



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 03 August 2017

Subject: 16/07731/FU - Demolition of office building and part demolition of HGV workshop, erection of two storey office building, alterations to the facade and openings on the HGV workshop, new ramped link to applicants neighbouring property and landscaping works at 23 Bradford Road, Gildersome, Morley, LS27 7HU

APPLICANT

JW Crowther and Son
Mr Paul Crowther

DATE VALID

13 December 2016

TARGET DATE

04 August 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 PERMISSION subject to the following conditions:

1. Time limit on permission
2. Compliance with approved plans
3. Samples of materials;
4. Obscure glazing to first floor windows on south elevation of office building above a cill height of 1.65m;
5. Vehicle spaces to be laid out;
6. Details of loading area;
7. Submission and implementation of landscaping scheme including boundary treatment.
8. Acoustic fencing details
9. Drainage of the site shall be carried out in accordance with drainage details set out in drawing 494/0305 Rev A.
10. Amended remediation statement
11. Verification Reports
12. Scheme of intrusive site investigations for the mine entry

13. Restriction of office use
14. Footway mark out - Alterations to the access junction with the back edge of the footway shall be carried out in accordance with revised site plan received 19/01/2017 under discharge of condition application 16/07422/COND.
15. Cycle/motor cycle storage facilities shall be carried in accordance with revised site plan ref: 15083D-203-P05 received 19/01/2017 under discharge of condition application 16/07422/COND.
16. External Lighting scheme - The lighting scheme shall be carried out in accordance with details on plan ref: LS23140_4 received on 14/02/2017 received under planning application 16/07422/COND.
17. Noise Attenuation Scheme (NAS) – Noise attenuation details shall be carried out in accordance with the following details approved under discharge of condition application 16/06162/COND:- Site plan ref 15083D 203 P03, acoustic fencing system, parking facilities and remote controlled gates to minimise vehicular related noise when accessing the yard.
18. Prior to commencement a methodology statement for testing the NAS is to be submitted and agreed. The details of the methodology statement need to demonstrate the effectiveness of the above mentioned noise attenuation works.
19. No maintenance or repair of plant or vehicles shall take place outside of the vehicle maintenance building. The roller shutter doors of the building shall remain fully closed at all times, when repairs or maintenance is being carried out.
20. Construction Management Plan to be submitted for approval.

1.0 INTRODUCTION

- 1.1 This site has been the subject of a number of recent planning applications and an appeal decision that have in effect established the principle of the use of this site for offices and workshop and on the basis of a 24 hour use. This current planning application now seeks to replace the existing the office building with new offices, make alterations to the HGV workshop building and provide a vehicular ramp (that is required due the change in levels) that links this site to the adjacent site that is already used by the applicant for their business purposes. A summary of the most relevant planning history is set out below for ease of reference and to help set the context for the consideration of this current application.
- 1.2 The most relevant application is 14/01004/FU for the change of use of former industrial unit to form storage and maintenance of vehicles and plant, associated offices, parking and access at 23 Bradford Road. That application was presented to Plans Panel Members on the 2nd October 2014 when Members resolved to refuse the proposal because of its harmful impact on the residential amenity of existing dwellings.
- 1.3 The application was therefore refused for the following reason:

“The proposed use will generate vehicle movements associated with the comings and goings of Heavy Goods vehicles and maintenance activity associated with the operation in close proximity to existing residential dwellings. It is considered that such movements, maintenance activity and noise and general disturbance would be detrimental to the general amenity of nearby residential occupants. As such the proposal would be contrary to guidance contained within the National Planning Policy Framework (2012) and to policy GP5 of the Development Plan (Review) 2006”

- 1.4 The applicant appealed the decision and made an application for a costs award against the council. Both the appeal and costs application were allowed on 19th August 2015. (Details of which are referenced in history section below).
- 1.5 Conditions were attached to the appeal decision which sought to control noise pollution through a noise attenuation scheme. Condition 3 also restricted the use operating at any time on Sunday's or Bank Holiday's
- 1.6 The applicant then made a further application ref: 15/06162/FU which sought the removal of condition 3 to allow the business to operate unrestricted 24 hours a day 7 days a week. The application was approved on 22/02/2016 by South and West Plans Panel subject to the same conditions imposed by the Inspector.
- 1.7 The applicant has discharged all pre-commencement conditions imposed by the 15/06162/FU permission. These include details relating to a noise attenuation scheme, construction management plan, lighting scheme, details of marking out of the junction, cycle storage details and landscaping details.
- 1.8 The current application now seeks (prior to implementing the approved use) to create a connecting ramp adjacent to the northern boundary of the site. This will allow vehicles to travel from one side of the site to the other from the existing site road which currently travels along the north and east boundary. Further alterations proposed include demolition of part of the existing workshops and demolition of the existing office building (to be replaced with a larger office building).
- 1.9 The application is brought to Panel at the request of Councillor Finnigan due to concerns about highways safety (which were raised at a previous application at this location), the impact on an area which is rapidly converting to a residential one from an industrial one, and on the impact on adjoining residents from noise related activities. The request sets out the reason for the referral based on material planning considerations and gives rise to concerns affecting more than neighbouring properties.

