



SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 20th September, 2018
at 1.30 pm

MEMBERSHIP

Councillors

K Brooks	C Campbell	B Anderson	A Hutchison
M Gibson		J Shemilt	
C Gruen (Chair)			
S Hamilton			
J Heselwood			
D Ragan			
P Wray			

**Agenda compiled by:
Andrew Booth
Governance Services
Civic Hall
Tel: 0113 37 88665**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<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, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	

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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 - 16 AUGUST 2018</p> <p>To confirm as a correct record the minutes of the meeting held on 16 August 2018</p>	3 - 6
7	Kirkstall		<p>APPLICATION 18/03233/FU - 7 BANKFIELD GOVE, BURLEY LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a retrospective application for rear dormer window</p>	7 - 16
8	Morley North		<p>APPLICATION 18/03999/RM - LAND BETWEEN GELDERD ROAD</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a reserved matters application to construct four B1/B2/B£ industrial and warehousing units with associated parking and servicing areas.</p>	17 - 32
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 18 October 2018 at 1.30 p.m.</p>	

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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.

To all Members of South and West
Plans Panel

Planning Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Contact: Steve Butler
Tel: 0113 224 3421
steve.butler@leeds.gov.uk

Our reference: SW Site Visits
Date: 11/09/18

Dear Councillor

SITE VISITS – SOUTH AND WEST PLANS PANEL – THURSDAY 20th Sept 2018

Prior to the meeting of the South and West Plans Panel on Thursday 20th Sept 2018 the following site visit will take place:

Time	
10.35 am	Depart Civic Hall
11.00	18/03999/RM – Reserved Matter Application to construct four B1(b/c)/B2/B8 industrial and warehousing units with associated parking and servicing areas. Land Between Gelderd Road/Asquith Avenue and Nephshaw Lane North, Gildersome, Morley
11.30	18/03233/FU -- Retrospective application for rear dormer window - 7 Bankfield Grove, Burley
12.00am	Return to Civic Hall

Please notify Steve Butler (Tel: 3787950) if this should cause you any difficulties as soon as possible. Otherwise please meet in the Ante Chamber at 10.30 am.

Yours sincerely

Steve Butler
Group Manager
South and West

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SOUTH AND WEST PLANS PANEL

THURSDAY, 16TH AUGUST, 2018

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, K Brooks,
C Campbell, M Gibson, J Heselwood,
A Hutchison, D Ragan, J Shemilt and
P Wray

13 Declarations of Disclosable Pecuniary Interests

There were no declarations.

14 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor S Hamilton.

15 Minutes - 19 July 2018

RESOLVED – That the minutes of the meeting held on 19 July 2018 be confirmed as a correct record.

16 Application 18/02073/FU - 53 Wickham Street, Beeston, Leeds

The report of the Chief Planning Officer presented an application for the change of use of a house (C3) to a House in Multiple Occupation (HMO) (C4).

Subsequent to the publication of the report, it had become apparent that there was a larger number of HMO's in the area than reported. Members were asked to consider deferring the application and should it be recommended for refusal in light of the additional HMOs then the decision be deferred and delegated to officers.

RESOLVED – That the application be deferred to consider additional information relating to proliferation of HMOs in the area. Should the recommendation be a refusal then this be deferred and delegated to officers for decision and Panel and Ward Members be informed on date of the decision.

17 Application 18/01506/FU - Vaynol Gate, Rooms Lane, Morley, Leeds

The report of the Chief Planning Officer presented an application for the demolition of an existing house, laying out of an access road and construction of four detached houses to garden at Vaynol Gate, Rooms Lane, Morley, Leeds.

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

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

- Site access arrangements.
- Proposed site plan and landscaping arrangements with tree planting and boundary treatments.
- House types and floor plans.
- There was some height increase to existing ridge lines in the area.
- Distances between the properties and existing properties met most of the existing guidelines.
- Overshadowing – diagrams were shown of the worst periods of overshadowing which would occur in March and September. During the summer months all shadows would be contained within the boundaries.
- The application was recommended for approval subject to conditions as outlined in the report and that a further condition be included due to levels at the sight.

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

- There was not an objection to the site being developed but these proposals would be over development.
- The proposals for Plot 3 were over dominant and would restrict the views from existing properties. A bungalow would be more suitable for this plot.
- There would be very little light to neighbouring gardens between October and March.
- The proposed trees to be planted, Apple and Cherry, would grow too high.
- Fencing – it was hoped that new fencing would be installed and the old one removed.

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

- Prior to submission, there had been consultation with neighbouring residents before the final proposals had been finalised.
- There had been a total re-design of the proposals due to concerns regarding over dominance and proximity to the boundaries.
- Plot 3 had been moved which now gave a greater distance for existing properties which was in excess of guidelines. The garage for Plot 2 had also been moved.
- The proposals were compliant with policy and design standards.
- Trees that had recently been removed from the site had been higher and closer to existing properties than the proposed property at Plot 3.

- The site owner had declined an offer for the site which included the development of nine properties as this scheme was felt to suit the area better.
- In response to questions from the Panel, the following was discussed:
 - Garages for Plots 2 and 3. If these could be moved it may remove some of the objections. It was reported that there had already been changes to these following discussions with neighbours. It was felt that the Garage on Plot 2 could be moved but the only solution for Plot 3 would be to reduce the size of the garage.
 - There would be replacement tree planting on the boundary wherever possible and there would be more trees than previously on the site.

Members broadly supported the application although there was still some concern regarding the position of the garages at Plots 2 and 3. It was suggested that the application be approved in principle and deferred and delegated to officers for further negotiation to pull the garages to Plots 2 and 3 away from the boundary to minimise dominance to properties on Rooms Close and to allow for planting between them and the boundary fence.

RESOLVED – That the application be approved in principle and deferred and delegated to officers for further negotiation to pull the garages to Plots 2 and 3 away from the boundary to minimise dominance to properties on Rooms Close and to allow for planting between them and the boundary fencing.

Also ensure a suitable condition regarding before and after levels/internal ground floor levels is added to any approval.

18 Application 18/04396/FU - 56 Shire Road, Morley, Leeds

The report of the Chief Planning Officer presented an application for a first floor side extension at 56 Shire Road, Morley, Leeds.

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

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

- A previous application had been refused.
- There was already a single storey extension to the property.
- There was concern regarding the impact on neighbouring properties on Harrop Terrace.
- It was recommended that the application be refused due to the design, over dominance and overshadowing of neighbours.
- It had been suggested that the proposal be altered but the applicant had wished for the application to be considered in its current form.

The applicant addressed the Panel. The following was highlighted:

Draft minutes to be approved at the meeting
to be held on Thursday, 20th September, 2018

- The application had the support of Local Ward Members who advised to re-submit the application for consideration by Panel.
- With regards to concern of the design, there were other properties of similar design and to set back the first floor extension would be out of keeping with the street scene.
- Concerns of over dominance – the plans met the recommended distances and there had not been concerns from neighbouring properties.
- The applicant had been advised that it was not necessary to provide a diagram to demonstrate overshadowing and that any overshadowing would be reduced due to a change in levels of the neighbouring properties.
- The applicant would be happy to have a hipped roof design which would reduce overshadowing.
- In response to questions from the Panel, the following was discussed:
 - There were no objections from neighbours.
 - The applicant had not felt it necessary to step the first floor extension back as it would look out of place not being flush with the rest of the terrace.
 - The applicant had not provided an overshadowing diagram due to the cost and had been advised that it was not necessary.

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

- Views on whether setting the first floor extension back would make the application more acceptable.
- The lessened effect of shadowing with a setback extension was explained. This reduced the overshadowing and over dominance which were the two main factors for the application being refused.
- The applicant confirmed that they would be willing to participate in further negotiation regarding the design. It was suggested that the application be deferred for approval subject to further negotiation and that the decision be deferred and delegated to officers.

RESOLVED – That the application be approved in principle and deferred and delegated to the Chief Planning Officer for further negotiations with the applicant to pull back the first floor of the extension to reduce over dominance and overshadowing.



