

DELEGATION REPORT

REPORT OF THE CHIEF PLANNING OFFICER

WARD: Morley North

Application: 25/04892/FU

Address: Land Adjacent To
Back Lane
Drighlington
BD11 1LS

Applicant: BP Land Limited

Proposal: Alterations to existing coach house to form two dwellings including replacement single storey front and side extensions, replacement roof, addition of rooflights, removal of existing render finish, new and replacement windows, rear and hard and soft landscaping works; the erection of five dwellings with associated works including new pedestrian and vehicular access, boundary wall amendments and repairs, hard and soft landscaping.

Where a date is shown, the application was publicised by:

Site Notice (displayed on)	3 September 2025
Newspaper Notice (published on)	19 September 2025
Neighbour notification letter (posted on)	28 July 2026
Publicity Expires on	4 August 2026

INTRODUCTION:

Application for alterations to existing coach house to form two dwellings including replacement single storey front and side extensions, replacement roof, addition of rooflights, removal of existing render finish, new and replacement windows, rear and hard and soft landscaping works: the erection of five dwellings with associated works including new pedestrian and vehicular access, boundary wall amendments and repairs, hard and soft landscaping, at Land adjacent to Back Lane, Drighlington.

HISTORY OF NEGOTIATIONS:

Throughout the application process officers have maintained their fundamental concerns regarding the principle of residential development on this greenfield site, which is considered to make an important contribution to the visual, historic and spatial character of the area. Nevertheless, the applicant submitted revisions and sought extensions of time to address consultee concerns. Discussions also considered a potential alternative scheme involving a further reduction in development to three dwellings; however, whilst such changes may have reduced the extent of heritage harm, officers concluded that they would not overcome the principal objection to the loss of this undeveloped site and its contribution to the character and setting of the area.

Note: Following publication of the Panel report, a bat survey report dated 29/07/2026 was submitted. No emerging bats were observed, and the survey concluded that the building does not support a bat roost. Nevertheless, given the mobility of bats, the Council's Ecologist recommends a precautionary approach requiring a pre-commencement bat check by a suitably qualified ecologist. This measure can be secured through a Construction Environmental Management Plan (Biodiversity), to be submitted to and approved by the Local Planning Authority prior to the commencement of development.

PROPOSAL:

The application seeks full planning permission for the conversion of the existing coach house/stables building into two dwellings and the erection of five new dwellings within the paddock area, together with associated access, landscaping and parking works.

The coach house/stables would be converted into a two-bedroom dwelling (122sqm) and a three-bedroom dwelling (213sqm), both arranged over two floors. The conversion would involve alterations to the building, including new openings and areas of glazing, whilst retaining a traditional palette of materials including natural stone, slate-effect roofing and aluminium-framed windows and rainwater goods.

The paddock would accommodate five new dwellings comprising two two-bedroom bungalows (Plots 1 and 2) and three three-bedroom dormer bungalows (Plots 3–5), arranged around a shared access road taken from Back Lane. Each dwelling would benefit from private garden space and off-street parking, including garage provision.

Access works include the repositioning and reduction in height of a section of existing stone wall to achieve the necessary visibility splays. A total of two parking spaces per dwelling would be provided, together with one visitor parking space and a communal bin storage area near the site entrance.

A Landscape Plan and Arboricultural Impact Assessment accompany the application. The landscaping strategy seeks to retain and enhance the site's green infrastructure, including TPO-protected trees along the Whitehall Road frontage, biodiversity enhancements and a new pedestrian link connecting the site to Back Lane.

The applicant identifies the principal benefits of the scheme as the delivery of new housing, the restoration and re-use of the vacant coach house/stables building, heritage

enhancements, new landscaping and biodiversity improvements, boundary wall repairs, a new pedestrian route and associated social and economic benefits.

A Heritage Statement prepared by Humble Heritage has been submitted in support of the application, assessing the significance of nearby heritage assets and the likely effects of the proposed development on their setting and significance.

SITE AND SURROUNDINGS:

The site comprises of a piece of land extending from Back Lane along the north and northwestern boundaries to Whitehall Road (A58) which forms the sites south-eastern boundary. A private access road runs along the south-western boundary beyond which are 2 storey semi-detached dwellings. The north-eastern boundary is defined by a further section of Back Lane and a cluster of historical buildings.

The immediate area features the grade II listed Lumb House located adjacent to the north-western boundary/fronting Back Lane, together with its associated former coach house / stables. Two large, detached dwellings, constructed in 2021, are also situated along this section of Back Lane. The remainder of the site comprises a substantial paddock area laid to grass. An unauthorised cabin, together with associated equipment and building materials, remains on the land and is the subject of an active enforcement investigation.

The site slopes downwards from north to south and from west to east. Historically, several mature trees were located within a raised embankment along the Whitehall Road frontage, with additional mature specimens positioned along the western and north-western boundaries. A significant number of these trees have since been heavily pruned or removed. Notwithstanding these losses, the paddock remains an attractive and verdant area of open land that makes a positive contribution to the character of the locality and the setting of nearby heritage assets. In response to the previous planning submission, several perimeter trees are now protected by Tree Preservation Orders (TPOs).

The site is not located within a conservation area; however, a number of designated and non-designated heritage assets are located within its immediate vicinity. Lumb House adjacent to the paddock and the coach house / stables, is a Grade II listed building, dating from the early 17th Century house with later additions from the 18th and 20th Centuries. The principle elevation faces Back Lane, and its setting within extensive grounds contributes to the building's architectural and historic significance. The coach house/stables forms part of the curtilage to Lumb House and are therefore also protected as Grade II listed curtilage structures.

Lumb Hall, located to the north of the paddock is grade I listed, representing the highest level of statutory protection afforded to heritage assets in England. Dating from around 1640, it is a two-storey stone-built property with a stone slate roof. The listing description identifies it as "a fine example of a yeoman clothier's house in the Halifax tradition and unique in this region...". To the northeast of the paddock on the opposite side of Back Lane are the grade II listed Stable, cart shed and Dutch barn. Situated between Lumb House and Lumb Hall is The Old Vicarage which, whilst not statutory listed, is recognised as a non-designated heritage asset due to its historical significance as a Victorian villa, originally constructed as the vicarage to St. Paul's Church.

RELEVANT PLANNING HISTORY:

Planning applications:

23/06437/FU: Residential development comprising 10 dwellings (three-bedroom bungalows) (Class C3) and conversion of existing barn into two dwellings including car parking, landscaping and a new access. REFUSED on 07.06.2024 by Plans Panel on the following grounds:

- 1. The Local Planning Authority considers the greenfield (undeveloped land) makes a valuable contribution to the visual, historic, and spatial character of the area, the development of the land would therefore fail to satisfy the criteria of Leeds Core Strategy (as amended 2019) Policies SP1, SP6, P10 and H2, as well as saved Policy GP5 of the Unitary Development Plan (Review 2006). As such, the proposal is considered unacceptable in principle on non-allocated land.*
- 2. The Local Planning Authority considers that the proposed development is unacceptable by reason of its impact upon the setting of the Grade I and Grade II Listed Buildings. Furthermore, the proposed layout, design and character of the new development fail to respond sympathetically to the character and appearance of the listed buildings. This along with the loss of the spacious setting and trees, the proposal would have a significantly harmful impact on the significance and setting of the listed buildings. The proposal is therefore contrary to Policies P10 and P11, P12 of the Leeds Core Strategy (as amended 2019) and saved Policies GP5, N17, N23, N25 and LD1 of the Unitary Development Plan (Review 2006) as well as with the policy set out in the National Planning Policy Framework (2023).*
- 3. The Local Planning Authority considers that the proposed scheme fails to respect the scale, roof form, proportions, layout, and spatial character of properties within the immediate locality. It also fails to provide a suitable mixture of residential house types and sufficient space between the dwellings, resulting in a wall of built development which has no principal frontage onto Whitehall Road and no defensible space to the property frontages. Its cramped layout, extent of hard standing, parking arrangements and loss of landscape features represents an over-development of the site, detrimental to the character and appearance of the site, the wider streetscene and heritage assets. The scheme is therefore considered contrary to Policies P10, P12, G9 and H4 of the Core Strategy (as amended 2019), saved Policies GP5 LD1, N23, N25 of the Unitary Development Plan (Review 2006) and the guidance on appropriate residential design contained within the Neighbourhoods for Living SPG policy on good design appropriate to the local context contained within the National Planning Policy Framework (2023).*
- 4. The Local Planning Authority considers that the proposed development will result in the loss of trees that positively contribute to the visual amenities and ecology of the locality. Loss of trees and vegetation within the application site would fail to provide a net gain for biodiversity at the site, would cause harm to the wider character and would lead to harm in respect of wider air pollution and climate change objectives. The proposal is therefore contrary to Policies P10, P12 and G9 of the Leeds Core Strategy (as amended 2019), to saved Policies GP5, LD1, N23, N25 of the Leeds Unitary*

