



## Report of the Chief Planning Officer

### *NORTH AND EAST PLANS PANEL*

Date: 19<sup>th</sup> December 2013

Subject: APPLICATION Ref: 13/03636/FU 10 houses at land off Whinmoor Way, Swarcliffe, LS14.

#### APPLICANT

Persimmon Homes (West  
Yorkshire)

#### DATE VALID

23<sup>rd</sup> August 2013

#### TARGET DATE

20<sup>th</sup> 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 insertion of first floor windows to side elevation of plots 252 & 257
15. Submission of site investigation information
16. Amendment to remediation statement
17. Submission of verification reports

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 K) 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 11 dwellings back in 2005 (Ref: 32/234/05/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 10 dwellings, offering a mix of 6x three bedroom dwellings and 4x two bedroom dwellings. This represents an amendment to the previous permission at the site which comprised 11 dwellings (3x three bedroom dwellings and 8x two bedroom dwellings).
- 2.2 This proposal shows the dwellings to be laid out in a simple linear arrangement with the dwellings facing onto Whinmoor Way and Langbar Approach. The proposal will facilitate the laying out of a section of roadway connecting the two roads. Three different houses types are proposed including a traditional two storey house and two slightly higher properties which contain a bedroom within the roof-space with light provided by either velux style windows and/or modest pitched roof dormers. All the dwellings are arranged in pairs.
- 2.3 The house types proposed follow those chosen at the other Persimmon development sites and adopt a similar site layout with properties facing out onto public areas and private gardens to the rear. All the properties are provided with off-street parking through either driveways to the side 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 the western end Langbar Approach. The application site comprises a cleared area of open land. A high rise tower block previously stood on the site and was demolished a number of years ago at a time when other high rise tower blocks in the estate were also demolished to facilitate re-development.
- 3.2 To the west of the site lies the recently constructed Whinmoor Way carriageway with 2 storey height terrace dwellings beyond. These dwellings are constructed of light brown/ buff brick with a grey tiled roof and have low boundary fencing to the front. Similarly designed dwellings stand to the east. To the north of the site is an area of greenspace containing playing pitches and a multi-use games area and it is noted that the ground level of the land rises above the level of the application site. An existing footpath runs along this common boundary. To the south of the site are further rows of terrace housing.
- 3.3 Overall, this application site is located within a suburban residential estate that contains a mix of housing types and lies adjacent to a large area of greenspace.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 32/234/05/RM Laying out of access road and erection of 11 dwelling houses (Development Site K)- Approved (29/07/05).
- 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. A number of shortcomings were identified within the original scheme which included short separation distances between proposed dwellings; excessive amounts of hardstanding to the fronts of dwellings leaving limited scope for landscaping; long lengths of dropped kerb. Following these discussions revised plans were received re-configuring the layout, altering the house-types proposed and revising the parking arrangements. This is the scheme now before members and which has been subject to further publicity.

### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application was advertised (major) by site notice display on 6<sup>th</sup> September 2013 and publicised in the Yorkshire Evening Post on 19<sup>th</sup> August 2013. A further site notice display was posted on 11<sup>th</sup> October 2013 to publicise amendments to the original scheme.
- 6.2 The application received 1 letter of representation raising an objection. The grounds of objection are summarised below:

- Since moved onto estate (Persimmon Homes, Site C) their parents' health has deteriorated- respiratory problems/ irritations to skin/eyes- caused by the dust from the machines operating at Persimmon construction sites throughout the day.

## **7.0 CONSULTATIONS RESPONSES:**

### **Statutory:**

7.1 Environment Agency: No comments.

### **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 an updated report covering some analysis on asbestos which was considered a potential contaminant in 2005. Conditions recommended.

7.5 Highways: No objections in principle however revisions are requested to the development layout to reduce the length of the dropped crossing along Whinmoor Way and to avoid overlapping with the Langbar Approach junction.

*Revised* plans received to address the above Highways comments. 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 The principle for residential development at this site has already been established through the grant of planning permissions 32/446/03/OT and 32/234/05/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 require for and provision of greenspace and affordable housing were secured. 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, as those requirements have already been met they are not to be re-visited within this application.
- 10.3 In effect, this planning application seeks permission to replace a previously approved housing layout 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 few 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 have proved difficult to sell. 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 it is therefore supported.