Originator: Michael Doherty
Tel: 0113 37 87955

Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 20th September

Subject: Application number 18/03233/FU – 7 Bankfield Grove, Burley, Leeds, LS4 2SS
- Retrospective application for rear dormer window

APPLICANT
Mr Azrar

DATE VALID
25th May 2018

TARGET DATE
17th July 2018

Electoral Wards Affected:
Kirkstall

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Application recommended for refusal on the following grounds

1. The Local Planning Authority considers the existing rear dormer creates significant issues of overlooking due to the limited distance retained to the rear boundary, compounded by the elevated position of the existing window, change in levels between the host and the neighbor to the rear and thus adversely affects neighboring privacy contrary policy P10 of the Core Strategy, GP5 of the retained UDP along with HDG2 of the House Holder Design Guide.
2. The Local Planning Authority considers the existing rear dormer creates significant issues of over dominance in relation to the neighboring dwellings due to its size, scale, close proximity to the rear boundary, compounded by its elevated position and thus adversely affects neighbouring amenity contrary policy P10 of the Core Strategy, GP5 and BD6 of the retained UDP along with HDG1 and HDG2 of the House Holder Design Guide.

1.0 INTRODUCTION

- 1.1 The application is brought before Plans Panel at the request of Cllrs Illingworth, Venner and Bithell as they considered the as built rear dormer acceptable and in line with policy requirements in that the rear dormer could have been erected under permitted development prior to the existing side and rear additions. They also consider the existing dormer does not adversely affect neighbouring amenity through overlooking or over dominance.

2.0 PROPOSAL:

- 2.1 The applicant seeks retrospective consent for a rear dormer to the host property
- 2.2 The existing dormer measures 3.5m in width by 2.2m in height, projecting 3.6m from the ridge and is finished in hung tiles with a rear window serving the bedroom area. As part of the alterations two roof lights have been installed to the front roof plane.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a large semi-detached dwelling which has been extensively extended with a two storey side, single storey wrap-around extension along with the rear dormer, which is subject to the current retrospective application.
- 3.2 The existing two storey side extension incorporates an integral garage to the ground floor with a 1st floor bedroom set back from the front which features a dual pitched roof, as part of alterations carried out forming a gable in place of the original hipped roof form.
- 3.3 The area is wholly residential and features semi-detached dwellings of a similar design and character.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Ref: 17/01469/FU
Address: 7 Bankfield Grove
Description: Retrospective application for two storey and single storey side/rear extension and gable extension and roof lights to front.
Decision: Approved
- 4.2 Ref: 16/07605/FU
Address: 7 Bankfield Grove
Description: Amendments to previous approval 13/01550/EXT for alterations to roof including gable extension and dormer window to rear; alterations to windows and doors
Decision: Refused
- 4.3 Ref: 13/01753/FU
Address: 5 Bankfield Grove
Description: Two storey side extension, single storey extension and dormer window to rear
Decision: Refused
Date: 12.06.2013

- 4.4 Ref: 13/01550/EXT
Address: 7 Bankfield Grove
Description: Extension of time of application 10/01470/FU for part two storey, part single storey side and rear extensions
Decision: Approved
Date: 06.06.2013
- 4.5 Ref: 13/00066/FU
Address: 5 Bankfield Grove
Description: Part two storey, part single storey side, rear and front extension; dormer window to rear
Decision: Refused
Date: 26.02.2013
- 4.6 Ref: 10/01470/FU
Address: 7 Bankfield Grove
Description: Part two storey part single storey side and rear extensions
Decision: Approved
Date: 10.06.2010

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The host property has been the subject of various planning applications. Originally a scheme was approved in June 2010 (Ref: 10/01470/FU) which granted consent for a part two storey side and rear extension, prior to the adoption of the Core Strategy and current policy. This consent allowed a two storey side extension which featured a matching hipped roof, set down from the host property along with a single storey wrap-around addition.
- 5.2 The original consent was not immediately implemented and a subsequent application was submitted (Ref: 13/00066/FU) which sought consent for a larger two storey side, two storey rear and rear dormer extension. This application was refused.
- 5.3 An extension of time application was granted in June 2006 (Ref: 13/01550/EXT) for the originally approved scheme, allowing a further 3 years to implement the consent.
- 5.4 A separate application was submitted for the adjoining dwelling, No.5 Bankfield Grove (Ref: 13/01753/FU) which sought consent for a two storey side extension and rear dormer. This application was refused on design grounds and due to its excessive size.
- 5.5 A site visit was carried out on 26th May 2016 by enforcement after complaints were received regarding unauthorised works to the host property.
- 5.6 An application was submitted (Ref: 16/07605/FU) which sought consent for amendments to the originally approved consent to regularise un-authorised works carried out. These works consisted of a hip-to-gable extension erected to the original dwelling along with a large rear dormer. The scheme was refused on over-development and issues of overlooking in relation to the properties to the rear.
- 5.7 A second retrospective application was submitted by the applicant (Ref: 17/01469/FU) seeking to regularise the works. Through negotiations this scheme

was approved as the applicant agreed to remove the rear dormer to address officer concerns in relation to overlooking. It was agreed, as a compromise, the applicant could retain the as built side gable subject to the removal of the dormer. A condition was attached to the consent which required the existing dormer to be removed within a period of 6 months from the decision date.

- 5.8 The current application reverts back to the previous position of retaining the as built extensions, including two storey side (with gable roof) and rear dormer, in their entirety with the condition allowing a 6 month period to remove the rear dormer now expired.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Cllrs Illingworth, Venner and Bithell support the scheme siting following,
- The existing dormer could have been erected under permitted development
 - The rear dormer is similar to others erected and thus does not create issues of overlooking, similar to that of the existing 1st floor rear bedroom window
- 6.2 Neighbour notification letters were sent on 01.06.2018. Two letters of objection were received raising concerns with the following,
- Overlooking and adverse impact upon privacy
- 6.3 Five letters of support have been received highlighting the following,
- Design does not adversely impact visual amenity

7.0 CONSULTATION RESPONSES:

- 7.1 None

8.0 PLANNING POLICIES:

Development Plan

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds Comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made neighbourhood plan.

National Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected these to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The following parts of the NPPF have been considered in on the consideration of this application.

- Requiring good design

Adopted Core Strategy

- 8.2 The following core strategy policies are considered most relevant

P10 Seeks to ensure high quality design

T2 Transport infrastructure

Saved Policies - Leeds UDP (2006)

- 8.3 The following saved policies within the UDP are considered most relevant to the determination of this application:

Policy GP5 - Development Proposals should resolve detailed planning

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

- 8.4 Supplementary Planning Guidance/Documents

Neighbourhoods for Living: A Guide for Residential Design in Leeds (SPG13)

Householder Design Guide Supplementary Planning Document

The guide gives advice on how to achieve high quality design for extensions and additions to existing properties, in a sympathetic manner that respects the spatial context. The following policies are relevant to this application.

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

- i. the roof form and roof line,
- ii. window details,
- iii. architectural features,
- iv. boundary treatments
- v. materials

HDG2: all development proposals to protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, over dominance or overlooking will be strongly resisted.

9.0 MAIN ISSUES

1. Impact on amenity
2. Highway safety

10.0 APPRAISAL

Impact on Amenity

- 10.1 The host property has been the subject of extensive alterations and extensions via numerous previous applications. The original consent (Ref: 10/01470/FU) allowed the erection of a two storey side addition and single storey wrap-around extension. This scheme was approved, on balance, prior to the adoption of the current Core Strategy as the proposals were considered not to create harm upon neighbouring amenity.
- 10.2 The applicant has deviated from the previous approval erecting a large rear dormer along with creating a new side gable in place of the approved hipped roof. Consent was granted for the existing two storey side extension, retaining the side gable, with the proviso of removing the rear dormer in order to address concerns of overlooking in relation to the properties at the rear of the host, located in close proximity.

