



## Report of the Chief Planning Officer

### *PLANS PANEL EAST*

Date: 17<sup>th</sup> March 2011

**Subject: APPLICATION: 10/04987/FU - DEMOLITION OF EXISTING BUILDINGS, AND CONSTRUCTION OF NEW VEHICLE SERVICING BUILDING, CAR SALES AREA AND PARKING, PROSPECT GARAGE, CHURCH STREET, MORLEY**

#### **APPLICANT**

Archbold Car shop Ltd

#### **DATE VALID**

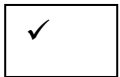
4 November 2010

#### **TARGET DATE**

3 February 2011

#### **Electoral Wards Affected:**

Morley North



Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

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

#### Conditions

1. Time Limits
2. Approved plans
3. Sample of wall and roofing materials
4. Area to be used by vehicles to be laid out
5. Details of hard surfaces
6. Details of any boundary treatment to be submitted
7. Submit landscaping details
8. Implement approved landscaping
9. Replacement of any dead trees within five years
10. Development in accordance with approved drainage scheme
11. Oil interceptor incorporated.
12. Infiltration drainage methods
13. Details of on-site water storage
14. Refuse disposal details
15. Hours of delivery (0700 to 1900 hours Monday to Saturdays and no deliveries/collections on Sundays and Bank holidays)

16. Lighting restrictions
17. Opening hours (Monday to Fridays 07.30 to 18.30 hours, Saturdays 0900 to 17.00 hours and no opening on Sundays or Bank Holidays.
18. Service bay doors be kept closed during normal working hours (only opened for vehicle access)
19. Boundary fencing to bungalows to be close boarded, details to be agreed.
20. Site investigation report
21. Remediation statement
22. Unexpected remediation to be dealt with.
23. Details of cycle parking
24. Details of removable bollards to be submitted.
25. Details of a Delivery Management Strategy.
26. Details of a Traffic Regulation Order to the site frontage.
27. No outdoor storage.
28. Drainage details to be submitted.
29. Discharged flows to be restricted to 5 litres/second per hectare.
30. Filtration drainage.
31. Details of attenuating storage feature/installation.

**Reason for Approval** – The redevelopment of existing industrial premises for car sales and vehicle repair is acceptable in principle subject to resolution of detailed planning and highways considerations. The application is considered to enhance the setting of the proposed enlarged Conservation Area, to respect the setting of the adjacent listed building (Croft House), without adversely impacting on local residents or highway safety. The application is considered to comply with policies SA7, SP3, GP5, N12, N13, N19, N25, BD5, BD6, T2 and T24 of the adopted UDP Review, as well as guidance contained within PPS1, having regard to all other material considerations, including amenity , is considered acceptable.

## **1 INTRODUCTION:**

- 1.1 Councillor Tom Leadley has requested the application be determined by Plans Panel after a Members' site visit. The purpose would be to allow Members to see for themselves the relationship between the proposed fencing and planting on the north-eastern and south-eastern boundaries, and the adjoining dwellings and gardens on Croft House Road, Croft House View and at Croft House (Grade II listed building).

## **2 PROPOSAL:**

- 2.1 The application is to demolish the existing industrial buildings and erect a new car service workshop and sales area.
- 2.2 The existing garage/showroom at the junction of Church Street and Croft House Road is to be retained. The car repair/MOT bays to the rear, facing onto Croft House Road are also to be retained. These buildings are constructed in plastic coated sheeting and glazing.
- 2.3 It is proposed to demolish the remaining buildings on the site and erect a new car service workshop and sales area. The workshop would be constructed in mainly plastic coated sheeting cladding to the walls and roof, with brick plinths.
- 2.4 Two vehicular accesses are proposed; the northern access would access the used car sales area; and the southern entrance would access the transit service entrance and staff parking area. The van parking area and customer/staff parking area would abut the bungalows to the north eastern boundary. Five car parking spaces are proposed within the site for No.s 18 and 18A Church Street.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1** The site is approximately 0.61 ha and comprises an existing car showroom and forecourt, MOT/servicing workshop and storage buildings.
- 3.2** It is proposed to demolish the existing buildings on the land adjoining to the south east, these buildings being industrial buildings and yards on the site of the former Albion Textile mills. The buildings appear to be a mix of office buildings and other outbuildings, in brick, cement fibre roofs.
- 3.3** Vehicular access is adjacent to 18 Church Street, a two storey brick building close to the back edge of the highway. This access also serves two dwellings, including Croft House, a two storey dwelling which is a Grade II listed building.
- 3.4** Land slopes down from west to east, so that the adjoining bungalows to the east of the site are at a substantially lower level than the application site. The current boundary between the application site and the bungalows is delineated by a boundary fence at the top of the embankment with a conifer hedge adjoining.
- 3.5** With the exception of the application site, the area to the east of Church Street is residential in character, with the area opposite to the west being more commercial/residential mixed in character.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1** 10/03214/FU – A planning application to demolish the existing industrial buildings and erect a new car service workshop and sales area was withdrawn in August 2010.

