



**Report of the Chief Planning Officer**

**PLANS PANEL EAST**

**Date: 6<sup>th</sup> September 2012**

**Subject: The report refers to the following applications proposing various alterations and externally illuminated signage to the Old Star Inn, Leeds Road, Collingham, Wetherby LS22 5AP**

**12/01807/FU- 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall.**

**12/01808/FU- Alterations to the front and rear elevations and hard surfacing front car park and rear service yard.**

**12/01810/ADV- 2 externally illuminated signs.**

**APPLICANT**

Tesco Stores LTD

**DATE VALID**

23<sup>rd</sup> April 2012

**TARGET DATE**

18<sup>th</sup> June 2012

**Electoral Wards Affected:**

Harewood

Yes Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**Approve subject to the following conditions.**

**12/01807/FU- 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall.**

1. Time limit on full permission (3yrs).
2. Develop in accordance with approved plans.
3. Details of external walling materials to be submitted.
4. Sample panel of the stonework to be provided.

**12/01808/FU- Alterations to the front and rear elevations and hard surfacing front car park and rear service yard.**

1. Time limit on full permission (3yrs).
2. Develop in accordance with approved plans.

3. Details of surfacing materials to be submitted.
4. Areas to be used by vehicles to be surfaced and drained using permeable materials.
5. Details including materials and colour of the doors and windows.
6. Submission and implementation of a tree planning scheme in the car park.

### **12/01810/ADV- 2 externally illuminated signs.**

1. Time limit on full permission (5yrs).
2. The colour scheme of the proposed free standing sign to be submitted for approval.
3. The details of the material of the proposed fascia sign to be submitted.

Full details of the conditions (including any amendments as necessary) to be deferred to the Chief Planning Officer

**Reasons for approval:** These applications are considered to comply with policies GP5, BD6, N19, BD8, BD9 and T2 as well as guidance contained within the Collingham Conservation Area Appraisal and Management Plan as well as the Supplementary Planning Document 'Advertising Design Guide' and having regard to all other material considerations.

### **1.0 INTRODUCTION:**

- 1.1 These applications have been brought to Plans Panel (East) due to the level of significant public interest and a significant number of objections that have been received.
- 1.2 This report relates to two full planning applications as well as an application for advertisement consent made by Tesco Stores LTD in order to make various alterations to the Old Star Inn site in Collingham. The alterations are sought to enable the applicant to accommodate a A1 Tesco Express convenience store on the site. The change of use from a restaurant (A3) to a retail use (A1) does not require planning consent and as such is permitted by the provisions of the Town and Country Planning (Use Classes Order) 1987 (As amended). These applications were also accompanied by a further application to erect a 0.9m high wall under application 12/01809/ FU. This is however considered to be permitted development by virtue of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development Order) 1995 (As amended). As a consequence the application has been returned to the applicant.
- 1.3 The extent of the change of use does not involve the whole of the former Old Star Inn planning unit and as such the public house element is to be retained.

### **2.0 PROPOSAL:**

12/01807/FU- 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall

- 2.1 The application proposes to mount three air conditioning units to the rear of the building and to create a service yard as well as the installation of a condenser unit. It is also proposed that the service yard would be enclosed by an 2.4m high stone wall which also features paneled metal railings and a timber gate.

12/01808/FU- Alterations to the front and rear elevations and hard surfacing front car park and rear service yard

- 2.2 The existing front entrance comprises of a porch with traditional doors. The application proposes to replace the doors with electric sliding doors and to position the sliding doors to sit flush with the main building. The porch itself, which comprises of front pilasters and fascia panel, will be retained.
- 2.3 An existing boarded up front entrance bay located to the eastern wing of the building will re-opened and fitted with a door.
- 2.4 It is further proposed that the front parking area and the rear yard will be resurfaced with tarmac and the parking bays will be formalised with white markings.

12/01810/ADV- 2 externally illuminated signs.