- 10.3 Given the applicant has extensively extended the dwelling, combining the as built hip-to-gable with a second gable and rear dormer, the extensions do not meet the requirements of permitted development, as they in affect extend a previous extension. It is acknowledged that if the applicant had erected a hip-to-gable extension and rear dormer to the host property, prior to the large side extension, these elements would fall under permitted development and not require consent.
- 10.4 As the applicant seeks retrospective consent these elements now require permission and are assessed against current adopted policy and supplementary guidance i.e. Core Strategy and House Holder Design Guide, and thus little weight is afforded to the applicants permitted development fallback position.
- 10.5 It is considered the rear dormer creates significant issues of over dominance compared with the original host property due to its size and scale which is compounded given the limited separation between the host property and the dwellings to the rear, creating an over bearing impact.
- 10.6 The existing rear dormer introduces a new bedroom window to the 2nd floor of the host property allowing outlook over the neighbouring dwellings to the rear. Guidance within the House Holder Design Guide outlines distances to be retained from secondary windows, i.e. bedrooms, to the rear boundary. The guidance suggests a minimum distance of 7.5m is retained to protect neighbouring amenity and prevent issues of overlooking. In this instance, due to the limited space to the rear, the dormer retains approximately 7.0m to the rear boundary which fails to meet the minimum requirement. It is acknowledged the shortfall is slight however the guidance states *“Where windows face each other across a neighbouring boundary the minimum distance of each window to the boundary should be added together.”* This equates to a distance of 15 meters. In this instance the rear dormer retains approximately 12.5m from the windows to the rear of No.74 Argie Avenue, again failing to meet the guidance and ephasising the shortfall in distance retained.
- 10.7 The existing elevated position of the dormer window and the change in site levels is considered to create harm, both in terms of overlooking and over dominance. The host property sits at an elevated position in relation to the dwellings at the rear, set approximately 1.5m higher.
- 10.8 The House Holder Design Guide states *“Extensions should not unreasonably impact upon the privacy levels of neighbours. Care should be taken to ensure that additional windows do not allow intrusive views through neighbouring windows or toward private garden areas”*. Given the change in levels between the dwellings it is considered the existing dormer allows views over the private gardens of the properties to the rear.
- 10.9 It is acknowledged that an existing first floor bedroom window, below the dormer, retains a similar distance to the rear boundary, however this is significantly lower than the rear dormer, forms part of an existing relationship between properties on Bankfield Grove and Argie Avenue and does not introduce the additional bulk and mass created by the dormer.
- 10.10 It is accepted the existing rear dormer to the adjoining dwelling is similar in size and scale to that of the host however this has been erected under permitted development, does not require consent. The existing dormer to the adjoining dwellings has not been assessed against current adopted policy and is not required to meet minimum distances to rear boundaries, highlighted within the House Holder Design Guide or Neighbourhoods for Living. If formal consent was required this dormer would not be supported, given the shortfall in distance.

- 10.11 Ordinarily the LPA would suggest the installation of obscure glazing to prevent a direct outlook, with this option previously explored, however as the dormer only features a single window any outlook for occupants of the property would be prevented and thus creates a bedroom with poor amenity for occupants. In retaining the clear window It is considered the dormer allows overlooking of the dwellings to the rear along with their private rear garden areas and thus adversely affects neighbouring privacy.
- 10.12 It is considered the development as a whole, in particular the rear dormer, creates significant issues of overlooking and thus adversely affects neighbouring privacy contrary policy P10 of the Core Strategy, GP5 of the retained UDP long with HDG2 of the House Holder Design Guide.

11.0 CONCLUSION

- 11.1 In light of the above, it is considered the development as a whole, in particular the rear dormer, creates significant issues of overlooking and over dominance thus adversely affecting neighbouring privacy contrary policy P10 of the Core Strategy, GP5 of the retained UDP long with HDG2 of the House Holder Design Guide.

Background Papers:

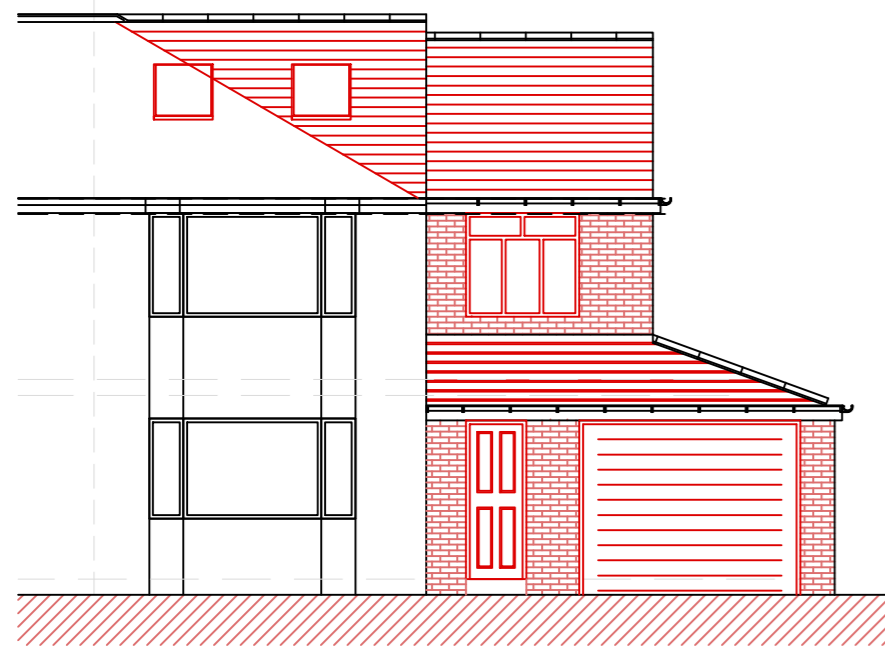
Certificate of ownership: signed by applicant.

