



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 14th April 2022

Subject: Application number 21/03265/FU – Conversion and extension of Belmont House to create 9 no. residential apartments and 1 no. town house; Demolition of Round House and the construction of one block of 8 no. residential apartments; demolition of the Coach House and the construction of one block of 6 no. residential apartments; associated parking and landscaping at Belmont House, Round House and Coach House, 20 Wood Lane, Headingley, LS6 2AE

APPLICANT

BelmontHouse Development
Ltd

DATE VALID

4th May 2021

TARGET DATE

21st February 2022

Electoral Wards

**Affected: Headingley &
Hyde Park**

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer subject to the specified conditions set out below and also the completion of a Section 106 agreement to include the following obligations:

Affordable housing provision of 1 unit on site as discounted market sales housing

Public green space financial contribution of £33,499.22 based on the requirement of 805m² green space

Sustainable travel fund contribution of £12276 to provide bus only residential Metrocards

1. Time limit
2. Development in line with approved plans
3. Samples of walling and roofing materials to be submitted
4. Dormer materials in line with approved details
5. Visibility splays to be implemented in line with approved details
6. Electric Vehicle charging points
7. Cycle/Motorcycle parking facilities to be submitted
8. Statement of construction practice to be submitted
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10. Bin store implemented in line with approved details
11. Phase 2 site investigation report to be submitted
12. Amendment of remediation statement if required
13. Submission of verification reports
14. Implementation of approved drainage scheme
15. Bat protection and mitigation details to be submitted
16. Provision of bat and bird boxes to be submitted
17. Method statement for control and eradication of invasive species to be submitted
18. Protection of existing trees/hedges/bushes during construction
19. Preservation of retained trees/hedges/bushes
20. Provision for replacement trees/hedges/bushes
21. Submission and implementation of landscaping
22. Landscape management plan to be submitted
23. Removal of permitted development rights
24. Video Intercom and CCTV provision
25. EN1 and EN2 commitments to be provided
26. Construction method statement for Bray House to be submitted

INTRODUCTION

- 1 This item was reported to Plans Panel on the 17th February 2022. A copy of the full Officer Report relating to the item is included below and this addition is provided by way of an update report for Members information.
- 2 The item was deferred at Plans Panel by Members for the following 4 reasons:-
 1. The design of the extension to Belmont House and the new Bray House as proposed were considered too bland and not in keeping with Belmont House or character of Conservation Area. The Belmont House extension was also considered too dominant.
 2. Asked to explore the possibility of removing the second floor off the side extension to Belmont House to reduce the impact on Belmont House and neighbouring sites and increase in height of Bray House element to compensate.
 3. A condition is required to secure EN1 and EN2 commitments.
 4. Further information is required with regard to Vacant Building Credit with particular regard to legal advice justifying its acceptance in this instance.

UPDATE

- 3 Point 1 and 2
- 4 After Panel the developer has taken on board the comments from Members and has redesigned the proposal for the extension to Belmont House and the new Bray House. The number of proposed residential units is unchanged overall.

- 5 The proposed extension to Belmont House has been reduced considerably in scale by removing the second floor, thereby ensuring it is much more subservient to the existing building and surroundings, which also overcomes the perception of overlooking and dominance of neighbouring sites. The extension will now be positioned well below the eave height of the existing building which will in turn reduce its prominence within the site and will no longer compete with the existing building but will instead be read as a far more discreet addition. It is also considered the reduced scale has improved the design and proportions of the extension which negates any need to alter the fenestration detailing and as such the proposal complements the site and Conservation Area.
- 6 The alterations will result in amendments to the internal layout of the building with the number of proposed residential units to Belmont House being reduced from 11 to 10 consisting of 9 x two bedroom apartments and 1x three bedroom townhouse. This will consist of alterations to the first and second floor, with unit 9 which was a 1 bed apartment being removed from the first floor. Unit 8, which was previously going to be a duplex apartment spanning the first and second floors will now be solely on the first floor and will enlarge into the former unit 9, thereby retaining the 2 bedrooms. The layout of unit 10, which was also previously a duplex apartment spanning the first and second floor will also be altered slightly. Whilst it will still be a duplex, a second floor bedroom (bedroom 2) will be removed and relocated to the first floor. This apartment will also be given full access to the terrace on the first floor which was originally split between unit 9 and unit 10. The alterations will retain units which are adequate in size conforming to the Local Authority's adopted space standards and will also provide a sufficient level of light and outlook, without being overlooked. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 7 The alterations to reduce the height of the side extension to Belmont House will also reduce its dominance and overlooking impact in relation to neighbouring sites, particularly to the site at No 31A Shire Oak Road to the rear (south). The second floor of the side extension will be removed thereby reducing the height of the extension by 2.5m. This will also result in an extension with the ground and first floors positioned 7.5m from the rear (southern) boundary at their shortest point. The closest ground floor window to this boundary will be 7.7m away which will serve a bedroom, the closest first floor window will be 8m away which will be a relatively small secondary window serving a bedroom area which was formally to a proposed living area in the previous scheme, all at their shortest point. There is also a considerable change in land levels between the host site and the neighbouring sites to the rear, which will result in only the top of the first floor being visible from these neighbouring vantage points. In addition, given the orientation of the extension compared to the rear boundary, the view from the first floor will be at an oblique angle to this neighbouring site which further reduces any overlooking impact. Therefore it is considered that the removal of the second floor in addition to the distance to the boundary, changes in land levels between the sites and orientation of the extension will result in an extension which will not detrimentally overlook of dominate neighbouring sites.
- 8 The proposed block known as Bray House has been amended to include an additional storey to compensate for the loss of the second floor to the Belmont House extension. Whilst 3m taller than the previous scheme, it is considered the proposal will improve the design of the block. This is because it will be better proportioned with an additional stepped floor to the frontage improving the form of the building, creating a building which is of more interesting design. The additional storey will also add more glazing to the frontage, which coupled with the additional

more pronounced stepped design negates the need to alter the fenestration detailing to the lower floors. The alterations will therefore create relief to the perceived stark appearance of the previous scheme and also in a way that reflects the terracing to the front of Belmont House and the change in land levels from front to rear of the site. Given the change in land levels within the site the proposed Bray House will still be subservient to Belmont House, therefore Belmont House's stature as the principal building on the site will be retained.

- 9 The additional storey will be slightly closer to the adjacent tree canopy, however once constructed it will be a sufficient distance as not to impact on their health. The side facing windows to the third floor will also be small secondary windows and as such the trees won't block light to the rooms, nor will they impact on the building structure. As such it is considered there will not be a future pressure to remove these trees as a result of the additional storey to the block.
- 10 Notwithstanding this, given the third floor will be in closer proximity to the canopy, this could potentially make it more difficult to construct using traditional methods without impacting on the trees compared to the previous scheme. However if it were shown that there would be issues with a traditional construction method it is considered alternative methods of construction can overcome this such as, but not limited to an inside out approach. As such an additional condition is proposed to secure a detailed construction method statement for Bray House prior to the commencement of building works, to ensure the health of the adjacent trees are not compromised during the construction works.
- 11 The alterations will result in amendments to the internal layout of the building with the number of proposed residential units to Bray House being increased from 7 to 8 consisting of 2 x one bedroom apartments, 4 x two bedroom apartments and 2 x three bedroom apartments. This will consist of alterations to the second floor which will increase the size of the proposed three bedroom apartment, which will be to the living space. The terrace will also be reduced in size slightly. This will allow for an additional storey to be added to the block, which will form an additional three bedroom apartment with an outdoor terrace area with a similar layout to the second floor apartment. The alterations will retain units which are adequate in size conforming to the Local Authority's adopted space standards and will also provide a sufficient level of light and outlook, without being overlooked. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 12 The windows to the side elevations of the third floor apartment will also be dual aspect to maximise light penetration and outlook to either the front or rear. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 13 The additional third floor has also been designed to negate any detrimental overlooking or overshadowing or dominance impact on neighbouring sites. The windows to the front (northern) elevation will face into the site and onto the landscaped areas, trees and hardstanding. The windows to the side (western) elevation will face Belmont House beyond which will be a sufficient distance from Belmont House to negate any overlooking issues and visa versa. The windows to the rear (southern) elevation will face onto the trees within the site and the windows to the side (eastern) boundary will face onto the substantial boundary treatment and blank side elevation of the neighbouring property at No 38 Wood Lane beyond and the open boundary between the front amenity areas of the two sites. This neighbouring site has also recently been in office use and was used as an overspill

