



**Report of the Chief Planning Officer**

**PLANS PANEL NORTH AND EAST**

**Date: 17<sup>th</sup> April, 2014**

**Subject: Application 13/04515/FU – erection of detached bungalow with attached garage and off-street parking on land to the rear of 4A Ascot Road, Kippax, Leeds**

**APPLICANT**  
NW Architects

**DATE VALID**  
25<sup>th</sup> September, 2013

**TARGET DATE**  
20<sup>th</sup> November, 2013

**Electoral Wards Affected:**

**Kippax and Methley**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**GRANT PERMISSION subject to the following conditions:**

1. Time limit
2. Plans schedule
3. External materials to be agreed
4. Boundary treatment controls
5. Surfacing materials to be agreed
6. Drainage details to be agreed
7. Contamination conditions
8. Detailed access arrangements (including visibility and levels) to be agreed
9. Parking areas to be provided and maintained
10. Construction method statement
11. Finished floor levels
12. Removal of PD Rights
13. Alterations to 4A Ascot Road

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 The application is presented to Plans Panel at the request of Councillor James Lewis supporting local residents concerns relating to the proposed development.

## **2.0 PROPOSAL:**

- 2.1 Erection of one detached bungalow, attached single garage and laying out of four car parking spaces including two to serve 4A Ascot Road.

Dimensions:

Detached Bungalow: 8.4m x 7.6m x 4.6m (ridge, 2.6m to eaves)

Garage: 6.5m x 3.25m x 4m (ridge, 2.4m to eaves)

Materials: Brick Bungalow, rendered garage concrete roof tiles.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The site is situated to the south side of Ascot Road. The site comprises the front garden area and driveway to No. 4A Ascot Road and an area of open land beyond the rear boundaries of Nos. 4A and 4B Ascot Road. The area of open land is virtually square in shape with the exception of a small piece of land that extends to the south directly behind the garden area to No. 122 Westfield Lane. No. 122 Westfield Lane is one of a group of four terraced houses situated to the south of the site. Primarily the area of open land is bounded largely by semi-detached dormer bungalows and/or more traditional style (single storey) bungalows. No. 4A has a detached garage in its rear garden and has a recently constructed wooden fence supported by concrete posts to its shared boundary with No. 20 Epsom Road which lies to the west of the site.
- 2.2 The topography of the area slopes downwards from west to east, whilst the open land is relatively level, properties on Epsom Road (to the west) are set slightly higher than the site, and properties on Goodwood Avenue (Nos. 7 and to the east) are set slightly lower. Being wholly enclosed by residential properties the open land is bounded by a mixture of domestic style boundary finishes including walling, fencing and landscaping features. The land appears as scrub land in nature. The area is residential in character.

## **3.0 PLANNING NEGOTIATIONS:**

- 3.1 Subsequent to the refusal of the previous application (13/02939/FU) Officers have engaged with the developer during consideration of the current application to achieve an acceptable scheme.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Application Ref: 13/02939/FU – erection of two detached houses to rear and formation of hard-standing to front of 4A Ascot Road. Refused 11 September 2013 on grounds of visual amenity; residential amenity and highway safety.

Application Ref: 33/46/05/OT – outline application to erect detached house. Refused 22 March, 2005 on grounds of highway safety. Appeal Dismissed 30 November, 2005.

Application Ref: 33/272/99/OT – outline application for detached dwelling. Refused 13 December 1999 on grounds of backland development / residential amenity; and highway safety. Appeal dismissed 27 July 2000 on highway grounds

Application Ref: 33/25/98/OT – outline application for detached dwelling Refused 19 October 1998 on grounds of residential amenity and highway safety.

## **5.0 CONSULTATIONS RESPONSES:**

### **Non-statutory:**

- 5.1 Highways: Highway Development Services – initial objection on grounds that the proposed access road is substandard in width. Improvements have been made to address access width dimensions. Revised proposal, and offer to block off the side entrance door to 4A Ascot Road has removed the highway objection.

Contaminated Land – No objection in principle. Desk Study required.

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

- 6.1 The application was publicised by site notices posted adjacent to the site dated in 11<sup>th</sup> October, 2013. 12 letters of representation were received in response to the public.

1 expressed support for the proposal on the following grounds:

Shortage of housing  
Minimal impact on the surrounding area  
Site previously subject to fly-tipping

11 letters raised the following objections:

Overlooking; overshadowing; and over-dominance.

