

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 28th May 2015

Subject: 15/00203/FU – Part demolition of existing buildings and erection of three terraced houses with parking at 13/15 Parkside Road, Meanwood, Leeds, LS6 4LY

APPLICANT

Mr and Mrs Pawson

DATE VALID

12th January 2015

TARGET DATE

9th May 2015

Electoral Wards Affected:

Moortown

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 specified conditions:

1. Time limit.
2. Plans to be approved.
3. Details of surfacing materials to be agreed.
4. Surface water drainage scheme to be submitted for approval (discharge 30% less than existing).
5. Details of remediation work to deal with contamination.
6. No development until site investigation report submitted for approval.
7. Testing of imported soils for contamination.
8. Details of boundary enclosures to be submitted for approval.
9. Car parking to be laid prior to first occupation.
10. Details of external walling and roofing materials to be submitted for approval.
11. Permitted development rights for extensions, dormers and outbuildings withdrawn.
12. Details of existing and proposed ground levels and the finished floor levels of the houses.
13. Laying out of visibility splay and implementation of footway widening.

1.0 INTRODUCTION:

- 1.1 The application is reported to Plans Panel at the request of Councillor Sharon Hamilton in light of local concerns that it is an overdevelopment of the site, dominant form of development and loss of buildings of local value.
- 1.2 The application proposes the redevelopment of a building that has fallen into a dilapidated state. The site is bordered on 3 sides by residential properties, including a complex of stone buildings that are situated close to south eastern boundary. One of these properties has a living room and a bedroom window facing that face out over the application site. As the site is a brownfield site within the urban area the principle of development is considered to be acceptable. The main issues therefore concern character (including the loss of the building) and design, impact on residential amenity and highway safety.

2.0 PROPOSAL:

- 2.1 The application site incorporates a stone building and associated yard and No.17 Parkside Road. The existing house at No.17 is retained but its' driveway is incorporated into the parking courtyard that will serve the new development and will provide parking for No.17.
- 2.2 It is proposed to demolish the existing single storey stone building and erect a terrace of 3 dwellings. It is understood that the existing building was last used for commercial purposes but has been vacant for some while. Two of the proposed dwellings are two storeys with accommodation in the roof and the remaining property is a two storey house with accommodation set out over ground and first floors. The terrace is proposed to be built in brickwork with artificial stone heads and cills, brick and a concrete tile roof. The houses are of a traditional form and design. The houses are proposed to be sited adjacent to and just back from the back edge of the pavement. This mirrors the siting of the existing building and the adjoining stone property.
- 2.3 Each property is provided with rear gardens. Plot 1 has an irregular shaped garden that seems to reflect landownership boundaries. This garden varies in length from approximately 7.5m to 17m in length. Plots 2 and 3 have a conventional arrangement each with a garden of some 12.5m in length.
- 2.4 9 on site car parking spaces will be provided within a dedicated parking area to serve the existing dwelling at No.17 Parkside Road and the proposed 3 dwellings. This parking area is located to the west of plot 3 and adjacent to the boundary with No.17.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site comprises a single storey former commercial building and its yard and the house at No.17. The stone building is located at the back of the pavement on the south side of the main road. The front of building is painted white. Its roofing material has been removed. There is a large irregular shaped open area to the rear that is accessed to the western side of the existing building. No.17 comprises a relatively modern semi-detached house. It is set back approximately 7m from the road and its driveway borders the yard and access to the stone building.

3.2 The site is bounded by residential properties on its side and rear boundaries. To the west and rear are, in the main, conventional two storey semi-detached houses of tile, brick and render. To the east is a large house, No.139 Church Avenue, and a complex of stone buildings that have been converted into residential use. Part of this complex includes a building that runs adjacent to the eastern boundary. One of these dwellings, 9B Parkside Road, has a living room and bedroom window facing out over the site. There is what is understood to be a narrow footpath that runs between the eastern boundary and the back of the adjacent stone building.