area to the application site. It has recently benefitted from planning consent to change the use to a meeting/office space with ancillary overnight sleeping accommodation above, thereby retaining its commercial/office use. As such it is considered the proposal will not result in a detrimental overlooking impact on this neighbouring site.

- 14 Given the size and position of the new Bray House which will be further away from the eastern boundary than the existing building, the boundary treatment, the orientation of the building within the site and the difference in land levels, it is considered the amended scheme for an additional storey will not have a detrimental overshadowing or dominance impact on neighbouring sites or the other buildings within the site.
- 15 The proposal is therefore considered to comply with the wider aims of Core Strategy Policies P10, P11, H9 and H10 and saved UDPR policies GP5, BD5, BD6 and N19.
- 16 Point 3
- 17 A condition has been added requiring the proposed commitments as detailed within the scheme which contribute to carbon dioxide reduction and sustainable design and construction methods to be implemented prior to bringing the development into first use and retained and maintained as such thereafter for the lifetime of the development.
- 18 Point 4
- 19 Further advice has been received from Legal Officers regarding Vacant Building Credit, with reference to case law around the subject confirming why it is considered applicable to implement in this instance.
- 20 Core Strategy Policy H5 requires 15% affordable housing provision on-site. This equates to 4 units. The application proposes 1 affordable housing unit and the applicant requests that Vacant Building Credit (VBC) is applied to the existing buildings. The NPPF makes provision for VBC at paragraph 64 "...To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount" (Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned). The purpose of this provision is to "incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy" (Paragraph 28, Ministry of Housing Communities and Local Government September 2019 Guidance on Planning Obligations).
- 21 Where developers apply for VBC Leeds City Council takes each case on its own facts. Council officers and the council's legal team have given consideration to the issue of whether this property meets the criteria to be considered "vacant" for the purposes of VBC. In the case of Trustees of the Castell-y-Mynach Estate v Secretary of State for Wales [1985] 1 WLUK 659 the judge considered the meaning of "vacant" and concluded "four factors shall be considered (a) physical condition of the building; (b) period of non-use; (c) whether there had been any other use; and (d) evidence regarding the owner's intentions".

22 Particular consideration has been given to whether the period over which the property has been empty is sufficient for it to be considered vacant for the purposes of VBC. There is no set length of time over which a building must be empty in order for it to be considered vacant for the purposes of VBC. The building has been vacant since September 2019 when the most recent occupant, who were using the premises as an office, moved to a bigger premises due to growth in the business. In recent appeal decisions inspectors have expressed the view that a relatively short period of non-use can be sufficient to show that a property is vacant. For example in a 2019 appeal against Suffolk Coastal District Council (reference number 400-024-991) the planning inspector concluded that “32 continuous months of non-use is compelling evidence of vacancy”. Similarly in a 2018 appeal against Oxfordshire Council (reference number 200-007-920) a two year period of vacancy was sufficient for a building to be considered vacant, the inspector concluded “the period of vacancy which is now around two years, is not, to my mind, a short one, and the PPG does not suggest that a building should have become an eyesore or problematic before VBC should be applied”. The Community Infrastructure Levy Regulations 2010 (the ‘CIL Regulations’) do not apply to the consideration of VBC, however, some local authorities use the definition of vacant from these regulations to VBC considerations. Under the CIL Regulations a building will be in use if it has been in lawful use for a continuous period of at least six months within the period of three years. In a 2019 appeal against South Cambridgeshire Council (reference number 200-009-074) the inspector said that the CIL Regulations test was a “useful starting point” however they ultimately granted VBC to an applicant where the property had been vacant for a shorter period of time. Following the case of North Wiltshire District Council v Secretary of State for the Environment and Clover (1993) 65 P. & C.R. 137 previous appeal decisions such as these are capable of being material considerations.

23 As such it is considered Vacant Building Credit can be applied in this instance and 1 affordable housing unit is acceptable, which will be provided on site as discounted market sales housing and will be secured through a section 106 agreement.

Other matters

24 There have also been some minor alterations to the housing mix and required green space provision as a result of the amendments to the scheme.

25 The proposal includes a mix of 3 bed, 2 bed and 1 bed apartments and a 3 bed townhouse within 3 blocks. This includes a total of 24 dwellings consisting of a mix of 19 two bedroom (79%) (no change from previous scheme), 2 one bedroom (8%) (reduced from 3 units in previous scheme 13%) and 3 three bedroom units (13%) (increased from 2 units in previous scheme 8%). The proposed mix falls within the minimum and maximum targets as set out in the Core Strategy for one bed and two bed units and improves the three bed mix from the previous scheme, but still falls short of the three bed target. Whilst the 3 bed target could be met by reducing the two bed numbers and adding two more three beds, this would lead to an impact on the parking requirements of the development which would not be feasible to attain. However one of the three bed units will be to a town house which helps the houses and flats mix on the site, which given the constrained site does not lend itself well to a residential development consisting of houses. In addition the policy is worded to allow flexibility in the housing mix for small developments based on the constraints of the site and character of the area to offer flexibility in the housing mix allowing for variations in the target housing mix. As such it is considered that on balance the housing mix is appropriate and is considered to be compliant with the wider aims of Core Strategy policy H4.

- 26 In line with Core Strategy Policy G4, the proposal will be required to provide new public green space, which is in addition to private and shared outdoor amenity space for future residents. The required public green space provision based on the amended housing mix is 805m² (increased from 784m² in previous scheme). The public green space should in the first instance be provided on site, however in this instance the requirement to deliver this on site is unachievable given the site constraints. As such it is considered a financial contribution will be acceptable in this instance to contribute to the provision of offsite green space. This will amount to £33,499.22 (increased from £32,692.25 in previous scheme) which will be secured through a section 106 agreement.
- 27 The application description has also been amended to reflect the alterations to the scheme.

Public Responses

- 28 The revised scheme was re advertised by contributor renotification letters which were sent on 21st March 2022. Publicity expired on 28th March 2022.
- 29 Councillors Al Garthwaite, Jonathan Pryor and Neil Walshaw have commented on the revisions concerned with the following matters:
- The revisions appear to be moving in the right direction.
 - If appropriate screening is agreed by condition, which also includes the details shown on the plan submitted by the neighbour then it is considered the application should be approved.
 - If not then the objection remains.
- 30 One letter of objection was received concerned with the following matters:
- Whilst the revised scheme is broadly acceptable its windows still overlook the neighbouring properties and living space to an unacceptable degree.
 - The contributor has provided a screening plan with their comments and state that if the screening measures suggested are incorporated as specific planning conditions then the objection would be withdrawn.
- 31 With regards to the screening plan submitted as part of representations by a contributor, it is considered the revised scheme overcomes the dominance and overlooking impact on the neighbouring sites for the reasons highlighted above. However a condition requiring a landscape and planting scheme which will address where the 9 replacement trees as a result of the 3 to be lost are to be planted is proposed. Therefore the submitted plan will be taken into consideration by Officers when considering the landscape and planting scheme. The applicant has also indicated that they are content to agree an appropriate planting / screening scheme with Officers.

