



SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 17th March, 2016
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	J Bentley	A Castle	R Finnigan
M Coulson		R Wood	
C Gruen (Chair)			
J Heselwood			
E Nash			
A Smart			
C Towler			

Agenda compiled by:
Andy Booth
Governance Services
Civic Hall
Tel: 0113 24 74325

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 18 FEBRUARY 2016</p> <p>To confirm as a correct record, the minutes of the meeting held on 18 February 2016</p>	5 - 14
7	Rothwell		<p>APPLICATION 15/05383/FU - LAND ADJACENT TO 3 CORONATION STREET, CARLTON</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for two semi-detached houses with associated works.</p>	15 - 28
8	Adel and Wharfedale		<p>APPLICATION 16/00513/FU - 37 KIRKWOOD WAY, COOKIRIDGE, LS16 7EU</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a single storey front extension</p>	29 - 34
9	Adel and Wharfedale		<p>APPLICATION 15/07550/FU - CHURCH VIEW, ARTHINGTON LANE, LS21 1PJ</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the demolition of existing dwelling, associated alterations to Jasmine Cottage and erection of replacement dwelling with access and landscaping.</p>	35 - 50

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10	Guiseley and Rawdon	10.4(3)	<p>APPLICATION 15/04285/FU - BILLING DAM, BILLING VIEW, RAWDON, LEEDS, LS19 6PR</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the erection of a dwelling with angling facility, car parking and retaining wall.</p>	51 - 82

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

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

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

Legal & Democratic Services

Governance Services
4th Floor West
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Leeds LS1 1UR

Contact: Andy Booth
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Your reference:
Our reference: ppw/sitevisit/

To:

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

Dear Councillor

SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY 17 MARCH 2017

Prior to the next meeting of South and West Plans Panel there will be a site visit in respect of the following;

- 1 11:05 **On site 11.05 - 15/07550/FU – Demolition of existing dwelling, associated alterations to Jasmine Cottage and erection of replacement dwelling with access and landscaping at Church View, Arthington Lane, Arthington, Otley – Leave 11.35.** (if travelling independently meet in the car park of the St Marys and St Anoub Church opposite the site).

Return to Civic Hall at 12.00 p.m. approximately

A minibus will leave the Civic Hall at 10.40 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 10.35 am

Yours sincerely

Andy Booth
Governance Officer

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SOUTH AND WEST PLANS PANEL

THURSDAY, 18TH FEBRUARY, 2016

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley, A Castle,
M Coulson, R Finnigan, J Heselwood,
S McKenna, E Nash, A Smart and R Wood

82 Exempt Information - Possible Exclusion of the Press and Public

Members were advised that an appendix to Agenda Item 13, Application 15/05637/FU, Land adjacent to Newhall Gate and Winrose Drive, Leeds contained information relating to financial matters and was considered to be exempt under Access to Information Procedure Rule 10.4 (3)

83 Declarations of Disclosable Pecuniary Interests

Councillor R Wood declared an interest with regard to Agenda Item 11, Application 15/05597/FU – 26 Foxholes Crescent, Calverley, Pudsey as he knew one of the objectors to the application. He took no part in the discussion or voting on this item.

84 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor C Towler.

Councillor S McKenna was in attendance as a substitute Member.

85 Minutes - 14 January 2016

RESOLVED – That the minutes of the meeting held on 14 January 2015 be confirmed as a correct record.

86 Application 14/06007/FU - Ice Pak, 49 Barkly Road, Leeds, LS11 7EW

The report of the Chief Planning Officer informed Members of an application for a mixed use development comprising sports hall, community facility and associated offices; change of use of existing office building to a temporary community use building during works at 49 Barkly Road, Cross Flatts, Leeds.

An appeal against non-determination had been submitted by the applicant. The report sought Members agreement for officers to make representations against the non-determination.

Site plans and photographs were displayed and referred to throughout the discussion on the application.

Further issues highlighted included the following:

- The application had attracted objections from local Ward Councillors and the local MP. There had also been objections from local community groups. Main objections to the application focussed on the lack of parking in the area and an increase in noise and activity.
- The application had attracted 68 individual letters of support and over 650 batch letters of support on the basis that the provision of a community centre, education and leisure facilities would be of benefit to the area.
- Original proposals had been scaled down and there was a plan for some underground parking which would alleviate concerns regarding overspill parking.
- The applicant had suggested that the number of visitors could be limited at peak times with parts of the centre closed down if necessary. It was reported that this would be difficult to monitor or enforce.
- The creation of an underground car park would be a significantly disruptive operation. It would require a minimum of 660 lorry loads to remove the ground materials and there would be excessive noise, dust and vibration.
- There were concerns that the use of the centre would not be available to the wider community or those who would live in the immediate surroundings.
- There were a number of outstanding issues to resolve before a decision could be taken on the application.

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

- Concern regarding the high number of objections.
- The previous use of the site as a factory did cause some disturbance problems to local residents.
- There was not enough space in the area for any overspill car parking.
- Opportunity for the applicant to engage the local community.

RESOLVED – That it be agreed for Officers to make representations on the appeal against non-determination on behalf of the Council on the following grounds:

- The impact of the proposal on residential amenity due to levels of activity and associated intensification of the use of the site and associated noise.
- Uncertainty over the exact use and occupation of the Community/Sports Hall and the potential of overspill parking onto adjacent streets.
- Whether the use can be adequately controlled in terms of restrictions on use, hours, activities and numbers of people attending via planning conditions or a legal agreement to make the proposal acceptable in terms of impact on local people and the highway network.

87 Application 15/06162/FU - 23 Bradford Road, Gildersome, Morley, LS27 7HW

The report of the Chief Planning Officer presented an application for the removal of condition 3 (not operating) on planning permission 14/01004/FU to allow the permitted use of the site for storage and maintenance of vehicles and plant offices and associated parking and access on Sundays and Bank Holidays at 23 Bradford Road, Gildersome.

Site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application was originally refused and subsequently agreed on an appeal – conditions to the application prevented use on Bank Holiday's and Sundays and the applicant now requested removal of this condition.
- Installation of an acoustic barrier.
- Timescale for completion of works.
- It was recommended that the application be approved.

A local resident addressed the Panel with concerns and objections to the application. These included the following:

- There had always been operating restrictions at the site.
- Resident's concerns included safety as well as noise issues.
- This kind of operation should be in an industrial area.
- Concern regarding the high number of HGV vehicles using the site.

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

- The site was used by a local family run business and had always operated 24 hours a day and 7 days per week.
- The Planning Inspector had been satisfied with noise attenuation measures at the site.
- There had been no concerns from the Environmental Protection Team following noise monitoring at the site.
- The site would not be intensively used on a Sunday.

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

- There had been more residential development in the area in recent years.
- Concern regarding the impact on residential amenity.

RESOLVED – That the application be granted subject to conditions outlined in the report and a further condition requiring verification of noise monitoring measures.

88 Application 15/05179 - 2 Church Lane, Adel, Leeds, LS16 8BZ

The report of the Chief Planning Officer presented an application for three new dwellings at 2 Church Lane, Adel, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on the application.

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

- The proposals would include the demolition of the existing bungalow at the site.
- Access arrangements to the proposed properties were highlighted.
- There would be one detached dwelling with a pair of semi-detached dwellings. There would be a new access from Otley Road to the semi-detached properties.
- The proposals satisfied distance requirements from any neighbouring properties.
- The application was recommended for approval.

A local Ward Councillor and Resident addressed the Panel with concerns and objections to the application. These included the following:

- Although the principal of additional housing was a positive use it was felt that two properties would be enough due to the size of the site.
- Concern regarding access to the site.
- The need for a site construction plan.
- The proposals did not reflect the character of the area.
- Concern regarding the timing of the traffic lights at the nearby crossroads and lack of facility for pedestrian crossing.

The applicant's representative addressed the Panel. The following was highlighted:

- The existing bungalow on the site was out of character with the area.
- The proposed dwellings would be of a bespoke design for the site.
- There would be three parking spaces and garages for each property.
- The access from Otley Road would be as far away from the junction as possible and there would be room to turn vehicles round within the site.

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

- A site construction plan could be included as a condition to the application.
- The size of the gardens for the properties were in accordance with standard guidelines.
- Concern regarding the lack of front gardens for the semi-detached properties.
- The accident statistics for the main road were low. The design of the access to the properties allowed cars to exit in forward gear.
- Concern regarding the lack of pedestrian crossing facilities.

RESOLVED – That the application be granted as per the officer recommendation and conditions outlined in the report. Additional condition for a construction management plan to also include access arrangements.

89 Application 15/05383/FU - Land adjacent to 3 Coronation Street, Carlton, WF3 3RD

The report of the Chief Planning Officer presented an application for two semi-detached houses with associated works on land adjacent to 3 Coronation Street, Carlton.

Members attended a site visit prior to the meeting.

It was reported that that applicant had requested that the application be deferred to enable the production of better visuals. Members suggested that design improvements be made and that the elevations be swapped around so that the main living area faced south and the articulation was at the front facing the main road.

RESOLVED – That the application be deferred.

90 Application 15/05597/FU - 26 Foxholes Crescent, Calverley, Pudsey, LS28 5NT

Prior to the discussion on this item Councillor Gruen announced that she was known to one of the speakers regarding this application. She remained in the Chair but did not take any part in the discussion or voting on this item.

The report of the Chief Planning Officer presented an application for the enlargement of roof including insertion of dormers, single storey rear extensions and conversion of garage to a habitable room at 26 Foxholes Crescent, Calverley, Leeds.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application had been referred to Panel following concerns from local residents and a local ward councillor.

- The property fell outside of the Calverley Conservation Area.
- The immediate area had a mix of different property types.
- The ridge height of the roof would be raised by 0.7 metres which was approximately the same height as the adjacent bungalow. The bungalow next door also had dormers.
- The proposals met household design guidance guidelines.
- The application was recommended for approval.

A local resident addressed the Panel with concerns regarding the application. These included the following:

- The proposals were over dominant and would impact on neighbour's privacy.
- The proposals would reduce garden size.
- The current wall would not provide sufficient screening.
- Ward Councillors did not feel that proposals were appropriate for the area.
- The applicant had rejected a proposal to have dormers to the front with roof lights or velux windows at the rear.
- There was less impact from the neighbouring bungalow as it had a larger garden and did not overlook other properties.

The applicant addressed the Panel. The following was highlighted:

- The applicant had consulted local residents regarding the proposals.
- Significant advice and guidance had been taken from Planning Officers regarding the proposals.
- There would not be any further overlooking of neighbouring properties.
- The proposals met the criteria of household design guides.
- Other properties in the area had rear dormers.
- The proposals would not be out of character for the area.

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

- If the roof was not raised the extension could be done as permitted development.
- The height of the roof was the same as the neighbouring property.
- There would be an approximate loss of 2 metres to the garden.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

91 Application 15/05648/FU - Lidl UK, 50 Aberford Road, Oulton, Leeds, LS26 8HP

The report of the Chief Planning Officer presented an application for a variation of condition 14 to approval 22/376/05/FU to allow extended opening hours of the retail premises from 07:00 to 22:00 hours Monday to Saturday

Draft minutes to be approved at the meeting
to be held on Thursday, 17th March, 2016

and for no more than 6 hours between the hours of 10:00 and 18:00 on Sundays at Lidl UK, 60 Aberford Road, Oulton, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- Proximity to residential properties.
- There had been objections to the proposals from 2 local residents and a local Ward Councillor.
- Advice had been sought from the Environmental Protection Team and it was reported that there had not been any complaints of noise disturbance linked to the premises.
- Details of traffic movements anticipated at the site.

In response to Members questions, it was reported that the proposals were to amend the opening hours of the store only and there would be no changes to delivery times.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

92 Application 15/05637/FU - Land adjacent to Newhall Gate and Winrose Drive, Belle Isle, LS10

The report of the Chief Planning Officer presented an application for the development of 27 affordable dwellings with associated access road on land adjacent to Newhall Gate and Winrose Drive, Belle Isle, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this application.

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

- Members were shown a proposed layout of the properties.
- Materials to be used were shown.
- Reference was made to a flood risk assessment. It was advised that floor levels of the development be set a minimum of 300 mm above ground levels.
- It was recommended that the application be approved.

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

- Concern regarding the proposal for some flat roofs – it was reported that the Design Advisory Group felt that some smaller flat roofs added

interest to the street scene and that there were no concerns regarding good quality flat roofs.

- Materials – it was requested that matching brick be used – it was reported that there was a condition to the application regarding the materials used.
- Some concern was expressed regarding the loss of greenspace and lack of greenspace contribution but it was accepted that the provision of affordable housing outweighed this and there was still a large amount of greenspace in the area.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

93 Application 15/05883/FU - 23 Nora Place, Bramley, Leeds, LS13 3JE

The report of the Chief Planning Officer presented an application for external alterations to form self-contained flat to first floor including new first floor window to side at 23 Nora Place, Bramley.