Development Plan (Review 2006), to Policy LAND2 of the Natural Resources and Waste Local Plan, and relevant guidance included within the Biodiversity Net Gain: Good Practice Principles for Development document and the National Planning Policy Framework paragraphs 180 and 184 of the National Planning Policy Framework (2023).

- 5. The Local Planning Authority considers that future occupants would have poor levels of privacy due to overlooking or poor outlook from kitchen/dining room windows and natural light provision as a result of the level changes and proposed boundary treatments. Therefore, the proposal is contrary to Policy P10 of the Leeds Core Strategy (as amended 2019)) and saved Policies GP5 and BD5 of the Unitary Development Plan (Review 2006), to the guidance set out adopted Supplementary Planning Guidance 'Neighbourhoods for Living', as well as with the advice set out in the National Planning Policy Framework (2023).*
- 6. The Local Planning Authority also considers that the usability level of outdoor amenity afforded to future occupants of the proposed new dwellings would be severely compromised due to the significant level changes on site. Further harm would also be incurred through the lack defensible space to the property frontages, resulting in a lack of privacy to front room windows. As such, the proposal is contrary to Policy P10 of the Core Strategy (as amended 2019), saved Policies GP5 and BD5 of the Unitary Development Plan (Review 2006), to and to the guidance set out adopted Supplementary Planning Guidance 'Neighbourhoods for Living' and the advice set out in the National Planning Policy Framework (2023).*
- 7. In the absence of a signed Section 106 Agreement, the proposed development fails to provide necessary contributions for the provision of affordable housing and greenspace, contrary to the requirements of Policies H5, G4 and ID2 of the Core Strategy (as amended 2019) and to saved Policy GP5 of the Unitary Development Plan (Review 2006) and to policy in the National Planning Policy Framework. The Council anticipates that a Section 106 Agreement covering these matters could be provided in the event of an appeal but at present reserves the right to contest these matters should the Section 106 Agreement not be completed or cover all the requirements satisfactorily.*

Pre-Application Enquiries:

Two pre-application enquiries PREAPP/19/00272 and PREAPP/21/00165 in 2019 and 2021 were made, prior to the 2024, refused scheme. Both sort advice on developing the site for housing together with the conversion of the curtilage listed former stables. Officers provide detailed planning advice relating to the principle of development, highway and pedestrian, safety, drainage, land contamination, trees / landscaping, as well as the impact on heritage assets.

Planning Enforcement Cases:

24/00159/UTW3, opened 05/02/2024, closed 26/03/2024 – regarding removal of branches from tree possibly protected by TPO Ref (No. 3) 2024.

24/00199/UOPS2, opened 15/02/2024, closed 09/05/2024 – regarding excavation works to land.

24/00646/UCU3, opened 07/06/2024, still active – regarding stationing of site cabin on land, storage of machinery and building materials.

CONSULTATIONS:

Statutory Consultees:

Coal Authority – No objection. The submitted coal mining investigations demonstrate that the site is suitable and stable for the proposed development. Should planning permission be granted, the Coal Authority recommends an informative requiring the reporting and investigation of any unexpected coal mining features encountered during construction.

Yorkshire Water - No objection to the proposed development subject to conditions requiring separate foul and surface water drainage systems and compliance with the submitted Outline Drainage Strategy. The consultee confirms that foul water can discharge to the public combined sewer and that the proposed infiltration-based surface water strategy is acceptable in principle. Yorkshire Water also notes the presence of a 152mm public combined sewer crossing the site, which must be protected and accommodated within the detailed design. Any future sewer diversion would require separate approval under the Water Industry Act 1991.

Non-Statutory Consultees:

Highways Authority - No objection in principle, however the Highway Authority considers that further information and revisions are required before the proposal can be supported.

Key outstanding concerns:

- Pedestrian accessibility - Existing footways on Whitehall Road remain substandard in width and should be widened to 2.0m. The proposed pedestrian route within the site remains too narrow and should also be widened to 2.0m to meet Inclusive Mobility guidance.
- Site access design - The main vehicular access requires amendment to provide a 5.5m-wide access with consistent kerb radii. Back Lane should maintain a carriageway width of 5.5m between the Whitehall Road junction and the site access. Revised plans are required.
- Vehicle tracking - Previous tracking indicates refuse and emergency vehicles would have difficulty manoeuvring within the site and at the access junction. Further vehicle tracking information is required to demonstrate acceptable turning arrangements and refuse collection operations.
- Internal road layout - The private road is generally acceptable in principle but must be built to adoptable standards and secured through a management arrangement. A

20mph design speed is required within the development and should be shown on revised plans.

- Road safety - Visibility splays are generally capable of being achieved, subject to reducing sections of boundary wall and controlling vegetation within the visibility areas. Further information remains necessary before road safety concerns can be fully resolved.
- Other highways matters - A Construction Management Plan would be required. Off-site highway works would be secured through a Section 278 Agreement. A £24,000 Section 106 contribution is requested towards real-time bus information infrastructure, subject to agreement with WYCA.
- The overall traffic impact generated by the development is considered minor, and no junction capacity assessment is required. The Highway Authority concludes that traffic impacts during peak periods would not be severe in NPPF terms.

Nature Team - does not object in principle, however, considers further ecological information is required before the application can be determined.

Bats

- The barn has been assessed as having low suitability for roosting bats, with gaps beneath and between roof tiles providing potential roosting opportunities.
- A dusk emergence survey is required to establish the presence or likely absence of bats and assess any impacts on protected species.
- The results of a nocturnal emergence survey undertaken between May and August, together with any required mitigation, must be submitted prior to determination.

Biodiversity Net Gain (BNG)

- Further information and clarification are required before the LPA can determine whether the biodiversity gain condition is capable of being discharged.
- The baseline habitat plan requires amendment to clearly identify areas of moderate and poor condition grassland used within the biodiversity calculations.
- Corrections are required to the submitted Biodiversity Metric, including revisions relating to retained trees and hedgerow calculations.
- The submitted Metric currently indicates the scheme would result in a loss of habitat value equivalent to a 38.92% reduction, which is proposed to be offset through the purchase of off-site habitat units.
- Following corrections to the metric, further measures may be required to demonstrate achievement of the statutory biodiversity gain objective for hedgerows.

Great Crested Newts

- Survey work has returned a negative result, and no further surveys are required for Great Crested Newts. Biodiversity enhancements.

- The Ecological Impact Assessment proposes the installation of five bat roosting features and five bird nesting features within the development.
- Further details regarding specification, location and implementation are required and could be secured by planning condition.