Conclusion

- 32 Members requested on 17th February 2022 that 4 matters needed to be addressed relating to design and scale, dominance, sustainability and carbon dioxide reduction and Vacant Building Credit, as noted above. The developer has made significant changes to the design elements with the extension to Belmont House now considerably reduced in scale, thereby ensuring it is much more subservient to the existing building and surroundings, improves its appearance and also overcomes

the perception of overlooking and dominance of neighbouring sites. Bray House has been increased in height by an additional storey to compensate to this loss but will not have any further negative impact on the trees, neighbouring sites or Belmont House given the changes in levels and the additional step improves the design. A condition has been added to ensure the EN1 and EN2 commitments will be provided and additional information has been provided detailing how the implementation of Vacant Building Credit is in this instance acceptable.

- 33 As such it is considered the matters raised at the previous panel have been addressed and the amended scheme is improved, paying due regard to the constraints of the site and surroundings. The proposal is therefore considered to comply with development plan policies and the NPPF and taking all other material considerations into account, it is recommended to Members for approval subject to the conditions set out.



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th February 2022

Subject: Application number 21/03265/FU – Conversion and extension of Belmont House to create 11 no. residential apartments; Demolition of Roundhouse and Coach House to be replaced by 7 no. and 6 no. residential apartments and other ancillary uses at Belmont House, Round House and Coach House, 20 Wood Lane, Headingley, LS6 2AE

APPLICANT

BelmontHouse Development
Ltd

DATE VALID

4th May 2021

TARGET DATE

21st February 2022

**Electoral Wards Affected:
Headingley & Hyde Park**

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer subject to the specified conditions set out below and also the completion of a Section 106 agreement to include the following obligations:

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23. Removal of permitted development rights
24. Video Intercom and CCTV provision

INTRODUCTION

- 1 The application is presented to Plans Panel at the request of Councillor Al Garthwaite, Councillor Jonathan Pryor and Councillor Neil Walshaw under part a of the exceptions as set out in the Chief Planning Officer's Delegation Agreement on the grounds that the proposal will have a detrimental impact on the local residents, biodiversity and the Conservation Area.

PROPOSAL:

- 2 The applicant seeks planning permission for the redevelopment of a site which includes the conversion and extension of a building known as Belmont House into 10 apartments and 1 town house and the demolition of two other buildings known as The Coach House and The Roundhouse. Two apartment blocks will be constructed in their place with the replacement Coach House containing 6 apartments and the building replacing The Roundhouse which will be known as Bray House containing 7 apartments. The scheme will provide a total of 24 self contained residential units with a mix of 3, 2 and 1 bedrooms. The proposal also includes associated amenity, landscaping and parking areas.

SITE AND SURROUNDINGS:

- 3 The application relates to a site along Wood Lane in Headingley, which currently has three buildings which are vacant within the grounds. All three buildings were until relatively recently in office use and have established vehicular parking areas accessed from a single entrance from Wood Lane. The site is within Headingley Conservation Area and is relatively large but constrained with changes in land levels and the presence of mature trees within the site and to the boundaries, which are protected by the Conservation Area status and play an important part in contributing to the character and appearance of the site and the Conservation Area. Belmont House is not listed but is considered to be a positive building within the Conservation

Area, however the Coach House and the Roundhouse are not designated or non designated heritage assets. There are a mix of uses within the locality, however there is a strong residential characteristic within the area, especially the properties which abut the site boundaries.

RELEVANT PLANNING HISTORY:

- 4 20/03954/DPD - Change of use of the Coach House and The Round House from Offices (B1(a)) to 8No. self contained apartments (C3)– Approved 4.9.2020
- 5 20/03955/DPD - Change of use of Belmont House from offices (B1A) to 13No. self contained apartments (C3) – Approved 4.9.2020
- 6 12/04955/FU - Change of use of office and three storey extensions to form six flats – Approved 13.2.2013
- 7 11/03037/FU - Change of use of office (use class B1) to mixed use development comprising ground floor cafe/shop/teaching room and first floor workshop/event/teaching space (use classes A1/A3/D1/D2) – Approved 7.9.2011
- 8 11/01804/FU - Change of use from office (B1) to use for educational purposes – Approved 22.6.2011
- 9 26/337/01/FU - 4 storey block of ten 2 bedroom flats with basement car parking and one 3 storey office block with link bridge – Approved 30.07.2002
- 10 26/64/99/FU - Change of use of flat to office – Approved 14.6.1999
- 11 26/273/98/FU - Change of use of basement to offices and first floor rear extension to offices – Approved 4.1.1999
- 12 H26/451/88/ - Alterations and extensions – Approved 3.1.1989

HISTORY OF NEGOTIATIONS

- 13 Pre-application discussions (PREAPP/21/00016) were undertaken in relation to the current application in the early half of 2021. Alongside these discussions with the Council, the applicant undertook a public consultation with the local community, including a leaflet drop and consultation website running in tandem prior to the submission of the full application. During the assessment of the full application negotiations between officers and the agent have been ongoing. These have been to address design, tree, landscaping and highway issues, including the removal of the proposed woodland path and benches to the western boundary of the site.
- 14 The developer has also revised the Belmont House scheme and removed the second floor terraces to the rear serving apartments 8 and 10.

PUBLIC/LOCAL RESPONSE:

- 15 The application was advertised by site notice which was posted on 25th May 2021 and advertisement in the newspaper which was published on 14th May 2021. Publicity expired on 16th June 2021.

16 Councillors Al Garthwaite, Jonathan Pryor and Neil Walshaw have also objected to the proposal concerned with the following matters:

- Not opposed to the principle of a residential development on the site and consider it preferable to a commercial or business use however;
- The extension to Belmont House and The Coach House significantly impact neighbours through overlooking the gardens and living space.
- The impact on trees and biodiversity is excessive – The boundary is a wildlife corridor and appears to be removed or thinned which does not seem necessary.
- There appears to be the ability to achieve an acceptable quantum of development without impacting on neighbouring properties, trees, biodiversity and Conservation Area, for example through the design and massing of Bray House, rather than extending Belmont House.

17 16 letters of objection were received concerned with the following matters:

- The proposed extension and new builds will be out of keeping with the character and appearance of the existing building and the Conservation Area.
- The Coach House should receive the same architectural treatment as the other new build elements.
- The proposal will overlook and dominate neighbouring sites and there has been a lack of consideration regarding the impact on the properties along Shire Oak Road.
- The Coach House will obstruct the view of the trees from the neighbouring site to the rear.
- The Roundhouse should be retained as it shows architectural evolution.
- The proposal will result in an overdevelopment of the site.
- The loss of trees will have a detrimental impact on screening, visual amenity and the Conservation Area.
- The use of the wooded area to the side as a woodland walk would have a detrimental impact on wildlife and trees and will also lead to noise impact on neighbouring sites and increase in crime and anti-social behaviour.
- The scheme will lead to an impact on highway and pedestrian safety through increased traffic. The increase in traffic will also increase noise and air pollution.
- The car parking provision is excessive especially as the site is within a well serviced area.
- The site should be kept in commercial/office use to protect amenity.
- The proposal is contrary to paragraphs 127 and 128 of the NPPF. (**Paragraphs relating to 2019 version of NPPF. Equivalent to paragraphs 130 and 132 of the current 2021 version of NPPF*)
- The plans indicate a replacement boundary fence to the rear. However there is already a boundary fence and the extension will tower over this.
- There hasn't been any meaningful consultation process and the residents comments raised during the period of community involvement undertaken by the developer have not been addressed.
- There hasn't been reasonable notice of the plans and nobody has visited the site.

