



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 19th December 2013

Subject: APPLICATION Ref: 13/03635/FU 13 houses at land off Ash Tree Grove, Swarcliffe, LS14.

APPLICANT

Persimmon Homes (West
Yorkshire)

DATE VALID

23rd August 2013

TARGET DATE

20th December 2013

Electoral Wards Affected:

Cross Gates and Whinmoor

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to specified conditions:

1. Time limit on full permission
2. In accordance to approved plans
3. Construction method statement
4. Submission of details of external walling and roofing materials
5. Submission of full details of boundary treatments
6. Area used by vehicles to be laid out
7. Submission of details of bins/ cycle stores
8. Details of the proposed site levels
9. Submission and implementation of landscape details
10. Details of landscape management
11. Provision for replacement of trees
12. Details of foul & surface water drainage (incl. existing & proposed)
13. Separate systems of drainage
14. No 1st floor windows to side gable of plots 234, 238-239 and 244 & 246
15. Installation of gas protection measures
16. Report any unexpected contamination encountered
17. Any imported soils to be tested

Full wording of the conditions to be delegated to the Chief Planning Officer, including any revisions and additional conditions as may be required.

1.0 INTRODUCTION:

- 1.1 This planning application is presented to Plans Panel (North and East) on the basis that major applications associated with the Swarcliffe PFI programme have historically been considered by Plans Panel members, at the request of Ward Cllr Peter Gruen, in order to consider the amenity impacts of the development proposals on existing residents.
- 1.2 The application site forms part of the wider Swarcliffe PFI and Regeneration project that aims to revitalise and regenerate the Swarcliffe estate through a phasing of development and refurbishment over a period of time. This application site is one of a number of sites released for re-development within the Swarcliffe estate.
- 1.3 This development site (Development Site F) was identified under outline planning permission (Ref: 32/446/03/OT) to accommodate residential development. The development site is one of the smaller identified sites within the Swarcliffe estate and is to be built out by Persimmon Homes. The site received detailed reserved matters approval for 14 dwellings back in 2005 (Ref: 32/243/05/RM) but due to the recent difficult economic circumstances Persimmon have taken longer to develop their sites within the estate and it has meant that the approved development was not commenced. This 2005 permission has now lapsed and therefore this planning application seeks to re-establish residential development at the site in a format that reflects current housing market demand.

2.0 PROPOSAL:

- 2.1 This application seeks planning permission to construct 13 dwellings, offering a mix of 5x three bedroom dwellings and 8x two bedroom dwellings. This represents an amendment to the previous permission at the site which comprised 14 two bedroom dwellings.
- 2.2 This proposal shows 5 dwellings to be laid out facing onto Ash Tree Grove with the remaining dwellings served off a new access road. The access road adopts an inverted L-shape and includes verge parking to one side for visitors. The access road also leads to a proposed parking court at the rear of the site which is to serve existing residents (providing 11 bays). Two different house types are proposed. One is a traditional two storey dwelling (containing 2 x beds) and other has a slightly higher elevation so as to provide a 3rd bedroom within the roof-space (served by velux style windows only).
- 2.3 The house types proposed follow the house types chosen at the other Persimmon development sites and adopt a similar site layout with properties facing out onto public areas and having private gardens to the rear. All the properties are provided with off-street parking through either driveways or parking bays to the front.
- 2.4 The proposed dwellings are to be constructed of brickwork and have tiled roofs which will reflect the external materials used for the other Persimmon development sites within the Swarcliffe estate. Similarly, the proposed boundary treatments will also reflect those treatments previously agreed elsewhere and comprise close-boarded fencing and walling (with timber fencing insert panels) to provide privacy to private garden areas and railings to demarcate the site and maximise levels of natural surveillance to benefit security where privacy is not required.

3.0 SITE AND SURROUNDINGS:

3.1 The application site is located to off Ash Tree Grove and is enclosed to three sides by existing housing. The application site contains an area of cleared land which has a road running around its perimeter. A garage court previously stood centrally within the site and was demolished a number of years ago to facilitate re-development.