Landscape Team - notes that the Arboricultural Impact Assessment has been updated to reflect the revised proposals and supports the amended drainage strategy, which avoids impacts on tree Root Protection Areas. However, concern is raised regarding the Highway Authority's request for widening of Back Lane, as any such works could adversely affect the existing stone wall and Tree T1, which would not be supported.

FRM - advises that further information is required in support of the proposed drainage strategy. Specifically, full hydraulic calculations covering all relevant storm events and BRE365 permeability testing for proposed infiltration features submitted to accompany revised drainage drawing MKCL-119-PH2 Rev LCC1 before the drainage proposals can be fully assessed. This has not been provided.

Conservation Team - The Conservation Officer considers that the application site makes a positive contribution to the setting and significance of nearby heritage assets, including Grade I listed Lumb Hall, Grade II listed Lumb House and the Old Vicarage. Whilst the proposed conversion and restoration of the coach house/stable building is welcomed and would provide heritage benefits, the revised housing scheme would still erode the openness and rural character of the site and harm important views and relationships between the heritage assets. The resulting harm is assessed as less than substantial, but it is not considered that the public benefits of the development, including the restoration of the coach house/stable building, outweigh that harm. Accordingly, an objection is maintained on heritage grounds for the following reasons:

- **The application site makes a positive contribution to the setting of nearby heritage assets.** The open paddock is considered an important remnant of the area's rural character and contributes to the historic and aesthetic significance of Lumb Hall, Lumb House and the Old Vicarage. It provides open views and a landscape setting that helps illustrate the historic agricultural origins of the heritage assets.
- **Although reduced in scale, the revised scheme would still urbanise the site.** Despite reducing the number of bungalows from ten to five, the proposal would introduce housing, roads, gardens, boundary treatments and associated domestic development into a currently open and undeveloped site.
- **The development would harm important views and relationships between heritage assets.** The officer considers that key views from Whitehall Road and Back Lane would become constrained, with listed buildings increasingly viewed within the context of a modern housing development rather than an open rural landscape.
- **The proposal would reduce the prominence and rural setting of the heritage assets.** The development would erode the current sense of openness, rurality and the expansive landscape setting that contributes to the significance of Lumb Hall (Grade I),

Lumb House (Grade II), Lumb Hall Stable and Cart Shed (Grade II), and the Old Vicarage (NDHA).

- **The resulting harm is assessed as "less than substantial" but nevertheless significant.** The officer concludes that the proposal would cause less than substantial harm to the significance of Lumb Hall and Lumb House through changes to their setting and would also adversely affect the significance of the Old Vicarage as a non-designated heritage asset.
- **The benefits of restoring the coach house do not outweigh the heritage harm.** Whilst the conversion and restoration of the former coach house/stable block is welcomed and considered a heritage benefit, the officer considers that this benefit is relatively limited and insufficient to outweigh the identified harm to the setting of the surrounding heritage assets.
- **The enabling development justification has not been demonstrated.** The Heritage Statement asserts that the housing development is necessary to enable restoration of the coach house, but no financial viability appraisal has been provided to substantiate this claim.

Environmental Studies Transport Strategy Team - Environmental Studies advises that the proximity of the site to the A58 Whitehall Road gives rise to potential road traffic noise impacts on future occupiers. The consultee considers that mitigation measures, such as acoustic glazing and mechanical or whole-dwelling ventilation systems, are likely to be required to achieve acceptable internal living conditions. Subject to a condition requiring the submission and approval of an appropriate noise and ventilation package prior to construction, no objection is raised.

PUBLICITY

Advertised in YEP on 16/09/2025.

Site Notice posted on 03/09/2025.

Publicity expired on 10/10/2025.

PUBLIC/LOCAL RESPONSE:

Ward Member Comments:

Former Ward Councillor Finnigan supports the application on the grounds that:

- The proposal would deliver much-needed bungalow accommodation within Drighlington, helping to meet housing mix objectives.
- The site is described as an infill development on a sustainable site, and the Member considers it aligns with recent changes to national planning policy aimed at supporting housing delivery.
- The application has generated a high level of local interest and is stated to have the support of Drighlington Parish Council and Ward Members.
- The proposal has been significantly reduced in scale compared to the previously refused scheme, with the number of dwellings reduced from ten to five.
- The Member disputes the extent of the identified heritage impacts.

- The application follows a previous site visit and Plans Panel decision, but it is argued that the planning policy context has changed since that determination.

Parish Council:

None

General Comments:

None

Comments in Support:

4 letters of support (2 from the same household)

- Restoration and re-use of the existing historic barns which are in a poor condition.
- Making use of an underused site and bring it back into a beneficial use. Provision of additional housing.
- The development is small-scale and a sympathetic form.
- Improve the visual appearance of the site.
- The proposal would not give rise to significant highway or infrastructure impacts.
- Additional residents would support local services and businesses.
- Delivery of accessible dwellings for older people.
- Provides a needed housing type.
- Free up larger family homes.

Comments in Objection:

5 letters of objection (2 from the same household)

- The revised scheme fails to overcome the reasons for refusal of application 23/06437/FU.
- Impact on the setting of nearby listed buildings and local character.
- The layout and design of the development, loss of trees and biodiversity.
- Impacts on residential amenity including noise and overlooking.
- Impacts on highway safety and access from Back Lane and its junction with Whitehall Road.
- Absence of clarity regarding planning obligations.
- Questions the accuracy of Arboricultural information, highlights an associated planning enforcement case.
- Questions the justification and access arrangements for the proposed barn conversion.
- Inappropriate Green Belt development causing harm to openness and the rural character of the area, with no very special circumstances demonstrated.
- Possible disturbance to bats and owls reported to be present within the locality.
- Increased traffic and congestion on Back Lane and Whitehall Road.
- Pressure on local infrastructure.
- Loss of green space and wildlife habitat, potential effects on protected trees and tree roots.
- Potential impact on the boundary of The Old Vicarage due to access road, as may require the removal or alteration of part of the existing semi-circular boundary wall and

notes the presence of a metal fence and vegetation forming the property boundary and other boundary features.

SITE VISIT(S): 03/09/225

RELEVANT PLANNING POLICY:

LOCAL PLANNING POLICY AND GUIDANCE

The Development Plan

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan currently comprises the adopted Local Development Framework Core Strategy (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006), the Site Allocations Plan (2019, as amended 2024), the Natural Resources and Waste Development Plan Document (2013, as amended 2015).

The Site is unallocated within the Development Plan.

The following policies from the Core Strategy are considered to be of most relevance to this development proposal:

General Policy – Sustainable Development and the NPPF

SP1 – Location of development in main urban areas on previously developed land

SP6 – Housing requirement and allocation of housing land

SP7 – Distribution of housing land and Allocations

SP11 – Transport Infrastructure investment priorities

P10 – High quality design

P11 - Heritage matters

P12 - Landscaping

T1 - Transport Management

T2 – Accessibility

H2 – Housing on unallocated land. New housing development will be acceptable in principle on non-allocated land, providing 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) (iii) For developments of 5 or more dwellings the location should accord with the Accessibility Standards in Table 2 of Appendix 3,
- (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 or for recreation or for nature conservation, or makes a valuable contribution to the visual, historic and/or spatial character of an area, or
- b) May be developed if it concerns a piece of designated green space found to be surplus to requirements by the Open Space, Sport and Recreation Assessment.

H3: Density of residential development H4 - House mix

H5 - Affordable Housing

H9 - Minimum space standards

H10 - Accessible housing

G1 - Extending and enhancing green infrastructure

G2 - CREATION OF NEW TREE COVER

G3/G4: Greenspace provision

G8: Protection of species

G9: Biodiversity Improvements Development will be required to demonstrate:

EN1: Carbon dioxide reduction in developments of 10 houses or more, or 1000 m2 of floor space

EN7: Protection of mineral resources (coal, sand, gravel).