2.0 PROPOSAL

- 2.1 The applicant currently operates from the depot adjacent to the application site behind number 11 Bradford Road (also under ownership of applicant). The established business is unrestricted and has operated there for a number of decades. The applicant has planning approval (as detailed in the introduction) to expand the business into the application site with a secondary access between number 25 (under ownership of applicant) and number 23a (residential dwelling). The use (once implemented) would work in conjunction with the established operations on adjacent site (which involves the storage of gritting/ rock salt with vehicles delivering and collecting the salt from the existing access to the front). The application site is to be used for the maintenance and storage of these vehicles with associated office use. Additional vehicle parking for trucks is also proposed to the rear of the site (to the front and rear of the maintenance building).
- 2.2 The proposal is for the demolition of the existing office building and part demolition of the existing HGV workshop building, the construction of a new two storey office building, alterations to the facade and openings on the HGV workshop and the construction of new ramped link to applicants neighbouring site.
- 2.3 The new office building has a contemporary design and form, is two storey in height with parapet roof over. The building would be 19.5m in length x 18.5m in width and

8.7m in height affording 523sqm of floorspace. The building will be constructed of black brick. This will replace the existing 2-storey building which currently affords 337sqm of office and workshop floorspace. The new building is proposed to be set back from the shared boundary with no 23a Bradford Road by approximately 4.5m (at first floor height) and would retain a distance of approximately 20m to the rear elevation of no 23a Bradford Road. A triangular shaped piece of land will separate the two sites at ground floor level. This area is to be used as a breakout area for staff and will be bordered by an acoustic fence/wall (height and materials to be agreed through condition). This area would also be partly covered by the overhang of the first floor element of the building.

- 2.4 The existing HGV workshop building is also to remain but is to be downsized from 1063sqm to 972sqm through the loss of an existing unit nearest the western boundary which is to be removed to provide vehicle access to the rear of the site. Alterations to the facade and openings on the HGV workshop will consist of new doors and replacement windows and blocking up of existing doors and windows and the building externally finished in render.
- 2.5 Other than the office building, the main additional mass would be the proposed concrete ramp, which will provide vehicular access between the sites along the northern (rear) boundary. The ramp would be approximately 36m in length rising to a height of 4m. The ramp will be built over hardstanding at the rear of the site which abuts the greenbelt boundary.
- 2.6 Onsite parking: 24 car parking spaces are shown to be laid out to the south side of the site. The parking area is positioned as previously approved, to the front of the maintenance building and to the west side of the existing/proposed office building and includes four existing parking spaces on the access road, 2 electric charging bays, 2 disabled bays and 17 HGV parking spaces (an increase of 10 bays). The additional 10 bays are positioned along the northern boundary of the site, to the rear of the maintenance building. 9 cycle spaces are also shown to be provided to the north side of the existing office building.
- 2.7 The business currently employs 45 and no increase in staff is proposed.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is approximately 0.72ha in size and located off Bradford Road, which is a dead end spur close to the roundabout junction of a number of major roads in the area. The site slopes down towards the fields to the north. There is an existing access point off the northern side of Bradford Road located between numbers 25 and 23a Bradford Road. The site is currently vacant, previously operating as manufacturing and sales of conservatories to the public, having associated parking and office use operating from number 25 Bradford Road. The site has a large workshop building within the middle of the site and another building located behind the garden area of number 23a Bradford Road, which is in private residential use.
- 3.2 The immediate area is a mixture of longstanding established industrial uses and residential properties with a care home across the road. Towards the west of the site adjacent to the boundary are residential dwellings, with the garden area of number 261 immediately adjacent to the site. To the east is an established Industrial use owned by the applicants. Adjacent to the access way is a residential dwelling 23a Bradford Road which is a two-storey detached dwelling with front and

rear garden areas and drive ways to either side. Both numbers 23a and 261 Bradford Road are residential and are the nearest noise sensitive properties although number 17, which lies adjacent to 23a, is also affected by virtue of having the existing operation behind and to the side. The rear of the site is bordered by designated green belt land.

4.0 RELEVANT PLANNING HISTORY

4.1 14/01004/FU: Change of Use of former industrial unit to form storage and maintenance of vehicles and plant, offices and associated parking and access.