18 Although in overall objection some of the objection responses did include points in support concerned with the following matters:

- The principle of bringing the vacant building and site back into residential use is supported.

- The conversion, new dormers and retention of original features along with the grand staircase to the front of Belmont House is a benefit to the existing property.

19 One letter of support was received concerned with the following matters:

- The scheme will bring a vacant site back into residential use thereby alleviating the housing shortage.
- It would bring a positive contribution to the area.

20 Although in overall support the response did include points raising concerns with the scheme concerned with the following matters:

- The layout is poor and provides an unnecessary amount of car parking especially in a sell serviced area.
- There should be more trees and less parking.

CONSULTATION RESPONSES:

21 **Highways** – No objections to the amended scheme subject to conditions relating to the access, construction practice, provision and laying out of parking spaces including EVCP, bin and bike stores.

22 **Flood Risk Management** – Proposed surface and foul water details have been provided and are considered to be acceptable. Therefore no objections subject to conditions for the works to be implemented in accordance with the submitted scheme prior to being brought into use.

23 **Yorkshire Water** – No objections subject to conditions to be carried out in accordance with the submitted plans in order to protect the local aquatic environment and Yorkshire Water infrastructure.

24 **Sustainability Landscape Team** – On balance no objection subject to robust pre commencement tree protection measures and a replacement replanting scheme which can be secured by condition.

25 **Sustainability Nature Team** – Biodiversity Metric calculations have been carried out and there will be an uplift in Biodiversity Units from 0.98 to 1.09, which is an 11% increase in Biodiversity Net Gain. Therefore no objections subject to conditions.

26 **Contaminated Land** – No objections subject to conditions relating to the submission of a phase 2 site investigation report and subsequent remediation statement if required.

27 **Environmental Studies – Transport Strategy** – Given the layout and orientation of the proposal, noise from road traffic is unlikely to cause issue.

28 **West Yorkshire Combined Authority** – To encourage the use of sustainable transport, the developer needs to fund a package of sustainable travel measures. This can be in the form of Mcards secured by section 106 agreement.

- 29 **West Yorkshire Police** – Video intercom to the entrance for access control and CCTV within the cycle store should be included in the interests of crime prevention.
- 30 **Access Officer** – Accessible housing applying to the new build elements but not the conversions will need to be delivered in line with Policy H10.

PLANNING POLICIES:

- 31 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.
- 32 Conservation area: 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.

Development Plan

- 33 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), The Core Strategy Selective Review (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP), the Site Allocations Plan (2019), the Natural Resources and Waste Local Plan (2013 and 2015) and Neighbourhood Plans (once adopted).
- 34 The application site is within the designated Conservation Area but has no other specific allocations or proposals.

Adopted Core Strategy

- 35 The Core Strategy 2014 (as amended by the Core Strategy Selective Review 2019) is the development plan for the whole of the Leeds district. The following Core Strategy policies are considered most relevant:

General Policy – Sustainable Development and the NPPF
Spatial Policy 1 – Location of Development
Spatial Policy 6 – The Housing requirement and allocation of housing land
H2 – New housing development on non allocated sites
H3 – Housing Density
H4 – Housing Mix
H5 – Affordable Housing
H9 – Minimum Space Standards
H10 – Accessible Housing Standards
P10 – Design
P11 - Conservation
P12 – Landscape
G4 – Green Space
T2 – Transport
EN1 – Climate Change – Carbon Dioxide Reduction
EN2 – Sustainable Design and Construction

EN5 – Managing Flood Risk
EN8 – Electric Vehicle Charging Infrastructure
G9 – Biodiversity Improvements

Adopted Site Allocations Plan

- 36 HG1 – Identified Housing Sites
HG2 – Housing Allocations

Natural Resources and Waste Local Plan

- 37 Water 1 – Water Efficiency
Water 7 – Surface Water Run-Off
Land 1 – Contaminated Land
Land 2 – Development and Trees

Saved Policies - Leeds UDP (2006)

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

GP5 – Requirement of Development Proposals
BD5 - New Buildings
BD6 – Extensions
BC7 – Conservation
N19 - Conservation
N25 – Boundaries
LD1 – Landscape Design

Relevant supplementary guidance:

- 39 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds
SPD – Street Design Guide
SPD – Parking

National Planning Policy Framework (NPPF)

- 40 The National Planning Policy Framework (NPPF), published July 2021, and the National Planning Practice Guidance (NPPG), introduced March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 41 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

- 42 The following parts of the NPPF have been considered in the consideration of this application. Paragraphs 8 and 11 of part 2 'Achieving sustainable development', Paragraph 126 - 135 of Part 12 'Achieving well designed places', paragraphs 152 - 157 of Part 14 'Meeting the challenge of climate change' and paragraphs 174 and 180 of Part 15 'Conserving and enhancing the natural environment' is applicable to this proposal.

Climate Emergency:

- 43 The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.
- 44 The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 152 and footnote 53 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
- 45 As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
- 46 The below appraisal discusses relevant matters at paragraphs 101 to 104. This includes that the proposal will satisfy the policy requirements of Leeds Core Strategy policies EN1 and EN2 through a number of proposed measures. This proposal includes new landscaping and tree planting and the introduction of electric vehicle charging points at the site to further tackle climate change and related matters.

MAIN ISSUES

1. Principle of development
2. Housing Matters
3. Visual amenity and the Conservation Area
4. Residential Amenity
5. Ecology and Landscape
6. Highway safety
7. Flood Risk Management
8. Climate Emergency
9. Representations

Other Issues

10. CIL
11. Conclusion

APPRAISAL

Principle of development

- 47 The site is not allocated for any particular use within the development plan and although the site is vacant, it has an existing lawful office use.
- 48 Policy H2 of the Core Strategy includes a number of criteria that new housing development on non-allocated land should meet and states *“New housing development will be accepted in principle on non-allocated land providing that (i) the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as condition of development (ii) For developments of 5 or more dwellings the location should accord with the Accessibility Standards in Table 2 of Appendix 3, (iii) Green Belt Policy is satisfied for sites in the Green Belt.*
- 49 The proposal is for 24 residential units in an area with a mix of uses but with a strong residential characteristic, particularly with the properties that abut the site boundaries. The whole site is in a sustainable location with good transport links and access to local facilities within Headingley and is a short distance to Leeds City Centre, which accords with the accessibility standards. As such it is considered that the principle of the development is acceptable in this instance, subject to all other material planning considerations, the circumstances of this will be discussed within the report.
- 50 In addition the site has the benefit of extant permissions obtained through the prior approval process for the conversion of all three buildings to residential accommodation.