EN8: Electric Vehicle charging infrastructure

ID2 – Planning obligations and developer contributions.

The following saved policies from the Unitary Development Plan are of most relevance to this development proposal:

GP5 - General planning considerations

BD5 - General amenity issues

N14 - Listed buildings and Preservation

N17 - Listed Buildings and Character

N23 - Open space and retention of existing positive features

N25: Boundary treatments

LD1 - Landscaping

The following policies from the Natural Resources and Waste Local DPD are of most relevance to this development proposal:

GENERAL POLICY1 – Presumption in favour of sustainable development.

MINERALS3 – Surface Coal resources

AIR1 – Major development proposals to incorporate low emission measures

WATER1 – Water efficiency, including incorporation of sustainable drainage

WATER4 – Effect of proposed development on flood risk.

WATER6 – Provision of Flood Risk Assessment.

WATER7 – No increase in surface water run-off, incorporate SUDs.

LAND1 – Land contamination to be dealt with.

LAND2 – Development should conserve trees and introduce new tree planting.

Relevant Local Supplementary Planning Guidance/Documents

The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:

Neighbourhoods for Living SPG

Transport SPD

Distances to Trees SPD

Building for Tomorrow: Sustainable Design and Construction

NATIONAL PLANNING POLICY AND GUIDANCE

National Planning Policy Framework

The National Planning Policy Framework (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 considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

The following sections of the NPPF are also relevant for the purposes of determining this application:

Chapter 2: Achieving sustainable development.

Chapter 5: Delivering a sufficient supply of homes.

Chapter 6: Building a strong, competitive economy.

Chapter 8: Promoting healthy and safe communities.

Chapter 9: Promoting Sustainable Transport.

Chapter 11: Making effective use of land.

Chapter 12 Achieving well design Space.

Chapter 14 Meeting the challenge of climate change, flooding and coastal change.

Chapter 15: Conserving and enhancing the natural environment.

Chapter 16: Conserving and enhancing the historic environment.

National Planning Practice Guidance

The Planning Practice Guidance (PPG) provides commentary on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted; enforceable; precise and reasonable in all other respects.

CLIMATE EMERGENCY:

The Council declared a climate emergency on the 27th of March 2019 in response to the UN's report on Climate Change.

The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.

As part of the Council's Best City Ambition, the Council seeks to deliver a low-carbon and affordable transport network, as well as protecting nature and enhancing habitats for wildlife. The Council's Development Plan includes several planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications and addressed in the appraisal section of the report.

PUBLIC SECTOR EQUALITY DUTY:

The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report. The Local Planning Authority has considered the Public Sector Equality Duty under section 149 of the Equality Act 2010 and in particular the applicant's contention that the bungalow accommodation would meet the needs of older residents. For reasons given above, that the contention is not evidenced. The recommendation to refuse does not disadvantage any group with a protected characteristic and is consistent with the Council's obligations under the Duty.

MAIN ISSUES:

Principle of Residential Development
Heritage Issues
Impacts on visual amenity
Landscaping, Impact on trees, Ecology, Biodiversity
Impact on Living Conditions
Highways
Drainage
Contamination
Other matters
CIL & Section 106
Representations

APPRAISAL:

Principle of Residential Development

The application site extends to approximately 0.6 hectares within Drighlington, identified as a Smaller Settlement within the Core Strategy. Whilst the site is not allocated for housing within the Site Allocations Plan, it is recognised that the Core Strategy anticipates a proportion of housing delivery being provided on windfall sites. Spatial Policies 1, 6 and 7 seek to direct housing growth to sustainable locations with access to services and facilities, whilst balancing housing delivery against environmental, heritage and landscape considerations.

The site occupies a reasonably sustainable location, with access to local services, public transport and community facilities. Furthermore, the development would make a modest contribution towards the city's housing supply, including the provision of bungalow accommodation which is identified as a housing type often sought by older residents. The proposal is also located outside the Green Belt. As such, some weight is afforded to the proposal's contribution towards housing delivery. However, this weight is limited given the small scale of the scheme, comprising only seven new dwellings (including conversion of coach house/stables), and the fact that the Council is currently able to demonstrate a housing land supply well in excess of the five-year requirement.

Policy H2 of the Core Strategy specifically addresses housing development on non-allocated sites. Whilst the site is not previously developed land, save for the curtilage listed former coach house, residential development may be acceptable on greenfield sites provided they do not possess intrinsic amenity, recreational, ecological, visual, historic or spatial value.

In this regard, officers consider the paddock site makes a valuable contribution to the character of the area. The site comprises an open and verdant parcel of undeveloped land bounded by mature trees, many of which are protected by a Tree Preservation Order, together with attractive stone boundary walls. The site is readily visible from Whitehall Road and Back Lane and contributes positively to the setting of nearby heritage assets, including Lumb Hall, Lumb House and the Old Vicarage. The open nature of the site provides an important sense of spaciousness and maintains views of, and between, these heritage assets, particularly during periods when vegetation cover is reduced.

Whilst the proposal has been reduced in scale from the previously refused scheme and would provide additional housing within a sustainable location, officers consider that the paddock forms an important component of the visual, historic and spatial character of the area. Consequently, the development would result in the loss of a greenfield site which makes a positive contribution to local character and the setting of nearby heritage assets. For these reasons, the proposal is considered to conflict with Policy H2 (a) of the Core Strategy, which seeks to resist the development of greenfield land that contributes significantly to the visual, historic and spatial qualities of its surroundings. Accordingly, the principle of residential development on this part of the site is not supported.

Heritage Issues

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving listed buildings and their settings. In addition, Chapter 16 of the NPPF and Core Strategy Policy P11 seek to conserve and enhance designated and non-designated heritage assets and their settings. The duty

imposed by section 66(1) is more than a material consideration; considerable importance and weight must be given to the desirability of preservation.

The application affects the setting of several heritage assets, including Grade I listed Lumb Hall, Grade II listed Lumb House, the Grade II listed stable and cart shed associated with Lumb Hall, and the Old Vicarage, a non-designated heritage asset. The application is accompanied by a Heritage Statement which assesses the significance of these assets and the effect of the proposals upon them.

Coach House Conversion

The former coach house/stables are considered to be curtilage listed by virtue of its historic association with Grade II listed Lumb House. The building is currently vacant and underutilised. The Council's Conservation officer supports its conversion to residential use, recognising the heritage benefits associated with securing a viable long term use and preserving the fabric of the building. The restoration of the coach house/stables is a heritage benefit and has been considered against the optimum viable use approach in Historic England Good Practice Advice Note 4: Enabling Development and Heritage Assets. The applicant has not submitted a Conservation Deficit / financial viability appraisal to demonstrate that the enabling housing is necessary to secure the coach house's restoration. The heritage benefit is therefore given positive weight but is not treated as an enabling - development benefit.

The proposed removal of later additions, replacement of the existing lean-to with a lighter form of extension, and removal of the existing render are considered positive interventions that would provide a modest enhancement to the significance of the building. Subject to appropriate detailing secured by condition, no heritage objections are raised to this element of the proposal.

Paddock Development

The principal heritage issue relates to the proposed erection of five dwellings within the paddock. Whilst not itself a heritage asset, the paddock forms an important component of the setting of nearby designated and non-designated heritage assets. Historically associated with Lumb House and retaining an undeveloped and verdant character, the site provides an important remnant of rurality that contributes to the historic and aesthetic significance of the surrounding heritage assets.

