

Town and Country Planning Act 1990

## **Refusal of Full Planning Permission**

Applicant:	N Achdassi	Application Number:	24/04953/FU
Agent:	Planning Unit Mr Don Ritson 16 Chequerfield Avenue Pontefract	Date Accepted: Date of Decision:	21 October 2024 20 December 2024
	WF8 2TB		

Proposed Development At: Dental Surgery 2 Breary Lane East Bramhope Leeds LS16 9BJ

**Proposal:** Change of use of mixed use dental practice and dwelling (Sui Generis) to childrens day care centre (class E) with single storey rear extension; extension and conversion of detached garage and glazed link between garage and main building; alterations to hardstanding and vehicular and pedestrian access

#### Plans and specifications that this decision is based on:

Plan Type	Plan Reference	Received
Site Location Plan/Red Line/OS		21.10.2024
Plan		
Block Plan/Layout Plan	23477-12A	06.11.2024
Proposed floor plan(s)	23477-14A	06.11.2024
Proposed Elevations and Floor	23477-15	21.10.2024
Plans		

# Planning permission refused in accordance with the plans and specifications for the reason(s) set out below:-

- 1) The Local Planning Authority considers the proposal will result in a detrimental impact on the residential amenity of neighbouring sites through an intensification of the use of the site, increased vehicular and pedestrian comings and goings, increased noise, increased on street parking and general disturbance. Therefore the proposal is contrary to Policies P9 and P10 of the Core Strategy, saved policy GP5 of the UDPR and the NPPF.
- 2) The Local Planning Authority considers the proposal will result in a detrimental impact on the visual amenity of the site, streetscene and conservation area by reason of the need for a footpath and wider vehicular access resulting in the loss of wall and grass verge to Breary Lane East, the need for a pedestrian access resulting in the loss of a wall to the A660 boundary, the need for a substantial boundary treatment, the commercialisation and intensification of the site resulting in an enlarged on site car park which is out of keeping with the residential character of the area. Therefore the proposal is contrary to policies P10 and P11 of the Core Strategy, saved policies GP5, BD6, N19 and N25 of

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the UDPR, Bramhope Conservation Area Appraisal and Management Plan and the NPPF.

- 3) The Local Planning Authority considers the proposal along with the lack of information regarding staff and child numbers being provided, will result in a detrimental impact on highway and pedestrian safety through an intensification of the use of the site, increased comings and goings, lack of on site parking provision and increased indiscriminate on street parking, lack of pavement and pedestrian crossing facilities. Therefore the proposal is contrary to Policies P10 and T2 of the Core Strategy, saved policies GP5 of the UDPR, the Transport SPD and the NPPF.
- 4) The Local Planning Authority considers that due to the lack of drawn existing and proposed elevations, existing floor plans and information regarding staff and child numbers, insufficient information has been provided regarding the design and appearance of the proposed extensions and the operation of the business to ensure good design and sufficient parking provision is achieved and to assess its impact on character and appearance, in relation to neighbouring dwellings, streetscene, conservation area and locality. The development is therefore contrary to Policy P10, P11 and T2 of the Core Strategy, saved Policies GP5, BD6, BC7 and N19 of the UDPR, the Transport SPD, Bramhope Conservation Area Appraisal and Management Plan and the NPPF.

### For information:-

1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, pre-application advice was sought and advice was given, including (where appropriate), outlining amendments to achieve an acceptable scheme. The submitted application did not reflect the advice given and was clearly contrary to the provisions of the Development Plan and consequently no further discussions took place as it was considered they would be unproductive for all parties.

Applicants are requested to remove any site notices related to this application from outside the property to which the application relates.

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## **Refusal of Full Planning Permission**

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 as amended.

If you want to appeal, you must do so within **six months** of the date of this notice (or within **28 days** if a valid Enforcement Notice exists for the same or substantially the same development). You should use a form which you can obtain from <u>www.gov.uk/appeal-planning-decision</u> or by email from <u>enquiries@planninginspectorate.gov.uk</u> or by phoning 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to do so unless there are special circumstances which excuse the delay in giving notice of appeal.

You must send one copy of the completed form to <u>planning.appeals@leeds.gov.uk</u> or Appeals Administration, Development Management, Leeds City Council, Merrion House, 110 Merrion Centre, Leeds, LS2 8BB as well as to the Planning Inspectorate at the address on the form.

If you intend to submit an appeal that you would like examined by inquiry, you should notify the Local Planning Authority (<u>planning.appeals@leeds.gov.uk</u>) and the Planning Inspectorate (<u>inquiryappeals@planninginspectorate.gov.uk</u>) of your intention to appeal a minimum of 10 working days before the appeal is submitted to the Planning Inspectorate.

The notification form and further guidance is available at <a href="https://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal">www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal</a>

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