



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 23 June 2011

Subject: APPLICATIONS 10/00739/FU AND 10/00742/CA – FULL PLANNING APPLICATION AND CONSERVATION AREA CONSENT FOR THE DEMOLITION OF TANNERY BUILDINGS, LAYING OUT OF ACCESS ROAD AND ERECT 12 HOUSES, WITH CAR PARKING AND LANDSCAPING AT THE TANNERY, LEEDS ROAD, OTLEY, LS21 1QX.

APPLICANT

Ms. V Oldham

DATE VALID

18 February 2010

TARGET DATE

20 May 2010

Electoral Wards Affected:

Otley & Yeadon

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE Planning Permission and Conservation Area Consent for the following reasons:

PLANNING APPLICATION 10/00739/FU

1. The Tannery is a positive building in Otley Conservation Area and neither exceptional circumstances to justify demolition or a satisfactory assessment of other development opportunities which retain the building have been demonstrated. The proposal would therefore be detrimental to the special character of the Conservation Area and contrary to Policies N15, N17, N18A, N18B, N19 and N20 of the Leeds Unitary Development Plan (Review 2006), as well as being contrary to the aims and objectives of PPS5: Planning for the Historic Environment (2010).
2. The Local Planning Authority considers that the proposed development would be detrimental to pedestrian and highway safety due to inadequate car parking numbers, space dimensions and inadequate forward visibility on internal access roads. The proposal is therefore considered to be contrary to policies GP5, T2 and T24 of the Leeds

Unitary Development Plan Review (2006) and the guidance contained within Street Design Guide (Adopted Supplementary Planning Document).

3. The proposed development by virtue of its over-intensive nature, height, scale, and external appearance will appear over-dominant and inappropriate in relation to the surrounding neighbourhood and will all have a detrimental impact upon the character and appearance of the Otley Conservation Area. The scheme is therefore considered contrary to Policies GP5, BD5, N12, N13, N19, BC7, A4, N39B and LD1 of the Leeds Unitary Development Plan (Review 2006). The scheme is also considered to be contrary to guidance contained within Supplementary Planning Guidance in Neighbourhoods for Living (page 42), and Otley Conservation Area Appraisal. As well as being contrary to the aims and objectives of Planning Policy Statement 1: Delivering Sustainable Development (paragraphs 16 and 35) and of Planning Policy Statement 3: Housing (paragraphs 13 and 16).

CONSERVATION AREA CONSENT 10/00742/CA

1. The Tannery is a positive building in Otley Conservation Area and neither exceptional circumstances to justify demolition or a satisfactory assessment of other development opportunities which retain the building have been demonstrated. The proposal would therefore be detrimental to the special character of the Conservation Area and contrary to Policies N15, N17, N18A, N18B, N19 and N20 of the Leeds Unitary Development Plan (Review 2006), as well as being contrary to the aims and objectives of PPS5: Planning for the Historic Environment (2010).
2. The Local Planning Authority considers that, in the absence of a suitable scheme for the re-development of the site, granting consent for demolition would fail to preserve or enhance the character and appearance of the Conservation Area contrary to policies GP5 and N18B of the Unitary Development Plan and National Guidance covered in PPS5: Planning for the Historic Environment (2010).

1.0 INTRODUCTION:

- 1.1 The Chief Planning Officer considers that this application should be referred to the Plans Panel for determination because of its significance and its impact on the local area and at the request of a Local Ward Councillor (*Councillor Ryk Downes – Otley & Yeadon Ward*).

2.0 PROPOSAL:

- 2.1 This application seeks Planning Permission and Conservation Area Consent to demolish the original Tannery building fronting onto Leeds Road and the ancillary later red brick buildings behind these original works and the construction of new housing around a landscaped courtyard. The housing consists of 12 townhouses in four blocks with associated parking, turning and bin stores.
- 2.2 The application proposes two new residential blocks fronting Leeds Road to replace the main Tannery building. Behind these is one terrace of two houses continuing the line of Pearson's Buildings, and one terrace of four houses, to the east reflecting this layout and enclosing the courtyard.
- 2.3 The ground levels on the site have been reduced by approximately 600mm in the centre to keep the new-build height down.