3.2 The surrounding dwellings are predominantly 2 storey terraces constructed of brick and light coloured render with a grey tiled roof. The dwellings all back onto the application site and have high boundary fencing/ outbuildings directly adjacent to the site. In between the application site and the rear boundaries of these dwellings is a footway. The roadway to the perimeter of the site provides existing residents with opportunities to park to the rear of their properties and some of the residents have installed gates to allow them to park cars within their rear gardens/ yards.

4.0 RELEVANT PLANNING HISTORY:

4.1 32/243/05/RM 14 dwelling houses (Development Site F)- Approved (17/10/06).

32/462/04/RM 149 dwellings to housing estate- Approved (28/09/05).

32/265/04/RM Laying out of car parking and landscaping to Swarcliffe Estate- Approved (05/03/05).

32/446/03/OT Outline application for housing & retail and full application for road links & Home Zone with refurbishment of Swarcliffe Estate- Approved (31/12/03).

5.0 HISTORY OF NEGOTIATIONS:

5.1 During the assessment of the application meetings between Council officers and the applicant took place to improve the visual appearance of the proposal and overcome concerns about the impact on existing residents. A number of shortcomings were identified within the original scheme which included unsuitable road/ parking arrangement; short separation distances between proposed and existing dwellings; adverse impacts on the outlooks of the residents along the evens side of Ash Tree View (which face onto the site from the north); excessive amounts of hardstanding to the fronts of dwellings leaving limited scope for landscaping; and, through the creation of lengths of ginnel (formed between the existing and proposed dwellings). Following these discussions revised plans were received re-configuring the layout, altering the house-types proposed and revising the parking arrangements.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised (major) by site notice display on 6th September 2013 and publicised in the Yorkshire Evening Post on 19th August 2013. A further site notice display was posted on 11th October 2013 to publicise amendments to the original scheme.

6.2 The application received 14 letters of representation raising objections. The main grounds of objection are summarised below:

- Loss of privacy and too close to existing homes restricting outlook and light.
- Recent developments have increased traffic along Ash Tree Grove (increased driver speed, children are not safe)- this development will make the situation much worse.

- Loss and displacement of parking for existing residents (incl. onto Stanks Gardens which may lead to blocking footpaths). No parking available for visitors to existing residents. Lead to residents vying for spaces.
- Loss of rear vehicular access to property; unable to site skips if doing work at house.
- Keep layout of buildings spacious and without ginnels that encourage more crime and burglaries- ginnels provide opportunity for gangs to congregate. Creating ginnels goes against wider PFI scheme.
- Cramped new housing- views of housing out of every window.
- Bin collection will be affected with residents having to put bins at front of property or wheel considerable distance for collection. No access for emergency services.
- No green area- could be used for children play area or landscaped.
- No objection to building on the portion of the site containing the cleared garages.
- Complaint about recent development on Whinmoor Way (overlooking, occupier behaviour)- more houses bring more trouble and will have to close blinds to both side of house.
- Contradiction on the development site boundary position and question consultation/neighbour notification process.
- Developer should provide contributions for greenspace and affordable housing.
- Loss of pedestrianised flagged area and open space.
- Houses adjoining the site have suffered from major flooding problems in past and the development will add to drainage issues.

7.0 CONSULTATIONS RESPONSES:

Statutory:

7.1 Environment Agency: No comments to make.

Non-statutory:

7.2 Flood Risk Management: No objection, subject to a condition requiring details of the surface water drainage arrangements.

7.3 Metro: Request for applicant to enter into Metro's Residential MetroCard scheme.

7.4 Contaminated Land: Request for additional information.

Revised comments following receipt of additional information: No objection subject to imposition of appropriate planning conditions.

7.5 Highways: No objections, suggested conditions.

8.0 PLANNING POLICIES:

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

8.2 The Development Plan for the area consists of the adopted Unitary Development Plan Review (UDPR) and the Natural Resources and Waste DPD, along with relevant supplementary planning guidance and documents.