- 2.5 Two externally illuminated Tesco Express signs are proposed to replace the existing signs. The existing freestanding sign to the front of the site would be retained. The freestanding sign will be modified to display the name of the occupier (Tesco Express) and the opening and closing times. The sign will be painted in the company's corporate colours and new lights will be installed.
- 2.6 A new fascia sign is proposed to replace the existing fascia sign on the building. The fascia sign will be of a similar size to the existing but the lettering style and the colour will be different.

**3.0 SITE AND SURROUNDINGS:**

- 3.1 This application relates to part of the former Old Star Inn in Collingham which previously operated as a restaurant and public house in mixed use. The site is located within the Collingham Conservation Area and is an important gateway feature. The former Old Star Inn is adjoined by a car sales showroom and forms a prominent island site which is bounded by Main Street to the south, Harewood Road to the north and Mill Lane to the west. The site comprises of the main stone building and the parking areas to the front and rear. The car park to the front of the site can be accessed via Main Street and Mill Lane, whilst the site can also be accessed to the rear off Harewood Road.

**4.0 RELEVANT PLANNING HISTORY:**

- 4.1 The application site has been subject to a number of planning applications which relate to the various extensions and signage to the property. The details of the previous applications are summarised below.
- H31/193/91/- Alterations to form enlarged kitchen and enlarged restaurant, and extension to form porch, to restaurant and bar. Approved, September 1991
  - H31/271/87/One internally illuminated wall sign, size 4.88m x 1.98m, height above ground 2.44m (underside), one non-illuminate. Approved, January 1987
  - H31/335/86/- Change of use, involving alterations of commercial garage, to public house function rooms. Refused March 1987.

- H31/132/84/- One externally illuminated individual letter wall sign, size 5.2m x 0.5m, height above ground 3.4m (underside). Approved July 1984.
- H31/106/84/- Alterations and extension to form porch to rear, glazing of portico to front, creation of escape door. June 1984.

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 Discussions during the course of the planning application have focused primarily on the request for following information;

- Clarifications of the site boundary.
- Vehicle turning plan.
- Submissions of plans showing a stone wall screening to the plant units.
- Site management plan

5.2 Revised plans have been submitted showing all the details requested.

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

6.1 The applications were publicised as affecting the character of the Conservation Area by site notices that were displayed on 27<sup>th</sup> April 2012. The applications were publicised in the Boston Spa and Wetherby News on 11<sup>th</sup> May 2012.

6.2 The Local Ward Members and members of the Parish Council have also been briefed on the applications. Ward Members requested the submission of the following additional information:

- A noise survey required to evaluate the implications of the proposed air conditioning units.
- Details of turning circles for delivery vehicles.
- Details of the size of delivery vehicles.
- Details of how parking and servicing to the Tesco store will impact upon the parking and servicing of the remaining A4 use.

6.3 A planning consultant has been employed by the Parish Council to make representations on their behalf. The comments received raise the following concerns;

- The applications are not accompanied by a Transport Statement investigating the impact on traffic flows.
- Safe access is required.
- Safe pedestrian crossings required.
- Insufficient parking spaces available on site.
- Noise survey required to assess the impact of noise from the plant/equipment.
- The applications should be accompanied by a Statement of Community Involvement.
- The plant screening should be in keeping with the character of the existing building.
- A stone wall should be provided along the Harewood Road boundary.
- The proposed wall to the front of the site should be taller and be re-positioned to create more pavement width.

- The proposed resurfacing should consider defining the pedestrian areas and connect these to the new and existing pedestrian facilities.
- Details of the proposed repair materials should be provided.
- The position of the free standing sign is unclear from the plans.
- The deliveries to the site should be controlled.

