



NORTH AND EAST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 22nd March, 2018
at 1.30 pm

MEMBERSHIP

Councillors

R Grahame
S Hamilton
M Harland
S McKenna
E Nash
K Ritchie
N Walshaw
(Chair)

B Cleasby

J Procter
P Wadsworth
G Wilkinson

Agenda compiled by:
Debbie Oldham
Governance Services
Civic Hall
Tel: 0113 3788656

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES OF MEETING - 22ND FEBRUARY 2018</p> <p>To approve as a correct record the minutes of the meeting held on Thursday 22nd February 2018.</p>	3 - 12
7	Alwoodley		<p>17/04368/FU - RETROSPECTIVE APPLICATION FOR DWELLING WITH DETACHED OUTBUILDING TO REAR WIGTON COURT, WIGTON LANE, ALWOODLEY, LEEDS</p> <p>The receive the report of the Chief Planning Officer for a retrospective application for dwelling with detached outbuilding to rear at Wigton Court, Wigton Lane, Alwoodley, Leeds.</p> <p>(Report attached)</p>	13 - 24
8	Alwoodley		<p>17/08462/FU - REPLACEMENT DWELLING 266 ALWOODLEY LANE, ALWOODLEY, LEEDS, LS17 7DH</p> <p>To consider the report of the Chief Planning Officer on an application for a replacement dwelling at 266 Alwoodley Lane, Alwoodley, Leeds, LS17 7DH.</p> <p>(Report attached)</p>	25 - 36

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9	Roundhay		<p>18/00613/FU - PART THREE STOREY, PART SINGLE STOREY SIDE EXTENSION; SINGLE STOREY REAR EXTENSION 5 NORTH PARK AVENUE, LIDGETT PARK, LEEDS, LS8 1DN</p> <p>To consider the report of the Chief Planning Officer for an application for part three storey, part single storey side extension; single storey rear extension at 5 North Park Avenue, Lidgett Park, Leeds LS8 1DN.</p> <p>(Report attached)</p>	37 - 46
10	Kippax and Methley		<p>17/02450/FU - VARIATION OF CONDITION 1 OF PREVIOUS APPROVAL 06/00542/FU TO ALLOW CHANGES TO THE RESTORATION PLAN AND PHASING ALL IN LINE WITH SUBMITTED ADDENDUM TO THE ENVIRONMENTAL STATEMENT PECKFIELD QUARRY, RIDGE ROAD, MICKLEFIELD, LEEDS LS25 4DW</p> <p>To receive the report of the Chief Planning Officer requesting the variation of condition 1 of previous approval 06/00542/FU to allow changes to the restoration plan and phasing all in line with submitted addendum to the environmental statement at Peckfield Quarry, Ridge Road, Micklefield, Leeds, LS25 4DW.</p> <p>(Report attached)</p>	47 - 62
11	Gipton and Harehills		<p>18/00067/FU - TWO STOREY AND SINGLE STOREY SIDE AND REAR EXTENSIONS 64 EASTERLY ROAD, GIPTON, LEEDS, LS8 3AN</p> <p>To consider the report of the Chief Planning Officer for two storey and single storey side and rear extensions at 64 Easterly Road, Gipton, Leeds, LS8 3AN.</p> <p>(Report attached)</p>	63 - 70
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>The next meeting of North and East Plans Panel will be held on Thursday 26th April 2018, at 1:30pm.</p>	

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Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

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To all Members of North and East
 Plans Panel

Planning Services
 The Leonardo Building
 2 Rossington Street
 Leeds
 LS2 8HD

Contact: David Newbury
 Tel: 0113 37 87990
 david.m.newbury@leeds.gov.uk

Our reference: NE Site Visits
 Date: 14th March 2018

Dear Councillor

SITE VISITS – NORTH AND EAST PLANS PANEL – THURSDAY 22nd March 2018

Prior to the meeting of the North and East Plans Panel on Thursday 22nd March 2018 the following site visits will take place:

Time	Ward	
10.30am		Depart Civic Hall
10.45am – 10.55am	Alwoodley	17/08462/FU – 266 Alwoodley Lane, LS17 7DH
11.00am – 11.15am	Alwoodley	17/04368/FU – Wigton Court, Wigton Lane, LS17 8SB
11.20am – 11.30am	Roundhay	18/00613/FU – 5 North Park Avenue, LS8 1DN
11.40am – 11.45am	Gipton & Harehills	18/00067/FU – 64 Easterly Road, Gipton, LS8 3AN
12.00 (noon)		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at 10.30am. Please notify David Newbury (Tel: 37 87990) if you wish to take advantage of this and meet in the Ante Chamber at 10.25am. If you are making your own way to the site please let me know and we will arrange an appropriate meeting point.

Yours sincerely

David Newbury
 Group Manager

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NORTH AND EAST PLANS PANEL

THURSDAY, 22ND FEBRUARY, 2018

PRESENT: Councillor N Walshaw in the Chair

Councillors B Cleasby, R Grahame,
S Hamilton, M Harland, S McKenna,
E Nash, K Ritchie, P Wadsworth and
G Wilkinson

SITE VISITS

The site visits were attended by Councillors Walshaw, Hamilton, Nash, Ritchie and Wilkinson.

99 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

100 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

101 Late Items

There were no late items.

102 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

103 Apologies for Absence

There were no apologies for absence.

104 Minutes of previous meeting

RESOLVED - The minutes of the previous meeting held on 18th January 2018 be approved as a correct record.

105 16/06951/FU - Demolition of existing buildings and construction of six apartments with associated access, landscaping and car parking at 7 Wakefield Road, Garforth.

The report of the Chief Planning Officer set out an application which proposed the demolition of the existing buildings and the construction of 6 two bedroom

apartments with associated access, car parking and landscaping at 7 Wakefield Road, Garforth.

Members were advised that this application was a resubmission following the refusal of planning permission for a detached house and six self-contained flats with associated gardens and car parking at the site under planning Ref: 14/01717/FU. The applicant appealed against the decision but the decision was dismissed due to design and residential amenity concerns.

This planning application was brought to Plans Panel at the request of Cllr. Mark Dobson who cites reasons of over saturation of vehicles at a pinch point at Town End junction with Wakefield Road and flooding issues. Members were given an update in which Cllr. Dobson reiterated his representations against the application and included the following comments:-

- I am disappointed to read that the development at 7 Wakefield Road, Garforth has been recommended for approval;
- Again Cllr. Field and I feel that the overdevelopment on a busy A road, the increased traffic and flood risk have not been addressed by the applicant and question the officers recommendations;
- Please consider this and, we suggest, panel members look to, again, reject.

Members had attended a site visit earlier in the day, photographs and plans were shown throughout the presentation.

The proposal for the site was set out at point 2.0 of the submitted report. Members were advised that the current reconfiguration with a single access had been submitted after negotiations with officers.

Members were informed of the following points:-

- Concerns raised in relation to on street parking in relation to associated terraces and the doctors surgery nearby.
- Proposal sets out 9 parking spaces which is within parking guidelines.
- The proposed development was adequately positioned away from the bungalow to the rear of the site and was not considered to be unduly dominant.
- It was proposed that there would be replacement planting on the site.
- The six apartments would be over 3 floors with the upper apartments in the roof space.
- All the apartments would be 2 bedrooms.
- Two side windows which would serve stairwells and bathrooms would be obscure glazed.

Issues relating to drainage had been set out at 10.18 and 10.19 of the submitted report.

In response to Members comments and questions the following was discussed:-

- Assurance that the site would be checked for Japanese Knotwood and eradicated if found.
- Parking was adequate and the layout would be as set out in the submitted plan.
- Parking of construction vehicles to be on site.
- Construction work to be undertaken within standard times with no work on Sunday or Bank holidays.
- Size of the flats as Members had been informed that 4 of the flats were below space standards guidelines. The 4 flats were short by 7.5sq metres. Members were also informed that consultation was still ongoing in relation to the emerging policy of National Space Standards. The Consultation will end on 23rd March and it was hoped that Leeds would adopt the National Space Standards Policy.
- Layout of the development.
- Members were informed that drainage issues had been addressed and would be for the betterment of the area.

RESOLVED – To defer consideration to seek amendments to the layout of the flats so that all accord with the emerging Minimum Space Standards (Policy H9 of the Core Strategy Selective Review, February 2018).

106 17/07407/FU – Installation of outdoor fitness equipment at the Playground, Kirkhills, Thorner, LS14 3JD

The report of the Chief Planning Officer sought planning permission for the installation of outdoor fitness equipment at the Playground, Kirkhills, Thorner, LS14 3JD.

The Playground is situated in Thorner's Conservation Area. Councillor Matthew Robinson had requested that the application be brought to Plans Panel due to concerns raised by residents about the impact of the development upon the broader character and amenity of the area.

The application proposes six pieces of fitness equipment, situated next to the existing playground, in an area of open space within the centre of Thorner.

Members had attended a site visit earlier in the day, photographs and plans were shown throughout the presentation.

Members were advised of the following points:-

- An application to vary condition 2 (approved plans) for Minor Material Amendment to allow for a wooden swing frame which was pending.
- The proposed equipment and the height of each piece of equipment as set out at point 2.2 of the submitted report.
- No lights or benches are proposed in this area.
- The equipment will be beige and green in colour to be in keeping with the character of the area.

- The fitness equipment would be screened from houses on Moat End by trees and shrubs.
- Relevant planning policies were set out at 8.2 of the submitted report.
- The Parish Council had undertaken a consultation survey and this was the preferred site.
- The onus for Health and Safety would be on the Parish Council who own the land.
- There would be an appropriate distance between the fitness equipment and the children's playground, there is currently fencing which would be retained.
- Equipment meets British Standards for safety
- Highways had no objection as they were of the view that users would access the area on foot.
- The Parish Council would be responsible for the maintenance and insurance of the equipment.

Mr Brereton attended the meeting speaking against the recommendations he informed the Panel of the following points:-

- He had been a resident of Thorner for 20 years
- Residents had asked that the application be brought before Plans Panel as the issue was bigger than this planning application
- The area of concern stretched over 100 metres and directly affected 10 houses on Moat End.
- Mr Brereton highlighted a number of points within the submitted report where the officer had referred to the 'existing play area' especially when dealing with an objection.
- Stead Lane, Kirkhills was the most congested road in Thorner
- The existing playground had been there for almost 40 years and the equipment was designed for children up to approximately 8 years of age.
- Moat End was a relatively new development and residents of those houses had a choice of living there close to the existing children's playground.
- Advised Members that the existing playground was due to change with the removal of some equipment to be replaced with a tower that would provide views into nearby bedrooms on Moat End, a zip wire and climbing net.

Mr Brereton was of the view that the whole complex should have been dealt with as one application. He was also of the opinion that this type of development went against the aspirations as set out in the Parish Plan 2006 and the aspirations set out in the Village Design Statement.

In response to Members questions and comments the following was noted:-

- Anti-social behaviour involving youths was not really a problem.
- The Parish Council owned the land and could go ahead with the installing the equipment under Permitted Development even if refused by the Plans Panel.
- The Parish Council were aware of the opinions of residents.

Victoria Goodall, Chair of Thorner Parish Council attended the meeting and provided the Members with the following information:-

- Consultation had taken place with residents which included an article in the Parish council newsletter.
- The Parish Council had voted to come to submit an application rather than go ahead with the installation under Permitted Development.
- Health and Safety assurances had been received from the manufacturer and installer.
- The area proposed for the fitness equipment was a discreet area with borders of shrubs.
- The Parish Council would be liable for the insurance of the equipment and for maintenance.
- The Parish Council were of the view that the equipment would not encourage anti-social behaviour with youths.
- The Parish Council had secured funded for the project under from Lottery Funding 'Wards for All'.
- The children's play area was due to undergo changes for new wooden equipment to be installed to blend in better with the area.

Councillor McKenna informed the meeting that he wished to take no further part in discussions on this item

In response to Members questions and comments the following points were noted:-

- Feedback on consultation had been provided to Parish Councillors at the Annual General Meeting;
- The village had been informed of the project in the Parish newsletter;
- It was hoped that the new pieces at the playground would provide something to do for older children up to age 11 years;
- Manufacturers had confirmed that the fitness equipment conformed to Health and Safety Standards;
- The playground would maintain the same footprint with the addition of new equipment made of wood.

The publicity provided by LCC to be provided to Cllr. Cleasby as requested.

Jonathan Carr, Head of Development provided clarity as to the reason for this application being brought before Plans Panel. He explained the Parish Council wished to legitimise planning permission for the fitness area although they could go ahead with the project under Permitted Development.

Members who had similar fitness equipment in their wards said the equipment was well used and there were no incidents of anti-social behaviour in locations where the equipment was situated.

RESOLVED – To grant planning permission in accordance with the officer recommendation.

107 17/06735/FU - Alterations including two storey part single storey front, side and rear extension incorporating a double garage; first floor terrace area with balustrade to rear; inset dormer window to rear and raised roof height at 24 Lakeland Crescent, Alwoodley, Leeds

The report of the Chief Planning Officer requested Members to consider an application for alterations including two storey part single storey front, side and rear extension incorporating a double garage; first floor terrace area with balustrade to rear; inset dormer window to rear and raised roof height at 24 Lakeland Crescent, Alwoodley, Leeds.

The application had been brought to Plans Panel at the request of Councillor Peter Harrand on the grounds of:

- The proposed height of the proposal;
- Potential overlooking of adjoining properties and lack of privacy;
- Incursion into public footpath.

Members were informed of two further requests for the item to be determined at Plans Panel from Councillor Dan Cohen for the following reasons;

- Front design is inconsistent with the street scene; particularly the height
 - Overbearing impact on adjoining properties; affecting light and privacy;
- and

Councillor Neil Buckley for the following reasons;

- Impact on public right of way
- Overbearing impact; loss of light
- Incongruous design

Members were also informed of follow up comments from original objectors:

- Alwoodley Parish Council cited objections as previously set out in the submitted report;
- 25 Lakeland Crescent unable to access revisions until 7th February;
- 23 Lakeland Crescent no front elevation shown on revised plans, previous comments still stands;
- 26 Lakeland Crescent unable to open plans until 9th February;
- 21 Lakeland Crescent no discernible differences;
- 22 Lakeland Crescent unable to originally access plans privacy screen of concern due to open fields/ high wind, removal of tree at boundary not helped. Previous objection remains;
- 23 Lakeland Crescent publication of officer report, in advance of 22nd February date inability to view plans.

The Panel was advised that once the officer had been made aware that the revised plans could not be accessed the Design and Access statement containing the revisions was uploaded onto Public Access.

Members were advised of an objection by the Ramblers Association set out at 6.3 of the submitted report. Members were further advised that the public right of way was in the ownership of the applicant.

Members had attended a site visit earlier in the day, photographs and plans were shown throughout the presentation.

Members were informed of the following points:-

- Proposed height was consistent with neighbouring properties;
- The integral garage would have space for two cars;
- Houses on Lakeland Crescent were of different designs;
- 10.7 of the submitted report was highlighted especially in regard to special character and the privacy screen which would be condition 7;
- 10.9 of submitted report was highlighted, especially the quote from the NPPF Paragraph 59;
- The parking provided was policy compliant;
- Unprotected trees to be removed fencing and hedging was proposed;
- The proposed alterations would not encroach on the public right of way

Mr Allanson of 23 Lakeland Crescent and on behalf of residents of numbers 21, 22, 25 and 26 attended the meeting to speak against the application.

Mr Allanson said that many of the residents had lived on Lakeland Crescent for a number of years whereas the applicant had lived there only 1 year.

Mr Allanson said that the size, style and character was a complete change to the existing dwelling and should not be called an extension. Mr Allanson highlighted 10.9 of the submitted report and was of the view that BD6 of the Core Strategy had not be strictly adhered to and that the residents would suggest that this was a rebuild.

Members noted that the original building was constructed of stone and brick with grey tiling to the roof. The proposal for split-faced stone, cedar cladding, white render with slate tiling and extensive use of glass to the front elevation not in keeping with area.

Mr Allanson was of the view that the proposal being 50% larger than the current footprint should be considered as a rebuild. He informed Members that the proposal increased the height and depth creating a 7 bedroom 4 bathroom property and would be too large for the area and over dominant to immediate neighbours.

Mr Allanson reminded the Panel of Policies HDG1 in respect of scale, character and appearance and HDG2 in respect of amenity of neighbours.

Mr Allanson was of the opinion that this was the wrong house in the wrong location.

Mr and Mrs Jones the applicants and Paul Carter attended the meeting.

Mrs Jones spoke to the Panel informing the Members of the following points:-

- Amendments have been submitted during the process to address all areas of concern;

- The public rights of way in their ownership would not be affected as the area between the property and the boundary of the footpath would be increased;
- Replanting scheme to be conditioned;
- The property would be 1 metre away from the footpath at its closest point;
- The property on the other side of the footpath over hangs the boundary line and footpath;
- The height of the roof was no higher than other houses on the street;
- The loft space was being better utilised and other houses in the area had also used the loft space;
- Squaring off the bay windows to the front of the property to provide symmetry to the house they will not project out any further than they do currently;
- Front of house would be 29 metres from the house opposite;
- Reducing current depth upstairs removing walls of 3rd bedroom which currently juts out;
- Demolishing 2 storey rear extension and a single storey extension to the side.
- The house already looked different to those houses on Lakeland Crescent;
- There were over 15 different designs of property on Lakeland Crescent
- Obscure glazing to windows to the West;
- Windows to the East to be a double height room so unable to see out.

Mrs Jones explained to the Panel that they wanted to provide a family house which maximised the plot that it sat in and increased light into the house mitigating the need for the light tunnel on the landing. The applicant was of the view that this proposal has the potential to be a beautiful, modern addition to the diverse styles of Lakeland Crescent.

In response to Members questions and comments the Panel were informed of the following points:-

- The footpath was a defined public right of way;
- The footpath would not be suitable for disabled access as there was a stile leading to open fields;
- The cedar cladding will become dated naturally;
- Split-faced stones would be used round the windows;
- There was sufficient parking with a double garage and a driveway large enough for two cars;
- The privacy screen on the balcony would be 1.8 metres high and 1metre from the public footpath;

Members requested a condition be added for construction traffic to be on site and not parked on the street.

RESOLVED – To grant planning permission in accordance with the officer recommendation and subject to imposition of an additional condition requiring the submission for approval of a construction management plan.

Draft minutes to be approved at the meeting
to be held on Thursday, 22nd March, 2018

108 Date and Time of Next Meeting

To note the next meeting of the North and East Plans Panel will be held on Thursday 22nd March 2018 at 1:30pm.

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Originator: Glen Allen

Tel: 0113 3787976

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 22 March 2018

Subject: 17/04368/FU – Retrospective application for dwelling with new detached outbuilding to rear; Wigton Court, Alwoodley, Leeds.

APPLICANT

Mr C Durkin
C/O Agent

DATE VALID

4 July 2017

TARGET DATE

26th March 2018

Electoral Wards Affected:

Alwoodley

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 Standard Time Limit
- 2 Standard reference to approved drawings
- 3 Materials to be submitted
- 4 Landscaping
- 5 Bin storage provision
- 6 Standard Land Contamination Conditions
- 7 Submission of a Surface Water Drainage Strategy
- 8 Removal of all PD rights for dwelling
- 9 Extraction facilitates for outbuilding to be submitted for approval.

1.0 INTRODUCTION

1.1 This application is brought to Plans Panel at the request of Councillors Harrand, Buckley and Cohen as the revised proposal:

- Clearly lies outside of the parameters of the original approval,
- The development lies on what was formerly green field land,

- The proposal is a gross over development of the site,
- The visual impact and cumulative effect of the proposal will be detrimental to occupiers of properties in the Wike Ridges that will be overlooked by the proposed development.

1.2 The Councillors raise material planning considerations that give rise to concerns affecting more than neighbouring properties and therefore it is appropriate for the application to be determined by the Plans Panel.

2.0 PROPOSAL

2.1 The proposal seeks in part, to vary an earlier approval (13/01614/FU) for the 'redevelopment' of the site through the refurbishment of Wigton Court itself the original building on the site and which constitutes several apartments, and the construction of a separate dwelling to the rear of the that building on land that was originally the garage court for the apartments. The parking provision for the apartments was re-located within the site. The variation to that permission relates to the proposed dwelling and does not alter the refurbished apartment building itself.

2.2 Since the grant of that permission, and the partial implementation of that earlier permission, the site has changed ownership and the new owner seeks to change the dwelling that was approved under the original permission and to provide an outbuilding at the bottom of the garden to the proposed dwelling that will provide a gym, patio, covered pool and garden store. The outbuilding is proposed in the north east corner of the site and has an "L" shaped foot print, which projects approximately half way across the rear boundary which is the common boundary to properties in the Wike Ridges development.