8.3 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 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 and has yet to report back fully. The weight to be attached is limited where representations have been made. Regeneration initiatives and the delivery of new housing are nevertheless noted to be key objectives of the Core Strategy.

8.4 The application site is not specifically allocated within the City Council's Unitary Development Plan but lies within a 'Community Priority Area' for Urban Regeneration. As such, the following policies are considered to be of relevance:

GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD5 requires new buildings to give consideration to both their amenity and that of their surroundings.

R2 relates to neighbourhood regeneration initiatives (referencing Swarcliffe).

N2 & N4 relates to the provision of green space in new large scale residential developments.

N12 states that development proposals should consider the fundamental urban design principles.

N13 requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N23 incidental space around built development should provide a visually attractive setting.

N25 boundaries of sites should be designed in a positive manner, using walls, hedges or railings where appropriate to the character of the area.

N38a states that all development should ensure that it does not increase the risk of flooding.

H4 relates to residential development on sites not identified for that purpose.

H9 & H10 seek to ensure a range of housing needs is provided including those suitable for the elderly and people with disabilities.

H11-H13 relates to the requirement for and delivery of affordable housing

T2 developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T5 safe and secure access for pedestrians and cyclists should be provided to new development.

T24 parking provision to reflect the guidelines set out in UDP Appendix 9.

LD1 development proposals should protect existing vegetation, allow sufficient space around buildings to retain existing trees in healthy condition and allow new trees to grow to maturity.

Swarcliffe Planning Framework (2001)

Supplementary Planning Documents

Neighbourhoods for Living

Designing for Community Safety

Street Design Guide

National Planning Policy

National Planning Policy Framework (2012) gives a presumption in favour of sustainable development and has a strong emphasis on high quality design and the delivery of new housing.

9.0 MAIN ISSUES

- 1. Principle of development**
- 2. Impact on the design, appearance and character**
- 3. Impact on residential amenity**
- 4. Highway implications**
- 5. Other matters**

10.0 APPRAISAL

1. Principle of development

- 10.1 This site represents previously developed land positioned within a sustainable location. Accordingly the principle of residential development has already been established through the grant of planning permissions 32/446/03/OT and 32/243/05/RM. These permissions are material to the consideration of this latest application although it is acknowledged that those permissions have now expired. Nevertheless, the regeneration objectives to re-develop and revitalise the estate through the delivery of the remaining identified private housing sites within the estate is still relevant.
- 10.2 As part of the wider Swarcliffe regeneration programme the provision of greenspace and affordable housing were uniquely dealt with. This provision included a comprehensive delivery of wider landscaping and environmental improvements across the estate (incl. trim trail, highways verge planting etc.) and the delivery of affordable housing development sites which were secured under other detailed planning permissions. Similarly, matters associated with education provision have been dealt with historically. Accordingly, those requirements have already been met and are not to be re-visited within this application.
- 10.3 In effect, this planning application seeks permission to replace the previous approval at the site with a proposal that involves one less dwelling and a change to the proportion of 2 and 3 bed houses. In recent years, the Council has dealt with a number of applications that have sought to substitute dwellings at other nearby development sites (Sites C and E) and the purpose of those applications was to respond to changes in the housing market conditions as the dwellings approved back in 2005 were proving less desirable. These changes have generally resulted in a number of the 2 bedroom terrace houses and flat blocks being replaced by a mix of 3 and 4 bed detached/ semi-detached properties which could provide a greater proportion of family housing as well as reduce the numbers of dwellings across the site overall. Persimmon are progressing with the construction of those up-to-date planning permissions.
- 10.4 Similarly, this latest application seeks to re-establish Persimmon Homes' desire to build out their development sites within the Swarcliffe estate. The revised housing layout involves a change in the house-types to that previously agreed in order to reflect the current customer interest and house-types proposed have already been used on Persimmon's other development sites, Development Sites C and E.

