

## **SOUTH AND WEST PLANS PANEL**

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**Meeting to be in the Civic Hall, Leeds held in on  
Thursday, 21st March, 2019  
at 3.15 pm**

**(Please note revised start time of the meeting and site visits)**

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### **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			

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**Agenda compiled by:  
Andy 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><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2 To consider whether or not to accept the officers recommendation in respect of the above information.</li> <li>3 If so, to formally pass the following resolution:-</li> </ol> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p><b>No exempt items or information have been identified on the agenda</b></p>	

Item No	Ward	Item Not Open		Page No
3			<b>LATE ITEMS</b>  To identify items which have been admitted to the agenda by the Chair for consideration  (The special circumstances shall be specified in the minutes)	
4			<b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b>  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.	
5			<b>APOLOGIES FOR ABSENCE</b>	
6			<b>MINUTES - 21 FEBRUARY 2019</b>  To confirm as a correct record, the minutes of the meeting held on 21 February 2019	3 - 12
7	Weetwood		<b>APPLICATION 18/03007/FU - MASHAM COURT, SHAW LANE, HEADINGLEY</b>  To receive and consider the attached report of the Chief Planning Officer regarding an application for a dwelling with detached garage.	13 - 24
8			<b>DATE AND TIME OF NEXT MEETING</b>  Thursday, 25 April 2019 at 1.30 p.m.	

#### **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.

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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: 12/03/19

Dear Councillor

**SITE VISIT – SOUTH AND WEST PLANS PANEL – THURSDAY 21<sup>st</sup> March 2019**

Prior to the meeting of the South and West Plans Panel on Thursday 21<sup>st</sup> March 2019 the following site visit will take place:

Time	
13.15pm	Depart Civic Hall
13.25– 13.40	<b>18/03007/FU</b> - One dwelling with detached garage – <b>Masham Court, Shaw Lane, Headingley</b>
14.05 – 14.20	<b>18/03843/OT</b> – Outline application for one dwelling - <b>18 Church Lane, Tingley</b>
14.40pm	Return 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 13.10pm.

Yours sincerely

Steve Butler  
Group Manager  
South and West

general enquiries 0113 222 4444



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## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 21ST FEBRUARY, 2019**

**PRESENT:** Councillor C Gruen in the Chair

Councillors B Anderson, K Brooks,  
C Campbell, M Gibson, S Hamilton,  
J Heselwood, T Leadley, D Ragan,  
J Shemilt, R. Stephenson and P Wray

The following Members attended site visits prior to the meeting: Councillors C Gruen, S Hamilton, D Ragan, R Stephenson, C Campbell, J Heselwood and T Leadley

### **59 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

Councillor Leadley informed the panel that in relation to Agenda Item 7, Application 18/00846/FU – Former site of Benyon Centre that he had observed previous discussions on the application and would not taking part in the discussion and abstaining from voting.

### **60 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors B Anderson and A Hutchison.

Councillors R Stephenson and T Leadley were in attendance as substitutes.

### **61 Minutes - 17 January 2019**

**RESOLVED** – That the minutes of the meeting held on 17 January 2019 be confirmed as a correct record.

### **62 Application 18/00846/FU - Former site of Benyon Centre, Ring Road, Middleton, Leeds**

The report of the Chief Planning Officer referred to an application for the construction of a mixed use retail led development comprising retail (use Classes A1, A2, A3 and A5), leisure (use Class D2), non-residential institutions (use Class D1) and bookmakers (Sui Genris) with associated access, parking and landscaping.

The application had been previously been considered at the Panel meeting held in December 2018 when it had been deferred following the Panel's decision to overturn the officer recommendation for refusal. The report set out

the reasons for approving the application. Conditions to the application had been agreed with consultees.

**RESOLVED** – That following Members resolution to approve the application, approval be deferred and delegated to the Chief Planning Officer subject to the conditions specified in the report (and any others which he may consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

1. Local employment initiatives
2. Travel Plan Monitoring Fee

**63 Application 17/07071/OT - Land to north of Gibraltar Road, Pudsey, LS28 8 DF**

The report of the Chief Planning Officer presented an application for residential development (up to 14 units) to consider layout and means of access only at land off Gibraltar Road, Pudsey.

Members attended 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:

- The application had been referred at the request of a local Ward Councillor due to highways safety concerns.
- There had been 8 letters of objection. Issues raised included the loss of wildlife habitat and greenspace.
- The site was allocated for housing in the UDP and emerging SAP.
- The site was adjacent to the greenbelt and any development should reflect this.
- 14 units on the site would allow for on-site greenspace provision.
- Proposed access arrangements were explained. There would be a slight diversion to existing arrangements to improve sight lines.
- Conditions for nature conservation and wildlife were recommended.
- The application was recommended for approval.

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

- There had already been development on the western side of the site.
- There would not be any new footpath provision on Gibraltar Road.

It was proposed that there should be an additional condition imposed on the permission to restrict the units on site to no more than 14.



**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report and that an additional condition be included to limit the maximum number of units to 14.

**64 Application 18/03007/FU - Masham Court, Shaw Lane, Headingley, Leeds**

The report of the Chief Planning Officer presented an application for one dwelling with an attached garage at Masham Court, Shaw Lane, Headingley.

It was moved that the application be deferred to give Members an opportunity to visit the site prior to any determination of the application.

