



Leeds
CITY COUNCIL

Originator:
Shameem Hussain
Tel: 0113 2478024

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 23rd February 2011

Subject : Application 11/003006/FU - Change of use of and sub-division of barn and workshop to form 3 industrial starter units (B1 use) on land at rear of 5 Bradford Road, Gildersome, Morley,

APPLICANT
Mr John Hall

DATE VALID
27th July 2011

TARGET DATE
21st September 2011

Electoral Wards Affected:
Morley North

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:
GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission
2. Compliance with Approved Plans
3. Restricted operating hours from 08.00hrs to 1800hrs Monday to Friday and 08.00hrs to 13.00hrs on Saturday only. With no operating hours on Sunday and Bank Holidays.
4. Use restricted to industrial starter units only within Class B1(c) .
5. Details of scheme to protect neighbouring residents (Number 5 Bradford Rd) from noise and disturbance.
6. Details of machinery , hand tools and measures to prevent noise emissions to be submitted and agreed and maintained.
7. No development to commence until details of sound insulation scheme has been submitted and agreed by the Local Planning Authority.

8. No development to commence until details of storage and disposal of litter to be provided and agreed by the Local Planning Authority.
9. No development to commence until details of emissions to atmosphere have been submitted and agreed in writing by the Local Planning Authority.
10. Hours of delivery and refuse collection restricted to 08.00hrs to 18.00hrs Monday to Friday and 08.00hrs to 13.00hrs on Saturdays.
11. Area of site to be used by vehicles to be hard surfaced and sealed.
12. Lighting restrictions.
13. No waste materials to be burnt within the boundary of the site.
14. No external storage of plant, materials and or products shall take place on the site.
15. No activities of B1 use to take place outside of the buildings.
16. Drainage details to be submitted and agreed.
17. No development to commence until landscaping buffer details submitted are implemented.
18. Details of landscaping and maintenance scheme to be submitted.
19. Landscaping boundary treatment to be submitted and agreed to common boundary to number 5 Bradford Road.
20. No further development within the wider curtilage (withdrawal of permitted development rights).

Reasons for approval:

The proposed change of use of vacant buildings to industrial starter units subject to the above conditions is considered to be an appropriate use within the Green Belt. The nature and scale of the development are not considered to result in harm to the openness of the Green Belt. The landscaping buffer, restricted operating hours, along with lighting, service delivery and refuse collection restrictions protect the residential amenities of nearby residents. In light of these factors it is considered that the proposal meets the terms of policies GP5, N32 and N24 of the Leeds Unitary Development Plan Review (2006) and national guidance in Planning Policy Statement 2 –Green Belt PPS4 – Planning For Sustainable Economic Growth and PPS7 –Sustainable Development in Rural Areas.

1.0 INTRODUCTION:

- 1.1 The application is brought to East Plans Panel at the request of local ward Member Councillor Leadley requesting a Panel site visit, for Panel Members to view the effect of the proposal and highway access and activity on neighbouring residents. The site is located within the Green belt

2.0 PROPOSAL:

- 2.1 The application seeks planning permission to convert an existing barn within the Green Belt to two industrial starter units by subdividing the barn. Providing access to both units by introducing an additional personnel door and shutter door on the northern elevation. The third industrial unit is the conversion of the existing workshop building, using the existing access in the form of a steel finished door on the eastern elevation and a timber sliding roller shutter door on the southern elevation. The site is accessed from Bradford Road via a concrete surfaced way which also serves the adjacent electricity substation. The concrete hardstanding runs up to the front elevations of both the workshop and the

barn, with further hardstanding in the form of gravel laid out to the side of the barn and towards the rear. This existing gravel hardstanding also extends in an easterly direction which provides the surfacing for the white delivery vans turning area. A landscaping buffer of 5m width is proposed running in a north easterly direction, along with the existing 2400mm high conifer hedging along the common boundary to dwellings on Street Lane. Beyond the red line boundary is open land under the ownership of the applicant and also within the Green Belt.