Site plans and photographs were displayed and referred to throughout the discussion on this application.

- Members were shown details of works already carried out at the property which included the infilling of a side window with a render finish and the relocation of a downpipe which had been secured to a neighbouring property.
- Following reports of the works being carried out without permission there had been a visit from enforcement officers.
- It was reported that alterations would be required to the works which included the infilled window being filled with matching stone to the property as opposed to the rendered finish and relocation of the downpipe.
- There had been six objections to the application which included noise due to the works, highways concerns, the relocation of the downpipe and the retrospective nature of the application.
- The ground floor of the property was proposed to be used as a shop unit with a flat upstairs.
- It was recommended that the application be approved subject to conditions and the completion of the works within 6 months.

A local Ward Member and local resident addressed the Panel with concerns and objections to the application. These included the following:

- Highways concerns – particularly as there were poor sight lines in an area that was used by school children.
- Impact on neighbouring properties.
- Reference to contact with Planning and Enforcement when the works were initially being carried out without permission.
- Disturbance when the initial works were carried out.

- Damage caused to a neighbouring property due to the works carried out.

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

- The applicant did not require permission for use of the ground floor as a shop and the conversion of the first floor to a flat.
- Concern that the use as an off licence was not appropriate.
- The need for strict conditions regarding the times that works should be carried out and for the works to be completed within 6 months.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report with a further condition that the outstanding work be completed within 6 months and at specified working times in the day and the approval and use of matching stone in place of the render infill.

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Originator: Shameem
Hussain
Tel: 78024

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 17th March 2016

Subject: APPLICATION 15/05383/FU – Two semi-detached houses with associated works on land adjacent to 3 Coronation Street, Carlton, WF3 3RD.

APPLICANT	DATE VALID	TARGET DATE
Keepsake Construction Limited	15 th September 2015	22 nd March 2016 (Extension of time)

Electoral Wards Affected: Rothwell <input type="checkbox"/> Yes Ward Members consulted (referred to in report)	Specific Implications For: Equality and Diversity <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Narrowing the Gap <input type="checkbox"/>
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RECOMMENDATION:
Grant permission subject to the conditions referred to below:

Conditions:

1. Time limit on permission
2. Plans to be approved
3. Details of fences and walls to be provided
4. Materials to be submitted for approval.

5. Statement of Construction Practice to include provision for contractors during construction and means of preventing mud on highway, plus hours of construction (0900 to 1700 Mon to Sat 1000 – 1300 Sun and Bank Hol).
6. Laying out of areas to be used by vehicles
7. Vehicular access gradients specified
8. Gradient of drives not to exceed specified requirement
9. Prior to commencement cycle and parking facilities to be submitted and agreed
10. Prior to commencement condition of vehicular highway to be submitted and agreed
11. Boundary treatment adjacent to highway to be no higher than 600mm
12. Submission and implementation of landscaping details
13. Protection of retained trees and hedges
14. Preservation of retained trees and hedges
15. Provision for replacement trees and planting as necessary
16. Landscape Management Plan
17. Submission of walling and roofing materials
18. Submission of surfacing materials
19. Flood Risk management details to be submitted
20. Feasibility of infiltration drainage to be submitted and agreed
21. Phase II site investigation report to be submitted and agreed
22. Testing of any soil brought onto site
23. Reporting of unexpected contamination
24. Submission of verification reports

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel (South and West) at the request of Ward Councillor Golton as he has concerns regarding the access from Coronation Street, due to perceived congestion and demand for on street parking.
- 1.2 The application was deferred at the applicants request at the previous Plans Panel of 18th February to allow the applicant additional time to submit :-
 - i) Additional visuals to demonstrate how the dwellings fitted into the context and streetscene.
 - ii) The redesign of the elevations facing New Road to create an improved street frontage.
- 1.3 Whilst the application was deferred members of Plans Panel carried out a site visit on the morning of 18th February 2016.

2.0 PROPOSAL:

2.1 Proposed is an infill residential development consisting of two units comprising of the following:-

- A pair of three bedroomed semi detached dwellings being two storeys in height.
- Front elevation facing New Road features bay windows at ground floor level. Rear elevation has two storey gable features and large ground floor bays.
- Positioned within the site sitting along the same building line, as the adjacent bungalows.
- Driveway with four car parking spaces are provided to the rear accessed off Coronation Street. The remainder of the site is set out as garden space.
- Landscaping proposed along the boundary facing New Road, retaining the existing hedging and trees with pedestrian access gates.
- Two car parking spaces are provided for the adjacent dwelling number 3 Coronation Street (within red line boundary).
- Materials proposed are a mix of red brick, with artstone under a dark grey tiled roof.
- Buff finished paving proposed with a mix of tarmac finish and gravelling to parking areas.

3.0 SITE AND SURROUNDINGS:

3.1 Application site is a large green space of land adjacent to 1 and 3 Coronation Street, dwellings that form an end terrace. There are two large windows which overlook mature trees, shrubs and some hedging on the side elevation of number 3, however there are no windows to the rear elevation of this property. The application sites boundary to New Road has overgrown hedging and mature trees.

3.2 Towards the north adjacent to the site are bungalows for elderly residents. These have very simple frontages facing New Road with a dwarf wall and hedging to the boundary. A footpath runs along the common boundary of the site and the bungalows. This path provides pedestrian access from New Road to Ashton Crescent towards the east of the site. The Ashton Crescent boundary consists of a stone wall that is overgrown with vegetation, beyond which is an open grass space on Ashton Crescent, located at a lower level to the application site.

3.2 Access to the site is from Coronation Street. This is a shared surface road with no footpaths. Coronation Street consists of two storey brick built terraced rows with traditional features. Coronation Street is a dead end with the boundary stone wall with Ashton Crescent forming the end.

Parking by residents on Coronation Street is to the front of the dwellings, parked at right angles to the dwellings.

- 3.3 The site is opposite the Carlton Local Primary school, which is located on the opposite side of New Road, with access opposite Coronation Street. The site sits within the envelope of Carlton Village close to the village centre. A large part of the site is within Council ownership, as are the adjacent bungalows.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/06339/OT Outline application for 3 houses in a terraced row with all matters applied for except landscaping. Refused on the grounds of excessive, scale and layout, constituting overdevelopment of site and unacceptable by overall design. This application site was a larger site incorporating all of the green space around numbers 1 and 3 Coronation Street. Refused 16.01.2015
- 4.2 22/60/99/FU One bedroomed detached bungalow to part of site. Refused due to proximity to other houses. This site incorporated only part of the current application site along the frontage with New Road extending down the side of number 1.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant has sought to address the previous reasons for refusal as part of application 14/06339/OT and undertook pre-application advice prior to the latest submission. The applicant has reduced the number of units from three to two, amended the site boundary so that open space to either side is retained, and re-sited the proposed dwellings to better reflect the existing building line.
- 5.2 The applicant and Agent for this application are not the same as previous application 14/06339/OT.
- 5.3 Following Panel Members request to turn the houses around the scheme has been further amended so that the houses have a frontage onto New Road and incorporate bay windows at ground floor level. The applicant has submitted additional visuals to assist in visualizing how the development is located within the context of the area and the streetscene.

6.0 CONSULTATION RESPONSES:

Highways

- 6.1 Parking is provided for the adjacent property (Number 3) and each house will have two off street parking spaces, subject to conditions no highway objections are raised.

Flood Risk Management

- 6.2 Satisfied with the Drainage Strategy submitted and recommend conditions be attached for the submission of a drainage and surface water scheme.

Contaminated Land

- 6.3 No objections subject to suite of standard land contamination conditions to be attached.

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 Application advertised by site notice posted on site 2nd October 2015 as well as by individual neighbor notification letters posted on 16th September 2015. In total 9 representations of objections have been received from households on Coronation Street, New Road, Ashton Crescent and one from Devonshire Road in Durham.

- 7.2 The objections raise the following summarized objections:-

- Previously 3 houses have been refused the circumstances since then have not changed.
- Car parking is an issue on Coronation Street.
- Access for 4 more cars would be an issue.
- Parking and congestion around school time.
- Enough houses in village already, loss of village feel.
- Will look onto houses when previously looking onto open space.
- Where will builders park and store materials?
- Development does not fit in with surrounding and existing structures.
- Increase in noise and disturbance.
- Will block light in garden for most of the day (Neighbouring bungalow objection -7 New Road).
- Smells and odour from bin yard.
- No notices on site.
- Road and highway safety.
- Health and safety of the elderly by reason of loss of residential amenities.
- Oversubscribed local school.
- Impact on ecology.

- 7.3 Local Ward Member representation

Local Ward member Councillor Golton has concerns regarding the access from Coronation Street due to concerns regarding congestion.

8.0 PLANNING POLICIES:

Planning Policies:

Development Plan

- 8.1 The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013. The site is unallocated in the Development Plan. Relevant Policies from the Core Strategy are:
- SP1 – Location of development in main urban areas on previously developed land.
 - P10 – High quality design.
 - P12 – Good landscaping.
 - H2 – Housing on unallocated land
 - T2 – Accessibility.
 - EN5- Managing Flood Risk
- 8.2 Relevant Saved Policies from the UDP are:
- GP5 – General planning considerations
 - N25 – Landscaping
 - BD5 – General amenity issues.
 - LD1 – Landscaping
 - T7A – Secure cycle parking
 - T7B – Secure motorcycle parking
- 8.3 Relevant DPD Policies are:
- GENERAL POLICY1 – Presumption in favour of sustainable development.
 - WATER4 – Effect of proposed development on flood risk. No increase in surface water run-off, incorporate SUDs.
 - LAND1 – Land contamination to be dealt with.
 - LAND2 – Development should conserve trees and introduce new tree planting.
- 8.4 Supplementary Planning Documents
- Street Design Guide
 - Neighbourhoods for Living
 - Parking
- 8.5 Draft Technical Housing Standards 2015

- The housing standards are a material consideration in dealing with applications however limited weight is attached given the early stage within the local plan process in moving towards adoption.
- The proposal consists of 2, three bedroomed dwellings. The housing standards require 95.5msq for 3 bedroomed (5 bedspace) and 86.5sqm for 3 bedroom (4 bedspace) properties.
- The proposed 3 bedroom dwellings will each have a floor area of 104sqm. This is over the minimum requirement and there is no reason to suggest that the properties will result in a cramped form of housing with regards to internal space. Each house provides separate lounge area, large kitchen diner, three double bedrooms, one with en-suite facilities and family bathroom as well as circulation space and a utility room.

National Planning Policy

8.6 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.7 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

9.0 MAIN ISSUES:

- 9.1 Principle of development
- 9.2 Visual Amenity
- 9.3 Highways
- 9.4 Landscaping and trees
- 9.5 Residential amenities
- 9.6 Housing standards requirements
- 9.7 Representations received

10.0 APPRAISAL:

Principle of Development

- 10.1 This is a greenfield site located centrally within an existing residential area, within a sustainable location close to services in the form of the local school, access to bus transport, with a bus stop located close to the site on New Road. The site is unallocated, and the small scale nature of the development of two dwellings is in accordance with Policy H2 of the adopted Core Strategy. The principle of residential development is therefore considered acceptable.

Visual Amenity

- 10.2 The front elevation of the dwellings are to face northwest following the building line of the adjacent set of semi-detached bungalows to the northern boundary. The proposed dwellings will be positioned 4.5m away from the side elevation of the neighbouring bungalow at number 7 New Road. A footpath that links New Road and Ashton Crescent runs along this common boundary. Towards the southern boundary the proposed dwellings will be positioned 2m away from the 2m high fencing to garden area of number 3 Coronation Street. Numbers 1 and 3 Coronation Street are red brick two storey dwellings. Dwellings to the other side of Coronation Street are two storey by scale laid out in a terraced row.
- 10.3 Previous application 14/06339/OT proposed three larger dwellings within the site, the reduction from three units to two improves the provision of additional space around the dwellings and the retention of open space towards the southwest and northeast. The site area has changed to allow for the retention of public open space access off Ashton Crescent to the south east of the site, and the retention of a green area to New Road adjacent to number 1 Coronation Street. This helps to retain the sense of space that the site currently has.
- 10.4 A landscaping scheme is proposed along the boundaries with the retention of the hedging and trees on the western boundary with New Road. Hedging and trees are proposed around the car parking area to the front of the dwellings and along the stone wall boundary with Ashton Crescent which is located at a lower level.
- 10.5 With regards to appearance the village of Carlton has a mix of housing ages and styles ranging from traditional stone built, flat fronted terraces, to red brick villas. There are also 1970's style Council housing which is very plain, and more ornate housing from the 1990's. The proposed buildings have a relatively simply appearance featuring bays to the front, with canopies over the front doors – this is reflective of the attractive double fronted red brick building to the south of the site at 15 New Road. The proposal sits well within its site, set back from the road frontage with a

height that is consistent with the older terraces. Subject to materials being appropriately chosen then the proposal should fit in well with the general character of the area and will not cause visual harm.