Planning application file. 18/03233/FU

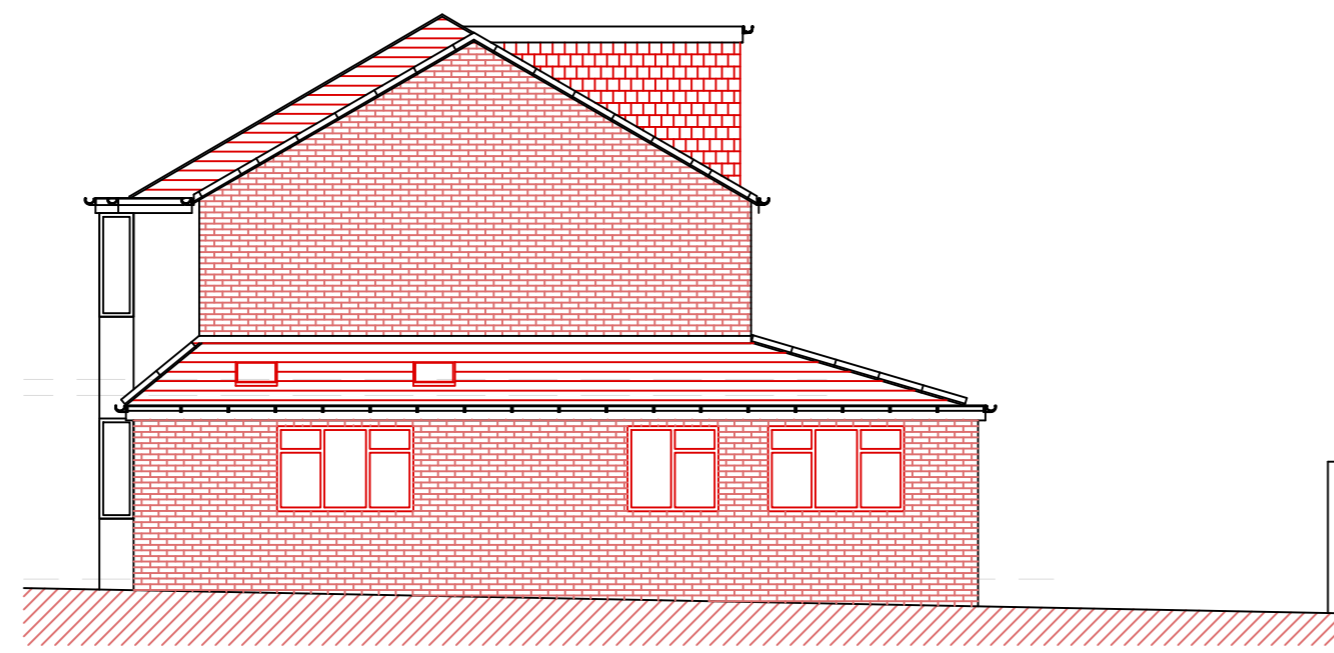


SOUTH AND WEST PLANS PANEL





FRONT ELEVATION



SIDE ELEVATION

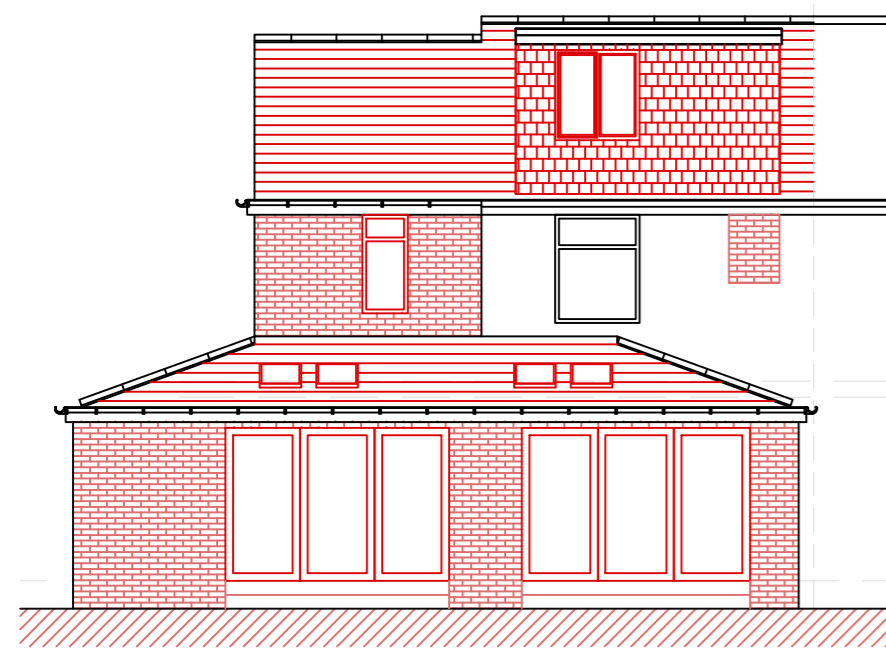


LOCATION PLAN 1:1250

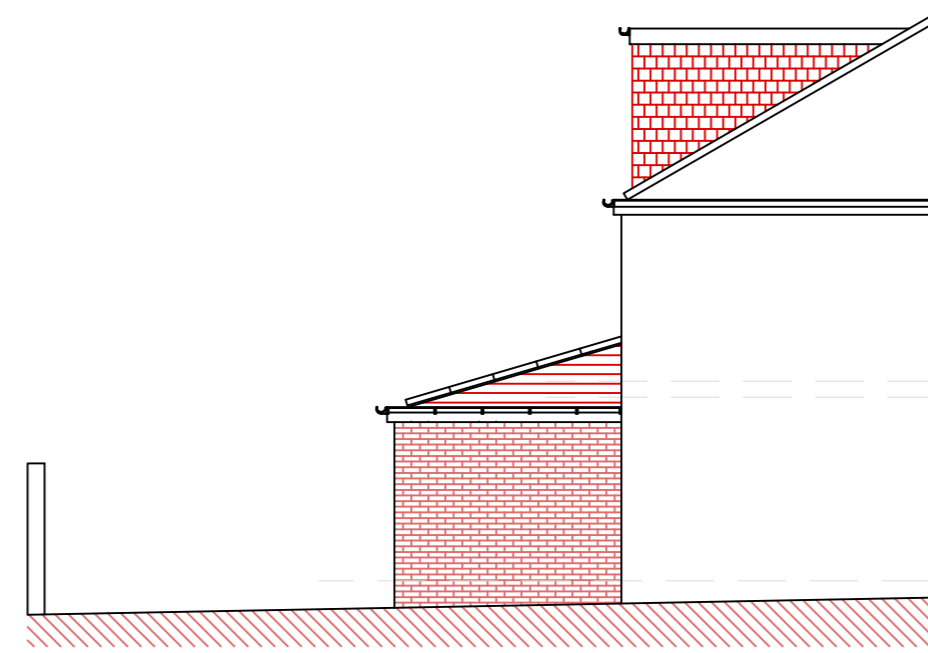
Please note these drawings are for Planning and Building Regulation purposes only.

NOTE:
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before works commence.

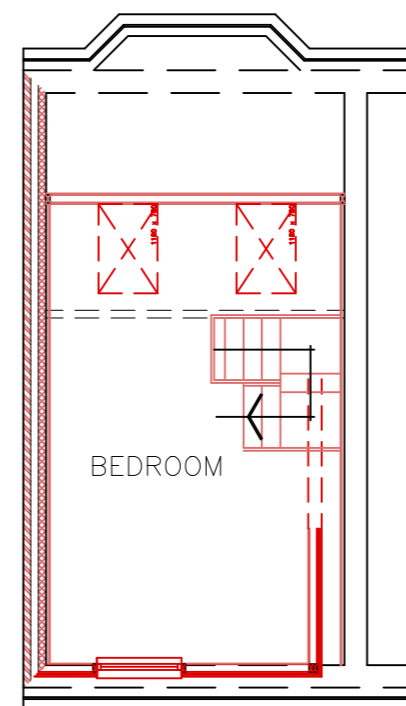
All drawings must be read with and checked against any structural or other specialist drawings provided. All works to comply with British Standards, Codes of Practice, current Building Regulations and carried out to the satisfaction of Building Inspector. All materials to comply with the relevant British Standards



REAR ELEVATION



SIDE ELEVATION



SECOND FLOOR

AS BUILT ELEVATIONS
SCALE 1:100

AS BUILT PLAN
SCALE 1:100

REVISIONS	DATE

RIYAT ASSOCIATES LTD
Architectural Designers and Planning Consultants
Benson House, 14 Benson Street, Leeds LS7 1BL
Telephone: 0113 2455492 Fax: 0113 2443800 E-Mail: info@psriyat.com

Client:
Mr Azrar

Project
Proposed Alterations At
7 BANKFIELD GROVE LEEDS, LS4 2SS

Drawing:
Location Plan, As Built Floor
Plans & Elevations

Scale: As Shown @ A2	Drawing No. 2393/10
Date: MAY 2018	

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Originator: Victoria Hinchliff
Walker
Tel: 0113 2224409

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 20th September 2018

Subject: 18/03999/RM – Reserved Matter Application to construct four B1(b/c)/B2/B8 industrial and warehousing units with associated parking and servicing areas. Land Between Gelderd Road/Asquith Avenue and Nepshaw Lane North, Gildersome, Morley, Leeds.

APPLICANT	DATE VALID	TARGET DATE
Commercial Development Projects Ltd.	25/06/18	24 September 2017

Electoral Wards Affected:
Morley North

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Grant approval subject to conditions set out below:

1. Samples of materials for each unit to be submitted prior to commencement of building works.
2. Details of boundary treatments for each unit to be submitted prior to commencement of building works.
3. Details of external lighting to be submitted prior to installation.
4. Details of CCTV or other security surveillance to be submitted prior to installation.
5. Details of external surfacing materials to be submitted prior to completion of building works.
6. Approved EV charging points to be installed prior to occupation.

7. **Maximum vehicle gradient not to exceed 1 in 40 for first 15m and 1 in 20 thereafter.**
8. **Details of gates to be submitted prior to installation. Any gates shall be set back 10m from back of footway and must only open inwards into each site.**

1. Introduction

- 1.1 This application is for Reserved Matters to consider internal access, appearance, landscaping, layout and scale following approval of outline permission under application reference 12/02470/OT (approved 01/04/15). The application is brought to Plans Panel at the request of Cllr Hutchinson who raises concerns regarding noise from operations at the site and traffic movement and the impact this will have on residents along Gelderd Road and within Gildersome.

2.0 Proposal

- 2.1 The application provides detailed information for phase 2 of this employment site development. This includes four industrial and warehousing units with flexible uses in the following classes:

- a) B1b (light industrial)
- b) B1c (research and development)
- c) B2 (general industrial)
- d) B8 (warehousing and storage).

- 2.2 Phase 2 occupies a small part of the overall site that has the benefit of Outline planning permission. The application site lies close to the Gelderd Road frontage to the north, but is set back from the front of the site so that it lies to the south of residential properties which form a small enclave along the Gelderd Road frontage. The proposal consists of the following units.

