



Report of the Chief Planning Officer

Plans Panel North and East

Date: 28th May 2015

Subject: 15/00737/FU Erection of nine self-contained flats off Sutton Approach, Leeds LS14.

APPLICANT

Just Design Homes Limited-
Mr Darren Hirst

DATE VALID

16th February 2015

TARGET DATE

29th May 2015

Electoral Wards Affected:

Killingbeck & Seacroft

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: REFUSE on the following grounds:

The local planning authority considers that the proposed development as evidenced by the tandem arrangement of buildings and extent of hardstanding which when viewed in context with the spatial characteristics of the plot and the relationship to its surroundings represents an overdevelopment of the site resulting in harm to the visual amenity of the site and character of the area. Furthermore, it is considered that the proposed development would by reason of its layout, building footprint and off-street parking requirements fail to provide the future occupants of the proposed flats with adequate amenity space resulting in an overall sub-standard level of accommodation prejudicial to the interests of residential amenity. Accordingly, the proposed development is thereby contrary to the City Council's Core Strategy (2014) policy P10, the saved UDP Review (2006) policies GP5 and BD5 and the guidance contained within the Neighbourhoods for Living (SPG).

1.0 INTRODUCTION:

1.1 This planning application is brought to Plans Panel North and East at the request of ward Cllr Graham Hyde who considers the scheme to have merit and is not out of

character. Cllr Graham Hyde also requests that Panel Members undertake a site visit.

- 1.2 This application is a resubmission following the refusal of planning permission for six terrace houses at the site (Ref: 14/05763/FU).

2.0 PROPOSAL:

- 2.1 This planning application proposes 9 two bed flats with associated landscaping and car parking. The flats are accommodated within two blocks arranged with one block set behind the other. The larger flat block (Block A) occupies the western portion of the site and faces onto Sutton Approach. This block includes an underpass which will allow access to a centrally located communal car park and a smaller flat block (Block B) to the rear. The communal car park caters for 12 parking bays with an additional bay indicated in the north-west corner of the site.
- 2.2 The flat blocks have rectangular footprints and are two storey in height. The blocks are to be constructed in brick with the elevations containing cill and horizontal banding detailing. Block A has a central two storey height gable feature to the front. The blocks have dual pitched roofs to be covered by concrete tiles.
- 2.3 Block A is set at a slight angle to Sutton Approach and is set away from the pavement at a distance ranging from 1.6m-6m. The block will be set away from the northern boundary by approximately 2m and from the southern boundary by 2.5m-3m. The rear wall of this block stands 19.2m away from the front wall of Block B. Block B is set away from the northern boundary by 3.6m and from the southern boundary by 1.5m-4m. A distance of approximately 7.5m separates the rear wall of this block from the eastern site boundary.
- 2.4 The internal layout of each flat is largely repeated through the scheme with the living room areas served by windows facing westwards and bedrooms served by windows facing eastwards. Windows at ground and first floor level are to be inserted into the side gables and these serve hall/ landing areas.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is 0.11ha in area and is cleared. The site lies to the eastern side of Sutton Approach, to the rear of No.23 Sutton Approach and Nos.2–10 Collin Road. Domestic timber fencing relating to these houses stands adjacent to the site's northern boundary with two metre high wooden fencing standing along the site's eastern and western boundaries. A 2m high palisade fence aligns the site's southern boundary which serves to prevent access to an embankment leading down to the adjacent railway line. There are mature trees and vegetation on the embankment and a footbridge provides pedestrian/cycle access to the residential areas of Halton beyond.
- 3.2 The application site is largely level however due to the topography of the area the south-west corner of the site is lower than the public footpath along Sutton Approach.
- 3.3 The area is residential in character comprising mature small scale brick built two storey terrace and semi-detached dwellings. The layout of these properties are

characterised by having gardens to the front and rear with some containing ancillary buildings (e.g. sheds, outbuildings etc).

4.0 RELEVANT PLANNING HISTORY:

4.1 14/05736/FU Two blocks of three terrace houses- Refused (05/12/14).