2.3 The new house which also forms part of the proposal has already been commenced hence the reference to 'retrospective' in the description, and this proposal seeks to add an additional 'storey' to the dwelling to that already approved.

2.4 Other alterations include the provision of a terraced landscaped garden, replacing the naturally sloping garden of the original proposal.

3.0 SITE AND SURROUNDINGS:

3.1 The site lies on the north side of Wigton Lane and is wholly surrounded by existing residential properties. To the east and west are single dwellings houses that are the predominant form of development along this part of Wigton lane. To the south beyond Wigton Lane itself that runs in a roughly east west direction are detached residential properties and to the north properties that from the Wike Ridges development back onto the application site.

3.2 The site slopes from Wigton Lane to its rear boundary, with Wigton Lane being the high part of the site. The Wike Ridges development continues to slope away from the application site to the Brenden Drain running roughly east west to the north of that development.

3.3 Wigton Court itself appears to date from the 1960's or 1970's and is a development of apartments. The refurbishment of those apartments under the earlier permission has been completed and the block is currently occupied. As part of this permission was also granted for the construction of a modern dwelling

to the rear that was located on the original garage court for the apartments. This gave the impression of being 'set into' the natural slope of the site and did not consume any additional 'greenfield' land of the site due to the previously developed nature of the garage court upon which it was proposed. The superstructure of this house currently exists on site.

4.0 RELEVANT PLANNING HISTORY:

4.1 The following planning history is considered to be relevant:

12/04848/FU	Refurbishment and extensions, including raised roof height and balconies, of existing flats; replacement of garage block to rear with undercroft car parking with terrace over; construction of two detached houses to rear; alterations to landscaping to form private and communal amenity areas	Withdrawn
13/01614/FU	Alterations to flats including single storey rear extension with terrace over, Juliet balcony, roof lights, bin store and new boundary treatment to front	Approved
13/05516/COND	Consent, agreement or approval required by conditions 3, 4 and 5 of Planning Application 13/01614/FU	Approved
14/03655/FU	Variation of condition 2 (Plans schedule) of approval 13/01614/FU to vary the form of the approved elevations	Approved
16/03198/FU	First Floor Rear Extension	Approved

5.0 HISTORY OF NEGOTIATIONS:

5.1 Since the submission of the application the location and the foot print of the proposed outbuilding near to the northern boundary has been reduced and the terracing of the garden has been negotiated to be a less 'engineered' solution.

5.2 As originally submitted the outbuilding was along the entire width of the northern boundary that is shared with the properties accessed from the Wike Ridges development. That original outbuilding was also in the form of a 'L' shaped foot print but mirrored that which is currently under consideration, the current proposal having being flipped so that the 'L' shape is north east corner of the site rather than the north west corner of the site.

5.3 In addition to this it was proposed to provide a terraced garden that has resulted in the proposed outbuilding to be raised above ground level and thus appear, from the rear, as a two storey structure albeit one screened by existing vegetation along that common boundary with properties on the Wike Ridges development.

5.4 The scheme currently under consideration removes the need for the outbuilding to be supported by construction methods and allows it to sit on the revised ground levels. The terraced garden likewise will provide for two areas of level garden space the higher one adjacent to the proposed dwelling with a gentle slope away and the lower level garden at grade with the out building.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by site notice and letters sent to occupiers of identifiable residential properties surrounding the application site including the occupiers of Wigton Court itself.

6.2 A further round of consultation was undertaken upon the receipt of the amended plans and the time for comment to this most recent round expired on 9th February 2018. Comments of support and objection have been received covering the following issues:

Support Comments (6 in total):

- Site has been a mess for some time thus support the proposals to help tidy it up
- State of site currently detracts from the area
- Design appears modern and attractive
- Will not cause any further harm to surrounding residents
- Will not result in overlooking
- Existing trees will screen out building
- As the outbuilding is for domestic use it will not cause any noise or disturbance more than any other residential property.
- Residents of Wigton Court never have had right of access into the garden space of the new house.
- Will offer additional privacy
- Development will enhance area

Objection Comments (18 in total including Alwoodley Councillors and the Parish Council:

- Proposal represents gross overdevelopment of site
- The site is essentially the garden space for the re-furbished flats and now the whole of the amenity space is under the control of the future occupier of the house
- New scheme likely to encroach significantly into the 'Greenfield' part of the site
- Visual Impact will be very detrimental to occupiers of properties in the Wike Ridges development.
- Height of outbuilding unacceptable
- Obscure light to gardens in the Wike Ridge development
- Affect the value of neighbouring property
- Access to outbuilding from Wike Ridge properties not acceptable.
- Allowing the development will set a precedent
- Scheme is simply for profit
- Retrospective application which is at odds with the over-arching design principles already agreed by Leeds CC.
- Concerns about emissions from plant room for pool
- Potential for noise from plant room
- Access for the maintenance of Leylandii trees on boundary would be restricted
- Impact of roots on foundations of existing buildings
- Application is not detailed enough thus neighbours can't make a full assessment
- Drainage

- A warranty should be provided by the developer that any damage will be made good.
- A condition survey of the Wike Ridge properties should be undertaken so any future impact of the Wigton Court development on these properties can be monitored against the information recorded by that survey.
- The current planning permission contains a condition that prevents the sub-division or cordoning off of the garden from Wigton Court
- The works that have already being carried out cannot be reasonable given the restraints of the previous planning permission.
- Developers have failed to consider the character of the area
- Adversely impact on the open green character compared to other Wigton Lane properties
- Reference is made to the Alwoodley Neighbourhood Plan (which does not cover this part of Alwoodley Ward)
- Development seeks to provide a luxury lifestyle which does not fulfil the aims of affordable housing for Leeds City Council
- Proposal does not comply with the House Holder Design Guide
- Increase in height of dwelling will impact on privacy
- Out building will appear as a two storey structure
- Bin store will attract rats and emit smells
- Large conifers are not a permanent fixture to screen development and they are contrary to Sec. 8 of the Anti Social Behaviour Act 2003
- Overshadowing
- The detached building is not reasonably ancillary to the main dwelling
- The detached building is out of keeping with residential nature of the locality in an affluent area on the edge of Green Belt land
- Reduce value of neighbouring properties
- Will set a precedent for future proposals along Wigton Lane

7.0 CONSULTATIONS RESPONSES:

- 7.1 Highways: - Condition Bin Store
 Flood Risk Management: - Condition drainage scheme
 Contaminated Land: - Low risk site due to residential - use standard land contamination conditions

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Plans.

Local Planning Policy

- 8.2 The most relevant Core Strategy policies are outlined below:

Spatial Policy 1	Location of Development
Spatial Policy 7	Distribution of housing land and allocations

Policy H2	New housing on non-allocated sites
Policy P10	Design
Policy T2	Accessibility Requirements and New Development

8.3 Relevant policies form the UDP:

GP5 – General Considerations
BD6 – Impact of developments on amenity

8.4 Advice in the Supplementary Planning Guidance Documents Neighbourhoods for Living (in relation to the new build dwelling) and the Housholder Design Guide (in respect of the alterations to the dwelling) are considered relevant.

National Planning Policy Framework

8.5 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design and sustainable development. There is a strong presumption in favour of sustainable development running throughout the NPPF.

9.0 MAIN ISSUES

9.1 The main issues are considered to be:
Principle of the development
Neighbour amenity
Highways issues
Objections comments not covered in main body of report

10.0 APPRAISAL

Principle of the development

10.1 The development, by virtue of the earlier grant of planning permission for the creation of a single unit of accommodation on the former garage area for Wigton Court is considered acceptable as a matter of principle.

10.2 The creation of an outbuilding near to the north boundary, as a matter of principle is also considered acceptable. There exists for the dwelling, as approved, Permitted Development rights (PD) under the General Permitted Development Order 2015. These would allow for the development of a substantial free standing building up to 50% of the garden space of the dwelling across the entire width of the common boundary. The main restriction would be that the height of such a building within 2 metres of the boundary would be restricted to 2.5 metres height. It is therefore incumbent for the consideration of this proposal to assess if the additional increase in height of the outbuilding over and above this PD right would be sufficiently harmful on the amenity of occupiers of the neighbouring properties to justify a refusal of planning permission. This will be discussed in more detail in the amenity section below.

10.3 In relation to the "In Principle" issue, a number of the objections received appear to assume that the earlier permission that established the principle of the dwelling house development somehow represents the maximum extent of potential development on this site and that the Local Planning Authority is in some way

constrained by the limits of that permission. This is not necessarily the case and this discussion is not seeking to add a value judgement to this aspect one way or the other at this stage, but the simple facts are that an earlier permission, or indeed refusal is a material consideration in the determination of any future development proposals for the same site, but they in no way limit the consideration of future proposals in any absolute sense. So that this permission exists and is extant, is a consideration rather, than as is suggested in the objections, a limit that the LPA have imposed on the site for the development potential of the site.

- 10.4 The addition of an additional storey albeit in part only, on the approved dwelling is also considered acceptable in this instance as a matter of principle. The site is located in a part of Leeds where two storey dwellings are commonplace and indeed this part of the application site is located adjacent to Wigton Court which sits higher than the proposed dwelling and at three storeys.

Neighbour amenity

- 10.5 This falls into two main areas; (i) the potential loss of amenity due to the alterations to the dwelling house itself and (ii) the potential loss of amenity as a result of the proposed out building.

(i) Impact of the alterations to the dwelling:

- 10.6 The alterations to the dwelling itself include the insertion of an upper floor over part of the building compared to that originally proposed. This is restricted to the part of the proposed dwelling that lies closest to Wigton Court itself and would be seen to be to the 'rear' of the dwelling. The north facing windows therefore overlooks the roof of the ground floor living space of the dwelling and the glazed atrium. The distances of the first floor 'extension' to the common boundary to the north with properties on the Wike Ridges development exceed the minimum distances advocated at starting points in the SPD, Neighbourhoods for Living, (relevant to the property as a new dwelling). They measure well in excess of 30 metres, this, combined with the proposed landscaping on the boundary will minimise if not prevent any direct overlooking of those properties.
- 10.7 Similarly the relationship of this rear elevation is such that these windows are set in from the nearest side boundary to the west and views of the neighbour's garden on the west side of the application site will not significantly overlook that garden and views of it will be, at worst, the bottom end of the garden, where that garden abuts the boundary of the properties on the Wike Ridges development and so at such a distance as to be acceptable.
- 10.8 There are no concerns regards the development relationship to the common boundary with the neighbours to the east and west. This is due to the limited scale of the extension, the orientation of the extension (it is set to the north) and the degree of separation. And the additional floor to the dwelling has no impact on the amenity of occupiers of Wigton Court itself. Cross sections of the proposed development will be displayed at the Plans Panel meeting so these relationship can be clearly seen.

(ii) Impact on amenity due to outbuilding;

- 10.9 It is accepted that the outbuilding will be higher than what would be allowed under normal PD rights. However, any measurements of the PD allowances are always

as a matter of course taken on the developer's side of the boundary regardless of any levels differences between sites. This can, in some instances, lead to significant disparities. It should be noted that if planning permission is granted, there is, as part of that recommendation the suggestion that a condition be imposed that removes further PD rights from the site for the single dwelling. This is to maintain control over any future developments given the additional development proposed under this proposal.

- 10.10 From the Wigton Court side of the boundary the single storey outbuilding will appear at a height of around 2.5 metres with a shallow sloping roof towards the rear of the building. The proposal indicates additional planting between the outbuilding and the common boundary with the Wike Ridge development properties which will give additional screening over and above that afforded the development by existing trees on the Wike Ridge development properties.
- 10.11 The distances between the rear elevation of the proposed outbuilding and the rear elevation of the nearest neighbouring property on the Wike Ridges development is circa 13.4 metres. If the structure was left to be built under any PD rights the site may enjoy, this could be built on the boundary at circa 11 metres distance to the rear elevation. Any screening would thus rely solely on the existing lower lying planting on that neighbour's side of the boundary. These distances relate to the relationship between the outbuilding and 71 Wike Ridge Avenue and they are greater for 69 Wike Ridge Avenue by between approximately 0.75 - 2 meters. It is considered therefore that the proposal is compliant with Policies GP5, BD6 of the UDPR, to P10 of the Core Strategy and to advice in the HDG and Neighbourhoods for Living.
- 10.12 In terms of loss of light, the site lies due south of properties on Wike Ridge Avenue and there will be some additional overshadowing as a result. This will be variable through the year and through the day, with the worst case scenario being during the winter months, when the sun is at its lowest in the sky through the middle part of the day. A significant portion of the garden to number 69 and to a lesser degree number 71 could be in shadow. This of course coincides with the time of year when the garden is less likely to be used as an amenity resource. During the summer months the impact of the out building will be lessened by the increased height of the sun in the sky, however some over shadowing will still occur. For both properties directly affected this will be greater for the occupiers of number 69 where the entire width of the rear boundary will have the single storey extension across it. However, this is also the property that presently has a relatively mature vegetation belt along this boundary which itself will be presently causing overshadowing on their garden space. By mid-afternoon and into the evening, particularly during the summer months, the overshadowing impact of the proposed out building will be lessened due to the position of the sun in the sky vis-à-vis the out building. In conclusion, whilst it is acknowledged that there will be a degree of overshadowing as a result of this out building proposal, it is considered that it is not sufficiently detrimental to the amenities of occupiers of neighbouring properties to justify a refusal of planning permission and that the scheme is compliant with Policies GP5 and BD6 of the UDPR and advice found in the HDG and Neighbourhoods for Living.
- 10.13 The outbuilding is proposed for the housing of a pool and gym will require some plant to be installed that is not normally associated with domestic development. Concern has been raised regarding the potential for noise and emissions from the building as a result of this. On the application drawings the plant is shown to be wholly contained within the confines of the building and thus contain any noise in

particular. It is considered that a condition requiring details of extraction facilities be submitted to the LPA through the imposition of a condition.

Highways issues

- 10.14 The scheme provides more off street car parking that would normally be required for a development of this size and as such is compliant with Policy T2 of the Core Strategy. Information relating to the location of a bin store within 25 metres of the bin collection point is required but this can be dealt with by means of a condition as recommended at the head of this report.

Objections comments not covered in main body of report

- 10.15 The following paragraphs deal with those objections that are not dealt with in the main body of the report:

Proposal represents gross overdevelopment of site

- 10.16 The scheme represents an increase in intensity of the development of the site, however subject to the safeguard of the conditions recommended it is not considered to lead to an over development of the site.

The site is essentially the garden space for the re-furbished flats and now the whole of the amenity space is under the control of the future occupier of the house

- 10.17 This was historically the case however, and despite one of the objectors claiming that there are planning restrictions on this, no such condition exists on the permission that was issued in 2013 for the refurbishment of the flats and the construction of the dwelling to the rear. As such and from the planning point of view, the owner can subdivide the site as he sees fit into two planning units, and the proposal as submitted needs to be treated on its own individual planning merits.

New scheme likely to encroach significantly into the 'Greenfield' part of the site

- 10.18 Whilst the development of green field sites or what is commonly referred to as "garden grabbing" is generally resisted by Leeds that is not what is happening in this instance. The principle of the additional dwelling is established by the earlier grant of planning permission and the erection of out buildings under Class E of Part 1 of Schedule 2 of the General Permitted Development Order 2015 is a right that this approved property would enjoy. Those buildings are ancillary to the occupation of the main dwelling and as such does not constitute a garden grabbing exercise, which typically involves the further subdivision of a plot to create two or more plots that in themselves would be self-contained. This is not the case here.

Affect the value of neighbouring property

- 10.19 This is not a material Planning Consideration

Access to outbuilding from Wike Ridge properties not acceptable.

- 10.20 This is not a material planning consideration and is covered in the Party Wall Act to settle any disputes between private land owners as to accessibility for the purposes of maintenance etc.

Allowing the development will set a precedent

- 10.21 Any planning approval can be used as a reference for being a material consideration for future developments and weigh in their acceptability, or otherwise, however it is does not set a precedent and it is up to future decision

makers to decide what weight previous decisions are given when considering contemporary proposals.

Scheme is simply for profit

10.22 This is not a material planning consideration

Retrospective application which is at odds with the over-arching design principles already agreed by Leeds CC.

10.23 The retrospective (in part) nature of the proposal is not determinative in the acceptability or otherwise of the material planning considerations of the case.

Impact of roots on foundations of existing buildings

10.24 The site is located at the end of the respective gardens of both the application site and the properties adjoining the application site and so it is considered that there will be little impact of tree roots on existing buildings.

Application is not detailed enough thus neighbours can't make a full assessment

10.25 It is considered that there is sufficient information within the application for a decision to be made.

A warranty should be provided by the developer that any damage will be made good.

10.26 This is not a material planning consideration and it is up to the parties involved to make any necessary indemnity arrangements.

A condition survey of the Wike Ridge properties should be undertaken so any future impact of the Wigton Court development on these properties can be monitored against the information recorded by that survey.

10.27 It is not fully understood that is meant by this, however once again it is considered that this is not a material planning consideration and it is up to the parties involved to make any necessary indemnity arrangements.

Development seeks to provide a luxury lifestyle which does not fulfil the aims of affordable housing for Leeds City Council

10.28 Affordable housing considerations do not apply to single domestic developments

The detached building is out of keeping with residential nature of the locality in an affluent area on the edge of Green Belt land

10.29 The site is not within or on the edge of the Green Belt.

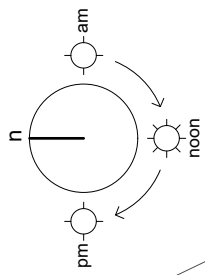
11.0 CONCLUSION

11.1 On balance it is considered that the proposal as amended are acceptable and that the proposal now complies with the policies of the Core Strategy, the UDPR and the NPPF and as such, subject to the recommended conditions that planning permission can be granted.