## **2. Impact on design, appearance and character**

- 10.6 The size and shape of this site largely dictates the layout of this residential scheme and results in a simple linear arrangement of semi-detached dwellings that take the opportunity to provide frontage development onto Whinmoor Way and Langbar Approach and respond to the positions of existing dwellings.
- 10.7 The proposed development is considered to offer visual interest through the use of a variety of house type designs 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 coupled with the use of similar external walling and roofing materials will help ensure the proposed dwellings are compatible with existing dwellings as well as provide a visual continuity with the dwellings currently being constructed within the wider estate.
- 10.8 The individual house plots accommodate off-street parking either through driveways to the side (thereby creating good gaps between properties) 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.

- 10.9 Six of the proposed dwellings will stand alongside the existing terrace row that lies to the east (off Langbar Approach). These existing dwellings front onto the greenspace to the north with the associated rear gardens and high boundary fencing abutting the carriageway of Langbar Approach. The proposed dwellings are oriented the other way round and such an arrangement is considered to provide greater visual interest, activity and natural surveillance on the street. This positive factor is balanced against having the proposed dwellings backing on to the greenspace with a length of 1.8m close-boarded fence aligning the boundary. Owing to the presence of playing fields the proposed development will be seen from wider public vantage points from the north however it is to be noted that the site lies at a lower ground level in comparison to the adjacent playing fields and this will help reduce the wider visibility of the fencing. Furthermore, given the wide expanse of open space and this relative short section of fencing the boundary treatment is not considered to be unduly intrusive. On balance, it is considered that frontage development is preferable and maximizes levels of natural surveillance on the street.
- 10.10 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 are compatible with the wider townscape.

### **3. Impact on residential amenity**

- 10.11 As stated earlier within this report, the proposed house-types reflect the height and scale of existing dwellings with the proposed dwellings being arranged in a simple linear arrangement fronting the road. The properties will face out onto the road with the rear aspects facing down the length of their private gardens.
- 10.12 By virtue of the presence of the road frontage and the footpath that runs alongside the eastern boundary of the site the proposed layout will afford adequate separation distance to existing dwellings. The proposed dwellings will also provide future occupiers with suitably sized private gardens.
- 10.13 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**

- 10.14 The proposed dwellings will obtain vehicular access via Whinmoor Way or the newly constructed section of Langbar Approach. The proposed development incorporates a mix of arrangements to meet off-street parking requirements ranging from parking bays to the front and driveways to the side. These arrangements proposed are consistent with the off-street parking agreed to other Persimmon development sites within the estate.
- 10.15 By virtue of the scale of the development Metro have requested that 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 Swarecliffe 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.

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

#### **5. Other matters**

- 10.17 The letter of objection received expressed concern about the dust and noise arising from the construction work associated with Persimmon Homes' development sites within the estate as a whole and the effects they are having on the health of residents. As outlined within para 1.3 of this report, construction of the residential development sites within the estate has taken longer to complete, prolonging any disruption for existing residents and those residents occupying recently completed dwellings. In view of the site's close proximity to existing dwellings it is considered reasonable to secure a construction method statement. This statement controls 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. The specific comments made regarding the wider scheme's health impacts are noted but are considered to fall beyond the scope of what can reasonably be considered under this planning application noting no demolition is proposed and the open nature of both the application site and the surrounding area.
- 10.18 In regard to drainage matters, the submitted Flood Risk Assessment proposes surface water to be discharged off-site to a main sewer and details to show this arrangement are to be secured through the imposition of an appropriate planning condition.
- 10.19 In respect of land contamination matters, the application site remained undeveloped until the 1960s until it was developed for a residential tower block and associated parking and gardens 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 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.





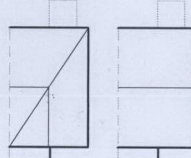
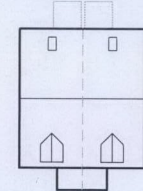
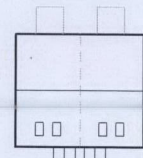
**KEY:**

- DENOTES 1800 HIGH CLOSE BOARDED FENCE
- - - DENOTES 900 HIGH 2 POST AND RAIL TIMBER FENCE
- ==== DENOTES 1800 HIGH SCREEN WALL / FENCE
- ===== DENOTES 1800 HIGH RAILINGS
- DENOTES PROPOSED TREE LOCATION
- DENOTES TURF PLANTING AREA

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

**SCHEDULE OF ACCOMMODATION**

Housetype	Total
 Hanbury 2 Storey 3 Bed Semi Detached/ Terraced House	2
 Souter 2 1/2 Storey 3 Bed Semi Detached/ Terraced House	2
 Morley 2 1/2 Storey 2 Bed Semi/Terrace	6