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1** In the current application, the proposed workshop has been moved away from the Croft House Grove boundary, now adopting an L-shaped ground plan, with a secondary gable facing Church Street. A rank for parked cars would back onto the rear gardens of Croft House Grove.
- 5.2** The boundary planting to the south-east and north-east boundaries have been substantially improved.
- 5.3** A HGV loop/ route through the site has been incorporated into the layout.

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

- 6.1** Morley Town Council – commented in December that the application was supported in principle but there should be further work to make further improvements, in particular with regards to boundary planting and fencing, so that privacy is protected and noise is excluded from gardens. It would be preferable if Croft House Grove boundary was used for parking cars rather than vans, as cars would be less visible, and opening/closing doors might be less noisy. There should be a requirement that workshop doors be closed as much as possible, to contain noise, and vehicle exhaust fumes should be ducted from the building through an air filtration system.
- 6.2** In January, the Town Council commented on the revised plans that the amount of landscaping had increased, but that there was an issue of accommodating acoustic fencing and landscaping which would potentially be overbearing, and that Panel Members would benefit from a site visit to consider this.
- 6.3** A site notice for a major development affecting the setting of a listed building was posted on 19<sup>th</sup> November 2010. In addition, letters were sent to residents in the immediate

vicinity. Letters of representation have been received from four local households and one adjoining business. The representations are as follows.

- i. Site boundaries on the plan are incorrect
- ii. Visibility leaving the site is restricted
- iii. Existing drainage difficulties would be exacerbated.
- iv. Evidence of subsidence on the site.
- v. Inadequate car parking on the site for the existing car repair business.
- vi. The loading and unloading of vehicles disrupts the current flow of traffic.
- vii. The new buildings will be too high and too close to the rear boundaries. The buildings will harm outlook and restrict sunlight.
- viii. Pollution and noise 6 or 7 days a week.
- ix. The van servicing should be relocated to the applicant's other premises, which are more remote from housing.
- x. One resident states that the continuous soft landscaping proposals are a commendable improvement, and suggests that the current lap fencing to Croft House should be replaced/repaired, to improve the setting of the listed building.

## **7.0 CONSULTATIONS RESPONSES:**

### **Statutory:**

**7.1 Highways** – No objections to the revised plan, subject to conditions.

### **Non-statutory:**

**7.2 Flood Risk Management** – No objections, subject to conditions

**7.3 Environmental Protection Team** - No objections subject to conditions.

## **8.0 PLANNING POLICIES:**

**8.1 Development Plan** – The Development Plan for the area consists of the Regional Spatial Strategy and the adopted Unitary Development Plan Review. Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.

**8.2** Under the UDP the application site is not allocated for any specific use. The following policies are relevant for consideration of this application;

- SA7 – Promote physical and economic regeneration of urban land and buildings within the urban areas.
- SP3 – New development will be concentrated largely within or adjoining the main urban areas and settlements on sites that are or can be well served by public transport.
- GP5 – General planning considerations.
- N12 – Urban design principles.
- N13 – Building design principles.
- N19 - Buildings within or adjacent to conservation areas should be sympathetic in terms of design and materials.

- N25 – boundaries to be designed in a positive manner.
- N39A – Incorporation of sustainable drainage principles.
- T2 – Highway issues.
- T24 – Parking provision.

### 8.3 PPS1 Delivering Sustainable Development

### 8.4 PPS4 Planning for Sustainable Economic Growth

### 8.5 PPG13 Transport

## 9.0 MAIN ISSUES

### 9.1 The principle of development

### 9.2 Amenity of nearby residents

### 9.3 Highways safety

### 9.4 Setting of Croft House

### 9.5 Visual amenity/setting of conservation area.

### 9.6 Drainage

## 10.0 APPRAISAL

### 10.1 The principle of development

**10.1.1** The site is already in use as an existing car showroom and forecourt, MOT/servicing workshop and storage buildings. The redevelopment of facilities is acceptable in principle, subject to resolution of detailed amenity and highway safety considerations. PPS4 is generally supportive of sustainable economic development.

**10.1.2** The site is within the built up part of Morley, close to the town centre, adjoining bus routes and local workforce.