6.4 The are 469 objections letters recorded and 40 support letters have been received.

6.5 The objection raised centre around the following issues;

- The parking area is inadequate for the needs of the site.
- The access is inadequate for the proposed use of the site as a A1 Tesco Express.
- Tesco Express does not belong in a village.
- Increase in traffic and vehicle movement.
- Lack of a pedestrian access.
- Negative impact on village shops.
- Increase in traffic.
- The proposed wall will affect visibility at the junction.
- Pedestrian crossing areas are required.
- Part of the Pub will remain vacant, which will adversely impact on the character of the area.
- Large delivery vehicles coming to and from the site will disturb neighbours.
- The extended opening hours will disturb neighbours.
- Potential risk of increased anti social behaviour.
- The use of the site as an A1 convenience store is inappropriate.
- The rear yard being inadequate for a large delivery vehicle to turn.
- Noise from plant and equipment disturbing neighbours.
- The proposed signs will have an adverse impact on the character of the area.
- The timber-screening fence will appear out of character with the Conservation Area.
- The illumination of the signs will be out of character with the Conservation Area.
- The removal of a grass verge and the construction of a stone wall will have an adverse impact on the character of the area.
- The free standing sign being too large for the site.

6.6 The letters of support make the following comments;

- The proposed Tesco Express will improve services in the area.
- The store will reduce the need to travel by car for their grocery shop.
- The proposal will bring the site back into use.
- The store will create jobs.

## 7.0 CONSULTATION RESPONSES:

### Statutory:

7.1 None

### Non-statutory:

7.2 The **Highways Officer** originally commented that the overall external boundary of the site (red/blue line combined) stops short of the adopted part of Mill Lane, thus leaving a gap between the service yard and the means of access to the external highway network, it also suggested that the line of the front boundary is incorrect and that the proposed front wall may be positioned on highways land.

7.3 The applicant has submitted a revised site plan to correct the blue line boundary and to show the wall positioned within the site boundary.

7.4 The Highways Officer also requested the following;

- Provisions of a signalised pedestrian crossing on the A58.
- Pedestrian crossing to be provided on Mill Lane.
- The vehicle access off Mill Lane is reconfigured.
- Resolving the red line boundary issues in the vicinity of the rear service yard off Mill Lane.
- Requirement for a Traffic Regulation Order to allow delivery vehicles to use the service yard.
- A Service Management Plan

7.5 Following revisions the Council's Conservation Officer raises no concerns relating to the signage or any other aspect of the operation development proposed.

7.6 The Conservation Officer recommends that the applicant is advised to resurface the parking areas to the front and rear using a mixture of materials, including tegular blocks at the entrance, and a lighter asphalt to define the parking spaces. It is considered that would lessen the impact of the existing tarmac, which is considered to have a negative impact on the Conservation Area.

7.7 Concerns were raised by the Conservation Officer with regards to the fence proposed to enclose the plant units to the rear. The plans have been revised to now show a stone wall to enclose the proposed plant.

7.8 The Council's Environmental Protection Team conclude that the sound output from the plant units will be low and due to the adequate separation distance from residential dwellings, the noise from the plant will not harm the living conditions of surrounding residents.

## **8.0 PLANNING POLICIES:**

8.1 The Development Plan for the area consists of the Regional Spatial Strategy and the adopted Unitary Development Plan Review (UDPR), along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDPR but at the moment this is undergoing production with the Core Strategy still being at the draft stage.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

- 8.3 The site is located within the Collingham Conservation Area and is marked as a positive building in the Collingham Conservation Area Appraisal and Management Plan. The following policies are considered to be of relevance:

Policy GP5 refers to development proposals should seek to avoid loss of amenity. Policy BD6 states that alterations and extensions should respect the scale, form, detailing and materials of the original building.

refers to extensions to buildings.

N19: all new buildings or extensions in Conservation Area should preserve or enhance the character or appearance of the area.

Policy BD8: refers to all signs be well designed and sensitively located.

Policy BD9: States that illuminating signs will only be permitted within the Conservation Area where they do not detract from visual amenity.

Policy T2: highway safety.