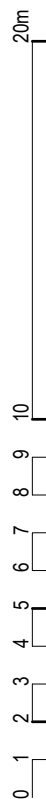
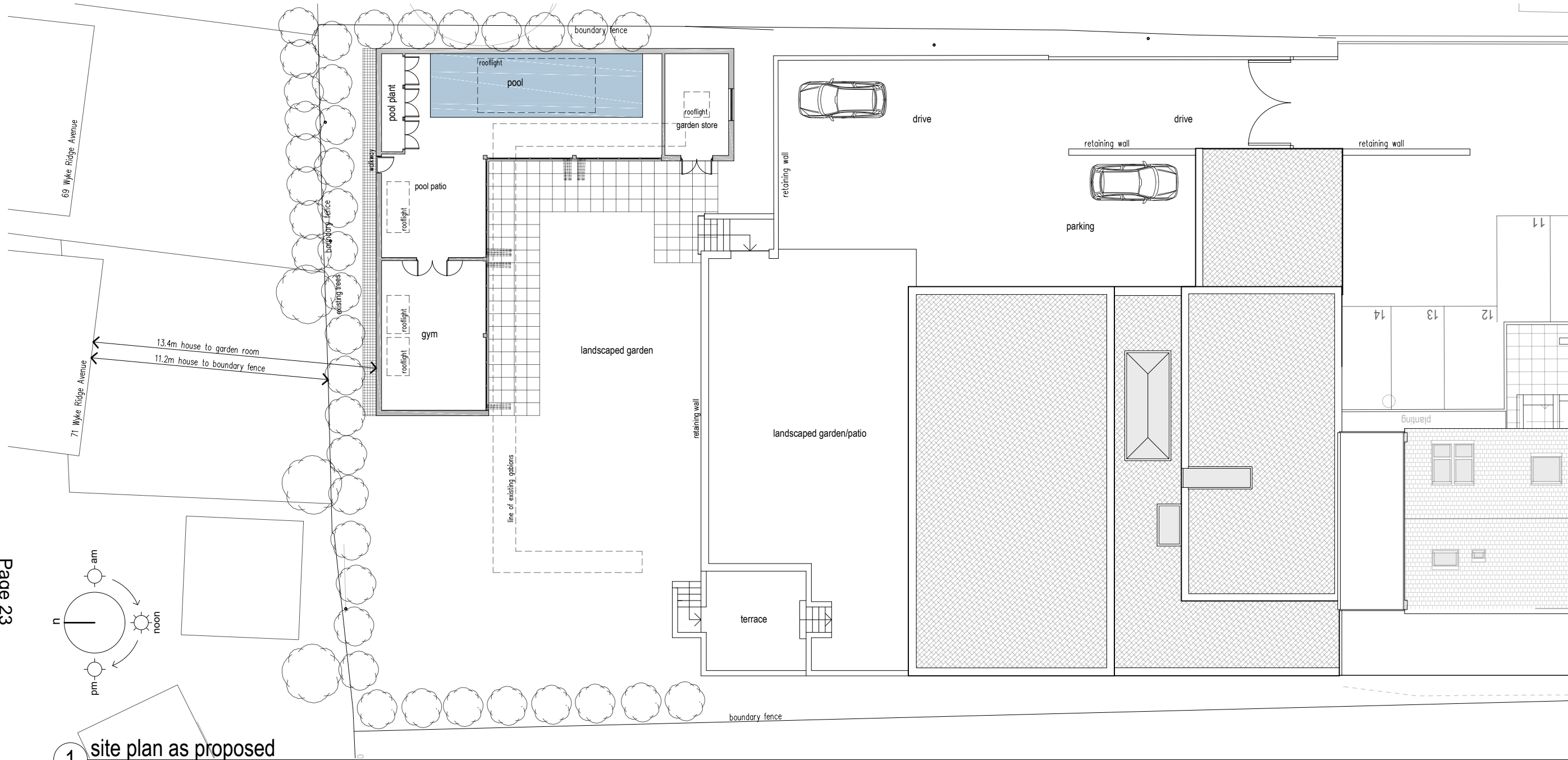
Background Papers:

Application files: 17/04368/FU

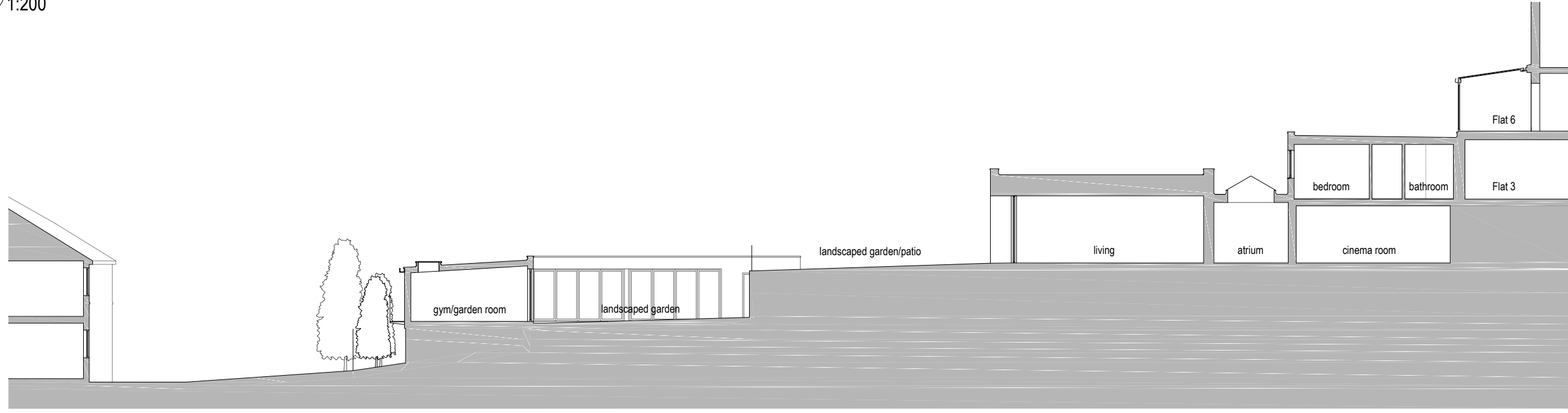
Certificate of ownership: Applicant signed as sole owner of application site



1 site plan as proposed
1:200



2 section as proposed
1:200



Rev.G - 28nov2017: garden room reduced in size and location
Rev.F - 22aug2017: garden room reduced in size and height; neighbouring houses indicated
Rev.E - 02aug2017: photovoltaic panels relocated closer to southern parapet
Rev.D - 01aug2017: roof to garden room amended

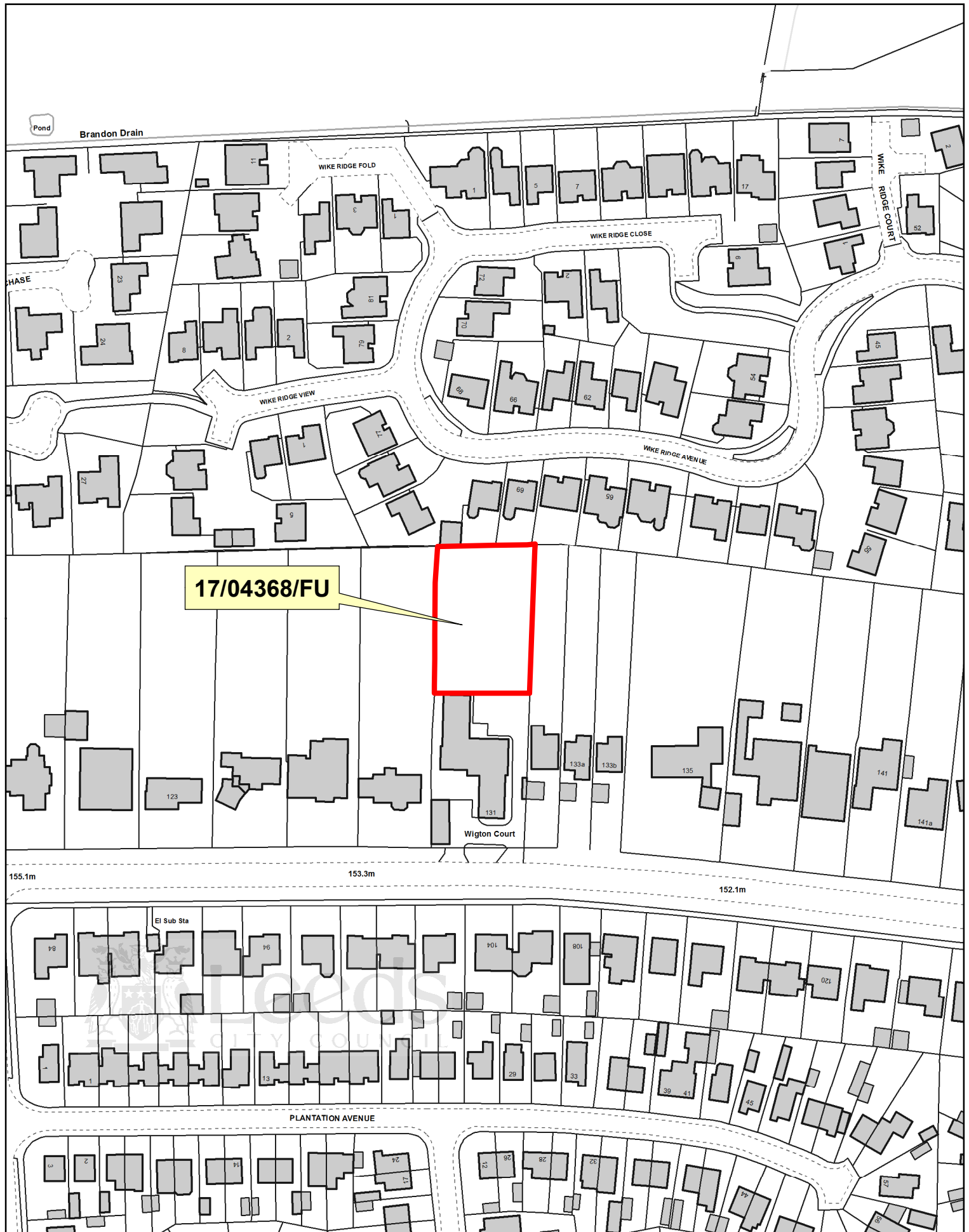
client: **Mr & Mrs C Durkan**
 project: **New dwelling, Wigton Court, Wigton Lane, Leeds**
 title: **garden room elevations**
 status: **Planning**
 scale: **1:200@A3**
 date: **nov.2017**

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rev. **G**



17/04368/FU

NORTH AND EAST PLANS PANEL





Originator: Sarah Woodham

Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 22nd March 2018

Subject: 17/08462/FU– Replacement dwelling at 266 Alwoodley Lane, Alwoodley, Leeds, LS17 7DH

APPLICANT

Mr J Milner

DATE VALID

11th January 2018

TARGET DATE

26th March 2018

Electoral Wards Affected:

Alwoodley

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 specified conditions:

1. Standard Time Limit
2. Plans to be approved
3. Materials as detailed on application form
4. No insertion of windows and doors in the side elevations
5. Obscure screen to be added on top of the balcony wall to a overall height of 1.8m.
6. Removal of PD rights for further extensions and insertion of windows
7. Notification of any unexpected significant contamination
8. Importing Soil
9. Removal of asbestos – demolition
10. Vehicle space to be laid out
11. Electric Vehicle Charging Points

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel in response to a request from Councillor Dan Cohen and Councillor Neil Buckley, who consider that the proposal will give rise to concerns of overdevelopment of the plot and the overall height is significantly raised above the roof line of the existing house. Concerns are raised over the

potential for future development as flats which is contrary to the Parish Council Neighbourhood Development Plan.

- 1.2 The Councillors raise material planning considerations that give rise to concerns affecting more than neighbouring properties and therefore it is appropriate for the application to be determined by the Plans Panel.

2.0 PROPOSAL

- 2.1 The application proposes to demolish the existing dwelling and to erect a detached house. The front elevation facing Alwoodley Lane will be two storey in height incorporating rooms within the roofspace. To the rear of the proposal the accommodation will be four storeys in height, a lower ground floor element with terrace above, two floors of accommodation and rooms within the roofspace which have two pitched roofed dormers at the rear. An additional plan (street scene) has been submitted showing the relative roof heights of the proposal with the neighbours from Alwoodley Lane. The proposed dwelling will be hipped roofed with a two storey front gable and will be constructed out of brick and stone. The lower ground floor will accommodate cinema room, bar, gym/games room, and a toilet/shower/sauna. The ground floor will have an attached garage, family room, kitchen/diner, living room, boot room, utility, cloaks, playroom and dining room. First floor will provide 5 bedrooms, all ensuite, and 4 have dressing areas. Second floor (Attic) will provide 2 bedrooms and a bathroom. There will be off street parking whilst retaining garden space to the front.

- 2.2 The height to the ridge is approx. 9.3m and the height to the eaves is approx. 5.3m. The width (including the garage) is approx. 20m and the overall length is approx. 18.3m with a 4m projection for the outdoor terraced area. The distance from the proposed dwelling to the side boundary with No 268 Alwoodley Lane (to the east) is approx. 2.2m and the distance to the side boundary to the west is approx. 2.7m with No 264 Alwoodley Lane.

3.0 SITE AND SURROUNDINGS

- 3.1 The application relates to a detached two storey brick built property, with a hipped concrete tiled roof. The property has an existing detached flat roofed double garage to the eastern hand side and a single storey extension on the western hand side. The property is set in large extensive grounds that border the golf course to the rear boundary of the application site. When facing the site from Alwoodley Lane the land slopes down into the site so from Alwoodley Lane all that will be seen would be the first floor and roof. Further into the site the land slopes further away also towards Sandmoor golf course. To the rear of the site there is mature planting and trees screening the site. Along both side boundaries are a mixture of planting and fencing. The front boundary treatment is a brick wall with planting behind, the front garden area which cannot be seen from Alwoodley Lane has a landscaped area.
- 3.2 Alwoodley Lane comprises a mix of properties that are all individual in terms of their design, scale and the materials used in their construction.
- 3.3 The application property and adjacent neighbours are situated on a staggered building line, set down by approx. 2.5m from Alwoodley Lane itself. The adjacent site No. 264 Alwoodley Lane is a currently under construction to accommodate three storey block of two flats. No. 268 Alwoodley Lane is a two storey dwelling, which is set slightly forward of the current and projects further at the rear. This

property also has planning consent for a part two storey, part single storey front extension.

- 3.4 Boundary treatment to the front of the application site consists of a 1.5m high wall with hedge behind. A fence approx. 1m in height currently exists on the side boundary, shared with No. 264. At the rear is a long garden approx. 25m metres in length that slopes down to the common boundary with Sandmoor golf course.

4.0 RELEVANT PLANNING HISTORY

- 4.1 17/05176/FU -Alterations including raised roof height form two storey, single storey extension to front, both sides and rear with balconies and raised patio area to rear Status Approved (A) Decision Date: 28-SEP-17
- 4.2 15/03624/FU Proposal: Part two storey part single storey front and side extension, two storey rear and side extension with ground floor conservatory and three first floor balconies to rear, and raised terrace to rear Status A Decision Date:14-August-2015
- 4.3 12/02221/EXT Proposal: Extension of time of planning application 09/01914/FU for part two storey part single storey front and side extension, two storey rear and side extension with ground floor conservatory and three first floor balconies to rear, and raised terrace to rear. Status: A Decision Date: 12-JUL-12
- 4.4 09/01914/FU Proposal: Part two storey part single storey front and side extension, two storey rear and side extension with ground floor conservatory and three first floor balconies to rear, and raised terrace to rear. Status: A Decision Date: 30-JUN-09
- 4.5 07/04971/FU Address: 264 - 266 Alwoodley Lane Alwoodley Leeds LS17 7DH Proposal: Two detached blocks of 4 two bedroom flats with enclosed car parking and amenity space to site of two detached dwellings. Status: Refused (R). Decision Date: 28-SEP-07
- 4.6 07/01230/FU Address: 264 - 266 Alwoodley Lane Alwoodley Leeds LS17 7DH Proposal: Six 3 bedroom flats in two detached blocks with undercroft car parking to site of two dwelling houses. Status: R Decision Date: 09-MAY-07
- 4.7 07/01228/FU Address: 264 - 266 Alwoodley Lane Alwoodley Leeds LS17 7DH Proposal: Six 3 bedroom flats in two detached blocks with undercroft car parking to site of two dwelling houses. Status: R Decision Date: 09-MAY-07
- 4.8 07/06046/FU Address: 264 - 266 Alwoodley Lane Alwoodley Leeds LS17 7DH Proposal: 8 two bedroom flats with undercroft car parking. Status: R. Decision Date: 20-NOV-07
- 4.9 20/29/06/FU Proposal: Part single storey part two storey front & side extension & 2 storey rear & side extension with conservatory. Status: A Decision Date: 13-JUN-06
- 4.10 H30/341/89/ Address: 266 Alwoodley Lane Leeds 17 Proposal: Alterations and extension, to form swimming pool, sauna, shower room, plant room and storeroom, to rear of detached. Status: A Decision Date: 08-SEP-89
- 4.11 H30/75/79/ Address: 226 Alwoodley Lane Leeds 17 (Moortown) Proposal: Alterations and extension, to form enlarged dining room and enlarged sun porch, with new bathroom. Status: A Decision Date: 26-MAR-79

4.12 H30/1312/78/ Address: 266 Alwoodley Lane Leeds 17 (Moortown) Proposal: Alterations and extension, to form enlarged dining room and enlarged sun porch, with new bedroom and bathroom Status: A Decision Date: 31-JAN-79

5.0 HISTORY OF NEGOTIATIONS

5.1 No pre-application advice was sought in relation to the proposal.

6.0 PUBLIC/LOCAL RESPONSE

6.1 A site notice was placed on Alwoodley Lane on the 18th January 2018 date of expiry was the 16th February 2018.

6.2 Objections have been received from; 9 local residents, Alwoodley Parish Council and Ward Members Cllr Dan Cohen, Cllr Peter Harrand and Cllr Neil Buckley

6.3 Cllr Cohen, Cllr Harrand and Cllr Buckley objections are summarised as follows:

- The height of the proposed dwelling
- As designed is too large
- Is this property to be occupied by a single family or is it to be tenanted as a block of flats
- Overdevelopment of the plot
- Alwoodley Neighbourhood Plan is opposed to these kind of huge buildings
- The size of the proposed dwelling would seem to be akin to some sort of multiple occupancy
- During any construction, the disruption to the amenity of residents living opposite, for example at Moss Hall, would be severe, particularly given the ongoing works at 264

6.4 The objections from local residents raised relate to the following:

- It appears very obvious that this new proposed build will be converted to flats at some later stage and this is the developers and architects way of achieving that aim
- Out of character with the rest of Alwoodley Lane
- The drive will be steep and with 7 bedrooms it is likely that a number of cars will need to enter the main road and be parking there
- This application follows several others at this property which have been rejected on the grounds of massing
- It breaches fundamentally the aims of the Neighbourhood Plan
- Loss of garden amenity area
- Should be refused on the grounds of its size, bulk, massing and roof height

6.5 Alwoodley Parish Council objects to the proposal. The objection states that the proposal is an overdevelopment of the plot, the height of the proposed is significantly raised above the roof line of the existing house. Query the potential for future development as flats which is contrary to the Parish Council Neighbourhood Development Plan.

7.0 CONSULTEE RESPONSES

- 7.1 Highways – In view of the “like for like” nature of the application a highway objection would be difficult to justify. As such the existing access will be retained and adequate off street parking has been proposed. The driveway will be re-laid to a gradient of 1 in 8 and on site turning will be achievable.
- 7.2 Nature Team – There should be no significant nature conservation concerns with this application.
- 7.3 Environmental Studies – Transport Strategy – There should be no road traffic noise issues with this proposal.
- 7.4 Contaminated Land – No objection subject to conditions. Conditions are therefore recommended and are set out at the head of this report.
- 7.5 Flood Risk Management – The drainage proposal is acceptable, all hard standing areas must drain to the proposed attenuation storage system which will discharge to existing sewer connections at 3.5l/s.

8.0 PLANNING POLICY

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Development Plans.

Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

- P10 Seeks to ensure that new development is well designed and respect its context.
- T2 Seeks to ensure that new development does not harm highway safety and that developments are located in sustainable locations.

The following saved UDP policies are also relevant:

- GP5 Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings

Natural Resources and Waste Local Plan
 Water 1: Water Efficiency
 Water 7: Surface Water Run-off

Relevant Supplementary Planning Guidance/Documents:

Neighbourhoods for Living
 Street Design Guide
 Leeds Parking Supplementary Planning Document

Draft Alwoodley Parish Neighbourhood Plan. The Neighbourhood Plan is currently at post examination stage and is awaiting a referendum. Accordingly, at this point in time, whilst it is a material consideration, it can only be afforded limited weight in the decision making process. Relevant policies for this proposal are BE2: Local character and design and CNE2: Street Trees

National Planning Policy

- 8.5 The National Planning Policy Framework (2012) (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.6 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
- 8.7 The NPPF also places an emphasis on seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and building – this is a core planning principle set out at Paragraph 17 of the NPPF. Paragraph 64 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

9.0 MAIN ISSUES

- 1) Principle of Development
- 2) Neighbour Amenity
- 3) Design and Character
- 4) Highway Safety
- 5) Representations

10.0 APPRAISAL

Principle of Development

- 10.1 The principle of the development is considered to be acceptable since it is replacing one dwelling with another in a part of the city that is wholly residential in character. Therefore, it is considered, the main issues in determining the current proposal relate to its design and impact upon the character of the area, and impact on the living conditions of neighbours, as discussed below. Accordingly the proposal complies with policies P10 and T2 of the Core Strategy, GP5 of the saved UDP policies.

Neighbour Amenity

- 10.2 Core Strategy Policy P10 notes that developments should “[protect] ... residential and general amenity...”. Saved UDP policy GP5 notes that developments should

protect amenity and policy BD5 notes that “The design of new buildings should give regard to both their own amenity and that of their surroundings”. The SPD, Neighbourhoods for Living gives guidance in respect of new dwellings and the minimum levels of separation considered necessary to protect privacy and prevent over dominance.

Overshadowing:

- 10.3 Due to the location of the development in relation to the sun, any overshadowing will be on the side elevation of the neighbouring property at No 264 Alwoodley Lane and the application site own front garden area first thing in the morning and early afternoon. The impact upon No 264 is considered to be minimal and to a level that would be expected given the relationship between the two properties. In terms of the impact upon No 268, due to the orientation of the houses and that it is to the east of the site any impact will be contained to the evening and predominately to the side of the dwelling. Furthermore No 268 has an existing garage to the boundary and with the distance of 2.2m to the boundary with No 268 there will be no detrimental impact on the amenities of this property. Therefore, it is considered, the proposal would not significantly create any additional impact to the neighbouring properties residential amenity in terms of overshadowing.

Over dominance:

- 10.4 With this proposed development the most effected sites will be the two neighbouring properties No 264 and 268 Alwoodley Lane which are located to the east and west of the site. The proposed development will replace an existing dwelling and shall sit between both properties. From the front boundary treatment to the rear of the proposal the distance is approx. 33m, the distance from the front boundary to the rear of No 264 is approx. 30.2m and from No 268 is approx. 24m. Of these distances they are relatively consistent with the immediate street scene and as is considered to be acceptable. With the mentioned measurements, the gaps between the mentioned neighbours, hipped roof design and the overall size and scale including the differences in land levels of the proposal it is therefore considered that the development is not a dominant addition on the neighbouring properties and the immediate street scene.
- 10.5 A previous application ref 17/05176/FU was granted permission for a raised ridge height and to significantly extend the original dwelling under delegated powers. From the front boundary to the rear of the previous proposal the distance is approx. 33m. This distance is the same as the ongoing permission, this also shows that the proposal will not project any further to the rear or create any additional concerns of dominance. Given the overall size, scale and massing of this replacement dwelling it is still considered not to be a dominant addition following the previous approval.
- 10.6 The proposed attached garage to side with rooms over will replace an existing detached garage and will be set further away from the boundary with the neighbouring property No 268 Alwoodley Lane. The roof design will also be hipped and as such reduces concerns of dominance on this property. The single storey element to the rear is set approx 4.3m from the boundary with No 268 and the roof design is hipped away further reducing concerns of dominance. The other side elevation closet to 264 is also set away from the boundary line and the roof design will also be hipped away again reducing concerns of dominance. With this proposal the private amenity space to the rear of the site will not be greatly impacted upon.