- 2.3 Unit 2, a rectangular detached unit set on the western side of the site adjacent to units on the Treefield Industrial Estate. The unit provides 3,901 sq m of ground floor area which includes 230 sq m of office accommodation and measures 75m long x 55m deep x 13m high to eaves (14.3m to ridge). The unit features a shallow dual pitched roof and is predominantly clad. The office areas lie over 2 floors and feature glazed panels with a large double storey height glazed entrance feature on the eastern elevation. The southern elevation has two large 4m wide x 5m high access doors as well as 2 smaller 2.5m wide x 3m high loading dock doors with dock shelters. There will be a low level brickwork plinth in Ibstock Harewood Russet Buff brick, with cladding being a mixture of profiled steel cladding in Alaska Grey; half round cladding system with leather grained finish in Albatross; Kingspan micro rib composite panels in Forte Saffron Yellow, Albatross and Alaska Grey. The roof will feature 10% rooflights to the warehouse area.

- 2.4 Unit 2 features a parking area to the eastern side, directly off the access road for cars only. 65 car parking spaces are provided including 3 disabled and 5 electric vehicle charging points (serving 10 cars). A separate access for HGV's leads into a service yard on the south side of the building. The unit is surrounded by quite a substantial buffer of landscaping to the west and south, with landscaped areas around the car parking and access roads.

- 2.5 Units 3 and 4, a slim, rectangular unit split into two parts, lying on the eastern side of the access road, and roughly in alignment with the residential properties nearby. In its entirety the unit measures 88m long x 30m wide, split equally in half both providing 1,116 sq m of warehouse area. Each unit has a core area which includes an entrance lobby, toilets and a small office area over two floors. The building is 9m high to eaves level and 10.4m high to the top of the shallow pitched roof.
- 2.6 Units 3 and 4 lie gable end towards houses that sit within the site envelope, but are located at a distance of 20.5m from the boundary with these properties. In between is a 15m wide landscaped buffer zone featuring a woodland mix of native tree species. Each unit has a servicing yard to the front (western side) which are lined with parking areas, 20 spaces for unit 3 and 19 spaces for unit 4. A similar design and material palette to unit 2 is proposed.
- 2.6 Unit 5, a large rectangular unit sat centrally within this site and measuring 71m long x 54.5m deep, providing 3901 sq m of floor area which includes 372 sq m of office space over two floors. The building is 11.6m high to eaves, 13m to highest ridge. The design and materials are similar to unit 2.
- 2.7 The service yard area for unit 5 sits between unit 5 and the rear of units 3 and 4. Two parking areas are provided to the south of units 5 and 4 providing 94 car parking spaces. A landscaped area is provided between the parking areas and the internal estate road.
- 2.8 Although "Access" is a reserved matter it should be noted that the access points into the site, off Gelderd Road and Asquith Avenue have already been agreed. Therefore the only matters of access for consideration here are those that are internal to the site and relate to the individual access points to each unit. The other reserved matters for consideration are layout, scale, landscaping and external appearance.

3.0 Site and Surroundings

- 3.1 The outline permission site is an irregularly shaped area of land situated between Gelderd road to the north, Asquith Avenue to the east, Nepshaw Lane and the M621 to the south and industrial estates to the west (including Gildersome Spur and Treefields). The site is intersected by a wedge of woodland which grows either side of Dean Beck that splits the site in half running east west.
- 3.2 Three smaller areas also intersect with the site including Belle Vue Terraces on the northern border, industrial uses on the north east corner, and housing and caravan storage to the south east corner, which are backed onto by the woodland of Dean Beck. Belle Vue is a horseshoe of terraced houses with an access off Gelderd Road. These are two storey, brick and render properties of some age, with parking areas located centrally and to one side, and gardens set out on the eastern and southern sides which form the boundary with the employment site. Works have commenced to implement infrastructure requirements of the outline permission and this includes a bund and fencing around this terraced area which will eventually be landscaped to provide screening and noise mitigation.
- 3.3 Works have also been undertaken to provide development platforms across the wider site. Previously the site has been subdivided into fields which have shown

evidence of ploughing, although appear to have been left fallow or grazed by horses in later years. The site has a slope from west to east with long distance views across the site from the south allowing views of adjacent industrial estates.

- 3.4 The site lies to the south of Gildersome, and the north west of Morley, close to the motorway networks of the M621 and the M62. To the western side uses are predominantly industrial and commercial, whilst to the north and south are residential areas. Land to the east, across Asquith Avenue is current open.

4.0 Relevant Planning History

The wider site

- 4.1 12/02470/OT – Outline application for proposed employment development for up to 92148 sq m of use classes B1b, B1c, B2 and B8 with two access points off Gelderd Road and one point of access off Asquith Avenue. Approved 01/04/15 subject to conditions and legal agreement. The application was reported to City Plans Panel on the 11/12/14 and 22/01/15.
- 4.2 15/02557/RM – Infrastructure works including new road accesses and layouts, bulk earth workings, structural landscaping, acoustic screening and drainage works. Approved under delegated powers 18/12/15. This gave approval for infrastructure works, new road accesses and layouts, bulk earth workings, structural landscaping, acoustic screening and drainage works.
- 4.3 18/05451/COND – discharge of condition 4 of 12/02470/OT. Pending consideration.
- 4.4 18/02977/FU – 46 dwellings including new access and landscaping (this site is on the eastern edge of the employment site accessing off Asquith Avenue). Pending consideration.
- 4.5 17/03187/COND – discharge of condition 4 of 15/02557/RM. Approved 14/07/17.
- 4.6 16/04337/RM – amendment to 15/02557/RM. Pending consideration.
- 4.7 16/02705/COND – discharge of conditions 32 and 33 of 12/02470/OT. Split decision. 10/11/16.
- 4.8 15/03934/COND – discharge of condition 13 of 12/02470/OT. Approved 15/12/15.
- 4.9 15/02979/COND – discharge of conditions of 12/02470/OT. Split decision 11/01/16.
- 4.10 23/60/03/OT – business, industrial and storage development. Refused 22/06/12 on grounds of lack of details re highways, flood alleviation. (Northern half of site).
- 4.11 23/35/01/OT – access and erection of business park. Refused 25/06/12 on grounds of lack of details re highways, flood alleviation. (Southern half of site).
- 4.12 23/248/04/OT – access road and erection of distributions centre. Refused 25/06/12 on grounds of lack of details re highways, flood alleviations. (South western corner of site).
- 4.13 Previous history of the site shows use for mining purposes.

5.0 History of Negotiations

5.1 Discussions have been ongoing with regard to s38 highway works with relevant bodies. There have also been a number of condition discharge applications and other RM applications dealing with wider site issues so dialogue with the Council has been maintained since the grant of outline planning permission.

6.0 Public Response

6.1 The application has been advertised by means of a Major Site Notice, posted 06/07/18 and an advert in the Yorkshire Evening Post published 13/07/18. More recent revised plans have also been re-notified to all objectors. To date 54 objections have been received to the proposal, although the number of objections is likely to be higher as it is understood that some residents have had issues with submitting objections through the usual means although it is not clear why. Ward Members and the Parish Council were advised of this and comments have been received since. The majority of objections come from the Gildersome village area including residents of Belle Vue Terrace.

6.2 Objections include the following:

- Objections to unrestricted hours of use of units.
- Noise disturbance from uses including employees, air conditioning, tannoys etc.
- Noise from vehicles.
- Two storey units inappropriate in this location.
- Units 3,4, and 5 appear closer to Belle Vue than was allowed at outline.
- Scale of unit 5 is inappropriate in close proximity to Belle Vue.
- Proposal is different to that shown on masterplan at outline.
- Previous permission restricts the type of uses within unit 3.
- No sign of an HGV ban in Gildersome.
- Pollution of environment from lorry movements.
- Landscaping was supposed to mitigate noise and visual amenity – this has not materialised.

6.3 Cllr Hutchinson in requesting the application be determined by Panel cited concerns with the unrestricted hours of use, noise and impact on Gildersome of HGV's, impact on Belle Vue Terrace and elderly accommodation near the site, particularly from night-time noise disturbance.