- 8.4 Relevant Supplementary Guidance:  
Supplementary Planning Document 'Advertising Design Guide' (2006).
- 8.5 Collingham Conservation Area Appraisal and Management Plan highlights that the parking area in front of The Old Star Inn and the service yard to the rear are unsympathetic to the appearance of Collingham. It recommends that Tree planting, soft landscaping and stone boundary walls could all lessen the impact of the parking and enhance the special character and appearance of the conservation area.
- 8.6 Draft Core Strategy 2009 (Preferred Approach) identifies Collingham as a smaller settlement. Smaller settlements have been identified within the settlement hierarchy as being above the village/rural level, yet they do not all have appropriate facilities to serve local day-to-day needs. In these centres small-scale new retail, leisure, and community facilities to serve local day-to-day needs will be supported where they can be clustered to form a community focus.
- 8.7 Government Planning Policy Guidance:  
National Planning Policy Framework (NPPF, 2012)

## 9.0 MAIN ISSUES

1. Principle of development
2. Impact on visual amenity and the character of the Conservation Area
3. Residential amenity
4. Highways implications
5. Planning obligation
6. Public representation

## 10.0 APPRAISAL

### Principle of development:

- 10.1 As the applications under consideration relate to minor works which are incidental to the permitted change of use to retail (A1), it is considered that the proposed works are acceptable in principle subject to the proposals complying with all other material planning considerations.

12/01807/FU- 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall.

- 10.2 The three air conditioning units and the condenser unit will be located in a dedicated plant area to the rear of the site. It is further proposed that this plant would be screened by a 2.4m high stone wall with gating. Given that the plant equipment proposed will not be visible from public vantage points, it is considered that they will not have a significant detrimental impact on the character of the Conservation Area.
- 10.3 The stone wall proposed to screen the plant equipment will match the stone of the existing building. Therefore, it is considered that the wall will not appear out of place nor will it have an adverse impact on the character of the Conservation Area. The Conservation Officer has not raised concerns with regards to the visual impact of this enclosure. A condition should be attached to ensure the stone proposed is of a high quality and is similar to the existing building.

12/01808/FU- Alterations to the front and rear elevations and hard surfacing front car park and rear service yard.

- 10.4 The proposed alterations to the front entrance are relatively minor and include introduction of electric sliding doors and the re-opening of a boarded up entrance door. As the new sliding doors will be located behind the classical portico its visual impact on the character of the Conservation Area will be minimal. It is considered that the re-opening of a section of the building which was originally open, will not adversely impact on the design of the building or the character of the Conservation Area. The alterations to the facia of the building has also been assessed by the Conservation Officer who has raised no concerns. It is considered that a condition should be attached to ensure the materials and the colour of any new fenestration are submitted and approved before being installation. This will ensure that the fenestration proposed relate symmetrically to the character of the Conservation Area.
- 10.5 The application also proposed to re-surface to the front and rear parking areas and to add new markings for the parking spaces. As the front and rear of the site are currently hard surfaced with tarmac, the proposal to re-surface these areas are not a concern. The Conservation Officer has commented that this aspect of the scheme presents an opportunity to minimise the visual impact of the hard surfacing and it is recommend that a mixture of materials, that are lighter in colour, should be used. It is considered that the hard surfacing materials can be negotiated via a condition requiring the details of the surface materials being submitted.

12/01810/ADV- 2 externally illuminated signs.

- 10.6 Two externally illuminated Tesco Express signs are proposed. The existing free standing gantry sign is proposed to be retained with the Tesco colours being added and new lights being installed. A facia sign is proposed to replace the existing facia sign on the building. The facia sign will be of a similar size but the lettering style and the colour will be different.
- 10.7 As the signs proposed are replacements of the existing signs, no concerns are raised with regards to their visual impact. There are currently a variety of signs in



the area of differing styles and colour. The signs proposed are similar in proportion to the existing arrangements. The proposed signs will be externally illuminated. It is considered that the design, illumination and the proportions of the signs are acceptable and will not have an adverse impact on the character of the Conservation Area.