3.3 Opposite the site is an area of woodland.

4.0 RELEVANT PLANNING HISTORY:

4.1 14/05131/FU withdrawal of demolition of commercial building, conversion for a one bed dwelling with integral garage and construction of 4 three storey terraced houses to abut the conversion.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Pre application discussions were undertaken to obtain a reduced scheme with acceptable levels of on-site parking. Revised plans which improve the visibility splay and insert chimneys onto the roof have been negotiated. Further revised plans have been negotiated as discussed in detail above to mitigate the loss of light and over dominance for the existing residents of 9B Church Lane.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Neighbour notification letters were posted on 15th January 2015 and further notification was sent on 31st March 2015 to publicise the receipt of revised plans. Site notices were posted on 23rd January 2015

6.2 Seven representations have been received from local residents objecting to the original proposal on the following grounds:

- The building to be demolished has been allowed to fall into disrepair and the site is derelict
- This stone building is unlisted but part of the historic Fosse estate. It should be repaired and retained for business use
- The private amenity space provision is poor
- The noise for existing residents will be excessive
- Reduction of 1 unit from the previously withdrawn proposal is not enough
- Loss of privacy from proposed upper floors - the separation is only 6.6m and should be 10.5m.
- The Design and Access Statement still refers to the conversion for a 1 bed unit with garage
- This is just for financial gain
- Overdevelopment
- The 3 storey aspect is out of character and under HH PD rights could be increased in size in the future, especially in respect of dormer extensions.
- The side footpath for one of the end units is too close to existing dwellings especially 9B i.e. sited to the east side and this will affect privacy
- The pleasant outlook will be lost
- The car parking spaces are too small and should be 3m X 5m.

- Excess car parking will spill over onto the street causing congestion on a very busy road which is close to a traffic intersection and a school bus stop.
- There will be light disturbance
- There will be loss of light especially for the east facing rear bedroom of number 9B and also the through lounge which has a secondary high level window facing eastwards
- The materials are not clear stated
- Drainage could be a problem as more of the site will be built upon
- Some letters support the principle of redevelopment but not this specific proposal

6.3 **Ward Members** - 1 letter of objection on the original proposal from Cllr Hamilton on the grounds of loss of light and privacy to the rear of the existing property at 9B and the proposed side footpath is also too close.

6.4 **Leeds Civic Trust** - Strongly objects to the original proposal on the following grounds:

- The stone building forms part of the original complex of buildings, probably farm buildings, and should be retained. Elements of the building have architectural merit.
- The proposed building should be single storey and set further back on the site.
- Overdevelopment
- Conservation should be consulted as the site forms part of the historic rural Fosse estate and the proposal will have a negative impact
- Residential use is acceptable but the design must be sympathetic
- Original stonework should be exposed

6.5 Since the revised plans have been received a further letter of objection has been received that raises the following points:

- Overdevelopment
- Over dominant
- Existing building is part of the character of the area and should be retained.
- Loss of privacy as the windows from Plot 1 will look into the rear garden of No.9A.
- The proposals involve the partial demolition of an adjacent building. This building should be included in redevelopment plans otherwise it might become used for anti-social activity.

7.0 CONSULTATION RESPONSES:

7.1 Highways - No objection now as the visibility splay for the new combined access has been revised and the onsite car parking provision is adequate. Standard conditions and direction are requested. The applicant is advised to contact the Middleton Highways Office regarding the widening of the footpath along part of the site frontage, the construction of the vehicular access and the reinstatement of a short section of redundant dropped crossing.

7.2 Contaminated Land has asked for standard conditions and directions to be imposed.

7.3 Drainage has no objection subject to the imposition of a standard condition.

7.4 West Yorkshire Archaeology has no comment

7.5 Conservation - The building does have heritage value and should be considered as a non-designated heritage asset. However, it is accepted that the building has been unsympathetically altered over time, does not have strong architectural features, is set outside of the courtyard of the buildings and does not share their quality of form and interest. What the building does provide is strong enclosure to the street with the adjoining outbuildings and the stone boundary walls in front of the 1930s housing to the west, combining with the woodland to the north to give Parkside Road the feel of a country lane.