10.5 Overall, it is considered that the re-establishment of residential development at this site through the delivery of a range of housing which meets current market demand will benefit the regeneration aspirations of the area and is supported.

2. Impact on design, appearance and character

10.6 The relatively tight and enclosed nature of the development site and its relationship with surrounding existing dwellings, surrounding highways and perimeter footways present a number of challenges which have heavily influenced the detailed layout and design of this proposal.

10.7 The dwellings surrounding the application site mainly comprise of close knit rows of terraced houses. The terraced houses are two storey in height with open front and enclosed private rear gardens. The proposed layout of the development adopts a similarly compact arrangement of dwellings which are formed off the newly created access road. The proposed dwellings are formed in short terraces or in pairs of semis which have provided the opportunity to achieve suitable separation distances between the dwellings and to those existing dwellings that surround the site. Given the surrounding built context the proposed layout is considered to respect the characteristics of this locality.

10.8 The development site is backed-on by numerous dwellings meaning an almost continuous length of 1.8m high close-boarded fencing/ walling extends around the north, east and west boundaries of the site. This is an existing situation and is far from ideal in terms of from both a design and security perspective. These same concerns are expressed by some of the objectors and it is a situation which this proposal seeks to avoid repeating (at least internally) but with three sides of the application site abutting up to the back edge of footway/ highway it is clearly not possible to design out the existing situation and still retain the separate rear access that many residents also want to protect. With this in mind, the positioning and heights of boundary treatments demarcating the private and public areas within the development needs careful consideration.

10.9 The proposed site layout is designed to provide frontage development with plots 234-238 facing out onto Ash Tree Grove and plots 239-244 facing into the north-western portion of the site. The orientation of these dwellings ensures that they will offer visual interest and activity from the new access road. Moreover, low railings are proposed to the western and northern boundaries which will provide an open aspect for the adjacent dwellings and maintain good levels of natural surveillance across the fronts of these dwellings and to the proposed residents parking area.

10.10 Ten of the proposed dwellings (plots 234-243) will back on to each other and stand perpendicular to the rears of Nos.54-66 Stanks Gardens. This arrangement does however mean a length of ginnel is formed to the back of these existing dwellings so as to retain rear access for existing residents. In order to lessen the impact of this feature, revisions to the original layout have resulted in a shortening and widening of the route thereby allowing a clearer line of sight for pedestrian users. Furthermore, the route benefits from being overlooked by the existing dwellings positioned to the southern end of the route. Amendments have also been carried out to the north-eastern corner of the site where the footpath area to the rear of plots 244-246 have been widened, again to maximise visibility along the backs of these and the existing dwellings. In the light of these alterations and noting the need to retain existing access arrangements for the houses which lie beyond the application site, on balance it is considered both the layout and proposed boundary treatments are acceptable and ensure as best they can that the private garden areas are secure

and that existing and proposed pedestrian routes have reasonable levels of natural surveillance.

- 10.11 The proposed development is considered to offer visual interest through the use of the two different house types and these designs have been used elsewhere within other Persimmon Homes development sites across the estate. The appearance, scale and height of the proposed dwellings and the separation provided between them coupled with the use of similar external walling and roofing materials help ensure the proposed dwellings are compatible with the existing dwellings as well as provide a visual continuity with the dwellings currently being constructed within the wider estate.
- 10.12 The individual house plots accommodate off-street parking either through driveways or parking bays to the front. Where parking is provided to the front these lie adjacent to front gardens or areas of landscaping to help integrate the development into the street view and improve the development's visual appearance.
- 10.13 Overall, the proposed layout and house types are considered to readily assimilate with the form, scale and appearance of existing dwellings that stand adjacent to the application site and be compatible with the wider townscape.