- 10.8 The proposed colour and the design of the lettering is fairly subtle and unassuming. It is considered that the design and colour will respect the character of the conservation Area. The Conservation Officer has suggested that the frame of the free standing sign should be painted black and that the sign above the entrance to be painted metal. It is considered that the above suggestions made by the Conservation Officer should be secured through planning conditions.

**Impact on residential amenity:**

12/01807/FU- 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall.

- 10.9 The potential noise from the proposed plant equipment has been evaluated by the Council's Environmental Protection Team. The Environmental Protection Team conclude that the sound output from the units will be low and, due to the adequate separation distance from residential dwellings, the noise from the plant and from the adjacent roads will not harm residential amenity.

12/01808/FU- Alterations to the front and rear elevations and hard surfacing front car park and rear service yard.

- 10.10 The proposed alterations to the front entrance and the resurfacing the parking areas to the front and rear, are minor alterations to the building, which will not have an adverse impact on neighbouring residential amenity.

12/01810/ADV- 2 externally illuminated signs.

- 10.11 The proposed signs are replacements of the existing, therefore the signs do not pose a significant threat to neighboring residential amenity

**Highways implications:**

12/01807/FU- 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall.

- 10.12 The proposed plant equipment and stone wall proposed to screen the plant equipment will not raise highway safety concerns.

12/01808/FU- Alterations to the front and rear elevations and hard surfacing front car park and rear service yard.

- 10.13 The proposed alterations to the front entrance and the resurfacing the parking areas to the front and rear will not have an adverse impact on highway safety.

12/01810/ADV- 2 externally illuminated signs.

- 10.14 The proposed signs are replacements of the existing, therefore the signs do not pose any highway safety issues.

### Other matters raised by Highways

- 10.15 The Highways Officer has commented that the proposed use of the site would have an impact on the highway network and pedestrian safety and requested that changes are made to the layout. These revisions included a need for a signalised pedestrian crossing on the A58 and that various other documents relating to the highway impact of the use of the site is provided. As previously mentioned, the use of the building from a A3 use to A1 (retail) is permitted by virtue of the provisions set of in the Use Classes Order 1987 (As amended) and as such falls outside the powers of planning control.
- 10.16 As both the retail and remaining former public house are permitted uses, no controls can be imposed on the level of parking provision or the management of such. Nevertheless, the applicant has indicated that it is common practice for Tesco to manage their car parks in order to maintain a reasonable turnover of spaces and where appropriate they will install signage and impose restrictions through a car park management company to avoid abuse of the car park / all day parking, which would be detrimental to operation of the store and / or the public highway, whilst also allowing parking to be provided for the public house.
- 10.17 The applicant is aware of Ward Member concerns, Parish Council and local resident comments with regard to pedestrian safety and the potential for increased activity as well as the observations raised by the Council's Highway Engineer. To this extent, and whilst not necessary in planning terms given the use does not require planning permission, the applicant has signed a unilateral undertaking to provide a funding contribution of £25,000 towards the cost of providing a controlled crossing on the A58 as a community benefit.

### Planning Obligations

- 10.18 From 6 April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

**Necessary to make the development acceptable in planning terms** - Planning obligations should be used to make acceptable, development which otherwise would be unacceptable in planning terms.

**Directly related to the development** - Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement. **And:**

**Fairly and reasonably related in scale and kind to the development** - Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

- 10.19 In assessing these legal tests Members are advised that the use of the site from A3 to A1 does not requiring planning permission and that the applications before Members are for minor associated works. In such circumstances it is not necessary for the applicant make such a contribution towards the cost of a controlled crossing. Members in determining this application **must not** apply any planning weight to this issue as it is not a material planning consideration.