**RESOLVED** - That the application be deferred to allow Members to visit the site.

**65 Application 18/07001/FU - 36 Woodhall Lane, Stanningley, Pudsey, LS28 7TT**

The report of the Chief Planning Officer presented an application for the change of use of a dwelling house (C3) to a residential home (C2).

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:

- The application had been referred at the request of a local Ward Councillor.
- Objections to the application had raised concerns regarding the potential impact on adjacent properties.
- The applicant ran a number of homes in North West Leeds for young people. The proposed home would provide a place for post hospital rehabilitation and independent living.
- It was not considered that the proposed use of the property would cause any more disturbance than that of a large family.
- There would be a condition to limit the number of residents.
- The application was recommended for approval.

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

- There were restrictive covenants that included the property should remain as a private dwelling.
- There was a lack of local facilities.
- Access was difficult and local road crossings were potentially dangerous.
- There had been incidences of anti-social behaviour and drug use in the area which could be a hazard to vulnerable young people.

- There would be an impact to residential amenity to properties to the rear.
- There would be increased disturbance due to visitors to the property.
- It was requested that the application be refused due to increased traffic, noise disturbance, breach of restrictive covenants and the potential to put young people and residents at risk.

The applicant and their agent addressed the Panel. It was reported that the services carried out by the company included supporting young people with mental health issues who had been discharged from hospital. There would always be specialist staff on site and in five years of operating similar facilities at other locations there had not been any problems with anti-social behaviour or that needed police attendance.

In response to questions from the Panel, the following was discussed:

- The applicant would be willing to provide some screening to the rear of the property to protect neighbours privacy.
- The restrictive covenants were not of material consideration.
- Young people in residence at the property would be escorted to schools/colleges and full risk assessments would be carried out for each individual.

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

## **66 Application 17/07108/FU - Unit 8, Ashfield Works, Westgate, Otley**

The report of the Chief Planning Officer presented an application for the demolition of derelict buildings, conversion of former printing press manufacturing building to retail use, construction of a care home, retail units, six residential units and new pay and display car park.

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

Councillor Campbell informed the Panel that he had previously commented on an earlier version of the application but that he would be treating the application with an open mind and without pre-determination.

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

- Areas to be developed were highlighted on an aerial view of the site. These included pedestrian links, access and locations of proposed buildings.
- Proximity to the River Wharfe.
- The first phase of the development was likely to be the care home. Prior to use, existing buildings would need external restoration works. The next phase would include the car parks and new retail units.

- The proposals met the requirements of the emerging Site Allocation Plan.
- The proposals had received supporting comments from Historic England.
- The application was recommended for approval.

A representative of Otley Town Partnership and a local resident addressed the Panel with concerns and objections with regards to the proposals. These included the following:

- The proposed crossing at Church Lane would be dangerous.
- There was no dedicated delivery points for retail units.
- The footway between Church Lane and Westgate did not take account of changes in ground levels and was not in the ownership of the developer
- The residential units would not be accessible for refuse collection.
- The care home had insufficient parking for residents, staff and visitors.
- Pedestrian access to Car Park 3 - routes would be across private land.
- A pre-application submission would have been helpful.

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

- There had been a well attended public consultation event in October 2017 and wider consultation with statutory consultees.
- The proposals were in accordance with the National Planning Policy Framework, the Leeds Plan and the Otley Town Council Development Brief.
- The proposals had the support of Historic England.
- Benefits of the proposals would include improved permeability and access to a closed off area; employment opportunities; provision of much needed care provision and regeneration of a derelict area.
- All proposed pedestrian and vehicular accesses were deliverable.
- The majority of existing tenants had been fully consulted and alternative premises and compensation packages had been sought.

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

- It was reported that the footpath connections were key and any permission would require that they be in place prior to use of the southern car park.
- That further information should be sought from the developer with regards to additional plant on the roof of the care home.
- There were a number of internal layout issues that could be addressed by alterations such as the identification of delivery for retail units and refuse wagon access. Further detail was needed where there were level changes.

- Main highways concerns focussed on traffic modelling and potential impact on junctions. There would be further consultation with the developer with regards to this and there would also need to be further monitoring for signal timing and control.
- Existing Beech Hill car park – there was spare space to be able to move parking spaces and include a pedestrian route. There was sufficient space to be able to move parking spaces and include a pedestrian route. Any permission would be subject to a condition requiring car parking spaces to be laid out prior to first use of the development to the north of Westgate.
- Access arrangements to the site.
- Car parking provision for the care home – this would not be part of the public car parking – 18 spaces would be provided which is 4 less than recommended. There was room for extra parking but this would be at the loss of landscaping.
- The crossing point at Church Lane and exiting traffic from the car park to Westgate.
- There was some support for the proposals which would regenerate a derelict and run down site.
- A request that stone from the demolition of the wall on Church Lane be re-used.
- Any permission would be subject to a condition relating to access and parking for construction vehicles.
- The maximum number of spaces should be provided for the care home.
- Regeneration of old buildings was regarded as positive.
- Concerns regarding security for a car park that would be sited in a back street location.
- A pre-application presentation would have been useful.
- It was moved that the application be deferred to allow further detail on highways, pedestrian routes and other issues.