3. Impact on residential amenity

- 10.14 As stated earlier within this report, the proposed house types are either traditional two storey or marginally higher to facilitate a room within the roof-space so overall have a similar scale and massing of the surrounding dwellings. The proposed dwellings are arranged adjacent to a newly formed access drive and the proposed site layout is considered to afford adequate separation distance to the existing dwellings that surround the site.
- 10.15 The proposed dwellings to the south of the development site (plots 234-238) will face out onto the public highway and be set back from the carriageway so will not compromise residents' privacy due to a combination of the separation distance provided (19.5m) and because the main lounge windows face out to the rear, over their own private gardens. The side gables of proposed end of terrace dwellings (plots 238 & 239) will stand perpendicular to the rear gardens of Nos.54-56 & 64-66 Stanks Gardens although the separation distance provided between them is in excess of that required by Neighbourhoods for Living (12m required but 12.6m and 16.3m achieved) so adequately mitigates any adverse amenity impact on these existing occupiers in terms of dominance or overshadowing. Similarly, the separation distances available between the other end of terrace gables at plots 244-246 and the adjacent existing dwellings (12m required but 12.2m and 15.3m provided) ensures existing residents will not be unreasonably impacted on. The proposed dwellings will each have rear aspects that face down the length of their private gardens and it is considered that the garden sizes are acceptable. Restrictions are however to be imposed to prevent the insertion of additional first floor windows to the side gable adjacent to existing dwellings to avoid any undue overlooking impacts.
- 10.16 In view of the site's close proximity to existing dwellings it is considered reasonable to secure a construction method statement. This statement would control contractor activity, for example the hours during which construction can take place and the siting of contractors compound etc. Nevertheless, it is to be accepted that some degree of disturbance should still be expected during normal working hours (such as noise) due to the very nature of construction activities.

- 10.17 Overall, it is considered that the proposed dwellings will adequately safeguard the amenities of both the existing residents and future occupiers and will not be overly dominant, overshadow or overlook neighbouring properties. As such, it is considered that this proposal will not be significantly harmful to the residential amenity of existing or future residents.

4. Highways implications

- 10.18 The proposed dwellings will obtain vehicular access via Ash Tree Grove or via the newly constructed access road. The proposed development incorporates a mix of arrangements to meet off-street parking requirements ranging from parking bays to the front or separate driveways. These arrangements proposed are consistent with the off-street parking agreed to other Persimmon development sites within the estate.

- 10.19 The proposed development also includes a resident parking court (11 spaces) for the communal use of the existing residents on Ash Tree View (evens side) and Stanks Gardens, representing an increase from the 9 spaces shown under the previous permission at this site. A previously agreed car parking strategy (Ref: 32/265/04/RM) re-configured the laying out and secured the delivery of resident parking spaces across the wider Swarcliffe estate. As part of this strategy additional resident parking spaces are being provided by Persimmon within an adjacent development site (Site C). Development Site C is to deliver two separate resident parking courts which are located to the northern side (accessed via Ash Tree Gardens) and to the eastern side (accessed via Whinmoor Way) of Ash Tree View. This additional parking capacity (31 spaces) will be suitably convenient and available for use by the existing residents of Ash Tree View which allied to the parking spaces to be laid out within this proposal (11 spaces) will help compensate for the loss of parking opportunities within the application site. Unlike the properties along Ash Tree View the residents of Stanks Gardens have a road frontage to provide on-street parking although a number of the properties have laid out in-curtilage spaces. It is accepted the submitted proposals will change the established parking and vehicular access arrangements of existing residents, in particular, those that have erected gates and laid out driveways within rear gardens. However, redevelopment of this site has already previously been accepted and the provision of parking within the site when allied to the additional parking courts being delivered nearby, provide suitably convenient and more secure parking opportunities for existing residents which adequately compensate for loss of the current arrangements. Accordingly no highway or accessibility objections to the scheme are raised by officers.

- 10.20 By virtue of the scale of the development Metro have requested future residents be supplied with metrocards to encourage sustainable patterns of transport at a cost to the developer. Although this request is noted, the wider sustainability and access issues for the Swarcliffe PFI programme were considered as part of the original outline permission and such provision was not pursued since wider benefits were delivered. Accordingly it is not proposed to take a different approach now as part of this application.