### **Public representation:**

- 10.20 The Ward Members in a briefing meeting requested the submission of the various additional information. The applicant has submitted a plan, for information purposes, showing details of turning circles for delivery vehicles using the rear service area. The applicant has also provided information relating to management arrangements including the size of delivery vehicles and the number of daily anticipated deliveries. As the information requested relates to the use of the site and not to the works proposed, the Local Planning Authority cannot control this by means of condition.
- 10.21 Although requested, the applicant did not provide a noise survey evaluating the noise implications of the air conditioning units/plant to the rear. As this issue was evaluated by the Council's Environmental Protection Team who concluded that the sound output from the units will be low and not harmful to amenity, it was considered that a noise survey is not necessary and the proposal cannot be objected to on this issue.
- 10.22 The comments made by the Parish Council relating to the applications needing to be accompanied by a Transport Statement and a statement of Community Involvement, are noted. It is considered that the applications are proposing relatively minor developments and the Local Planning Authority would not normally ask for, nor can it justify asking for such documents.
- 10.23 The comment made that the screening fence proposed to the rear should be in keeping with the character of the existing building, is reasonable. The applicant has revised the drawings to show the plant equipment being screened by a stone wall that matches the existing building.
- 10.24 The Parish Council advises that a stone wall should be provided along the Harewood Road boundary. Given the nature works proposed, it is not considered that the Local Planning Authority can justify asking the applicant to provide a wall along the rear of the site.
- 10.25 The comments made that the proposed wall should be taller and re-positioned, is noted. As the proposed 0.9m highway wall does not require planning permission, the Local Planning Authority has no control over its height or position.
- 10.26 The Parish Council states that the proposed resurfacing should consider defining the pedestrian areas and connect these to the new and existing pedestrian facilities. Given that the nature works proposed by the applications and that the use of the site does not require planning consent, it is not considered that the Local Planning Authority can justify asking the applicant to provide defined pedestrian areas or new pedestrian crossings.
- 10.27 The suggestion that the applicant should provide details of the proposed repair materials, is unreasonable. The building itself is in a generally sound condition and does not require major repair works. Although minor repair works may be required, the repair works are unlikely to materially alter the appearance of the building. Therefore, it would be unreasonable to ask the applicant to provide details of this.

- 10.28 The Parish Council highlights that the position of the free standing sign is unclear from the details submitted. The position of the proposed signage is clear on the plans and effectively the freestanding sign will remain in its current position.
- 10.29 The following objection raised by members of the public all relate to issues that results from the site being used as a retail (A1) development and do not directly result from the works proposed under the applications. Given that the use of the site is not under consideration, the applications cannot be refused on any of the points listed.
- The parking area is inadequate for the needs of the site.
  - The access is inadequate for the proposed use of the site as for a supper market.
  - Increase in traffic and vehicle movement.
  - Lack of a pedestrian access.
  - Negative impact on village shops.
  - Tesco's do not belong in a village.
  - Increase in traffic.
  - Pedestrian crossing areas are required.
  - Large delivery vehicles coming to and from the site will disturb neighbours.
  - The extended opening hours will disturb neighbours.
  - Potential raise in anti social behaviour.
  - The use of the site as an A1 convenience store is inappropriate.
  - The rear yard being inadequate in size for a large delivery vehicle to turn.
- 10.30 The concern raised with regards to potential disturbance to neighbouring dwellings by way of noise from the plant and equipment, was evaluated by the Council's Environmental Protection Team. It is concluded that the sound output from the plant units and equipment will be low and, due to the adequate separation distance from residential dwellings, the noise from the plant will not harm the surrounding residential amenity.
- 10.31 The concern raised that proposed wall will affect visibility at the access point, was evaluated by the Highways Officer. No highway safety concerns are raised with regards to the boundary wall.
- 10.32 The issue raised that the proposed signs will have an adverse impact on the character of the area is noted. This issue has already been discussed in the report and it is considered that the illumination, design and proportions of the of the signs will not have an adverse impact on the character of the Conservation Area.
- 10.33 The concerns raised that the timber-screening fence will appear out of character with the Conservation Area, is a valid point. The applicant has revised the drawings to replace the fence with a stone wall.
- 10.34 The concern raised that the illumination of the signs will be out of character with the Conservation Area, is unreasonable. Given that the existing signs can be illuminated, the illumination of the proposed signs cannot be objected to.
- 10.35 Concern has been raised that the removal of a grass verge and the construction of a stone wall will have an adverse impact on the character of the area. As the proposal wall does not require planning permission, and therefore the Local Planning Authority has no control on this matter.