- 10.6 The proposed development by reason of its scale, design, layout and landscaping scheme, produces an infill residential scheme that is appropriate in its context and contributes positively towards the character and quality of the area. The proposal is therefore considered to be compliant with Leeds Core Strategy policies P10 and H3, and policies GP5 and BD5 of the adopted Leeds UDP Review (2006) and relevant adopted Supplementary Planning Document "Neighbourhoods for Living".

Highways

- 10.7 Consideration has been given to the impact the development will have on highway safety locally. The site is in a reasonably sustainable location with the provision of a bus stop in close proximity on New Road which residents will be able to access easily. Vehicle access to the site is from Coronation Street which is a shared surface road with no footpaths. Dwellings on Coronation Street currently park on street at right angles to the terraced dwellings.
- 10.8 The scheme provides four off street parking spaces for the two new dwellings, accessed off a separate driveway, as well as an additional two off street spaces for number 3 Coronation Street which will be located to the side of no. 3. The two off street spaces are considered an improvement, as this reduces the current number of vehicles parking on Coronation Street. The proposed additional 4 spaces are off street and will not increase the on street parking on Coronation Street. No concerns are raised with regard to the ability of vehicles to access the parking area subject to a condition requiring any front boundary treatment to be kept low to ensure visibility.
- 10.9 Many objections have been raised regarding highway safety concerns, these concerns are around the number of cars already parking on Coronation Street by existing residents, parking by parents during school drop off and pick up times and where construction traffic will park during the build phase.
- 10.10 The Local Primary school is located opposite Coronation Street and it is acknowledged that parents do park on New Road and adjacent streets. Some attempt to ease the situation has been made through the use of traffic regulation orders however the situation will remain as the school has no specific provision for parent waiting. This is an existing situation and not one that will be worsened by the proposed new housing so there

would be no justification in planning terms for refusing the proposal on these grounds.

- 10.11 With regard to residents parking it is acknowledged that parking on Coronation Street is limited, this is due to the fact that it was not designed originally for car parking and has a limited width. Currently residents seem to park their cars at right angles to houses on the southern side of the street, this would not be prevented by the new housing site. The application provides good off-street parking for both the proposed houses, and also for the existing property at no. 3 (to replace the current two off-street spaces). The site is also located centrally within the village close to such local facilities as the village provides, and in very close proximity to a bus stop. Given this and the fact that it is not considered that the existing situation will be made any worse, the proposal is considered to comply with policy T2 and with the parking guidelines set out in the Parking SPD.

Landscaping and trees

- 10.12 The site is currently greenfield with existing hedging to site boundaries and five trees within the site forming an attractive break in the existing building line. Three trees are proposed for removal along with some hedging that runs diagonally across the site, the trees are not protected. The boundary with New Road will form the front garden areas of the proposed dwellings but the hedging and trees on this boundary will be retained. Additional landscaping is proposed in the form of hedging along the boundary with number 3 Coronation Street and surrounding the area where the proposed car parking spaces are laid out. The existing stone wall that separates the site from Ashton Crescent will be retained. In addition two trees are proposed along the boundary with Ashton Crescent.
- 10.13 Whilst the loss of any trees on the site, and the loss of the overall break in the village is regrettable, the scheme does retain some openness along New Road with the dwellings being set well back from the roadside. The retention of existing trees and hedging to this side will ensure that the current greenness of the site is retained. Properties at the end of Coronation Street will look over the parking area whereas currently the view is one of shrubs/trees and grass. However the green area to the eastern side is retained, which along with new landscaping proposed will not result in a detrimental view across the site. The landscaping scheme is considered to positively contribute towards softening the impact of the proposed development and provides some continuity of existing features. A condition for fuller details of the landscaping scheme to be submitted is recommended.

Residential Amenities

- 10.14 The layout of the site results in both plots having adequate outlooks and

adequate sized garden areas providing sufficient space for private amenity space. The landscaping scheme and boundary treatments provide adequate screening from the main New Road highway.

- 10.15 The side elevation facing number 7 New Street has a secondary kitchen window at ground floor level and a bathroom window at first floor level which would need to be obscure glazed. This overlooks the footpath along the boundary and is 5m away from the blank side elevation of number 7. This distance and that the window serves a bathroom ensures there is no overlooking or loss of privacy to neighbouring dwelling. The kitchen window would give oblique views across to the front of number 7, this area is however open and communal in nature, and the overlooking would provide some additional security. Notwithstanding this however any boundary treatment along this side boundary would restrict views from the kitchen area such that loss of privacy would not be harmful.
- 10.16 The proposed dwellings are two storey's in height adjacent to a pair of semi detached bungalows. The new houses lie to the south of the bungalows. Taking into consideration the distance of 5m between the dwellings and the positioning of the dwellings following the existing building line it is not considered that the two storey height will have a detrimental impact on the neighbouring bungalows by reason of over dominance. The occupier of no. 7 has raised concerns regarding overshadowing and the agent has provided some shadowing diagrams to look at the matter.
- 10.17 The orientation of the proposed houses is such that in June, when the sun is at its highest, very little overshadowing would occur and would be restricted to the footpath area between the site and number 7. In March and September at the equinox's however some overshadowing would occur, covering the side elevation and a small part of the front garden of number 7 at midday, and the rear garden area at 3pm. In assessing how harmful this is it is important to bear in mind the following:
- There are tall trees to the south of the bungalows that cause overshadowing of the area already.
 - The bungalows themselves will cast their own shadow, which in the afternoon will be across their rear amenity space.
 - Due to orientation the new buildings would cause no overshadowing of properties to the north during the morning.
- 10.18 Whilst it is acknowledged that the new dwellings will cause some overshadowing, particularly during spring and autumn afternoons, and particularly affecting the rear amenity area, it is not considered that this would significantly worsen the existing overshadowing that is already caused by trees, and by the bungalows themselves. It is therefore not considered that residents would be unduly harmed and that refusal on this

basis could not be substantiated.

- 10.16 The distance of the side elevation of the dwelling to the rear elevation of number 3 Coronation Street is 8m in total. The rear elevation of number 3 is a blank gable. The proposed bathroom window at first floor level will have no detrimental impact on the residential amenities of number 3 Coronation Street. The windows to the side elevation of number 3 Coronation Street will overlook the proposed car parking area. The rear elevation of number 1 Coronation Street has a bathroom window at first floor level, the distance to this window is 12m in total. It is not considered that the proposed dwellings will have a detrimental impact on the residential amenities of both numbers 1 and 3 Coronation Street.
- 10.17 On balance the proposed layout and design is acceptable and is not considered to have a detrimental impact on the occupants of the proposed dwellings and existing neighbouring dwellings. The proposal satisfies the requirements of policies GP5 of the UDP and policy P10 of the Core Strategy, as well as to guidance within Neighbourhoods for Living.

Representations received

- 10.18 The representations received raise a number of concerns that have been addressed above. Other matters are addressed as follows:
- 10.19 Circumstances since the refusal of three dwellings have not changed with regard to planning policy. The dwellings have been reduced from three larger houses to a pair of semis, and the site area has been reduced to retain some open space, consequently the concerns raised previously are considered to have been addressed.
- 10.20 Loss of village feel. The proposal is small scale in nature and an infill to the village rather than an extension of the village. Where an existing open space is considered to enhance the character and appearance of an area then retention would be sought, however in this case, much of the site is screened from views along New Road by the hedging, which will be retained, and many views include the houses that surround the site. Consequently it is not considered that loss of the site would be significantly harmful to the visual amenity of the village.
- 10.21 Look onto houses, whereas previously looked onto open space- views across a site are not a material planning consideration, however the site will be landscaped and will present an appropriate residential view.
- 10.22 Concerns raised regarding construction can be dealt with through a condition which will require details of where construction vehicles will park, storage areas etc. It is also considered appropriate to restrict the hours of

construction due to the needs of residents adjacent to the site.

11.0 CONCLUSION:

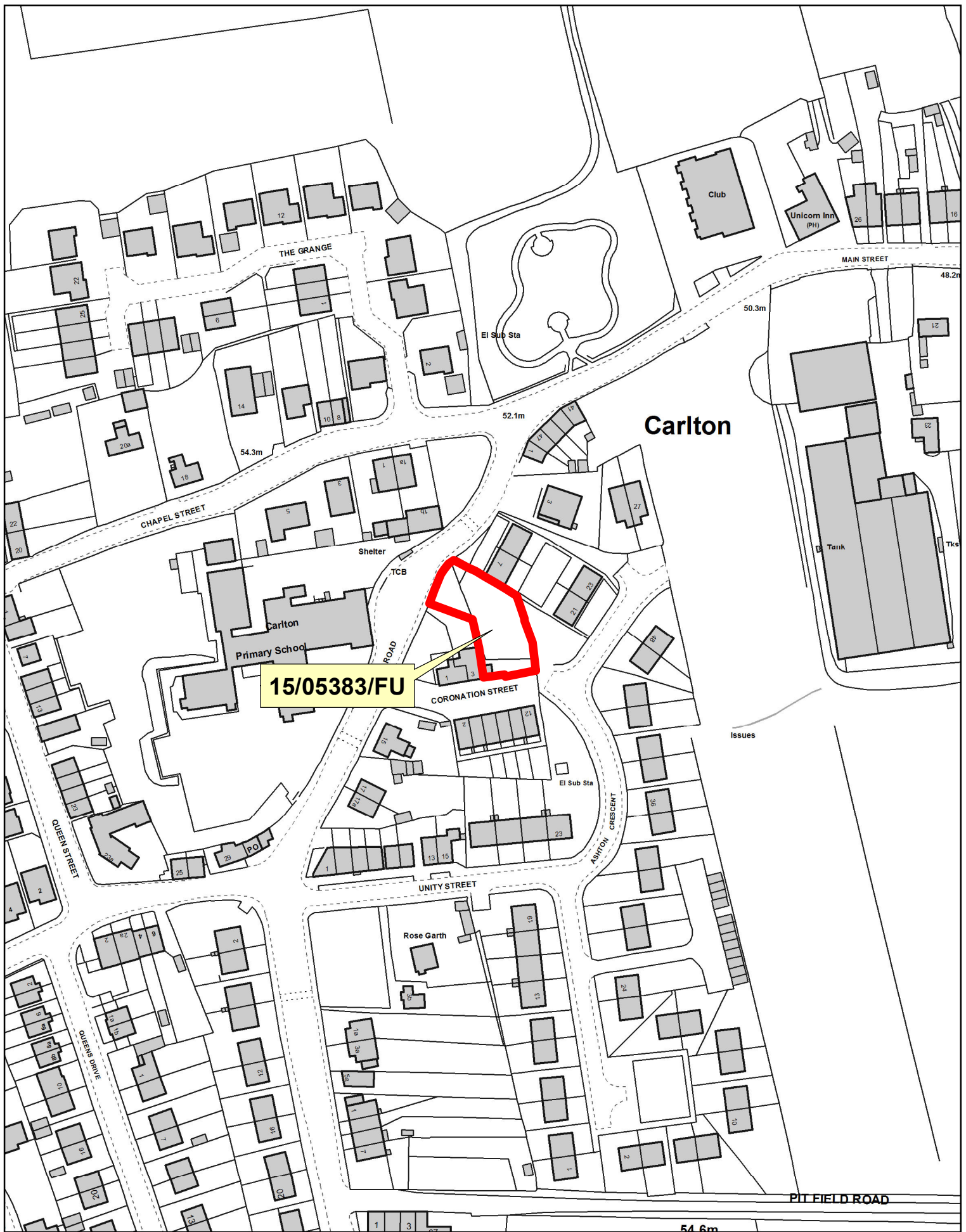
11.1 The Planning Act requires planning applications that comply with the terms of the development plan to be considered favourably. The principle of the development accords with the Core Strategy and the design and layout of the development is in line with the Councils Neighbourhoods for Living SPD. These factors should be given significant weight in reaching a decision.

11.2 On balance the overall benefits of the infill residential scheme as laid out in the body of the report; outweigh the loss of a greenfield site. It is considered that the proposal of one pair of semi detached houses as part of application 15/05383/FU is acceptable.

Background Papers:

Application files 15/005383/FU

Application file 14/06339/FU



SOUTH AND WEST PLANS PANEL





Originator: Ryan Platten

Tel: 0113 24 75647

Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 17th March 2016

Subject: APPLICATION 16/00513/FU – Single Storey Front Extension at 37 Kirkwood Way, Cookridge, Leeds, LS16 7EU

APPLICANT

Councillor John Illingworth

DATE VALID

22nd January 2016

TARGET DATE

18th March 2016

Electoral Wards Affected:

Adel and Wharfedale

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) 3 year time limit;
- 2) Development to be carried out in accordance with approved plans;
- 3) External materials to match those existing.

