

Responding to planning applications

From the LCC planning website we can comment on the following:

1. Conservation of buildings and natural environment
2. Effect on trees and landscape
3. Design, appearance and layout
4. Effect on character of area
5. Noise, disturbance and odour
6. Impact on highway safety and traffic
7. Previous planning applications
8. National Planning policy framework
9. LCC Development Plan policies
10. Supplementary Planning Guidance
11. Other planning policies
12. Gov. guidance and legislation
13. Effect on living conditions eg sunlight, daylight, privacy
14. Effect on neighbouring properties
15. What the building/ development may look like

Cannot comment on

1. Issues covered by other legislation, licencing , building control, health and safety
2. Private property rights, boundary or access disputes
3. Developers morals, motivation or activities elsewhere
4. Perceived impact on property values
5. Competition between businesses

LCC core strategy .

The following policies can be used / quoted to support comments where appropriate to each specific planning application.

Spatial policy 1 Location of development

(iii) development to respect and enhance local character and identity of places and neighbourhoods

(iv) to recognise the key role of new and existing infrastructure (including green, social and physical) in delivering future development to support communities and economic activity

(v) to undertake a review of the green belt (as set out in special policy 10) to direct development consistent with the overall strategy

Spatial policy 6 : the housing requirement and allocation of housing land

1. Sustainable locations (transport) supported by existing or access to new local facilities and services (education and healthcare)
2. preference for brownfield and regeneration sites
3. Least impact on green belt purposes
4. Opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through design and standard of new homes

5. the least negative and most positive impacts on green infrastructure, green space , green corridors and nature conservation
6. generally avoiding or mitigating areas of flood risk

Spatial policy 9 economic development opportunities

(viii) supporting development in existing locations for general industry and warehousing, particularly in locations which take full advantage of existing services

Spatial policy 10 Green Belt

6. Sites will be assessed against the purposes of including land in green belt:
- a. To check the unrestricted sprawl of large built up areas
 - b. To prevent neighbouring towns from merging
 - c. To assist in safeguarding the countryside from encroachment
 - d. To assist in urban regeneration

Spatial policy 13 Strategic green infrastructure

The council will maintain and in partnership with others enhance the following green corridors

(iii) the limestone ridge which runs north south at eastern edge

Spatial policy H2 New housing development on non allocated sites

New housing development will be acceptable in principle provided that:

- (i) The number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development
- (ii) For development of 5 or more dwellings, the location should accord with the accessibility standards in Table 2 of Appendix 3 (think this must be the sustainability appraisals document)
- (iii) Green belt policy is satisfied for sites in the green belt

In addition greenfield land

- a) Should not be developed if it has intrinsic value as amenity space, for recreation or nature conservation, or makes a valuable contribution to historic, visual or spatial character of the area
- b) May be developed if it concerns a piece of designated green space surplus to requirements (open space, sport and recreational assessment.

Spatial policy H4 Housing mix

Developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location. This should include the need to make provision for independent living (policy H8)

For developments over 250 units, in or adjoining the main urban area and MAJOR SETTLEMENTS DEVELOPERS SHOULD SUBMIT A Housing needs assessment addressing all tenures so that the needs of the locality can be taken into account at the time of development.

Spatial policy H8 Housing for independent living

Sheltered and other housing schemes aimed at elderly or disabled people should be located within easy walking distance of town or local centres.

Spatial policy EC2 office development

- (i) A target of 23,000 sq m new office space is set for locations in or on edge of town centres
- (ii) The focus for most office development opportunities will be within and or edge of designated town and local centres

Development out of centre proposals would normally be resisted except

- (iii) Where there are existing commitments for office development that can be carried forward to meet identified floor space requirement over the plan period, unless it would be more sustainable for the land to be reallocated to meet identified needs for other uses
- (iv) Where there is a need to provide flexibility for businesses, so that small scale office development (up to 500sqm) will not be subject to sequential assessments I the following locations NOT GARFORTH

Spatial Policy EC3 Safeguarding existing employment land and industrial areas

Part A for all sites across district outside areas of shortfall

A) proposals for a change of use on sites which were last used or allocated for employment to other economic development uses including town centres or to non employment uses will only be permitted where:

- (i) The proposal would not result in the loss of deliverable employment site necessary to meet the employment needs during the plan period (spatial policy 9) or
- (ii) Existing buildings and land are considered to be non viable in terms of market attractiveness, business operations, age, condition and or compatibility with adjacent uses or
- (iii) The proposal will deliver a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment site

Part B for sites in shortfall areas

B) where a proposal located in an area of shortfall in the most recent 'employment land review' LCC (update 2010) would result in the loss of a general employment location or an existing use within the Use classes B1b,B1c, and B8. Non employment uses will only be permitted where:

The loss of the general employment site or premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area which are suitable to meeting the employment needs of the area.