Refused South and West Plans Panel 6th November 2015. Reason for refusal:-

“The proposed use will generate vehicle movements associated with the comings and goings of Heavy Goods Vehicles and maintenance activity associated with the operation in close proximity to existing residential dwellings .It is considered that such movements, maintenance activity and noise and general disturbance would be detrimental to the general amenity of nearby residential occupants. As such the proposal would be contrary to guidance contained within the National Planning Policy Framework (2012) and to policy GP5 of the Development Plan (Review) 2006”

4.2 Appeal Reference: APP/N4720/W/15/3006987 - Appeal allowed 19th August 2015. The following summarises the Inspectors conclusions:

- The main issue is the effect of the proposed development on the living conditions of occupiers of nearby residential properties with particular regard to noise.
- Following the Councils refusal of planning permission, a Noise Impact Assessment (NIA) was undertaken by the appellant and submitted in support of the appeal. It reviewed a previous noise assessment and mitigation scheme and undertook further (weekday) day time and night time monitoring and modelling. It also incorporated a noise attenuation scheme (NAS) comprising acoustic barriers along the boundaries of numbers 23a and 261 and separating the proposed main HGV yard and parking area from the front staff parking area. An automatic gate set back within the site would also form part of the acoustic barrier separating the front and rear of the site but would allow vehicles in and out of the main yard. The roller shutter doors on the workshop building would remain closed during maintenance activity.
- On the basis of a NAS being fully implemented, the NIA concluded that noise emissions associated with the use of the site over a 24 hour period would not exceed the relevant guidelines. The Inspector took the view that there was no reason to disagree with the NIA methodology or its conclusions and accordingly attached significant weight to it in reaching the decision.
- The Inspector concluded that subject to appropriate planning conditions to include the implementation of a NAS, the proposed development would not have any unacceptable noise impacts on the living conditions of nearby residential properties.

In considering the conditions schedule the Inspector attached condition 3 for the following reasoning:-

“ Given the scope of the NIA monitoring across weekdays , it is necessary to impose a condition restricting the use to Monday to Saturdays only and not

including Sundays or Bank Holidays when back ground noise levels are likely to be lower.”

The appellant applied for an award of full costs against the Council. Partial costs were awarded. The Inspector considered that the NIA submitted with the appeal was necessary to demonstrate that subject to appropriate planning conditions, residential occupiers would not be unacceptably affected by noise. The Inspector concluded the NIA, work associated with its production and unnecessary expense associated with professional representation at the Hearing justified the partial award of costs.

- 4.3 15/06162/FU: Removal of condition number 3 (not operating) of planning permission 14/01004/FU to allow the permitted use of the site or storage and maintenance of vehicles and plant offices and associated parking and access on Sundays and Bank Holidays at 23 Bradford Road, Gildersome.

The applicant advised that the use had not been implemented as the business needs to operate 24 hours a day to function. To implement the use the applicant would have to make significant investment in the application site. Without the certainty that the site could operate as such the investment would not happen

In support of the proposal the applicant submitted a noise report which provided empirical evidence; the same accepted by the Inspector for 24 hours use Monday to Saturday and deemed acceptable by the Inspector from Monday to Saturday.

The assessment was considered by Environmental Health whom confirmed that the assessment satisfactorily demonstrated that the proposal would not unduly harm neighbouring amenity in terms of noise nuisance, subject to conditions imposed on the previous approval.

In light of the above Planning Committee approved the application on 22/02/2016.

- 4.4 16/02541/COND Consent, agreement or approval required by condition 5 of Planning Application 15/06162/FU – Approved 16.06.2016
- 4.5 16/07422/COND: Consent, agreement or approval required by conditions 3, 4, 9, 10 and 11 of Planning Application 15/06162/FU – Approved 14/02/2017

5. HISTORY OF NEGOTIATIONS

- 5.1 The HGV parking area to the rear of the site has been revised to avoid encroachment onto greenbelt land. Further revisions include landscape buffer/screening along the rear of the site adjacent the open rural land. More detailed plans of the ramp and office building have also been submitted in support of the proposal along with a topographical detail.
- 5.2 In relation to the new office building this element of the proposal has been amended to mitigate the perceived threat to neighbouring site of no23a Bradford Road from appearing overly dominant, through changes to its overall scale and position. For clarification purposes the applicant was asked to show the outline of the existing building so that officers and members could more accurately assess the impact of the existing and proposed buildings.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 The application has been advertised by site notices dated the 06.01.2017
Neighbour notification letters were also posted on 12/01/2017 and 09/02/2017.
- 6.2 28 letters of representation objecting to the scheme on the following grounds: loss of amenity due to noise, light and air pollution and vibration from intensification of HGV movements and new offices; non-compliance with previous conditions; encroachment onto greenbelt land; highway congestion caused by existing business use; plans vague and lack sufficient detail in relation to the ramp especially, inaccurate details in relation the barn construction barn and steel cabin; no details have been submitted in relation to vehicle movements in and out of the site and consequently this could increase traffic on Bradford Road; allow expansion of current business; not proven that the noise attenuation measures will be effective; new office building will appear very imposing and result in loss of privacy due position of windows, noise nuisance from recreational area.
- 6.3 Ward Councillor Finnigan and occupants of no 23a Bradford Road were briefed on the scheme and raised concerns on the grounds discussed in paragraph 6.2 of the report.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Highways: No objections subject to conditions.
- 7.2 Mains Drainage: No objections subject to conditions.
- 7.3 Contaminated Land: No objections subject to conditions
- 7.4 Coal Authority: No objection subject to condition
- 7.5 Landscape Team: No objection to revised scheme, subject to conditions
- 7.8 Morley Town Council: No comments received
- 7.9 Nature Team: It is not anticipated that there will be significant nature conservation concerns with this application
- 7.10 Policy: No objections raised.