8.0 PLANNING POLICIES:

8.1 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 Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006), the Natural Resources and Waste Development Plan Document (2013) and relevant SPGs and SPDs.

Local Planning Policy

8.2 Relevant policies should be taken into account as follows:

Adopted Core Strategy:

- P10 - Design
- P11 – Conservation – Including the conservation and enhancement of significant undesignated heritage assets.
- H2 - Housing development on unallocated sites

Saved UDP Policies:

- GP5 - seeks to ensure that all development proposals resolve the detailed planning considerations, including residential amenity for existing and future occupiers.
- T2 - states that new development should not cause new problems for highway safety and efficiency, or exacerbate existing risks and congestion.
- BD5 - new buildings should be designed with regard to their surroundings.

8.3 Relevant Supplementary Planning Guidance includes:

Supplementary Planning Document: "Street Design Guide".
Supplementary Planning Guidance "Neighbourhoods for Living" – that includes guidance that the design and layout of new development should have regard to the character of the local area and the degrees of separation that should be achieved between properties.

National Planning Policy

8.4 The National Planning Policy Framework (NPPF, March 2012) gives a presumption in favour of sustainable development and has a strong emphasis on high quality design. The following sections are particularly relevant:

7 Requiring good design

12 Conserving and enhancing the historic environment. Para. 135:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

9.0 MAIN ISSUES:

1. The development plan and heritage value.
2. Character, appearance and contextual aspects.
3. Residential amenity impacts.
4. Highway safety aspects.
5. Private garden space.
6. Letters of Representation.

10.0 APPRAISAL

The Development Plan and Heritage Value

- 10.1 The site comprises previously developed land within an urban area. The site is well placed in respect of access to local facilities and public transport. As such the principle of residential development is consistent with adopted planning policies.
- 10.2 A number of objectors, including the Civic Trust, consider that the existing building should be retained. The building is not listed and is not within a conservation area. The building is part of the historic fabric of the area and the view from the conservation officer is that it should be treated as a non-designated heritage asset. This does not necessarily count against the principle of the demolition of the building. It means regard should be had to its loss and its significance. The building has limited architectural merit, has been unsympathetically altered over time, is set outside of the courtyard of the buildings and does not share their quality of form and interest. In those circumstances it would be difficult to justify the refusal of permission.

Character, appearance and contextual aspects

- 10.3 There is a mix of 2 storey and single storey dwellings of different forms and styles within the area. A number of properties have accommodation in their roofspace. The prevailing character is that of evenly spaced sub-urban housing interspersed with a few clusters of older traditional tight knit development. The residential use of this former commercial site will fit with this predominant characteristic. The buildings are of a traditional form and design and would not appear out of place within the housing in this locality. The siting close to the back edge of the pavement reflects the historic grain of development. The scale of the houses reflects that of the wider area. During the course of the consideration of the application the design of the dwellings have been revised including the addition of chimneys which help to break up the roofscape. The house proposed on plot 1 is lower than plots 2 and 3 and therefore provides a gradual increase in height from east to west across the road frontage. The building line is mostly preserved which is a strong characteristic. The impact on character and appearance of the area is therefore considered to be acceptable and it is considered that the design, siting and spatial setting has sufficient regard to its context. For these reasons it is considered that the proposal

complies with Policies P10 and BD5 and the guidance set out in Neighbourhoods for Living.