5.0 HISTORY OF NEGOTIATIONS:

5.1 The applicant initially sought pre-application advice in June 2014 (Ref: PREAPP/14/00523) for a residential development at this site comprising 5 two bed terrace and 2 three bed semi-detached dwellings. The applicant was advised that the scheme could not be supported due to concerns about the layout, overdevelopment, design and amenity. In addition, questions were raised about the site's former allotment use.

5.2 Planning application Ref: 14/05736/FU proposed two blocks of three terrace houses but this was refused in December 2014 on grounds relating to the site's former use as an allotment and that the proposal would represent and an overdevelopment of the site (harm to visual amenity of site and character of the area; compromise the residential amenity of future occupiers and adjacent neighbours and inadequate parking facilities).

5.3 Following the refusal of this planning application the applicant sought further pre-application advice prior to the submission of this application. Through discussions planning officers accepted that this unallocated site has not been used as allotments (no formal tenancy or licence agreement exists) and would not therefore prejudice the availability of allotment land and the re-development of the site could be supported in principle. In total, four alternative site layouts were submitted for consideration and these comprised arrangements of houses and flats. The final version was similar to that proposed under this current application and the applicant was informed that the layout did not reflect the character of the area with a shortfall in amenity space. The applicant was advised that the proposal for 9 flats could not be supported.

5.4 During the course of the application amendments have been carried out to reduce the overall height of the flat blocks with alterations made to the bin and cycle storage facilities and the inclusion of an additional parking space.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by site notice posted adjacent to the site dated 27th February 2015. Letters of representation have been received from 3 households in response to the public notification process.

6.2 2 letters express support to the proposals on the following summarised grounds:

- In keeping with the area.
- Improve security because of the private courtyard/ parking area and have a positive impact on estate.
- Site currently just a wasteland, is a state and not very attractive (unwelcoming to public)- could potentially attract rodents.

- 6.3 1 letter of objection received expressing the following summarised grounds:
- Not suitable area for residential buildings- create more traffic; on-street parking a problem; too near existing houses and railway (heavy trains cause vibrations).

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 None.

Non-statutory:

- 7.2 Highways: No objection. Conditions recommended.
- 7.3 Flood Risk Management: No objection. Condition recommended.
- 7.4 Contaminated Land: No objection. Conditions recommended.
- 7.5 Yorkshire Water: Objection if the rear flat block encroaches the 4m easement from the public sewer which crosses the site.
- 7.6 Network Rail: No objection in principle however an advisory note relating to development abutting a railway is provided, including some issues which should be a condition of any planning permission.
- 7.7 Waste Management: No objections.

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. The Development Plan for Leeds currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered to be relevant:

- H2: New housing on non-allocated sites.
- P10: Seeks to ensure that new development is well designed and respect its context.
- EN5: Seeks to manage and mitigate flood risk.
- T2: Seeks to ensure that new development does not harm highway safety.

- 8.3 The application site is not specifically designated within the saved UDP Review (2006). Nevertheless, the following policies are also considered to be relevant:

- GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- N25: Seeks boundaries of sites to be designed in a positive manner using walls, hedged or railings where appropriate to the character of the area.
- BD5: Seeks to ensure new development protects amenity.
- LD1: Seeks for landscape schemes to complement and where possible enhance the quality of the existing environment.

8.4 The following Natural Resources and Waste policies are also considered to be relevant:

- WATER 7 : All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system and development expected to incorporate sustainable drainage techniques.
- LAND1: Supports principle of development on previously developed land and requires submission of information regarding the status of the site in term of contamination.

Supplementary Planning Guidance:

- 8.5 Neighbourhoods for Living (SPG13, adopted)
Sustainable Urban Drainage (SPG22, adopted)
Street Design Guide (SPD, adopted)
Sustainable Design and Construction (SPD, adopted)

National Planning Policy

8.6 The National Planning Policy Framework (2012) 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 National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.7 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.

