



**Leeds**  
CITY COUNCIL

Originator: Laurence Hill

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**Report of the Chief Planning Officer**

**SOUTH AND WEST PLANS PANEL**

**Date: 24<sup>th</sup> November 2022**

**Subject: 22/02200/FU - Demolish stable block and office and erect one dwelling house including alterations to form vehicle access - Stable Block, Mall Lane, Off Carlton Lane, Guiseley, Leeds, LS20 9PE**

**APPLICANT**

Mrs W Field

**DATE VALID**

15.07.2022

**TARGET DATE**

09.09.2022

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**Electoral Wards Affected:**

**Otley and Yeadon**

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

**RECOMMENDATION:**

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

**Conditions**

1. Time limit on outline permission
2. Development to accord with approved plans
3. External materials to be approved
4. Surfacing materials to be approved
5. Boundary treatments to be approved
6. Construction Method Statement to be approved
7. Vehicle areas to be laid out
8. Bin storage to be provided
9. Electric vehicle charging points to be provided

10. Landscape scheme to be approved
11. Landscape scheme to be carried out
12. Imported soil tests to be approved
13. Unexpected contamination to be reported
14. Drainage details to be submitted
15. Removal of permitted development rights

## **INTRODUCTION**

1. This application is brought to Plans Panel in accordance with the scheme of delegation at the request of Councillor Colin Campbell for the following reasons:
  - This is to all intents and purposes a new build within the green belt. As such it is contrary to local and national policy.
  - The development, garden, car parking etc would be detrimental to the openness of the green belt.
  - The access road is sub-standard.
  - No valid reason has been put forward to set aside green belt policy.

## **PROPOSAL:**

2. This application seeks planning permission for the demolition of a stable block and erection of one dwelling house including alterations to form new vehicle access. The dwelling proposed is a single storey 3-bedroom property constructed from natural stone and slate. Vehicular access is off Mall Lane. Garden space is located to the immediate south of the property with meadow planting beyond this.
3. During the application process the design of the dwelling has been amended. A more traditional form has now been proposed with a slimmer L shaped building together with a steeper roof pitch to ensure the building has a rural vernacular. The materials have been changed to ensure that the entire dwelling is to be built from natural stone.

## **SITE AND SURROUNDINGS**

4. The application site comprises a block and render stable block and an agricultural barn set within a small holding. Immediately to the north of the site is a residential property which is currently being extended and beyond this an equestrian business. To the south of the site is a newly constructed dwelling which replaced a commercial building.
5. The application site is located on the South side of Otley Chevin within the Green Belt. Yeadon and Guiseley town centres located approximately 2 kilometres to the South and Otley town centre 2 kilometres to the North.

## **RELEVANT PLANNING HISTORY:**

6. 19/06632/FU - Demolition of car storage facility and construction of a dwelling – Approved at appeal

## **PUBLIC/LOCAL RESPONSE:**

7. Bramhope Parish Council: Objections

Although the proposals are judged in the Local Plans report to meet with planning policy the Parish Council has various concerns regarding the development of this site.

- The negative impact of additional domestic curtilage and associated domestic paraphernalia and parked vehicles on the openness of the Green Belt. There is a need to protect visual amenity both from the impact of the new dwelling and the associated domestic curtilage
  - The lack of landscaping and planting plans which would help soften the transition into the Green Belt and improve the biodiversity of the site.
  - It should be demonstrated that there be no need for further stables to be developed as a result of this application. The Historical Appraisal Map Review refers to a barn already on the site.
  - Permitted development rights should be removed
8. One letter of representation has been received raising the following objections:
9. This application is for a new residential dwelling in Green Belt or paragraph 80 which does not conform with any of the criteria set out in the policy in that it would not be a building of outstanding architecture , it would not re-use a heritage asset, it would not be an agricultural workers dwelling and it would not be the re-use of redundant farm buildings.
10. The new access from the dwelling goes across third party land for which I know they have not received permission for and never will. Should the access be revised to come out of the existing access into the field, this would not comply with highways protocols for size and sight.
11. Mall Lane is busy enough with traffic already so visitors etc to the proposed property would increase the burden on the road.
12. The existing buildings are not of sound structure and look an eyesore so should be re-built fitting into the surroundings more however only as the intended and permitted use, that of stables

### **CONSULTATION RESPONSES:**

#### Highway Services

No objections subject to conditions..