Spatial policy P2 Acceptable uses in and on the edge of town centres

- Shops, supermarkets and superstores
- Non retail services
- Restaurants, cafes, drinking establishments and hot food takeaways
- Intensive leisure including cultural uses
- Healthcare services
- Civic and community facilities
- Offices
- Housing is encouraged in centres above ground floor in the primary and secondary shopping frontages or outside the shopping frontages providing it would not compromise the function of the town centre

Spatial policy P4 shopping parades

Proposals for stand alone or for small scale food stores up to 372sqm gross within residential areas, will be acceptable in principle where there is no local centre or shopping parade within a 500 m radius that is capable of accommodating the proposal within or adjacent to it.. Consideration will also be taken of the number of existing small stores in the vicinity to avoid cumulative impact on parades and centres.

Proposals for the change of use of existing retail to non retail units (including restaurants, cafes and take away hot food shops) will be resisted where the vitality and viability of the range of shops to meet day to day local needs will be undermined and increase the need to travel or where the proposal will lead to a concentration of non retail uses in a locality which will detrimentally impact on the community. Proposals for such uses will be considered against the following criteria

- (i) The cumulative impact of such development, particularly upon the amenity of the area and traffic generation, especially where concentrations of such uses already exist
- (ii) Where a proposal involves evening opening, account will be taken of the proposal in relation to the proximity of the premises (and associated parking requirements) to nearby residential accommodation, the nature and character of the neighbourhood parade and existing noise levels.
- (iii) The availability of public transport, convenient on/off street car and cycle parking provision and impact on highway safety. Where there is sufficient car parking or where traffic movements are such as to create a traffic hazard, planning consent is likely to be refused.

Para 5.3.6 of the core strategy. Seeks to safeguard the retail character with a 70 :30 split between A1 (see below) and other uses

Para 5.3.32 of the Core strategy .The need to maintain retail uses as the predominant use is a key issue. This is necessary to prevent inactive (shop)frontages during the day, or a proliferation of A3 – A5 uses, which could lead to the loss of the function of the centre/ parade which is first and foremost for shopping. Whilst A4 and A5 uses are acknowledged as town centre uses, employment contributors, they can cause amenity issues to nearby residents.

In addition to this, health issues are now a material planning consideration. As such, sensitive control of the number of A4 and A5 uses should be exercised to prevent a loss of retail function and over exposure which could contribute to poor health in the community.

Therefore the proportion of retail to non retail uses will be reviewed in future LDF documents with the aim to maintain retail uses as the predominant use.

The Leeds City Council’s Site Allocations Plan Sustainability Scoping Report (April 2013) includes Garforth as one of the wards in Leeds with the highest GP recorded obesity prevalence .

Shop frontage classifications

A1 use : Shops where goods are sold , post offices, travel agents, cold food for consumption **off** site, hairdressers, florist, funeral directors, showroom(goods for sale are displayed), premises where domestic or personal goods or services are **hired** from, premises for cleaning or repair

A2 use : professional services eg banks, building societies, solicitors, estate agents

A3 Food and drink to be consumed on site ie cafes and restaurants

A4 drinking establishments, pubs , wine bars

A5 hot food take aways for consumption **off** the premises

D1 covers many public services including dentist, opticians

D2 entertainment and leisure

Sui generis used for other classes which would include beauty and tattoo shops

Spatial policy P6 approach to accommodating new comparison shopping in town and local centres

- (i) In addition to primary shopping in town centres are also acceptable locations for comparison goods providing they are of a scale compatible with the size of the centre
- (ii) Sites on the edge of the town will be acceptable in principle where there are no suitable sites within centres

Policy P7 : The creation of new centres

New centres may be required as a consequence of significant housing growth, the following criteria should be met:

- (i) Proposed centre should not undermine the vitality and viability of town or local centre
- (ii) Should have good pedestrian and cycle access and public transport links
- (iii) Should be good design quality in helping to maintain local distinctiveness
- (iv) Based on scale of centre, should have a mix in type and scale of facilities and shops to reflect a range of uses (see Policy P2)

Policy P8 : sequential and impact assessments for main town centre uses

Impact assessments should be proportionate to the level of development proposed

Please see page 97 and 98 core strategy for tables

Para 5.3.32 page 99 ... need to maintain retail uses as the predominant use to prevent inactive frontages during the day, or a proliferation of A3 –A% uses (restaurants, cafes, drinking establishments and hot food takeaways) which could lead to the loss of the function of a centre for shopping. Whilst providing employment can cause amenity issues to nearby residents. In addition, health issues are a material planning consideration.

The National Planning Policy Framework DCLG 2010 states that:

The purpose of planning is to help achieve sustainable development. Sustainable means ensuring better lives for ourselves don't mean worse lives for future generations. Sustainable development is about change for the better. It includes promoting healthy communities, ensuring the vitality of town centres , sustainable transport and protecting green belt land.