- 10.7 At the rear of the proposal there is a lower ground floor which will be for a cinema and a gym area. However, the lower ground floor is considered not to be a significant concern given the difference in land levels at the rear of the property and would not create harm or concerns in relation to over dominance to the neighbouring properties.
- 10.8 Stated within the Draft Alwoodley Neighbourhood Development Plan (ANDP) dwellings should be no more than 2 storeys in height. When viewed from Alwoodley Lane the dwelling appears two storey in height, which is considered to comply with the guidance within the ANDP. The land levels drop towards the golf course to the rear of the site and so the rear elevation is three stories in height. However the overall character of Alwoodley Lane from the public realm, will remain two stories in height and therefore, will not be negatively impacted upon.

Overlooking:

- 10.9 There are ground floor windows proposed facing the boundary of No 264 Alwoodley Lane. These windows are secondary windows serving a playroom and dining room will not cause overlooking or privacy concerns due to the existing landscaping and fencing which will be retained. It is recommended that a condition to be imposed to retain these features. There are no other openings proposed in the side elevations facing No 264 a condition is recommended so that no additional openings can be inserted in this side elevation. There is a balcony proposed to the rear of the site closest to No 264. The plans indicate that top of the proposed balcony wall an obscure glazed screen will be added so that the overall height will be 1.8m to overcome concerns of overlooking to No 264. The retention of this screen is recommended to be conditioned should planning permission be granted
- 10.10 There are ground floor windows proposed facing the boundary with No 286 Alwoodley Lane. These are for a utility room are not a concern for overlooking given that the proposal will be screened by existing hedging. A recommendation is that a condition is put in place so that no additional openings are proposed in the side elevation facing No 268 to overcome concerns of overlooking.
- 10.11 In order to prevent any further harm to the living conditions of neighbours through the construction of further extensions, roof alterations and the insertion of windows, it is considered that there is clear justification for removal of permitted development rights (PD) under Class A, B, C, D, E of the General Permitted Development Order 2015. A condition removing these PD rights is recommended to be imposed.
- 10.12 Accordingly the proposal complies with policies P10 of the Core Strategy and GP5 of the saved UDP policies and guidance within Neighbourhoods for Living.

Design and Character

- 10.13 The design of the proposed dwelling is to be hipped roofed, brick and stone with a two storey gable frontage and an integral garage.
- 10.14 The character of Alwoodley Lane is a mixture of detached dwellings and bungalows. The properties are constructed of different materials which range from stone, brick and render. A number of two storey dwellings have a two storey gable frontage; this design is mirrored in the proposed replacement dwelling. A characteristic of Alwoodley Lane is gaps between neighbouring properties. The proposed development will still retail this spatial characteristic and as such will not

negatively impact the characteristic of the immediate street scene. Accordingly, the proposal complies with guidance within the Core Strategy Policy P10.

- 10.15 Given the significant difference in land levels from Alwoodley Lane it is considered that this increased ridge height would not negatively impact upon the character of the immediate street scene and is considered not to be a dominant addition. When facing the property from Alwoodley Lane members of the public will only see the first floor and the roof area and no other element of the proposal. As shown on street scene the plan shows the different roof heights of the proposal and two neighbouring properties to the west and east of the site. The plans show that the proposed dwelling will not be a dominant addition between the two properties. There is a step down from No 264 to 268 Alwoodley Lane. Along Alwoodley Lane there are a range of different ranges of heights of other properties and therefore this proposal would not be considered to be a dominant addition.]

Highway Considerations

- 10.16 Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety.
- 10.17 Cars will be able to enter and leave in a forward gear due to the turning area shown within the front garden. A condition is recommended for the vehicle turning space to be laid out before the property is occupied.
- 10.18 The site can accommodate two off street car parking spaces which satisfies the council's parking standards. It is therefore considered that the proposal will not be detrimental to highway and pedestrian safety.
- 10.19 It is acknowledged that some of the objections refer to the impact on parking in the locality. In response, the proposal provides more than two off street car parking spaces. The proposal is therefore policy compliant in respect of the parking provision. It is also worthy to note that the property is to be occupied by a single family unit and any subsequent sub-division of the building into self-contained units would require the benefit of planning permission. Accordingly the proposal is considered to comply with Core Strategy policy T2 and saved UDP policy GP5.

CIL Liability

- 10.20 The Community Infrastructure Levy (CIL) was adopted by Full Council on the 12th November 2014 and was implemented on the 06th April 2015. The application site is located within Zone 1, where the liability for residential development is set at the rate of £90 per square metre (plus the yearly BCIS index). In this case the application would result in a liability of £39,686.87 (plus the BCIS index). The applicant has indicated that a self-build exemption would be applied for should planning permission be granted. This information is however not material to the decision and is provided for Member's information only.

Representations

- 10.21 It is considered that the comments made by Cllr Cohen, Cllr Harrand and Cllr Buckley and occupiers of neighbouring properties have been addressed in the report. The objections raised relating for flats in the future. If the applicant was to apply to change to the dwelling into flats, a new planning application would be

required and occupiers of the neighbouring properties would be notified and given chance to comment further at that time.

11.0 CONCLUSION

- 11.1 The main body of the report explains that the proposal is considered to comply with the relevant Core Strategy and saved UDP policies. It is therefore concluded, taking all matters into account including the representations received, that planning permission should be granted subject to the conditions at the head of this report.

Background Papers:

Application files: 17/08462/FU

Certificate of ownership: Certificate A signed by agent on behalf of applicant (Mr J Milner)

Contractor must verify all dimensions on site before commencing any work or shop drawings. Do not scale off this drawing.

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REVISIONS	Description	By	Date
Rev A	External stairs amended and lower patio added to lower ground floor	cmd	04.12.17
B	Minor amendments	cmd	15.12.17

General Notes:

Tree Works:

Existing trees and shrubs where retained to be protected in accordance with BS5837 with 1.5m high chestnut paling to BS1722 Part 4 securely mounted on a framework of posts and two rails and clad with orange fluorescent mesh with suitable signage. For full details refer to separate documents.

Where trees, shrubs or hedges are to be pruned, topped or lopped then this shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Works). For full details refer to separate documents.

Drainage Strategy:

The site is located within flood zone 1 with a low risk of flooding from rivers or the sea and is less than 1 hectare, therefore a site specific flood risk assessment should not be required.

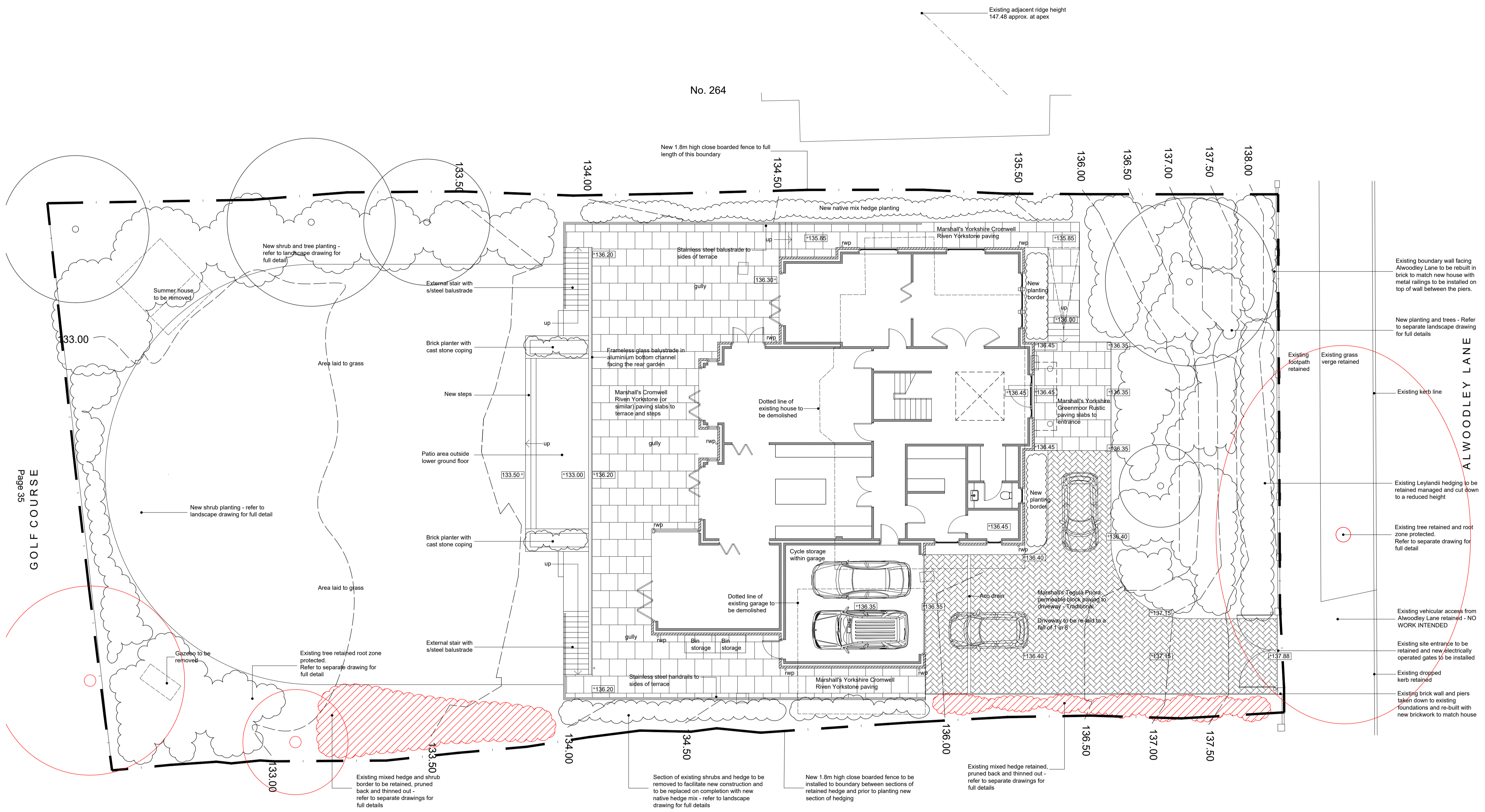
The site is currently occupied by a residential dwelling which will be demolished.

It is proposed to use a SuDs drainage system. Under SuDs guidance the first point of discharge for surface water is percolation via soakaways. However the ground conditions are known to be heavy clay and therefore soakaways will not be suitable.

The existing site has a combined foul and surface water drainage system that connects to an existing private sewer beyond the rear southern boundary. It is proposed to retain this connection and apply a flow restriction on the surface water to 3L/s. Furthermore attenuation will be provided using a suitably sized geo-cellular attenuation tank with flows further attenuated using a 47mm orifice plate.

The new foul drainage serving the development will connect to the existing combined drain via a new manhole located in the rear garden.

Separate drawings and details will be provided.



No. 264

No. 268

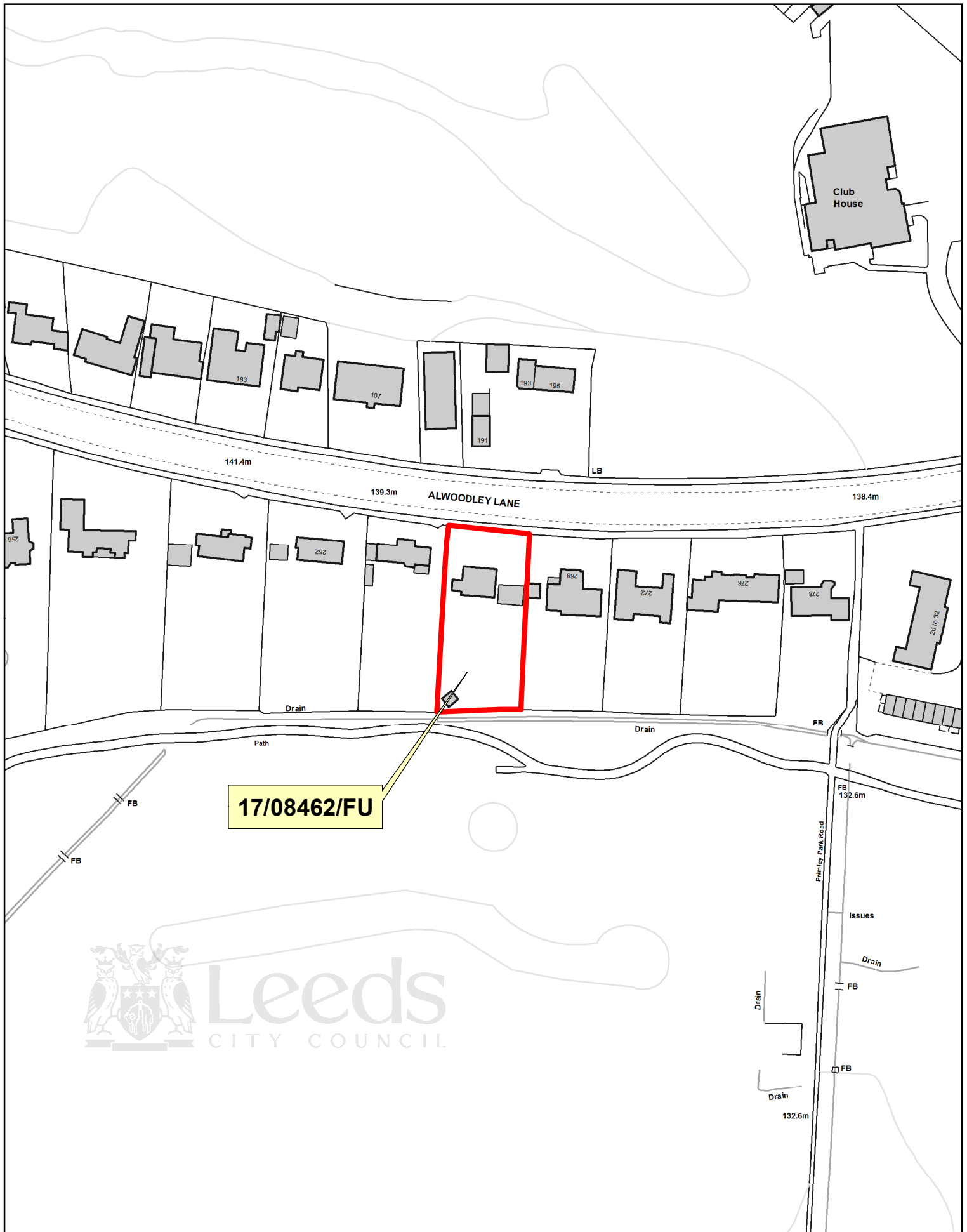
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Project: **266 Alwoodley Lane, Leeds
For Mr J Milner**

Title: **Proposed Site Layout**

Scale:	1:100 @ A1	Drawn by:	cmd
Date:	November 2017	Status:	Planning
Drawing No.:	306(PL)03	Rev.:	B



NORTH AND EAST PLANS PANEL





Originator- U Dadhiwala
Tel: 0113 247 8059

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 22nd March 2018

Subject: 18/00613/FU – Part three storey, part single storey side extension; single storey rear extension at 5 North Park Avenue, Lidgett Park Leeds LS8 1DN

APPLICANT	DATE VALID	TARGET DATE
Mr Roger Williams	29 th January 2018	26 th March 2018

Electoral Wards Affected:

Roundhay

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. Development carried out in accordance with approved plans
3. Samples Wall/Roof Materials to be submitted
4. Details windows, door, head, cill, guttering to be submitted
5. Trees shown to be retained to be protected
6. Retained hedges and trees not to be cut or pruned.
5. The first floor windows in the side elevation of the three storey extension facing No.5A North Park Avenue to be glazed with obscure glass and retained thereafter.

1.0 INTRODUCTION

1.1 The application seeks permission to erect a part three storey, part single storey side extension and a single storey rear extension. This application has been bought to Plans Panel at the request of Cllr Tunnicliffe, who highlights the proposal will result in the dwelling appearing dominant upon the streetscene.

- 1.2 The Councillor raises material planning considerations that give rise to concerns affecting more than neighbouring properties and therefore it is appropriate for the application to be determined by the Plans Panel.
- 1.3 This is the second application the applicant has submitted for this scheme. The first application was made in 2017 (17/07631/FU) and is the subject of an appeal against non-determination.

2.0 PROPOSAL

- 2.1 The application proposes to demolish the existing two storey side extension on the dwelling and to replace it with a three storey extension and a single storey garage. A single storey rear extension is also proposed. The dwelling is identified as a positive building within the Roundhay Conservation Area.
- 2.2 The three storey side extension will be of a similar proportion, scale and design to the three storey element of the adjoining semi-detached dwelling. The rear extension will also be of a similar scale to the rear extension that exists on the neighbouring dwelling and this element of the scheme will not project beyond the rear extension of the adjoining property. A single storey side garage is also proposed to the side of the building. This will feature a pitched roof and would abut the hedges that are present along the common boundary with No.5.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located on North Park Avenue, Leeds, and falls within the boundaries of the Roundhay Conservation Area. The immediate area comprises of predominately Victorian and Edwardian period properties set within large plots, set back from the highway. There are instances of smaller buildings dating from the post war period. The streets are tree lined and this planting provides a dominant feature within the public realm and plays a key role in the character and appearance of the area. Planting can also be found within domestic plots. Materials within the area are natural stone, render, slate and red tiles.
- 3.2 The application site is a semi-detached stone built property. The pair of semis are unbalanced in that the adjoining semi features a three storey gable and a single storey side garage. There are large trees located to the front garden. The front garden is enclosed by hedges.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 17/07631/FU- Part three storey, part single storey side extension; single storey rear extension. (An Appeal for non-determination has been lodged for this application, the application is under consideration by the Inspector)
- 4.2 H30/144/92/- Detached double garage to side of detached house. Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 No negotiations have taken place with regards to this scheme.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was originally advertised by Neighbour Notification Letters that were sent 1st February 2018. Site notices were posted on 09 February 2018 and the application was advertised in the Yorkshire Evening Post on 16th February 2018.
- 6.2 Eleven objection letters have been received. The following concerns have been raised:
- The three storey extension would be an over-development of the site.
 - The proposal will have an overbearing impact upon the neighbouring dwelling No.5A
 - The proposal will overlook No.5A and other dwellings within the area
 - The fact that No.7 has a similar three storey extension does not set a precedent for this extension
 - The proposal will have a negative impact upon the character of Conservation Area.
 - The proposal will raise on street parking concerns
 - The proposal will create drainage issues.
 - The proposal will harm the spatial character of the area
 - The proposal conflicts with planning policy guidance
 - The proposal does not meet the accepted minimum distance guidance between side windows bedroom windows of the adjacent dwelling and the side aspect of the extension.
 - The proposal will affect the hedgerow between the host dwelling and No.5a
- 6.3 Fabian Hamilton MP has also written an objection to the scheme. The MP highlights that the proposal raises issues of overdevelopment, overshadowing, over-dominance, overlooking, highway safety and also highlights that the proposal will have a negative impact upon the character of the Conservation Area.
- 6.4 Two letters of support have been received. The support comments highlight that the proposal will balance the symmetry of this pair of semi-detached dwellings and create a scene of balance from the street. It is highlighted that the proposal will not affect the privacy of the adjacent dwelling No. 5A nor will it overshadow No.5A.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Conservation Team: The application was discussed at the Conservation Officer surgery. The Conservation Officer did not object to the demolition works proposed and comments that the design of the proposed extensions, is acceptable and will not harm the character of the Conservation Area.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.2 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires development, as a whole, to preserve or enhance the appearance or character of Conservation Areas.

Development Plan

- 8.3 The Development Plan for Leeds comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Development Plan.

The application site has no specific allocations or proposals other than being in the Roundhay Conservation Area.

Adopted Core Strategy

- 8.4 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered most relevant:

Policy P10: Seeks to ensure that new development is well designed and respect its context

Policy P11: Seeks to ensure developments that affect designated and undesignated heritage assets conserve and enhance local character

Policy T2: Accessibility requirements and new development

Saved UDP policies:

- 8.5 Policy GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
Policy BD6: Seeks to ensure that all alteration and extension respect the scale, form, detailing and material of the original building.
Policy LD1: Seeks to ensure that development is adequately landscaped.
Policy N23: Refers to open space and the retention of existing features which make a positive visual contribution.
Policy N25: Refers to boundaries around sites.
Policy N19: Developments within conservation areas.