1.0 INTRODUCTION:

1.1 This application is presented to Plans Panel as the applicant is Councillor John Illingworth, ward member for Kirkstall Ward.

2.0 PROPOSAL:

2.1 The applicant seeks planning permission to construct a single storey extension to the front of a detached property. The extension will replace an existing porch allowing the existing living room to be enlarged and measure 6.8m in width, 1.9m in length and will have a monopitched roof to complement the existing roof forms at the

property. The extension will be constructed of brickwork and tiles to match those existing and include two windows in the front elevation.

3.0 SITE AND SURROUNDINGS:

3.1 The application property is a detached red brick built dwelling with a pitched roof situated in a street of dwellings of varying designs, styles and sizes. The property includes existing extensions to the side and front with generous garden areas to both the front and rear. The property is set back from the properties to both sides (at numbers 35 and 45 respectively) and includes a driveway area to front capable of accommodating at least two parked cars. The boundaries to both sides include a range of shrubs and hedging.

4.0 RELEVANT PLANNING HISTORY:

4.1 Planning Application H26/272/79 - Planning permission was granted for a two storey side and single storey front extension in 1979.

5.0 COMMUNITY CONSULTATION:

6.1 None.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been publicised by means of letters sent to immediate neighbours. No representations have been submitted from any interested parties.

7.0 CONSULTATION RESPONSES:

7.1 None.

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 currently comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan.

The Local Development Framework **Core Strategy** was adopted by the Council on 12th November 2014. The following policies contained within the Core Strategy are considered to be of relevance to this development proposal:

Policy P10 – Design

Policy P12 - Landscape

Policy T2 – Accessibility and New Development

8.2 The most relevant saved policies from the **Leeds Unitary Development Plan** are outlined below.

GP5 - Development control considerations including impact on amenity

BD6 - Alterations and Extensions

8.3 Relevant **supplementary planning documents and policies** are outlined below:

- Neighbourhoods for Living SPG (December 2003)
- Street Design Guide SPD (August 2009)
- Householder Design Guide SPD (April 2012)
- Parking SPD (January 2016)

8.4 The **National Planning Policy Framework** (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- (1) Design and Character;
- (2) Privacy;
- (3) Overshadowing and Dominance;
- (4) Parking and Highway Safety;
- (5) Private Garden Space;
- (6) Conclusions.

10.0 APPRAISAL:

1. Amenity Issues noted by the Applicant

10.1 The Leeds Core Strategy includes a number of policies relevant to design which are relevant. Policy P10 outlines a number of key principles which fall under the wider objective of ensuring new development delivers high quality inclusive design and policy P12 looks to protect the character and quality of Leeds townscapes. A number of saved UDP policies are also relevant including policies GP5 and BD6 which encourage good design. The Council's Householder Design Guide Supplementary Planning Document (SPD) includes a number of policies and detailed guidance for domestic extensions which are relevant to the proposal.

10.2 The proposed single storey front extension represents a relatively modest addition to the property which will be proportionate within this wider context. The materials proposed will match those existing and the detailing and roof form will integrate successfully with the respective features of the property. As such it is considered that the proposed extension represents an acceptable addition which will respect the character of the existing property and wider streetscene and meet the wider aims of Core Strategy policies P10 and P11, saved UDP policies GP5 and BD6, policy HDG1 of the Householder Design Guide SPD, and the guidance contained within the National Planning Policy Framework in these respects.

2. Privacy

10.3 The proposed extension includes the creation of two new windows to the front. These windows will predominantly look out over the front garden of the application site and will be situated a sufficient distance from any neighbouring windows or private garden areas to prevent a significantly harmful overlooking impact. As such, the proposal is considered to sufficiently protect neighbouring private amenity in terms of overlooking and is considered to be in keeping with the wider aims of Core Strategy policy P10, saved UDP policy GP5, HDG2 of the Householder Design Guide SPD, and the guidance contained within the National Planning Policy Framework in these respects.

3. Overshadowing and Dominance

- 10.4 The proposed extension is relatively modest in size and will be situated a sufficient distance from neighbouring windows or private garden areas to prevent a significant overshadowing impact or loss of outlook. As such the proposal is not considered to be significantly harmful to neighbouring amenity in terms of overshadowing, a loss of light or a loss of outlook and is considered to be in keeping with the wider aims of Core Strategy policy P10, saved UDP policy GP5, HDG2 of the Householder Design Guide SPD, and the guidance contained within the National Planning Policy Framework in these respects.

4. Parking and Highway Safety

- 10.5 Core Strategy policy T2, saved UDP policy T24 and the policies and guidance contained within the Householder Design Guide and Street Design Guide SPD's aim to ensure two car parking spaces are retained at residential properties, where they exist at present, in order to prevent a significant increase in on-street car parking on residential streets which can lead to wider parking congestion and highway safety concerns.

- 10.6 The proposal will not impact on the existing car parking arrangements at the site which are considered appropriate to serve the end development. As such the proposal is considered to be in-keeping with the wider aims of Core Strategy policy T2, saved UDP policy T24, and the guidance contained within the Householder Design Guide SPD, Street Design Guide SPD and the NPPF.

5. Private Garden Space

- 10.7 There will be adequate private garden space retained at the site for the enjoyment of the occupiers after the development takes place.

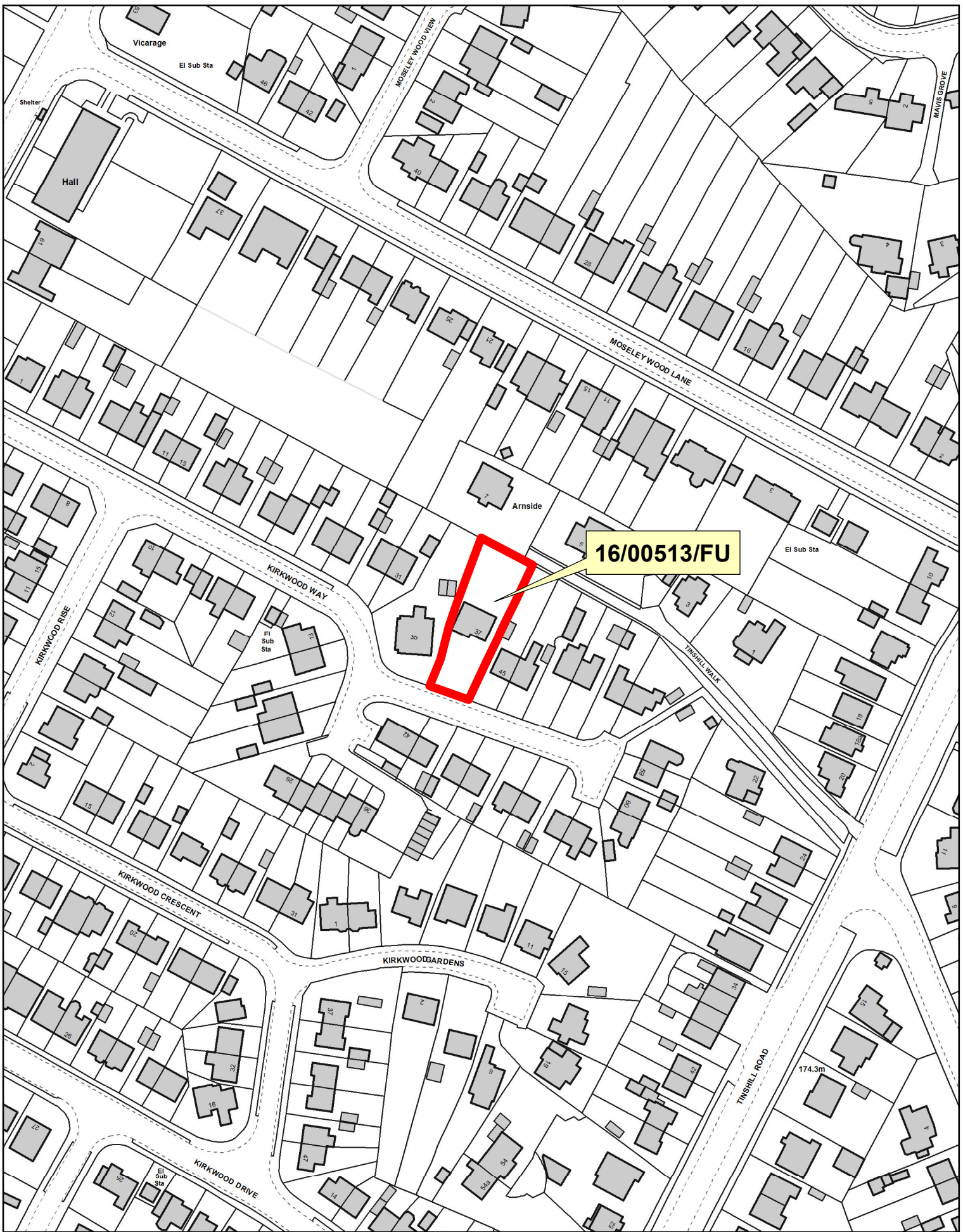
11.0 6. CONCLUSIONS

- 11.1 The proposed extension is of a sympathetic design and style, will not lead to a significantly harmful impact in relation to neighbouring amenity, and will allow for sufficient outdoor amenity and car parking provision to be retained. Subject to the conditions outlined at the beginning of this report, and taking into account all the relevant planning policy and material considerations, the proposal is recommended for a planning approval.

Background Papers:

Application file;

Certificate of Ownership.



SOUTH AND WEST PLANS PANEL



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Originator: Ryan Platten
Tel: 0113 24 75647

Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 17th March 2016

Subject: APPLICATION 15/07550/FU – Demolition of existing dwelling, associated alterations to Jasmine Cottage and erection of replacement dwelling with access and landscaping at Church View, Arthington Lane, Arthington, Otley, LS21 1PJ

APPLICANT	DATE VALID	TARGET DATE
Olicana Properties Ltd.	18 th December 2015	21 st March 2016

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

REFUSE for the following reasons:

- 1) The Local Planning Authority considers that the proposal represents development which, by virtue of the proposed location of the new dwelling in the open parkland setting of Arthington Hall and away from the existing pattern of development along Arthington Lane, would be significantly harmful to the openness, character and appearance of the Green Belt. In addition, the proposal, by representing an encroachment of development in to the countryside, would be harmful to one of the five purposes of the Green Belt as outlined in the National Planning Policy Framework. The harm created in the above respects would be significant and, in line with paragraph 88 of the NPPF, substantial weight should be given to this harm. As such the proposal is contrary to the aims of the National Planning Policy Framework and saved Leeds Unitary Development Plan policy N33.

- 2) The Local Planning Authority considers that the proposal, by virtue of the loss of the curtilage listed building Church View which is a positive building in its own right and which makes a positive contribution to the historic and aesthetic value of the Grade II listed Arthington Hall, would be harmful to the significance of the heritage asset. This harm would not be outweighed by any public benefits of the proposal including

through securing its optimum use. As such the proposal is contrary to the aims of the National Planning Policy Framework, policy P11 of the Leeds Core Strategy, saved policy N14 of the Leeds Unitary Development Plan and the relevant test set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

- 3) The Local Planning Authority considers that the proposal, by virtue of the siting of the new dwelling in currently open parkland of high landscape value and the change of use of land to accommodate a form of development which is out-of-keeping with the character of the landscape, would be harmful to the character and appearance of the designated Special Landscape Area. As such the proposal is contrary to the aims of Leeds Core Strategy policies P10 and P12, saved Leeds Unitary Development Plan policies GP5, BD5, N25, LD1, N37 and N37A and the guidance contained within the Neighbourhoods for Living SPG and the National Planning Policy Framework.
- 4) The Local Planning Authority considers that the proposal, by virtue of its failure to meet criterion iii of policy H2 of the Leeds Core Strategy, would represent unacceptable development on non-allocated land. In addition to this in representing development on previously undeveloped or 'greenfield' land, which makes a valuable contribution to the visual, historic and spatial character of the area, the proposal would fail to meet the relevant test of the second part of policy H2. As such the proposal is contrary to the aims of Leeds Core Strategy policy H2 and the guidance contained within the National Planning Policy Framework.

1.0 INTRODUCTION:

- 1.1 This application is presented to Plans Panel at the request of Ward Councillor Billy Flynn who has noted that he considers the benefits of the proposal put forward by the applicant would outweigh the concerns which exist. A detailed summary of Councillor Flynn's comments is included at paragraph 6.1 below.
- 1.2 The proposal was the subject of a pre-application enquiry in June 2014 at which time the Council advised the applicant that there was little merit in pursuing the proposal due to the significant planning objections which existed.