**RESOLVED** – That the application be deferred for further consideration of:

- Traffic modelling to demonstrate altered traffic flows through existing and proposed new junctions, with mitigation as necessary
- Service delivery and refuse collection arrangements including plans to show swept paths of refuse vehicles
- Detail of new car park ramps to show separate pedestrian route not dependent on steps
- Detail of crossing of Church Lane by new car park ramp to show adequate visibility
- Clearer delineation of pedestrian routes across the North of Westgate site to the footpath to the North of the site which leads to St Joseph's school etc.
- Reuse of stone from demolition of Church Lane wall/ buildings
- Details of any extract ventilation equipment on the roof of the care home required

## **67 Application 17/06052/OT - Pool Paper Mills, Pool Road, Otley, LS21 1RP**

The report of the Chief Planning Officer presented an outline application to erect a residential development and associated sports club on land at Pool Paper Mills, Pool Road, Otley.

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:

- The scheme would allow a capital receipt to be generated from the sale of the land to be re-invested into the Pools Paper Mills to secure its longer term operation. It would also necessitate the provision of a new sports facility.
- Access to the residential development would be from Pool Road.
- Access to the sports facilities would be from the existing staff and visitor access to the paper mills, and an upgraded access track to a substation.
- An indicative housing layout of 9 dwellings was shown.
- Circumstances identified to justify the development in the greenbelt include the continued operation of the paper mills business, provision of a permanent sports facility and limited harm to the openness of the green belt.
- Detailed information had been submitted regarding the long term operation of the business and the requirement for further capital investment.
- It was felt that the opportunities for local employment, provision of a permanent sports facility and limited harm to openness of the green belt cumulatively amounted to very special circumstances which outweighed the inappropriate development in the green belt. The application was recommended for approval subject to a Section 106 agreement which included a requirement that the capital receipt from the sale of the land to be re-invested in the business and for provision of the sports facility.
- There had been further objections following the publication of the agenda. These included concerns regarding incremental development, potential for flooding, urbanisation of the rural area and development of the sports facility leading to a loss of wildlife. There was also concern that an independent assessment of the business case for Pools Paper Mills had not been made available.
- There had been wildlife and tree surveys and tree felling would be prevented where there were signs of bat habitats.
- There should be an additional condition imposed restricting a maximum of 9 dwelling units.

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

- The green belt was not just local and could be viewed from Otley Chevin.
- The proposals would be harmful to two green belt sites with the creation of buildings, tarmac, traffic and light pollution.
- The local Neighbourhood Plan was to ensure that Pool remained separate from its neighbours.
- The company had previously had to sell land for development.
- The need to demonstrate very special circumstances.
- In response to questions it was felt that the existing sports facility was sufficient but people would prefer new state of the art facilities. However there were more people against new development. It was also stated that housing targets in the area would be met.

The applicant and their representatives addressed the Panel. The following was highlighted:

- The report outlined the reasons for delivery of the proposals which included a compelling economic and community benefit case.
- There was no other paper mill in the UK which manufactured the same papers and products.
- The proposals would maintain and increase the local workforce.
- The sports facilities would be a significant improvement with a clubhouse and dedicated parking.
- In response to questions, the following was discussed:
  - Although the investment in the company would not guarantee the long term of the future paper mill, the investment would allow the mill to become self-supportive.
  - Land to the rear of the main site office could be used for car parking.
  - Alternative options to generate the capital required had been explored including the potential sale of Braime House. The sale of Braime House would not raise the necessary funds.
  - The parent company had previously supported the paper mill as it had been making a loss but wanted the mill to now become self-sufficient.
  - The local football club still had a ten year lease for the sports pitch and a new lease would supersede that should the application be granted. The local club was supportive of the application.
  - The mill would retain responsibility for maintenance of the sports facilities.
  - The future of the sports facility would be secured by the Section 106 agreement should there ever be a change of ownership.

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

- Concern that Members had not received full information with regards to the business case. It was reported that the business case information

was publicly available and would not normally be circulated to Panel Members. There had been a summary in the report.

- The site was a windfall site and not included in the SAP for housing. This did not prevent the development of housing.
- Should the proposal be approved, the applicant expected it to result in the safeguarding of the existing 120 jobs and creation of an additional 24 jobs.
- Consideration of potential for other development should the paper mills close.
- Concern that there had been a previous application and that the business model was based on selling assets.
- Whether the company should explore other options before selling off land in the greenbelt.
- The sale of greenbelt to generate capital receipts for a private company did not constitute the very special circumstances required for the application to be approved.

A motion was made to refuse the application. This was seconded, voted on and was not carried.

A further motion was made to amend the officer recommendation and include additional conditions. It was:

**RESOLVED** – That the application be deferred and delegated to officers to agree an alternative access to the new sports facilities, using the road to the office building and then past the manager's house.

Add additional conditions relating to:-

- Construction management plan for biodiversity
- Biodiversity enhancement management plan
- Lighting design strategy.
- Limitation of number of new dwellings to maximum of 9

Formulate S106 agreement

- Capital receipt from the sale of the existing sports pitch to be used to provide the new sports pitch / club with the remainder reinvested in the Weidmann Whiteley business at Pool; and
- The sports pitch / club to be a permanent community facility.

Approve subject also to any decision of the Secretary of State to call in the application in for his own determination as a Departure from the Green Belt.

## **68 Date and Time of Next Meeting**

Thursday, 21 March 2019 at 1.30 p.m.