3.0 SITE AND SURROUNDINGS:

3.1 The site is located on the north side of Bradford Road having a site area of 0.09ha having two existing agricultural buildings both built in a mixture of corrugated steel, blockwork, cement roofing, steelwork and timber. The site has an existing hardstanding area with 6 car parking spaces located behind the barn. Accessed by a narrow vehicular access from Bradford Road which is shared with the adjacent Electricity substation. Access to the site is via secure gates. The site is designated as Green Belt along with the existing area towards the north and east. Towards the east are the rear garden areas of properties along east View and Street Lane. Towards the south west are residential properties along Bradford Road with number 5 Bradford Road adjacent to the vehicular access road and the application site.

4.0 RELEVANT PLANNING HISTORY:

4.1	11/00800/EXT	Extension of time application 07/07504/FU for laying out of 8 Car parking spaces and erection of 2 polytunnels to form Nursery to vacant grass land. No decision. Application under consideration.
	10/03759/FU	Change of use of barn and workshop to business (use class B1) and storage distribution (use class B8) Refused 8 th October 2010. <ul style="list-style-type: none"> • Inappropriate development within the Green Belt Involving intensification of use of the access and parking area leading to manoeuvring and turning of vehicles beyond the existing hardstanding impacting on the openness of the Green Belt. • Noise and disturbance to nearby residents. • Increased vehicular activity to detriment of pedestrian and highway safety.
	07/07504/FU	Laying out of eight car parking spaces and erection of two Polytunnels to form nursery to vacant grass land. Approved 18 th February 2008 with temporary approval of the Polytunnels to be removed on 1 st March 2011.
	23/226/03/CLU	Certificate of lawfulness for use as storage and distribution. Refused 11 th June 2003.
	H23/385/74	Outline application to erect one detached bungalow to Vacant site . Refused 13 th January 1975.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Negotiations with highways to overcome the highway reason for refusal on application 10/03759/FU .
- 5.2 Evidence has been submitted in the form of Google Earth Maps dated 9th June 2006 and 30th May 2009 which shows the existing hardstanding implemented. This establishes the lawful extent of the hardstanding.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Publicity advertised by site notices. Posted on site along Bradford Road and East View on 5th August 2011.

- 6.2 Local Representations received from the following 15 households :- Ms Kearsley, M and T Lakin , 10, 12 , 8, 2, 7, 9, 5,16, 23, 22, 20, 15, and 17 East View. Raising the following concerns :-

- On green belt Land
- Highway concerns
- Loss of Privacy to residents on East View
- More units when there are plenty available already in close proximity.
- Noise and disturbance from vehicular movements
- Maintenance of land to rear of East view already a concern
- Noise from industrial units.
- Conifers on boundary in excess of 7ft high ,prevents light into gardens
- Access to the site .

Gildersome Parish Council

- 6.2 Following comments received :-
Land is green belt and should not be used other than for agricultural use or Smallholdings and this change of use would result in a great deal of disruption and noise to nearby residents.

Local Ward member

- 6.3 Request for site visit for Panel members to see effect on neighbouring residents.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways

Scheme is acceptable in highway terms providing proposed alterations to the vehicular access where it joins Bradford Road should be carried out under the provisions of a Section 278 Agreement. The area to be used by vehicles to be fully laid out surfaced, drained and sealed so that water does not discharge or transfer onto the highway.

Environmental Protection Team

Use of development will be limited to B1 starter units only . Therefore potential for disturbance to nearby residents is limited.

Recommend conditions to restrict operating, delivery and refuse vehicles

hours. Along with lighting restrictions and emissions to atmosphere.

8.0 PLANNING POLICIES:

- 8.1 The development plan comprises the Regional Spatial Strategy to 2026(RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region , setting out regional priorities in terms of location and scale of development.
- 8.2 The site is designated in the UDP as Green Belt . The following policies are considered relevant:-
GP5 General Planning considerations
T2 Highway safety considerations
N32 Green Belt designation
N33 Restricted development in Green Belt
GB4 Change of use of building in Green Belt
N24 Landscape assimilation into open land beyond.
- 8.3 PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS4 Planning for Sustainable Economic Growth
PPS7 Sustainable Development in Rural Areas.