Relevant Supplementary Planning Guidance includes:

- 8.6 Supplementary Planning Guidance “Householder Design Guide” – that includes guidance that the design and layout of new extensions and that they should have regard to the character of the local area the impact on their neighbours.

HDG1: All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality. Particular attention should be paid to:

- i) the roof form and roof line;
- ii) window details;
- iii) architectural features;
- iv) boundary treatments and;
- v) materials.

Extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.

HDG2: All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

- 8.7 Roundhay Conservation Area Appraisal: The site is located within character area 5 of the conservation area and the dwelling is designated as 'Other Positive Buildings'
- 8.8 Roundhay Ward Neighbourhood Design Statement. The site falls within Character Area 9: Park Villa's and Lidgett Park. The area has a sub-urban character, typified by 2 and 3 storey villas set in leafy streets behind low stone walls and there is a strong Arts & Crafts influence.

National Planning Policy (NPPF)

- 8.8 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system and promotes sustainable (economic, social and environmental) development. NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.9 In relation to heritage assets The NPPF states that the Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph's 132 and 138 of the NNPF with regards to Heritage Assets states that,

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

- 8.10 Guidance on conditions is provided within the Planning Policy Guidance (PPG).

9.0 MAIN ISSUES

- 1) Design, Character and impact on Conservation Area
- 2) Residential amenity
- 3) Parking
- 4) Public Representations

10.0 APPRAISAL

Design, Character and Impact on Conservation Area

- 10.1 The application proposes to demolish the existing two storey side extension on this dwelling and to replace it with a three storey extension and a single garage. A single storey rear extension is also proposed. The dwelling is identified as a positive building within this Conservation Area. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 10.2 The proposed demolition works relate to an aspect of the scheme which is a later addition to the dwelling and does not form a prominent feature of the building neither does this element of the dwelling hold any architectural merit. Therefore, it is considered that the proposed demolition works are acceptable and will not harm the character of the Conservation Area.
- 10.3 The application site forms one part of a pair of semi – detached dwellings. The symmetry of the pair of semi-detached dwellings is currently unbalanced, with the adjoining dwelling featuring a three storey gable extension and a single and half storey side garage. It is considered that the proposed three storey extension will be similar in design, scale and proportion to the three storey extension on the adjoining dwelling. It is considered that the proposed extension will allow the symmetry of the pair of semis to be more balanced and pleasing to the eye than at present. Therefore, it is considered that the proposal will improve the design of this pair of semi-detached dwellings and in turn would enhance the character of the Roundhay Conservation Area.
- 10.4 The single storey garage will be a modest pitched roof structure which will not appear prominent from the street and will not overwhelm the design of the main building. The garage, it is considered, will therefore not harm the character of the Conservation Area or adversely impact on the design of the main building. The use of matching materials and fenestration in the proposed extensions will further ensure that the proposal will tie in well with the main building and the Conservation Area in general. This scheme was discussed at a Conservation Surgery, where the Conservation Officer did not express any fundamental objections to the scheme.
- 10.5 Many of the objections that have been received comment that the proposal will result in the site being overdeveloped. The spatial setting of buildings is an important characteristic of the area and regard should be had to this. However, the spacing between dwellings on the street do not follow a regular pattern, with some maintaining greater gaps than others. This is part of the character of the area. The proposed three storey element of the building will be set approximately 4m away from the adjacent boundary with No.5A and around 7.5m away from its first floor side elevation. It is considered that the separation distances are considered adequate to ensure that the proposed three storey extension will not appear to harm the spatial character of the area.
- 10.6 The single storey garage will be set close against the adjacent boundary with the neighbour at No.5A. The garage being a single storey extension, will not appear prominent from the street, therefore, it is not considered that the proposal will harm the spatial character of the Roundhay Conservation Area and or appear as an overdevelopment of the site.

- 10.7 The single storey rear extension will be similar in scale and design to the single storey extension to the adjoining dwelling and it is considered that the scale, form and proportion of the extension pays due regard to the main building and the character of the area.
- 10.8 There are trees located to the front of the site which, due to the separation distance, will not be harmed as a result of the works. The single storey side garage will require some of the hedges along the eastern boundary of the site to be pruned and some shrubs may be removed. As only a small portion of the landscaping along the side boundary will be affected by the works, and as these hedges and the gaps left will not be visible from the street, it is considered that this element of the scheme will not harm the character of the Roundhay Conservation Area.
- 10.9 On the whole, it is considered that the proposal will comply with Policy P10 of the Core Strategy, which seeks to ensure that new development is well designed and respect its context, and with saved Policies GP5 and BD6 which seeks to ensure buildings are designed with consideration given to both their own amenity and the amenity of their surroundings. The proposal will also comply with policy HDG1 of the Householder Design Guide as the scale, form and proportions of the extensions proposed pay due regard to the character and appearance of the main dwelling and the area. The proposal will comply with policy P11, Saved Policy N19 and with the Roundhay Conservation Area Appraisal, which advises that new developments should protect and, or, enhance the character of the Roundhay Conservation Area.

Residential Amenity

- 10.10 The application property, No.5, is set directly to the west of No.5A. The side extension will be set adjacent to the side gable wall of the neighbouring dwelling (No.5A) and its side garden, but will not project beyond its rear elevation. The adjacent dwelling features first floor windows, which appear secondary in nature and are set 7m away from the extension. The orientation of the dwellings and the separation distance is such that, it is considered that the three storey extension will not unreasonably overshadow or over-dominate the adjacent dwelling.
- 10.11 The single storey side garage will be a modest single storey structure, the roof of which will slope away from the adjacent boundary. The single storey rear extension will be set 10m away from the adjacent dwelling (5A). Given the separation distances in relation to the scale and design of the various elements of the scheme, it is not considered that the proposed extensions will raise issues of overshadowing or dominance, nor is it considered that the proposal will reduce natural light that the occupiers of the adjacent neighbouring dwelling 'No.5A' currently benefits from.
- 10.12 The extensions that are proposed will not project out beyond the rear wall of the adjoining dwelling No.7, which has also been substantially extended to the rear. Therefore, it is considered that the proposed single storey extension will not overshadow or over-dominate the adjoining dwelling, nor is it considered that the proposal will reduce light that is currently enjoyed by the occupants of No.7.
- 10.13 It is considered that the proposed windows of the rear and front elevations of the extension will not offer significant views of the private areas of the neighbouring dwellings. The side elevation windows are secondary in nature that have been recommended to be obscure glazed. Therefore, it is not considered that the side extension will raise overlooking issues. Given the mature boundary treatment that encloses the site, it is considered that the single storey rear extension will not raise overlooking issues.

- 10.14 It is concluded therefore that the scheme complies policy HDG2 of the Householder Design Guide which states that all development proposals should protect the amenity of neighbours.

Parking

- 10.15 It is considered that the existing front drive, which has a length of approximately 10m and is a maximum of 5m in width, is sufficient to accommodate two vehicles within the site. Therefore, it is not considered that the proposal will raise on street parking issues. Many of the objectors have raised concern that the proposal will increase traffic movements within the area. The extension is for an existing dwelling and will not create any additional units of accommodation, therefore there is no requirement for additional car parking provision to be made

Public Representations

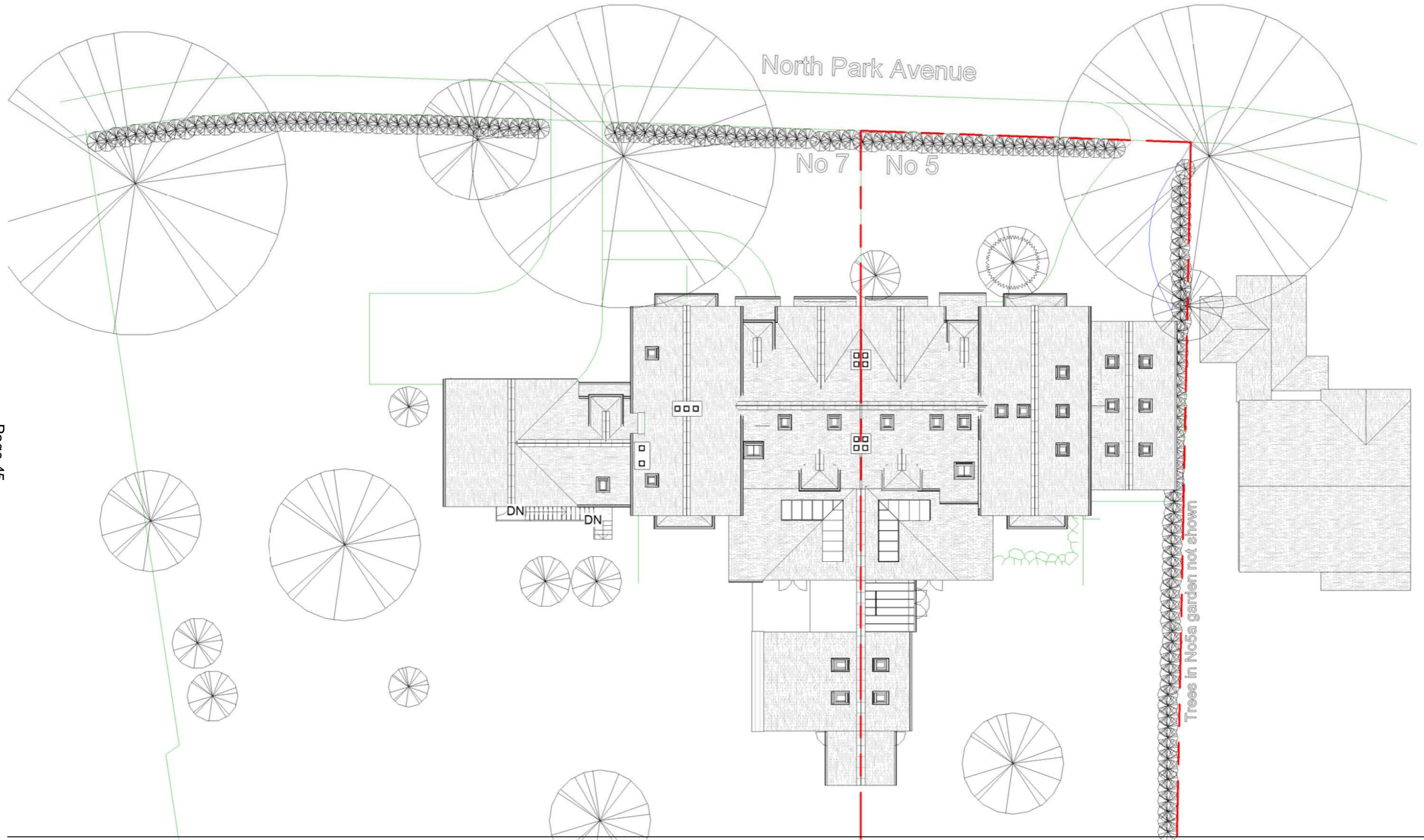
- 10.16 The comments made by members of the public and the Local MP with regards to the impact of the development upon the character of the Roundhay Conservation Area, overdevelopment of site, overshadowing, dominance, overlooking and the increase parking have all been addressed within the report. The report also discuss the issues raised in relation to the impact upon the vegetation within the site.
- 10.17 The concerns raised within regards to drainage is are noted. Given that the scheme simply seeks to extend this modest dwelling, it is considered that the proposal is unlikely to create significant drainage issues within the area and this aspect will also be dealt with under the Building Regulations rather than the planning system.
- 10.18 One of the objection letters received highlight that the proposal does not meet the minimum distance guidance in so far as there are three bedroom windows in the side elevation of No. 5a, which the extensions will be set less 12m away from. It is considered these windows appear to be secondary windows to bedrooms which would have other windows that do not overlook the extension. Therefore, in this instance the 12m rule would not apply.

11.0 CONCLUSION

- 11.1 In light of the above, it is considered that the principle, design, scale and height of the development are acceptable within the immediate context and will not harm the character or the appearance of the Roundhay Conservation Area. Furthermore, it is not considered that the proposal will cause harm to neighbouring amenity nor will it raise highway safety issue. As such, the proposed scheme is considered to be in accordance with the relevant policies and guidance detailed within this report and subject to the conditions listed at the head of this report planning permission is recommended to be granted.

Background Papers:

Application file: 18/00613/FU
Certificate of ownership: Certificate 'A' signed by the Agent Mr White on behalf of the applicants.



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Status
 Proposed (Planning)
 Sheet By
 GJW
 Scale at A3 - double scale at A1
 1 : 200
 Job Number
 1756
 Drawing Number
 1109
 Issued Date
 26/01/2018



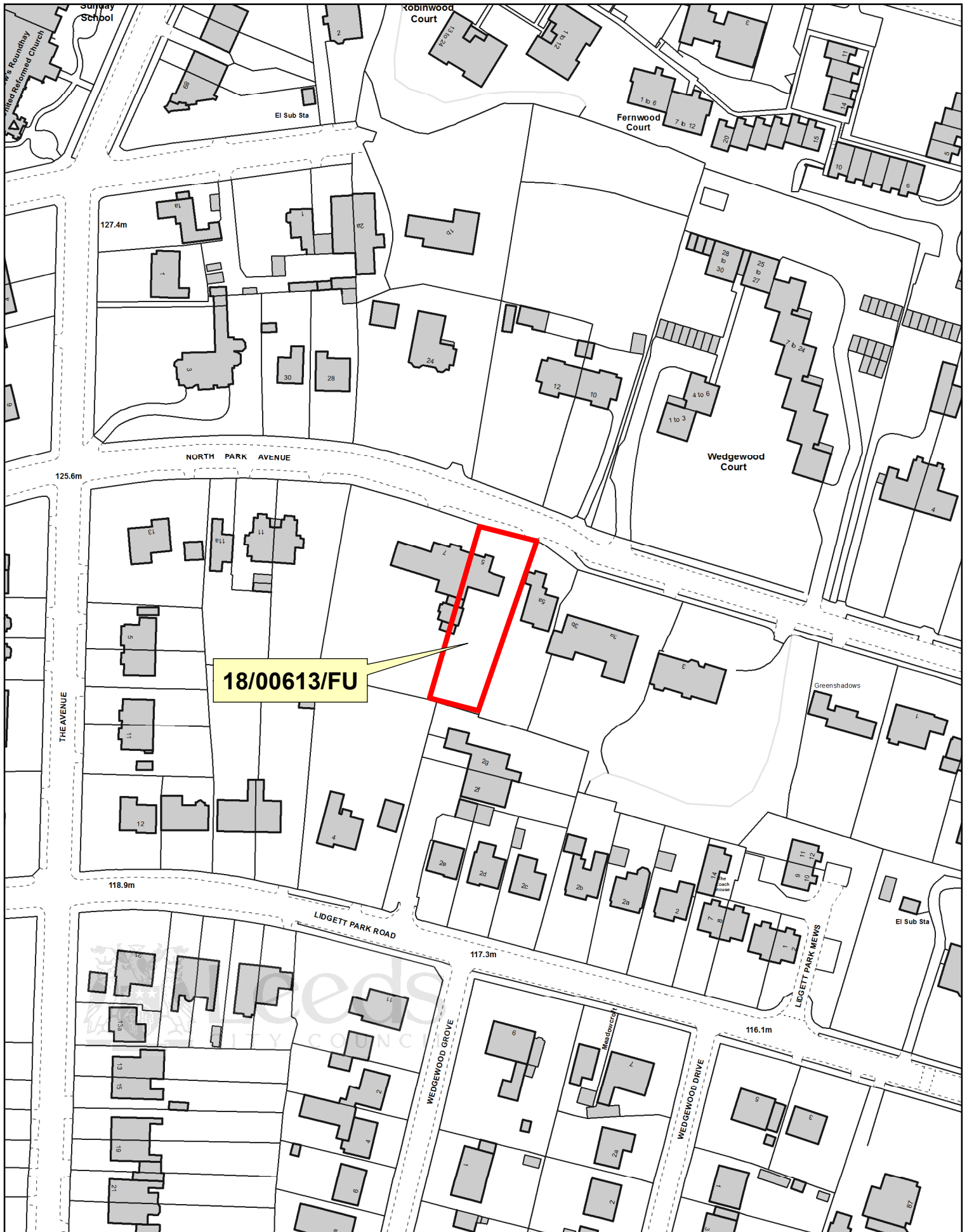
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200 Site Plan

1 : 200

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18/00613/FU

NORTH AND EAST PLANS PANEL





Originator: S.Littlejohn
Tel: 0113 378 8885

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 22nd March 2018

Subject: 17/02450/FU – Variation of condition 1 of previous approval 06/00542/FU to allow changes to the restoration plan and phasing all in line with submitted addendum to the Environmental Statement at Peckfield Landfill Site, Ridge Road, Micklefield.

APPLICANT	DATE VALID	TARGET DATE
Caird Peckfield Ltd	18 th April 2017	29th March 2018

<p>Electoral Wards Affected:</p> <p>Kippax & Methley</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the recommended planning conditions (and any others which he might consider appropriate) and the completion of a Deed of Variation to the existing 2 no. Section 106 agreements. In the circumstances where the Deed of Variation has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

1. In accordance with approved plans
2. Deemed implemented on date of issue
- 3 to 4: Timescales for restoration
- 5 to 7: Highway Safety
- 8 to 13: Soil storage and protection
14. Security fence
15. Ensure stability of adjoining land
16. Pit Lane gates
17. Removal of flytipped waste
18. Capacity of balancing pond (north)
19. Liaison group to be set up and attended
20. No blasting

- 21. PD rights removed
- 22. No Haz Waste
- 23. No processing/recycling of waste
- 24. Liquid storage to be bunded
- 25 to 27: limits to dust & noise
- 28 to 30: drainage/flood risk alleviation
- 31 to 44: Restoration and aftercare/landscaping

1.0 INTRODUCTION

- 1.1 This application relates to an existing landfill site situated at a former quarry near the village of Micklefield between Garforth and Aberford. The site accepts non-hazardous putrescible waste with a general classification of industrial and commercial, ie mainly residual waste transferred from recycling centres. The waste can be odorous and gives rise to landfill gas and leachate, both of which are collected on site. Leachate is exported for disposal at a licenced facility, the gas is used to power four generators located on site. Electricity produced by the generators is fed to the grid.
- 1.2 Leeds City Council's former Safer and Stronger Communities Board undertook an inquiry into the management of the landfill site during 2014/15 following a formal public request. The inquiry concluded in March 2015 and a report setting out the Scrutiny Board's findings and recommendations was published in April 2015. The successor Environment and Housing Scrutiny Board monitored the implementation of the recommendations made by the inquiry until the issuing of its Position Report in May 2017. Paragraph 5 of the Position Statement referred to the planning application under consideration and states that a decision should be recommended to the North and East Plans Panel.
- 1.3 The Chair considers that the current application should be referred to the relevant Plans Panel for determination because of the significance, impact or sensitivity of the proposal.

2.0 PROPOSAL:

- 2.1 The proposal is for an amendment to the approved phasing and final restoration plan to allow a low-level restoration of an area of the site known as the 'Eastern Neb'. Rather than being filled to a previously approved level in general conformity with the surrounding landscape, the proposal is to part-fill the area with inert waste then engineer a drainage pond to accept surface water run-off from the surrounding land. The pond would soakaway to the underlying aquifer. The phasing implications of this are that the Eastern Neb will now be restored concurrently with the active cell (cell 11), rather than prior to it. Planting to the adjacent phases will also have to work round the continued use of the haul road which accesses the Eastern Neb. A previous amendment to the restoration scheme, which effectively acts as the main permission for the landfill activities, was considered to be Environment Impact Assessment development. As a subsequent application, the current proposal also falls to be considered Environmental Impact development as a matter of course. As such, an addendum to the Environmental Statement addressing the issues raised by the current proposal has been submitted.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site forms part of the Green Belt surrounding the Leeds urban area. The

closest settlement is the village of Micklefield which lies approximately 200m, at its closest point, from the boundary of the site. Further afield, the settlements of Garforth and Aberford are approximately 2km and 3km distant. The underlying geology of the area is known as Magnesian Limestone which, as well as being an important mineral resource, also gives rise to particular conditions on the surface which influence the flora and fauna to be found there. Consequently the way in which this former quarry is restored should be approached by taking its landscape and ecological setting into account. A large portion of the site has already been restored, prior to the current operator's tenure, and can be characterised as being well established woodland, pastureland with a wetland area to the north-west. More recent restored areas of the landfill can be found immediately surrounding the void area which is in the southern part of the site. These areas have not yet established and are subject to a regime of maintenance and aftercare. Beyond the site's boundaries can be found agricultural fields and a low-density scattering of dwellings. Pit Lane runs adjacent to the site and along here there are residential dwellings and, further along a small light industrial estate.