8.8 The NPPF gives a presumption in favour of sustainable development and has a strong emphasis on achieving high quality design. Of particular relevance, the national planning guidance attaches great importance to the design of the built environment and is indivisible from good planning (para.56, NPPF) and seeks development proposals to add to the overall quality of the area, create attractive and comfortable places to live and respond to local character (para.58, NPPF).

9.0 MAIN ISSUES

1. Principle of development
2. Impact on design, visual amenity and character
3. Impact on residential amenity

4. Highway implications
5. Other matters

10.0 APPRAISAL

Principle of development:

- 10.1 The application site is vacant and has been cleared of all vegetation and is greenfield in appearance. The site lies to the southern portion of the William Sutton residential estate which is bordered to the south by a railway embankment. Whilst allotment land lies to the east an investigation into the application site's history has uncovered no evidence of previous allotment use and accordingly re-development of the land would not prejudice existing allotment land availability. The presence of the surrounding residential estate coupled with the absence of any existing landscape features and that the site has a frontage to Sutton Approach it is considered that support could be given, in principle, to the residential development of this urban site subject to it being otherwise acceptable in planning, design and access terms.

Impact on design, visual amenity and character:

- 10.2 The variety of proposals advanced by the applicant (either through the formal planning application or the pre-application discussions) for the re-development of this site have consistently raised concerns about the amount of development proposed and how the development responds to the surrounding built character. This proposal has been revised during the course of the planning application to reduce the overall flat block height (removing the accommodation proposed within the roofspace) and the creation of an additional parking bay to the front of the site. Despite these changes it is considered that the revisions do not go far enough and that the previous concerns relating to the over-development of the site remain.
- 10.3 The over-development concerns are manifested in a number of ways. The proposal seeks to erect two separate flat blocks within this vacant site with one flat block positioned behind the other. The rear flat block is a backland component that results in a tandem arrangement of buildings contrary to the established built character of the surrounding estate. This established residential estate contains modest two storey semi-detached or terraced red brick and rendered properties. The grain of development within the estate is typified by dwellings having gardens to the front, affording a set back from the roadside, the dwelling itself with gardens to the rear (some containing low-lying outbuildings and sheds). The boundary treatments are generally well established, defined by hedges and timber fencing. These factors combine to define the residential character of the locality but is not reflected by the proposal to the visual detriment of the site and the wider locality.
- 10.4 The revised site layout still offers very little space for landscaping or communal garden area. The site is dominated by building and hardstanding which ultimately is a by-product of the amount of parking required on-site to serve the number of flats proposed with an additional parking space being forced to the front illustrating the space constraints at the site. This extent of site coverage is completely at odds with the character of the area as is the resulting spatial setting associated with the introduction of Block B to the rear.

- 10.5 From practical and convenience perspectives, the proposed site layout is considered to be unresolved in that the proposed cycle storage facilities lie remote from the front flat block (block A) at the rear corner of the site, inconvenient for use by occupiers and could lead to the indiscriminate storage of cycles across the site.

Impact on residential amenity:

- 10.6 The proposed residential development is clearly, in use terms, compatible with nearby residential properties and will be positioned well away and side-on to those nearest neighbours. Therefore, it is considered the proposed site layout will not raise any undue overlooking, overshadowing or dominance impacts on surrounding properties and that the residential amenity considerations focus on the impact on future occupiers of the development.
- 10.7 The number of flats proposed results in a disproportionate amount of the site given over to parking/ hardstanding with the communal amenity space situated to the rear of Block B, remote and largely impractical for the majority of the flat occupiers it is designed to serve. Having regard to the amenity of future occupants, it is observed that the amount of communal usable amenity space falls well below the City Council's design standards (this should equate to an area 1/4 of the *total* floorspace) and is considered to be detrimental to the living conditions of future occupants. Moreover, the ground floor flats of Block B have bedroom windows facing directly out onto the amenity space and due to the constrained nature of the space there is no real opportunity to provide defensible space for these occupants without further compromising the space. The outlook for future occupiers is also poor in that only a car park is provided between the two blocks.