6.4 Cllr Leadley has objected to the proposal stating that progress on site has been slow since March 2015 despite a claimed urgent need. Earth-moving has taken place more recently to make building platforms and form the access from Gelderd Road. Concerns are raised that despite the fencing and planting so far carried out around Belle Vue Terrace residential amenity still remains a major concern. Early tree planting should take place on the southern side of Belle Vue. The open yard areas of units 3 and 5 may cause noise issues for residents and it is noted that no hours restrictions are proposed which may cause night time disturbance. The service yards seem tight which may lead to Lorries waiting on other public highways causing further noise and disturbance. It is felt that 18/03999 fails to do as much as it could to preserve residential amenity. Cllr Leadley requests that Panel Members

undertake a site visit to look at the relationship between the development site and Belle Vue.

7.0 Consultation Responses

- 7.1 Highways DM – some amendments to highway layout required in tandem with the s38 process that is also being undertaken. Subject to these revisions no objections are raised. Conditions are recommended for provision of EV charging points; maximum access gradients, and any gates being set back from the highway.
- 7.2 Landscaping – proposals acceptable.
- 7.3 Flood Risk Management – this RM application is in line with the outline approval and the conditions imposed on that approval are sufficient.
- 7.4 Design Officer – Materials will be important and corporate identity will need to be maintained as units are developed. Principle is acceptable however regarding the external appearance. Details of boundary treatments and any necessary security measures required.

8.0 Planning Policies

Development Plan

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds Comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Plan (there is currently no Neighbourhood Plan in place for this area).
- 8.2 The following Core Strategy policies are considered most relevant
- SP 1: Location of development – Gildersome is a Smaller Settlement, whilst Morley is a Major Settlement. The site lies within the boundary of the Smaller Settlement.
 - SP8: Economic development priorities – seeks to provide and safeguard a sufficient supply of land and buildings for B class uses.
 - SP9: Provision for offices, industry and warehouse employment land and premises.
 - EC1: General employment land allocations.
 - P10: Seeks to ensure high quality design
 - P12: Landscape
 - T2: Accessibility requirements and new development.
 - G1: Extending and enhancing green infrastructure.
 - G9: Biodiversity improvements.
 - EN1: Climate change and carbon dioxide reductions
 - EN2: Sustainable Design and Construction
 - EN5: Managing flood risk.
 - ID2: Planning obligations and developer contributions

Saved Policies - Leeds UDP (2006)

- 8.3 The following saved policies within the UDP are considered most relevant to the determination of this application:
- GP5 - Development Proposals should resolve detailed planning
 - BD5 – New buildings to be designed with consideration of their own amenity and that of their surroundings.
 - E4:14 – Local Economy New Proposals.
- 8.4 The following Supplementary Planning Policy documents are relevant:
- Leeds Street Design Guide (2009)
 - Parking SPD

Emerging Policy: Submission of Site Allocations Plan (SAP) May 2017

- 8.5 The Examination in Public of the draft Leeds Site Allocations Development Plan Document commenced on 10 October 2017. Public hearings were held in two stages, with Stage 1 comprising matters of legal compliance, green space, infrastructure, site selection, Housing Market Characteristic Areas, Gypsies and Travellers, and Travelling Showpeople, and (subsequent) Stage 2 comprising housing. The housing session commenced 9 July 2018 and concluded on 3 August 2018. This completes the SAP sessions. The Inspectors will soon be issuing an Interim Note and reporting thereafter.
- 8.6 The site is allocated for employment in the SAP, reference EG2:23.

Core Strategy Selective Review

- 8.7 Consistent with a plan-led planning system, is the need to monitor the effectiveness of the Plan and the evidence base upon which it has been derived. Within this context there are a number of specific matters which have arisen post Adoption, which fall within the scope of a proposed selective review of the Core Strategy.
1. Reviewing the housing requirement.
 2. Extending the plan period to 2033, given that 5 years has elapsed into the Adopted Core Strategy plan period.
 3. Incorporating new national policy regarding the Code for Sustainable Homes by updating the wording of Policies EN1 and EN2.
 4. Reviewing Affordable Housing Policy in response to the Housing White Paper and changes in national legislation.
 5. Reviewing the requirement for Greenspace Policy in new housing developments by amending Policy G4.
 6. Incorporating National Housing Space and Accessibility Standards for new housing
- 8.8 The CSSR does not cover policies that are of direct relevance to this application (which are economic development policies).

National Planning Policy Framework (NPPF) 2018

- 8.7 The NPPF 2018 continues to reflect the fundamental requirement under section 38(6) of the 2004 Act that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise: see e.g. paragraphs 12 and Annex 1. The policy guidance in Annex 1 to the NPPF is accordingly 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 NPPF policies, the greater the weight they may be given. This also substantially reflects the position with regard to emerging policy, under NPPF paragraph 48, with regard to both the SAP and the CSSR.
- 8.8 The overarching policy of the NPPF continues to be the presumption in favour of sustainable development, there being three dimensions to sustainable development, as a basic premise: economic, social and environmental.
- 8.9 Paragraph 11 of the NPPF specifically directs that development proposals that accord with the development plan (which is the case here) should be approved without delay, and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

9.0 Main Issues

1. Matters for Consideration.
2. Layout
3. Scale
4. Landscaping
5. External Appearance
6. Representations

10 Appraisal

Matters for Consideration.

- 10.1 The requirement to submit reserved matters applications arises directly from the imposition of a condition on an outline application. Condition 3 of outline permission 12/02470/OT states that approval of layout, access, scale, appearance and landscaping should be received prior to development of each phase.
- 10.2 As this application is for reserved matters it is important to be clear about what is under consideration. The outline application considered the principle of developing this site for employment purposes and the means of accessing the site from Gelderd Road and Asquith Avenue. At that stage issues of noise and traffic generation were considered fully and the matters that arose from them were conditioned for or agreement was sought via a legal agreement. This included the requirement for noise mitigation measures so that the rating level of industrial noise does not exceed 5dB below the pre-existing background noise level. This applies at any time of the night or day. The legal agreement included measures for a weight restriction through Gildersome village which will restrict the size of vehicle allowed to run along local roads.

Layout.

- 10.3 Whilst layout was a reserved matter at outline stage certain parameters were outlined and this was incorporated into condition 7 which reads:
- *“Development adjacent to Belle Vue Terrace to be carried out in accordance with approved details of acoustic fencing, mounding and landscaping, as shown on approved illustrative master plan drawing no's M2711 - SK Rev H, received on 7th January 2015, Parameters Plan TA01, Revision B received on 18 December 2014 and Landscape Plan drg. no.SF1995 LL04 Rev B received on 16 March 2015”*
- 10.4 This condition was applied to ensure that the residential amenity of residents on Belle Vue Terrace was protected. Plan M2711 SK Rev H details a 10m buffer from the boundary with Belle Vue to what was then indicated as car parking. Plan TA01 Rev B also shows a 10m wide landscape buffer. It does indicate also a low scale zone extending out southwards of Belle Vue Terrace, but this is not specifically referred to in the condition text. Plan LL04 Rev B is a planting plan of this 10m buffer area which also shows a mound being created between the houses and development area of approximately 1.1m in height and 8m width. This would be planted up with trees with provision of acoustic fencing in the middle.
- 10.5 The submitted site plan for this application indicates that the landscape buffer between the sites will be 15m from the curved line that runs around the Terrace, and 19m from the actual site boundary, with a distance of 25m from the site boundary to the side elevation of unit 3. The landscape buffer is actually outside of this applications red line but this distance would accord with the details highlighted in the condition.
- 10.6 Condition 6 of the outline approval also restricted the use of “unit 3” on plan SK Rev H to uses within class B1b/c only. The plan shows that this “unit 3” is to the eastern side of Belle Vue Terrace and consequently lies outside of this application boundary.
- 10.7 There is disparity between the layout on the illustrative masterplan and the proposed layout in this RM application, in that previously a large swathe of the area to the south of Belle Vue was shown as car parking for a single much larger unit that sat south and east of Belle Vue. The current layout proposes a rectangular unit that lines up almost with properties on Belle Vue. Whilst this is noted, the OT did not seek to impose the layout of the masterplan, only certain elements pertaining to the landscape buffer around Belle Vue. Consequently the masterplan only informed the previous application, but was not a formal submission of layout.
- 10.8 The submitted site plan shows a layout that is typical of such development, with three small to medium sized units laid out across the application site. Access points are taken off the already approved internal access road, with areas for servicing and car parking provided accordingly. The main areas to review with regards to layout relate to internal highways layout and the impact of layout on neighbouring properties (please note though the issue of height, dominance and overshadowing are dealt with under Scale).