- 3.2 The Eastern Neb is a discrete area still accessible from the main void to the south as well as via the rim of the void to the north-west. Access from the south will become increasingly restricted as restoration of this area approaches completion, with the main vehicular access being from a haul road to the north-west. This road cuts across a recently restored area and will be removed once operations are complete. Access will still be required to the Eastern Neb for monitoring and maintenance purposes so some sort of access track is to be expected as a permanent feature of the landscape as a consequence of the current proposal.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 H33/244/75 - First permission for limestone extraction, approved 25.09.75
- H33/264/88/ - Amended permission, including S106 agreement, approved 02.01.90
- 33/230/92/FU - Office, toilets, weighbridge and wheel wash, approved 17.08.92
- 33/191/98/MIN - Landfill gas electricity generating plant and flare stack, approved 17.09.98
- 06/00542/FU - Current permission for extraction and subsequent landfill, approved 11.09.06
- 12/02453/FU - Additional gas engine and flare, approved 25.09.15
- 13/03756/FU - Site office area and storage compound, approved 05.11.13

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 In 2016 waste planning officers raised concerns that that the pace of restoration on the landfill site was generally slow in comparison to the rapid rate of infilling. Site inspections of the landfill site identified that the approved phasing arrangement for the latter phases of infilling operations was not being strictly adhered to by the landfill operator. It was also noted that the Eastern Neb had been permitted by the Environment Agency to be infilled with inert waste rather than non-hazardous putrescible waste, as approved in the detail of the extant planning permission. Some alternative access issues were also likely to negatively impact on the final restoration of the landfill site. Waste planning officers sought to expediently resolve

these issues by entering into formal discussions with the landfill operator and a formal request was made for these issues to be addressed at the earliest time, to avoid further delays in the swift restoration of the site.

- 5.2 The circumstances surrounding the case has created a situation where an amended restoration scheme is technically the only viable option available to the landfill operator. The alternative would be for the landfill operator to seek to amend its Environmental Permit to re-align the infilling of the Eastern Neb with the extant planning permission. This is not something that is likely to be accepted by the Environment Agency for pollution prevention reasons specific to odour reduction.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised as a major planning application including Environmental Impact Assessment development. The Secretary of State was notified, site notices were posted around Micklefield and close neighbours were notified by letter. The application was also advertised in the Yorkshire Evening Post on 02.05.17. Micklefield Parish Council were also notified.

- 6.2 Two letters of representation have been received from members of the public raising the following concerns:

- The aftercare of the whole site should include trimming the hedging along the north-western boundary adjacent to Pit Lane;
- Fly-tipping has occurred from Pit Lane;
- The potential for pollution of the underlying aquifer – current and future maintenance would be required and this is not guaranteed;
- The drainage channels feeding the proposed waterbody may cause flooding;
- Public Safety issues concerning a waterbody adjacent to the boundary of the site; and,
- The filling of the Eastern Neb to previously agreed levels with inert waste would be preferable.

- 6.3 The extant planning permission requires the landfill operator to hold regular community liaison meetings with members of the local community, in accordance with the Council's 'Memorandum for the operation of liaison groups for mineral working, waste management and energy sites' (Jan, 2016). The landfill operator holds quarterly meetings with the Community Liaison Committee (member of the public, Ward Members and the Waste Planning Authority) generally in accordance with the agreed constitution. The group has been kept abreast of the content of the planning application and its progress by officers and the landfill operator. The concerns identified in para. 6.2 have also been discussed at the liaison group meetings.

7.0 CONSULTATIONS RESPONSES:

Statutory

- 7.1 Environment Agency – no objection, initial objection relating to security of groundwater resource, overcome by a supplementary report;
Coal Authority – requested to refer to the Standing Advice as laid out in the consultation response;

Highways - no objection;

Natural England - agree with the advice provided by the Council's Ecologist below.

Non-statutory

Flood Risk Manager - no objection subject to planning condition to secure compliance with the submitted drainage scheme;
Landscape Team - no objection subject to planning condition to ensure the submitted aftercare scheme is adhered to;
Nature Team - the site (once restored) should be managed by an organisation such as the Land Trust or Yorkshire Wildlife Trust;
Public Rights of Way – no objection but would like to be kept informed of any relevant issues;
Contaminated Land – no comments to be provided;
Open Spaces Society – no response received.

8.0 PLANNING POLICIES:

Local

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The policy guidance in Annex 1 to the National Planning Policy Framework (NPPF) is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. All policies outlined below are considered to align fully with the NPPF and National Planning Policy for Waste (NPPW).
- 8.3 The adopted Leeds development plan consists of:

Leeds Core Strategy (Adopted 2014, Reviewed 2016);
Leeds Natural Resources and Waste Local Plan (Adopted 2013/15);
Saved policies of the Leeds Unitary Development Plan (Reviewed 2006);
Aire Valley Leeds Area Action Plan (Adopted 2017).
Any made Neighbourhood Plans.
- 8.4 The development plan policies, supplementary development documents and national guidance as outlined below are considered to be relevant to this application.

Core Strategy 2014 policies:
- 8.5 General Policy: The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework;
Policy G8: Protection of important species and habitats;
Policy G9: Biodiversity improvements;
Policy SP13: Strategic Green Infrastructure.
- Unitary Development Plan Review 2006 saved policies:
- 8.6 Policy GP5: Refers to detailed planning considerations and any loss of amenity;
Policy N32: Site located in the Green Belt;

Policy N33: Development in the Green Belt
Policy N37: Special Landscape Area (adjacent).

Natural Resources and Waste Local Plan 2013/15 policies:

- 8.7 GP1 The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework;
- Minerals 4: Safeguarding existing minerals sites;
Minerals 10: Restoration of minerals sites;
Waste 1: Self-sufficiency for future waste management in Leeds;
Waste 2: Safeguarding existing waste management capacity;
Waste 9: Environmental and amenity considerations for waste development;
Waste 11: Landfill and landraising sites;
Water 2: Protection of water quality;
Water 7: Surface water run-off;
Land 2: Conservation and introduction of trees.

National Policies:

- 8.8 National Planning Policy Framework (NPPF) (2012):
Presumption in favour of sustainable development.
Development in the Green belt
Enhancing the natural environment
Promoting healthy communities.
- National Planning Policy for Waste (NPPW) (2014):
Waste Hierarchy
Determination of planning applications.
- National Planning Practice Guidance (NPPG/PPG) (2018):
Supporting Guidance including advice on conditions and legal agreements.

9.0 MAIN ISSUES

- 1) Principle
- 2) Greenbelt
- 3) Impacts on amenity
- 4) Final Landform
- 5) Landscaping
- 6) Ecology
- 7) Drainage
- 8) Highways
- 9) Representations
- 10) Planning Conditions
- 11) Planning Obligations

10.0 APPRAISAL

Principle

Safeguarding Existing Waste Management Capacity

- 10.1 The proposal involves the reduction of the site's landfill capacity by approximately 91,000 cubic metres. Policy Waste 2 states that existing waste management sites shown on the Policies Map are safeguarded for continued use during the plan period. Peckfield Landfill is an identified safeguarded site. Applications for a

change of use must demonstrate that there is no longer a need to retain the site for waste management purposes or there is an overriding case for the proposed development that outweighs the need to retain the site for waste management purposes. In this case changes to the Environmental Permit means that this part of the site is no longer available for the purposes it was safeguarded for, ie. the disposal of mixed solid waste. This would leave the Eastern Neb available only for inert construction, demolition and excavation waste.

- 10.2 Whilst the proposal offers a notable reduction in the volume of material required to complete the landfill, it should be recognised that the sourcing and securing of the required volume of inert waste to wholly backfill the Eastern Neb to level is likely to take the landfill operation beyond its currently approved end date of 2020 (stipulated in Condition 3). A time extension to the end date for the purposes of this proposal would not be supported by officers. It is also not considered to be best practice for the Eastern Neb to be filled to level with inert waste which could otherwise be recycled and re-used rather than landfilled. This is entirely in accordance with the national waste hierarchy as defined within the NPPW.
- 10.3 Furthermore, the alternative proposed scheme is considered to improve land drainage and provide some spare capacity for surface and flood waters. The creation of the proposed waterbody would also support ecological diversity and allow species suited to wetland areas to establish.

Safeguarding Mineral Extraction Sites

- 10.4 Peckfield Quarry is a safeguarded minerals site in the adopted Leeds development plan. Policy Minerals 4 stipulates that applications for change of use will be required to demonstrate that there is no longer a need for the site for mineral purposes. As extraction at this site was completed and ceased in 2010, restoration is well under way and as such, there is demonstrably no longer a need for the site to be safeguarded for mineral purposes.

Green Belt

- 10.5 With regard to the proposal site's location within the Green Belt, the principles of extraction and subsequent infilling have been previously established, most recently in and by planning permission ref. 06/00542/FU. Paragraph 90 of the NPPF states that mineral extraction is not inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The current proposal is for the decrease of the amount of landfill to the part of the former quarry known as the 'Eastern Neb' and consequent amendments to restoration and aftercare phasing that this will require. The land will be returned to nature, providing a drainage pond instead of trees, although replacement trees will be planted elsewhere. None of the work proposed is considered to reduce openness or conflict with the purposes of including land within the Green Belt and the proposal is considered to be not inappropriate.
- 10.6 With regard to the restoration scheme as a whole, the creation of a new landform which will be landscaped and put to an agricultural use, is not considered to be inappropriate development in accordance with paragraph 90. It is considered that the final landform and use will preserve the openness of the Green Belt and will not conflict with the purposes of including land within it. On the whole the principle of the proposal to reduce the volume of material required to complete the Eastern Neb and provide an additional waterbody for drainage purposes is considered to be acceptable development in the Green Belt.

- 10.7 Policy Waste 9 requires consideration to be given to the duration of development and other amenity aspects such as noise, dust, litter, odour, vermin and gas emissions. In this case, the terms of the Environmental Permit issued by the Environment Agency have been amended to allow the Eastern Neb to be filled with inert rather than non-hazardous putrescible waste. The proposed solution posed in the application is therefore considered to be an improvement for local amenity than the existing permission currently allows. The creation of a drainage waterbody would also assist to ensure that the expected completion date for landfilling will be met, something which should be afforded significant weight. The discrete nature of the proposal is therefore considered to be acceptable with regard to local amenity.

Landform

- 10.8 Policy Minerals 10 states that proposals for the restoration of former minerals sites must demonstrate that site-specific conditions together with local characteristics and initiatives have been fully reflected in the proposed scheme. Proposals which can be shown to be feasible and will enhance the environmental quality and biodiversity of a particular area will be supported. Policy Waste 9 requires consideration to be given to visual amenity and Policy N37 requires consideration for the adjacent Special Landscape Area. The proposal involves a significant amendment to the final landform to that which was previously permitted. The existing void of the Eastern Neb is not now to be filled to meet surrounding land levels and will therefore be left as a water containment area. The area would be steeply sloped on three sides, with bush planting provided to soften the visual impact and help to keep the area secure, along with appropriate boundary fencing. The fourth side would consist of a gentler slope, intended to create a wetland fringe area. It is likely that the collection pond would drain during dry periods and would reach its full depth only in times of excessive rainfall. The new drainage feature would help to protect the surrounding landscape from flooding during times of inundation and should also prevent waterlogging of adjacent agricultural land during normal conditions. The adjacent Special Landscape Area is woodland and would not be harmed by this feature and, given the biodiversity and drainage benefits, may well be enhanced by it. Surrounding planting will ensure that, from a distance the landscape will be continue to be read as woodland, with views of the pond being restricted to within the boundaries of the site and within the immediate vicinity. Should the site, at some point, be opened up for public access, the proposed wetland area would help to create a more diverse landscape, visually as well as ecologically, than the current permission provides.

The proposed new landform is considered to be a beneficial addition to the landscape and is acceptable with regard to restoration and Special Landscape Area policies.

Landscaping

- 10.9 Policy Waste 9 requires consideration, where appropriate, of restoration and aftercare. Policy N37 also requires consideration for the adjacent Special Landscape Area. The Environmental Statement Addendum, submitted by the applicant in support of the application focuses primarily on restoration and aftercare of the site. According to this document, the restoration concept for the whole site will be unaffected by the proposed amendments and have been used to guide the amended restoration proposals for the Eastern Neb. To compensate for the reduced area of proposed woodland on the Eastern Neb itself, additional woodland planting is proposed along the slopes of the eastern boundary, north of the Eastern

Neb. As well as ecological benefits, this will help to visually integrate the new landscape into its surroundings and assist to soften the visual effect of the steep eastern slopes.

- 10.10 With regard to aftercare, a scheme was approved in 2015 and this has been re-submitted as part of the current proposal. The Environmental Statement addendum brings the scheme up to date and includes aftercare arrangements for the Eastern Neb. The Council's Landscape Team are satisfied with the restoration and aftercare proposals for the site, provided that the approved measures are implemented by the landfill operator and a planning condition is applied to ensure that the updated details are also implemented.
- 10.11 Some parts of the aftercare plan go beyond 5 years. The NPPG advises that aftercare cannot be imposed on operators without their agreement. Although such agreement is implicit within the submission, it is recommended that, as the current S106 agreement requires amendment anyway (see below) formal agreement to aftercare for a lengthier period is agreed and incorporated into an amended S106 Agreement. This could also include a commitment to review and secure options for parts of the restored site to be opened to the public, or parts of the site to public access if it is considered appropriate and safe to do so once restoration is complete and aftercare requirements are less.
- 10.12 On the whole, the landscaping proposals for the landfill site, including the Eastern Neb, are considered to comply with planning policy, subject to the above.

Ecology

- 10.13 Policy Waste 9 also requires consideration to be given to ecological impacts of waste proposals. The Environmental Statement Addendum states that the opportunity has been taken to develop wetland and damp grassland habitats within the bowl part of the Eastern Neb, increasing the overall biodiversity of the site. As the waterbody is designed as a flood attenuation area relying on percolation of the water to ground, the waterbody levels will vary considerably and it will be dry at some times, although likely to be continuously damp (likened to a Swale). Thus, within the basic engineering design, minor variation in landform will be introduced to create damp and drier microhabitats around the pond. The maximum depth of the pond will be 3 metres, to discourage infilling with reeds and provide open water. The varied pond margins will provide a habitat for a range emergent and marginal species providing shelter and food sources for invertebrates, small mammals and insects. The shelf of the waterbody will be developed to provide an open grassland occasionally inundated with water. Scrapes and minor undulations across the shelf area will create ephemeral water areas and a mosaic of wet and dry microhabitats. A progression of habitats will be created from aquatic to water's edge through damp grassland, drier open grassland then woodland on the slopes.
- 10.14 The Council's Ecologist has requested that the entire site (or majority which is being restored for ecological enhancements be entered into an agreement with an appropriate body such as the Land Trust or Yorkshire Wildlife Trust whom have experience in managing sites for both wildlife and controlled public access. Unfortunately this cannot be imposed as a planning condition as the NPPG only allows a 5-year aftercare term to be imposed in planning permissions but it could be delivered, via agreement, in an amended S106 Agreement.

- 10.15 The matter was raised with the applicant and the response was that whilst management of the site will be on-going for the longer term, a formal arrangement

with a third party would not be viable due to existing contractual arrangements with Arevon Energy, who manage gas emissions at the landfill site. The operator has, however, agreed to extend formal aftercare arrangements from 5 to 10 years via an amended S106 Agreement.

- 10.16 The Councils' Ecologist has also requested a programme of botanical monitoring for the calcareous grassland to ensure target species diversity. This is recommended to be required as part of the aftercare agreement within an amended S106 Agreement.
- 10.17 Natural England were consulted and agree with the advice of the Council's Ecologist about the restoration of areas to calcareous grassland.

Drainage

- 10.18 Policy Waste 9 requires consideration to be given to drainage and use of sustainable drainage, and protection of controlled waters. The current proposal is designed to assist with management of surface water run-off, especially during times of inundation. Policy Water 2 requires existing water resources to be protected from pollution. The Environment Agency have been consulted with regard to the potential for pollution of the underlying aquifer from the proposed soakaway. The Agency have come to the view that the appropriate level of monitoring and management can be put in place via the Environmental Permit to ensure that no landfill leachate finds its way either into the proposed waterbody or the underlying aquifer. The Council's Flood Risk Management Team do not object to the proposal, subject to a condition requiring Infiltration test results.

Highways

- 10.19 Policy Waste 9 requires consideration to be given to highway safety issues. The Highways Team are satisfied that the proposal will result in fewer traffic movements and is therefore beneficial from a highways perspective.
- 10.20 With regard to public rights of way, no existing footpaths will be affected by the proposal. The potential for opening the site to public access will be considered as part of the aftercare arrangements to be secured via an amended S106 Agreement.

Other Issues

- 10.21 The only remaining issue to be dealt with in association with policy Waste 9 is the impact of the proposal on the historic environment. There are no known designated heritage assets in the vicinity of the proposed site and none of known archaeological significance has been flagged up by the West Yorkshire Archaeological Advisory Service.
- 10.22 An addendum has been submitted to the existing Environmental Statement prior to the Regulation change in May 2017. The environmental impacts covered by the addendum are considered to be relevant to the proposed changes to the permitted restoration scheme. The addendum has been assessed and is considered to be acceptable in association with the Ground Water Risk Assessment received by on 26.07.17 and the Revised Surface Water Management Plan received on 23.11.17.

Representations

- 10.23 Objections have been raised with regard to boundary planting along Pit Lane and specifically with the proposed amendment to the restoration scheme. With regard to the planting on Pit Lane, this would be a separate matter to be dealt with as part of the general maintenance and aftercare of the site. With regard to the concerns raised about the Eastern Neb restoration, these relate to the potential for pollution by leachate accessing the underlying aquifer, the potential for flooding of adjacent properties from the channels which direct water from the boundaries to the pond, and safety issues associated with a water body adjacent to the boundary of the site.
- 10.24 The objector suggests that the existing cap for the adjacent landfill would not be secure and that it would require an intensive maintenance programme which the operator may not carry out. Originally, further details were requested by the Environment Agency in order that they could make an assessment with regard to the potential for leachate to be released into the groundwater beneath the Eastern Neb. The Agency removed its objection on provision of this information, stating that is now satisfied that the risks posed to groundwater can be satisfactorily managed. As such, a refusal on this ground could not be sustained.
- 10.25 In respect of potential flooding, the main waterbody and associated swales are designed to ensure surface water run-off does not primarily drain onto adjacent land. The risk would therefore be increased if this system were not introduced. Previous saturation of the land close to the north-west corner of the site, where a pond is required by the current planning permission, has demonstrated that without some sort of mitigation surrounding land is indeed affected. Percolation tests have shown that this area does not drain very well and the proposed waterbody would not serve their purpose, possibly due to the surrounding topography and underlying geology. The use of the Eastern Neb area for drainage is therefore considered to be beneficial to the overall surface drainage of the site.
- 10.26 With regard to public safety, the operator/landowner would be constrained by Health and Safety regulations to ensure adequate measures were in place to prevent unauthorised access onto the site. In this case, fencing would prevent this, along with shrub planting along the steeper slopes at the boundary. If public footpaths were to be provided in the future, the health and safety aspects would have to be considered at that stage and could ultimately result in a decision not to allow public access to this or other areas. This is the main reason for not insisting on public access at this stage but to require the feasibility of public access to be assessed once restoration is complete and aftercare is underway.
- 10.27 Finally, the objector expresses a preference for the approved scheme to be continued. This would require the Eastern Neb to be filled to a higher level, around 1.5m lower (pre-settlement) than the adjacent field (and therefore using putrescible waste). This would create a soakaway for run off from all of the surrounding land which would also be planted with trees. Excess water would therefore be drained into the underlying aquifer in exactly the same way as proposed but if the area was constantly boggy the tree planting would be unlikely to establish. The proposal includes tree planting in surrounding areas which would both soften the surrounding slopes and provide an equivalent continuation of tree cover.
- 10.28 If an Environmental Permit was not granted for filling the Eastern Neb with putrescible waste, inert construction and demolition waste would have to be used. This tends to be mostly recyclable and would result in a movement down the waste hierarchy from recycling to disposal which would be less acceptable in terms of national and local waste planning policy. The use of inert fill would result in more

traffic movements and a higher risk of dust and noise being emitted from the site. Also, the use of inert would, according to research undertaken by the applicant, result in a longer timeframe being required than the current 2020 deadline. The current Section 106 agreement, which would remain in place if the current application were to be refused, requires an alternative restoration scheme to be provided and approved in the event that it is shown that the amount of waste available will not be sufficient to complete operations by the 2020 deadline. The Council would therefore, in all likelihood, be required to assess the current proposal, or something similar in line with this requirement of the Section 106 agreement. At that point we would be less well placed to secure the additional aftercare commitments which have been agreed in principle under this application. It must be pointed out that the Council would not be in a position, under the terms of the current agreement or through planning conditions, to require the operator to backfill the Eastern Neb to approved levels in the approved timescale. The Council could only compel the operator to cease works in 2020 whatever stage they happened to be at. The recommendation is therefore to allow for the proposed development to take place at this stage.