Residential amenity/ Living condition impacts

- 10.4 The terrace of 3 units is built on part of the footprint of the existing building which is to be demolished. The height will be increased compared with the existing single storey structure.
- 10.5 There will be adequate separation to the rear party boundary with certain properties located on Church Avenue. The application plans indicate that approximately 30m separation will be provided between the back of the new houses and the rear of Nos. 133 and 135 Church Avenue. This degree of separation is greater than that set out in Neighbourhoods for Living.
- 10.6 No. 139 Church Avenue is set to the rear and east of the application site. Its side elevation borders the side boundary of the application site. Its main amenity area is set to the front of the house. Within this area there is a detached garage with a flat above. This building will serve to obscure much of the view of this house's main amenity area.
- 10.7 As described previously the properties most affected by the proposals will be Nos. 9A and 9B Parkside Road. No.9B has a living room and bedroom windows located close to the boundary with the site. The ground floor of this house is open plan accommodating the kitchen and the main living area. This room is also set at a lower level than the ground outside. This room has a large window to the front and the affected window to the rear. The rear window is set at an elevation position in the wall and whilst providing more limited views out it does provide an important source of natural light for the ground floor. The bedroom window is at first floor and serves a small bedroom at the rear of the house. It is the room's sole source of natural light and outlook. The application proposal has been revised to reduce the impact on these windows. The height of the house on Plot 1 and its rearward projection have been reduced. Accordingly the footprint of Plot 1 follows that of the existing building. The proposed house will no longer directly impact on views from these windows, although the increase in height may result in some loss of light.
- 10.8 No.9A also has 2 windows close to this boundary and a small area of garden that is enclosed by a close boarded fence of approximately 1.8m high (the plans show this to be enclosed with a fence of 1.9m high). Plot 1 will have 3 windows at first floor facing towards this small garden. These windows serve a bedroom, a landing area and a bathroom. By the nature of the latter two spaces/rooms it is unlikely that these will result in any significant loss of privacy. The bedroom window is shown to be 7.5m from the garden fence at its nearest point. Neighbourhoods for Living advises that secondary aspect windows (that by definition include bedrooms) should achieve at least 7.5m separation to a boundary. Therefore, the terms of the design guide are met. It is unlikely that the garden area will suffer any significant loss of light as it is located to the south of the proposed dwellings. Turning to the windows, the ground floor opening is largely obscured by the existing fence. The first floor window is small, obscured glazed and is understood to serve a toilet. Both of these windows face out over the garden areas of the new houses rather than towards the houses themselves. In consideration of the factors described it is not considered that any harm that will result to residential amenity will be so great so as to justify the refusal of planning permission.

Highway safety aspects

- 10.9 Adequate on-site parking spaces for the new build and the existing dwelling - a total of 9 spaces - will be provided. Each space is correctly dimensioned as is the long driveway which provides on-site turning. A small bin collection area will be provided alongside the northern most parking space, i.e. number 9. A footpath to the rear gardens will facilitate movement of bins on collection days. A sightline of 2.4m x 59m is provided at the access to the parking area and this is considered appropriate for a road with a speed limit of 30mph. These aspects are considered to be acceptable.

Private garden space

- 10.10 It is considered that in the context of this site and locality adequate private amenity space for the 3 new dwellings will be provided. Neighbourhoods for Living sets out that "as a general guide private gardens for family homes should have a minimum area of 2/3 of the total gross floor area of the dwelling...". The garden provision for Plot 1 is in excess of this guidance. The garden areas for Plots 2 and 3 falls short of this guide. Nevertheless each garden is approximately 12m long and 6m wide. The gardens face south east and will enjoy good levels of privacy. This level of provision is greater than some other dwellings in the locality. . Given the circumstances that exist here it is considered that this level of provision is appropriate. A condition removing permitted development rights in respect of outbuildings and extensions will ensure that this level of private amenity space will be retained. This aspect is therefore considered to be acceptable.

Letters of Representation

- 10.11 In addition to the points discussed above a number of other points have been raised by objectors including noise, use of roofspace, surface water run-off and that the building should be retained.
- 10.12 It is unlikely that the introduction of 3 houses will increase noise levels to an unacceptable level on a consistent basis. Arguably the potential for noise disturbance is less than the fall-back position of the use of the property for commercial purposes.
- 10.13 It has already been set out that the use of roofspace for habitable accommodation is not uncommon in the locality.
- 10.14 With regard to surface water runoff the site currently comprises a building and associated yard. The introduction of gardens will increase the amount of permeable surfacing. A condition will be attached to the planning permission to require the developer to show that the development will reduce surface water runoff by 30%.