- 2.4 The access from Leeds Road faces onto the gable of one of the terraces. The garages and canopies have been designed to provide further visual interest and variety.
- 2.5 Vehicular access is 5.5m wide and is off Leeds Road between two new-build three storey blocks which replace the Tannery building. This access has been located so that it faces onto the gable of a terrace. There is a service vehicle turning head within the courtyard. Pedestrians access the site via the footpaths either side of the main vehicle access. All houses have level threshold access. The applicant has confirmed that all access, landscaping and dwellings will meet or exceed DDA requirements.
- 2.6 In terms of parking spaces, the proposed houses fronting Leeds Road contain one garage space and one driveway space each located within the scheme and the courtyard houses have two driveway spaces per dwelling.
- 2.7 All the new-build houses are similar in treatment. Each is a 3-bed unit over three floors, the second floor being partially in the roof space with pitched dormers admitting light. At the Leeds Road boundary two terraces, one of 2 units and one of 4 units, replace the Tannery and provide a new street frontage.
- 2.8 The proposed materials are coursed natural stone with stone cills, heads and feature course. The roof is proposed to be blue slate and windows are double glazed in vertically proportioned openings (single and paired). Hardwood doors, and black metal balconies and rainwater goods are also proposed to complete the applicant's design. The door and window surrounds to the front elevation project in an attempt to provide shadowing and modelling, enlivening the view from the street. The garages and canopies also proposed to have blue slate roofs, with the garage walls in stone to match the houses and timber effect garage doors.

3.0 SITE AND SURROUNDINGS:

- 3.1 The 'L' shaped site is situated on the southern edge of Otley, between Leeds Road and the A660 by-pass. The site slopes approximately 3 metres from the southeast corner to the northwest corner. The by-pass embankment is generally 2 metres higher than the southern boundary and is thickly planted.
- 3.2 Adjacent to the northwest corner of the site is a terrace of 6 residential properties, Pearson's Buildings, in brick and render with slate roofs. The gable end of Number 1 sits approximately 6 metres back from Leeds Road and a 2-storey red brick shed sits on the pavement line. Beyond that is the Massingberd showroom (now demolished, and with planning permission for 14 houses).
- 3.3 Adjoining the site to the east is a petrol filling station (PFS) and workshops, and beyond that, a split terrace of 14 stone-fronted houses, Valley View and Wharfedale View. Between this terrace and the PFS, a footbridge over the by-pass connects Silver Mill Hill and Chevin Avenue with Leeds Road.
- 3.4 The site was first developed as the Albion Works by John Kelley in 1890 for the manufacture of Wharfedale printing machines. The works initially comprised the main building on Leeds Road and extended to cover the whole site by 1921, when it was being used as a tannery. The tannery ceased operation in 1963, and it became variously works, warehouse, garage and furniture outlet.