8.0 PLANNING POLICIES:

- 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 currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

- 8.2 The following Core Strategy policies are considered to be relevant:

Policy SP1: Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.

Policy P10: Seeks to ensure that new development is well designed and respect its context.

Policy T2: Seeks to ensure that new development does not harm highway safety

8.3 The following saved UDP policies are also relevant:

Policy GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

Policy BD5: Seeks to ensure new development protects amenity.

Policy LD1: Seeks to ensure that development is adequately landscaped

Policy N24: Assimilation of development into greenbelt land

Policy N25: Refers to boundaries around sites

Policy T7A: Secure cycle parking.

Policy T7B: Secure motorcycle parking.

8.4 The following Natural Resources and Waste Local Plan policies are also relevant:

GENERAL POLICY1: Presumption in favour of sustainable development.

WATER1: Water efficiency, including incorporation of sustainable drainage

WATER7: No increase in surface water run-off, incorporate SUDs.

LAND1: Land contamination to be dealt with.

LAND2: Development should conserve trees and introduce new tree planting.

8.5 Supplementary Planning Guidance/Documents are:

The following SPGs and SPDs are relevant to the consideration of the application:
Design Guide SPD, Parking SPD

National Planning Policy (NPPF)

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

- The economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
- The social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;
- The environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve

biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

- 8.7 NPPF also advises at paragraph 123 that planning policies and decisions should aim to:
- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
 - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
 - recognize that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
 - identify and protect areas of tranquility which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 8.8 The National Planning Policy for Waste (2014) sets out detailed waste planning policies, derived from the strategic Waste Management Plan for England. The NPPW identifies the need to appropriately consider waste management capacity and location through the creation of local plans and also identifies the main material issues that should be considered when determining applications, including odour, noise and dust.
- 8.9 The Planning Practice Guidance (PPG) provides comment on the application of policies within both the NPPF and the NPPW. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary, relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects.

Emerging Site Allocations Plan

- 8.10 Through the Site Allocations Plan process the Council is recommending the site including the adjoining greenbelt land be brought forward, for housing development due to its sustainable location and existing status.

9.0 MAIN ISSUES

- 1) Principle of Development
- 2) Residential amenity
- 3) Character and appearance
- 4) Highway matters
- 5) Other
- 6) Representations

10.0 APPRAISAL

Principle of Development

- 10.1 Permission 14/01004/FU (change of use of former window and conservatory manufacture and sales, to storage and maintenance of vehicles and plant, offices and associated parking and access) was granted on appeal on the 19th August 2015. The permission is still extant and there has been no policy change that changes the current circumstances.
- 10.2 The proposed development is acceptable in principle in this existing industrial estate and complies with Core Strategy Policy SP1 which emphasises the need to provide new developments that promotes economic prosperity, job retention and opportunities for growth in existing established locations for industry and warehousing land and premises. The proposal also complies with Policy SP2 of the Core Strategy in so far as it emphasises the need to support development in existing locations/sites for general industry and warehousing.
- 10.3 As part of the development new office space is also proposed, the intended use of the new office building is to provide the same function as the existing office, an ancillary function of the gritting and maintenance use of the sites. As the office space will be ancillary to the main industrial use of the site, it is considered that the increased office space proposed is acceptable, subject to a condition restricting its use.
- 10.4 The emerging Site Allocations Plan currently identifies the ramp area and adjacent green belt land for housing (phase 3). The implications of bringing forward this site for housing is therefore a material consideration although of limited weight at the moment. It is an existing use and the changes applied for are considered to be compatible with the existing use and would not preclude the site or adjacent sites coming forward for housing at a later date.