### 10.2 Amenity of nearby residents

**10.2.1** The main potential impact on neighbours is from the siting and scale of the buildings and from vehicular activity, especially to the rear of the site, and potential noise and disturbance from the workshops. The application site is at a higher level than the adjoining bungalows. The rear face of the proposed workshop building would be 21m – 23m from the boundary with the bungalows. At this distance, and even with the increase in ground levels and the height of the workshop, the adjoining properties to the north east would not be dominated or overlooked. In addition, the building which is to be demolished has a higher ridge line than that proposed, and is sited closer to the bungalows.

**10.2.2** In respect of vehicular activity, there would be activity to the rear of the building where vehicles would be manoeuvring / parking at the rear of the transit servicing area. At present, the garage operates 7 days a week for sales, and weekdays only for servicing between 08.00 and 1800 hours, and the area to the rear is currently hardstanding, with no restrictions as to how it can be used. The applicant's noise report has stated that the new facilities will likely increase the noise impact of the garage on surrounding residencies, therefore recommendations are made. These are that all service bay doors be kept closed during normal working hours (only opened for vehicle access) and the erection of a 1.8m high fence of interlocking timber, running along the perimeter of the nearby houses. The intention of the fence would serve both to reduce the noise impact of vehicular movement on the site and act as a

noise barrier for periods when service bay doors need to be opened. The Council's Environmental Protection Team agrees with the conclusions and recommended conditions.

**10.2.3** In addition to the proposed fence, there is an area between the parking bays and the existing boundary, which is to be landscaped. This area is between 2.5 – 5m in width. There is existing conifer planting along the top of the embankment. It is proposed to augment this planting with some local native planting, the exact type of which is proposed to be conditioned and for discussion with adjoining residents, as to the preferred planting.

**10.2.5** On balance, no objections are raised

### **10.3** Highways safety

**10.3.1** The revised plan addresses the need to accommodate larger delivery vehicles on occasion, whilst the turning head at the back of the site should suit the everyday operations at the van servicing centre. The bollards are marked as 'removable' and details should be a condition of any approval to ensure that removing them is not so onerous that they are not used. In addition, a Delivery Management Strategy should be conditioned to ensure that deliveries do not continue to be carried out on Church Street.

**10.3.2** Traffic Management has advised that Traffic Regulation Orders should be funded on the site frontage, these will be subject to any comments that adjacent frontagers may have. A condition should be attached to any approval requiring details of a Traffic Regulation Order to be agreed with the Local Planning Authority prior to commencement of development and provided by the developers.

### **10.4** Setting of Croft House

**10.4.1** Croft House is a Grade II listed building which abuts the southern site boundary, and is demarked by an existing fence. The vehicular access to the rear of the application site would be in close proximity to the boundary with Croft House, but a strip of landscaping is proposed, which will improve on the current situation, which is basically one of cleared buildings (unsurfaced builders yard) and very little landscaping. The service building has been located towards the northern part of the site, to lessen the impact on Croft House. As the setting would not be harmed by the proposal, no objections are raised.

### **10.5** Visual amenity/setting of conservation area

**10.5.1** The buildings which are to be demolished are of little merit. The buildings on the street frontage which are of merit are 18 and 18a Church Street, and are located to the south of the application site, in third part ownership. These buildings are not within the current conservation area, but have been identified as positive buildings in the proposed conservation area extension along Church Street. The application site is not included within the conservation area extension.

**10.5.2** The replacement buildings are mainly plastic coated sheeting cladding to the walls and roof, with brick plinths. The buildings would be in keeping with the remaining buildings on the site. The buildings would be set back between 36 and 40m from the back edge of Church Street, and would not have a significant impact on the street scene. On balance, no harm to visual amenity.

## **10.6 Drainage**

**10.6.1** The site is in the Cotton Mill Beck Catchment. There are recorded flooding problems in the catchment area, particularly in the vicinity of the section of culverted watercourse which traverses Station Road. Discharges from the site to the public combined sewer in Church Street would impact on the flows in the culverted watercourse as there is a downstream overflow from this sewer to the culvert. Usually, the Flood Risk Management Section would require developers to contribute towards the cost of downstream improvement works on the culvert via a S106 agreement. However, in this case, the development is redeveloping existing buildings and hard surfaces and the impact on the watercourse would be negligible. As such, and given the relative small scale nature of the development, Main Drainage raise no objections, subject to suitable conditions.

