



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

# DELEGATION REPORT

## REPORT OF THE CHIEF PLANNING OFFICER

**WARD:** City & Hunslet

**Application:** 13/05294/FU

**Address:** Land Former 46  
Burley Street  
Burley  
Leeds

**Applicant:** Burley Place Limited

**Proposal:** Site boundary treatment

### RECOMMENDATION:

Approve subject to the following condition(s):-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) Notwithstanding the details shown on the submitted plans, the solid black timber fencing hereby approved shall not exceed 2m in height.

In the interests of the visual amenities of the surrounding area, in accordance with Leeds UDPR Policies GP5 and LD1.

## **For information:-**

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

## **This recommendation relates to the following Approved Plans**

Plan Type	Plan Reference	Version	Received
Site Location Plan/Red Line/OS Plan	19700001/01		15.11.2013
Block Plan/Layout Plan	3173(0)SK3	d	06.01.2014

## **Proposal:**

The application proposal is for a 2m high solid black timber fence to all sides of the site. The fence would be set back to allow forward visibility at each of Rutland Mount where it meets Park Lane and Burley Street. The visibility splay would be finished in tarmac along Park Lane, and the splay along Burley Street would be grassed, as existing.

## **Site and Surroundings:**

The application site lies within the UDPR designated City Centre, and consists of a cleared site on two levels. A warehouse occupied the site until its demolition in 2013 without the prior approval of the Local Planning Authority, and now the site has been cleared it features a significant change in levels between that on Burley Street and that along Park Lane. At the lower level facing onto Burley Street the site is grassed for approximately 7m into the site. There is also a line of bollards at the back edge of the footpath. At the time of the officer site visit, cars were parked illegally on the tarmac upper level of the site and the adjoining footpath along its Park Lane frontage.

To the east of the site is a multi-storey post office building, and to the west is a substation. The site is bounded to the south-west by Burley Street. Opposite on Burley Street is Sentinel Towers, a student halls of residence. The site is bounded to the north-east by Park Lane is characterised by a high grassed bank along its northern edge before it joins back onto Burley Road next to the substation. At the top of this banking is Kendal Walk, where houses are

accessed by a footpath running east to west, bounded to the north by front gardens and to the south by a fence and hedge.

### **Relevant Planning History:**

Following the unauthorised demolition of the warehouse building, the owners of the site were requested to submit an application for appropriate landscaping and screening, in order that the site did not result in adverse visual amenities to the surrounding area.

20/419/05/FU Multi level development up to 14 storeys comprising 55 cluster flats with 304 bedrooms and gymnasium – Application Withdrawn

20/478/01/SI, 20/216/98/SN, 20/546/96/SI applications for freestanding advertisement hoardings – all refused.

### **Statutory Consultations:**

LCC Transport Development Services – no objections subject to a visibility splay onto Burley Street would be approximately 2.4m X 70-75m, and 2.4 X 43m to Park Lane.

### **Non Statutory Consultations:**

None

### **Public/Local Response:**

Site Notice posted 2 December 2013. No comments received.

### **Planning Policies:**

#### Leeds Unitary Development Plan Review 2006 (UDPR)

The UDPR policies require that matters such as good urban design principles, sustainability, highways and transportation issues, public realm and landscaping are addressed through the planning application process. The site lies unallocated within the designated City Centre in the Development Plan. Other relevant policies include:

GP5 all relevant planning considerations

N25 boundary treatments

CC3 City Centre character

T2 Transport provision for development

LD1 landscaping

### **Leeds Core Strategy Publication Draft 2012**

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.

### **National Planning Policy Framework (NPPF)**

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. The NPPF advocates a presumption in favour of sustainable development, and that LPAs should seek good design, a good standard of amenity, and take the opportunities available for improving the character and quality of an area and the way it functions.

## **MAIN ISSUES**

1. Visual amenity
2. Highways safety

## **APPRAISAL**

1. Visual amenity

It is considered that given the character of the surrounding area and the current unsightly nature of the cleared demolition site, the proposed fencing would enhance the visual amenities of the area by providing a neutral screen to the cleared land, which would also secure the site in an appropriate manner.

2. Highways safety

It is considered that the proposal would not give rise to any adverse road safety issues subject to the provision of a visibility splay of 2.4 X 43m to Park Lane, and 2.4m X 73.6m to Burley Street. The fence line to Park Lane would prevent unauthorised parking use of the site.