Housing Matters

- 51 The proposal includes a mix of 3 bed, 2 bed and 1 bed apartments and a 3 bed townhouse within 3 blocks. This includes a total of 24 dwellings consisting of a mix of 19 two bedroom (79%), 3 one bedroom (13%) and 2 three bedroom units (8%). The proposed mix falls within the minimum and maximum targets as set out in the Core Strategy for one bed and two bed units but falls short of the three bed target. Whilst the 3 bed target could be met by reducing the two bed numbers and adding 2 three beds, this would lead to an impact on the parking requirements of the development which would not be feasible to attain. However one of the three bed units will be to a town house which helps the houses and flats mix on the site, which given the constrained site does not lend itself well to a residential development consisting of houses. In addition the policy is worded to allow flexibility in the housing mix for small developments based on the constraints of the site and character of the area to offer flexibility in the housing mix allowing for variations in the target housing mix. As such it is considered that on balance the housing mix is appropriate and is considered to be compliant with the wider aims of Core Strategy policy H4.
- 52 Core Strategy Policy H5 requires 15% affordable housing provision on-site. This equates to 4 units. The application proposes 1 affordable housing unit and the applicant requests that Vacant Building Credit (VBC) is applied to the existing buildings. The NPPF makes provision for VBC at paragraph 64 *“...To support the reuse of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount”* (Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned). The purpose of this provision is to *“incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering now vacant building credit should*

apply to a particular development, local planning authorities should have regard to the intention of national policy” (Planning Guidance).

The Planning Guidance identifies circumstances which authorities may consider in assessing requests for VBC: Whether the building has been made vacant for the sole purposes of re-development, and whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development. It is considered that neither of these circumstances apply and therefore VBC has been accepted. As such it is considered 1 affordable housing unit is acceptable, which will be provided on site as discounted market sales housing and will be secured through a section 106 agreement.

- 53 The proposal will include 18 new build dwellings and 6 as part of a conversion. Therefore 30% of the 18 new build dwellings are required to be provided to meet the requirements of M4(2) ‘accessible and adaptable dwellings’ of Part M, Volume 1 of the Building Regulations (against the policy target in Core Strategy policy H10). The proposal will provide 6 apartments at 33% of the total which meet the requirements of M4(2), exceeding the policy target in Core Strategy Policy H10 of 30%.
- 54 In line with Core Strategy Policy G4, the proposal will be required to provide new public green space, which is in addition to private and shared outdoor amenity space for future residents. The required public green space provision based on the submitted housing mix is 784m². The public green space should in the first instance be provided on site, however in this instance the requirement to deliver this on site is unachievable given the site constraints. As such it is considered a financial contribution will be acceptable in this instance to contribute to the provision of offsite green space. This will amount to £32,692.25 which will be secured through a section 106 agreement.

Visual Amenity and the Conservation Area

- 55 The proposal is required to pay due regard to the character and appearance of Belmont House which is a positive building, the site and the locality and must preserve or enhance the special character of the Conservation Area.
- 56 Belmont House has previously been extended with a poor quality single storey side and rear extension, which is not aesthetically pleasing and detracts from the building. The proposal will include the demolition of this extension and as such its loss is welcomed, with the proposed extension being constructed on a similar footprint. It is considered the design and scale of the proposed extension to Belmont House is acceptable. Although contemporary in appearance, the side extension contrasts well with the positive building, with a glazed link between the old and new and is set back from the front elevation, is in a secluded position within the site creating a subservient addition which preserves the dominance, form and character of the existing property. It is also set away from site boundaries which are also well screened with mature trees. The side extension will be constructed in brick with a colour to match the existing stone of Belmont House which will clearly distinguish the extension from the original dwelling without being a stark addition. The window detailing with chamfered reveals compliments the contemporary design and does not seek to replicate the dominant style of the existing building. The terraces are also positioned to the rear and do not interfere with the historic appearance of the existing property. The rear extension will be of a design that replicates the gable and character of the existing dwelling and will introduce uniformity to this elevation. Although dormers are considered detrimental to the property, they are an existing

feature which do not sit well within the roof, but important architectural features such as the chimney breast and are constructed in poor quality materials. The opportunity has been taken to improve the appearance of the dormers by replacing them with dormers of enhanced glazing to wall ratio, re position them within the roof space and utilise external materials finished in lead to complement the roof.

- 57 Although the existing Roundhouse is of interesting design, it is a contemporary addition which is not of historical significance to contribute to the important character and appearance of the Conservation Area. As such the building is not considered to be a non designated heritage asset and therefore its demolition is considered acceptable. The replacement building known as Bray House will be constructed on much the same footprint and is positioned to pay due regard of the topography and trees within the site. Given its position to the side of Belmont House it is important that the building does not dominate this principal historic building. The design and scale has paid due regard to this and has been developed to reflect the design of the proposed side extension to Belmont House thereby bookending the historic building and creating this as a focal point when entering the site. The contemporary design and palette of materials is therefore considered appropriate and contrasts well with the historic building. The building will also be set away from site boundaries, important trees and will sit well within the site.
- 58 By contrast the existing building known as the Coach House is located to the rear of the site and is not visible upon entering the site from Wood Lane. It does not offer the same historic contribution to the site or Conservation Area as the main Belmont House and is also currently in a poor state of repair. As such the building is not considered to be a non designated heritage asset and therefore its demolition is considered acceptable. Notwithstanding this, the secluded location of the building allows a more traditional approach to be taken for its replacement which allows for much of the architectural detailing to be replicated. Although three storeys, the scale and design is considered appropriate, with the walling materials constructed in stone with a slate roof. Although taller than the existing building, the second floor also partly utilises the roofspace, which allows for a three storey building which is only 1.7m higher than the existing two storey building. The majority of the building is positioned on the footprint of the existing building, with the enlarged part positioned in line with the gable end of the outbuilding to the adjacent site at No 31 Shire Oak Road to the south. It is therefore considered the proposed building is a suitable replacement and preserves the relationship with the neighbouring site.
- 59 As such it is considered the design and scale of the scheme will improve the existing site situation by replacing dilapidated and incongruous additions, introducing buildings which are subservient and contrast well against the principal building within the site and pay due regard to the relationship with neighbouring sites. This in turn will result in a scheme that preserves the special character of the Conservation Area.
- 60 The proposal is therefore considered to comply with the wider aims of Core Strategy Policies P10 and P11 and saved UDPR policies GP5, BD6 and N19.

Residential Amenity

- 61 Consideration has been given to the impact the development will have on the residential amenity of future occupants of the proposed dwellings and the occupants of neighbouring properties.

- 62 In order to provide a sufficient level of residential amenity there must be an acceptable level of outlook and amenity space for the enjoyment of the occupiers within the site. The site must also be protected from being overlooked and from overlooking other sites. The development of the site has been appropriately designed to ensure the amenity of future occupants and those of neighbouring sites is not compromised.
- 63 With regards to Belmont House the 11 units will be a mix of 1 x one bedroom apartment, 9 x two bedroom apartments and 1 x three bedroomed townhouse. Three of the two bedroomed units will be duplex and eight of the units will either have private garden space or private terraces. All of the dwellings will also have access to the communal outdoor amenity space within the whole site. Within the basement there will also be storage and cycle storage provision which will be accessed by the lift or stairs. It is considered the units will have rooms which are adequate in size conforming to the Local Authority's adopted space standards and will also provide a sufficient level of light and outlook, without being overlooked. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 64 The extension and conversion has been designed to negate any detrimental overlooking, overshadowing or dominance impact on neighbouring sites. The side extension will have a stepped design to the rear elevation with the ground and first floors positioned 7.5m from the rear (southern) boundary and the second floor 10.5m at their shortest point. The closest ground floor window to this boundary will be 7.7m away which will serve a bedroom, the closest first floor window will be 8m away which will be a relatively small secondary window serving a living area and the closest second floor window will be 11m away which will serve a bedroom, all at their shortest point. In addition the neighbouring property at No 31A Shire Oak Road to the south has a large rear garden and the shortest distance from the first floor window to the rear elevation of this neighbouring property will be 20.3m and the shortest distance from the second floor window will be 23m. Given the orientation of the existing building and the extension in relation to the boundary, these distances increase for the remainder of the rear elevation of the side extension. The first floor terrace will be 8.2m away from the southern boundary with this neighbouring site and its closest point and 22.1m away from the rear elevation of the neighbouring property, with an outbuilding in between. However given the terraces orientation in relation to the boundary, in reality these distances will increase when viewed from the useable areas of the balcony. In addition there is a considerable change in land levels between the host site and the neighbouring sites to the rear, which will result in only the top of the first floor along with the second floor being visible from these neighbouring vantage points. As such the view from the first and second floor will be at an oblique angle to this neighbouring site which further reduces any views. Therefore it is considered the distances to the boundary are acceptable and the proposal will not result in a detrimental overlooking impact on this site.
- 65 Given the orientation of the existing Belmont House and the proposed extension, the windows and terraced areas facing the southern boundary will therefore predominantly face onto the substantial boundary treatment and the detached garage block beyond which relates to the flats at No 31 Shire Oak Road which are also 25m away from the development at the shortest point rather than the site at No 31A Shire Oak Road. As such it is considered the proposal will not result in a detrimental overlooking impact on this site.
- 66 The side facing windows will be a minimum of 13m to the side (western) boundary

