was dismissed on 15<sup>th</sup> May 2008, following a refusal by Plans Panel West.

## **5 HISTORY OF NEGOTIATIONS:**

- 5.1 Officers have been in negotiations with the architects appointed by the Housing Association who own the site. Originally the proposal was for the complete demolition of the existing buildings on the site, and a replacement new apartment block scheme. Officers were not in support of this proposal and considered the existing building should be retained, given its historical value and architectural merit, as it lies within a group of 3 Victorian villas which all have gatehouses, along this side of St Ann's Lane.
- 5.2 This proposal was then revised in response to officer preference to retain the existing building upon the site. Concerns have been expressed mainly over the size and mass of the proposed extension and the fact it in-fills the existing gap between the gatehouse and the main building, the principle regarding the loss of protected trees on site, the relationship of the proposed development to the existing street scenes, the size and usability of the rear garden for the proposed semi detached properties, and the proximity of the new parking area in relation to the existing block of flats which lie adjacent on St Ann's Way.
- 5.3 The proposed scheme was presented to the Design Review Panel on 14<sup>th</sup> March 2012. The Design Review Panel raised concerns to the height/ massing of the proposed extension, and its relationship to the part of the existing building which is to remain, particularly as the proposed extension is taller than the existing building. Officers considered that the site offers ample space for a development scheme, which would retain the 17 units proposed, and options should be explored to develop the east facing lawn area, where the parking area and pair of semi-detached houses are currently proposed.

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

- 6.1 This proposal is at pre-application stage only and has therefore, not been advertised.
- 6.2 Ward Members were advised of the proposal by e-mail on 2<sup>nd</sup> March 2012. All three Ward Members have responded raising concerns which relate to amount of development proposed, and the loss of the protected trees.

## **7 CONSULTATION RESPONSES:**

- 7.1 The Highway Authority was consulted on the previous application and are happy with the level of parking proposed, and have raised no objections to the proposal.
- 7.2 The Tree Officer objects to the removal of two protected trees on site, stating they are in good health, and have high public amenity value, which have a positive contribution to the character of the locality. There is no justification for the removal of this protected trees, and any redevelopment scheme for this site should retain these protected trees.
- 7.3 The Conservation Officer have raised concerns regarding the proposed replacement extension and consider that the main building is a 'non designated heritage asset'.