Loss of light  
Disruption during construction  
Highway safety  
Design / height / materials out of character  
Drainage / sewer capacity  
Land stability  
Bin storage facilities  
Loss of vegetation / habitats

- 6.2 The revised proposal was re-advertised on 31<sup>st</sup> January, 2014. A further 5 letters of representation have been submitted re-iterating earlier concerns in particular the sub-standard nature of the access road.
- 6.3 Kippax Parish Council recommend refusal over concerns regarding highway safety, particularly poor visibility for vehicles exiting the site, and the sub-standard width of the access road within the site. On the revised proposal the Parish Council noted the improvements on the design but queried concerns relating to highway safety within the site and Highway Officers comments.

## **7.0 PLANNING POLICIES:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

### Local Planning Policy

- 7.1 The Leeds Unitary Development Plan (Review 2006) is the development plan for the whole of the Leeds District. Relevant planning policies in the Leeds Unitary Development Plan (Review 2006) are listed below:
- GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
  - N12 development should respect the following fundamental priorities for urban design.
  - N13 design of all new buildings should be of high quality and have regard to the character and appearance of their 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.
  - N39a specifies that sustainable drainage should be used where possible.
  - LD1 requires landscape schemes as part of development proposals.
  - H4 relates to residential development on sites not identified for that purpose.
  - BD5 requires new buildings to give consideration to both their amenity and that of their surroundings.
  - 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.
  - T24 parking provision to reflect the guidelines set out in UDP Appendix 9.

### Supplementary Planning Documents

SPG13 - Neighbourhoods for Living  
SPD Street Design Guide.

### **Emerging Local Development Framework Core Strategy**

- 7.2 The Core Strategy was submitted to the Secretary of State for Communities and Local Government on 23rd April 2013. The Secretary of State appointed a Planning Inspector to conduct the examination of the plan, which commenced on 7th October and ended on 23rd October. The Inspector's report is awaited. At this stage the only issues which the Inspector has raised concerning the soundness of the plan relate to the affordable housing policy and the Council's evidence on Gypsies and Travellers. As the Core Strategy has been the subject of independent examination (October 2013) and its policies attract significant weight, albeit limited by the fact that the policies have been objected to and the Inspector's Report has yet to be received (currently anticipated in Spring 2014).

### **National Planning Policy**

- 7.3 National Planning Policy Framework (NPPF, March 2012) gives a presumption in favour of sustainable development and has a strong emphasis on high quality design.

## 8.0 MAIN ISSUES

Principle of development  
Impact on design, visual amenity and character  
Impact on residential amenity  
Highway implications  
Representations

## 9.0 APPRAISAL

### Principle of development

- 9.1 In terms of principle when assessed against national planning guidance - the National Planning Policy Framework (NPPF), the site represents a green field site. However, given the site is surrounded by housing this does not exclude the site from being developed providing the proposal does not harm the character of the site or the area; does not adversely impact on neighbouring properties; and can be accessed without compromising the interests of highway safety.

### Impact on design / visual amenity / character

- 9.2 One of the reasons for refusal of the previous planning application for two 2 detached houses related to the failure of the scheme to reflect the character of the area thereby resulting in harm to the visual amenity of the site and wider setting. In addition, parking for the existing bungalow (4A Ascot Road) would be displaced to its front garden area, resulting in harm to the character of the street scene.
- 9.3 The re-submitted application proposed a dormer bungalow style dwelling with an attached garage. In addition, the site would provide off street parking to support the proposed dwelling as well as the existing detached bungalow (4A Ascot Road). Officers considered however, that the site could only support a single storey dwelling whilst remaining in character with its immediate surroundings. In this respect the development would tend be read as an outbuilding when viewed wider views outside of the site.
- 9.4 The applicant subsequently submitted a revised scheme that comprises a 2 bedroom bungalow with an attached garage located centrally in the plot. The bungalow is to be constructed from traditional materials of brick and concrete tiles in keeping with its immediate surroundings. In addition, because of the changes to the parking arrangements there will be little discernible change in appearance to front of the site between the front elevation of 4A Ascot Road and the public footpath.
- 9.5 In light of its modest scale and height it is considered that the proposed development would not result in a harmful impact to the visual amenity of the site and is reflective of the established character of the area as whole.

### Impact on residential amenity

- 9.6 The previous application for two detached houses was unacceptable in terms of its siting scale and overall height resulting in an adverse impact on the residential amenity of the occupants of adjacent dwellings through overlooking and overshadowing and appearing as overbearing development.
- 9.7 The current proposal is for one single storey bungalow with a maximum ridge height of 4.6m. The building has a centralised location within the plot with the bungalow itself

sited 8m from the southern boundary; 5.5m from northern boundary; 8.6m from the western boundary and 5m from the eastern boundary.