- 3.5 The Tannery itself is essentially a single-storey red brick building with large arched windows, set on a gritstone plinth. Part of this plinth (the cellar) is usable, as is part of the roof space (a continuous flat roofed dormer provides light and headroom). Thus the building is effectively three-storey at the west end, reducing to single-storey at the east end. Eaves heights above ground level are 6 metres reducing to 5 metres respectively.
- 3.6 The main building has a double pitched roof with central valley gutter, currently clad in asbestos cement sheets. The dominating feature of the Tannery is the square tapering brick chimney rising to 19 metres above the ground level.
- 3.7 The buildings to the rear of the site are generally single-storey brick buildings with asbestos cement sheet roofs built subsequent to the original works. To the west is a two-storey brick building running perpendicular to Leeds Road, with stone lintels and cills, built in 1898/99. The front part of the building is unoccupied at present but the rear part is leased to the adjacent Colin Pitt garage premises.
- 3.8 The Otley Conservation Area appraisal identifies the original building on Leeds Road as a positive contribution to the environment, while the sheds behind detract – these are identified as enhancement opportunities.
- 3.9 Access to the site currently consists of a right of way over the Pearson's Buildings drive, and on a strip of land to the east, approximately 4 metres wide at its narrowest point as it passes the chimney. There are bus stops immediately outside the site on Leeds Road.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Following a review of the Council's records the following planning history on the site is considered relevant:-
- 4.1.1 A planning application which sought to demolish the commercial buildings to the rear and for the change of use, including alterations of the tannery building to form 10 two bedroom flats, 2 one bedroom flats and 2 studio flats and erection of 6 three bedroom houses, with car parking and landscaping was submitted under reference 09/01586/FU. However this application was withdrawn.
- 4.1.2 A Conservation Area Application to the commercial buildings to the rear was also submitted to accompany this full redevelopment application, under reference 09/03485/CA. This was also withdrawn.
- 4.1.3 An earlier Conservation Area Application to demolish the commercial buildings to the rear of tannery building was also submitted under reference 09/01585/CA. This was refused planning permission for the following reason: - "The Local Planning Authority considers that, in the absence of a suitable scheme for the re-development of the site, granting consent for demolition would fail to preserve or enhance the character and appearance of the Conservation Area contrary to policies GP5 and N18B of the Unitary Development Plan and National Guidance covered in PPG15."
- 4.2 There is no other relevant planning history for the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The current owners of the Tannery purchased the building in April 2006. Opening discussions with this applicant regarding redevelopment potential of this site started in 2008 and early 2009.
- 5.2 A Planning Application with Conservation Area Consent was lodged in 2009. This original proposal sought to retain the front part of the Tannery building (*including the chimney*) and convert it into apartments. This scheme also proposed to demolish the rear element of the Tannery and build six houses to the rear. Access through to the rear of the site would have been via an arch created through the Tannery building itself.
- 5.3 It was considered that this scheme would not provide a safe means for vehicles to enter and exit the site through the proposed arch. Alterations to make the archway large enough to satisfy highway safety standards would have resulted in an arch 10m wide. This, it was considered, would compromise the design to such an unreasonable extent that the building was not being satisfactorily retained. There were also concerns in relation to the design and amount of new residential units proposed and the internal road layout.
- 5.4 Given these significant constraints, some of which were conflicting, the application(s) were withdrawn and further discussions were undertaken and options were discussed to endeavour to progress redevelopment options on the site.
- 5.5 The option of the applicant securing alternative access arrangement with adjoining land owners, either through the adjacent garage or via the former Massingberds and cattle market sites were then examined. However these were discounted by the applicant after initial contact with both adjacent parties.
- 5.6 Following these explorations, the owners of the Tannery had continued to market the building for commercial use. They believe they have explored every avenue for the retention of the building, going as far as submitting the previous detailed planning application for the conversion of the building into apartments. Therefore the applicant contends that there is no satisfactory way of developing this unused site without demolition of the whole of the Tannery buildings. This view had led to the submission of this current scheme before Members today.
- 5.7 This scheme did give the Local Planning Authority the opportunity to assess our formal view on the retention of the Tannery Building, as a whole or in part, together with the chimney. Whilst we have sympathy with the applicant in that the state of the building and access arrangement means that it is difficult to let, we do not share the view that these justify the complete demolition of the building.
- 5.8 Notwithstanding this opening stance, the applicant was given the opportunity to progress their case, with the Conservation Officer undertaking a detailed internal site inspection and review, submission of a structural report and amended heritage statement, explaining the Conservation Area Consent for demolition.
- 5.9 During this process, officers continued to negotiate with the applicant, on other design elements of the proposal.
- 5.10 Amendments have been requested in relation to the highway layout of the scheme, in terms of junction visibility sight lines, junction kerb radii, vehicle tracking, parking arrangements and garage sizes, internal boundary wall and fence heights and pedestrian footways. Whilst the applicant has always responded to highway comments and requests, any alterations to the layout have never achieved a

suitable solution that would overcome highways objections. Overall it is considered that significant changes would be required to this layout (reduction of units and a different access road solution) which would warrant a new submission.