## **8 MAIN ISSUES:**

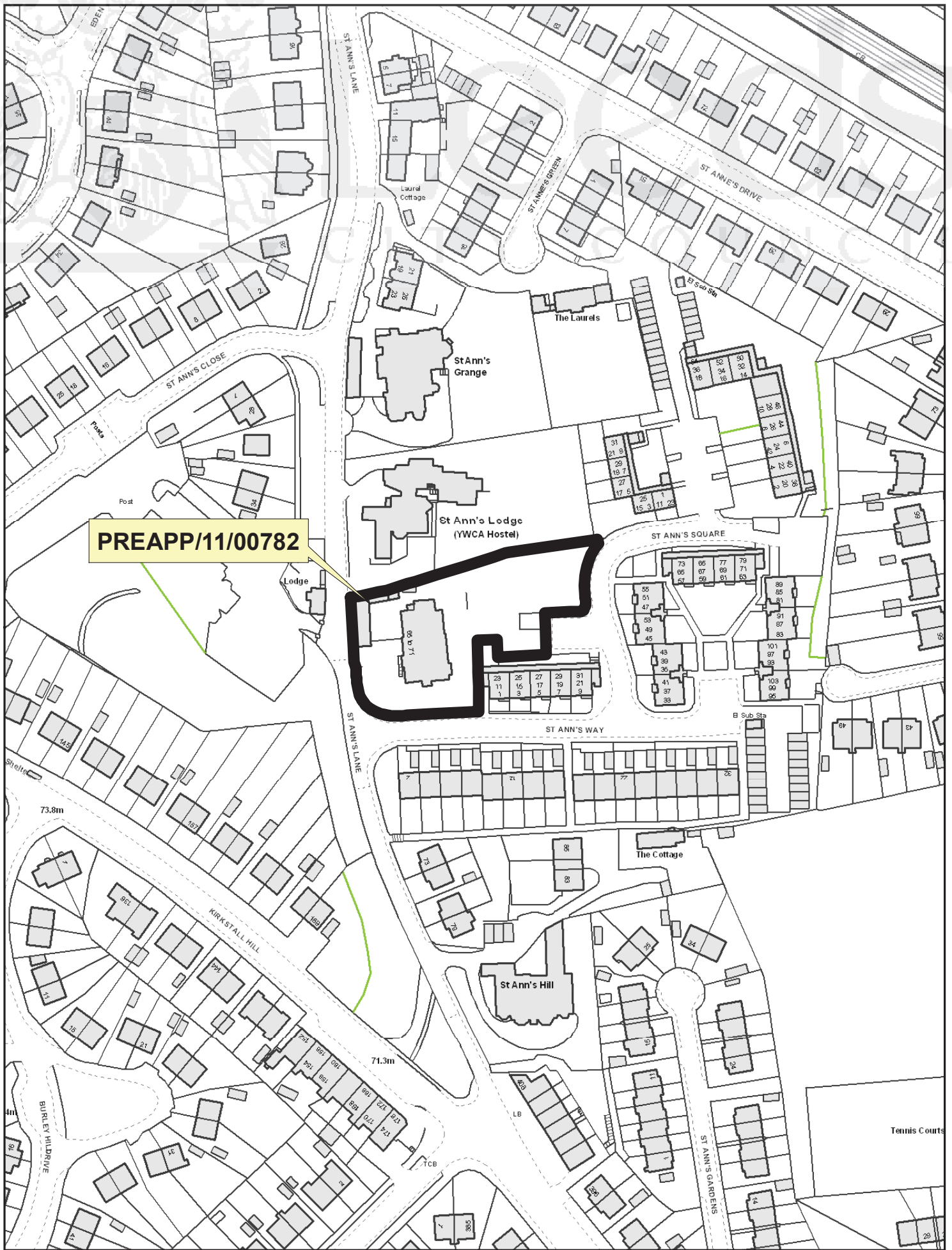
- 8.1 The applicants seek guidance as a pre-application submission. Officers are still in discussion with the applicants over a number of outstanding issues, regarding the principle of the loss of two protected trees, the mass/ size of the proposed extension, its design/ appearance, and the siting / layout of the proposed semi-detached properties, and subsequent level of amenity offered to the future occupiers of these dwellings. Officers have raised concerns that the level of development proposed constitutes the over-development of the site.

## **9 CONCLUSION:**

- 9.1 Members are asked to consider the contents of this report and presentation and their comments are invited with particular regard to :
- Is the principle of the partial demolition of the building acceptable?
  - Is the principle of the demolition of the former gatehouse acceptable
  - Is the loss of two protected trees on site acceptable?
  - Is the siting/ mass/ height of the proposed new extension acceptable
  - Is the design and materials of the proposed extension acceptable?
  - Are the private garden areas of the proposed semi-detached properties acceptable?
  - Is proximity of the new parking area to the existing flats on St Ann Square acceptable?
  - Does the fact the proposal is developed by a Housing Association to deliver affordable housing outweigh any of the concerns raised?

### **Background Papers**

Files 11/04581/FU, 09/03798/FU and 24/412/05/FU



**PREAPP/11/00782**

# WEST PLANS PANEL

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Originator: Ian Cyhanko

Tel: (0113) 24 74461

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**Report of the Chief Planning Officer**

**PLANS PANEL WEST**

**Date: 29<sup>th</sup> March 2012**

**Subject: FORMER PUDSEY GRANGFIELD SCHOOL, MOUNT PLEASANT ROAD, PUDSEY, LS28 7ND**

**12/00014/FU CHANGE OF USE OF FORMER SCHOOL INCLUDING EXTENSIONS TO FORM 49 FLATS**

**12/00598/LI LISTED BUILDING APPLICATION FOR INTERNAL AND EXTERNAL ALTERATIONS, PARTIAL DEMOLITION AND EXTENSIONS TO FORM 49 FLATS**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Sk Imports	12/00014/FU - 3 <sup>rd</sup> January 2012	3 <sup>rd</sup> April 2012
	12/00598/LI - 18 <sup>th</sup> February 2012	14 <sup>th</sup> April 2012

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**Electoral Wards Affected:**