2.0 PROPOSAL:

- 2.1 The applicant seeks planning permission to demolish an existing residential dwelling, carry out associated alterations to the adjoining property which will remain, and erect a new detached replacement dwelling with new access and landscaping in a nearby location.
- 2.2 The existing residential dwelling to be demolished is the property at Church View, Arthington Lane. The demolition works will necessitate alterations to the adjoining property to the north at Jasmine Cottage to make good what will become the new outer wall of that property. The roof of Jasmine Cottage will also be reinstated to match the existing roof and two new windows will be inserted in the side elevation. The site of the demolished building will then be landscaped to form a private garden area with new parkland areas created to the rear of Jasmine Cottage. A new section of stone wall will be erected to infill the gap left by the removal of Church View on the boundary with Arthington Lane. This wall will be of the same height (approximately 1.5m) as the existing section of wall.

- 2.3 The new dwelling will be constructed on a currently undeveloped or 'greenfield' site within the Arthington Park grounds approximately 25 metres to the north west of where the existing building at Church View sits. The new dwelling will be two storey in height and constructed in natural stone with a natural slate roof. The dwelling will measure 5.8m in width and 12.8m length, have a total floorspace of 149m² (6m less than the existing property at Church View), and include ashlar stone heads and cills with dormer windows to the front and rear. The new dwelling will be set in a landscaped private garden and bordered by a stone wall and railing combination. The vehicular access to the dwelling will be off the existing access track serving Church View and Jasmine Cottage and will serve a new hardstanding area with associated outbuildings.
- 2.4 The proposal will involve the diverting of the existing access track to the cricket field and pavilion to the east of the application site. New tree planting is proposed at various locations in close proximity to the development.

3.0 SITE AND SURROUNDINGS:

- 3.1 Church View is a two storey stone built property of gothic design built in the 19th century. The property has a natural slate roof with gable features and chimneys and abuts the footpath running alongside Arthington Lane to the south. The neighbouring property at Jasmine Cottage adjoins the application property to the north. The two properties fall within the historic parkland curtilage of the Grade II listed Arthington Hall and the properties are considered to be curtilage listed buildings. Both properties include modest landscaped gardens to the east side and are served by an existing vehicular access from Arthington Lane. The vehicular access point also serves neighbouring properties to the west and the Arthington Cricket Club ground to the north east of the two properties.
- 3.2 The site of the proposed new dwelling is currently parkland falling within the grounds of Arthington Hall. The land is open grassland punctuated by mature trees. The immediate stretch of Arthington Lane includes a number of buildings to both sides, including the Grade II listed buildings at St. Peters Church and The Grange, which both fall to the south side of Arthington Lane.
- 3.3 The existing dwellings, parkland and Arthington Hall all fall within the Leeds Green Belt. The site is also a Special Landscape Area as designated by saved policy N37 of the Leeds Unitary Development Plan.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Pre-Application PREAPP/14/00531
The applicant submitted a pre-application enquiry in June 2014 for a broadly similar proposal to that now submitted for a replacement dwelling. The applicant was advised in response to the enquiry that the proposal had very little merit due to significant concerns in relation to the impact on the character and openness of the Green Belt and the loss of the existing Church View building. Concerns were also raised in relation to the impact on the designed Special Landscape Area.

5.0 COMMUNITY CONSULTATION:

- 6.1 None.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been publicised by means of site notice and an advert in the local press. Ward Councillor Billy Flynn has requested that the application be determined at Plans Panel noting:

- Planning officers have not given sufficient weight to the evidence of the applicant to support the proposal;
- The present building needs essential and extensive renovation to bring it up to acceptable standards which will result in a property that may be undesirable to future occupants;
- The most cost effective solution is to demolish and rebuild the property;
- The new building will not be materially larger than that which it will replace;
- The applicant has put forward a case that Church View should not be considered to be a curtilage listed building;
- The design and materials of the new dwelling are sympathetic to the area and will result in a building which will add heritage value to the site;
- The proposal will provide for new greenspace which will enhance the site;
- Noise and damp as a result of the nearby highway are significant problems for any occupants of the existing dwelling; and,
- The existing property results in poor visibility for vehicles using Arthington Lane and its demolition will provide for a better line of sight.

6.2 Three local residents have written in support of the scheme noting:

- The existing house looks odd, ugly and out of place and the proposal will improve the appearance of the remaining property;
- The existing house is too close to the road; and,
- The existing noise levels in the house are likely to be poor for occupants.

7.0 CONSULTATION RESPONSES:

7.1 Conservation – OBJECTION: The existing property contributes to the historical and aesthetic value of Arthington Hall and thus to the significance of the heritage asset (i.e. the listed buildings) as a whole. There is no suggestion that the demolition of the existing property would secure the optimum viable use of the heritage asset as a whole and the replacement of the existing property for the reasons put forward cannot be considered to be a public benefit.

7.2 Ecology – Whilst the existing building has a low potential for roosting bats, a further survey or bat activity between May and September should be carried out prior to determination of the planning application.

7.3 Highways – No objections subject to appropriate conditions.

7.4 Contaminated Land – No objections subject to appropriate conditions.

7.5 Drainage and Flood Risk – No objections subject to appropriate conditions.

7.6 Sport England – No objections.

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 currently

comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan.

The Local Development Framework **Core Strategy** was adopted by the Council on 12th November 2014. The following policies contained within the Core Strategy are considered to be of relevance to this development proposal:

General Policy – Sustainable Development and the NPPF
Spatial Policy 1 – Location of Development
Spatial Policy 6 – The Housing Requirement and Allocation of Housing Land
Policy H2 – Housing on Unallocated Sites
Policy H3 – Density of Residential Development
Policy H4 – Housing Mix
Policy P10 – Design
Policy P11 - Conservation
Policy P12 - Landscape
Policy T2 – Accessibility and New Development
Policy EN1 – Climate Change
Policy EN2 – Sustainable Design and Construction
Policy EN5 – Managing Flood Risk

8.2 The most relevant saved policies from the **Leeds Unitary Development Plan** are outlined below.

GP1 - Land Use and the Proposals Map
GP5 - Development control considerations including impact on amenity
BD5 - Design of new buildings
N25 - Site boundaries
N32 - Development in the Green Belt
N33 - Development in the Green Belt
N37 - Special Landscape Areas
N37A - Development and Change in Land Use within the Countryside
LD1 - Landscape design
T7 - Cycle and Motorcycle Parking
H3 - Housing Land Supply

8.3 Relevant **supplementary planning documents and policies** are outlined below:

- Neighbourhoods for Living SPG (December 2003)
- Street Design Guide SPD (August 2009)
- Sustainable Design and Construction SPD (August 2011)
- Natural Resources and Waste Development Plan Document (January 2013)
- Parking SPD (January 2016)

8.4 The **National Planning Policy Framework** (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- (1) Amenity Issues noted by the Applicant;
- (2) Green Belt;
- (3) Design, Character and Special Landscape Area;
- (4) Impact on Designated Heritage Asset;
- (5) Non-Allocated Land;
- (6) Impact on Bats;
- (7) Highway Safety, Parking and Bin Storage;
- (8) Residential amenity;
- (9) Permitted Development;

10.0 APPRAISAL:

1. Amenity Issues noted by the Applicant

10.1 Church View was occupied by tenants until December 2015 since which time it has remained vacant. The applicant has expressed concern that the property will be difficult to let due to its current location. No information has been provided in support of the application to suggest that this has proved to be the case after a period of marketing and as such little weight should be afforded to such an argument. It is however recognised that the property does suffer from a number of factors which are to a greater or lesser degree related to its current location and its lack of renovation over the years and which could put off future tenants if not addressed.

10.2 The applicant recognises in the planning application submission that the property is not, at present, "un-occupiable". It is noted that the primary reason put forward by the applicant for the current proposal is to "improve the residential amenity of future tenants living in the new house [over the level of amenity that would be achieved from future tenants living in Church View]". The proposed benefits of the application in these respects are discussed below.

Noise

10.3 Church View suffers from traffic noise and vehicle vibration, particularly from Heavy Goods Vehicles (HGV's) due to its close proximity to Arthington Lane. Indeed the applicant has submitted a noise assessment in support of the application which demonstrates a calculated noise level in excess of the recognised limits. It is noted that this would also be the case for the new property proposed, albeit to a lesser degree due its proposed positioning 25m further away from Arthington Lane. In order to bring noise levels to an acceptable level inside the current property at Church View the noise assessment submitted suggests a number of measures would be appropriate including sound insulation, replacement of windows with double or secondary glazing and mechanical ventilation. The noise assessment concludes that whilst a noise barrier could be erected to mitigate the noise levels experienced in the garden of Church View this would fail to bring noise levels to the recognised acceptable level for outdoor amenity areas.

10.4 It is noted that these same noise mitigation measures would also need to be employed in relation to the new property proposed and whilst these measures would ensure noise levels within the new property and its garden areas meet the recommended limits, it is recognised that some of the garden areas of this property would still be likely to suffer from noise levels, albeit lesser than those experienced from the garden of Church View, above the recommended lower limit.

10.5 It is clear that the proposed new property and garden, with noise mitigation measures to be installed at the time of construction, will have a greatly improved level of amenity for future occupiers over the situation as it presently exists at

Church View, i.e. without any noise mitigation measures being installed in the current property, in terms of noise and vehicle vibration. It is further recognised that the level of amenity from the new property and garden would also represent an improvement over the situation created if the proposed noise mitigation measures were to be installed at Church View. As such, both scenarios would represent an improvement to the amenity of occupiers in terms of noise and disturbance.

- 10.6 It is noted that the applicant has concluded as part of the planning submission that the installation of noise mitigation measures at Church View would be unfeasible. Whilst it is recognised that noise mitigation in the garden area of Church View would not achieve noise levels within recommended limits (as is also likely to be the case for the existing property at Jasmine Cottage which is proposed to be retained) and so could be argued to be 'unfeasible' in this respect, it is unclear as to why this would be unfeasible within the property itself given the solutions offered by the applicant's own noise engineer. It is noted that no further justification has been submitted by the applicant to support this assertion and as such little weight should be attached to the conclusion of the applicant in this respect.

Damp and Poor Insulation

- 10.7 Church View suffers from damp and poor insulation. This is supported by testimony from the previous occupants. The applicant has also noted that the property has an increased vulnerability to fungal attack and the concomitant degrade related to damp issues. Whilst noting that the property is not at present, in the words of the applicant, "un-occupiable", the applicant has noted that works to fully address these damp and insulation issues would require extensive works within the property. These works would be likely to include internal installations which would reduce internal floor areas of rooms within the property, some to such an extent as to make the existing layout impractical. It is unclear from the applicant's submission as to which rooms would be affected within the property or whether alternative internal layouts have been explored. Whilst such works are also likely to have cost implications for the applicant it is noted that no case has been put forward on the grounds that this would be financially unviable. As such whilst such problems inevitably exist and would need to be addressed, it is not considered that problems of damp and poor insulation should be given significant weight as a factor in favour of the scheme in the absence of an overriding justification as to why these problems couldn't be adequately addressed, for example with a revised layout.

Amenity of the Occupiers of Jasmine Cottage

- 10.8 The demolition of Church View will improve residential amenity for the existing and future occupiers of Jasmine Cottage in a number of respects. The insertion of two new windows to the south side of the property will improve daylight and sunlight penetration into the property and provide an improved outlook for the current and future occupiers. The loss of a neighbouring property in such close proximity, which includes views from windows and garden areas that currently overlook the private garden areas of Jasmine Cottage, will also create a greater sense of privacy for the occupiers of Jasmine Cottage.

2. Green Belt

- 10.9 The application site is located within the Green Belt. As outlined within the National Planning Policy Framework (NPPF) the essential characteristics of Green Belt are their openness and permanence. Paragraph 88 states that "when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt".

- 10.10 The first test to apply to the proposal is whether the proposal represents 'inappropriate development' in the Green Belt. Paragraph 87 of the NPPF states that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Paragraph 89 of the NPPF notes that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt subject to a number of exceptions. One such exception is "the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces". Saved Leeds UDP policy N33 also notes a number of exceptions where development in the Green Belt may be appropriate including the "limited replacement of existing dwellings".
- 10.11 The proposal put forward is for a new dwelling to be situated 25m away from the existing Church View property which is proposed to be demolished. Neither the NPPF or saved UDP policy N33 states that a replacement building should be in the same location as that of the building which is proposed to be replaced. Indeed it has been accepted previously that replacement buildings can be sited in a different location within a site and still meet the definition of a replacement building. The proposed building will be in the same use as the existing building and will not be materially larger than the one it replaces. As such the proposal can be considered to be satisfying the exceptions noted above.
- 10.12 Given the proposal is considered to meet the aforementioned exceptions of paragraph 89 and saved UDP policy N33, the proposal must be assessed in terms of its impact on the openness and/ or character and appearance of the Green Belt. As noted above the essential characteristics of Green Belt are their openness and permanence.
- 10.13 The existing dwelling at Church View forms one of two adjoining cottages alongside the neighbouring Jasmine Cottage. The character of the locality is distinctly rural with dwellings relatively sparsely punctuating open spaces along Arthington Lane. Church View is one of a number of properties which has a residential plot hard up to Arthington Lane in a pattern of development which has largely existed since the mid 19th century. Indeed historical maps show two dwellings at the application site since 1849. The development would run contrary to this pattern of development by creating a new dwelling which encroaches in to a currently undeveloped piece of open parkland away from other properties on Arthington Lane which following the aforementioned pattern of development. The development would also create two visually separate structures, with associated gardens, driveways and ancillary structures, laid out over a larger area as opposed to the one structure and adjoining gardens which are viewed as a single development at present in this particular location. This will not only represent an encroachment of development into the parkland setting of Arthington Hall which currently consists of undeveloped, open grassland punctuated by mature trees, including through the relocation of the access track to the Cricket Ground, but will also disrupt a form of development that has existed for over 150 years at the site leading to the creation of a courtyard style development which is not reflective of other development in the area.
- 10.14 It is considered that the aforementioned factors would be significantly harmful to the openness, character and appearance of the Green Belt in this location. Furthermore it is considered that the proposal would be harmful to one of the five purposes of the Green Belt as outlined in paragraph 80 of the NPPF in that it would fail to assist in safeguarding the countryside from encroachment, which this development would clearly represent. As noted above, substantial weight should be attached to this harm. The proposal is therefore considered to be contrary to the wider aims of the National Planning Policy Framework and saved Leeds UDP policy N33.