- 9.8 In terms of the separation distances from surroundings dwellings, the front elevation of the bungalow is sited 19.4m metres to the south of the main rear elevation of Nos. 4A and 4B Ascot Road; the rear elevation (main aspect) is approximately 50m from the rear elevations of Nos. 118 to 124 Westfield Lane; the east side gable of the bungalow is 15m from the main rear elevation of Nos. 7 and 9 Goodwood Avenue; and the west side gable elevation of the attached garage is in excess of 20m from the main rear elevation of the Nos. 14 and 16 Epsom Road. In addition the proposed bungalow will be enclosed by a 1.8m high boundary fence.
- 9.9 It is considered that the reduced scale, overall height and siting of proposed development when viewed in context with its degree of separation from neighbouring properties would avoid any adverse impact on the living conditions of the occupants living immediately adjacent to the site from overlooking, overshadowing or represent development viewed as overbearing. In light of the modest scale of the proposed dwelling it is also considered that the development would achieve a satisfactory standard of living accommodation including outdoor private amenity space for the future occupants of the site.
- 9.10 The applicant has submitted additional details of the existing semi-detached bungalow (4A Ascot Road) showing its side entrance door (into the kitchen) to be blocked off. The side elevation will then contain just two windows serving the kitchen and bathroom. The internal layout will be altered to provide a new door opening to the kitchen via the front hallway. In light of the above and modest nature of the overall development it is considered that the occupants of the existing development would not adversely affected by vehicles accessing the joint parking facilities situated in the south west corner of the site.

#### Highway implications

- 9.11 The previous application for two detached houses (which included off-street for the existing bungalow at 4A Ascot Road being sited to its front garden) parking was refused on grounds of highway safety relating to the scale of development; aisle widths; lack of visitor parking; lack of dedicated bin storage; and the introduction of boundary treatment that would impair visibility for vehicles exiting the site.
- 9.12 In response to the original layout of the current application Highway Officers noted that the new scheme provides satisfactory bin storage facilities and a turning head. As such no objection was raised in principle subject to the provision of two dedicated off street parking spaces for the existing bungalow (4A Ascot Road) and improved garage door dimensions to the proposed new bungalow.
- 9.13 In response Highway Officers comments the applicant amended the proposal in terms of the garage dimensions and dedicated parking for 4A Ascot Road. In response to objections raised by local residents regarding the width of the access road the applicant proposes to block off the side entrance door thereby preventing the potential for conflict between pedestrians (exiting the kitchen) with vehicles using the shared driveway. The alterations to 4A Ascot Road and the control of the height of boundary treatment to the access road will be secured by appropriate conditions.
- 9.14 In light of the submitted changes Officers consider that the proposed development would not prejudice the interests of highway safety for pedestrians and other road users alike.

## Representations

- 9.15 Notwithstanding the issues discussed above the right to light is not a material consideration in the determination of the application. Whilst it is accepted that the construction of any new dwelling will involve a level of disruption and disturbance for a temporary period this would not be reasonable ground to withhold permission to develop.
- 9.16 Aerial photographs suggest that small scale trees have been present on the site in the past however when these were not protected by any tree preservation orders. The City Council has no evidence that the site played house to any protected wildlife species.
- 9.17 With regard to local residents concerns relating to land drainage the Councils Flood Risk Management Team have accepted that the site can be drained satisfactorily.
- 9.18 A dispute over land ownership and any disturbance / de-stabilising of adjoining land is a civil matter between relevant land owners as such is not a matter for consideration by the local planning authority. The applicant will however be informed through the decision that a grant of planning permission does not permit development to be constructed or maintained on land outside of his ownership.

## **10.0 CONCLUSION**

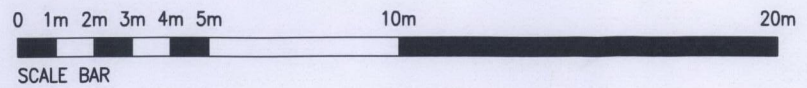
- 10.1 It is considered that the proposed development represents a practical use of the site and is sound in principle without resulting in prejudicing the interests of visual amenity, residential amenity or highway safety, consequently the application is recommended for approval.

### **Background Papers:**

Application file: 13/04515/FU

Certificate of Ownership B completed.

Notice served on: Mr. Cooper, 4A Ascot Road, Kippax, Leeds, LS25 7HT dated 25 September 2013.