**Pudsey  
Calverley and Farsley**

Yes Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: Approve both Planning and Listed Building applications subject to the following conditions:**

**Planning Application 12/00014/FU**

- 1. 3 year time limit;**
- 2. In accordance with the approved plans;**

3. New Stone to match existing building in colour, size and texture
4. Matching slate to be used on new extensions and repairs
5. New window openings to be recessed to match existing windows
6. Full details of all new openings and design/ arrangement of all windows
7. Area used by vehicles laid out, surfaced and drained;
8. Parking spaces to remain unallocated
9. Car park to be completed prior to opening and retained thereafter
10. Details of cycle and motorcycle parking;
11. Methods to be employed to prevent mud, grit and dirt being carried onto the public highway;
12. Details of surface materials;
13. Construction only to be carried out 08:00 – 18:00 hours Monday to Friday and 08:00 and 13:00 on Saturdays;
14. Lighting Scheme;
15. Landscape scheme to be submitted and approved;
16. Landscape maintenance and implementation;
17. Replacement planting within 5 years;
18. Protection of trees through the construction period
19. Rear and side Boundary details;
20. Details of surface water run off to be submitted to, and approved
21. No development within 3m of either side of main sewer on side
22. Details of Bat roosting features to be submitted to, and implemented
23. Contaminated Land Information to be submitted to the LPA
24. Amended Remediation Statement
25. Verification Reports

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Leeds Unitary Development Plan 2001 (UDP) and the Leeds Unitary Development Plan Review 2006 (UDPR).

Policies GP5, GP7, GP11, GP12, BD6, N12, N13, N14, N15, N17, N25, N29, ARC6, T2, T2D, T5, T6, T7A, T7B, LD1,

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

#### Listed Building Application

1. 3 year time limit;
2. In accordance with the approved plans;
3. New Stone to match existing building in colour, size and texture
4. New window openings to be recessed to match existing windows
5. New window openings to be recessed to match existing windows
6. Full details of all new openings and design/ arrangement of all



**windows**

**7. Architectural and Archaeological recording to be carried out**

In granting Listed Building Consent the City Council has taken into account all material matters relating to the building's special architectural or historic interest, including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

**N14, N15, N16, N17, N29 and ARC6**

**On balance, the City Council considers the proposal would not give rise to any unjustified consequences for the special architectural or historic interest of the listed building.**

**1.0 INTRODUCTION:**

- 1.1 These applications has been made following pre-application meetings and discussions with the Local Planning Authority and following a public exhibition held by the developers.
- 1.2 They are brought before Plans Panel due to the significance of the development and at the request of Local Members.

**2.0 PROPOSAL:**

- 2.1 The proposal is for conversion and extension of the former school building into 49 flats. The proposal includes the demolition of two rear 1960's extensions, and the construction of two replacement extensions. These proposed extensions project out a further 6m from the rear of the building, (when compared to the extensions they seek to replace) and are 2 and 3 storeys in height, which match height, materials, and design of the original school building. The proposal also seeks to replace all of the window with new slimline aluminium frames.
- 2.2 The proposal is arranged with 7 flats on the lower ground floor, 21 flats on the ground floor, and 21 flats on the first floor. Some of the flats on the first floor are duplexes, set over two levels with accommodation within the roof space on mezzanine levels. The proposal includes ten 1-bedroom flats, thirty five 2-bedroom flats, and four 3-bedroom flats.

- 2.3 The proposal utilises the existing floors within the building with one exception. It is proposed to horizontally sub-divide the former school hall, which lies to the rear of the building to provide 2 levels of accommodation. Two flats are proposed on this new level.
- 2.4 The proposal includes a formal garden area which lies to the rear of the building, this lies between the two rear projecting wings. A total of 70 car parking spaces are proposed, the parking area is located to the rear of the building and equates to parking provision of 143%.
- 2.5 The applications have been supported by the following documents.
- Design and Access Statement
  - Ecological Assessment
  - Arboricultural Impact Analysis
  - Bat Emergence Survey
  - Phase 1 Desktop Report
  - Heritage Statement
  - Financial Viability Appraisal

### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application consists of a former school, which is grade II listed. The building is stone built, and has a symmetrical appearance and two rear wings, which gives the building a U shape. The building was constructed in 1911, with a slate pitched roof. The building is 2 storey's in height with an additional basement level and attic level. The basement level is above ground level towards the northern side of the building, due to the slope of the site which slopes upwards towards the south.
- 3.2 The front façade has 15 bays, with domed towers to the outer bays which lie at each end of the building. The building is considered to be attractive and contains much detailing which includes stone mullion windows, quoins, pilasters, and a gabled parapet. The listed description of the building describes the architecture of the building as 'Vernacular Revival style with Classical detailing'.
- 3.3 The building is vacant at present, having been empty since the school vacated the premises in 2009 into a new modern building which lies adjacent to the site, to the east. Internally the school has been altered substantially since its construction with modern partitions, floor coverings and suspended ceilings. The internal décor is relatively plain and does not contain much architectural detailing. The internal décor has also suffered massive damage from water ingress caused by the theft of lead and slate tiles from the roof. The building at present is considered to be in a derelict and dangerous state.
- 3.4 To the south of the host listed building, lies a separate detached building which was formally the science block of the school. This building appears to have been constructed in the 1960's and is 2 storey's in height with a flat roof. This building lies outside the red line boundary of this application. Vehicular

access to this block is however made through the rear of this site, and the proposed plans retain this access. The applicants are marketing this building at present as a separate development opportunity.

- 3.5 The site lies to north of Pudsey Town Centre, on a road which offers access between Pudsey town centre and Stanningley By-Pass and the settlements of Stanningley and Farsley. The site lies in a predominately residential area, stone terraced properties lie opposite the site to the west, and lie to the north, purpose built flats lie to the south (beyond the science block) and the new school building lies to the east. The property has a large rear enclosed parking area. The site also lies within Pudsey Conservation Area. A number of protected trees lie to the front of the building, along the Richardshaw Lane frontage.

#### **4.0 Relevant Planning History:**

- 4.1 These applications are re-submissions of two previous applications (11/3545/FU and 11/03546/LI) which were also for the conversion and extension of the building into 49 flats. These applications were withdrawn by the applicant on 25<sup>th</sup> November 2011 and 19<sup>th</sup> January 2012 respectively, due to the lack of financial viability appraisal to support the non provision of affordable housing and green space contributions.
- 4.2 There is an array of previous applications for relatively minor alterations and extensions to the existing building, whilst in use as a school. None of these previous applications have any relevance to this application.

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

- 5.1 The application has been subject to a pre-application discussions over the last year. Most discussions has centred around striking a balance between the level of parking offered and amount of external landscaping and amenity space, and the exact details of the internal conversion works.

#### **6.0 PRE-APPLICATION COMMUNITY INVOLVEMENT**

- 6.1 The developers held a public meeting on 4<sup>th</sup> November 2011 at the new Pudsey Grangefield School to inform local residents and Members of the previous application, and to gain their views on the proposals.
- 6.2 Two ward Members Councillor Richard Lewis, Councillor Josephine Jarosz attended, as well as Councillor Andrew Carter from the Calverley and Farsley Ward which lies opposite the site. Approximately 12 local residents also attended the meeting.

The feedback from the meeting was that people were generally very supportive of the proposal to re-use the building, however the main issue of concern was parking.

People were concerned over the level, or perceived lack of parking proposed, and the likelihood this would lead to a greater demand for on street parking on adjacent streets. The parking provision on the site was raised from 65 to 70 spaces following this consultation exercise.

## **7.0 PUBLIC/LOCAL RESPONSE**

- 7.1 The application was publicised by 8 site notices which were posted around the site on 20<sup>th</sup> January 2012. An advert was also placed in the local press on 26<sup>th</sup> January 2012.
- 7.2 To date 2 of the local ward Members have commented on the application, Councillor Lewis and Councillor Coulson. Comments made support the re-use of the building but raise concerns regarding the level of parking proposed.
- 7.3 Councillor Carter whose Calverley and Farsley ward lies directly opposite the development, has requested that residents only parking is introduced on the streets opposite, and the extensions to the building are removed, to increase on site parking provision, as the level of parking proposed is insufficient.
- 7.4 To date, one letter of representation has been received from a local resident. The points raised are highlighted below.
- support the re-use of the building as the conversion of the school building appears sensitive
  - level of parking not adequate, and will lead to overflow parking on nearby streets
  - parking permits should be issued to local residents

## **8.0 CONSULTATION RESPONSES**

### **Statutory:**

- 8.1 Highways  
No objections subject to conditions, on balance given the conversion nature of the application the parking ratio of 143% is considered to be acceptable.