The Council's Conservation officer considers that the site enables appreciation of the heritage assets through a series of views from Whitehall Road and Back Lane and forms part of the wider rural landscape setting within which the listed buildings are experienced. The openness of the paddock, together with its mature trees and stone boundary walls, contributes positively to the significance of the heritage assets by maintaining their visual prominence and historic relationship with the surrounding landscape. In respect of non-designated heritage assets, the Local Planning Authority has applied paragraph 216 of the National Planning Policy Framework and has made a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposal has been assessed having regard to Historic England's Good Practice Advice on The Setting of Heritage Assets. Whilst the amended scheme reduces the number of dwellings and consequently reduces the overall extent of built form, the development would nevertheless introduce housing, roads, gardens and associated domestic paraphernalia into a currently undeveloped site. The proposal would interrupt existing open views, reduce intervisibility between heritage assets and diminish the ability to appreciate them within their historic rural setting.

The submitted visualisations demonstrate that views from Whitehall Road would become more enclosed and that the proposed development would form a more dominant element within the landscape. Whilst some views towards Lumb Hall would remain, the lateral views across the paddock towards Lumb House and the Old Vicarage would be significantly reduced. The Council's Conservation officer considers that the development would result in the heritage assets becoming increasingly subsumed within a modern residential environment, diminishing their prominence and eroding the sense of openness and rurality which currently contributes to their significance.

The applicant places significant reliance on pre-application advice received from Historic England in 2023. Officers note that this advice related to an earlier iteration of the scheme and was provided in the context of informal pre-application discussions rather than a planning application. Whilst Historic England's comments are acknowledged, the Local Planning Authority is required to determine the application before it on its own merits, having regard to the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the specialist advice of the Council's Conservation Officer. Officers have therefore attached significant weight to the Conservation Officer's assessment of the proposal's heritage impacts.

In heritage terms, the proposal is therefore considered to result in less than substantial harm to the significance of Grade I listed Lumb Hall and Grade II listed Lumb House through changes to their setting. Harm would also arise to the significance of the Old Vicarage as a non-designated heritage asset.

Heritage Balance

Paragraph 215 of the NPPF requires that where a proposal would result in less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.

The applicant identifies the principal public benefits as:

- The provision of five dwellings, including bungalow accommodation;
- The repair and re-use of the vacant coach house/stables; and
- Wider social and economic benefits arising from housing delivery.

The restoration and re-use of the former coach house/stables is afforded positive weight. Regarding the reference made within the Planning Statement to a Cost Feasibility Report, no financial viability appraisal has been submitted to the Local Planning Authority to independently demonstrate that the restoration of the coach house is dependent upon the

enabling development proposed. Therefore, whilst officers recognise the local historic significance and group value of the coach house as a curtilage-listed structure associated with Lumb House, the heritage benefits arising from its restoration are not considered sufficient to outweigh the identified harm arising from the development of the paddock.

The proposal would also make a modest contribution towards housing supply and generate some economic benefits through construction activity and future expenditure by residents. However, the contribution of five dwellings (7 in total) is limited, particularly in the context of the Council's current housing land supply position. Furthermore, insufficient evidence has been provided to demonstrate that the proposed housing mix specifically addresses an identified need for older persons' accommodation.

Officers also acknowledge the wider heritage and environmental benefits identified by the applicant, including interpretation proposals, boundary wall repairs and landscaping enhancements. However, these are afforded limited weight and do not alter the overall conclusion that the public benefits are insufficient to outweigh the identified heritage harm.

Having regard to the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the requirement to give considerable importance and weight to the preservation of listed buildings and their settings, and the guidance contained within paragraphs 212 - 216 of the NPPF, officers do not consider that the identified public benefits outweigh the less than substantial harm that would arise to the significance of the affected heritage assets. Accordingly, the proposal is considered to conflict with Policies P10, P11 and P12 of the Core Strategy, saved UDP Policy N17 and the heritage provisions of the NPPF.

Impact on Visual Amenity

The proposal has been assessed against Policy P10 of the Core Strategy, saved UDP Policy GP5 and BD5, the Neighbourhoods for Living SPG and Chapter 12 of the NPPF, which collectively seek to ensure that development responds positively to local character and context; respects the scale, layout and spatial qualities of its surroundings; protects the amenity of existing and future occupiers; retains important landscape features and trees; and creates attractive, safe and sustainable places.

As set out previously, the site currently makes a positive contribution to the visual amenity, openness and spatial character of the area. Whilst officers acknowledge that the revised scheme represents an improvement over the previously refused proposal through a reduction in the amount of development proposed, the introduction of built form, roads, parking areas, domestic curtilages and associated paraphernalia would nonetheless urbanise this currently undeveloped greenfield site and materially alter its character.

In addition, whilst the proposed dwellings would utilise a traditional materials palette including natural stone and slate, officers do not consider that the design approach overcomes concerns regarding the relationship of the development to its context. The uniform arrangement of detached bungalows/dormer bungalows, together with the associated garages, access road and domestic curtilages, would introduce a suburban form of development which is at odds with the informal and verdant character of the paddock. The scheme would fail to reflect the historic evolution of the area or respond positively to the character and setting of the surrounding heritage assets.

Furthermore, concerns remain regarding the proposed layout of the development. Whilst reduced in scale, the scheme continues to be constrained by the physical characteristics of the site, including retained trees, significant level changes and its relationship with Whitehall Road. The resulting layout gives rise to compromised garden areas, limited defensible space, increased enclosure and reduced usability of outdoor amenity areas for future occupiers, matters which are discussed in greater detail within the residential amenity section of this report.

Accordingly, officers conclude that the proposal fails to achieve the high standard of design and residential amenity required by Policy P10 of the Core Strategy, saved Policies GP5 and BD5, the Neighbourhoods for Living SPG and the design objectives of Chapter 12 of the NPPF.

Landscaping, Impact on trees, Ecology, Biodiversity considerations

Paragraph 136 of the NPPF recognises the important contribution trees make to the character and quality of places, biodiversity, climate change mitigation and adaptation, and seeks the retention of existing trees wherever possible. The site comprises an open grassland paddock bound by mature trees and vegetation, together with several protected trees which contribute significantly to the visual character of the area, the setting of nearby heritage assets and local ecological value.

The application is supported by an Arboricultural Impact Assessment, Landscape Plan and Ecological Impact Assessment. The Landscape Team initially raised concerns regarding the relationship between the development and retained trees. Following revisions, it has been demonstrated that the proposed drainage strategy could avoid impacts within tree Root Protection Areas, which was considered essential if the scheme were to proceed. However, a significant unresolved concern remains regarding the Highway Authority's requirement for a 5.5m-wide access and associated visibility splays from Back Lane. The Landscape Officer advises that any widening in this location could adversely affect Tree T1, and such impacts would not be supported. Given the Authority's in-principle objection to the development, these matters were not pursued further and therefore remain unresolved.

In ecological terms, the Ecological Impact Assessment identifies the site as predominantly neutral grassland bounded by mature trees, with no statutory ecological designations located within or immediately adjacent to the site. The nearest designated site is Oakwell Hall Country Park Local Nature Reserve, approximately 2km from the application site, and no likely impacts are identified.

The ecological surveys found no evidence of badgers, water voles, otters, crayfish, hazel dormice or red squirrels. The site does, however, provide habitat suitable for nesting birds and contains mature trees and vegetation which contribute to local biodiversity value. The former coach house was assessed as having low suitability for roosting bats, although further dusk emergence surveys were recommended to establish whether bats are present and whether mitigation is required. Great Crested Newts were scoped out following a negative eDNA survey result.

Policy G9 of the Core Strategy requires development proposals to demonstrate an overall biodiversity net gain and to avoid adverse impacts on the ecological network wherever possible. The submitted Biodiversity Metric identifies a baseline habitat value of 2.97 habitat units and 1.01 hedgerow units. While the scheme proposes retention of the majority of boundary trees and includes biodiversity enhancements through landscaping and native hedgerow planting, the submitted Biodiversity Metric indicates a loss of habitat units equivalent to approximately 38.92%, proposed to be offset by the purchase of off-site biodiversity units. By contrast, a net gain in hedgerow units is predicted.