- 10.36 The concern raised that the free standing sign is too large for the site, is unreasonable. The freestanding sign is an existing structure and therefore not allowing the applicant to use this structure cannot be justified.
- 10.37 A number of objectors have raised issues relating to the fact that the whole of the Old Starr Inn is not being used for retail purposes and thus leaving part of it vacant and open to neglect and dereliction. In this regard the Council cannot insist that the whole of the building is utilised and thus prevent subdivision.

## **11.0 CONCLUSION**

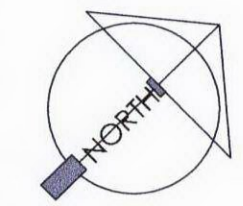
- 11.1 The change of use from (A3) restaurant to (A1) retail does not require planning consent. Therefore, the planning applications submitted by the applicant for minor associated works must be determined on their individual merits for the works proposed and the use of the site cannot be considered. Although the applicant has signed a unilateral agreement to provide a £25,000 funding contribution towards the cost of a controlled crossing, Members are reminded that in determining this application, Members **must not** apply any planning weight to this issue as it is not a material planning consideration.

The following developments are proposed;

- Positioning of 3 air-conditioning units, 1 condenser unit in the rear yard and 2.4m high stone screening wall to the rear.
  - Alterations to the front porch, reopening of a front entrance and hard surfacing the front car park and rear service yard.
  - Two externally illuminated signs to the front.
- 11.2 It is considered that proposed works proposed will not have an adverse impact on the design of the building or the character of the Conservation Area. It is also considered that the proposals will not cause any harm to the living conditions of any surrounding residents. The existing building is currently in a poor condition and detracts from the character of the Conservation Area and particularly so given that it is a prominent feature in the streetscene. These proposals therefore represent a positive opportunity to transform the building and to bring it back into beneficial use. In this context it is recommended that the applications are approved.

## **12.0 Background Papers:**

- 12.1 Application files: 12/01807/FU, 12/01808/FU, 12/01810/ADV
- 12.2 Certificate of Ownership (Cert B) served on the landowner Incorporated Trustees of Lady Hastings Charity dated 20<sup>th</sup> April 2012 .



LEEDS CITY COUNCIL  
30 JUL 2012  
**REVISED**



--- Inside face indicates extent of publically maintained highways

**For PLANNING Purposes**

- C. 06.07.12 Fence to service yard amended to coursed stone wall MED
- B. 03.07.12 "Publicly maintained highways" plan undertaken. Parking amended as a direct result of proposed wall needing to be moved back from the previously understood boundary MED
- A. 20.03.12 Timber fence to service yard shown MED