#### Contamination

No objections subject to conditions

#### Flood Risk Management:

No objections subject to drainage condition

#### Environmental Studies:

Due to this site's proximity to Leeds Bradford Airport, care should be taken in choosing roofing and glazing specifications such that the internal noise standards detailed within BS 8233 are met.

### **PLANNING POLICIES:**

#### Development Plan

13. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds comprises the Adopted Core Strategy (Amended 2019), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) the Aire Valley Leeds AAP and any made neighbourhood plan.

14. The following Core Strategy policies are considered most relevant:

- Spatial Policy 1 – location of development.
- H2 – New housing on unallocated sites. .
- P10 – Design.
- P12 – Landscape.
- T2 – Accessibility and highway safety.
- Policy G9 - biodiversity improvements
- EN2 – Sustainable design and construction.

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

- GP5 - Development proposals should resolve detailed planning considerations.
- N33 – Development with the Green Belt
- BD5 – New development and protection of amenity.
- LD1 – Protection of vegetation.

Natural Resources and Waste Development Plan:

16. The following Supplementary Planning Policy documents are relevant:

- Neighbourhoods for Living.
- Street Design Guide.
- Building for Tomorrow Today: Sustainable Design and Construction.

#### National Planning Policy

17. The National Planning Policy Framework (NPPF) sets out the Governments Planning Policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.

18. The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

#### Climate Emergency:

19. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.

20. 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.

21. 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.

## 22. MAIN ISSUES

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

## 23. APPRAISAL

### Principle of development

24. The site is located within an area of designated Green Belt (UDP Policy N32). It is not situated within a designated Neighbourhood Area.

25. The key consideration is whether the proposed development is acceptable in the Green Belt. The National Planning Policy Framework states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances" (para.147). Para.149 highlights that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions. For the purposes of this planning application, consideration is given to the following exception listed in para.149

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development..."*

26. For criteria g) to apply, the site would have to be defined as 'previously developed land' as described in the glossary to the NPPF:

*"Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments;*

*and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”*

27. From an assessment of the site the stables are in use for the purpose of providing accommodation for horses, and not for grazing as part of agricultural use of the land. If the keeping and feeding of horses is not provided for the purposes of agriculture (defined in Section 336 of the Town and Country Planning Act 1990) it is not defined as an appropriate use in the Green Belt.
28. There is case law which establishes that the equine use of land including stabling can be defined as previously developed land so long as it is occupied by a permanent structure. The existing stable block is a permanent structure and therefore, is clearly previously developed land. The application can therefore be considered and assessed against para.149 criteria g) on whether the new replacement building would “*not have a greater impact on the openness of the Green Belt than the existing development*”.
29. The existing stable block, while appropriate within the context of the Green Belt, is a poor-quality building which causes harm to the openness and appearance of the Green Belt. The proposed replacement dwelling is sited in the same location of the existing stables and has a comparable footprint. The addition of a pitched roof does increase the height by approximately 2 metres and with it the volume of the building by approximately 115 metres cubed – an increase of 29 percent and therefore this would result in a small additional impact on the openness of the Green Belt. However, the development results in small reduction in the footprint of the building and it is considered that the proposed dwelling is good quality and of an appropriate vernacular for this semi-rural location such that it will result in an appreciable improvement in the appearance of the landscape. This balance between the height and volume with the design and improvement to the overall appearance of the landscape was taken by the Inspectorate in allowing the appeal for a replacement of the car storage building with a dwelling on the site approximately 200 metres to the south the application site. In light of this clear improvement and quality of design, it is considered that the increase in height and volume of the new dwelling can be justified in balancing the Green Belt and design policy objectives.
30. Paragraph 80 of the NPPF specifically states that development of isolated homes in the countryside unless there are specific circumstances relating to need, heritage, reuse of buildings and/or design that justify the development. The development proposed does not meet the specific circumstances. The application site is located in a semi-rural location approximately 2 kilometres away from the nearest settlements and public transport routes. The access road to the site is unlit and does not have a dedicated footpath. Residents of the proposed dwelling, while there being a well-established network of public footpaths and bridleways locally, would be largely reliant on the private vehicle to access services and facilities. As such the site is relatively isolated. However, the site is within a small group of residential properties and commercial uses which have an existing vehicular access and are served by refuse collection. In this context it is considered that the location of the dwelling is not so isolated as to be physically or functionally separated from other residential and commercial properties. It is therefore considered that paragraph 149, which permits the redevelopment of previously development land should be given greater weight as part of the planning balance.