- 10.21 Overall, it is considered that the access and parking arrangements are acceptable and would not be detrimental to operation of the highway network or road safety.

5. Other matters

- 10.22 In regard to drainage matters, the submitted Flood Risk Assessment proposes surface water to be discharged off-site to a main sewer. Officers in the Flood Risk Management Team consider this method to be acceptable however they require

details to show this and this can be adequately dealt with by an appropriate planning condition.

- 10.23 In respect of land contamination matters, the application site remained undeveloped until the 1960s until it was developed for garaging associated with the residential use until its demolition. On the basis of the submitted contamination reports, no objection to the development is raised by the Contamination officer although conditions are suggested to require the utilization of gas protection measures, the testing of any imported soils and the requirement for the developer to report any contamination encountered during construction.

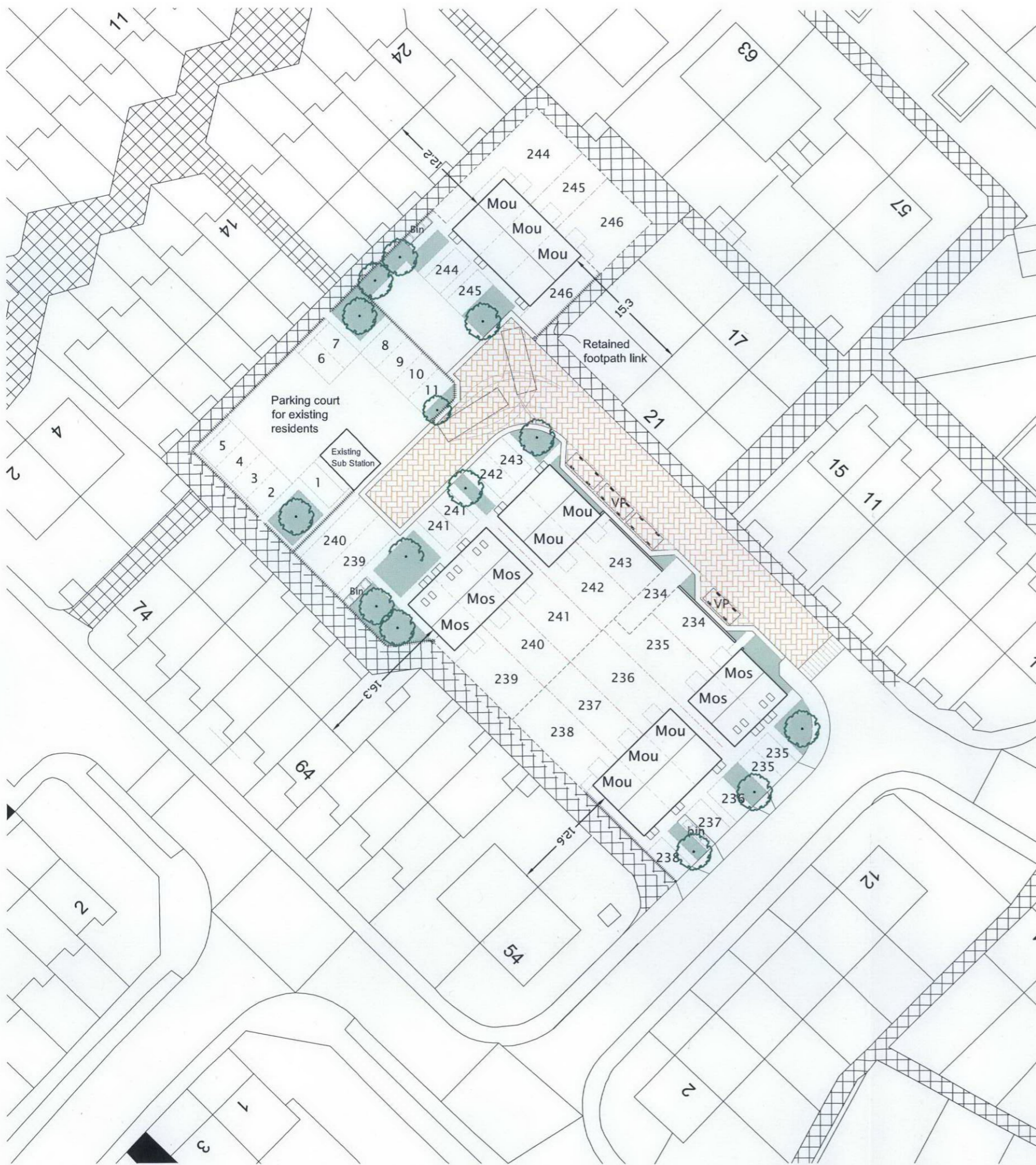
11.0 CONCLUSION

- 11.1 The proposed substitution of house types aims to improve the construction momentum within this smaller development site within Swarcliffe estate to facilitate a speedier delivery of a mix of houses which are more reflective of current market demands. Matters concerning the affordable housing, greenspace and education have been dealt with historically and are not to be re-visited through this application. The design, layout, scale and appearance of the proposed development will maintain visual interest to the street views and the proposed layout