Highways implications:

- 10.8 The application site is located within an established residential area and future occupiers would have good access to the shopping and community facilities situated nearby as well as access to existing bus services.
- 10.9 The proposed development has a centrally positioned vehicular access off Sutton Approach which leads through an underpass to a communal car park located between each flat block. A further car parking space has been introduced to the front of the site to satisfy car parking requirements. The proposed bin storage facilities are enclosed and situated within the underpass. The proposed cycle storage facilities are sited within an inconvenient location to the south-eastern corner of the site but resolving this issue could be dealt with by planning condition.

Other matters:

- 10.10 In regard to the flood risk and drainage matters, it is recognised that the site lies upstream of the Dunhills estate where serious flooding problems associated with the Wykebeck watercourse have occurred. Consequently, severe restrictions to surface water discharges would need to be applied and appropriate planning conditions could be imposed to ensure the development does not add to downstream flood risk issues. Amendments to the site layout show that the proposed rear flat block (block B) no longer encroaches the easement of the public sewer that crosses the site and is not considered impinge on this infrastructure.

- 10.11 In respect of land contamination matters, officers have reviewed the submitted phase 1 desk study report which indicates that gas protection measures should be incorporated within the development and this matter could be dealt with by planning condition.
- 10.12 Due to the close proximity of the proposal to the adjacent railway embankment safeguards would be necessary to ensure that the operational requirements of the railway are met and these could be appropriately dealt with by planning conditions.

11.0 CONCLUSION

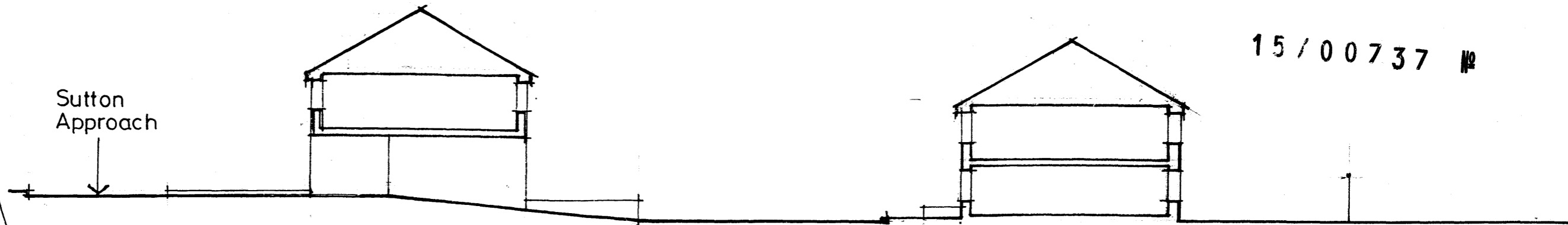
- 11.1 Whilst the principle of developing this site for flats is considered acceptable in this location the level of development proposed results in a range of conflicts that remain unresolved through the submitted revised plans. Overall, it is considered that the proposal results in an overdevelopment of the site that fails to respect the local built character and is of detriment to its visual appearance as well as prejudicial to future occupier amenity. Accordingly, this proposal is recommended for refusal.

Background Papers:

Application and history files.

Certificate of Ownership signed by the appointed planning agent on behalf of the applicant dated 6th February 2015.