The Nature Team has reviewed the submission and advises that further ecological information remains necessary before the application can be fully assessed. In particular, a dusk emergence bat survey and any associated mitigation measures are required, together with amendments to the submitted Biodiversity Metric and habitat plans to demonstrate compliance with statutory Biodiversity Net Gain requirements. Whilst no further concerns are raised regarding Great Crested Newts, the Nature Team recommends that biodiversity enhancement measures, including bat roosting features and bird nesting boxes, be secured as part of any future development. These outstanding matters remain unresolved.

Accordingly, whilst the development incorporates measures intended to retain existing trees and provide ecological enhancements, further information remains necessary before the Local Planning Authority can be satisfied that impacts on protected species can be appropriately addressed and that statutory Biodiversity Net Gain requirements can be demonstrated. Furthermore, potential impacts on T1 retained tree associated with the required highway works remain unresolved. Whilst these matters raise additional concerns regarding the overall acceptability of the development, they have not been pursued to a final position given the Authority's in-principle objection to the proposal.

Impact on Living Conditions

Core Strategy Policy H9, together with the Nationally Described Space Standards, seeks to ensure that new residential development provides adequate internal living accommodation. In this respect, both the proposed dwellings and the converted coach house exceed the relevant minimum internal space standards and are therefore acceptable in terms of floorspace provision.

Notwithstanding this, development must also provide a satisfactory standard of residential amenity for both existing and future occupiers. This includes ensuring adequate levels of daylight and sunlight, privacy, outlook, outdoor amenity space and protection from noise and disturbance.

The relationship between the proposed dwellings and neighbouring residential properties is generally considered acceptable. Owing to the separation distances involved and the site's lower land levels, the development would not result in unacceptable overlooking, loss of daylight or overdominance to existing residents. It is therefore considered that the proposal would not materially harm the living conditions of surrounding occupiers.

Consideration must then be given to the living conditions that would be experienced by future occupiers of the development. In this regard, significant concerns remain, particularly in

relation to Plots 1 and 2. The site is characterised by substantial changes in levels, with the proposed garden areas positioned below adjoining highway land and the raised, tree-lined embankment along Whitehall Road. As a consequence, main habitable room windows and outdoor amenity spaces would be heavily influenced by the site's topography, retained vegetation and the likely need for additional screening and boundary treatments.

The Neighbourhoods for Living SPG advises that private garden areas should be functional and should not be excessively overshadowed, directly overlooked, steeply sloping or otherwise constrained. In this case, the combination of level changes, retained trees and the relationship with Whitehall Road would result in garden areas experiencing increased enclosure, reduced sunlight and limited privacy. Similar concerns arise in respect of the outlook from principal habitable room windows, which would be significantly affected by the raised embankment, retained vegetation and any necessary boundary treatments.

The applicant has sought to address these concerns through the submission of a Daylight and Sunlight Assessment. Whilst the report concludes that neighbouring residential amenity would not be adversely affected, it does not provide a comprehensive assessment of the living conditions that would be experienced by future occupiers of the proposed dwellings. In particular, it does not include a detailed BRE compliant assessment of daylight and sunlight levels to principal habitable room windows, nor does it adequately assess the effect of retained trees, site levels and proposed boundary treatments on outlook, light penetration and garden usability. Consequently, the report does not satisfactorily demonstrate that future occupiers would enjoy an acceptable standard of residential amenity.

Environmental Studies have also advised that the site's proximity to Whitehall Road gives rise to potential road traffic noise impacts, particularly in relation to Plots 1 and 2. Whilst internal noise levels may be capable of mitigation through measures such as acoustic glazing and mechanical ventilation, no Noise Assessment has been submitted to quantify existing noise levels or demonstrate the extent of mitigation required. Furthermore, the outdoor amenity spaces associated with these dwellings would remain exposed to traffic noise, adversely affecting their enjoyment and overall quality. Consequently, the Local Planning Authority cannot be satisfied that future occupiers would benefit from an acceptable standard of residential amenity.

Furthermore, measures intended to mitigate the identified privacy, overlooking and noise concerns would be likely to introduce their own adverse effects. More substantial boundary treatments and acoustic fencing may assist in reducing overlooking and traffic noise, particularly along Whitehall Road. However, such measures would increase the sense of enclosure within the gardens, further restrict outlook and potentially create visual amenity concerns within the street scene. They may also conflict with the objective of creating attractive, usable and functional outdoor amenity spaces.

Taken together, the site's significant level changes, the relationship of Plots 1 and 2 with Whitehall Road and the raised tree-lined embankment, the constrained nature of the proposed garden areas, concerns regarding outlook from principal habitable room windows, and the absence of robust evidence demonstrating acceptable daylight, sunlight and noise conditions give rise to significant concerns regarding the quality of the living environment that would be experienced by future occupiers. Whilst some of these matters may be capable of

mitigation, the mitigation measures themselves would be likely to increase enclosure and further reduce the quality and usability of the outdoor amenity spaces.

The amenity implications arising from the site's level changes are less pronounced in relation to Plots 3, 4 and 5. Whilst these plots are also affected by changes in levels and sloping garden areas, they are generally positioned away from Whitehall Road and are not constrained by the raised tree-lined embankment that affects Plots 1 and 2. Whilst Plot 3 would have a side relationship with Whitehall Road, the principal garden areas and main outlook from the dwelling are orientated away from the road. Consequently, concerns regarding privacy, enclosure, outlook and noise are less significant, and the relationship between these dwellings and their associated garden areas is considered generally acceptable. Nevertheless, the overall quality of amenity afforded by the development must be considered in the round, having regard to the more constrained circumstances experienced by Plots 1 and 2.

The amenity provision associated with the converted coach house is more limited in extent. However, having regard to the constraints of the historic building and the nature of the conversion, the small private amenity areas proposed are considered acceptable.

Overall, whilst the proposal would not unduly harm the living conditions of existing neighbouring residents, it has not been satisfactorily demonstrated that future occupiers of the proposed dwellings, particularly Plots 1 and 2, would benefit from an acceptable standard of residential amenity, contrary to the Policy requirements of saved UDP Policies GP5 and BD5, as well as Policy P10 of the Core strategy, the Neighbourhoods for Living SPG and the design objectives of Chapter 12 of the NPPF.

Highways Matters

The application has been assessed by Transport Development Services against the requirements of the Transport SPD, Core Strategy Policies T2 and EN8, and saved UDP Policy GP5. The Highway Authority raises no objection in principle to the proposed development and acknowledges that the traffic generated by the scheme would be modest and would not result in severe impacts on the operation of the highway network

Notwithstanding this position, officers advised that several design and technical matters remain unresolved. In particular, further information and revisions were requested in relation to pedestrian accessibility, access arrangements and internal vehicle manoeuvring. The Highway Authority considers that footways on Whitehall Road should be widened to 2.0 metres to provide inclusive pedestrian facilities and that the proposed footpath through the site should similarly be widened to 2.0 metres to comply with accessibility guidance.

Concerns were also raised regarding the proposed vehicular access arrangements. Back Lane serves several existing properties, and the Highway Authority advises that a carriageway width of 5.5 metres should be provided between Whitehall Road and the site access. In addition, the proposed site entrance requires widening to provide a 5.5 metre access with consistent kerb radii and to facilitate two-way vehicle movements.

Further concerns relate to vehicle tracking for refuse and emergency vehicles. The submitted tracking information indicates that larger vehicles would be required to undertake tight manoeuvres within the site and at the access junction. Additional evidence was therefore requested to demonstrate that refuse and emergency vehicles could safely access, manoeuvre within and exit the site without conflict with walls, kerbs or other physical constraints. The suitability of the proposed turning head for refuse vehicles has also not been satisfactorily demonstrated.