- 5.11 Amendments have been requested in relation to the layout of the scheme, the design of the dwellings and their relationship with existing boundaries and landscaping. Some concerns remain in relation to the overall numbers on the site, and the design of the dwellings, which are in essence three storey townhouses with are inappropriate within a historic townscape. Overall it is considered that significant changes would be required to this layout (reduction of units and a different house detailing) which would warrant a new submission.
- 5.12 Officers have discussed the potential of retaining the chimney element and allowing redevelopment of the remainder of the site. However, the applicant has stated that *“If the chimney was retained, with the current scheme they would lose 2 houses. The only way to get these houses back would be to cram them on the site, resulting in a worse (and less sympathetic) development. This would very likely fall foul of other requirements, from highways etc.”* They have also stated that *“The chimney is also in very poor condition, and would probably end up being rebuilt. They don't really see the point of this, given that the materials don't fit in with the Otley vernacular. It couldn't really be described as preservation, and may well be a disincentive for anybody to live in some of the houses.”*
- 5.13 Essentially officers believe that the Tannery buildings have not passed their useful life and whilst they may be difficult to let as commercial industrial warehousing, many other options exists that need fully exploring before we consider the building's demolition. Notwithstanding this, if a redevelopment is pursued we need to ensure that the replacement scheme is of sufficient quality. Officers therefore felt that as all reasonable endeavours had taken place to attempt to redesign this scheme and that these had failed, a determination should be made on this current scheme.
- 5.14 Given the length of time that has elapsed and the very complex constraints on the site, a possible option would be for officers to provide the applicant with a design brief for the site, with could outline what redevelopment or conservation of the site officers could support.

6.0 PUBLIC/LOCAL RESPONSE:

STATEMENT OF COMMUNITY INVOLVEMENT:

- 6.1 An Open Evening was arranged and held at The Otley Civic Centre on Thursday 26 March 2009 from 6pm to 8pm. The applicant states that 98 letters were sent out to local residents and councillors inviting them to attend the 'Open Evening'. The evening consisted of a series of A1 coloured boards displaying the scheme and a 'Filmstrip' of the scheme through a projector onto a screen. The Applicants, Agents and Architects were on hand to introduce the scheme and to take questions.
- 6.2 The applicant states that the majority of the concerns from residents in Pearson's Buildings, which were taken into consideration in the design of the original proposals that sought to retain the Tannery building and have also been considered in the design for the current scheme which is all new-build.

THE APPLICATION:

- 6.3 The application has been advertised on site by the means of a (x3) site notices on Leeds Road, posted 11 March 2010 as a major application affecting the character and appearance of a conservation area. The application proposals were also made

available for public inspection at Otley Library from the 11 March 2010 and gave a publicity period which expired on the 1 April 2010. Notice was also published in the local press, in the Wharfe Valley Times on the 18 March 2010.

FURTHER CONSULTATION:

- 6.4 Following the end of the publicity period, the applicants have stated that they are intending to arrange a further public consultation event with all the objectors and the Town Council to go through their comments.

COUNCILLORS:

- 6.5 Councillor Ryk Downes (Otley and Yeadon Ward) has confirmed he would wish the application be presented to Members of Plans Panel West for determination if recommended for approval.
- 6.6 Councillor Colin Campbell (Otley and Yeadon Ward) has expressed concerns over the length of time it has taken to determine the application.

OTLEY TOWN COUNCIL:

- 6.7 The Town Council objects on the grounds that the plan will lead to the loss of light/commercial industrial buildings in Otley. The Town Council also objects on the grounds that the chimney from the industrial buildings appears to be subject to demolition which would lead to the loss of a key part of the historical heritage of Otley in the conservation area. The Town Council finally objects on the grounds that the additional traffic caused by this site will lead to further road congestion in what is already one of the busiest roads in Otley.

LOCAL AMENITY GROUPS:

- 6.8 Otley Conservation Task Force have stated they object to the demolition of the Tannery Building as this would result in the loss of a key part of the historical heritage of Otley in the conservation area. They would have no objection to the conversion of the building to residential use similar to that achieved in the Suedecraft Mill on Birdcage Walk in Otley.

LOCAL RESIDENTS:

- 6.9 12 letters of objection have been received from local residents and their objections can be summarised as follows: -
- This building is a significant and positive landmark at the south-eastern gateway to the Otley Conservation Area;
 - The building is of historic importance, formerly being the Albion Works of John Kelley & Co. where the Wharfedale Printing Press was made from 1889 – 1905. In 2001, Otley Town Council installed a Heritage Plaque to the frontage commemorating this fact;
 - Sometime after 1905 the building was re-named The Tannery, where it was used to manufacture chamois leathers, basils and skivers (William Lawson & Sons). It can thus be considered to represent virtually the last remnant of Otley's once extensive tanning industry;
 - The chimney of the building is one of only 3 of notable height now remaining in the town, and with 2 more set to be demolished or severely truncated is an important and pleasing visual testimony to the town's manufacturing past;

- This is an important employment site. Jobs will be lost if the businesses housed here are forced to vacate;
- There can be little excuse for the demolition of such an important and historic building in the Conservation Area;
- There is a shortage of industrial units in Otley, but plenty of brownfield sites for housing. One such is a mere few yards down the road, at the now cleared site of the former Massingberd's car showroom and garage;
- If change of use of the site is deemed unavoidable, the building could be converted to residential use while conserving the external appearance, fabric and general character of the site;
- Loss of amenity to surrounding properties through overlooking and disturbance during construction; and
- Danger to highway safety due to existing traffic congestion within the area.