Draft minutes to be approved at the meeting  
to be held on Thursday, 21st March, 2019







Originator: Laurence Hill

Tel: 0113 2224444

## Report of the Chief Planning Officer

### SOUTH AND WEST PLANS PANEL

Date: 21<sup>st</sup> March 2019

Subject: 18/03007/FU - One dwelling with detached garage – Masham Court, Shaw Lane, Headingley

#### APPLICANT

Mrs L Vickers

#### DATE VALID

10.05.2018

#### TARGET DATE

20.07.2018

#### Electoral Wards Affected:

Weetwood

☐ Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

#### RECOMMENDATION:

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

#### Conditions

1. Time limit on outline permission
2. Development to accord with approved plans
3. External materials to be approved
4. Surfacing materials to be approved
5. Boundary treatments to be approved
6. Condition survey and maintenance plan for retaining wall to be approved
7. Construction Method Statement to be approved
8. Vehicle areas to be laid out
9. Bin storage to be provided
10. Electric vehicle charging point to be provided
11. Landscape scheme to be approved
12. Landscape scheme to be carried out
13. Preservation of existing trees
14. Protection of existing trees
15. Phase 2 site investigation to be approved

- 16. Amended remediation statement
- 17. Verification reports to be approved
- 18. Imported soil tests to be approved

## **1.0 INTRODUCTION**

- 1.1 This application is brought to Plans Panel at the request of Councillor Bentley due to the potential impact the development will have on the Far Headingley Conservation Area and the material planning issues which have been highlighted by residents and the Far Headingley Village Society.
- 1.2 The application was deferred at Plans Panel on 21<sup>st</sup> February 2019 to allow Member to undertake a site visit.

## **2.0 PROPOSAL:**

- 2.1 This application seeks planning permission for the construction of one detached dwelling with a detached double garage. The dwelling is a two and half storey building providing ground floor open living space and 4 bedrooms on the first and second floors. A single storey link extension is located to the front providing an entrance hall and a living room. This element has a green roof.
- 2.2 The external design of the dwelling includes an asymmetric roof form, extensive glazing of the front elevation, a feature lift shaft and projecting bay elements to the side. The dwelling is to be constructed from red brick with variations and contrasts of coursings to add visual interest to the front elevation.
- 2.3 A detached double garage is to be located to the front of the site which is also to be constructed from red brick. The garage also forms a front boundary wall to the site and is set back from the road frontage with a driveway and landscaping proposed to the frontage of the site. The garage is proposed to have a green roof.
- 2.4 A brick wall is proposed on the boundary between the site and the adjacent Masham Court.

## **3.0 SITE AND SURROUNDINGS**

- 3.1 The application relates to a vacant, cleared garage site between the 1960's red brick flat development at Masham Court to the south and the traditional stone terraces on Albert Grove to the north. The northern boundary is formed by a large retaining wall and the site sits at a lower level to the properties on Albert Grove.
- 3.2 The site is located within Far Headingley Conservation Area where both grit stone and red brick are widely used. The area is predominately residential with two and two and half storey properties forming the character of the area. Immediately opposite the site are traditional redbrick and render semi-detached properties.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 PREAPP/18/00118 – New Dwelling – Advice provided stating that a new dwelling would be acceptable in principle on this site.
- 4.2 17/05947/FU – Demolition of garages – Approved

## **5.0 HISTORY OF NEGOTIATIONS**

5.1 On submission of the original scheme officers had significant concerns with the size, scale, design and overall layout of the proposed dwelling which was considered to be harmful to the both the character of the Conservation Area and the amenity of the occupants of neighbouring properties and therefore the scheme could not be supported as submitted. Following these concerns being relayed to the architect, officers, including the design and conservation officers, discussed the scheme and the constraints of the site with the architect. It was considered that there is the opportunity to redevelop this site with a dwelling of greater architectural merit and interest which was also lower in height and scale and which better responded to the constraints of the site, reducing the impact on the amenity of the occupants of neighbouring properties.

5.2 The amendments made to the originally submitted scheme were as follows:

1. The height and scale of the building was amended to reduce this from 3 storeys to 2 storeys with room in the roof space to better reflect the scale of the surrounding buildings – particularly the adjacent row of terraced properties.
2. An asymmetric roof line is proposed, to help reduce the mass of the building and provide a transition and separation between the flats at Masham Court and the adjacent terraces on Albert Grove. This also has the benefit of significantly reducing the impact of the mass of the side elevation on Albert Grove.
3. Significant changes have been made to the fenestration detailing of the building. The principal large front window is to be inset and framed by the roof line and the lift shaft has been introduced as a distinct element to add interest and break up the mass. In doing this important shadow lines are introduced to the previous bland and non-descript front elevation.
4. Detailed discussion has taken place with regard to materials. It is proposed to predominantly use red brick with the addition of feature coursing and brick pattern to add further interest. Following further concerns being raised locally regarding the extensive use of brick the applicant advised that they would consider constructing the dwelling in stone. This option was discussed with the design and conservation officers and was considered to be harmful to the design of the dwelling. The dwelling is designed as a brick building and its success is dependent on using brick in a sensitive and innovative manner.
5. A simpler and more coherent rear elevation is proposed.
6. Landscaping has been added to the street frontage to soften the previous stark frontage and to reduce the width of the vehicular access..