The Highway Authority further advised that, if the application were supported, a package of mitigation measures would be required, including off-site highway works secured through a Section 278 Agreement, a Construction Management Plan, and a Section 106 contribution of £24,000 towards real-time bus information infrastructure.

Whilst these matters may ultimately be capable of resolution, the requested revisions and supporting information have not been submitted. Given the Authority's in-principle objections to the development on character, heritage and amenity grounds, these highways matters were not pursued further and therefore remain unresolved. Nevertheless, it is noted that the Highway Authority does not object to the proposal in principle and considers that the development would not result in severe residual cumulative impacts on the highway network.

Drainage

The site is located within Flood Zone 1, the area at lowest risk of flooding, and there is no known history of flooding affecting the site or surrounding land. Whilst Environment Agency mapping identifies a limited area of surface water flood risk through the central part of the site, no significant flood risk constraints have been identified in principle. The development therefore accords with the sequential approach to flood risk by directing development to land at lowest risk of flooding.

Notwithstanding this, the submitted drainage information remains insufficient to fully assess the acceptability of the proposed drainage strategy. Flood Risk Management officers advised that full hydraulic calculations, including modelling for all relevant storm events, together with BRE365 infiltration testing to demonstrate the suitability of the proposed soakaway-based drainage system, should be submitted in support of the application. Yorkshire Water similarly raised no objection in principle to the proposed drainage strategy but recommended conditions requiring separate foul and surface water systems and compliance with the submitted Outline Drainage Strategy.

Whilst an outline Drainage Strategy has been submitted, sufficient supporting information has not been provided to fully demonstrate the suitability and deliverability of the proposed drainage solution. Consequently, the Local Planning Authority cannot be satisfied that the proposed drainage arrangements would adequately manage surface water runoff, maintain greenfield runoff rates and avoid increasing flood risk elsewhere.

Given the Authority's in-principle objection to the development, drainage matters were not pursued further and therefore remain unresolved. As such, whilst no fundamental flood risk objection has been identified, insufficient information has been submitted to demonstrate that an acceptable and deliverable drainage strategy can be achieved

Land Contamination and Ground Conditions

The site lies within a Coal Authority Development High Risk Area and is supported by ground investigation and coal mining assessment information. These have been reviewed by the Coal Authority and the Council's Contaminated Land Team.

The Coal Authority raises no objection and is satisfied that historic coal mining activity would not prevent development of the site. No remediation works are required, although any unexpected mining features encountered during construction should be appropriately addressed.

The Council's Contaminated Land Team advises that further information is required before the site's suitability for residential use can be fully assessed. The submitted Phase 2 Ground Investigation relates to an earlier scheme and does not cover the entire application site, including the former coach house. In addition, the supporting Phase 1 Desk Study was not submitted.

Investigations undertaken to date have not identified any significant contamination constraints, with recorded elevated concentrations considered consistent with local geology. However, an updated Phase 1 Desk Study, further assessment of mining risks and, if necessary, additional site investigations would be required to fully assess the site and identify any remediation measures.

As the application is recommended for refusal on other grounds, these matters have not been pursued further. Nevertheless, no in-principle objection has been raised by either the Coal Authority or the Council's Contaminated Land Team, and the outstanding issues could potentially be addressed through the submission of further information and planning conditions.

Other matters

Climate Change and Sustainable Construction

The applicant has indicated that the development would comply with Core Strategy Policies EN1 and EN2, together with Policies AIR1 and WATER1 of the Natural Resources and Waste Local Plan. However, no detailed information has been submitted to demonstrate how the development would achieve the required carbon reduction, sustainable construction, air quality mitigation or water efficiency standards. Had the proposal been acceptable in principle, these matters could have been addressed through appropriately worded planning conditions.

Accessible Housing

Policy H10 of the Core Strategy requires a proportion of new housing to meet accessible housing standards. Whilst the proposal includes bungalow accommodation, insufficient information has been provided to demonstrate compliance with the requirements of Policy

H10. If the application were otherwise acceptable, this matter could be secured through condition.

Housing Mix

Policy H4 requires development to provide an appropriate mix of dwelling types and sizes having regard to identified housing needs and local circumstances. The provision of bungalow accommodation is acknowledged and is recognised as a housing type that can assist in meeting the needs of older residents. However, evidence within the Leeds Strategic Housing Market Assessment indicates that demand from older households is typically focused on smaller one and two-bedroom properties associated with downsizing. In this case, the application has not been supported by sufficient evidence to demonstrate that the proposed housing mix and dwelling sizes respond appropriately to identified local housing needs. Whilst this concern is not determinative, further justification would have been required had the proposal been supported in principle.

Overall, the above matters do not form principal reasons for refusal. However, they remain either unresolved or insufficiently evidenced and would have required further consideration through the submission of additional information and/or planning conditions had the application been considered acceptable in principle.

CIL & Section 106

The proposed development would be liable for the payment of the Community Infrastructure Levy (CIL) in accordance with the Leeds CIL Charging Schedule. The level of CIL liability would be calculated following the grant of planning permission and commencement of development.

In addition, the Highway Authority has requested a financial contribution of £24,000 towards the provision and enhancement of real-time bus information infrastructure, subject to agreement with the West Yorkshire Combined Authority (WYCA). Had the application been considered acceptable in principle, this contribution would have been secured through a Section 106 Agreement. However, given the recommendation for refusal on the grounds set out within this report, no planning obligation has been progressed. The proposal does not trigger requirements for affordable housing or on-site greenspace provision, as it falls below the relevant policy thresholds.

Response to Representations

Provision of bungalow accommodation and housing need

Supporters and the former Ward Member have highlighted the provision of bungalow accommodation and the contribution the scheme would make towards housing delivery. Officers acknowledge that the proposal would provide seven new dwellings in total, comprising five new-build dwellings and the conversion of coach house/stables, including bungalow accommodation, and that this attracts positive weight. However, the contribution to housing supply is modest and insufficient to outweigh the identified harm arising from the loss

of a greenfield site that makes a valuable contribution to the visual, historic and spatial character of the area and the heritage harm identified. The application has not been supported by evidence demonstrating a specific local need for the proposed mix and size of dwellings.

Reduction in scale from the previous scheme

Officers acknowledge that the scheme has been significantly reduced from the previously refused development, with the number of dwellings reduced, in the paddock from 10 to 5. This reduction has lessened the overall impact of the development. However, notwithstanding these amendments, officers remain of the view that the proposal would still result in harmful urbanisation of the paddock and unacceptable harm to the setting of nearby heritage assets. The fundamental concerns identified within the previous refusal have therefore not been overcome.

Heritage impacts

A number of representations, together with the applicant's Heritage Statement, dispute the extent of heritage harm. The Council's Conservation Officer has reviewed the revised scheme and maintains an objection. Whilst the restoration and conversion of the coach house is welcomed and is considered to deliver heritage benefits, officers conclude that the development of the paddock would erode the openness, rural character and important views that contribute positively to the significance and setting of Lumb Hall, Lumb House and the Old Vicarage. The scheme is therefore considered to result in less than substantial harm which is not outweighed by the public benefits of the proposal.

Impact on character, landscaping and trees

Concerns have been raised regarding the loss of open space, impact upon the character of the area, trees and biodiversity. Officers agree that the site currently contributes positively to the character of the locality through its open and verdant appearance. Although the existing mature trees are proposed to be retained, the development would introduce built form, access roads, parking and domestic curtilages into a currently undeveloped greenfield site, materially altering its character. Unresolved issues also remain regarding biodiversity net gain and ecological matters.