Residential amenity

- 10.5 Noise pollution - The impact on living conditions of nearby residential occupants from noise pollution was the main issue of the previous applications and subsequent appeal. The Inspector reviewed the Noise Impact Assessment (NIA) that was submitted as part of the appeal. This included a Noise Attenuation Scheme which included acoustic barriers, an automatic gate and the closure of the roller shutter doors on the workshop building during maintenance activity. The Inspector attached significant weight to the NIA methodology and its conclusion that the noise emissions associated with the use of the site over a 24 hour period would not exceed the relevant guidelines. The Inspector concluded that subject to appropriate planning conditions to include the Noise Attenuation Scheme (NAS) the proposed development would not have any unacceptable noise impacts on the living conditions of nearby residential properties.
- 10.6 Notwithstanding this, in the absence of available data for Sundays, and the presumption that background noise levels are lower, the Inspector decided not to allow operations on site on Sundays and Bank Holidays to protect the amenities of nearby residents in terms of noise and disturbance. Condition 3 – *“The use shall not operate at any time on any Sunday or Bank Holiday”* was attached.
- 10.7 In response, a further application was submitted for the removal of condition 3, to enable the business to operate on a 24 hour 7 day basis. The applicant at the time stated that to implement the use a significant investment has to be made to accord with the required conditions (The Noise Attenuation Scheme). Without the certainty that the site can be used in the way that is necessary, on a permanent basis, the applicant will not be able to carry out this investment.

- 10.8 In order to support this application, the applicant submitted a further noise assessment report. The noise survey obtained background noise levels on Sunday 13th September 2015 (over a 24 hour period) and these levels were compared with the background levels obtained during the weekdays (submitted at Appeal). The findings determined that the background noise levels on Sundays were very similar to the week days noise levels.
- 10.9 The assessment was also considered by Environmental Health whom confirmed that the assessment satisfactorily demonstrated that the proposal would not unduly harm neighbouring amenity in terms of noise nuisance, subject to conditions imposed on the previous approval being similarly imposed in relation to this application. In light of the above Planning Committee approved the application on 22/02/2016.
- 10.10 At present the applicant has not implemented the change of use, however all of the conditions imposed on the previous planning approvals have been discharged. The applicant currently continues to operate adjacent to the site from the depot behind number 11 Bradford Road (under ownership of applicant). The established business is unrestricted and has operated over a number of decades. The recent approvals allow for the storage and maintenance of vehicles including HGV's and plant, associated offices, parking and unrestricted (24 hour a day) vehicular access through the existing access between number 25 (under ownership of applicant) and number 23a (residential dwelling). The use will work in conjunction with the established operations on the adjacent site, which involves the storage of gritting/ rock salt, with vehicles delivering and collecting the salt from the existing access to the front.
- 10.11 With regard to the access ramp and parking and turning area – The ramp proposes to extend the existing access road which runs along the east and north boundaries of the adjacent site into the application site and allow an area of land which is located to the rear of the maintenance building to be used for a turning area in association with the new access as well as providing a parking area for HGV's, vehicles and plant awaiting maintenance.
- 10.12 The ramp would be approximately 85m from residential properties, as opposed to the current access which immediately abuts the western boundary of 23a Bradford Road. Further to this, the nearest noise sensitive residential properties on Bradford Road would be afforded a significant degree of mitigation by the maintenance building which crosses the centre of the site and would act as a noise barrier.
- 10.13 When considering all of the above, it is considered that the additional access and the formalisation of turning and parking areas used in conjunction with the maintenance use of the site would pose no greater threat to amenity from noise pollution than that which would be incurred from the same unrestricted movements taking place between the sites on Bradford Road and through the access alongside 23a Bradford Road.
- 10.14 Subject to the implementation of the sound attenuation scheme in accordance with condition 5 of approval 16/02541/COND, of planning permission 15/06162/FU it is considered unlikely that this element of the scheme would pose a greater threat to neighbouring amenity from noise associated with vehicle traffic.
- 10.15 With regard to impact on residential amenity from the proposed office building – Whilst there are residential properties in the immediate area of the site it is

considered unlikely that the proposed revised office building would result in any significant detriment to amenity over and above that which is already experienced from the current building.