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

6.1 The application has been advertised by site notice posted on the 18<sup>th</sup> June 2018 and in the Yorkshire Evening Post on the 20<sup>th</sup> June 2018. 5 letters of representation raising concerns with the scheme as originally submitted were received. The issues raised are summarised as follows:

1. The development is close to an historic wall and this should be retained and maintained as part of the development.

2. Development should not be taller than the historic wall as was the case with the low garage buildings on the site.
3. The materials should be stone in keeping with Albert Grove and the new development at Tetley Hall.
4. The loss of the garage parking for Masham Court could result in additional on street parking pressures.
5. The design of the dwelling is out of keeping with the Far Headingley Conservation Area'
6. The development will overshadow the front gardens of Albert Grove, particularly 6, 7 and 8. The development should be two storey only.
7. There has been no consultation with surrounding residents.

Far Headingley Village Society raised concerns on the following concerns:

1. The historic loss of parking from Masham Court compromises the original consent for the flats and results in additional on street parking.
2. The approval of the scheme should be conditional to the widening of the pavement along Moor Road.
3. A front boundary should be added to front of the site.
4. The scale, form and use of materials does not respond well to the local distinctiveness of the Conservation Area.

Councillor James Gibson has commented on the scheme. These comments are:

1. The Conservation Officer should be consulted.
2. The vehicular access to the site should be reduced in width to reduce vehicular speed,
3. Consideration should be given to the scheme contributing to the widening of the pavement along Moor Road.

6.2 Following the extensive amendments to the design of the dwelling neighbours were notified of the changes and given the opportunity to provide any additional comments. 5 further letters of representation were submitted with the issues raised summarised as follows:

1. The design, scale and use of brick is out of keeping with the adjacent Albert Grove stone terrace.
2. The development will result in overshadowing and loss of sunlight to the Albert Grove properties.
3. The loss of the Masham Court parking has resulted in additional on street parking and highway safety issues locally.
4. The addition of a further dwelling will increase vehicular movements locally.

6.3 Two letters of support have been received

## **7.0 CONSULTATION RESPONSES:**

### **7.1 Highway Services**

Highway Services have commented on the scheme and have raised no objections to the development of the site for a single dwelling subject to conditions covering construction management, bin and waste storage provision, laying out of hard surfaced areas and provision of electric vehicle charging point.

### Contamination

7.2 No objections subject to conditions

## **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) the Aire Valley Leeds AAP and any made neighbourhood plan.

8.2 The following Core Strategy policies are considered most relevant:

- Spatial Policy 1 – location of development.
- H2 – New housing on unallocated sites.
- P10 – Design.
- P11 - Conservation
- P12 – Landscape.
- T2 – Accessibility and highway safety.
- EN2 – Sustainable design and construction.

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 considerations.
- N19 – Development in Conservation Area.
- BD5 – New development and protection of amenity.
- LD1 – Protection of vegetation.

8.4 Natural Resources and Waste Development Plan:

8.5 The following Supplementary Planning Policy documents are relevant:

- Far Headingley Conservation Area Appraisal and Management Plan
- Neighbourhoods for Living.
- Street Design Guide.
- Building for Tomorrow Today: Sustainable Design and Construction.

### Neighbourhood Plan

8.6 The Headingley Neighbourhood Plan is currently in preparation and at this stage is considered to carry limited weight

### National Planning Policy

- 8.7 The National Planning Policy Framework (NPPF) sets out the Governments Planning Policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.
- 8.8 The NPPF constitutes guidance for Local Planning Authorities and its introduction 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.

## **9.0 MAIN ISSUES**

- Principle of development
- Design and impact on Conservation Area
- Residential Amenity
- Highway Safety and Parking
- Other material planning issues
- Local representation
- Conclusions

## **10.0 APPRAISAL**

### Principle of development

- 10.1 With regards to the principle of whether the addition of a single dwelling on this site is acceptable, as the site is previously developed and located within a predominantly residential area with good access to public transport and local services the location of the site is considered to be appropriately sustainable. In light of this, it is considered the proposals meet the requirements of policy H2 and T2 of the Core Strategy and are therefore acceptable in principle, subject to all other material planning considerations

### Design and impact on Conservation Area

- 10.2 In considering the appropriateness of the design and scale of proposed dwelling it is important to consider the design of the dwelling in isolation and how it will sit within its immediate site context and wider Conservation Area setting.
- 10.3 As has previously being discussed, the design and scale of the dwelling has evolved from the scheme submitted at pre-application stage and since the submission. The amended scheme is considered a dwelling of appropriate design quality which will enhance this vacant site and sit comfortably with the surrounding residential properties.
- 10.4 The height and scale of the dwelling, being two storey with additional accommodation within the roof space is considered to be a sympathetic response to the scale and form of the neighbouring dwellings. The asymmetric roof form helps to reduce the overall height and mass of the building providing a transition between the flats of Masham Court and the stone row of terrace properties on Albert Grove.
- 10.5 With regards to the design detailing and fenestration the proposed articulation and detailing of the principal front elevation, with a large window which is to be inset and framed by the roof line, the lift shaft provides a focal point to the property adding interested and depth to the elevation. It is proposed to use red-brown brick with the addition of feature coursing and brick patterns to add further detailing to the front elevation.