### **Non-statutory:**

- 8.2 Mains Drainage  
No objections subject to conditions

Yorkshire Water  
No objections subject to conditions

Access Liaison Officer  
Object, level access could be achieved into the lower ground floor

West Yorkshire Police

Consideration should be given to the controlled access into the building and location of mail boxes. The location of the cycle and motor cycle parking should be re-located away from the gate.

Landscape Officer

No objection subject to conditions relating to tree protection.

Metro

Bus only travel cards should be provide for each resident, this will total £20,616.75

Transport Policy

No comment the proposal is under the threshold of 50 units

Environmental Health

No objections subject to conditions which relate to hours of construction

West Yorkshire Ecology Team

No reply

Nature Conservation

The Bat Survey suggests there is no significant roost. Bat roost features should be incorporated into the development and conditioned on the approval of the application.

Street Scene Services

No objection

Local Plans

The proposal generates a requirement for a Commuted sum of £113,134.45 towards public open space, following the policy requirements of N2 and N4.

## **9 PLANNING POLICIES**

### **9.1 National planning policy and guidance includes:**

PPS1	Delivering Sustainable Development
PPS5	Planning and the Historic Environment
PPG13	Transport

### **9.2 Development Plan Leeds Unitary Development Plan Review 2006**

GP5	All relevant planning considerations
GP7	Planning obligations
GP11	Sustainability
GP12	Sustainability
BD6	Alterations and Extensions
N12	Urban design
N13	Design and new buildings
N14	Listed buildings and preservation

N15	Listed buildings and change of use
N16	Extensions to listed buildings
N17	Listed buildings character and appearance
N25	Boundary treatments
N29	Archaeology
ARC6	Archaeology
T2	Transport provision for development
T2D	Public transport provision for development
T5	Pedestrian and cycle provision
T6	Provision for the disabled
T7A	Cycle parking
T7B	Motorcycle parking
LD1	Landscaping

### 9.3 Emerging Core Strategy

The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time

## 10.0 MAIN ISSUES

- Principle of development
- Impact of the proposal on the special character of the listed building
- Amenity Considerations
- Viability Issues
- Highways/ Parking
- Nature Conservation
- Landscaping/ Trees

## 11.0 APPRAISAL

### Principle of Development

11.1 The proposal is concerned with the conversion of a derelict, vacant former school, which is a grade II listed building into residential accommodation. The site lies unallocated within the Leeds UDP, but within the boundary of Pudsey Conservation Area. There are no specific policies which are concerned with the re-use of school buildings. In terms of PPS3, it is considered the proposal is acceptable as it provides new additional housing within an existing building, which is served well by existing services and infrastructure, and is located in a sustainable location in close proximity to Pudsey town centre. The proposal also conforms with the surrounding land uses.

11.2 Although the proposal may be acceptable in land use terms, the re-use of a

listed building has to be considered against PPS5 and the local adopted policies which are concerned with listed buildings. In accordance with national policy PPS5, and Leeds UDP Review policies, there is a presumption in favour of the preservation of listed buildings. The scheme results in the retention and restoration of the original school building and the demolition of previous extensions, which were considered to be poorly designed additions to the host building, and new replacement extensions.

- 11.3 The best use will usually be the use for which the building was originally designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a listed building is considered. The fact the former school use has ceased and moved into adjacent new modern premises, and the fact the building has been sold by the Local Authority as it was declared surplus to requirements, does make it very unlikely that a new school use for the building would be forthcoming, and thus options for the re-use have to be explored, which best preserve the building.
- 11.4 It is also unlikely that alternative uses for the building could be found which did not involve alterations due to the size/ arrangements of the rooms, as the building was purpose built as a school, and which did not conflict with other planning policies which would result in out of centre retail/ office/ leisure development. The application is therefore considered to be acceptable in principle, subject to an assessment against all other normal development control considerations with special regard being given the architectural merit and features of the listed host building.