- 10.16 With specific regard to dominance, the office building has been revised to mitigate the perceived threat to neighbouring amenity. The building now retains 4.5m to the shared (southern) boundary with 23a Bradford Road. Further to this, the building has been set further down into to the site, thus reducing its height. The building would therefore be 2m higher than the current building; however this additional height would be offset by the 4.5m gap retained to the shared boundary with no 23a Bradford Road. Consequently, it is considered that the proposed office building would pose no greater harm to neighbouring amenity from that currently experienced from the current building which abuts the shared boundary.
- 10.17 With regard to overshadowing the nearest neighbouring sites are those positioned to the south side of the site and as such the office building would pose no threat to amenity from overshadowing due to its northerly position.
- 10.18 With regard to privacy - windows on the north, east and west elevations serving the proposed new office building would overlook the application site and pose little threat to neighbouring amenity. With regard to windows proposed to the south elevation of the office block these windows positioned only 4.5m from the shared boundary would afford direct views of the neighbouring site. Therefore it is recommended that a condition be imposed on any permission to mitigate this impact.
- 10.19 With regard to the break out area proposed to the south side of the office building directly behind no 23a Bradford Road. It is recognised that the use could pose a threat to neighbouring amenity from loss of privacy and noise related matters e.g. staff conversing. To alleviate this threat, a condition is recommended requiring the applicant to submit details of an acoustic fence for approval by the LPA. Subject to a condition controlling the boundary treatment to prevent overlooking and sound mitigation it is considered unlikely that the recreational use would result in significant harm to neighbouring amenity over and above road traffic and other background noise associated with the existing use.
- 10.20 It is therefore considered, subject to conditions, that the proposal complies with saved policies BD5 and GP5 of UDP which seek to protect residents' amenity.

Design, layout and landscaping

- 10.21 The new office building will replace an existing dated building and is not considered to look out of place set within this commercial context, surrounded by a variety of buildings, commonly associated with these types of sites and uses. Therefore the addition of this building will not be detrimental to the character of the area or the streetscene.
- 10.22 Alterations to the maintenance and workshop building are in a style typical of modern commercial development on industrial estate settings. The proposed colour scheme and materials will relate sympathetically to the new office building and its contemporary design.
- 10.23 Few details have been supplied regarding the proposed security fencing, and whilst palisade types are present in the area, a more attractive alternative would be

encouraged if the existing treatment is to be replaced. This is recommended to be addressed through a condition.

- 10.24 With regard to the ramp and parking area these are located along the northern side of the site which is bordered by greenbelt land. Where development proposals abut greenbelt land, under policy N24 their assimilation into the landscape must be achieved as part of the scheme, if existing landscape features would not achieve this. This part of the site is currently bordered by fencing and a building. Beyond these features the land slopes towards the north and is open and green. For amenity reasons and in accordance with the planning objectives of Policy N24 a landscape buffer is proposed along this boundary, details of which are recommended to be controlled through condition.
- 10.25 It is therefore considered that the proposed alterations to the buildings and site, subject to controlling the detail of materials, landscaping and boundary treatments, will rejuvenate and improve the appearance of the site and as such complies with aims and objectives of Policies P10, GP5, LD1 and N24.

Highway matters

- 10.26 Leeds Core Strategy Policy T2 seeks to ensure that all developments achieve safe and secure access and are located in accessible locations.
- 10.27 The highways officer has raised no objection to the proposal subject to conditions as discussed above.
- 10.28 The proposals will replace existing buildings with new buildings with no significant increase in commercial floorspace. The development would not have a material impact on existing traffic generated by these sites, no additional staff are proposed and the new office will provide the same function as the existing building and the HGV workshop will continue to operate as a workshop.
- 10.29 With regard to the internal layout, this is considered to be acceptable as given the sites industrial past use the layout is designed to accommodate HGV turning manoeuvres. The proposed staff parking, HGV parking and turning areas are thus considered to be acceptable.
- 10.30 As such the proposal is considered to accord with policy T2 UDP and guidance contained within Street Design guide and Parking SPD and thus poses no harm to highway safety.

Other matters

- 10.31 Drainage related matters - the developer has provided the details of a foul water drainage system which is considered to be acceptable by the drainage officer. Its implementation is recommended to be secured through a condition.
- 10.32 CIL - This proposal does not generate a CIL liability as there is no loss in floorspace through the demolition of part of the existing workshop building which exceeds the additional net gain in office floorspace.

Representations

- 10.33 As detailed earlier in this report Councillors and residents have raised objections relating to highways and amenity matters due to the perceived intensification of

use. These issues have been addressed in the appraisal section of the report and the impact is considered acceptable.

Other objections received to the scheme are dealt with below:

- 10.34 Non-compliance with previous conditions: Officer comment – This has been discussed above in detail in the introduction section of the report and following investigation by the LPA's enforcement officer no breach was found as the applicant had not implemented the change of use, pending discharge of conditions;
- 10.35 Encroachment onto greenbelt land: Officer comment – This matter has been addressed through amendments to the parking area and red line boundary which defines the position of the ramp at the rear. No part of the development is shown to encroach onto greenbelt land.
- 10.36 Plans vague and lack sufficient detail in relation to the ramp: Officer comment – This matter has been addressed through the submission of elevation plans which show the dimensions of the ramp and landscape planting in accordance with policy N24 which will soften the appearance of the built development when viewed from open greenbelt land and the impact found to be acceptable.
- 10.37 New office building will appear very imposing and result in loss of privacy due position of windows, noise nuisance from recreational area: Officer comment - Since submission this element of the scheme has been revised in order to mitigate the perceived harm to resident's amenity from the increased height of the building alongside their site. The office building has been moved further away from the shared boundary, by a further 2m and set down lower into the site. These revisions are considered to have addressed previous concerns regarding the threat posed from overdominance and it is now considered unlikely the building would impose and greater harm on amenity from that currently experienced by the existing building.