and will be a minimum of 20m to the elevation of the flats at No 18 Wood Lane, which is also separated by a dense tree line. As such it is considered the proposal will not result in a detrimental overlooking impact on this site.

- 67 Given the size and position of the extensions, distance to boundaries, the boundary treatment and the change in land levels, along with the orientation of the site, it is considered the proposal will not have an overshadowing or dominance impact on neighbouring sites. The extensions and conversions will also be a sufficient distance from the other proposed buildings within the site to prevent any amenity issues.
- 68 With regards to The Coach House the 6 units will be two bedroom apartments, with two units on each floor. It is considered the apartments will have rooms which are adequate in size conforming to the Local Authority's adopted space standards and will also provide a sufficient level of light and outlook, without being overlooked. Whilst the apartments will not have any terraces or individually allocated outdoor amenity space, they will have access to the communal outdoor amenity space within the whole site. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 69 Although the replacement building will have a greater footprint and will be higher than the existing, it has been designed to negate any detrimental overlooking, overshadowing or dominance impact on neighbouring sites. The windows to the front (northern) elevation will face into the site and onto the landscaped areas, trees and hardstanding. The windows to the side (western) elevation will face onto the access road within the site. As such the building will be a sufficient distance from the other buildings and private outdoor amenity spaces within the development to prevent any amenity issues.
- 70 The windows to the other side (eastern) elevation will face onto the parking area and will be 16m from the boundary and 17m to the side facing secondary windows of the New Moon apartments which already overlook the host site. In addition whilst the parking area will abut this eastern boundary, it will be no different than the existing site situation. As such it is considered the proposal will not result in an additional detrimental overlooking impact on this site.
- 71 No windows are proposed to the rear (southern) elevation which is located on the rear boundary. As such the proposal will not overlook the neighbouring site at No 31 Shire Oak Road to the South.
- 72 The building will also partly abut the outbuildings to the neighbouring site at No 31 Shire Oak Road to the south and whilst it is a three storey building compared to the two storey existing building, it will be a modest increase in height of 1.7m. The height difference will be restricted to the roof which pitches away from the boundary and its impact is further negated by the substantial change in land levels which will result it appearing as a 1.5 storey building from this neighbouring site. The rear elevation will be positioned 10.3m from the closest rear elevation of these flats, which does not have any main habitable room windows. Although the new building will be on a larger footprint, the enlarged part will abut the rear elevation of the outbuilding of this neighbouring site. As such given the changes in land levels, presence of the neighbouring outbuildings which abut the boundary, distance to the neighbouring flats, the modest increase in height over the existing building and the orientation of the host site to the north of this neighbouring property, it is considered the Coach House will not result in a detrimental overshadowing or dominance impact on this site.

- 73 Given the distance to the neighbouring development at New Moon apartments, it is considered the proposal will not result in an overshadowing or dominance impact on this site.
- 74 With regards to Bray House the 7 units will be a mix of 2 x one bedroom apartments, 4 x two bedroom apartments and 1 x three bedroomed apartment with the ground and first floor each accommodating three apartments and the second floor one. The ground floor apartments will have private garden space, the first floor apartments will have Juliet balconies and the second floor apartment will have a roof terrace. All of the units will also have access to the communal outdoor amenity space within the whole site. It is considered the units will have rooms which are adequate in size conforming to the Local Authority's adopted space standards and will also provide a sufficient level of light and outlook, without being overlooked. The windows to the side (western) elevation will face onto a banking and the upper floors will face Belmont House beyond. All the rooms with windows to this elevation have been designed to be dual aspect to maximise light penetration and outlook to either the front or rear. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 75 The building has been designed to negate any detrimental overlooking or overshadowing or dominance impact on neighbouring sites. The windows to the front (northern) elevation will face into the site and onto the landscaped areas, trees and hardstanding. The windows to the side (western) elevation will face onto a banking and the upper floors to Belmont House beyond which will be a sufficient distance from Belmont House to negate any overlooking issues and visa versa. The windows to the rear (southern) elevation will face onto the private outdoor amenity space and trees within the site beyond. As such the building will be a sufficient distance from the other buildings and private outdoor amenity spaces within the development to prevent any overlooking issues.
- 76 The windows to the side (eastern) elevation will be at a distance of between 6.8m 13m from the side boundary, given the orientation of the building within the site. They will face onto the substantial boundary treatment and blank side elevation of the neighbouring property at No 38 Wood Lane beyond and the open boundary between the front amenity areas of the two sites. This neighbouring site has also recently been in office use and was used as an overspill area to the application site. It has recently benefitted from planning consent to change the use to a meeting/office space with ancillary overnight sleeping accommodation above, thereby retaining its commercial/office use. As such it is considered the proposal will not result in a detrimental overlooking impact on this neighbouring site.
- 77 Given the size and position of the new Bray House, which will be further away from the eastern boundary than the existing building, the boundary treatment and the orientation of the building within the site, it is considered the proposal will not have an overshadowing or dominance impact on neighbouring sites or the other buildings within the site.
- 78 In addition to the gardens and terraces, communal outdoor amenity space will also be provided. This will be provided predominantly to the front of Belmont House with a large grassed area which will be inviting for use, will maximise the available space and will be accessible from all three blocks without impacting on the dedicated private amenity areas around the site. There are also additional areas around the Coach House with seating and grass. The hardstanding between the Coach House and the communal outdoor amenity areas will also be block paved to introduce a more pedestrianised feel to link the apartments and the amenity areas. As such it is

considered the outdoor amenity space is appropriate and will provide a good level of amenity for future residents.

- 79 Overall, it is considered that the proposed development will enable a good level of amenity for future occupants without having an adverse impact on the amenity of the occupants of neighbouring sites.
- 80 The proposal is therefore considered to comply with the wider aims of Core Strategy Policies P10, H9 and H10 and saved UDPR policies GP5 and BD5.