3. Design, Character and Special Landscape Area

- 10.15 The character and appearance of the locality is described above in section 2, as are the reasons why it is considered the development is contrary to this character and appearance. The proposal to create a new dwelling positioned away from the existing residential plots abutting Arthington Lane, which represents an encroachment in to the parkland setting of Arthington Hall, is considered to be harmful in these respects.
- 10.16 Notwithstanding the above it is recognised that the general appearance and detailing of the proposed new dwelling is in-keeping with the dwelling which is proposed to be retained at Jasmine Cottage. The new dwelling will be constructed of natural stone and slate and incorporate architectural features sympathetic to the area. New boundary walls will also be of a similar appearance to those existing and new tree planting will supplement the trees existing at the site. These are positive features of the development, albeit not outweighing the wider harm noted in paragraph 10.15 above.
- 10.17 The application site also falls within a Special Landscape Area as designated by saved UDP policy N37. The UDP notes that Special Landscape Areas include countryside of high landscape value which needs to be protected from visually harmful development and improved where necessary to safeguard its attractive character and appearance. The parkland setting of Arthington Hall is undoubtedly of high landscape value and as noted in section 2 above is distinctly rural in character.
- 10.18 It is considered that the proposed development, in creating a new dwelling which encroaches into the aforementioned parkland setting, and which would block views of the parkland beyond when viewed from Arthington Lane, would detract from the character and appearance of the wider landscape. As such the proposal would be contrary to the aims of saved UDP policy N37 which requires development to be sympathetic to its setting. In representing encroachment of built development into the currently open parkland, and a change of use of this land in the process, the proposal would also be harmful to the wider countryside setting contrary to the aims of saved UDP policy N37A which requires development to have regard to the character of a landscape and maintain particular features which contribute to this.

4. Impact on Designated Heritage Asset

- 10.19 The Sites and Surroundings section of this report notes that Church View falls within the historic parkland curtilage of the Grade II listed Arthington Hall and as such the property can be considered as a curtilage listed building. The applicant has disputed that this is the case and it is therefore appropriate to outline why officers have come to this view before discussing the merits of the proposal in this respect.

Whether Church View is a Curtilage Listed Building

- 10.20 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 defines listed buildings. Included within this definition is "any object or structure within the curtilage of the [listed] building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948". The definition of 'curtilage' in this respect is not set out in either planning policy or guidance and as such is a matter of interpretation. In coming to a view on whether Church View constitutes a curtilage building officers have considered relevant case law examples.

- 10.21 The applicant has stated that they do not consider Church View to be a curtilage listed building as (1) Church View and Jasmine Cottage were not added to the

statutory listed building list in 1988 when several buildings and structures relating to Arthington Hall were added, (2) the two buildings have been historically separated from the wider parkland by a wall and ha-ha, and (3) the two buildings have direct access from Arthington Lane outside of this park wall. They note that their conclusion is supported by the fact that the Council has not previously required listed building applications for works to these properties.

- 10.22 In relation to the first point noted above, case law, namely Attorney General ex rel Sutcliffe Rouse and Hughes v Calderdale Borough Council 1983 ("Sutcliffe 1983"), has established that even those buildings not expressly listed under previous listings can still be considered 'listed' if these buildings are within the curtilage of a listed building. In relation to the second and third points put forward by the applicant it is not considered that the presence of a wall and/or the ha-ha would demonstrate that Church View and Jasmine Cottage do not fall within the curtilage of Arthington Hall. Indeed, the applicants own submission notes that the role of the ha-ha was to "provide physical separation between the grand house of Arthington Hall and the parkland and the outer parts of the estate, in order to keep animals out from around the Hall" rather than any separation of curtilages.
- 10.23 The Sutcliffe case provides further assistance in coming to a view on these matters. The Sutcliffe case concluded that it would be hard, if not impossible, to argue in that instance that a listed mill building and cottages occupied by workers of the mill, which fell under the same ownership, did not fall within the same curtilage at that time. At the Court of Appeal Lord Justice Stephenson concluded that history and subsequent fragmentation of ownership could not alter these facts and that one was in the curtilage of the other for the purposes of interpreting the 1990 Act. The information provided by the applicant and that available to the Council in the form of historical maps and records for the current application demonstrate that two buildings were present at the site of Church View and Jasmine Cottage in 1849. Records from the sale of the Arthington Hall estate in 1850 demonstrate that the buildings were occupied by the then Gamekeeper of the Arthington Hall estate and were sold as part of the estate under a single ownership at this time. As such these buildings were clearly functionally and physically linked to Arthington Hall in 1850 in a manner similar to that of the Sutcliffe example.
- 10.24 Historical maps from 1875 show buildings in the same location some 25 years later. The applicant has argued that it appears the buildings present in 1850 were demolished, replaced with replacement buildings in the same location sometime before 1875, and that it is these buildings which now exist at the site. It is acknowledged that the two maps show variations in terms of the size and layout of the buildings at the site, however it is difficult to ascertain conclusively that these are not substantially the same, albeit perhaps altered, buildings. It is also noted that no information has been put forward by the applicant which would conclude the ownership of the buildings changed or that they ceased being used in connection with each other between 1850 and 1875.
- 10.25 In the absence of any such evidence it is concluded, on the balance of the evidence available, that the physical and historical links between Church View and Arthington Hall would strongly suggest that Church View is a curtilage listed building. It is not considered that the failure of the Council to require listed consent for previous works would outweigh this view.

Demolition of Church View

- 10.26 The Town and Country Planning (Listed Building and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of

preserving a listed building, its setting, or any features of special architectural or historic interest which it possesses. Saved UDP policy N14 states that "consent for the demolition of a listed building will be permitted only in exceptional circumstances and with the strongest justification".

- 10.27 Church View is a positive building in its own right, displaying examples of gothic architecture constructed in traditional local materials, and occupies a prominent location on Arthington Lane in close proximity to a number of other listed and non-listed buildings which are important to the character of the area including the Grade II listed St. Mary and St. Abanoub Coptic Church on the south side of Arthington Lane. For the reasons outlined above Church View is considered to be a curtilage listed building within the curtilage of the Grade II listed Arthington Hall. The principal consideration concerning the demolition of Church View in this respect is the impact on the heritage asset (i.e. the Grade II listed building Arthington Hall and all its curtilage buildings) as a whole. Church View makes a positive contribution to the historical and aesthetic value of Arthington Hall and thus to the significance of the heritage asset. The demolition of Church View would therefore not only result in the loss of a positive building in its own right but would be harmful to the heritage asset. In terms set out by the NPPF the harm created would be 'less than substantial'. Paragraph 134 of the NPPF advises where this is the case the harm "should be weighed against the public benefits of a proposal, including securing its optimum viable use". The applicant has noted a number of benefits of the proposal including those relating to amenity noted in section 1 above. However, these would not represent public benefits.
- 10.28 One public benefit of the proposal which the applicant has put forward is that the removal of the building would improve visibility for HGV drivers on Arthington Lane. Whilst the applicant hasn't submitted any supporting evidence in this respect it is noted that the removal of the building is likely to improve visibility for HGV drivers who are seated high enough within a cabin to have views over the boundary wall which would be retained at the site. Because of the presence of this wall the proposal would not result in improved visibility for road users in cars or cyclists. It is not considered however that the benefit to HGV drivers would be so significantly as to outweigh the harm created to the heritage asset in this instance and as such would not serve as justification to demolish Church View.
- 10.29 In conclusion it is considered that the harm created to the heritage asset as a whole through the loss of Church View would not be outweighed by any public or other benefits put forward by the applicant. As such the proposal would be contrary to the aims of the NPPF, policy P11 of the Leeds Core Strategy, saved policy N14 of the Leeds UDP and the relevant legal test.

Impact of Replacement Building

- 10.30 In addition to the above the impact on the heritage asset of the new building must be considered. It is not considered that the new dwelling would be harmful in this respect.

5. Non-Allocated Land

- 10.31 The application site can be considered to be non-allocated land as defined by policy H2 of the Leeds Core Strategy. The site is not included as a proposed site for housing in the draft Leeds Site Allocations DPD. Policy H2 sets out criteria for new housing development on non-allocated land. In respect of the implications for impacts on the capacity of transport, educational and health infrastructure the proposal will not lead to an increase in the number of dwellings over that existing and so can be considered to comply with the general aims of this part of the policy.

However, for the reasons noted in section 2 above the proposal would not satisfy Green Belt policy and therefore would fail the relevant test of policy H2.

- 10.32 Further to the above policy H2 also sets further criteria for the development of greenfield or previously undeveloped land. The proposed siting of the new dwelling, associated garden, driveway and ancillary structures, falls within greenfield land. Policy H2 states that greenfield land "should not be developed if it has intrinsic value as amenity space or for recreation or for nature conservation, or makes a valuable contribution to the visual, historic and/ or spatial character of an area". For the reasons set out in full in sections 2, 3 and 4 above the proposal would be harmful to visual, historic and spatial character of the area and as such would be contrary to the aims of policy H2 in this respect.

6. Impact on Bats

- 10.33 All bat species and bat roosts are legally protected under the Wildlife and Countryside Act (1981). The application site falls just outside the boundary of one of the Council's Bat Alert areas where bats are known to be present. In addition to this a known bat roost is present at a nearby neighbouring property. The existing buildings have low potential for roosting bats. The bat report submitted by the applicant states that a further bat survey should be carried out at the property to inspect potential bat roosting features. This should normally be carried out prior to the determination of the application. However, if members of Plans Panel are minded to determine the application in accordance with the officer recommendation, i.e. to refuse the application, it is considered unreasonable to delay issuing this decision given the number and nature of the reasons for refusal proposed by officers, as such a survey could be reasonably carried out prior to the applicant submitting any appeal to the Planning Inspectorate. If members of Plans Panel are minded to approve the application however it would be recommended to delegate the determination of the application to the Chief Planning Officer subject to a bat survey finding no evidence of bat activity or roosts being carried out within a reasonable period of time.

7. Highway Safety, Parking and Bin Storage

- 10.34 The proposal will provide for sufficient car parking arrangements to serve the new development proposed and will be served from the existing access track from Arthington Lane. Secure bin and cycle stores are proposed within the site and are considered acceptable. Subject to planning conditions relating to detailing, the arrangements are considered acceptable and will meet the requirements of Leeds Core Strategy policy T2, saved UDP policies T7 and T24, the NPPF and the Street Design Guide SPD.
- 10.35 The proposal will also provide, through the repositioning and realignment of the existing access road, for acceptable vehicular access to the Arthington Cricket ground.

8. Residential Amenity

- 10.36 Section 1 of this appraisal notes that the proposal will lead to an improvement to the residential amenity of the neighbouring property at Jasmine Cottage. Further to this it is considered that the new dwelling created will also benefit from acceptable levels of amenity in terms of daylight and sunlight penetration, privacy and outlook. The size of the dwelling and garden areas will also afford for a good level of amenity for future occupiers. As such whilst it is noted that the new dwelling is still likely to suffer some impacts in relation to noise from traffic on Arthington Lane from some of its garden areas, it is considered that, on the whole, the proposal will improve residential amenity for current and future occupiers of both properties and will be in-

keeping with the aims of Leeds Core Strategy policy P10, saved UDP policy GP5, the NPPF and the Neighbourhoods for Living SPG in these respects.

9. Permitted Development

- 10.37 It was been established through a recent appeal decision in Leeds that the Council acted unreasonably in removing permitted development rights for a replacement dwelling in the Green Belt. The reasoning behind this was that in allowing a new planning unit to be created, such as would be the case for the proposed development, this new planning unit should start life with a 'fresh' planning history. This forms a material planning consideration relevant to the current application given the increased potential for the two dwellings created (due to their detached nature) to accommodate larger extensions under the current permitted development allowances than would be the case at present (i.e. for the two existing semi-detached cottages). Whilst permitted development rights may be subject to change in the future, the current situation would allow considerable extensions to both properties if planning permission were to be granted. This would be likely to have a further harmful impact in respect of those concerns noted in sections 2 and 3 of the above appraisal.