## **11.0 CONCLUSION**

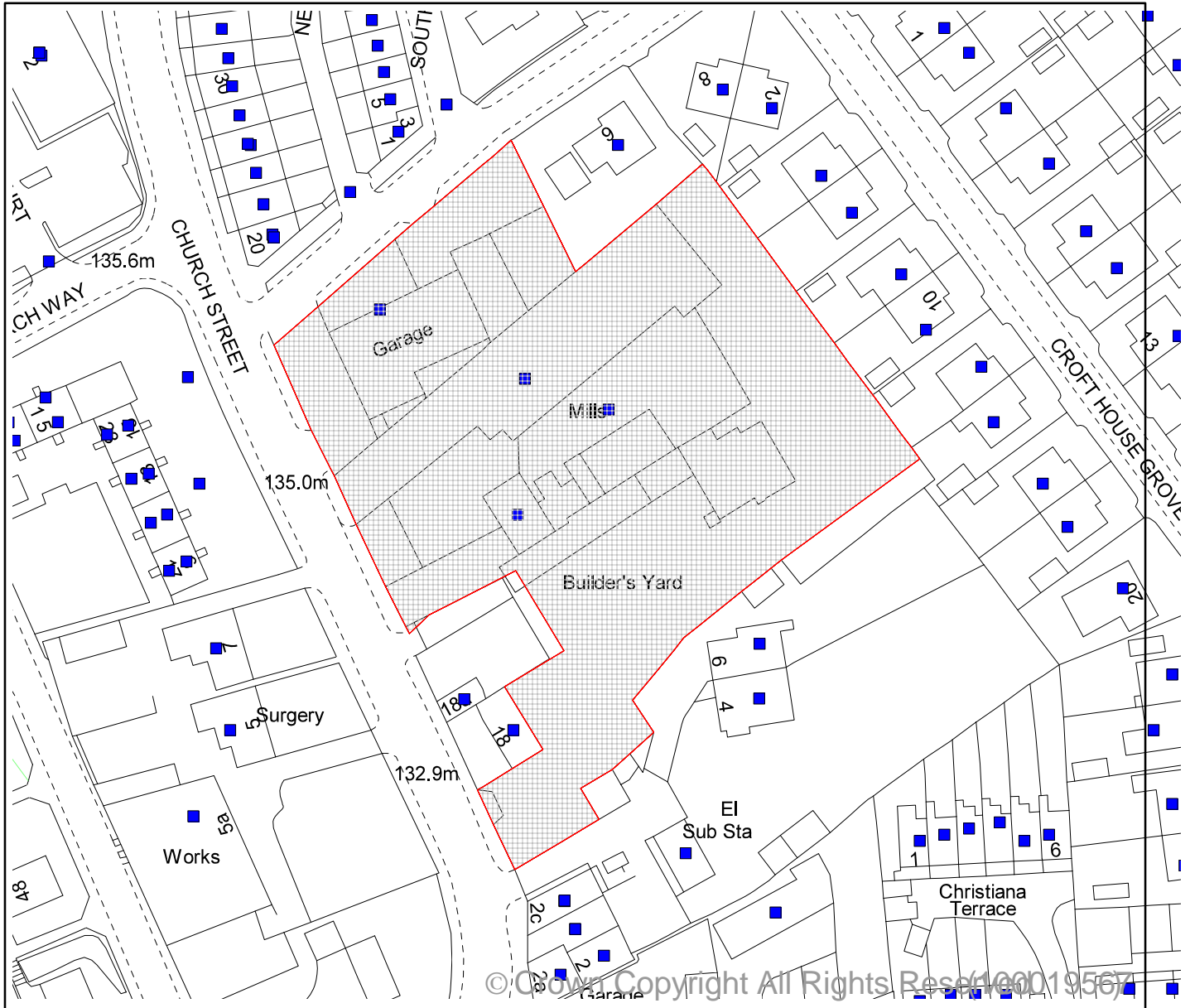
**11.1** No objections are raised in principle to the improvement of facilities on the site, subject to resolution of detailed development control concerns. The new buildings would not adversely impact on nearby residents, and suitable conditions in respect of boundary treatment and landscaping can mitigate other impacts on residents. The development would not adversely impact on the adjoining listed building or the character of the street scene, and no technical objections are raised. On balance, therefore, the application is recommended for approval, subject to suitable conditions.

### **Background Papers:**

Application and history files. – see history above.

### **Certificate of Ownership: .**

Beal (UK), Albion Mills, Church Street, Morley



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**Legend**

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**Leeds City Council**

**Development Department**

<b>Scale</b>	1:1017
<b>Date</b>	04 March 2011
<b>Comments</b>	East Panel, 17th March

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