15/00737 #



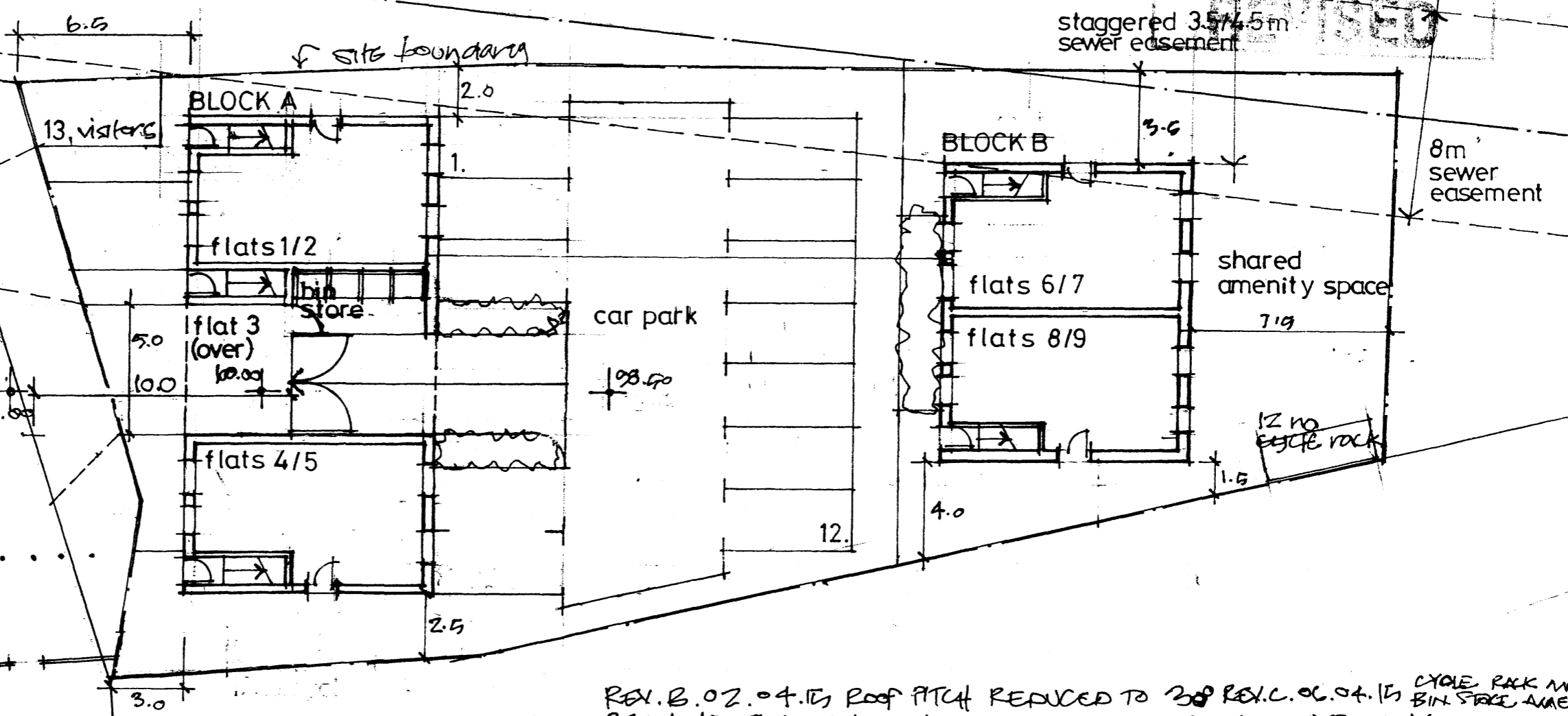
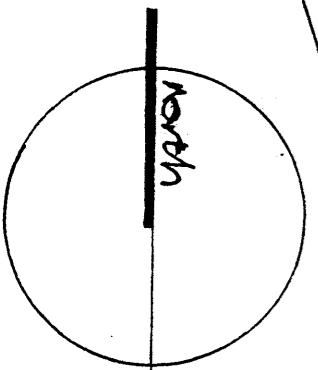
LEEDS CITY COUNCIL