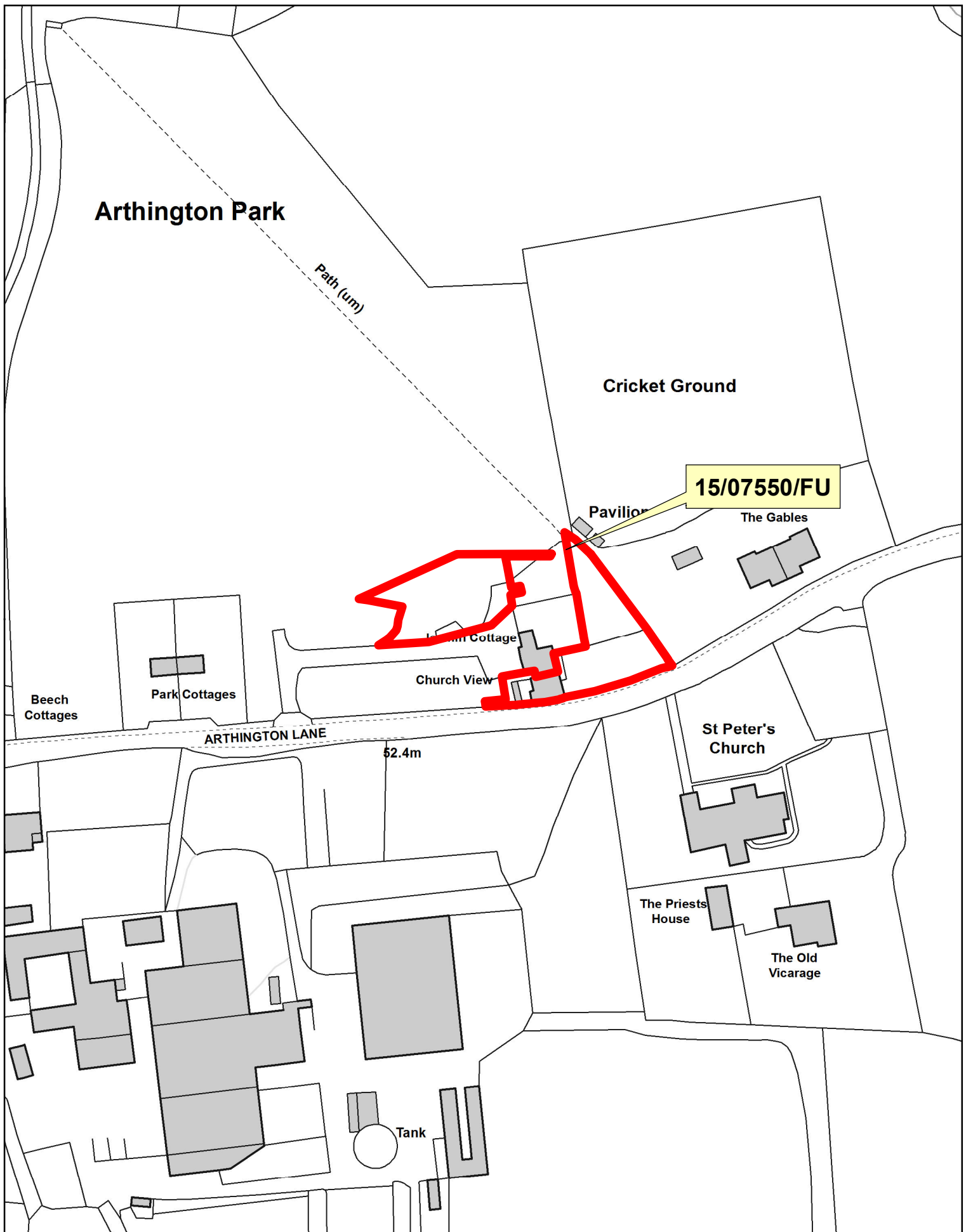
12.0 CONCLUSIONS

- 12.1 The existing property at Church View suffers from a number of amenity related issues including noise and disturbance from passing vehicular traffic due to its close proximity to Arthington Lane and damp and poor insulation. The creation of a new detached dwelling within the parkland of Arthington Hall to replace the existing property at Church View will lead to improved residential amenity for both future occupants of the new dwelling and the current and future occupants of Jasmine Cottage. The removal of the existing dwelling is also likely to lead to improved visibility for HGV drivers along the immediate stretch of Arthington Lane.
- 12.2 The new dwelling is of an appropriate design and style and will be constructed in high quality materials to match those of neighbouring properties. The new dwelling will be served by the existing vehicular access which is fit for this purpose and is unlikely to lead to any material increase in trips to and from the site allowing for adequate car parking and servicing arrangements to be provided. The site of the existing dwelling will also be returned to private garden with new areas of parkland created to the east of Jasmine Cottage. New tree planting is also proposed to complement the proposed development.
- 12.3 However the proposal raises a number of significant concerns. The application site, including the proposed siting of the new dwelling, falls within the Leeds Green Belt. Whilst the proposal can be considered to be a replacement building and is not materially larger than the building it will replace, the siting of the new building, in previously undeveloped parkland, will be significantly harmful to the openness, character and appearance of the Green Belt in this location and represent an encroachment of built development in to the Green Belt contrary to one of the five purposes of the Green Belt as identified by the NPPF. The NPPF states that substantial weight should be attached to this harm.
- 12.4 The development would also be harmful to the special character of the landscape which is identified as positive through its designation under saved policy N37 of the Leeds UDP and represent a change of use of the land which would be harmful to the wider countryside setting contrary to the aims of saved UDP policy N37A.

- 12.5 Furthermore the proposal would involve the demolition of a positive building displaying positive architectural features and making a positive contribution to the character of this part of Arthington. Church View also benefit from a protected status as a curtilage listed building within the historic parkland curtilage of the Grade II listed Arthington Hall due to its physical and historical links. The demolition of a building which makes a positive contribution to the historical and aesthetic value of Arthington Hall would be harmful to the heritage asset (i.e. the listed buildings) and this harm would not be outweighed by any public benefits as required by paragraph 134 of the NPPF. The proposal would therefore be contrary to the aims of the NPPF, policy P11 of the Leeds Core Strategy, saved policy N14 of the Leeds UDP and the relevant legal test set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.
- 12.6 In addition to the above the proposal would fail to meet the relevant criteria of Core Strategy policy H2 for new housing on non-allocated sites. It is further noted that the applicant has not put forward a case as to why many of those factors in favour of the proposed new dwelling, in respect of installation of noise mitigation, damp proofing, insulation etc. could not be implemented for the current property at Church View, albeit with the likely need for a revised layout to accommodate some of these improvements.
- 12.7 In conclusion it is considered that those factors weighing against the scheme far outweigh those factors in favour of the scheme. The comments of Councillor Flynn and local residents have been taken into account. However, it is not considered that any points put forward through these representations would outweigh the harm identified. It is therefore recommended that the proposal be refused for the reasons outlined at the beginning of this report.

Background Papers:

Application file;
Certificate of Ownership.



SOUTH AND WEST PLANS PANEL



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Originator: Patrick Bean
Tel: 0113 3952109

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th March 2016

Subject: APPLICATION 15/04285/FU - ERECTION OF DWELLING WITH ANGLING FACILITY, CAR PARKING AND RETAINING WALL, BILLING DAM FISHERY, BILLING DAM, BILLING VIEW, RAWDON, LEEDS LS19 6PR.

APPLICANT	DATE VALID	TARGET DATE
Billing Dam Fishery	27 th July 2015	21 st September 2015

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:

REFUSE for the following reasons:

1. The Local Planning Authority considers that the proposal represents inappropriate development in the Green Belt, for which very special circumstances have not been demonstrated which would outweigh the harm caused to the Green Belt. The proposal would therefore cause harm to the openness, character and appearance of the Green Belt, as well as the purposes of including land within it. The proposal is therefore contrary to policies SP1, SP10, P10 and P12 of the adopted Core Strategy, as well as to saved policies GP5, N32, N33, GB19, GB20, BD2 and BD5 of the Leeds UDP, as well as to guidance contained within paragraphs 56, 58, 64, 70, 87, 88 and 89 of the National Planning Policy Framework.

2. The Local Planning Authority considers that the proposed buildings and retaining structure would be visually intrusive and harmful to their rural setting. Additionally the proposed dwelling lacks any private amenity space, and as such would not provide a suitable level of amenity for occupiers. The proposal is therefore contrary to policy P10 of the adopted Core Strategy, to saved policies GP5, BD2 and BD5 of the Leeds UDP, to guidance contained within

1. INTRODUCTION:

- 1.1 This application was considered at the Plans Panel meeting of 22nd October 2015. At that meeting Panel Members resolved that the application be deferred to allow the applicant to submit further information to substantiate the very special circumstances.
- 1.2 In this regard a confidential pink paper is appended to this report.

2. PROPOSAL:

- 2.1 The application is to erect two buildings comprising a dwelling with an angling academy, and a retaining wall to create a levelled car parking area. The site has previously been used as a fishery.

3. SITE AND SURROUNDINGS:

- 3.1 The site is a fishing pond known as Billing Dam and its immediate embankment, as well as a level area of land immediately to the west. The site includes a number of trees around the perimeter of the lake. A security fence appears to have been recently erected around the perimeter of the site. An unauthorised retaining wall has also recently been constructed at the edge of the damn to create a levelled plateau for car parking, to the South West corner of the site. There also appears to have been some excavation works to the North West corner of the site where the proposed building is to be sited.
- 3.2 The site is accessed via a narrow unadopted track which runs off Billing View. To the south of the site there is a sheltered housing complex, to the west there is a cricket pitch, while to other directions land is in agricultural use.
- 3.3 Topography to the north of the site rises quite steeply up Rawdon Billing, which is a hill with a wooded summit which forms a local landmark. Rawdon Billing is identified as a Local Nature Area. The boundary of the LNA lies approximately 160m north of the site.
- 3.4 The site itself has not been included as a Local Nature Area due to historical dredging of the pond to facilitate the fishery, which was considered to have reduced the nature conservation value of the site.
- 3.5 The site lies within the adopted Green Belt.

4. RELEVANT PLANNING HISTORY:

- 4.1 29/146/97/FU – detached angling club house – approved

29/179/91 – outline application to erect two bedroom detached house to trout farm – withdrawn

29/2/89 – laying out of car park with 9 spaces to vacant site - approved

5. HISTORY OF NEGOTIATIONS:

- 5.1 The applicant has undertaken a pre-application process including the submission of a pre-application enquiry in 2014. Officer advice at that time indicated that the proposal would be likely to raise concerns particularly in respect of the impact upon the openness, character and appearance of the Green Belt.
- 5.2 The application states that the applicant has also discussed the proposals with local residents and Ward Members.
- 5.3 Ward Members have been consulted on the proposals. Councillor Graham Latty has a degree of support for the business aspirations of the applicant but notes the difficulties surrounding new dwellings in the Green Belt.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by means of site notices, neighbour notification letters and a notice published in the Wharfe Valley Times. To date six letters of objection have been received, and ten letters of support. The main points of objection can be summarised as follows:
- Billing View is already heavily used for vehicle parking by residents, as well as by visitors to the Emmott Arms PH and users of the cricket pitch adjacent to the site; the proposal lacks adequate highway access and parking, would exacerbate the current situation and would be detrimental to highway safety;
 - The proposal includes residential development, which would be contrary to green belt policy, and which has not been adequately justified;
 - The need for the academy building has not been demonstrated;
 - The site could be adequately secured by conventional means;
- 6.2 Rawdon Parish Council objects to the proposal on the grounds that it is unable to support residential development in the Green Belt. Councillors Townsley and Cleasby (Horsforth Ward) have objected to the proposal on the grounds of impact on the visual amenity of natural area, and on the openness of the Green Belt.
- 6.3 Ten letters of support have been received. The grounds for support include the following:
- The proposal would provide a valuable resource for local young people, schools and adults;
 - The proposed warden's accommodation would be essential to provide an appropriate level of security;
 - The site has been used as a fishery for 30+ years but has recently become run down and become a venue for anti-social behaviour.

7. CONSULTATIONS RESPONSES:

Non-statutory:

Flood Risk Management – no objections subject to a condition regarding CCTV survey of culvert

Highways – no objections subject to conditions regarding cycle/motorcycle parking and bin store details.

Nature Conservation officer – no objection subject to a condition to ensure the provision of bat roosting and bird nesting opportunities

Contaminated Land officer – no objection subject to conditions regarding gas monitoring, remediation, and importation of soil.