6.10 4 letters of support have been received from local residents and their comments can be summarised as follows: -

- Of the proposals that have been lodged so far, this one is by far the best;
- The Tannery in its present condition is an "eyesore";
- The building of twelve new houses on the site can only be good for the area, assuming they will be at affordable prices;
- The development, if it goes ahead, will be a distinct improvement on what we have at the moment especially on parking;

7.0 CONSULTATIONS RESPONSES:

Statutory Consultations:

HIGHWAYS:

7.1 Objections, as the proposed layout does not conform with the requirements of the Street Design Guide and as submitted would be detrimental to highway safety.

YORKSHIRE WATER:

7.2 No objections subject to conditions as a water supply can be provided.

Non Statutory Consultations:

NEIGHBOURHOODS AND HOUSING:

7.3 The Council's Environmental Protection Team has stated that they have no comments to make.

MAINS DRAINAGE:

7.4 No objections subject to conditions controlling surface water run off. At present the site is almost totally impermeable consisting of a large building taking up most of the site area together with the smaller hard standing and car parking areas. The Council's Mains Drainage section believe that whilst the proposed development

would have a substantially reduced roof area, this may have little impact on the impermeable area as there would be access road and car parking area taking up the bulk of the rest of the site.

LAND CONTAMINATION:

- 7.5 Whilst no objections are raised to the application proposals, conditions are suggested. Due to the sites former industrial uses there is a potential for contamination and given that the end use is residential and therefore sensitive.

ACCESS OFFICER:

- 7.6 Concerns raised in relation to the use of shared surfaces and pavement widths within the scheme and the lack of a larger disabled space within the scheme.

WEST YORKSHIRE POLICE:

- 7.7 Support the application as the scheme will create a safe residential development, where people wish to live.

WEST YORKSHIRE ARCHAEOLOGICAL SERVICE:

- 7.8 No objections to the scheme as the site has no apparent archaeological implications.

8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined having regard to the Development Plan which consists of the adopted Regional Spatial Strategy for Yorkshire and the Humber of May 2008 and the Leeds Unitary Development Plan (Review 2006).

REGIONAL PLANNING POLICIES:

- 8.2 The Regional Spatial Strategy for Yorkshire and the Humber to 2026 (RSS) was adopted in May 2008 and sets out a strategic framework for development up to 2026.

- 8.3 However, it is not considered that this proposal raises any issues of regional significance.

LOCAL PLANNING POLICIES:

- 8.4 Locally Leeds City Council has begun work on our Local Development Framework ("LDF") with the Local Development Scheme most recently approved in July 2007. This provides a timetable for the publication and adoption of the Local Development Documents.

- 8.5 In the interim period a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below. This proposal should comply with these policies in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise.

- 8.6 Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SA) as follows;

- Policy SG4: To ensure that development is consistent with the principles of sustainable development;
- Policy SA1: Secure highest quality of the environment throughout the District; and
- Policy SA6: Promote the physical and economic regeneration of urban land.

8.7 The application site lies within the Otley Conservation Area and is unallocated with no specific land use allocation. The relevant Leeds Unitary Development Plan policies are considered to be: -