will ensure that no adverse overlooking, overshadowing or over-dominance concerns arise. Moreover, the proposed car parking arrangements are considered acceptable and adequate natural surveillance is to be afforded across the site. Accordingly, the application is recommended for approval subject to the conditions specified.

Background Papers:

Planning application and application history files.

Certificate of Ownership signed on behalf of applicant and a notice served to Northern Powergrid, signed dated 8th August 2013.



KEY:

13 / 03635 /

- DENOTES 1800 HIGH CLOSE BOARDED FENCE
- DENOTES 900 HIGH 2 POST AND RAIL TIMBER FENCE
- DENOTES 1800 HIGH SCREEN WALL / FENCE
- DENOTES 900 HIGH RAILINGS
- TURF PLANTING AREA
- EXISTING FOOTPATHS
- PROPOSED TREES
- BLOCK PAVING



LEEDS CITY COUNCIL
04 DEC 2013
REVISED

FOR FULL LANDSCAPE DETAILS SEE LANDSCAPE ARCHITECTS PLANS

PARKING SPACES TO BE 4.8m X 2.4m
ALL DRIVEWAYS ARE A MIN OF 5.6m LONG
SINGLE DRIVES ARE 3m WIDE
DOUBLE DRIVEWAYS ARE 6m WIDE
6m x 3m GARAGES ARE INDICATED ON PLAN

- Rev E -
 - Rear boundaries to plots 244 to 246 amended to suit opening the footpath
- Rev D -
 - Rear boundaries to plots 244 to 246 amended to suit title
- Rev C -
 - Plots 11-13 Hanburys swapped for Moultons and parking arrangement changed.
 - Extra 2 parking spaces for existing residents.
 - Extra railings introduced next to plot 5 and 6.
- Rev B -
 - Plots 6-10 positions changed to suit parking.
 - Plots 11-14 Mosleys changed for 3 Hanburys.
 - Plots 1+2 Moultons swapped for Moseleys.
 - Footpath at Western edge increased to 3m and shared surface road extended
- Rev A - Plots 6-8 positions changed as per comments made dated 13.09.13.