- 10.6 The proposed double garage is located towards the front of the site and will appear as a boundary wall when viewed from the street. This is set back from the road to allow for a driveway and additional landscaping to help soften what otherwise could be a hard and stark site frontage. This is considered acceptable.
- 10.7 It is considered that the proposed dwelling will be an appropriately designed and detailed contemporary dwelling which will sit comfortably within this currently vacant site. However, it is important to also consider how the dwelling responds to the historic context of the Far Headingley Conservation Area.
- 10.8 The Far Headingley Conservation Area Appraisal and Management Plan provides detailed guidance on the materials palette within the Conservation Area. This advises that both stone and brick are used extensively throughout the Conservation Area – with brick used largely used outside the village core and on later 19<sup>th</sup> and 20<sup>th</sup> Century developments. The application site is located away from the village core where there is a mixed of stone, brick and render used within and adjacent the Conservation Area. In this context, it is considered that the use of high quality brick is sympathetic and appropriate. Furthermore, given the contemporary form and design of the dwelling it is considered to be a stand-alone building which, whilst taking reference to the scale of the adjacent building and its wider historic context, is not directly responding to the design and form either the positive stone terraces or the lower status 1960s brick development which immediately neighbour the site. As such, it is considered that the dwelling provides a transition between the two contrasting developments which abut the site.
- 10.9 The Appraisal and Management Plan advises that residential properties within the Conservation Area often two storey with some larger properties being two and half storey with rooms within roof spaces. The scale of the dwelling adheres to this scale.
- 10.10 It is also important to consider that the dwelling will be located to the rear of the site and at a lower level to the street. As a result, the dwelling will not be a prominent addition to street scene with only relatively limited views being afforded from the street and as such there will be limited change to the appearance of the wider street scene from the development.
- 10.11 In summary, it is considered that the proposed development constitutes a good quality and well-designed contemporary dwelling which will enhance the appearance of this currently vacant site and responds positively to its wider historic context. As such, the development is considered to be compliant with policy P10 and P11 of the Leeds Core Strategy, GP5, BD5 and N10 of the Saved Unitary Development Plan Review (2006), Far Headingley Conservation Area Appraisal and Management Plan and the design and conservation requirements of the National Planning Policy Framework (2018) and Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Residential amenity

- 10.12 It is important that the impact the development will have on the amenity of the occupants of nearby properties is fully considered. With regards to the properties within the row of terraces on Albert Grove, as these are located to the north of the development site there is the potential for the dwelling to overshadow habitable rooms and private outdoor amenity space. However, the proposed dwelling is located approximately 15.5 metres from the front elevations of the properties on Albert Grove, in excess of the 12 metres separation of habitable windows to blank side gable advised in the Neighbourhoods for Living SPG. Furthermore, the application site sits at a lower level to the properties on Albert Grove and the asymmetric roof design further reduces

the height and massing of the side elevation facing Albert Grove. In addition, a solar analysis has been undertaken by the applicant which indicates overshadowing of windows will be largely limited to a small number of windows of the early part of the day during winter months. As such, whilst acknowledging that the development will result in some overshadowing of the properties on Albert Grove, with 4, 5 and 6 Albert Grove being most affected, it is considered that the harm will not be so significant as to result in an unreasonable reduction in the residential amenity currently enjoyed by the occupants of the properties on Albert Grove.

- 10.13 With regards to the occupants of the flats within Masham Court, as the development is located to the north of the flats and the main mass of the development sits adjacent to the block of flats with only the low single storey front projection extending beyond the front building line of the flats, it is not anticipated that any significant harm to the amenity of the residents of the Masham Court will result from the development.
- 10.14 All the habitable room windows are located on the front and rear elevations such that no overlooking or loss of privacy of the properties in Masham Court or on Albert Grove will result from the development. As the development is for a single dwelling on a site previously containing garaging, it is not anticipated that noise and nuisance will result from additional vehicular movements.
- 10.15 With regards to the amenity offered to the future occupants of the proposed development, sufficient private amenity space is provided to the rear of the property and the level and quality of the internal accommodation will ensure that the occupants will benefit from a good quality living environment.
- 10.16 Overall, it is considered that the dwelling responds sympathetically to the amenity of neighbouring residents ensuring that any impact will not result in significant harm to residential amenity locally. As such the proposed development is considered to comply with policy GP5 of the Saved Unitary Development Review (2006) and the guidance within the Neighbourhoods for Living SPG.

#### Highway Safety and Parking

- 10.17 With regards to highway safety and parking, the proposed development provides sufficient off street car parking and space for vehicles to turn within the site to ensure they can exit the site in a forward gear. As such, it is considered that the development will not contribute to additional on street parking pressures or wider highway safety issues.
- 10.18 Consideration has been given to the impact the loss of parking previously provided by the garages has and will have. This issue was considered in detail as part of application 17/05947/FU for the demolition of the garages and it was considered that the loss of the garaging, which had fallen into disrepair and was not used for parking by the residents of Masham Court would not result in additional on street parking pressures. The garages have since been demolished with the site now being a cleared and vacant site. The Highway Officer does not object to the proposal subject to conditions.
- 10.20 In light of the above, it is considered that the development complies with policy GP5 of the Saved Unitary Development Plan Review (2006) and T2 of the Leeds Core Strategy.

#### Other Material Planning Issues



- 10.21 Concern has been raised regarding the condition of the boundary wall between the application site and Albert Grove and the potential damage the development could have on the wall. To address this and allay concerns, a condition is recommended that a condition survey is carried out prior to development and any required structural work agreed with the Local Planning Authority.
- 10.22 Reference has been made to the requirement of the development being approved with the condition that the pedestrian footway is widened to continue that undertaken as part of the adjacent Tetley Hall development. This is not considered necessary or proportionate for a development of a single dwelling and in any event, there would be concerns regarding the loss of the cobbled footway to the front of the site.