LEEDS CITY COUNCIL  
 14 NOV 2013  
**REVISED**

LEEDS CITY COUNCIL  
 14 NOV 2013  
**REVISED**

 **PERSIMMON**  
 Together, we make a home

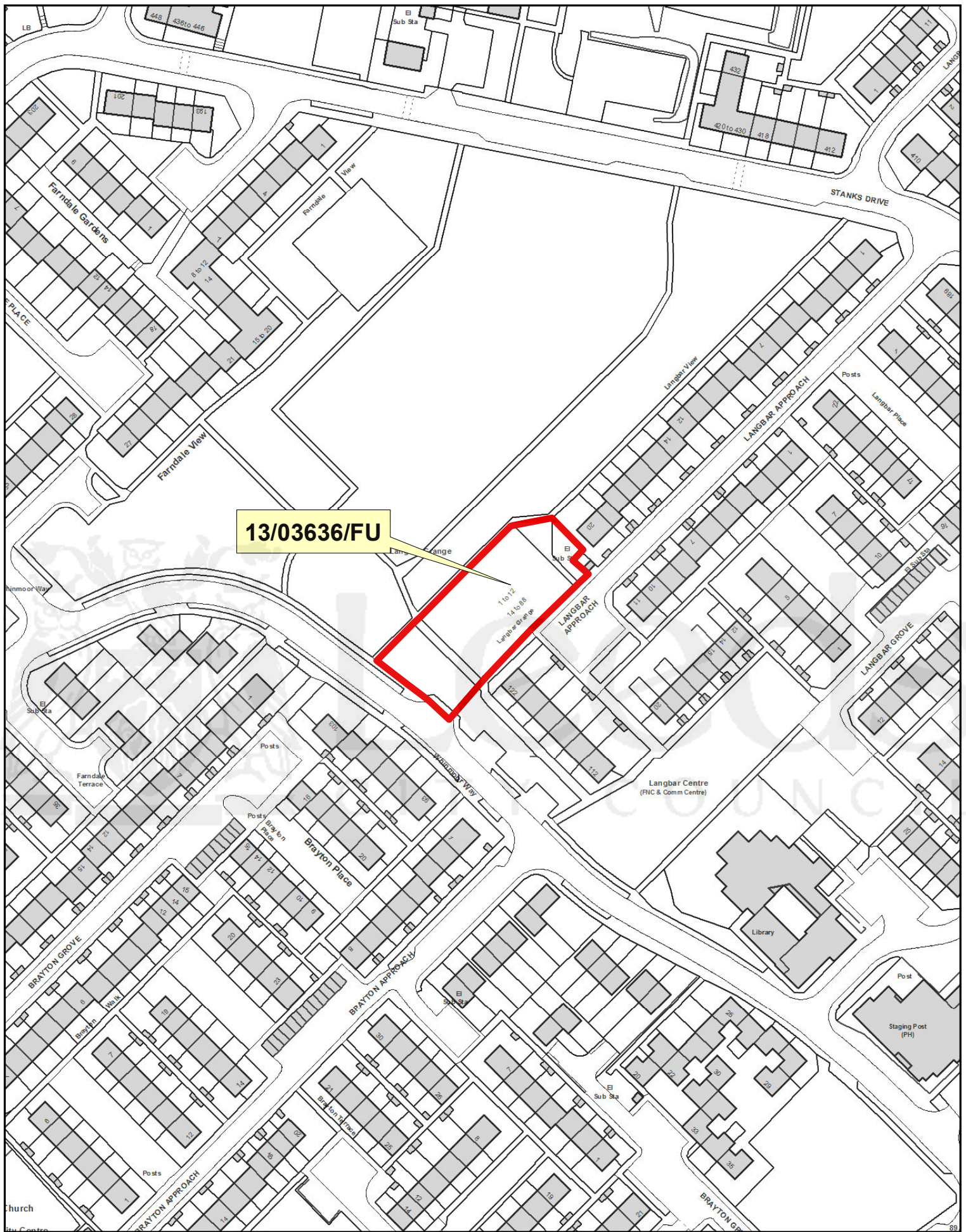
Proposed Residential Development  
 Swarcliffe Site K  
 off Langbar Approach

Proposed Planning & Landscaping Layout

Scale 1:500 @ A3	Drawing Number
Drawn By DRH	SWA-2013-K01C
Checked By CAH	JUN 13

Rev C - 1.8m Railings introduced next to plot 1 and path removed in front of plot 4. Plot numbers also updated.  
 Rev B - Plot 1+2 Hanburys substituted for Morleys. And arrangement of plots 5-8 changed.  
 Rev A - Changes made to the arrangements of plots on site from comments made by planners on 13.09.13





# NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