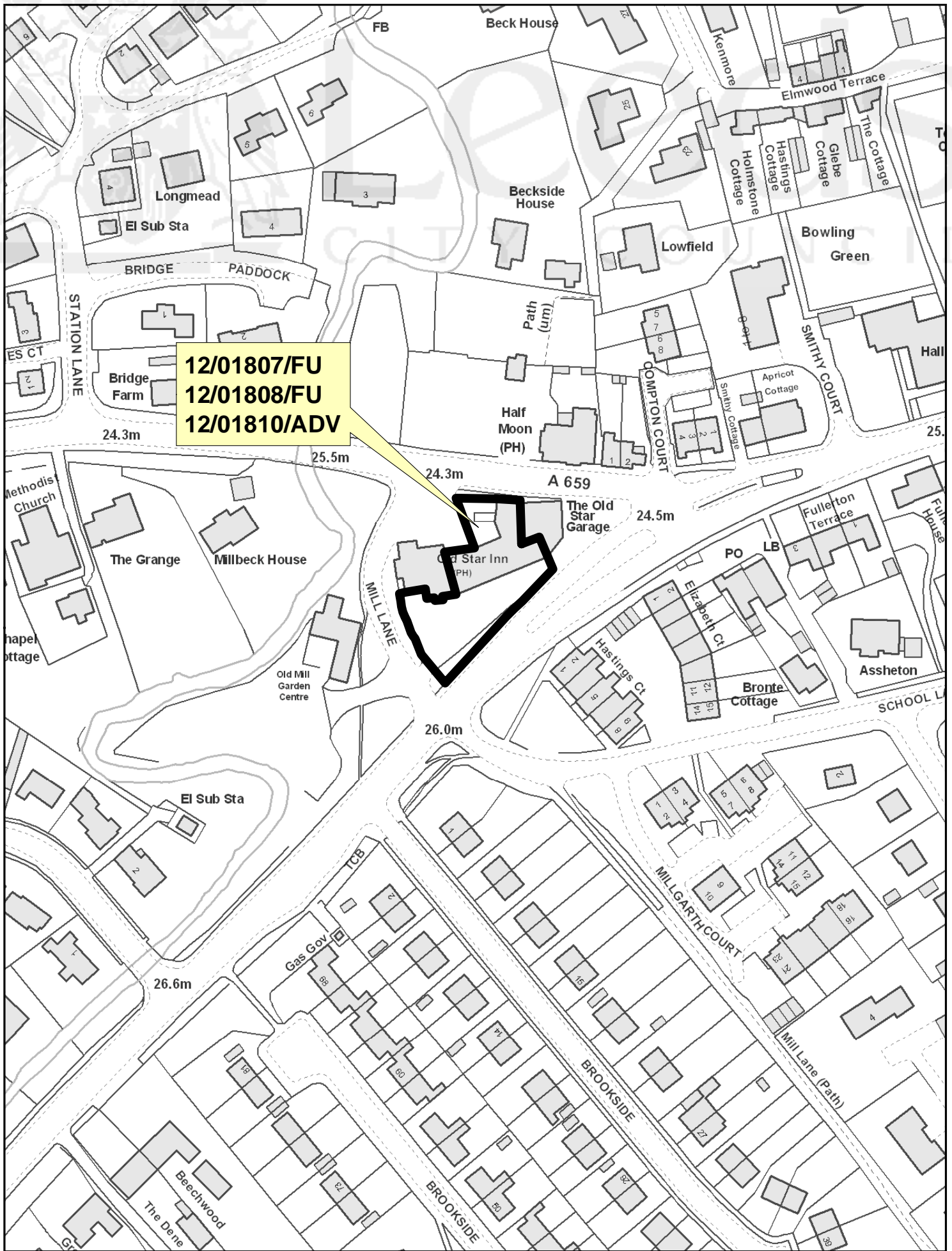


Office 7, Gateway 1000  
Arlington Business Park  
Whittle Way  
Stevenage  
Hertfordshire  
SG1 2FP  
t: 01438 749400  
f: 01438 749591  
e: arc@archer.uk.com  
www.archerarchitects.co.uk



Client:  
Project:  
**THE OLD STAR P.H.**  
**COLLINGHAM, LS22 5AP**  
Drawing Title:  
**PROPOSED SITE PLAN**

Scale: 1:100@A1	Date: 22.02.12	Drawn: MED	Checked: DJF
Project No: 4063	Drawing No: (P) 503	Revision: C	



**12/01807/FU**  
**12/01808/FU**  
**12/01810/ADV**

# EAST PLANS PANEL