Impact on the Special Character of the Listed Host Building and the Character of Pudsey Conservation Area

- 11.5 The submitted Heritage Statement, and PPS5 Assessment, put forward an assessment of the nature, extent and importance of the significance of the heritage assets of the building. Detailed justification for the alterations of various elements has been submitted in accordance with PPS5, setting out the nature of the interest and the significance of the interest, which has been assessed and agreed by the Council's specialist conservation and archaeology advisors.
- 11.6 An internal inspection of the building has occurred, and although the building externally is grand and imposing, the interior is relatively plain and contains few architectural features of merit. The building internally has been altered over the years and been fitted out with modern replacements windows in parts and tiled suspended ceilings. The only areas of merit and interest which exist in their original form are two entrances foyers which lie at either side of the building along the Richardshaw Lane elevation.
- 11.7 It is worth noting the interior, and general condition of the building has rapidly deteriorated since the building was vacated. Thieves have stolen lead and slates from the roof and the building has suffered significant levels of water ingress which has caused considerable and irreparable damage internally to the building to fixtures such as architraves and cornicing and the original parquet floor covering. Large sections of the building are unprotected and are

open to the external elements. Windows have also been smashed and copper and wire have also been stolen from the building.

- 11.8 Officers have no objections to the internal alterations proposed as the most significant features such as the foyers are retained, the conversion will secure the long term future of the building and preserve its exterior. The proposed extensions are considered to be well designed which match the original building in terms of materials, alignment, design and scale. The proposed extensions are considered to be quality additions to the host building when compared to the existing single storey extensions they seek to replace. The existing extensions appear to have been constructed in the 1960's and are single storey with flat roofs.
- 11.9 It is worth noting the proposed extensions are located to the rear of the building. The imposing frontage along Richardshaw Lane will remain largely unchanged, with the exception of new windows frames, which are to be inserted into the existing stone mullions. Conservation officers have raised no objection to the replacement windows due to the variation of the existing window frames within the building which include some upvc windows, and the condition of the timber window frames. The fact the windows frames are located within stone mullions, lessen their visual impact, particularly if they are to finished in a dark grey color. It is worth noting that grey aluminum frames were used at Old School Lofts, which is a similar sized former school in Armley which was converted into residential apartments in the 1990's. This scheme is considered to be a success and a good example for a school conversion into flats.
- 11.10 It is considered the application is the only realistic proposal which would be forthcoming in the future, due to the revenue returns from a residential use, which will ensure the building is preserved, and which would halt its further deterioration. For these reasons also it is considered the proposal would enhance the character of the Conservation Area the building lies within. The building at present looks in a serious state of disrepair with a derelict and vandalised appearance, which has an negative impact on the character and appearance of the Conservation Area, particularly when considering its special architectural merit.

#### Amenity Considerations

- 11.11 It is considered the proposal would offer a good adequate level of amenity to its future occupiers. All of the flats are considered to be large, with regard to the internal accommodation they provide. This is due to the conversion nature of the building, and the depth of the building due to its previous school use. All flats have open outlooks into the site grounds, with some units benefiting from double and triple aspects.
- 11.12 The scheme also benefits from an east facing formal garden area which is situated between the two rear projecting wings. This will offer future residents an element of external amenity space. The front, west facing side of the building which fronts onto Richardshaw Lane also includes a landscaped area in and amongst the protected trees. Conversion schemes of this nature are



always constrained by the availability of external space, however in this instance, given the size of the development (49 flats) it is considered a good level of amenity space is proposed.

- 11.13 It is also not considered that the proposal would have an adverse impact on the living conditions of adjacent occupiers. It is considered the proposed use as 49 flats is less intensive than the previous school use, which would have resulted in a significant level of traffic to the site at the peak am and pm times.
- 11.14 Similarly it is not considered the proposal would result any additional over-looking or loss of privacy onto adjacent properties. The proposed rear extensions are located in-line with the side northern and southern elevations of the building, and bear no nearer to properties located opposite. The northern elevation of the building lies 21m away from the boundary of the rear gardens of the properties opposite on Croft House Court. The rear eastern elevation lies approximately 25m away from the boundary with the new Pudsey Grangefield School. The southern elevation of the building lies 7.5m from the boundary with the disused science block site, and the front western elevation lies 33m away from the terraced properties located opposite across Richardshaw Lane.