#### Design

31. With specific regards to design, it is considered that the proposed dwelling represents good quality design which responds positively to this semi-rural setting. The modest single storey building with a L shape footprint has a form that reflects that of traditional

agricultural and equine buildings.

32. The use of natural stone and slate together with stone headers and cills for all doors and windows is welcome and again appropriate in this semi-rural context.



33. The development includes the upgrading of the existing field access track to a domestic driveway. The use of gravel and additional landscaping will ensure part of the development can be sympathetically assimilated into the landscape.
34. It is recommended that conditions are attached requiring the submission of stone and slate, windows and landscaping to ensure that appropriate natural materials are used and good quality landscaping is achieved.
35. In summary, it is considered that the proposed development constitutes a good quality and well-designed small-scale development which enhances this part of the Green Belt. As such, the development is considered to be compliant with policy P10 and P12 of the Leeds Core Strategy, GP5, BD5 and P10 of the Saved Unitary Development Plan Review (2006).

#### Residential amenity

36. With regards to residential amenity, the development will provide a good quality internal and external living environment for future occupants. No impact on the amenity of other properties will result from the development.
37. As such the proposed development is considered to comply with policy GP5 of the Saved Unitary Development Review (2006) and the guidance within the Neighbourhoods for Living SPG.

#### Highway Safety and Parking

38. With regards to issues of highway safety and parking, the existing access from Mall Lane onto Carlton Lane is substandard, therefore improvements should be made. The national speed limit applies to Carlton Lane. A speed survey was carried out by Leeds City Council in September 2021 on Carlton Lane, within 20m of Mall Lane. The identified 85th percentile speed was 34.9 mph eastbound and 34.6 mph westbound. Therefore, visibility splays of 2.4m x 83m eastbound and 2.4m x 82m westbound are required. The areas within the visibility envelopes will need to be maintained so that the vegetation is no higher than 1.0m above the carriageway. This will be secured by condition. The first 15m of the access track should be hard surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. Conditions are recommended requiring the surfacing of the junction of Mall Lane and Carlton Lane and for the maintenance of landscaping to ensure visibility is maintained.
39. The proposed development provides two off-street parking spaces which is considered sufficient. Adequate space for vehicles to turn within the site to ensure they can exit the site in a forward gear is provided.
40. Considering the above, it is considered that the development complies with policy GP5 of the Saved Unitary Development Plan Review (2006) and T2 of the Leeds Core Strategy.