9.0 MAIN ISSUES

1. Principle and Green Belt
2. Economic Growth
3. Residential Amenities
4. Access and Highway
5. Representations received .

10.0 APPRAISAL

Principle and Green Belt

- 10.1 The site is located within the designated Green Belt under policy N32 of the adopted Unitary Development Plan.
- 10.2 An application for B1(light industrial) use and B8 (storage and distribution) has previously been refused on the grounds that both a business use and storage/distribution use would cause noise and disturbance to nearby residents and effect on the openness of the Green Belt.
- 10.3 The re-use of the buildings in the green belt is considered appropriate development as long as there is no greater impact on the openness. The proposal does not include substantial alterations to the existing buildings nor are extensions proposed. This application has overcome the previous reasons for refusal by establishing the lawful extent of the existing hardstanding. The vehicular activity does not therefore encroach beyond existing areas of

hardstanding. Re-use of buildings in the Green Belt maybe given approval if they satisfy all the detailed criteria of UDP policy GB4. In light of the above it is considered that the proposed use satisfies this criteria.

- 10.4 As both the barn and workshop have last been used as agricultural buildings a condition to remove permitted development rights for further buildings is recommended.
- 10.5 Policy N24 requires a landscaping scheme which assimilates the development into the open land beyond. A 5 metre wide landscaping buffer extends along the boundary of the site and satisfies the requirements of this policy . Relevant landscaping conditions are recommended to ensure this is achieved. The proposed B1 use is therefore not considered inappropriate and harmful to the character of the Green Belt.

Economic Growth

- 10.6 Planning Policy Statement 7 “ Sustainable Development in Rural Areas” encourages the diversification of the rural economy and the re–use of appropriately located and suitably constructed buildings. Along with Planning Policy Statement 4 “Planning for Sustainable Growth” which encourages the support of small scale appropriate businesses for economic growth. The grant of planning permission would be in line with these objectives.

Residential Amenities

- 10.7 The site is surrounded by residential properties along East View, with number 5 Bradford Road adjacent to the vehicular access and in close proximity to the barn and workshop. It is considered that the activities generated by the B1 use will be low key and can operate alongside residential properties. By definition (under the terms of the Use Classes Order) a B1 use is one that can be carried on in a residential area without detriment to residential amenity. The proposed change of use as part of this application is to use the existing barn and workshop as three industrial starter units (B1 (c)) business use only. This light industrial use is considered acceptable to operate within residential areas. The site is enclosed by residential properties with number 5 Bradford Road adjacent to the site and in close proximity to the workshop and barn. It is considered that the proposed small scale nature of the B1 use could operate alongside residential properties providing conditions are imposed restricting operating, delivery and refuse collection hours. The landscaping scheme is extended to the rear of residential properties on East View to provide a buffer between the rear garden areas and the manouvering area for vehicles.

Access and Highway

- 10.8 There is sufficient room on the site to allow vehicles to enter and leave in a forward gear. Proposed alterations to the vehicular access where it joins Bradford Road improves the access. Accordingly, Highways have raised no objections. Relevant highway conditions are recommended.

Representations received

- 10.9 Local representations have been received from residents along East View. The above sections address in detail the concerns and issues raised by the

representations. The concerns raised by residents have been addressed by recommending conditions to protect their amenities. Industrial starter units are considered an acceptable use which can operate alongside residential properties