**NOTES**  
 Do not scale from this drawing. Only figured dimensions are to be taken from this drawing. Contractor must verify all dimensions on site before commencing any work or shop drawings. Report any discrepancies to the architect before commencing work. If this drawing exceeds the quantities taken in any way the architects are to be informed before the work is installed. Work within the Construction (Design & Management) Regulations 2007 is not to start until a Health and Safety Plan has been produced. This drawing is copyright and must not be reproduced without consent of NW Architects Limited.

**DRAWING STATUS/TYPE KEY**  
 F Feasibility SK Sketch L Landscape C Construction  
 P Planning M Marketing S Survey AB As Built  
 T Tender TNT Tenant OS Ordnance Survey



LEEDS CITY COUNCIL  
 28 JAN 2014  
**REVISED**

- +10.000 EXISTING LEVELS
- +10.000 PROPOSED LEVELS
- TARMAC DRIVE
- PERMEABLE BLOCK PAVED DRIVE
- GRASSED AREA
- 1800 HIGH FENCE
- 900 HIGH FENCE

REV	DESCRIPTION	DRAWN	DATE	CHECKED	DATE
REVISIONS					

NW-ARCHITECTS

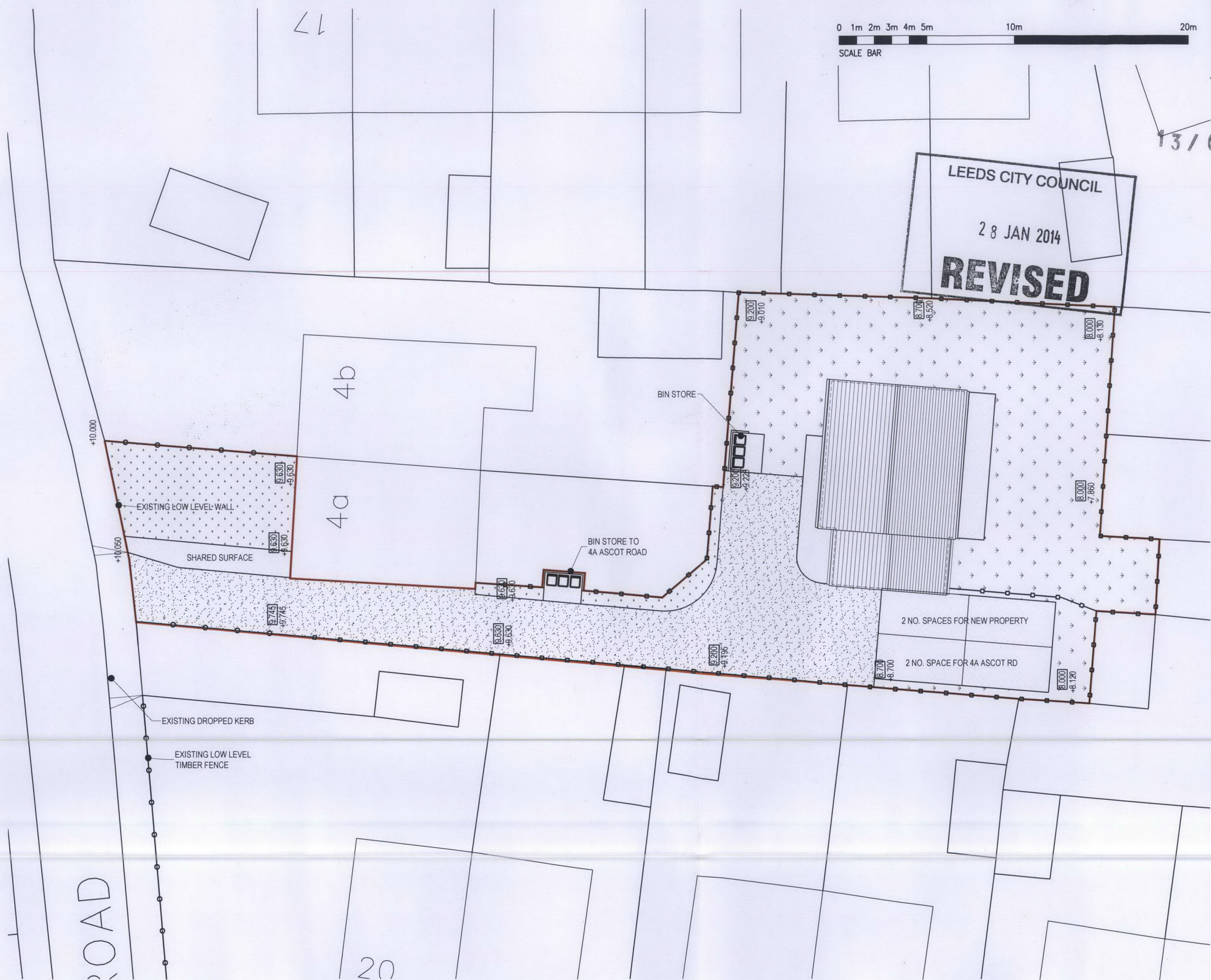
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[www.nw-architects.co.uk](http://www.nw-architects.co.uk)