Use of Planning Conditions

- 10.29 The main powers relating to local planning authority use of conditions are in sections 70, 72, 73, 73A, and Schedule 5 of the Town and Country Planning Act 1990. Section 70(1)(a) of the Act enables the local planning authority in granting planning permission to impose “such conditions as they think fit”.
- 10.30 The NPPG states that the purpose of imposing planning conditions on planning permissions is to enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.
- 10.31 Paragraph 203 of the National Planning Policy Framework states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions”.
- 10.32 Paragraph 206 of the National Planning Policy Framework states “Planning conditions should only be imposed where they are:
- 1.necessary;
 - 2.relevant to planning and;
 - 3.to the development to be permitted;
 - 4.enforceable;
 - 5.precise and;
 - 6.reasonable in all other respects.”
- 10.33 The applicant proposes the variation of condition no. 1 of planning permission 06/00542/FU to allow changes to the permitted restoration plan and phasing which has been assessed above as being acceptable to the Council and the relevant consultation bodies.
- 10.34 If the current application is permitted, it is recommended that the remaining conditions attached to the current planning permission ref. 06/00542/FU be

transferred to the new permission with the following amendments to take account of the current situation on site:

- Condition 3: remove reference to mineral extraction;
- Condition 6: amend to allow for on-going review of the wheelwash facilities;
- Condition 13: remove as it relates to mineral extraction and is no longer relevant;
- Condition 20: remove as the issue of liaison should form part of the S106 agreement;
- Condition 25: remove because the required bunds are now interfering with progressive restoration of the site;
- Condition 26: remove because monitoring of methane and leachate is primarily carried out by the Environment Agency (under the Environmental Protection Regulations and the Environmental Permitting (England & Wales) Regulations 2016). The Agency has pursued legal action to resolve Permit breaches primarily relating to odour. The condition is therefore unnecessary;
- Condition 30 - remove as it relates to mineral extraction;
- Condition 41: amend to take into account of proposed plans;
- Condition 42: amend as the required planting has been carried out and the associated 5-year aftercare period has ended;
- Condition 43: amended to account for subsequent approved plans;
- Condition 45: amended to take into account of proposed drainage details.

10.35 Subject to the above amendments the imposition of the recommended planning conditions to any grant of planning permission is considered to meet the tests set in paragraph 206 of the NPPF.

Planning Obligations

- 10.36 A S106 agreement currently exists, attached to planning permission ref. 06/00542/FU. This requires the completion of landfill operations by 20.09.20 and the completion of restoration by 30.09.22. It also requires the submission of details relating to the rate of infilling with a requirement for the submission of an amended restoration landform in the event that infill targets can't be met in the agreed timescales. The agreement will require amendment to take account of the new permission, if Panel is minded to grant planning permission.
- 10.37 There is also an agreement attached to an earlier planning permission (ref. H33/264/88/) which remains valid. The requirements of this agreement relate to the provision of an access, which has since been provided and remains in place, and for the provision of systems to prevent escape of methane gas. This was put in place before the Environment Agency was set up and its requirements now form part of the Environmental Permitting regime. This clause is therefore no longer required and an up to date agreement can revoke this agreement.
- 10.38 As part of their inquiry into the management of the site, the Environment and Housing Scrutiny Board requested waste planning officers to investigate and consider the possibility of securing a financial bond by way of an amended S106 Agreement to cover the cost of final restoration in the event that the landfill operator finds itself in financial difficulty or abandons the landfill site. However, it was acknowledged in paragraph 32 of the Scrutiny Board's Position Statement (May 2017) that the NPPF does not give the same scope for seeking financial bonds for

waste development as it does for minerals development. It is not considered reasonable for a financial contribution to be secured in this particular instance.

- 10.39 A bond for over £3.5 million is already lodged with a bondsman, for the purposes of securing the Environmental Permit, which covers environmental monitoring, capping, cap maintenance, leachate management, landfill gas management, surface water management, security (fencing and gates), production of site reports and specified events. Landform, topsoil, seeding and tree planting are not included except for where they form part of the cap protection. As the cap covers a significant part of the site soils are largely covered under this bond. Landform depends on the amount of fill and the current application is aimed at providing a final landform which is acceptable from a visual amenity perspective. For the costs of the remainder, (the final soil layer, cultivation, seeding and tree planting), officers are advised that the income from the on-site landfill gas generating facility will be utilised.
- 10.40 The Applicants have however agreed to enter in to a deed of variation to vary the extant S106 agreements to apply to this application and include a further paragraph requiring a scheme detailing the expenditure and aftercare of the Site for a period of 10 years beyond completion of landfilling including details of proposed income and expenditure for the restoration and aftercare to be submitted to and agreed by the Council. The NPPG states that any aftercare beyond 5 years must be agreed with the operator. In this case, to address local concern, the applicant has agreed to a ten year commitment, along with the provision of financial details to show how this can be achieved.

11.0 CONCLUSION

- 11.1 The proposal consists of an amendment to the phasing and restoration at an established and safeguarded landfill site. With regard to all other material planning considerations, the proposal is unlikely to cause significant harm and is appropriate to the surrounding landscape. The proposed development does not constitute inappropriate development in the Green Belt as the re-phasing and restoration operations would not, in the longer term, harm the openness of the Green Belt and does not conflict with the purposes of including land within it. Account has been taken of the Environmental Assessment information provided in the applicant's Environmental Assessment Addendum. Mitigation can be secured to reduce and/or prevent land-use associated amenity impacts to acceptable levels. As the proposal does not conflict with any relevant policies and a financial bond in this instance cannot be secured and justified, it is considered that there are no material planning considerations that could outweigh local or national planning policy. As such, a recommendation for approval of planning permission is made, subject to a detailed schedule of planning conditions and an amended S106 Agreement.

Background Papers:









Planning Application refs. 17/02450/FU and 06/00542/FU.

Certificate of ownership: Certificate A signed by the Agent.

Environment and Housing Scrutiny Board Position Paper, May 2017.

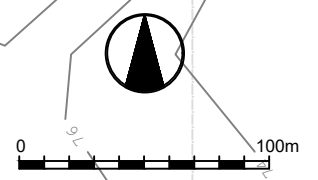


KEY

-  Woodland planting
-  Woodland edge/shrub planting
-  Calcaereous grassland
-  Agricultural grassland
-  Hedgerows.
-  Stock proof fencing (and gates)
-  Ditches and water bodies
-  Final restoration contours. 2m contour intervals

Page 61

'EASTERN NEB'
See detail dwg CB/P/406/5



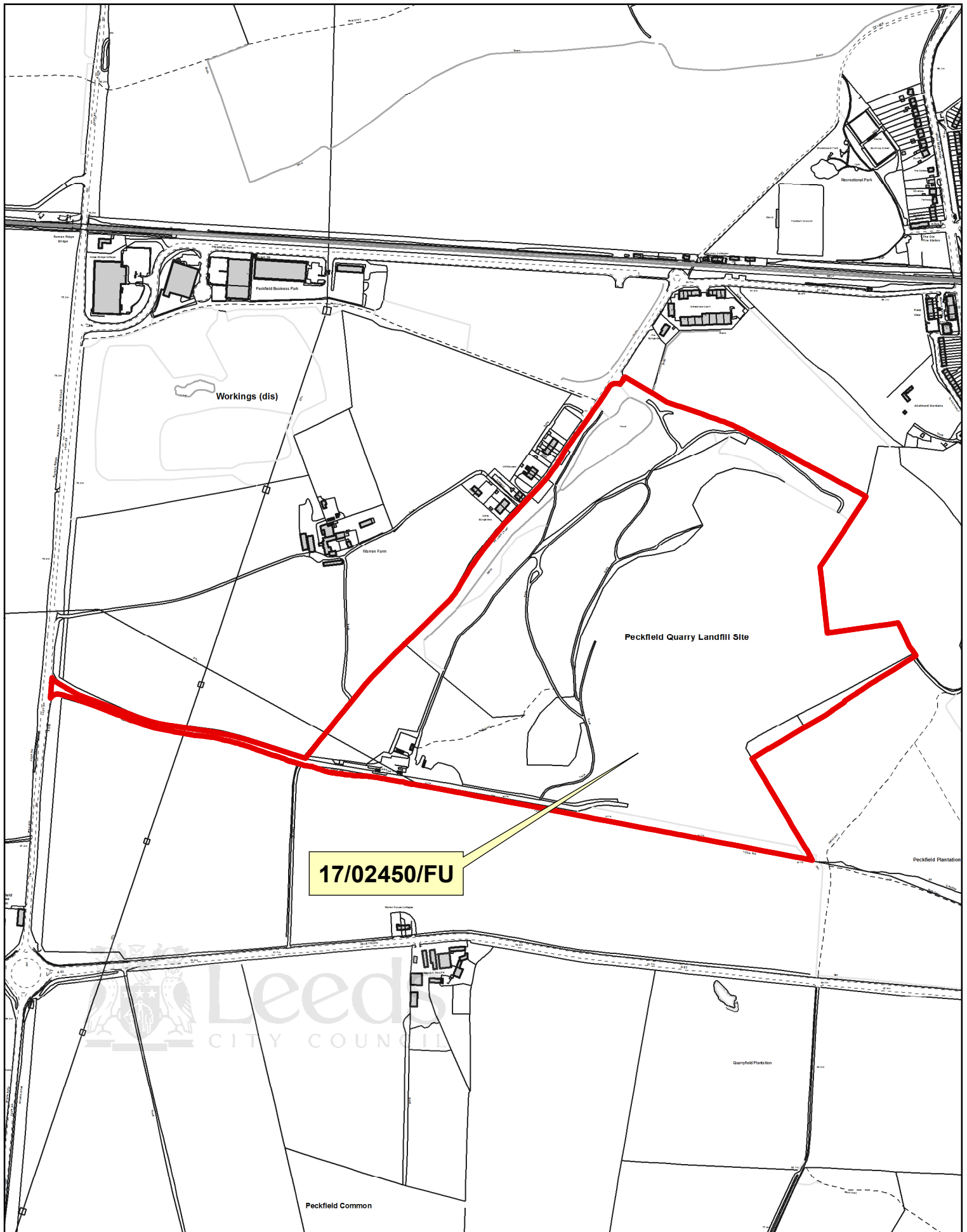
(Post settlement restoration contours shown- as on dwg no CPL/PFLS/TS-03)

Rev A. 2 Aug 17. Revised post settlement contours added

client Caird Peckfield Ltd	project PECKFIELD LANDFILL SITE	drawing title REVISED RESTORATION			
		drawing scale As shown at @ A3	date March 17	drwn by CTF	drawing no CB/P/406/1a



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NORTH AND EAST PLANS PANEL





Originator: B Patel
Tel: 0113 378 8022

Report of the Chief Planning Officer

Plans Panel North and East

Date: 22nd MARCH 2018

Subject: 18/00067/FU - Two storey and single storey side and rear extensions at 64 Easterly Road, Gipton, Leeds, LS8 3AN

APPLICANT	DATE VALID	TARGET DATE
Mr Hussain	03.01.2018	(Ext. of time 23.03.2018)

<p>Electoral Wards Affected:</p> <p>Gipton & Harehills</p> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px 5px; margin-right: 10px;">Yes</div> <p>Ward Members consulted</p> </div>	<p>Specific implications for:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Equality and Diversity</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Community Cohesion</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Narrowing the gap</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	Equality and Diversity	<input type="checkbox"/>	Community Cohesion	<input type="checkbox"/>	Narrowing the gap	<input type="checkbox"/>
Equality and Diversity	<input type="checkbox"/>						
Community Cohesion	<input type="checkbox"/>						
Narrowing the gap	<input type="checkbox"/>						

RECOMENDATION: GRANT PERMISSION subject to the following conditions:

1. Standard time limit for commencement
2. Standard plans reference
3. Materials- the development will be constructed in the materials detailed on the approved plans
4. No insertion of windows and doors in the side elevations

1.0 INTRODUCTION

1.1 This application is referred to the North and East Plans Panel in accordance with the terms of the delegation agreement as the applicant is an elected Member of the Council.

2.0 PROPOSAL

2.1 The application proposes a part two storey / part single storey extension to the rear of the house and single storey extension to the side. The two-storey rear extension would create a living room and a kitchen at ground floor with a bedroom on the first floor. The enlargements to the side of the house would

form toilet and shower facilities. The extension would have a render finish with roof tiles to match the existing house.

3.0 SITE AND SURROUNDINGS

3.1 The application relates to a semi-detached, two-storey dwelling, with a hipped roof located on Easterly Road (A58, which is a dual carriageway). The dwelling is elevated from the highway and set back behind a relatively wide verge. The property has a garden to the front which is enclosed by a low brick wall. The dwelling is rendered in cream colour and features a two storey bay window, under a concrete tiled roof. Attached to the side elevation is a modest, flat roof porch. The rear garden is enclosed by a hedge on both sides and there are mature conifer trees along the rear boundary. Immediately beyond the rear garden (south) is an un-metalled vehicle access route. Off street parking is available within the rear garden.

3.2 Easterly Road slopes down from east to west. It is characterised by predominately semi-detached dwellings that are similar in terms of scale and design. However, many have been extended over the years. In particular, the neighbour property at 66 Easterly Road is slightly elevated from the application property and has a single storey extension to the rear. There are no extensions at the rear of the adjoining neighbour.

4.0 PLANNING HISTORY

4.1 The site has the following planning history:

34/54/01/FU - Single storey rear extension. Approved 29.3.2001.

5.0 HISTORY OF NEGOTIATION

5.1 During consideration of the application advice has been provided regarding the need to comply with the Householder Design Guide in respect of the extent of the ground floor rear projection at the common boundary. Amended plans showing the ground floor extension having a chamfered corner have subsequently been received (therefore reducing the projection to 3.0m at the common boundary).

6.0 PUBLIC/LOCAL RESPONSE

6.1 The application was originally publicised by neighbour notification letters on the 11th January 2018 and a site noticed displayed from the 17th January near the public footpath facing the street. No comments have been received.

7.0 CONSULTATION

7.1 No technical consultations are necessary due to the nature and relatively small scale of the proposal.

8.0 PLANNING POLICY

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purpose of determining this particular planning application the Development Plan for

Leeds comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Plan.

Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

- P10 - Seeks to ensure that new development is well designed and respect its context.
- T2 - Seeks to ensure that new development does not harm highway safety

8.3 The following saved UDP policies are also relevant:

- GP5 - Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD6 - All alterations and extensions should respect the scale, form, detailing and materials of the original building.

Relevant Supplementary Planning Guidance/Documents:

8.4 Householder Design Guide (HDG). The following extracts from the HDG are relevant:

HDG1 - All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality. Particular attention should be paid to:

- i) the roof form and roof line;
- ii) window details;
- iii) architectural features;
- iv) boundary treatments and;
- v) materials.

Extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.

HDG2 - All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, over dominance or overlooking will be strongly resisted.

To help with the assessment of the impact on neighbouring residents the HDG refers to the 45 degree code and states:

“The 45° code usually applies to two storey extensions although it can inform the decision making process for single storey extensions. This code takes account of the position of neighbouring windows. It relates to main living areas such as living rooms, bedrooms, dining rooms and kitchens; it does not usually apply to utility rooms, toilets, staircases or landings.

In order to apply the code you should first locate the nearest edge of the closest window on your neighbour’s property (fig 1). A line which extends from

the wall of the house at an angle of 45° should then be drawn from this point (fig 2). Extensions should then be set within the green area. Extensions set within the red area may well be considered to have too great an impact upon your neighbours and could be refused (fig 3).”

National Planning Policy

- 8.5 The National Planning Policy Framework (2012) (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied. It sets out the Government’s requirements for the planning system. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.6 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. Design and amenity considerations are identified as important issues within the NPPF.

9.0 MAIN ISSUES

1. Design and Appearance
2. Residential Amenity
3. Highway safety

10.0 APPRAISAL

Design and appearance

- 10.1 With the exception of the single storey side extension, the main element of the proposals would not be apparent from Easterly Road due to its positioning to the rear of the host property. In assessing the visual impact of the side extension, the view from Easterly Road would be very limited due to its siting within the centre of the side elevation and also its modest size. The extension is also noted to replace the existing porch which is only marginally smaller so overall the proposed change will be barely perceptible.
- 10.2 In terms of the rear extension, views of this will be possible via the access road but this is considered to be much less sensitive viewpoint relative to Easterly Road. With this in mind and noting many other properties have already extended to the rear some variation between properties is not unusual.
- 10.3 At ground floor level the extension would project almost the full width of the house and have a maximum depth of 4.0m but reducing to 3m where it meets the common boundary. A simple lean to roof is proposed. Over part of this, a first floor extension is proposed but only to a depth of 3m.
- 10.4 The rear extension forms a continuation of the side extension and proposes the same eaves height as the main house. In this respect the hipped roof would also be extended but to a much reduced height relative to the main ridge. As such, the general design of the extension responds well to the character and appearance of the host building but would still appear as a subservient addition. The general positioning and size of windows and openings are also considered

to be acceptable. For these reasons and noting the external materials would match the main house and design and appearance of the extensions are considered to be acceptable and accord with the requirements of HDG1 of the Leeds Householder Design Guide.

Residential Amenity

Overlooking:

- 10.5 In regard to overlooking, the openings of the extensions would predominantly face the hosts own rear garden areas and the rear access road beyond. No windows are proposed to the side elevations of the extension and in order to maintain privacy going forward a condition restricting windows within the side elevations is recommended.

Dominance/Overshadowing:

- 10.6 To the rear, the proposal is consistent with the Householder Design Guide in that the first floor of the extension projects 3m in depth and is set 2.0m away from the boundary with the adjoining house, minimising any issues of over dominance or overshadowing. The two-storey element is also set 1.8m away from the boundary with the neighbour and whilst the projection is 200mm short of guidance the neighbour is set in an elevated position to the host property and is also set away from the common boundary. As such, the overall projection at this point is generally in accordance with guidance and meets the 45° rule (in terms of views out from neighbouring windows) which is often applied as a further test of amenity impact.
- 10.7 Due to the orientation of the properties it is acknowledged that there would be some increase in overshadowing to the adjoining neighbour during the morning period. However, the bulk of the extension is set away from the common boundary and any increase in overshadowing would be limited to the morning period and only for a short period of time. The Householder Design Guide acknowledges that some impact is likely to be experienced when householders extend their properties but a balance always needs to be struck and accordingly this informs the various distances/relationships that can be accepted. In this case the application has been specifically revised to comply with the guidance. In terms of the impact on No. 66, this property is elevated and does not contain any main windows within its side elevation facing the host property. The impact of the proposal on residential amenity is therefore considered acceptable, HDG2 of the Leeds Householder Design Guide.

Highway Safety

- 10.8 Core Strategy policy T2, saved UDP policy GP5 and guidance within the Householder Design Guide note that development proposals should resolve detailed planning considerations at the application stage and should seek to maximise highway safety.
- 10.9 The proposal has no impact on the current parking arrangement at the site which is indicated on the submitted drawings at the rear of the property

11.0 CONCLUSION

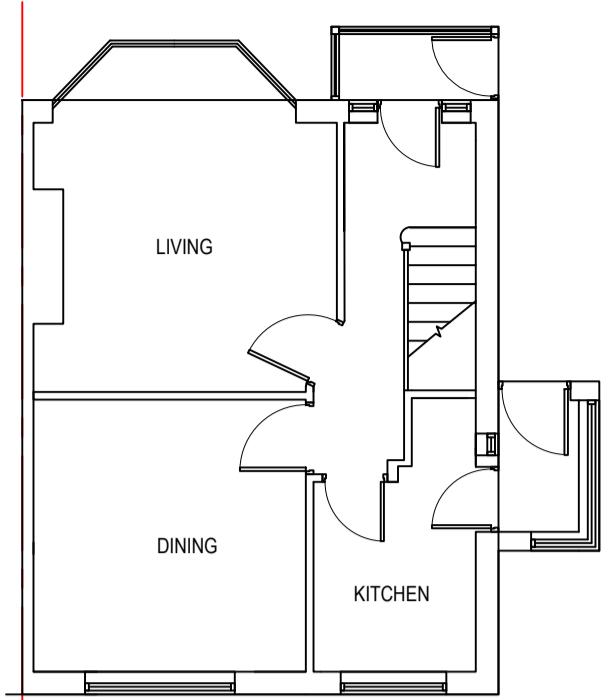
- 11.1 The proposal is not considered to raise any residential amenity impacts and the overall design is appropriate to the character and appearance of the host

building and the surrounding area. As the proposals would not impact on the existing off-street parking available at the site the application is considered to be in accordance with adopted development plan policies and guidance. The application is therefore recommended for approval, subject to the conditions specified.