#### Other Material Planning Issues

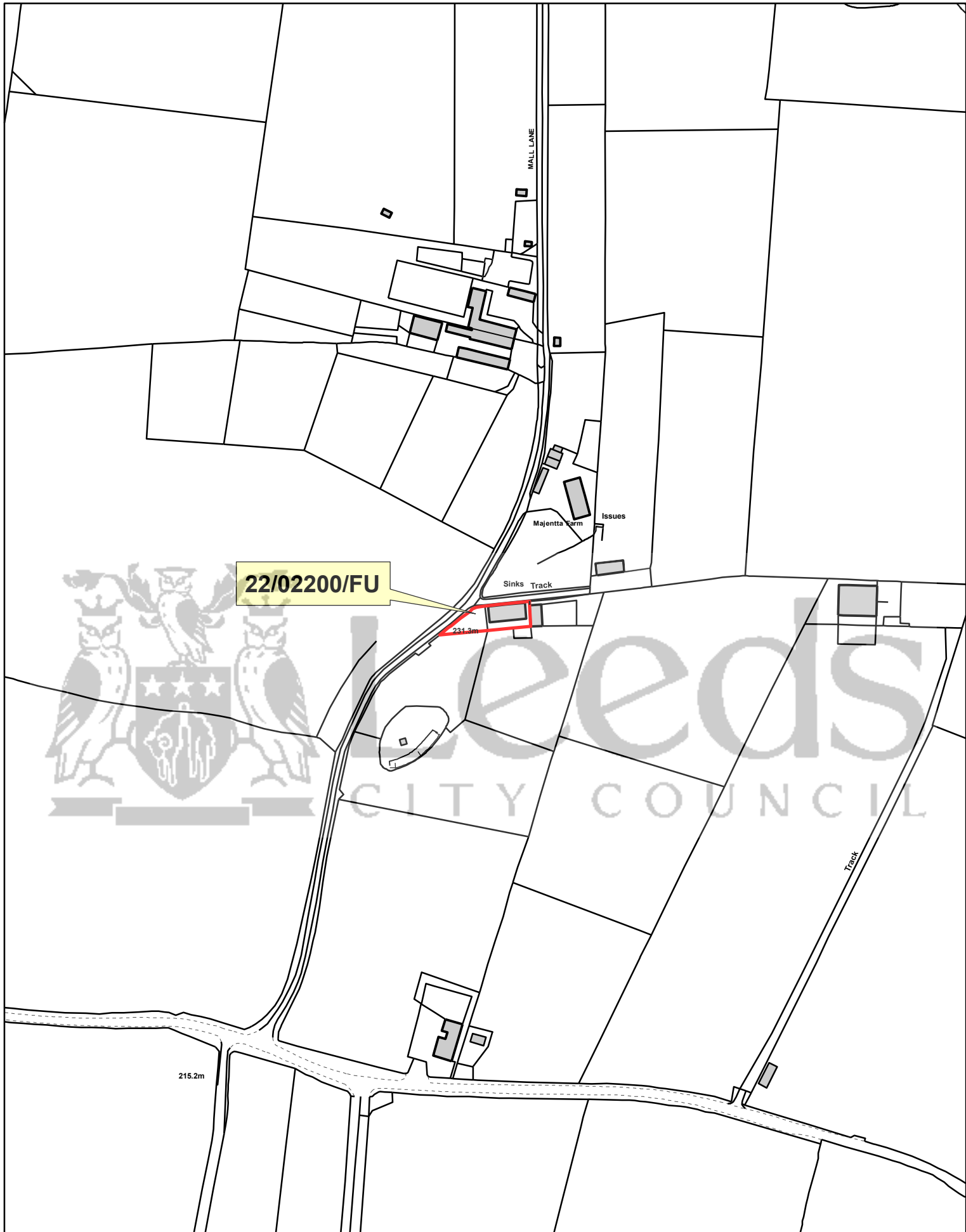
41. With regards to climate emergency, air source heat pumps and electric vehicle charging points are also to be provided for each property. No gas energy is proposed.
42. With regards to bio-diversity improvements, the existing site has limited immediate bio-diversity value. The development offers scope for bio-diversity enhancements to this and wider part of the site. It is recommended that a condition requiring the detail of these bio-diversity improvement measures and strategy is included as part of permission.

### Local representation

43. The issues raised through the local consultation process have been considered in reaching a recommendation on the proposal and these considerations are laid out within the report.

### **CONCLUSION**

44. In conclusion, it is considered that the proposal represents a good quality and well-designed development which will preserve the openness and improve the character of this Green Belt through the sympathetic redevelopment of this previously developed site. This weighs in favour of the development. The location of the away from the urban area is such that future occupants will be largely reliant on a private vehicle for means of transport. This weighs against the development
45. Overall, assessing the planning balance of the proposal it is considered that the benefits of the development through the creation of a good quality and well-designed dwelling with the improvements to the character and appearance of the landscape outweigh concerns regarding the relative isolation of the site and as such it is recommended that planning permission is granted.



# SOUTH AND WEST PLANS PANEL

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SCALE : 1/2500





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Notify the Architect immediately of any variation between drawings and site conditions.

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Where drawings are based on survey information received, surveys are available on request.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications.

Where dimensions are given on a drawing they must always be checked against site dimensions. Dimensions on drawings are indicative only. Site checks must be used for fabrication information.

**H&S HAZARDS:**

Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&S plan.

It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Significant hazards are defined as: -

- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.

General Notes:

Rev:	Details:	By/Chk	Date:
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Project: Mall Lane		
Drawing Title: Site Location Plan		
Stage: Planning	Status: Planning	
Drawn By: TA	Date: February 2022	Scale: 1 : 1250
Project Number: 210053	Sheet Size: A3	
Revision: TA-P1-XX-GA-A-0004		

1 SL\_Site Location Plan  
1 : 1250