Ecology and Landscape

- 81 Mature trees are present within the site and also flank the site boundaries, which provide an important contribution to the character and appearance of the area, carbon storage and biodiversity. As such it is important that development mitigates harm to the trees. The development of the site has been appropriately designed to ensure the health of the vast majority of the trees is not compromised. The works will require 3 trees to be lost, however a replacement planting scheme of a ratio of 3:1 will be implemented to mitigate this. In addition the tree survey highlighted two further trees which have decayed and are considered to be U category. These are a tree to the front (northern) boundary and a tree to the side (western) boundary. As such, whilst not directly impacted by the development the opportunity will be taken to remove these during the works.
- 82 In order to facilitate the extension to Belmont House, two trees (G42) directly to the front of the existing and proposed extension will be removed. These are mature Yew trees which are located in close proximity to the existing building and will in turn be too close to the extension. This will have an impact on outlook and light penetration to the front elevation of the apartments. Throughout negotiations, alternative options were considered to retain the trees which included substantial pruning into bushes. However given the proximity to the existing extension a reduction in height would still have an impact on the amenity of the apartments and their retention in any form was not considered to be feasible. On balance given the trees are located well within the site and do not form important boundary coverage and are in very close proximity with the existing building which is already causing a conflict, it is considered their removal is acceptable. Their loss will also be mitigated by a replanting scheme of 6 trees within the site.
- 83 A tree to the southern boundary (T34) which is a Common Ash currently leans with branches that overhang the building. As such work needs to be carried out to facilitate the development. The tree does contribute to the visual amenity of the area, the screening of the boundary along with biodiversity and carbon storage. As such rather than completely removing the tree, works will be carried out to remove the branches and retain a 6m high trunk. This will retain some screening and encourage biodiversity. The replanting scheme will also focus on enhancing the tree coverage to this southern boundary which will result in greater screening between the host site and those to the south than existing.
- 84 Two trees to the front of Belmont House (G43) which are Yew and Holly will be pruned to allow for good management and to open up the view of the front elevation of the building. One tree to the western boundary (G38) will be pruned back to provide clearance to the extension.
- 85 It is considered the pruning works are relatively minor and will not have a detrimental impact on the health of the trees and other benefits. The retained trees

will also be an adequate distance from the building and the root protection area (RPA) will not be compromised given the buffer of the access drive to the side and rear.

- 86 The existing Coach House is set away from trees and is surrounded by an area of hardstanding to the front and sides and buildings beyond the rear boundary. Whilst the replacement building will be on a larger footprint, it will be a sufficient distance from trees and RPAs as not to have an impact on their health.
- 87 Although the proposed Bray House will be positioned in close proximity to trees, it will not have a detrimental impact on their health and all will be retained. This is because the building will be positioned on the same footprint as the existing Roundhouse Building at its closest point to the trees on the eastern boundary and as such will not impact on the RPA or canopy. The part of the proposed building which is constructed beyond the footprint of the existing building has also been orientated to pay due regard to the RPAs of the surrounding trees. Although the grouping to the rear of the building (G29) which are a mix of Tree Cotoneaster, Cherry Laurel and Rhododendron will be pruned back where required and the 4 trees to the west of the building (G30) will be pruned to provide clearance and good management, it is considered the pruning works is relatively minor, will tackle some invasive species and will not have a detrimental impact on the health of the trees.
- 88 To facilitate the parking area to the front of the site one tree (T44) which is a Weeping Ash will be removed. Whilst this tree contributes to the character and appearance of the area, it has been found to be in decay with dieback which is likely due to ash dieback. In light of this and also the requirement of the parking facilities, it is considered that on balance the benefits of the proposal outweigh the retention of the tree. The tree will also be replaced on a ratio of 3:1 as part of the planting scheme to the wider site.
- 89 Two further trees which are not affected by the development but were found to have severe defects and given U ratings during the tree survey are also to be removed. These are (T39) Sycamore to the western boundary which has significant decay and (T3) Sycamore to the front boundary which has significant decay and also overhangs the road. As such whilst they are not affected by the development, given their health the opportunity to remove them will also be taken as part of the works, for long term benefits, which is considered acceptable.
- 90 The drainage, utilities and services will also pay due regard for the trees and any works within the RPA will be minimal, using hand dug operations under arboriculturist supervision.
- 91 As such it is considered that subject to conditions, the proposed development will not have a detrimental impact on the majority of the trees within and to the boundaries of the site. The trees that are to be lost to facilitate the development is on balance considered acceptable when weighed against the small number of affected trees and the replacement planting scheme.
- 92 The existing site has been assessed to have a Biodiversity Unit score of 0.98 Habitat Units. The scheme will create an uplift in Biodiversity Units to 1.09, which is an 11% increase in Biodiversity Net Gain which will be achieved by enhancement to the soft landscape areas and woodland through the creation of additional areas and planting and a replacement planting scheme for the lost trees at a ratio of 3:1, removing of invasive species and creating standing deadwood. Integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within the

buildings will also be sought, will be secured by condition.

- 93 As such it is considered that subject to conditions, the proposed development will enhance biodiversity within the site in line with the wider aims of Core Strategy Policies P12 and G9.

Highway Safety

- 94 The proposed scheme will replace an existing office use on the site which generates substantial comings and goings with a residential development. Whilst a residential use would likely lead to a different pattern of trips to a commercial/business use, it is considered the comings and goings of a residential use of this scale are likely to be less frequent than those associated with a commercial/business use.
- 95 The development will retain the existing site access and will provide the required visibility sight lines of 2.4m x 23m by lowering the boundary wall slightly. Although the approach roads are relatively narrow a construction management plan will be required to be approved (secured by condition) prior to the commencement of works which also includes swept path analysis of construction vehicles travelling from the A660 to prevent an impact on the surrounding highway.
- 96 The proposal also provides 33 parking spaces, including two disabled spaces and each with Electric Vehicle Charging Points within the site and a turning facility to enable vehicles to enter and exit in a forward gear. The site layout also enables a refuse vehicle and fire tender to enter and exit the site. Adequate bin and cycle stores are also provided within the site.
- 97 In addition the site is close to Headingley Town Centre, in a sustainable location which is accessible by various modes of travel including frequent bus route. The developer has also agreed to a contribution towards promoting sustainable travel through incentives to future residents by providing Bus Only Residential Mcards for the first year of occupation. The contribution appropriate for this development would be £12,276 and will be secured through a Section 106 agreement.
- 98 As such it is considered the proposal will not have a detrimental impact on pedestrian or highway safety and subject to conditions the scheme is considered acceptable in highway terms. The proposal is therefore considered to comply with the wider aims of Core Strategy Policy P10 and T2.

Flood Risk Management

- 99 The application site is located within flood zone 1 and there have been no records of any recent flooding within the property or the adjacent areas. In addition there are no other known flood risks which require mitigation and would impact on the proposed development. Given the site is previously developed land with an active use on approximately the same footprint which generates both surface and foul water discharge, the existing private combined sewer running through the site will be utilised for foul and surface water. However attenuation will be provided to restrict the amount of further surface water flow via a new tank within the car park to the front. Flood Risk Management have reviewed the submitted information and consider the proposed drainage strategy is acceptable.
- 100 As such It is considered the proposal will ensure sustainable drainage and flood prevention in accordance with the wider aims of NRWLP Policy Water 7 and saved UDPR Policy GP5.

Climate Emergency

- 101 The proposal will introduce a number of measures to ensure that the Council's Core Strategy policy EN1 (Climate Change – Carbon Dioxide Reduction) as currently applied by the Council is complied with. The developer's carbon reduction strategy for the development is reliant on a mix of measures which seek to improve energy efficiency and energy generation. This will include enhanced insulation and air tightness, the use of heating controls and low energy lighting, and the use of photovoltaics which will exceed 20% reduction in carbon dioxide emissions achieved against the Building Regulations Target Emission Rate (to be 27.6% for Bray House, 27.6% for Coach House, 30.8% for Belmont House) and energy reduction through the use of renewable energy generation meets or exceeds the 10% figure set out in policy EN1 (to be 10% for Bray House, 10 % for Coach House, 11% for Belmont House).
- 102 In addition to the above, eco-sanitary ware, restricted flow rates and water meters will ensure the Council's water consumption standard of 110 litres per person per day as set out in Core Strategy policy EN2 is met.
- 103 It is further noted that the additional tree planting, green areas and the introduction of electric vehicle charging points at the site, as set out in the above report, will also assist in tackling climate change and air pollution in line with wider Council objectives and assist in encouraging more sustainable travel choices.
- 104 Overall, the proposal is not considered to raise any notable concerns in relation to the Council's Climate Emergency declaration and is considered to comply with the wider aims of Core Strategy Policies EN1 and EN2.