Public Rights of Way - Public Footpath No.91 Aireborough subsists along Billing View which is also the access track to the proposed angling academy. If the development is to go ahead, warning signs will be required on the track for the duration of the works taking place for the safety of path users. Claimed footpaths subsist around the perimeter of the site. These paths are subject to a Definitive Map Modification application and are being investigated at the moment.

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 for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

8.2 Core Strategy policies:

SP1 – Location of development in main urban areas within settlements

SP10 – Green Belt

P10 – High quality design

P12 – landscaping

T1 – transport management

T2 – Accessibility requirements

8.3 Saved UDPR policies:

GP5 - General planning considerations;

N32 – extent of Green Belt

N33 – development in the Green Belt

GB19 – outdoor sport and recreation

GB20 – buildings for sport and recreation

BD2 - design of new buildings

BD5 - amenity and new buildings;

LD1 - criteria for landscape design;

T7A – cycle parking

T7B – motorcycle parking

8.4 Supplementary Planning Documents:

SPG13 Neighbourhoods for Living

SPG25 Greening the Built Edge

Parking SPD

8.5 National Planning Policy:

The National Planning Policy Framework provides national policy guidance which is focused on helping achieve sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 70 states that the planning system should ensure that established social, recreational and cultural facilities are able to develop and modernise *“in a way that is sustainable and retained for the benefit of the community”*.

Paragraph 87 states that *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*; paragraph 88 goes on to clarify that *“very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”*.

Paragraph 89 states that *“a local planning authority should regard the construction of new buildings as inappropriate”* but that exceptions to this include *“appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green belt and does not conflict with the purposes of including land within it”*.

9 MAIN ISSUES:

9.1 The following main issues have been identified:

- Impact on the openness, character and appearance of the Green Belt; and the purposes of Green Belt control;
- Whether very special circumstances sufficient to outweigh the harm to the Green Belt have been demonstrated;
- Visual impact;

- Residential amenity;
- Highway safety.

10 APPRAISAL:

- 10.1 This application concerns works to effectively redevelop a site which has been used for many years as a fishing pond. The site is therefore established in its use as a recreational facility, and the application proposes a continuation of this type of use.
- 10.2 The southern boundary of the site forms the Green Belt boundary such that the whole of the site is located within the adopted Green Belt. The site forms the southern extent of a large area of uninterrupted open land which separates the continuous built up area of Rawdon, Yeadon and Guiseley from the villages and towns to the north. In this respect therefore the site serves clear Green Belt purposes in checking the growth of the built up area and assisting in safeguarding the countryside from encroachment.
- 10.3 Paragraph 89 of the NPPF sets out the types of development which can be considered to be exceptions to the general presumption against inappropriate development within the Green Belt. As referred to in paragraph 8.5, included within this list is provision of “*appropriate*” facilities for outdoor sport and outdoor recreation.
- 10.4 The application proposes the erection of two buildings which would form a wardens dwelling and a visitor centre. They would be constructed of timber with metal roofs. They would effectively have the appearance of log cabins. They would be single storey. The forward facing roof plane of the visitor centre would include three roof lights. The nature of the proposed buildings would mean that deep foundations would not be needed, and as such the buildings could be removed from the site.
- 10.5 The application does not include a great deal of detail of the nature of the use of the proposed visitor centre, but it does indicate that the building would be used to provide accommodation for classroom teaching of various aspects of angling. Also included within this part of the building would be WC facilities and a kitchen with a servery area. The application indicates that coaching would generally be aimed at children under sixteen, with projected hours in the summer months of 08:00 – 20:00, but closing three hours earlier during the winter.
- 10.6 Following consideration of the proposals at the Plans Panel meeting of 22nd October 2015, the applicant has been asked to provide further details of the functional and financial justification for the proposal, in order to substantiate the very special circumstances which need to be shown to exist and to outweigh the harm caused to the Green Belt. In this regard the applicant has submitted a letter which outlines that the functional justification put forward is that a full time presence on the site is required due to health and safety issues, crime deterrence, teaching, stewardship and general upkeep of the business. The key supporting factors which appear to have been identified are therefore principally theft/security and recreational benefits. However the details are somewhat light on the details of fish species, ages, fish management practices, vulnerability of the fish, fish numbers etc.
- 10.7 In addition financial information has also been provided, which provides projections for initial expenditure and estimated running costs, against projected income. The financial information provided includes “main headings” but no detailed breakdown, information on sources of capital etc. Overall the projections envisage a modest profit, however this seems to leave very little headroom for costs such as mortgage

payments, or for repairs, improvements or any other investment. The proposal appears heavily dependent on schools income. It is envisaged that there would be an average of 80 hours schools tuition per week, but does not provide any evidence of this level of demand or ability to pay the stated level of charge by schools.

- 10.8 The extent to which demand has been researched and the figures “stress tested” is not made clear. For example a 10% reduction in the number of hours of tuition, together with a 10% reduction in the hourly rate and 10% reduction in the number of weeks taken up, would reduce the schools income by approximately a third, and halve the overall profit. This could bring the financial viability of the proposal into question.
- 10.9 While fresh water angling is undoubtedly a popular pastime, it is an outdoor activity and the application does not provide more specific evidence as to why the proposed built accommodation is appropriate or necessary, other than the above. Additionally the application does not demonstrate that the proposal is a viable business venture. Also there is limited information about the total numbers of people anticipated to attend the site at any one time; although the application does refer to coaching being limited to eight pupils. Overall therefore it is considered that there is a lack of clarity regarding the functional and financial need for the proposed accommodation.
- 10.10 In view of this the proposed teaching accommodation is not considered to be appropriate in the Green Belt and is considered to cause a loss of openness and conflict with the purposes of including land within the Green Belt.
- 10.11 Planning permission was granted in 1997 for a detached clubhouse, which would have been a brick and rendered finished flat roofed building measuring 11m x 7.5m. This permission was never implemented. The building was intended to accommodate three breeding tanks for the fish to stock the dam and a clubroom area including a small office and tool store. This proposal was granted consent as it was considered at the time that it represented limited development which was reasonable and sufficient for the site to function as a fishery.
- 10.12 The application justifies the residential accommodation on the grounds that it is necessary to ensure the ongoing stewardship of the pond and academy building, and to prevent theft of the fish stock. The application states that poaching of fish from the site has taken place over recent years, and that the cost of fully stocking the lake is approximately £50k. The application states that the site’s Green Belt designation should not prevent the ability of the facility to grow when there is a demand for such facilities.
- 10.13 However, angling facilities can of course be provided at the site without the need to construct inappropriate development and cause a loss of openness. In this respect the pond benefits from being located on the edge of the built up area and it has not been demonstrated why residential accommodation, or indeed teaching accommodation, cannot be found in the locality within the existing built up area. While concerns over poaching are noted, it is considered that other security measures such as an alarm system and cctv monitoring could address such matters. It has not been demonstrated that it is essential to have a dwelling on the site
- 10.14 The applicant has offered to enter a legal agreement, by way of a unilateral undertaking, which would require that the occupation of the dwelling must be associated with the angling academy. While this may be an appropriate mechanism to ensure the dwelling is occupied in this manner, as discussed above, it is

considered that the application as a whole does not provide the functional and financial justification for the dwelling in the first place.

- 10.15 The proposal seeks to introduce buildings of timber construction. The buildings would be pushed into the north west corner of the site, adjacent to boundaries, and would be isolated from the main built up area of the village.
- 10.16 The location of the building to the corner of the site provides little opportunity for any significant landscape planting, which would be needed to help to soften the built edge of the development. When viewed from outside the site there would therefore be an abrupt change between the built edge and the open Green Belt land to the north and west.
- 10.17 The siting of the building also means that the proposed dwelling would lack any private amenity space provision. As the dwelling would include two bedrooms then it could provide family accommodation, and therefore such provision would normally be anticipated. The proposal therefore lacks amenity for prospective occupiers.
- 10.18 The pond has 15 fishing stations. While the site is an existing use, the proposal would be likely to cause an increase in visitors to the site as it would attract both experienced anglers, as well as students to the academy. The proposal would therefore to some degree represent an intensification of use of the site. However, angling is of course a relatively low key activity, and overall it is not considered that the proposals would cause a loss of amenity for nearby residential occupiers, such as the nearby sheltered housing accommodation.
- 10.19 The site previously had car parking provision, and the current proposals would formalise this with the construction of the retaining structure referred to above. The plans depict the surface treatment of the parking area as rolled hard core, and the site would be accessed via the existing double gates. While the site is accessed via an unadopted track, the relatively low level of use of this means that the proposal would not be considered to lead to any issues of highway safety.
- 10.20 A culverted watercourse which supplies the pond enters the site from the west, and runs to the south of the proposed building. The applicant has amended the plans to ensure a suitable easement is provided, and no objections are raised in this respect.

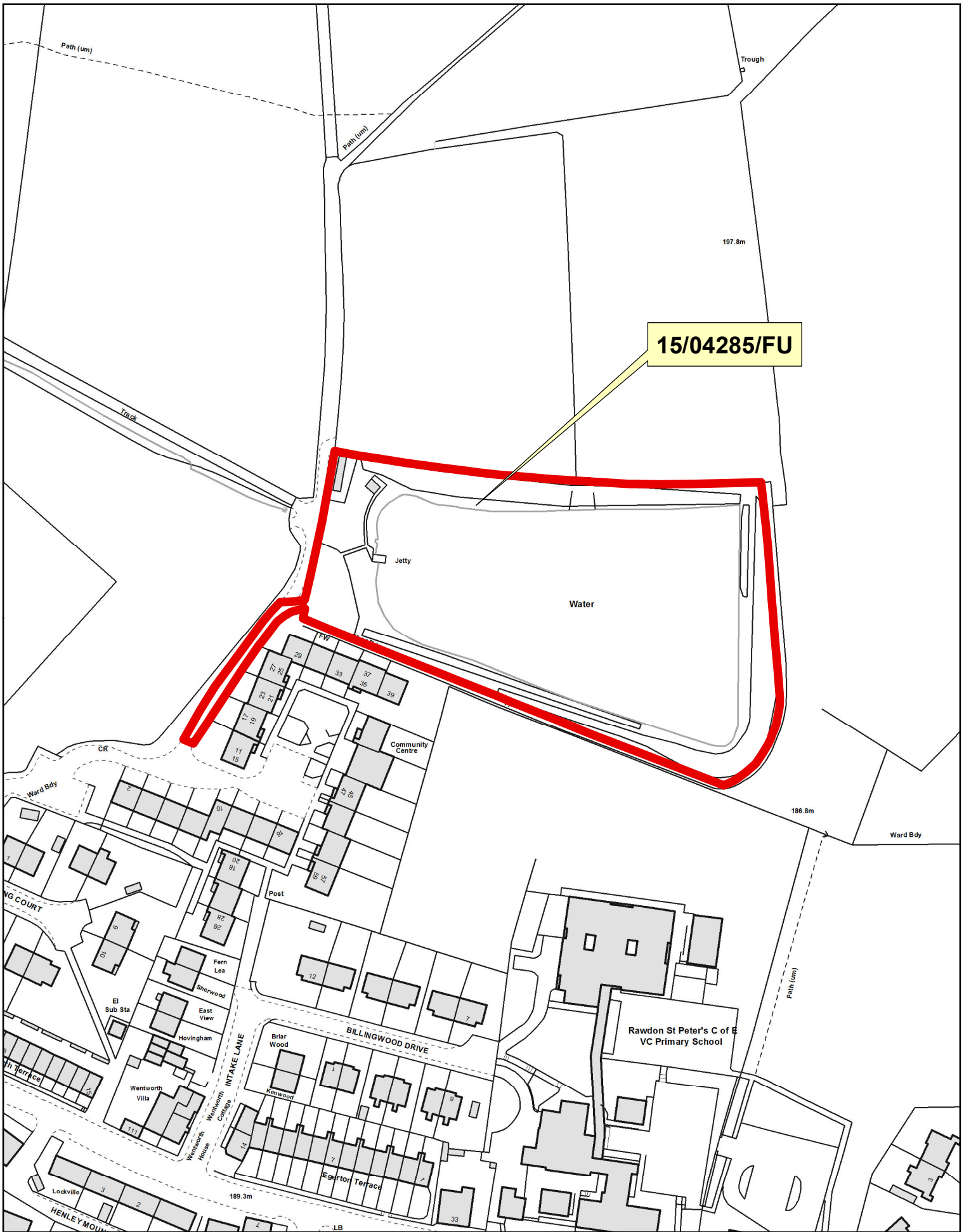
CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is unacceptable as the proposed buildings associated with the use of the site are considered to be inappropriate in the Green Belt; and no special circumstances have been demonstrated which would outweigh the harm caused to the openness, character and appearance of the Green Belt, as well as to the purposes of including land within it, by reason of this inappropriateness.

Background Papers:

Application file.

Certificate of Ownership



15/04285/FU

SOUTH AND WEST PLANS PANEL



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