#### Highways/ Parking

- 11.15 The main issue which has been highlighted by local residents and Members is the level of parking proposed. The scheme proposes 70 spaces for 49 flats, which results in a ratio of 143%. The number of parking spaces have been increased from 65 (an additional 5 spaces) from the previous withdrawn scheme. Given the location of the site and the proximity to Pudsey Town Centre, and Bus Station which is approximately a 3 minute walk away, the level of parking proposed is considered to be acceptable and in-line with UDP guidance.
- 11.16 As stated previously in the report the scheme is constrained by the fact it is concerned with the conversion of an existing building, the requirement for adequate levels of parking has to be balanced with the need to ensure an appropriate setting around the listed building with regard to landscaping etc. It is considered the 70 spaces proposed is the maximum amount of parking this site can adequately accommodate.
- 11.17 It has been suggested that the level of parking could be increased if the two rear extensions were omitted from the application. The applicants have dismissed this, stating the scheme would not be economically viable if the extensions which accommodate a total of 8 units were lost from the scheme. Asset Management appraisal of the financial viability supports this assertion.
- 11.18 It was been suggested by Councilor Carter that the existing streets located opposite (which lie within the Calverley ward) Somerset Road, Brunswick Road and Pembroke Road all suffer from very high levels of on street parking and the residents of these streets would benefit from parking permits, to ensure no overspill from this development. Highways Officers accept there are high levels of on street parking on these streets and consider issuing

parking permits would be beneficial to the existing residents of these streets as it would ensure no overspill occurs from the development proposed onto these adjacent streets.

- 11.19 Highways have stated the cost of a permit scheme to cover Somerset Road, Back Brunswick Road, Brunswick Road, Larkfield Road, Pembroke Road, Pembroke Drive, Higher Grange Road and Thorpe Road is circa £35,000 to include all signing, lining, legal costs and staff fees. The applicants have declined to fund these works, citing affordability and viability issues. Highways have confirmed they do not object to the application in the absence of providing parking permits, and the application could not be refused on such grounds, as the level of parking offered within the development is acceptable and follows UDP guidelines.

#### Viability Issues

- 11.20 The application has been supported by a full financial appraisal to support the application in the absence of any provision towards affordable housing, green space or sustainable transport measures, i.e Metro cards etc. Surveyors in Asset Management have reviewed this, and have confirmed the conclusion of this appraisal. They conclude that even with no planning gain contributions the scheme is described as 'high risk' in financial terms and now is likely to have a negative land value due to the high costs involved with a conversion of a listed building. In view of this, and given the over-riding need to preserve and repair the listed building Officers accept the nil provision of affordable housing, green space and contributions towards Metro Cards and further parking surveys etc. On balance it is considered the need to repair and preserve this grade II listed building outweighs any harm caused by the nil provision of planning gain contributions.

#### Nature Conservation

- 11.21 The application was supported by a Bat Survey, emergence surveys have been undertaken during the optimum summer period. Sufficient surveyors were in place to cover all parts of the building. Only a relatively low level of bat activity was recorded and no bats were seen to emerge from the building which suggests the absence of a significant roost. Bat roosting features should be incorporated into the development as recommended in paragraph 4.1 of the July report, this will be conditioned on the approval of the application.