- Policy GP5: Development control considerations;
- Policy BD5: New buildings design consideration given to own amenity and surroundings;
- Policy A4: Development and refurbishment proposals designed to ensure safe and secure environment;
- Policy H4: Residential development on non-allocated sites;
- Policy N12: All development proposals should respect fundamental priorities for urban design;
- Policy N13: Design of new buildings should be of high quality and have regard to character and appearance of surroundings;
- Policy BC7 : Developments within Conservation Areas to be in traditional local materials;
- Policy N19: New buildings and extensions within or adjacent to Conservation Areas should preserve or enhance the character or appearance of that area;
- Policy BC8: Demolition of unlisted buildings within Conservation Areas may be required by condition that certain features are salvaged;
- Policy N18A: Demolitions of building or part of building shall be presumption against if makes positive contribution to character or appearance of the Conservation Area;
- Policy N18B: Demolitions of building shall not be given consent unless plans for redevelopment approved;
- Policy N20: Demolition of other features which contribute to the character of the Conservation Area will be resisted;
- Policy N25: Site boundaries should be designed in a positive manner;
- Policy N27: Where a landscaping scheme will be required, an application should be accompanied by an illustrative scheme;
- Policy LD1: Landscape schemes should meet specific criteria;

- Policy T2: Development must be capable of being served by highway network and not adding to or creating problems of safety;
- Policy T24: Refers to parking guidelines for new developments.

SUPPLEMENTARY PLANNING GUIDANCE:

8.8 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 (December 2003); and
- Otley Conservation Area Appraisal (2003).

NATIONAL PLANNING GUIDANCE:

8.9 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes: -

- PPS1: Delivering Sustainable Development (2005);
- PPS3: Housing (2006); and
- PPS5: Planning for the Historic Environment (2010).

9.0 MAIN ISSUES:

9.1 Having considered these applications and representations, it is considered that the main issues in this case are:

- Principle of the residential development;
- Demolition of the existing building;
- Character and appearance of the Conservation Area;
- Highways issues.
- Residential amenity

10.0 APPRAISAL:

Principle of the residential development (*Loss of employment*):

10.1 The application site lies within the urban area of Otley and is unallocated with no specific land use allocation. Policy E7 of the Leeds UDP Review (2006) indicates that a favourable view of applications for housing on land or buildings in employment use will be adopted where it is established that such land or buildings are no longer needed for that purpose. The Council interprets "need" in the broad sense of the planning need for the site to be retained in employment use.

10.2 In order to check whether there is a planning need for a site, the applicant has submitted a report regarding local industrial land and buildings availability which has been assessed by officers.

- 10.3 On balance, although there is some evidence of a limited supply of smaller industrial units in the locality, the overall supply of employment land in the locality is generally adequate to meet local needs and it is concluded that it would be difficult to justify refusing the application on grounds of loss of employment land. This conclusion is re-enforced by the fairly small size of the site and the poor condition of the existing buildings.
- 10.4 Having said that, it is noted that around 1200m² of the existing building is leased by the adjoining local Colin Pitt garage business which is understood to employ around 11 local people. Planning permission has however been granted recently for a workshop building within the Colin Pitt site which would provide 437m² of floorspace. Although smaller than the space currently leased, much of that space would appear to be in use for the longer term storage of commercial vehicles and the new building would provide commercial accommodation to a modern standard.
- 10.5 Residential proposals on sites such as this will be treated on merit and against UDP housing policies H3 and H4. It is considered that the proposal meets the criteria set out, which relate to the site being within the main urban area, in a sustainable location, being acceptable in sequential terms and within the capacity of existing and proposed infrastructure.
- 10.6 The site is considered to be previously developed land (brownfield development) by the Council as it satisfies the definitions set out in Annex B, PPS3 (Housing).

Principle of the proposed development (*demolition of the existing building and impact on the Conservation Area*):

- 10.7 Some parts of the city are fortunate in having areas whose character and appearance is of a particularly high quality. These are identified by the City Council, following public consultation, by designation as Conservation Areas. This designation also affords a greater measure of protection to these areas as a result of additional planning powers. The City Council aims to preserve or enhance the character and appearance of these Conservation Areas through the control of development and through proposals for enhancement.
- 10.8 Bearing the above in mind and given the site is in the Otley Conservation Area any scheme's approval would be dependant on the Council's acceptance to the demolition of the Tannery Building and the Chimney and on the replacement scheme's detailed design and particularly on its impact upon the character and appearance of the Conservation Area.
- 10.9 To justify the loss of a positive building in a conservation area the applicant would have to demonstrate that the building is no longer viable. This is different from saying that the building isn't viable as part of the proposed scheme (Such as policy E7).
- 10.10 Given that the building has until recently been in use and has a lawful highways access enabling this use, it appears that the building is viable and capable of continued future use. It is not 'genuinely redundant' (*PPS5 Practice Guide*).
- 10.11 Alternatively a case can be made for such serious harm or loss on the grounds that the designated heritage asset is genuinely redundant itself and it is preventing all reasonable uses of the site in which it sits. Even where the asset is genuinely redundant, it will often be the case that it can be worked round or incorporated into new development so that the wider site can remain in active use.