11.0 CONCLUSION

- 11.1 In summary, having taken into account all relevant policies and guidance contained in this report and having taken all material considerations into account, including representations received, officers are of the view that planning permission should be granted, subject to conditions set out above.
- 11.2 The proposal is not considered to result in any increased harm to visual amenity subject to conditions controlling use of materials, landscaping and boundary treatments.
- 11.3 Furthermore, subject to conditions for obscure glazing and acoustic fencing to mitigate noise and overlooking from the proposed office building and breakout area, it is considered unlikely that this element of the development would pose any greater harm to neighbouring amenity than that of the current office building which abuts the shared boundary. The creation of the new ramp and turning area within the site would also reduce movements taking place on Bradford Road (highway) and through the access alongside 23a Bradford Road, thus mitigate noise and traffic impacts associated with the use.
- 11.4 With regard highways related matters, subject to condition, the internal layout is considered to be acceptable. The ramp and layout is designed to allow vehicular movements between the sites thus reducing traffic on the highway, along Bradford

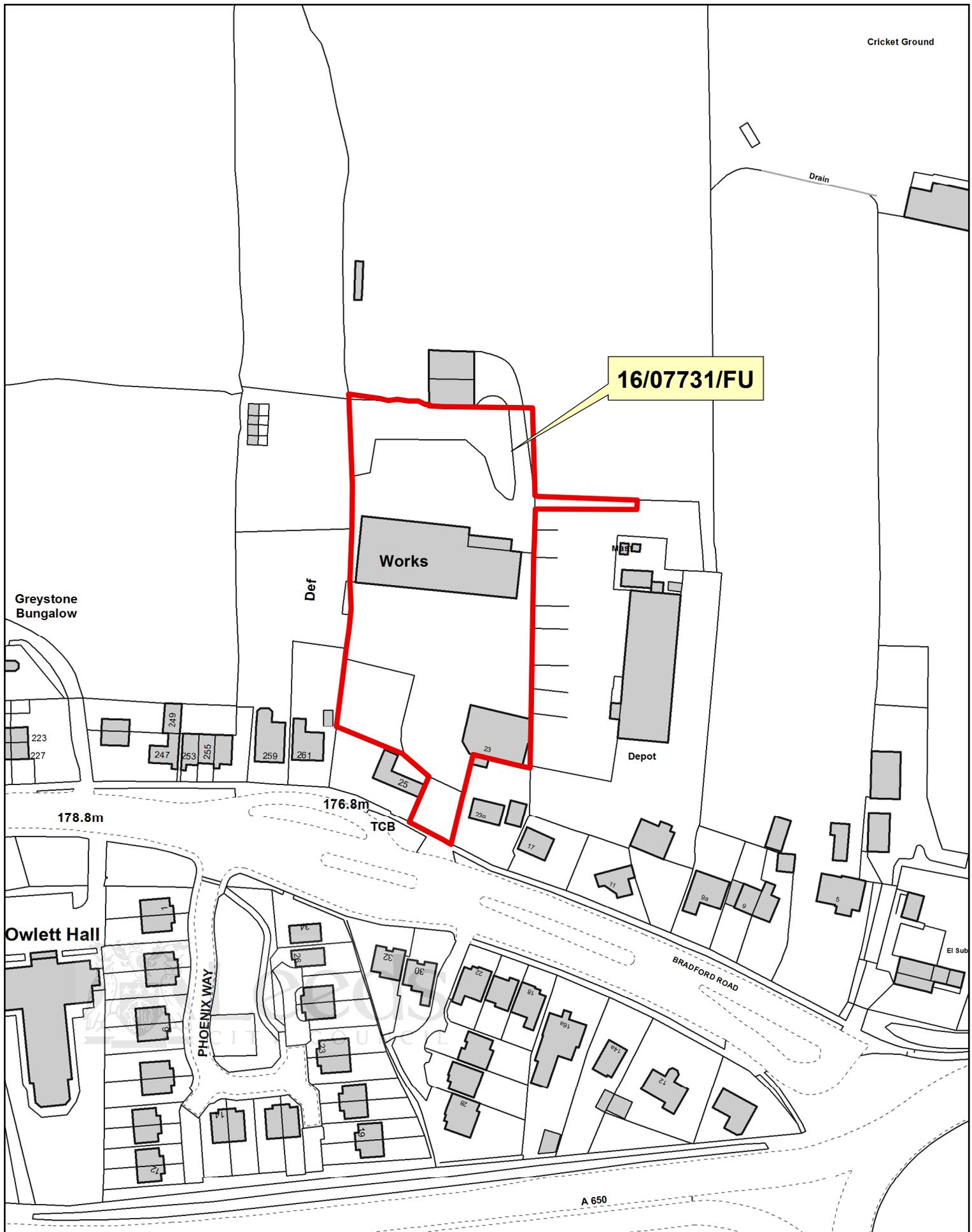
Road between the two access points. The proposed staff parking, HGV parking and turning areas are also considered to be acceptable.