CLIENT  
 Shaun Cooper

PROJECT  
 4A Ascot Road  
 Kippax

DRAWING TITLE  
 Detailed Site Layout Plan

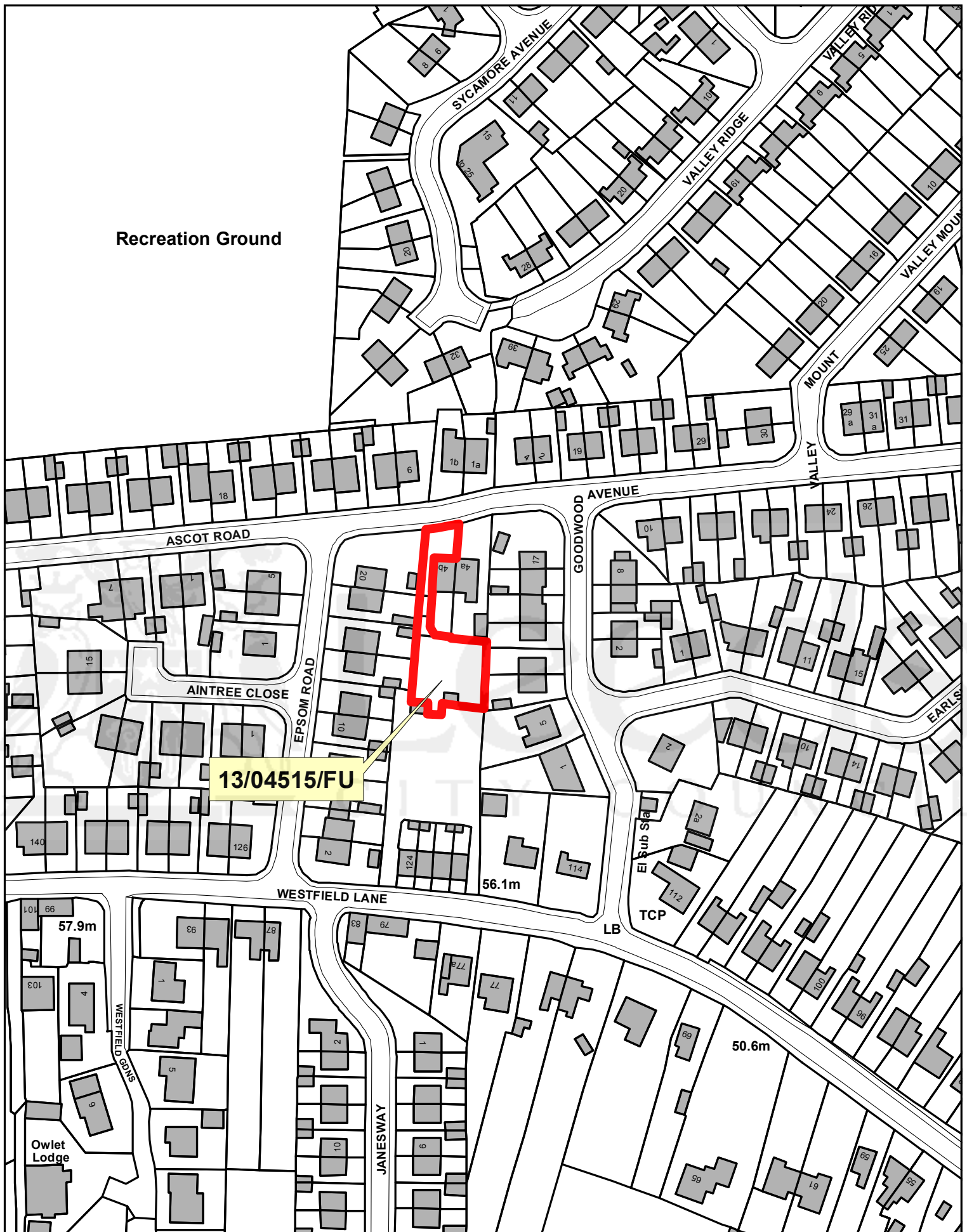
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	Checked By	Date Checked
	RAP	20-09-13
	Revision	
Drawing No.	13030-P303	



ROAD

20





# NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