#### Landscaping/ Trees

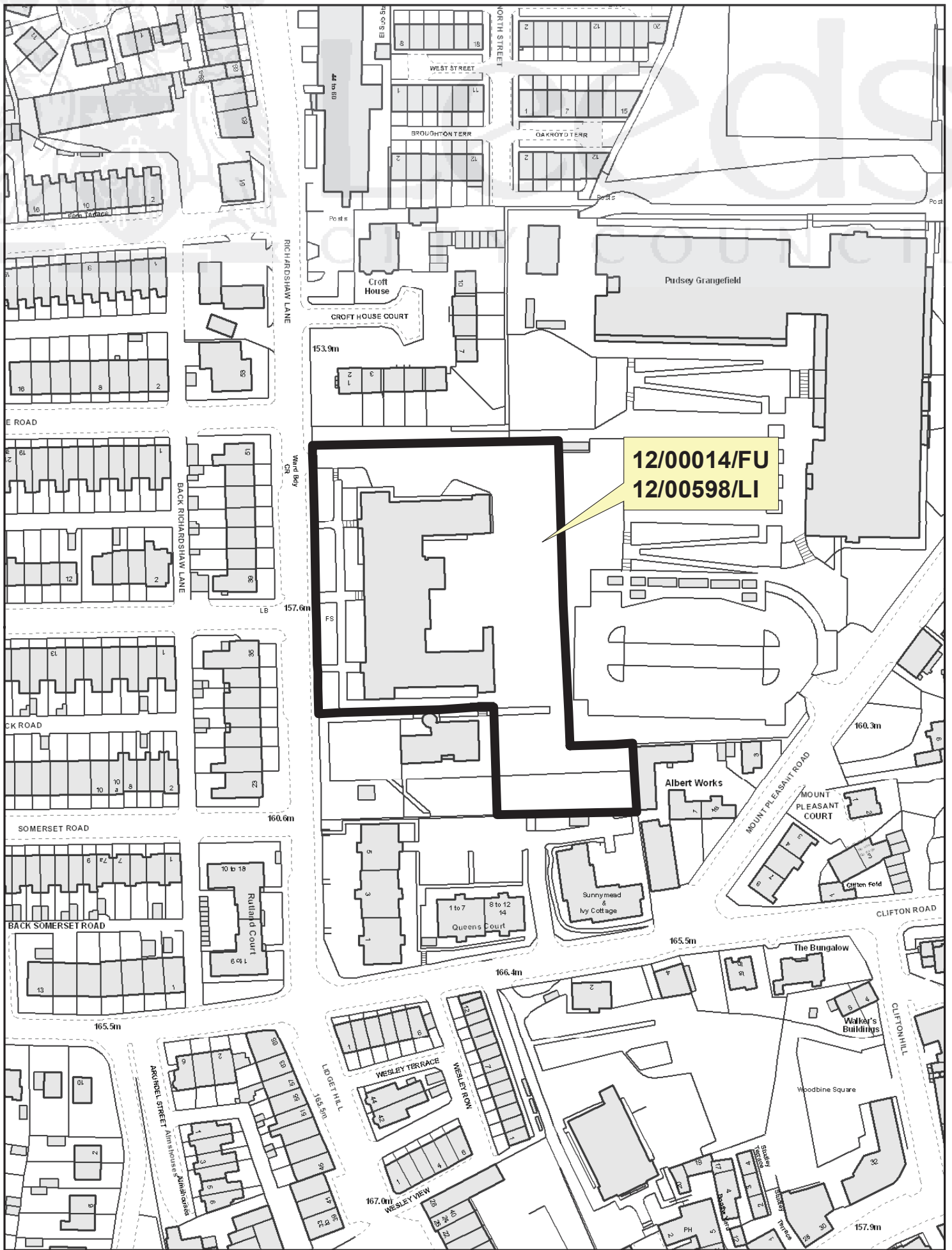
- 11.22 The entire existing rear and side curtilage areas of the property are solely hard surfaced and the proposal increases the availability and amount of soft landscaping on the site. Full landscaping details will also be conditioned on the approval of the application along with implementation and maintenance details. It is important to note that all of the protected trees which lie within the front curtilage area, along Richardshaw Lane are to be retained, and a condition will be placed on the approval of this application for tree protection measures.

## **12.0 CONCLUSION**

- 12.1 It is considered the proposal of providing a new use and new investment into a derelict, rapidly deteriorating listed building, which will secure its restoration, should be actively encouraged. The scheme is considered to be sensitive to the architectural design and merits of the building, and would preserve the exterior of the building, which is a landmark within the street scene and within this locality. For these reasons also the development would enhance the character of Pudsey Conservation Area. On balance it is considered the benefits of the proposal outweigh any concern relating to overspill parking, as it is considered the parking ratio of 143% is acceptable for a residential development of this nature.
- 12.2 Therefore approval of applications 12/0014/FU for change of use of former school including extensions to form 49 flats and 12/00598/LI for the associated Listed Building Consents is recommended.

### **Backgrounds Papers**

Files 11/03545/FU and 11/03546/LI



# WEST PLANS PANEL

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