- 10.12 The PPS Practice Guide continues (page 94) Given the irreversibility of any such decision, the demolition or destruction of a designated heritage asset on these grounds is very much a last resort after every option to secure a viable future for the asset has been exhausted. The fact that particular applicants or their advisers cannot conceive of a viable use for the asset does not mean that there is no such use’.
- 10.13 To prove that the building is not viable the applicant would have to meet the tests set out in PPS5 including appropriate marketing (Policy HE 9.3) ‘To be confident that no appropriate and viable use of the heritage asset can be found under policy *HE 9.2 (ii)* local planning authorities should require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavours have been made to seek grant funding for the heritage asset’s conservation and to find charitable or public authorities willing to take on the heritage asset’.
- 10.14 An alternative argument to justify the loss of a positive building in a conservation area is that its loss is necessary to allow a proposal that delivers substantial public benefit - PPG5 Practice Guide - ’91. Where substantial harm to, or total loss of, the asset’s significance is proposed a case can be made on the grounds that it is necessary to allow a proposal that offers substantial public benefits’. I do not consider that the proposals offer ‘substantial public benefits’; however

Character and appearance of the Conservation Area:

- 10.15 Whilst the application broadly reflects the grain of surrounding development through the use of terraces, the siting of block G-J is unacceptable. The plan form of the surrounding streets is a linear grid formation with terraces running perpendicular to Leeds Road and thus creating extended views down toward the valley and up to the hills. This pattern is strong and these views are expected by anyone walking along Leeds Road. Whilst properties K and L respect these existing view lines, block G-J does not, with its siting firmly truncating views southward. This is uncharacteristic of the area and the presence of the side gable of property G would be a negative element within the area.
- 10.16 The surrounding area is characterised by two storey terraces with relatively modest proportions and eaves which sit close to the lintels of the upper storey windows. Although some box dormers and small wall dormers are in evidence the properties are essentially two storey structures which strongly retain a vernacular form. The proposed houses do not reflect this style. Their proportions, in particular the amount of space between the upper storey windows and the eaves, are out of scale with their surroundings, and the inclusion of tall, narrow wall dormers means that the houses read as three storey structures. They are in essence three storey townhouses with detailing which would be expected in a modern, new build estate and not within a historic townscape. The inclusion of the wall dormers to the front and rear and the projecting balconies produce a profile which is not present at any other point along Leeds Road. This profile will be particularly visible on the approach from the East as the garage is a low slung building which allows clear views of the site. All of this means the houses are uncharacteristic of the immediate streetscape and Otley in general and, as a consequence, will appear as an inappropriate intrusion into the townscape and will harm the character and appearance of the conservation area. It is also worth noting that the concerns regarding the profile of the properties equally applies within the site where the side elevation the block G-J dominates the approach from Leeds Road

Highways issues:

- 10.17 The layout proposed is unacceptable for the following reasons and does not accord with the Adopted Street Design Guide. This scheme has inadequate junction kerb radii, adopted visibility splays and sight lines. Inadequate forward visibility splay around the resultant bend in the highway. Area required for the turning of a refuse vehicle must be within the adopted highway limits. Inadequate parking sizes and Inadequate drive lengths. Parking spaces are away form curtilage of each plot. The scheme also has inadequate footways provided and inadequate parking numbers.
- 10.18 The proposed layout does not conform with the requirements of the Street Design Guide and as submitted would be detrimental to highway safety.

Residential Amenity

- 10.19 The proposal would introduce housing adjacent to a commercial repair garage. However, this is a long established business which appears to operate without local complaint and which is already in close proximity to housing. It is not considered that the potential for noise and disturbance to new residents would amount to grounds for refusal.