Local representation

- 10.23 It is noted that a number of letters of representation have been received raising a number of concerns regarding the design, scale and the use of materials of the proposed dwelling with the impact this will have on local character and residential amenity. These issues, together with all other material planning issues raised, have been fully considered in assessing the application with significant alterations to the design and scale being made to address these impacts.

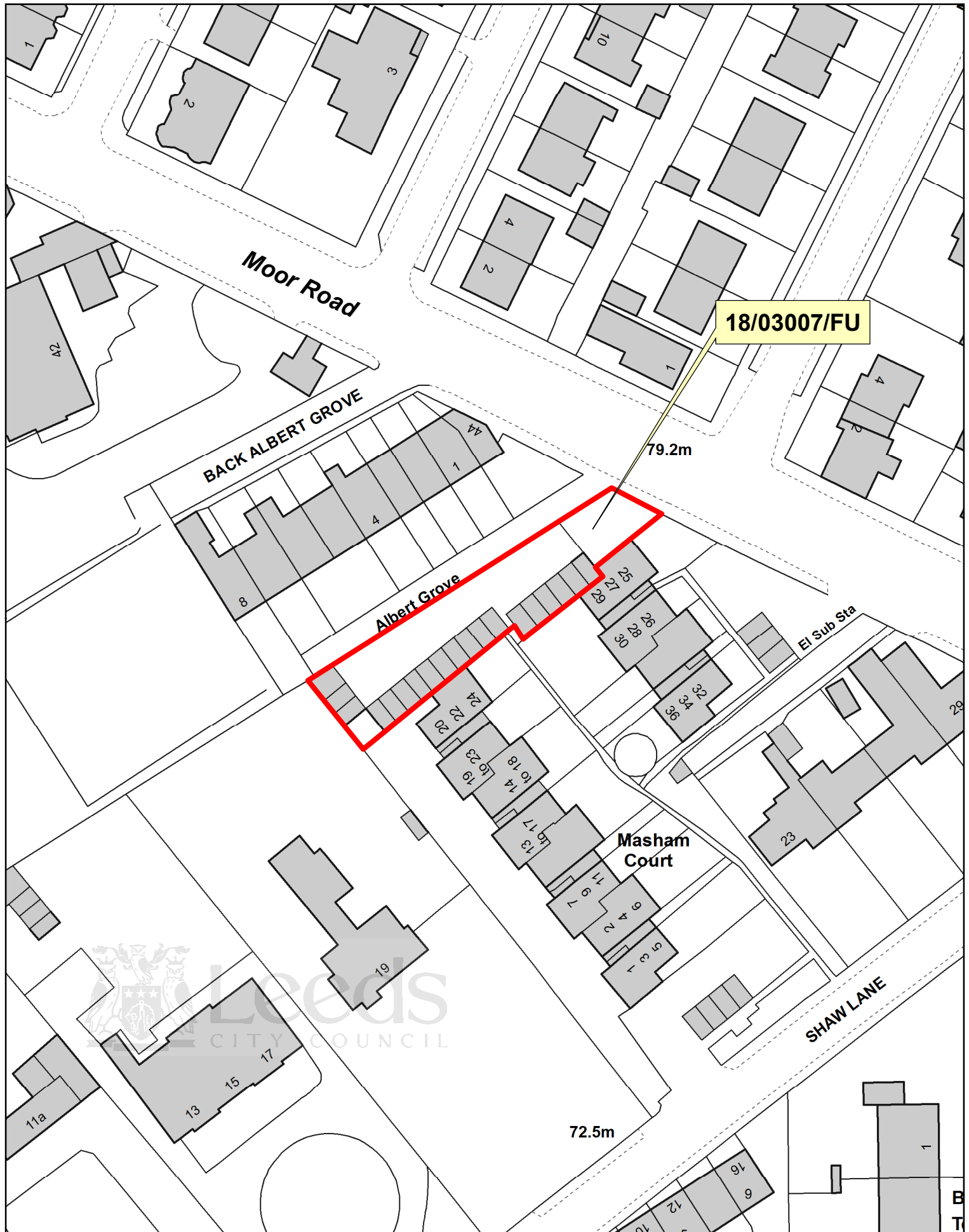
## **11.0 CONCLUSION**

- 11.1 In conclusion, it is considered that the proposal represents a good quality and well-designed contemporary development which responds positively to both its immediate and wider context and results in appropriate redevelopment of this vacant site. The development will preserve the residential amenity of the occupants of the properties on Albert Grove and within Masham Court and will not result in any additional highway or parking issues locally
- 11.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area. In additional Paragraph 196 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.' As the application site is currently a clear and vacant and given the good quality and sympathetic contemporary design of the scheme it is considered that the development will not cause harm and has taken the opportunity respond to and enhance the character and appearance of Far Headingley Conservation Area. As such the development complies with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 196 of the NPPF.
- 11.3 In light of the above, it is recommended that planning permission is granted.

### **Background Papers:**

Certificate of ownership: signed by applicant.  
Planning application file.