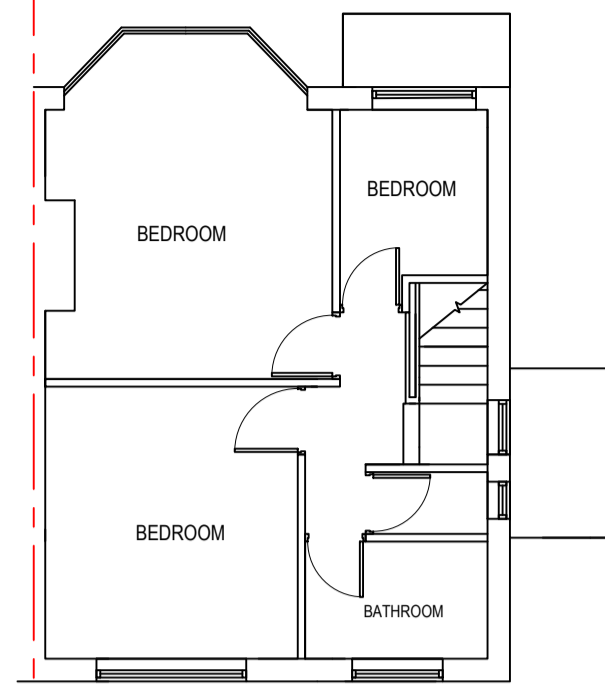
Background papers:

Planning application file: 18/00067/FU

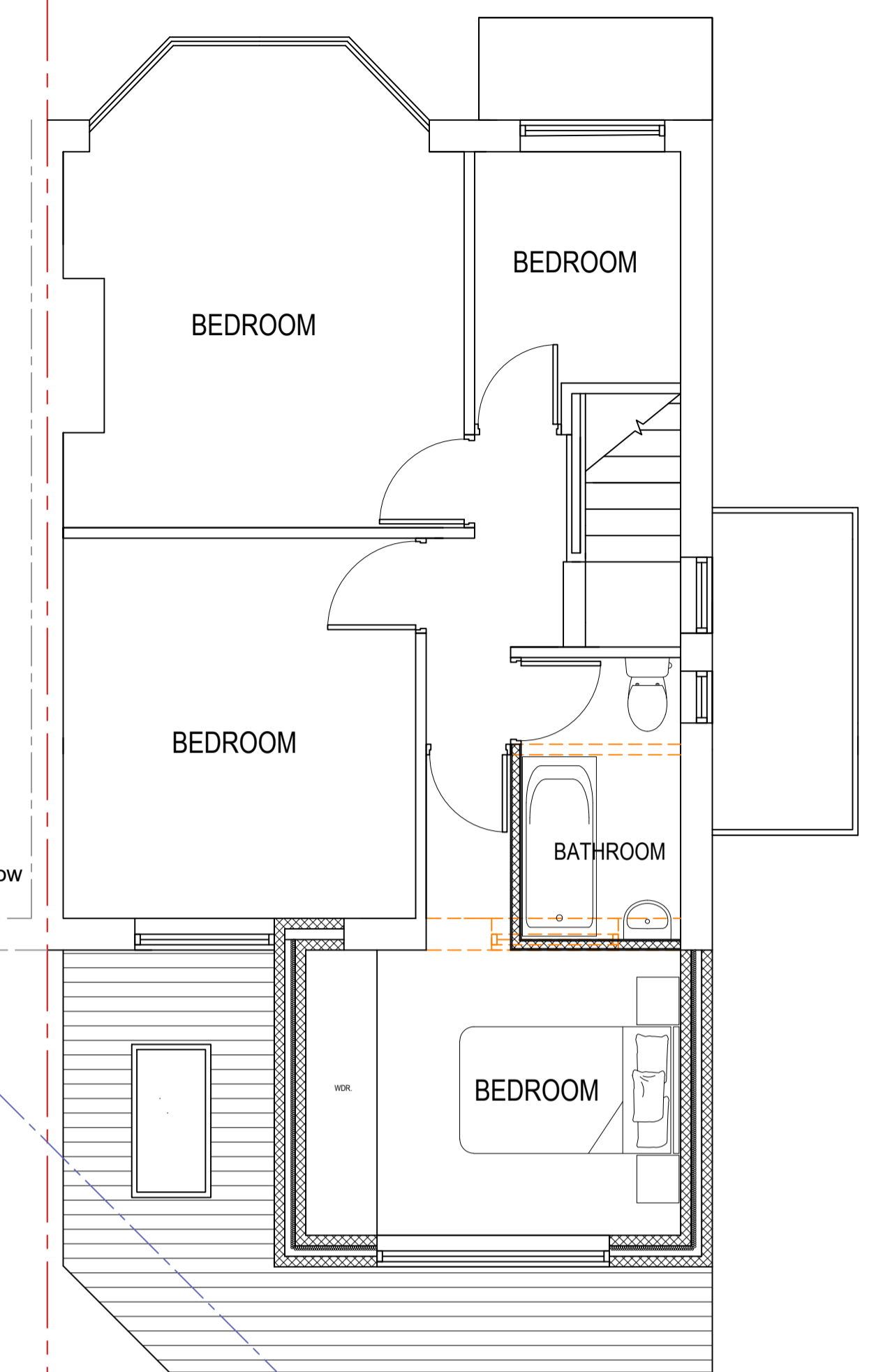
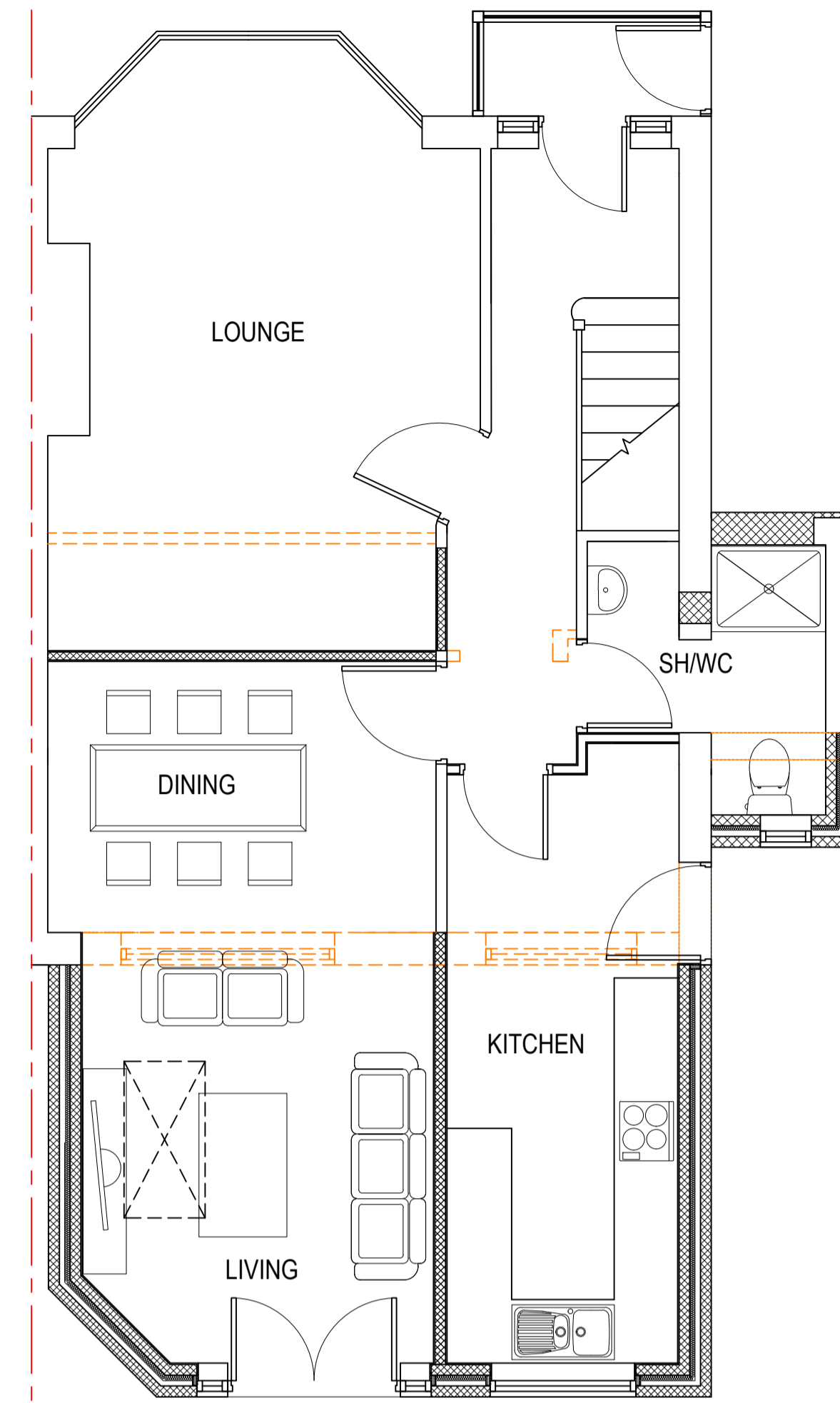
Certificate of Ownership: Signed by applicant.



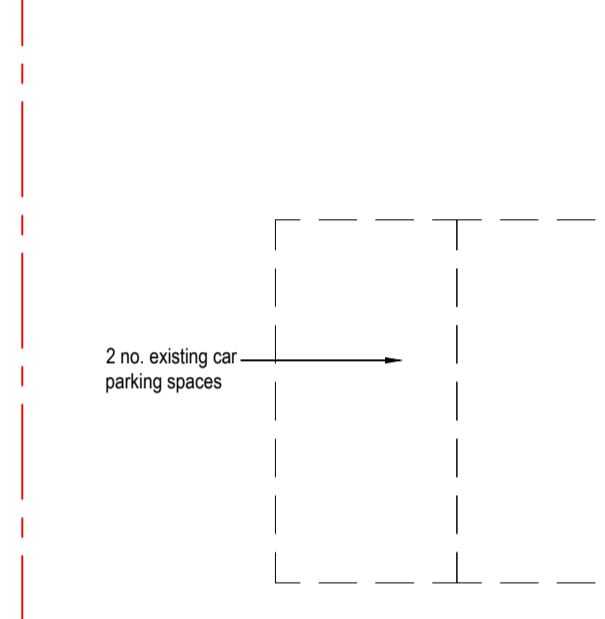
EXISTING FIRST FLOOR PLAN
SCALE 1:100



EXISTING REAR ELEVATION
SCALE 1:100



PROPOSED FIRST FLOOR PLAN
SCALE 1:50



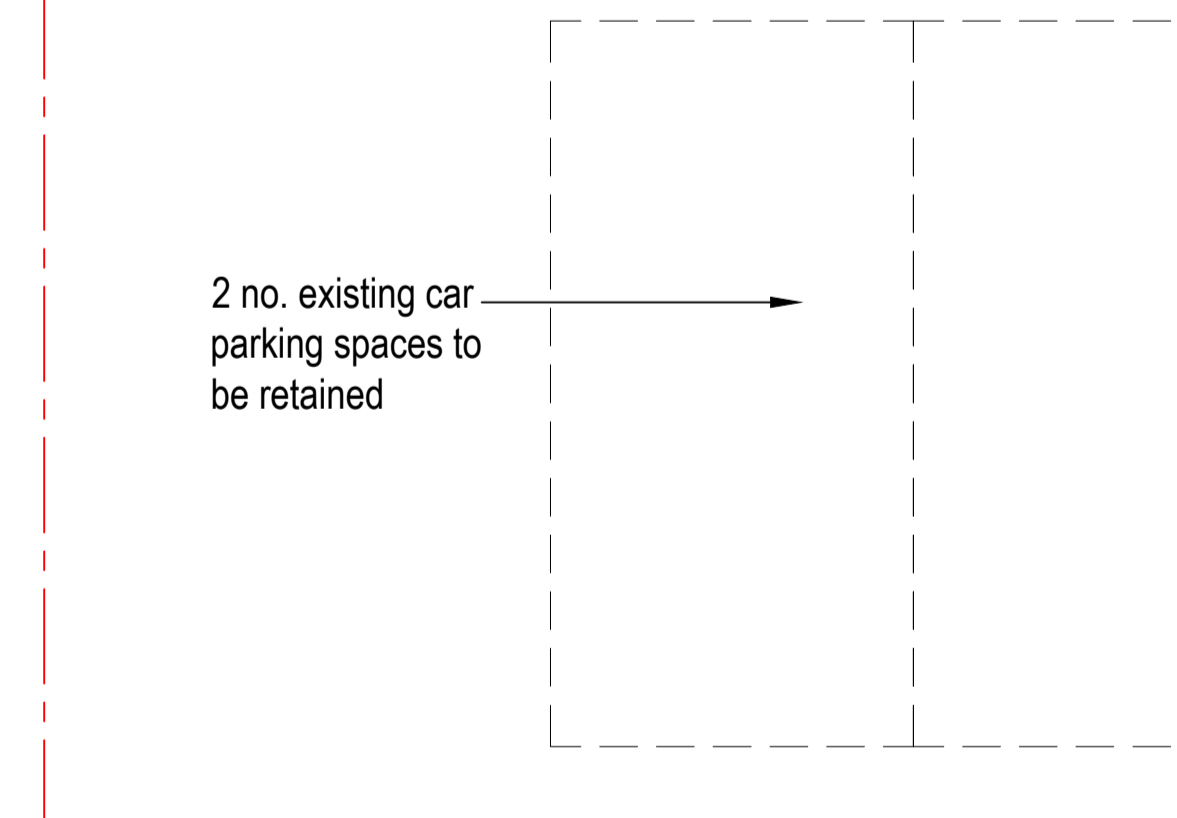
EXISTING GROUND FLOOR PLAN
SCALE 1:100



EXISTING SIDE ELEVATION
SCALE 1:100



EXISTING FRONT ELEVATION
SCALE 1:100



PROPOSED GROUND FLOOR PLAN
SCALE 1:50



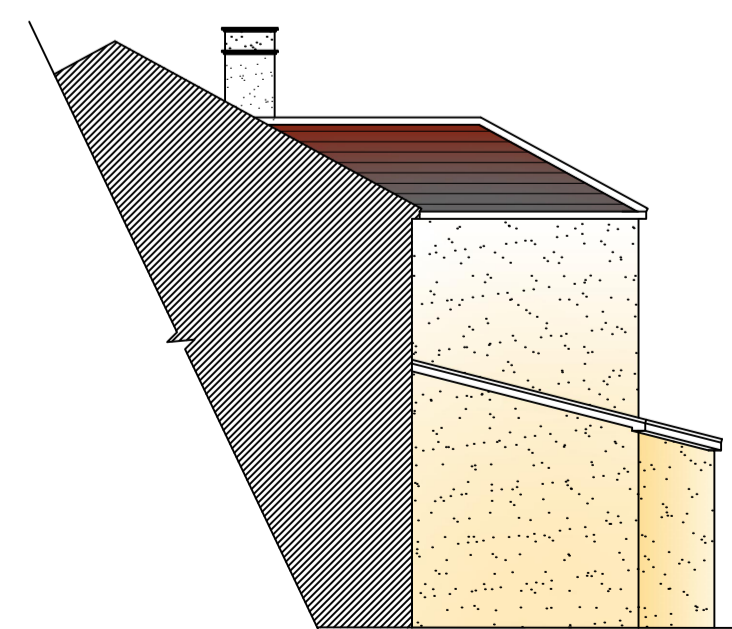
PROPOSED REAR ELEVATION
SCALE 1:100



PROPOSED SIDE ELEVATION
SCALE 1:100



PROPOSED FRONT ELEVATION
SCALE 1:100



PROPOSED SIDE ELEVATION
SCALE 1:100

SITE LOCATION PLAN
SCALE 1:1250

Please note these drawings are for Planning and Building Regulation purposes only.

NOTE:
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before works commence.

All drawings must be read with and checked against any structural or other specialist drawings provided. All works to comply with British Standards, Codes of Practice, current Building Regulations and carried out to the satisfaction of Building Inspector. All materials to comply with the relevant British Standards

B	45° angle demonstrated from neighbors w.	21.02.2018	SP
A	Splay added to rear extension	31.01.2018	SS
	REVISIONS	DATE	BY

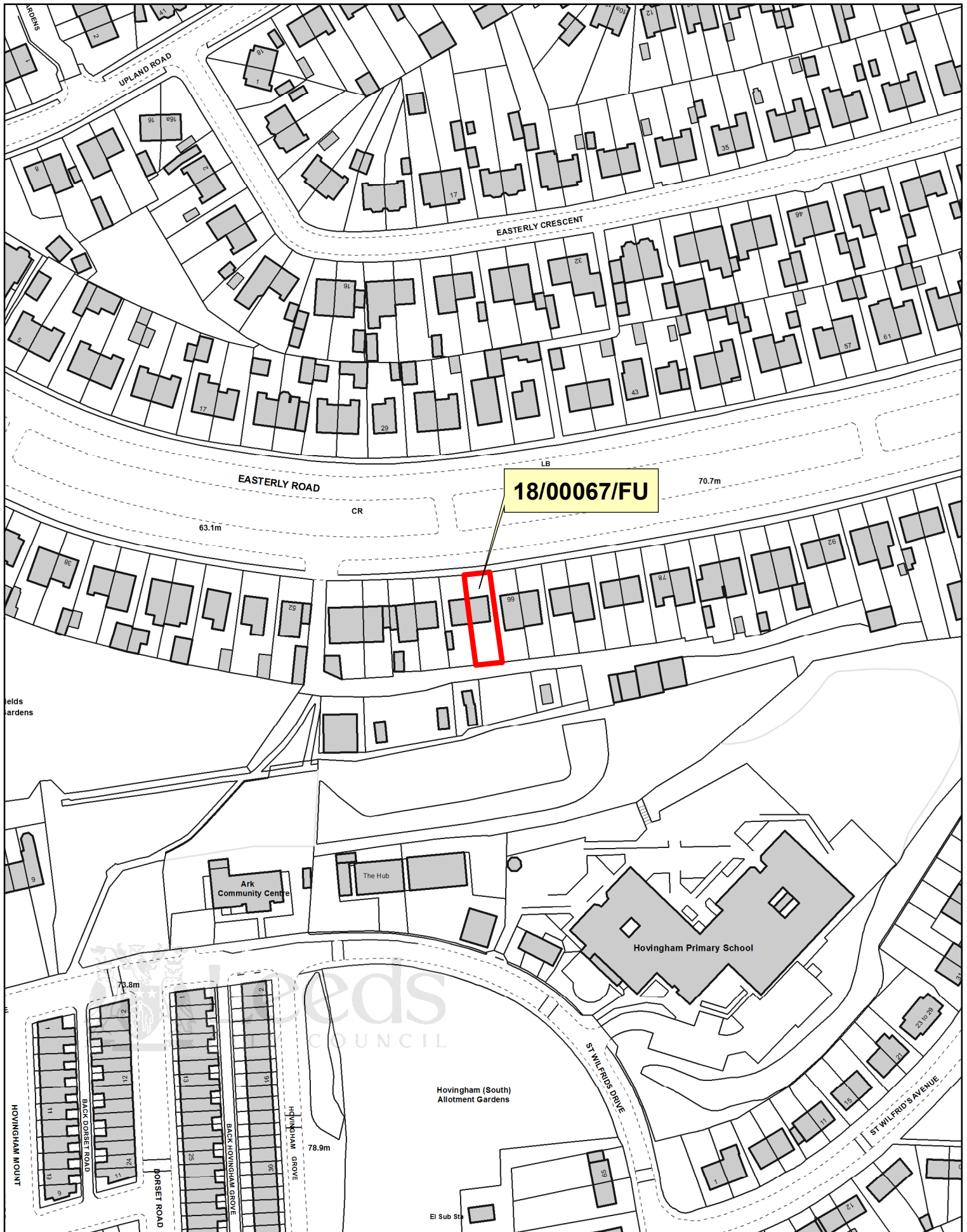
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Client:
Mr Taraq Hussain

Project
Proposed Alterations and Extension to
No. 64 Easterly Road
Leeds LS8 3AN

Drawing:
Site Location Plan and Existing Plans,
Elevations & Proposed Plans and
Elevations

Scale:	As Shown @ A1	Drawing No.	2535/01
Date:	Nov 2017		
Drawn by:	SP		



NORTH AND EAST PLANS PANEL