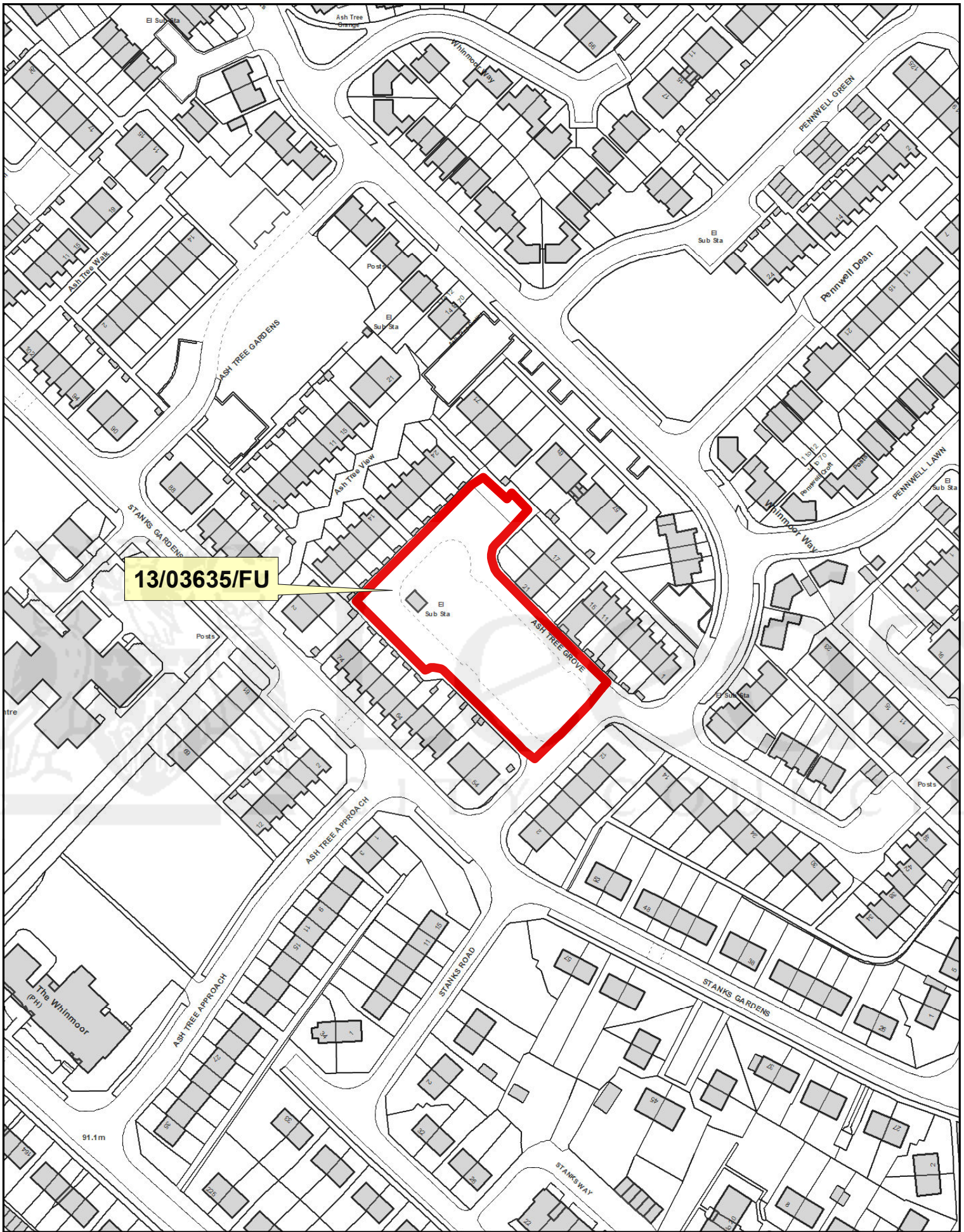
SCHEDULE OF ACCOMMODATION

Housetype	Total
 Mosley 2 Storey 3 Bed Semi Detached/ Terraced House	5 No.
 Moulton 2 Storey 2 Bed Semi Detached/ Terraced House	8 No.
Total: 13 No.	

**Proposed Residential Development
Swarcliffe Site F off Ash Tree Grove**

Proposed Planning & Landscaping Layout

Scale 1:500 @ A3	Drawing Number
Drawn By DRH	SWA-2013-F01E
Checked By CAH	JUN 13



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