Internal Highways Layout

- 10.9 Ongoing discussions have taken place between the applicants, highways DM and the s38 team since the submission of the Outline application was approved. Some concerns regarding the internal layout of parking and service areas were raised and the applicants have sought to address these concerns through small revisions to the plans including the location of car park access points. Some amendments are still required due to the need to ensure that these plans tie up accurately with the s38 plans that are being reviewed via that process. Subject to these amendments however (which do not affect the overall layout) highways officers would have no objections to the proposal subject to conditions.
- 10.10 These conditions would cover the implementation of electric vehicle charging points (which are shown on the plans), a restriction on the gradient of access to units for highway and pedestrian safety reasons, and a condition to ensure that any gates put on are set back 10 from the access road, again for safety reasons.
- 10.11 At the time of writing revised plans to address highway matters have been submitted so Panel Members will be updated at the Panel meeting to clarify that these have all been resolved. If any matters are still outstanding then it is requested that Members consider deferring and delegating approval subject to resolution of detailed highway matters.

Impact of layout on neighbouring properties

- 10.12 With regard to land to the west, there is sufficient distance between the units on Treefield Industrial Estate and the proposed units to ensure that a good landscaped buffer can be provided. This will help with preventing the visual merger of these two sites, and also with the amenity provision of the public right of way along Stone Pits Lane. This buffer measures 32m wide from the site boundary to the rear elevation of unit 2 which gives a really good set back from the PROW.
- 10.13 Unit 5, and the southern and northern sides of all units (except unit 3) will be adjacent to further development on the employment site, details of which will come forward at a later date. Unit 3 lies closest to properties on Belle Vue, with a gap of 25m from the side elevation. This is a substantial gap which will be planted up giving good separation visually between the two uses. Subject to further considerations set out in the scale section below, the layout is considered acceptable.
- 10.14 On balance then although this application deals with only a small part of the overall site, it complies with the parameters approved at outline stage and it is considered that the layout is acceptable and complies with policies P10, T2 and GP5.

Scale.

- 10.15 The proposed units are medium sized industrial/warehousing units so the scale in terms of footprint is appropriate to the scale of the wider site. These units will also be set well back from Gelderd Road (with other units in between eventually), and viewed in the context of the industrial uses adjacent. In terms of height the highest building will be 14.3m to the ridge on unit 2, which sits alongside units on Treefield Estate. This height is typical of such units and will not look out of place.
- 10.16 The impact on houses on Belle Vue Terrace has been assessed. As noted previously there is a distance of 25m between the site boundary and the side

elevation of unit 3, which measures at 10.4m high. The buffer zone between the two elements consists of a mounded embankment of approximately 1m high which will be planted up with trees and shrubs. The land on which unit 3 sits is also at a lower level to the houses so that the unit will effectively sit at the same height to the properties on Belle Vue, helping to minimise the dominance of the unit.

- 10.17 Shadow diagrams have also been prepared and assessed to check the impact of this on the garden areas of Belle Vue, these demonstrate that no adverse impact from overshadowing will be caused by the unit. Whilst it is also noted that the view out across this area will undoubtedly change, it is considered that due to the levels changes, and the landscaping the unit would be very well screened and would not appear unduly imposing or dominant. The scale is therefore considered to comply with policy P10.

Landscaping

- 10.18 Landscaping has been shown around all the proposed units, within the red line boundary, which ties in with landscaping elements that are part of either previously approved works, or the original masterplan for the site. The units that are under consideration are not within the areas of woodland or the Beck that were to be protected, and consequently the main consideration is to ensure that the incidental landscaping around the units provides suitable visual amenity, screening and biodiversity opportunities.
- 10.19 Unit 2 has structural landscaping to the east and south consisting of native woodland trees and shrubs including hazel, ivy, dog rose, viburnum etc. There are then areas of landscaping around the access and car parking areas which includes grassed areas interspersed with trees (including oak, beech, hazel etc.), hedging and more ornamental planting. A good depth of landscaping is provided for around these areas.
- 10.20 Unit 3 has less landscaping due to its location up against the landscaped buffer zone that lies outside of the red line. However there are still landscaped areas to the site frontage along the access road. Units 4 and 5 has landscaping to the south in front of the car parking areas. This replicates the form of the landscaping outside unit 3 and again has a good depth to it.
- 10.21 The proposed landscaping is well considered and laid out, and is able to be replicated across the wider site. It will help to significantly increase tree cover across the site, and the inclusion of hedging and shrubs will also enhance biodiversity. The proposal is therefore considered to comply with policy P11, G1 and G9 of the Core Strategy.

External Appearance

- 10.22 The proposed external appearance of the units is commensurate with the intended uses. Each unit features an office area, with the larger ones having a glazed entrance feature that sits well within the elevations of the units, helping to break the large clad areas up. Each unit is shown in a suite of materials that provide visual interest, although the applicants have asked that final choice of materials be conditioned for to allow some flexibility for intended occupants. This is considered acceptable and allows the LPA some control over the finer details of the type and

colour of materials to ensure a high level of design and cohesion across the wider site.

- 10.23 In terms of boundary treatments and other elements such as lighting and security columns that will be needed these are also not known currently. It is therefore recommended that conditions be included for these elements as well.
- 10.24 On balance the details submitted suggest a high level of design, for what are practical and functional units. The conditions will allow us to retain control over the finer details, and consequently the proposal is considered to comply with policy P10.

Representations

- 10.25 At the time of writing 43 objections had been received to this application, predominantly from Gildersome village with strong representation from residents of Belle Vue. The main objections centre around the increase in traffic on local roads causing impact on noise and air pollution as well as damage to roads, and the unconditioned hours of use.
- 10.26 Many of the comments are about matters that were considered at the outline planning stage, these include the principal of employment land, traffic generation, traffic routing and access to the site, and noise issues arising from both traffic and the uses. These issues have been dealt with in the following ways.
- 10.27 Traffic generation and routing was taken account of on the original outline permission stage which determined that the use would have an acceptable level of highway impact. Within the legal agreement there were a number of clauses that required Traffic Regulation Orders including the imposition of a weight limit through Gildersome village to restrict traffic movements in that area. This matter has therefore been dealt with and is not for consideration under this application. It is noted that the legal agreement requires the payment of the weight restriction TRO prior to any building taking place on site.
- 10.28 With regard to noise again this was considered at the outline stage with the submission of a noise report looking at noise both from traffic movements on roads, and also noise generated from within the site. Noise mitigation measures were proposed such as the mound and landscaping around Belle Vue and the outline permission was subject to a condition which restricts the overall noise level across the site to a level below the background noise level, so that it is no worse than the existing situation. Subject to this restriction then uses within the site can operate 24 hours a day without causing a harmful impact. Due to this prior consideration it is not appropriate therefore to consider such matters under the current application.
- 10.29 With regard to light pollution the landscaping proposed around the units will help to minimise and screen light pollution, however there will be a need for lighting in and around the units for security purposes. A condition regarding details of lighting to be submitted prior to any installation is recommended as this will enable control over the height of columns and level of luminance to ensure that nearby residents are protected. It is further noted that a condition on the outline permission requires a Lighting Design Strategy for bats to ensure that any external lighting is positioned so as not to disturb commuting or foraging bats.