# SOUTH AND WEST PLANS PANEL

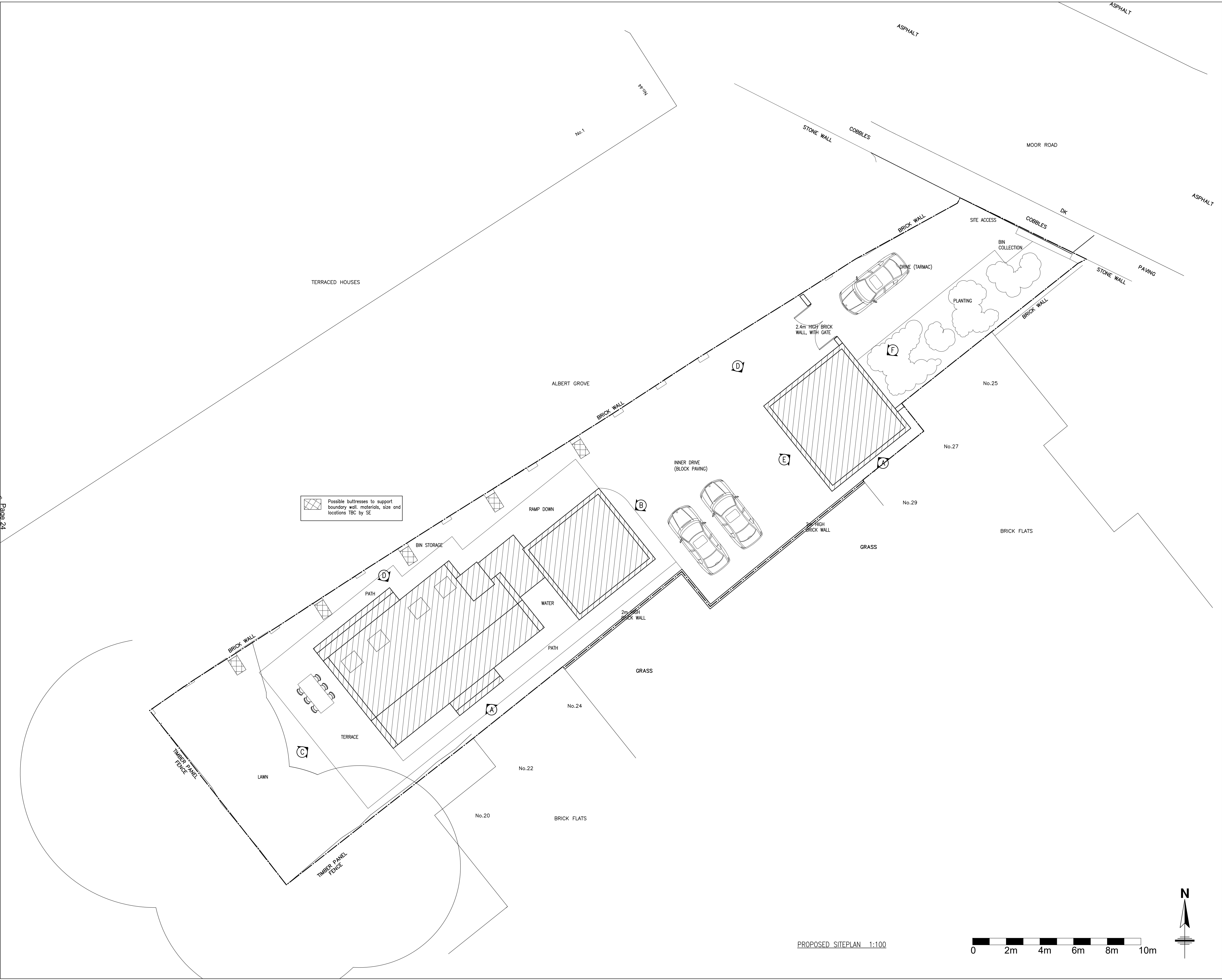
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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

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SCALE : 1/750





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**NOTES**

PLEASE DO NOT SCALE DIRECTLY FROM THIS DRAWING

MAIN CONTRACTOR TO CHECK ALL MEASUREMENTS ON SITE PRIOR TO CONSTRUCTION.

THE SITE PLAN IS BASED ON THE INFORMATION PROVIDED VIA THE SITE SURVEY PLAN PROVIDED BY MET CONSULTANCY GROUP.

THE LAYOUT OF THE GARDEN IS AN INDICATION ONLY. ALL MEASUREMENTS (POSITIONS OF WALLS, PATHS, MANHOLES ETC.) MUST BE CHECKED ON SITE AND NOT TAKEN FROM THIS DRAWING.

STRUCTURAL ENGINEER TO PROVIDE ALL STRUCTURAL DETAIL DESIGN AND CALCULATIONS, WHERE REQUIRED.

MAIN CONTRACTOR TO ENSURE ALL MECHANICAL AND ELECTRICAL SPECIFICATIONS ARE IN LINE WITH APPROVED DOCUMENTS PARTS B, L, F & P AND INSTALLED BY COMPETENT PERSONS.

ALL NEW LIGHTING TO USE ENERGY EFFICIENT BULBS (WITH APPROPRIATE IP RATINGS FOR BATHROOMS & EXTERNAL USE).

## FOR DESIGN / PLANNING

**REVISIONS**

A	07-09-18	REDESIGN FOR PITCHED ROOF
B	23-10-18	FURTHER REDESIGN TO SUIT FLOOR PLANS

**PROJECT**

LAND OFF ALBERT GROVE, LEEDS

**DRAWING TITLE**

PROPOSED SITE PLAN

<b>DRAWING NO</b>	<b>SCALE</b>
356-004	1:100@A1
<b>DRAWN BY</b>	<b>DATE</b>
J.BUTTERWORTH	15-02-18

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