17 APR 2015

staggered 3.5/4.5m sewer easement

8m sewer easement

SUTTON APPROACH

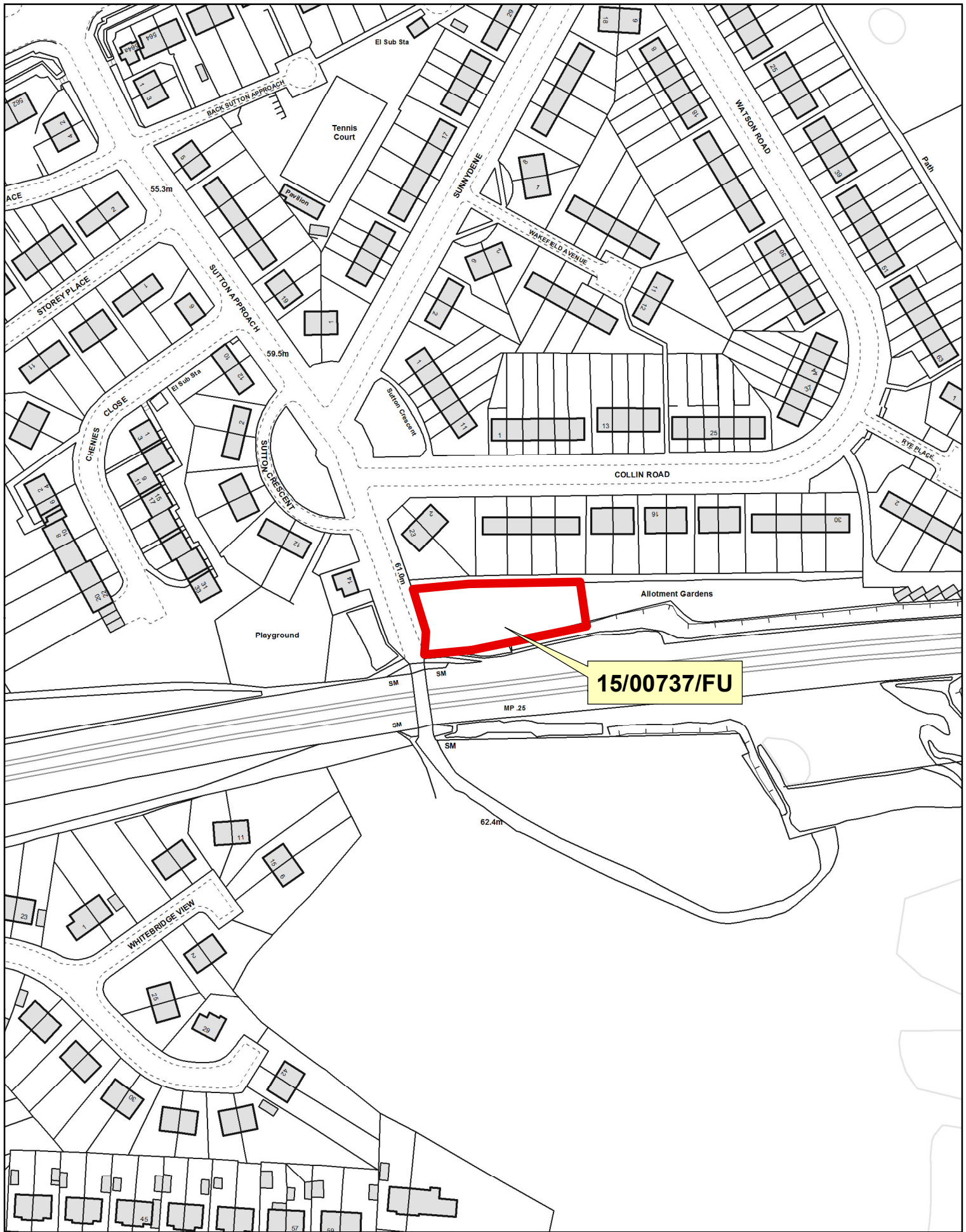


REV. B. 02.04.15 ROOF PITCH REDUCED TO 30°
 REV. C. 06.04.15 CYCLE RACK MOVED; BIN SPACE AMENDED
 REV. A 15.03.15 LAYOUT AMENDED IN LINE WITH HIGHWAYS AND Y.W. COMMENTS

DATE	JOB	SCALE
05.02.15	SUTTON APPROACH KILLINGBECK SCHEME B	1:200
David Jones Chartered Architect	DRAWING SITE LAYOUT	DWG. NO. 14.25.10 <i>ABC</i>

DO NOT SCALE FROM THIS DRAWING

CHECK ALL DIMENSIONS ON SITE BEFORE WORK COMMENCES



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