Representations

- 105 The material planning issues raised in the representations have been covered within the report above.

CIL

- 106 The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this application is CIL liable on commencement of development at a rate of £45 per square metre of chargeable floorspace totalling £95695.71. This is not a material planning consideration and is presented for information purposes only.

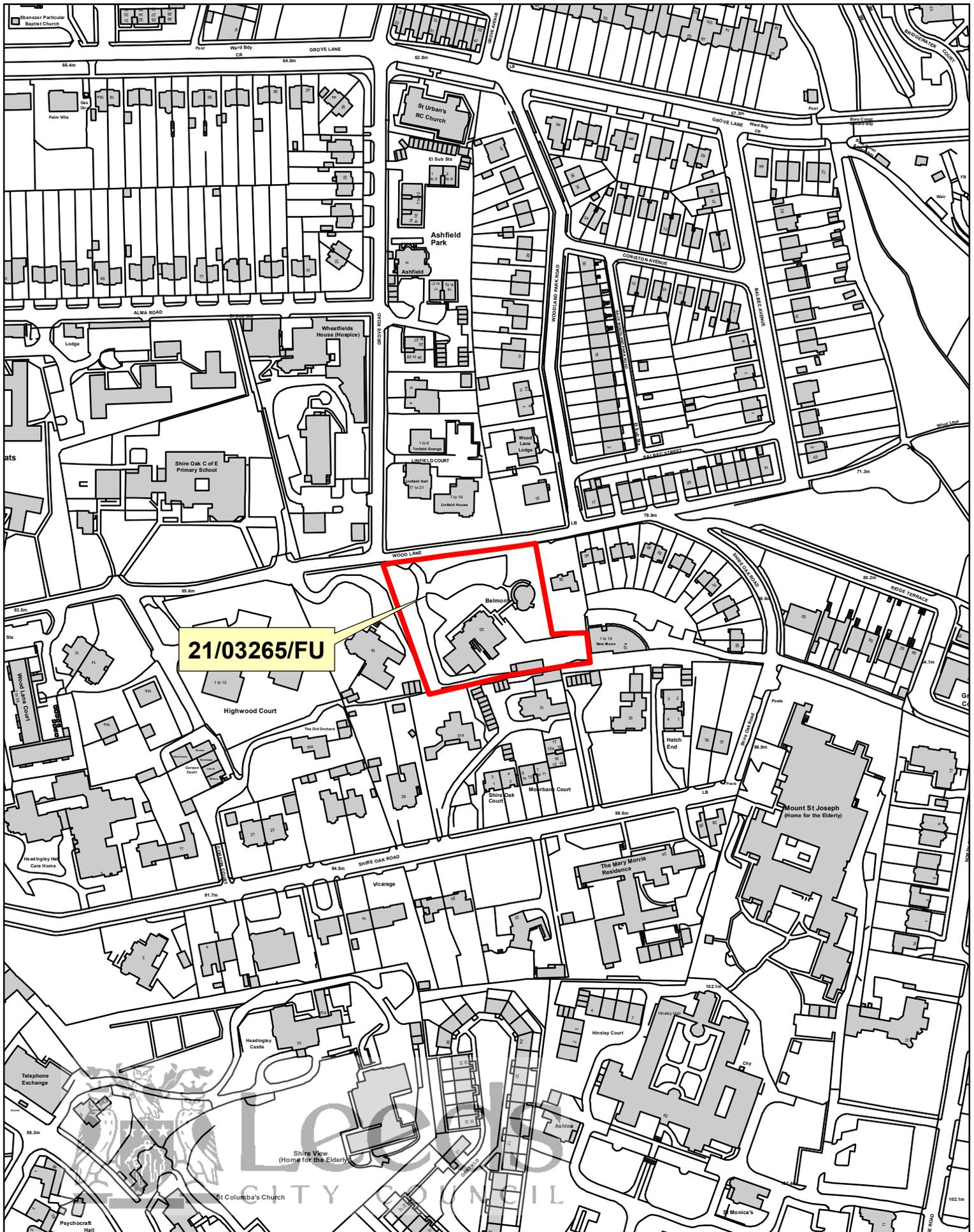
CONCLUSION

- 107 To conclude, the principle of residential development on this previously developed site is considered acceptable. The proposal will provide a development that is visually appropriate to its setting and wider locality, paying due care to the character and appearance of the existing principal building to the site and preserving the important trees and special character of the Conservation Area. The dwellings will provide an appropriate level of amenity for future occupants whilst preserving the amenity of occupants of neighbouring sites. Given the existing use and proposed site layout it is considered that on balance a residential development in this location is acceptable and will not have a detrimental impact on highway safety. The proposal will be appropriately constructed to limit its impact on climate change and will provide a net gain in biodiversity. The proposal is therefore considered to comply

with development plan policies and the NPPF and taking all other material considerations into account including representations received, it is recommended to Members for approval subject to the conditions set out.

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

SCALE : 1/2500





- NOTES**
- All dimensions and levels are to be checked on site.
 - Any discrepancies are to be reported to the Shaw & Jagger Architects Ltd before any work commences.
 - This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
 - This drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
 - Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. Shaw & Jagger Architects Ltd cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.

rev	date	drawn	checked
E	03/03/22	SDT	SDT
CONTEMPORARY EXTENSION TO BELMONT HOUSE REDUCED BY 1 STOREY. BRAY HOUSE INCREASED BY 1 STOREY IN LINE WITH PLANS PANEL RECOMMENDATIONS.			
D	27/10/21	SDT	SDT
BALCONY FOR UNITS 8 AND 10 REMOVED FROM BELMONT HOUSE			
rev	date	drawn	checked
C	27/08/21	SDT	SDT
2 SPACES ADJACENT EAST CORNER OF BELMONT HOUSE REMOVED TO FACILITATE LARGER PATH BETWEEN COACH HOUSE, BELMONT AMENITY LAWN AND BRAY HOUSE. SPACES RELOCATED TO NORTHERN CURVED PARKING AREA AND WEST OF COACH HOUSE.			
rev	date	drawn	checked
B	22/06/21	SDT	SDT
SPACES WIDENED TO 2.6M. 2 No DISABLED SPACES NOTED. BIN STORES ADDED			
rev	date	drawn	checked
A	08/06/21	SDT	SDT
MINOR AMENDMENTS TO BELMONT HOUSE EXTENSION TO REFLECT PLAN CHANGES. ENTRANCE STEPS TO WEST OF BELMONT HOUSE ALTERED. ACCESS ROAD TO SOUTH WEST OF BELMONT HOUSE WIDENED			

drawing stage **PLANNING**
drawing status **FOR SUBMISSION**
client

BELMONT HOUSE DEVELOPMENT LTD

project
REVELOPMENT OF BELMONT HOUSE WOOD LANE, LEEDS

drawing title
PROPOSED SITE PLAN

date **FEB. '21** drawn **SDT**
scale **1:200 @ A1** checked **EJ**



Job No **379/01 (02)015** Rev **E**