11.0 CONCLUSION

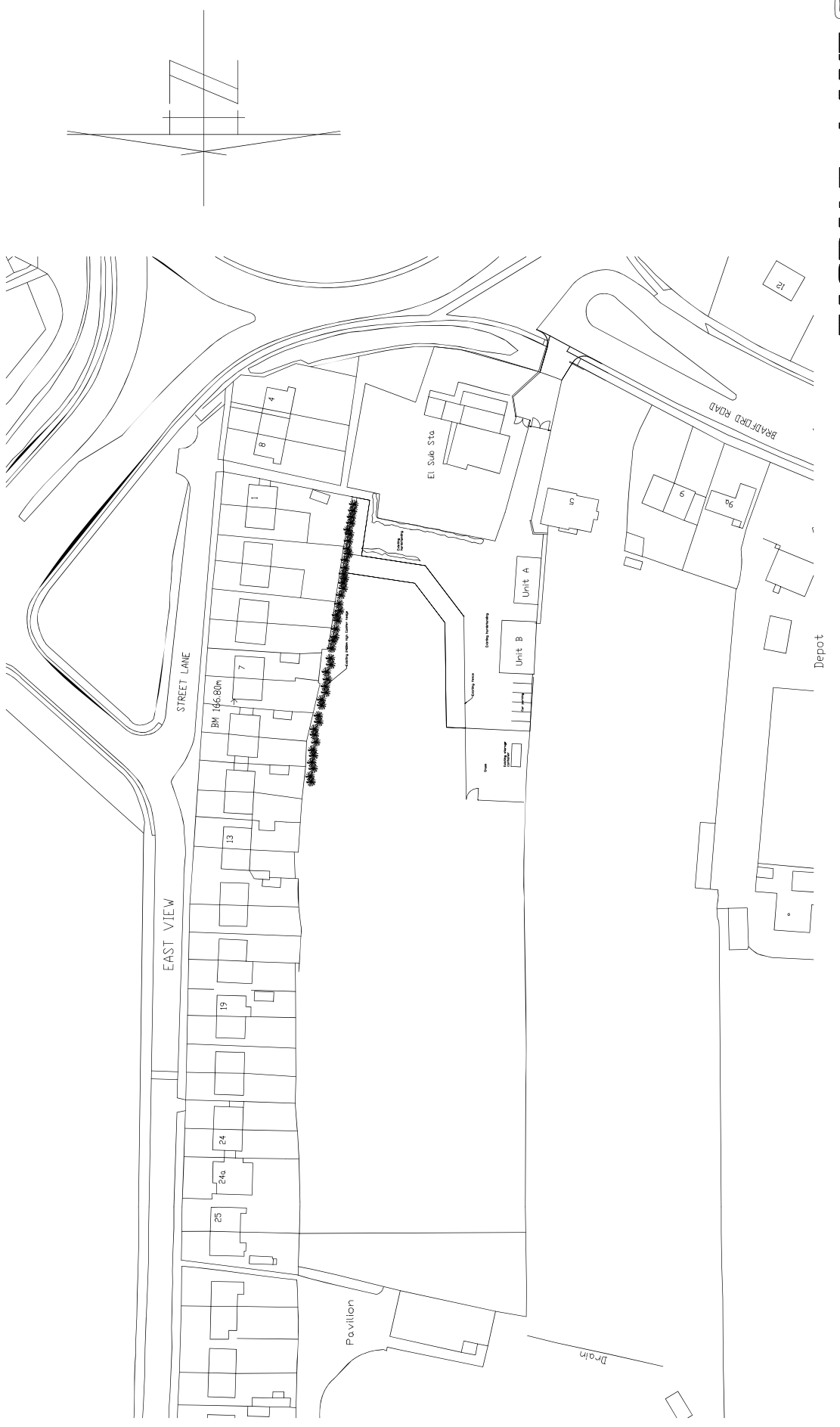
11.1 The application on balance is considered acceptable subject to the conditions recommended. The proposed brings into use redundant buildings within the green belt without harming the character of the green belt. The activity generated by the B1(c) use is considered low key and can operate alongside residential properties.

Background Papers:

Application file 11/03006/FU

Certificate of ownership:

As signed by applicant.



EASDALE ~ LANE EA
CHARTERED ARCHITECTS & SURVEYORS
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 TEL: 01577 356484 FAX: 01577 356489

CLIENT & PROJECT
 JOHN HALL
 Premises at 5 Bradford Road, Gildersome

TITLE
 Site layout

Scale
 1:500

Drawn
 J.H.B.