Background Papers:

Application file 16/07731/FU

Certificate of ownership: Mr P Crowther

Certificate A signed by the agent



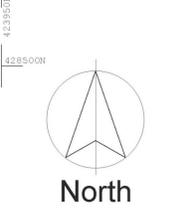
SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1500





no.	description	date	drawn	approved
P14	Section line C1 shown. Levels updated. Dimension to southern boundary shown. Smoking shelter shown.	07.04.17	nt	re
P13	Office building relocated 2m further north from the boundary	04.04.17	nt	re
P12	RMP's, SVP's and additional areas of landscaping shown	08.03.17	nt	re
P11	Additional existing topography shown to the north of site	08.03.17	nt	re
P10	Cycle storage and boundary to North of site altered following feedback from Leeds City Council	20.01.17	nt	re
P09	Cycle storage, refuse and recycling storage shown, additional parking spaces shown. Path along entrance road altered. Ramp link length/pitch altered	28.07.16	nt	re
P08	Path shown along entrance road	01.07.16	nt	re
P07	Line of existing fibre optic line shown	28.06.16	nt	re
P06	Addition of pedestrian gate to yard, proposed levels shown, new office plan shown	08.06.16	nt	re
P05	Alteration to acoustic fence in HGV parking area, new office plan shown	22.04.16	nt	re
P04	Plan altered following meeting	05.04.16	nt	re
P03	Workshop and office ground floor plans shown	17.03.16	nt	re
P02	Design of ramp and section altered. Gate to field behind relocated.	02.03.16	nt	re
P01	Drawing originated	19.02.16	nt	re



project **Heavy Plant Depot Expansion**
 at
23 Bradford Road, Gildersome, Morley, Leeds, LS27 7HW
 for
J.W. Crowther & Sons Ltd.

title **Site plan as proposed**
 number **15083D-202-P14**
 scale **1:250**
 size **A1**

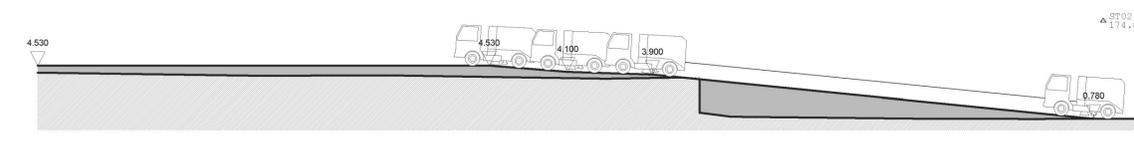
ARCHITECTURE + DESIGN PARTNERSHIP The Old Police Station 16 Bridge Lane Holmfirth HD9 7AN
 T: 01484 685411 E: hello@adp-architects.com W: www.adp-architects.com

RIBA Chartered Practice

- key**
- 4.5m high barrier
 - 3.0m high barrier
 - 2.0m high barrier
 - area to be resurfaced with hardcore and concrete
 - area to be resurfaced with hardcore and tarmac
 - existing tarmac surface to be resurfaced with tarmac

This drawing has been prepared specifically for the purpose of obtaining Planning Permission and/or Building Regulation Approval. Its suitability for other purposes, without supplementary details and specifications cannot be guaranteed. The Permissions and/or Approvals are beyond the Architects control, and no guarantee that such will be granted is given or to be inferred by reason of the preparation of this drawing. Only figured dimensions are to be used. All dimensions to be checked on site. This drawing together with the design is the property and copyright of the Architect and must not be reproduced without prior written permission.

Station	Basting	Northing	Level
ST01	424010.189	428301.753	173.705
ST02	424027.913	428309.877	174.800
ST03	424001.434	428330.848	175.974
ST04	424001.339	428366.804	175.728
ST05	424027.649	428406.159	174.482
ST06	424027.661	428438.158	173.468
ST07	424079.647	428416.434	175.083
ST08	424072.586	428384.205	175.564
ST09	424076.233	428344.827	175.961
ST6A	423982.787	428436.236	174.175



Section a-a proposed