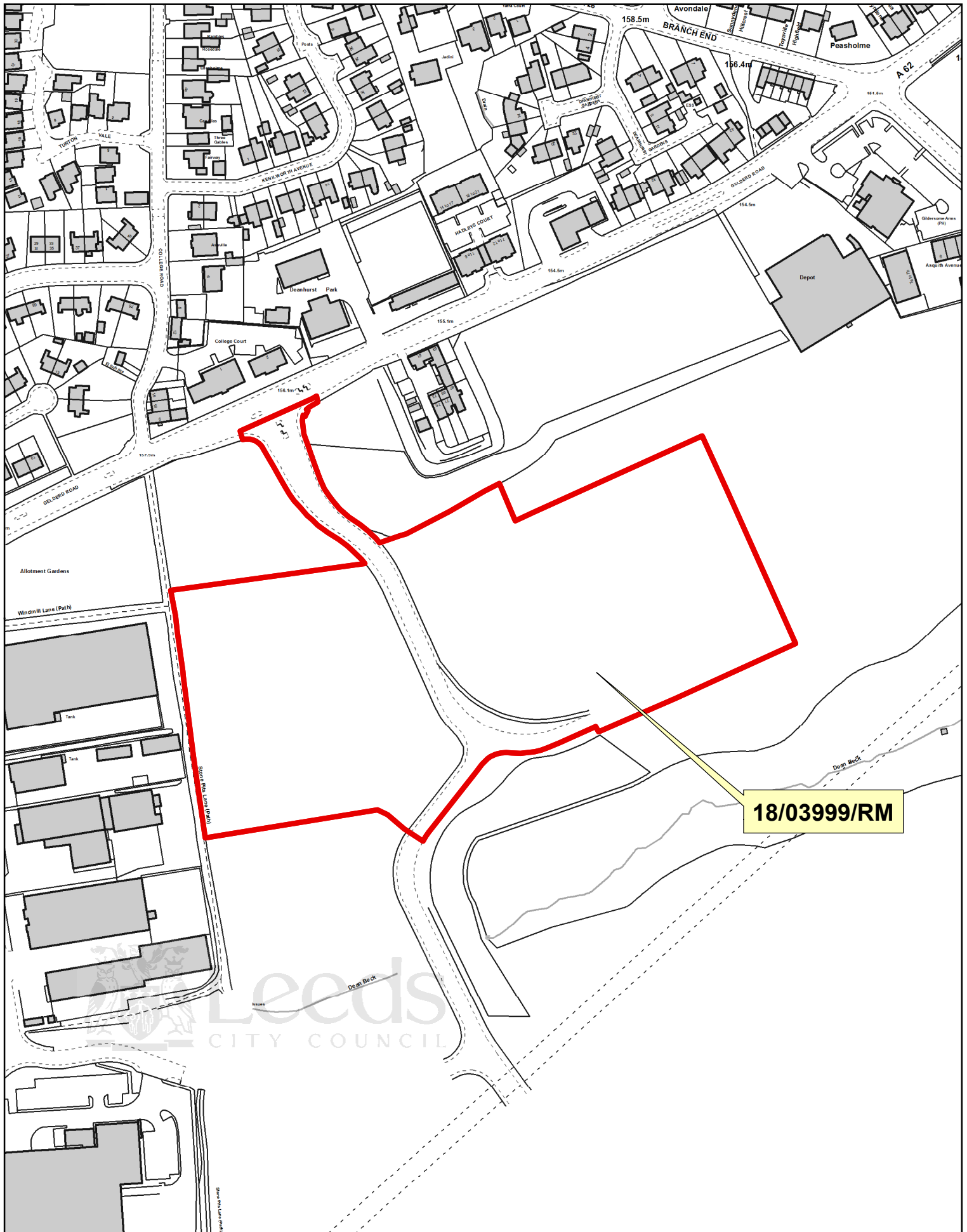
11.0 Conclusion

11.1 Section 38(6) of the Town and Country Planning Act requires applications should be determined in accordance with an up to date plan and any other material planning considerations. Paragraph 11 of the NPPF specifically directs that development proposals that accord with the development plan should be approved without delay. The principle of employment development on this site has already been found to be acceptable, and as set out above the submitted Reserved Matters are considered to comply with adopted policy and guidance, as well as the NPPF. Consequently approval is recommended subject to the conditions set out above and subject to any outstanding conditions on the Outline permission and relevant legal agreements.

12.0 Background Papers:

12.1 Planning application files: 18/03999/RM and 12/02470/OT

12.2 Certificate of ownership: not relevant due to nature of application.



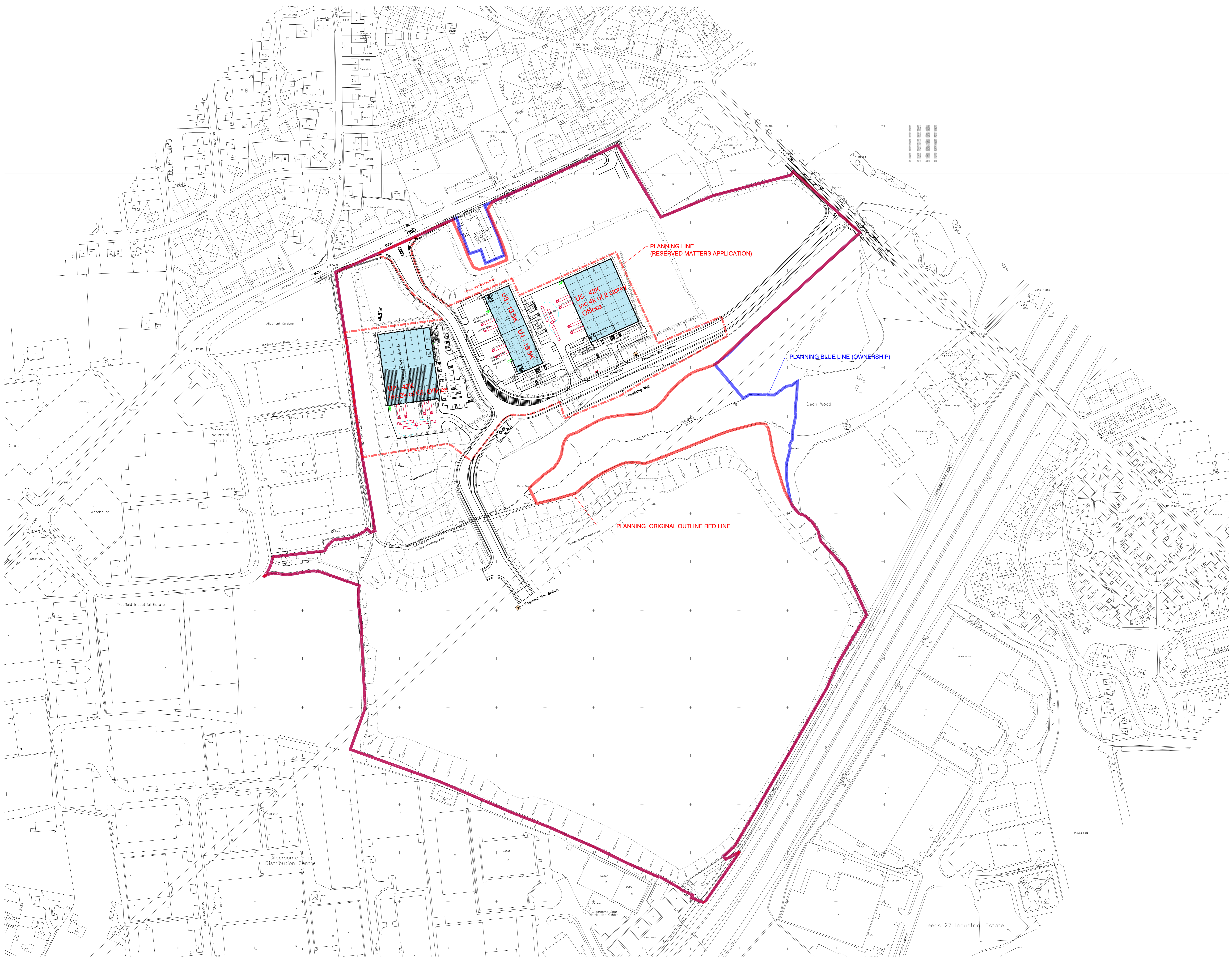
18/03999/RM

SOUTH AND WEST PLANS PANEL



Revisions

Rev	Date	Description
A	AUG 18	PLANNING RED LINE AMENDED, LAYOUT UPDATED



BUILDING MANAGEMENT SERVICES LTD
 Huddersfield Road
 Elland, West Yorkshire
 HX5 9BW
 TELEPHONE: ELLAND (01422) 371616
 FAX No : (01422) 376717
 email : mail@bmselland.com

Building Management Services

Client

 Commercial Development Projects Limited

Project
 Units 2/3/4 & 5
 Leeds 62, Gelderd Road,
 Gildersome, Leeds

Sheet
 Site location plan

Drawn A J BAKER Date June 2018

Scale 1:1250 @ A0

Discipline Planning

Drawing No. M3073-100-1 Revision REV A

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