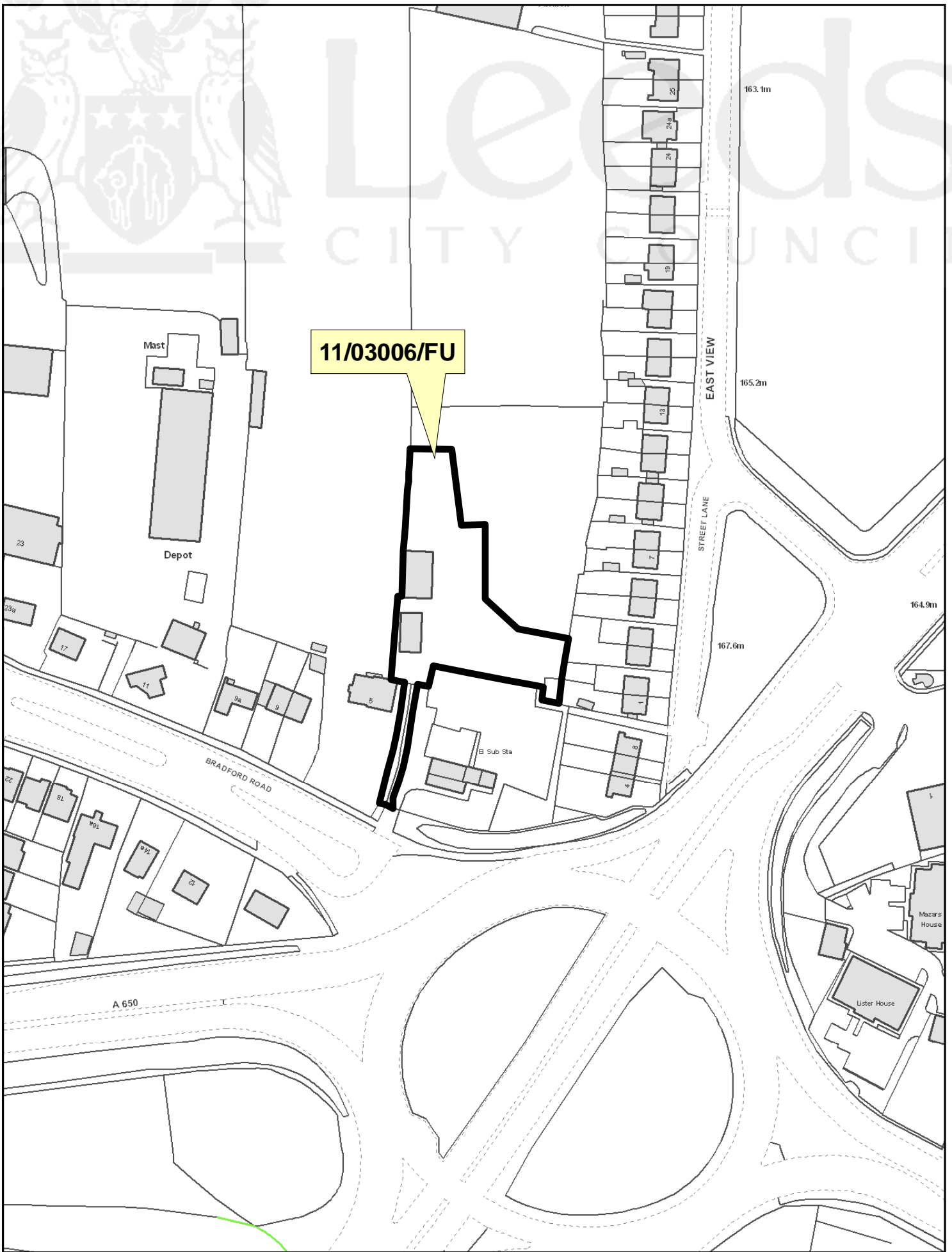
Date
 20 Jun 11

Revision

1	2	3	4	5	6	7	8	9	10

JHR/AVING No.
 2008/1C

Rev. C - Existing landscaping details added 21/4/2011
 Rev. B - Turning path indicated, car parking revised 17/2/2011
 Rev. A - Parking and turning areas amended, building B subdivided 16/2/2011



EAST PLANS PANEL