11.0 CONCLUSION:

- 11.1 The building is a positive building in the conservation area and so there is a presumption in favour of its retention in all but exceptional circumstances. Its proposed demolition would be detrimental to the special character of the conservation area. The proposed scheme does not justify the loss of this positive building. In the absence of a suitable scheme for the re-development of the site, granting consent for demolition would fail to preserve or enhance the character and appearance of the Conservation Area

Background Papers:

Current Applications

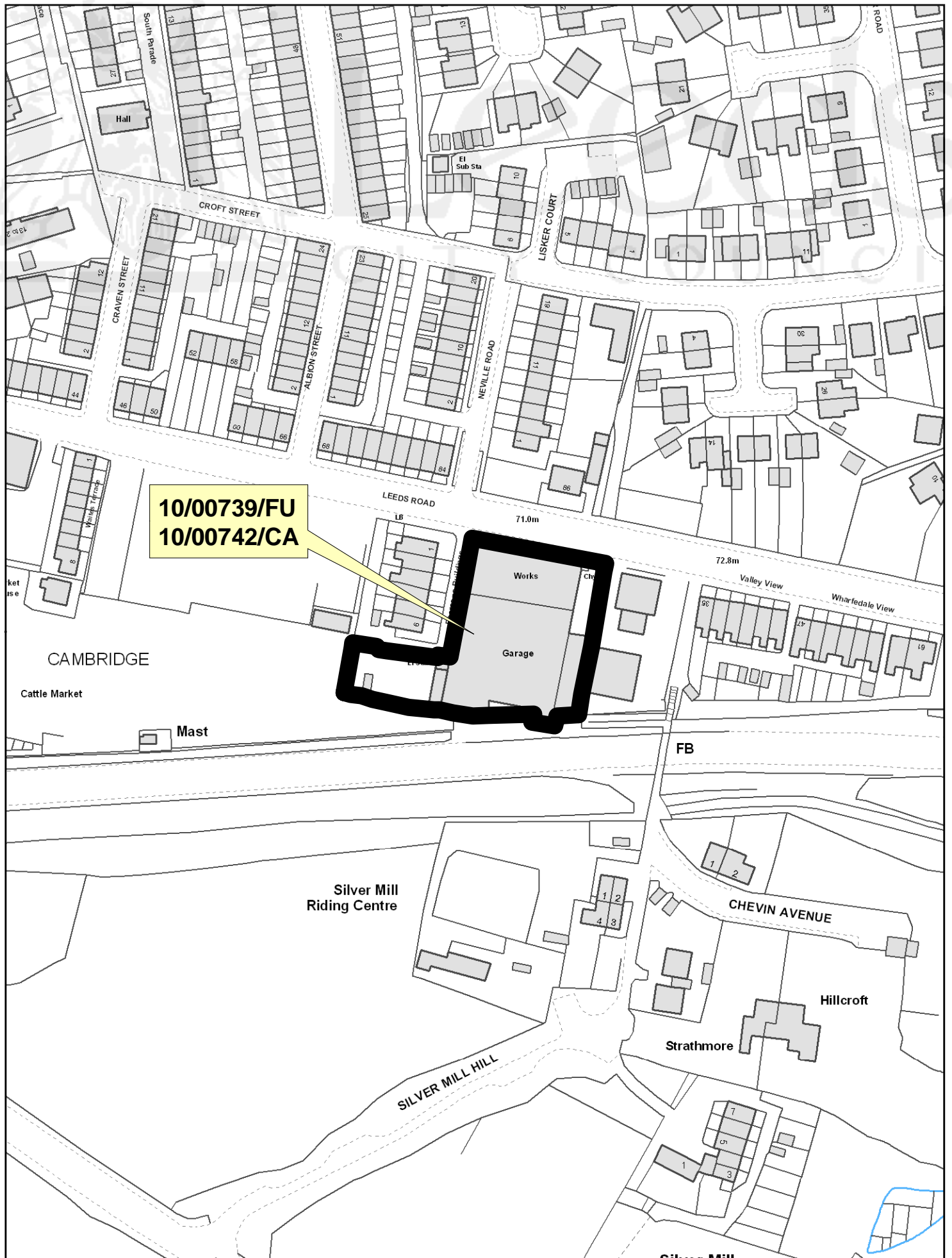
Certificate of Ownership

History files: -

Planning Application 09/01586/FU

Conservation Area Application 09/03485/CA.

Conservation Area Application 09/01585/CA.



10/00739/FU
10/00742/CA

WEST PLANS PANEL