Highways and traffic

Concerns have also been raised regarding traffic generation, highway safety and the suitability of the proposed access. The Highway Authority raises no objection in principle and does not consider that the development would result in severe residual cumulative impacts on the highway network. Nevertheless, several technical matters remain unresolved, including pedestrian accessibility improvements, access design, vehicle tracking and internal road layout details. These matters were not pursued further due to the Authority's in-principle objection to the development.

Residential amenity

Objections have been received regarding overlooking, noise and general living conditions. Officers do not consider the proposal would result in significant harm to neighbouring occupiers. However, concerns remain regarding the quality of amenity that would be afforded to future residents due to the site's level changes, relationship with retained trees, outlook, privacy, garden usability and unresolved noise matters. These concerns form part of the recommendation for refusal.

Green Belt

The application site is not located within the designated Green Belt and therefore Green Belt policies are not relevant to the determination of the application. The proposal has instead been assessed against Policy H2 and other relevant development plan policies relating to development on unallocated greenfield land.

Planning obligations

Concerns have been raised regarding planning obligations and contributions. The proposal comprises seven dwellings (in total) and therefore does not trigger affordable housing or on-site greenspace requirements. Any other planning obligations that may have arisen had the application been acceptable in principle have been considered during the determination process.

Planning Balance

The application seeks full planning permission for the conversion of the former coach house to two dwellings and the erection of five dwellings on the adjacent paddock site. The restoration and re-use of the coach house is welcomed and is considered to provide a heritage benefit through securing a viable long-term use for a curtilage-listed building. The proposal would also make a modest contribution towards housing delivery and would provide some associated economic benefits.

Notwithstanding these benefits, officers conclude that the proposal fails to satisfactorily address the fundamental concerns identified within the previous refusal and remains unacceptable in principle. The paddock comprises undeveloped greenfield land which makes a significant contribution to the visual, historic and spatial character of the area and forms an important component of the setting of nearby designated and non-designated heritage assets. The development would result in the loss of this open land and would erode the rural character and openness that contribute positively to the significance of Lumb Hall, Lumb House and the Old Vicarage. The identified harm is assessed as less than substantial in NPPF terms but nevertheless attracts considerable importance and weight.

Furthermore, the proposal has not demonstrated that future occupiers would benefit from an acceptable standard of residential amenity, particularly having regard to the site's level changes, the relationship with retained trees, the usability of proposed garden areas and unresolved noise considerations. The scheme also remains contrary to the design objectives contained within Policy P10, saved UDP Policy GP5, BD5 and the Neighbourhoods for Living SPG.

Whilst no in-principle objections have been raised by the Highway Authority, Yorkshire Water, Flood Risk Management, the Coal Authority or the Contaminated Land Team, several technical matters remain unresolved, including drainage, ecology, biodiversity net gain, accessibility and highway design details. These matters were not pursued further given the Authority's in-principle objection to the development.

conclusion:

Having carefully weighed the public benefits of the proposal, including housing delivery and the restoration of the coach house, against the identified harm, officers conclude that the benefits are insufficient to outweigh the conflict with Policies H2, SP1, SP6, P10, P11 and P12 of the Core Strategy, saved UDP Policies N17, N23, N25, GP5, LD1 and BD5 of the UDP Review, and the relevant provisions of the National Planning Policy Framework. Accordingly, the application is recommended for refusal.

BACKGROUND PAPERS:

Application file reference: 25/04892/FU

Certificate of ownership: Certificate A signed by the Agent on behalf of the Applicant.

RECOMMENDATION:

Refuse for the following reason(s):-

- 1) The Local Planning Authority considers that the proposed development of the paddock site would result in the loss of an undeveloped greenfield site which makes a valuable contribution to the visual, historic and spatial character of the area. The site forms an attractive open area bound by mature trees and historic boundary walls and contributes positively to the character of Whitehall Road and Back Lane and the wider townscape. The proposal would therefore result in the unjustified urbanisation of a site that contributes positively to local distinctiveness and place-making and fails to satisfy criterion (a) of Policy H2, which precludes development of greenfield land that makes a valuable contribution to the visual and/or spatial character of the area. Accordingly, the proposal is contrary to Policies SP1, SP6, H2 and P10 of the Leeds Core Strategy (as amended 2019), saved Policy GP5 of the Leeds Unitary Development Plan Review (2006) and the aims and objectives of the National Planning Policy Framework.
- 2) The Local Planning Authority considers that, notwithstanding the heritage benefits associated with the restoration and re-use of the former coach house, the proposed residential development within the paddock would cause less than substantial harm to the significance of Grade I listed Lumb Hall, Grade II listed Lumb House and associated listed structures through harmful changes to their setting. The development would erode the openness, rural character and important views which contribute

positively to the significance of these heritage assets and would also adversely affect the significance of the Old Vicarage as a non-designated heritage asset. Furthermore, the layout, design and character of the proposed development fail to respond sympathetically to the historic character, appearance and setting of the heritage assets. The Local Planning Authority have given considerable importance and weight to the desirability of preserving the settings of Grade I listed Lumb Hall and Grade II listed Lumb House. The public benefits arising from the proposal, including housing delivery and the restoration of the coach house, are not considered sufficient to outweigh the identified less than substantial harm. The proposal is therefore contrary to Policies P10, P11 and P12 of the Leeds Core Strategy (as amended 2019), saved Policies GP5, N17, N23, N25 and LD1 of the Leeds Unitary Development Plan Review (2006), Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the National Planning Policy Framework.

- 3) The Local Planning Authority is not satisfied that the proposal would provide an acceptable standard of amenity for future occupiers. In particular, insufficient information has been submitted to demonstrate that plots 1 and 2 would benefit from adequate daylight, sunlight and protection from road-traffic noise from the A58 Whitehall Road (no BRE-complaint assessment); no noise assessment for outdoor amenity; and, in any event, the significant level changes, the raised tree-lined embankment, the resulting enclosure and the compromised usability of the garden areas would result in substandard living accommodations. As such, the proposal fails to achieve a high standard of design and residential amenity and is contrary to Policy P10 of the Leeds Core Strategy (as amended 2019), saved Policies GP5 and BD5 of the Leeds Unitary Development Plan Review (2006), the guidance contained within the Neighbourhoods for Living SPG and Chapter 12 of the National Planning Policy Framework.

For information:-

- 1) The Council engages with all applicants in positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. For this particular application, no advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unproductive for all parties.
- 2) THIS APPLICATION HAS BEEN DETERMINED BY PANEL RESOLUTION ON 6TH AUGUST 2026.

This recommendation relates to the following Refused Plans

Plan Type	Plan Reference	Version	Received
Site Location Plan/Red Line/OS Plan	24-013/ (EX)01 REV A		28.08.2025

Block Plan/Layout Plan	24-013/ (AL)01 L		04.06.2026
Sections/Cross Sections	24-013/ (AL)02E		14.01.2026
Proposed floor plan(s)	24-013/ (AL)04		28.08.2025
Proposed elevation(s)	24-013/ (AL)05		28.08.2025
Proposed floor plan(s)	24-013/ (AL)06 REV A		28.08.2025
Proposed elevation(s)	24-013/ (AL)07 REV A		28.08.2025
Proposed floor plan(s)	24-013/ (AL)09		28.08.2025
Proposed elevation(s)	24-013/ (AL)10		28.08.2025
Proposed Elevations and Floor Plans	24-013/ (AL) 08 A		25.09.2025
Landscape Scheme	24-013/ (AL)03G		14.01.2026
Other	20646F/CHC - REV 4		28.01.2026
Drainage Plan	25-11-28 MKCL-119- PH2-C4 REV LCC1		16.01.2026
Other	EC49-23-21-E-01 REV 2		28.08.2025
Other	EC49-23-21-E-01 REV 3		28.08.2025