11.0 CONCLUSION

- 11.1 In conclusion, consideration has been given to all the relevant matters raised and on balance it is considered that this particular proposal is acceptable as revised and should be approved subject to appropriate conditions. The proposal utilises a brownfield site in a sustainable location. It is not considered that strong planning arguments exist to justify the retention of the stone building on site. The proposal will add to the supply of housing and replace a non-confirming use that has the potential to cause harm to the amenities of neighbouring residents. The form, design and spatial setting of the new dwellings have regard to the established residential character of the area. Sufficient parking and appropriate sightlines are provided. There will be some impact on residential amenity, however the scheme

has been revised to reduce this. The matters raised by local residents against the scheme are not considered to be of sufficient weight to outweigh the positive benefits that arise from this development.

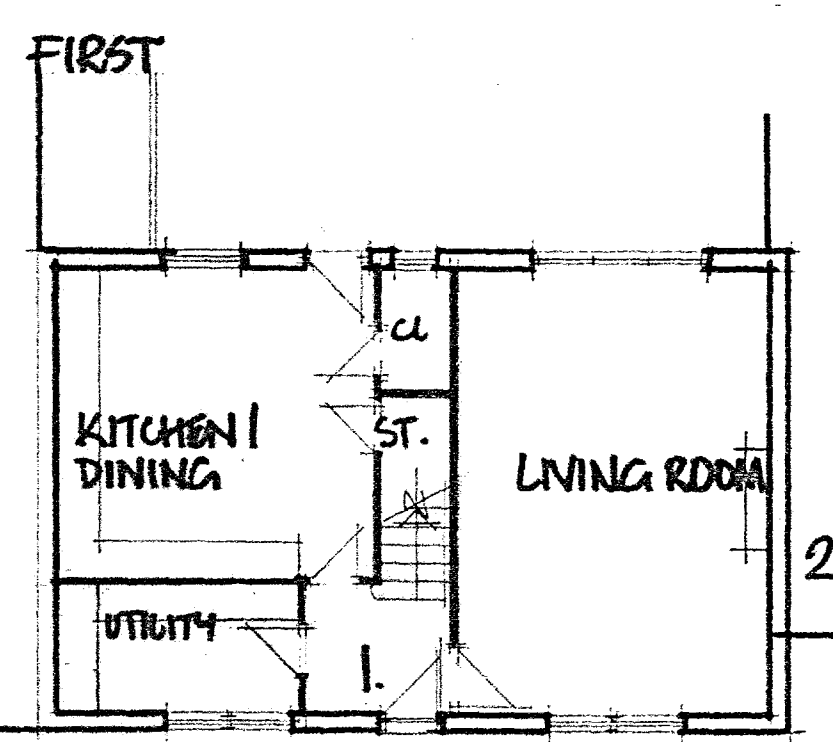
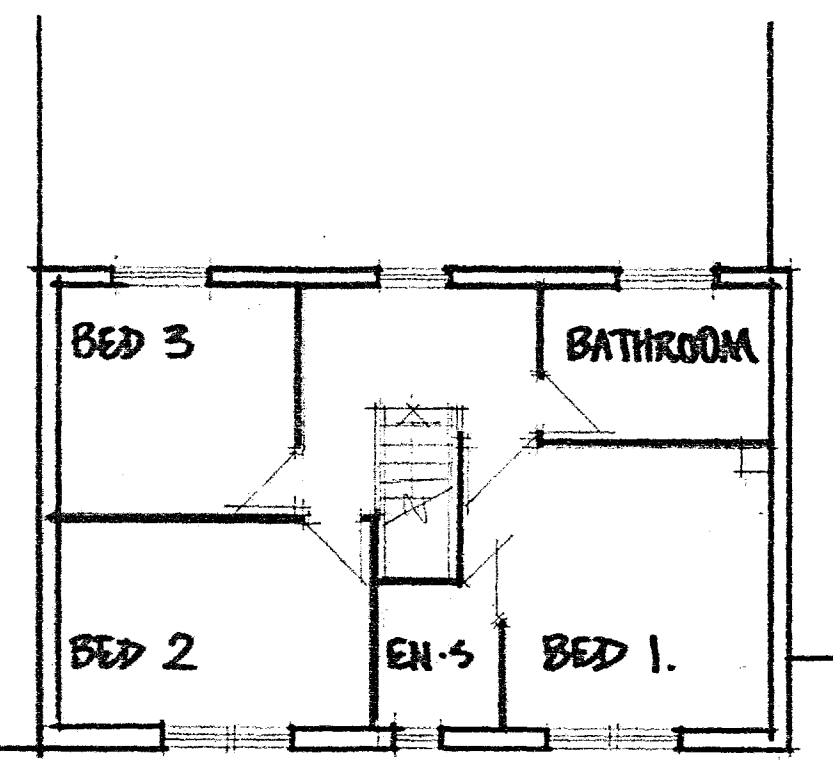
Background Papers:

Application file: 15/00203/FU

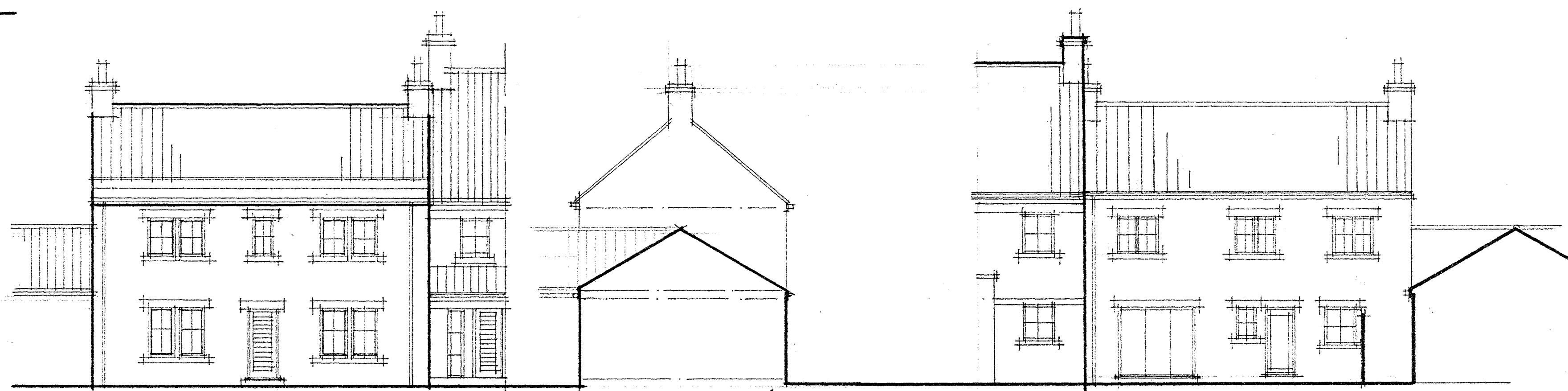
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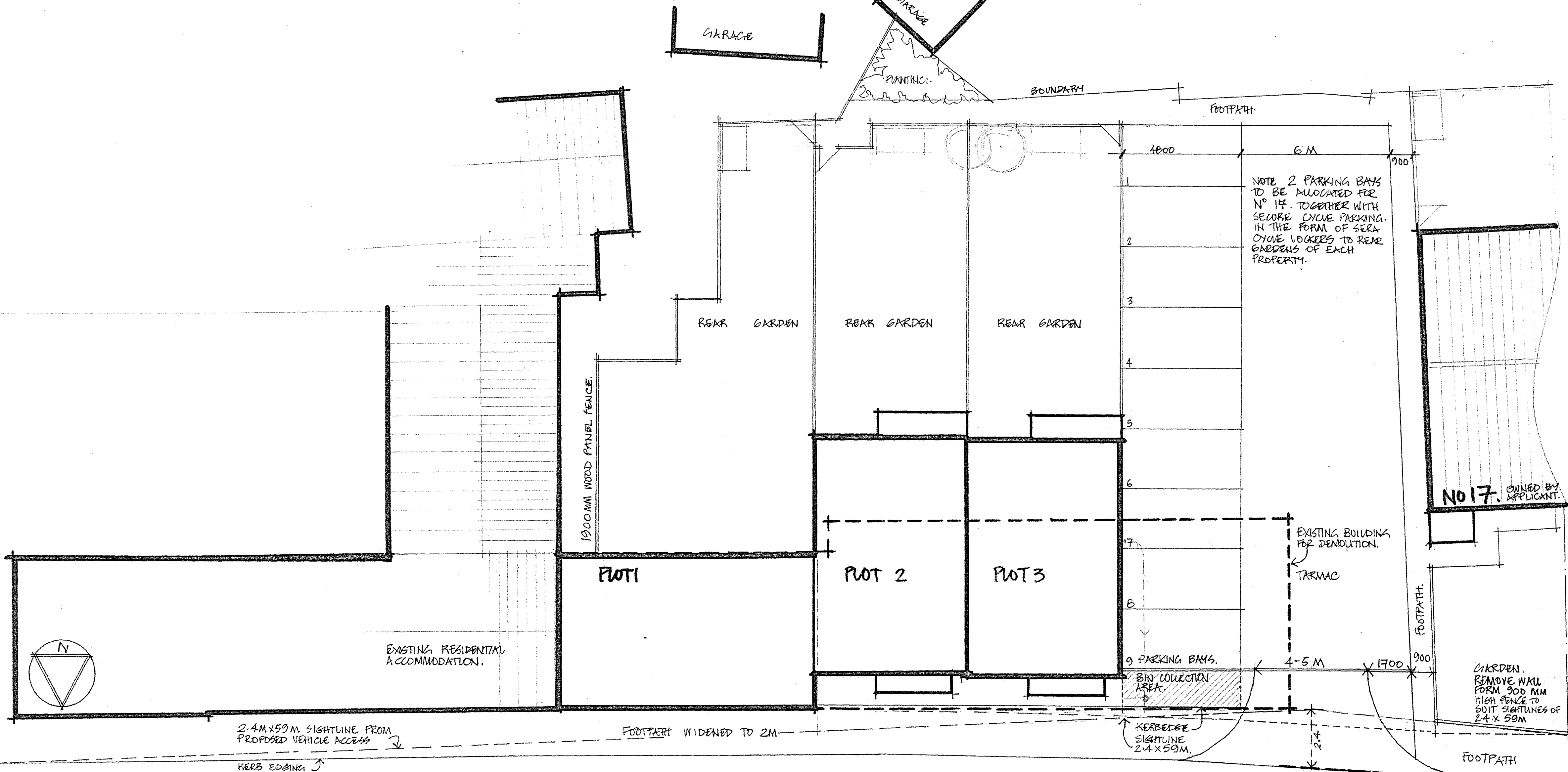
15/00203



PLOT 1 GROUND



FRONT PARKSIDE ROAD NORTH. SIDE EAST. REAR SOUTH.



PARKSIDE ROAD.

DATE	REVISION DESCRIPTION

659A ROUNDHAY ROAD
 OAKWOOD
 LEEDS
 LS8 4BA

TEL: 0113 2400012
 FAX: 0113 2492766

MJF
 ARCHITECTS LTD

PROJECT - RESIDENTIAL DEVELOPMENT
 13-15 PARKSIDE ROAD
 LEEDS.

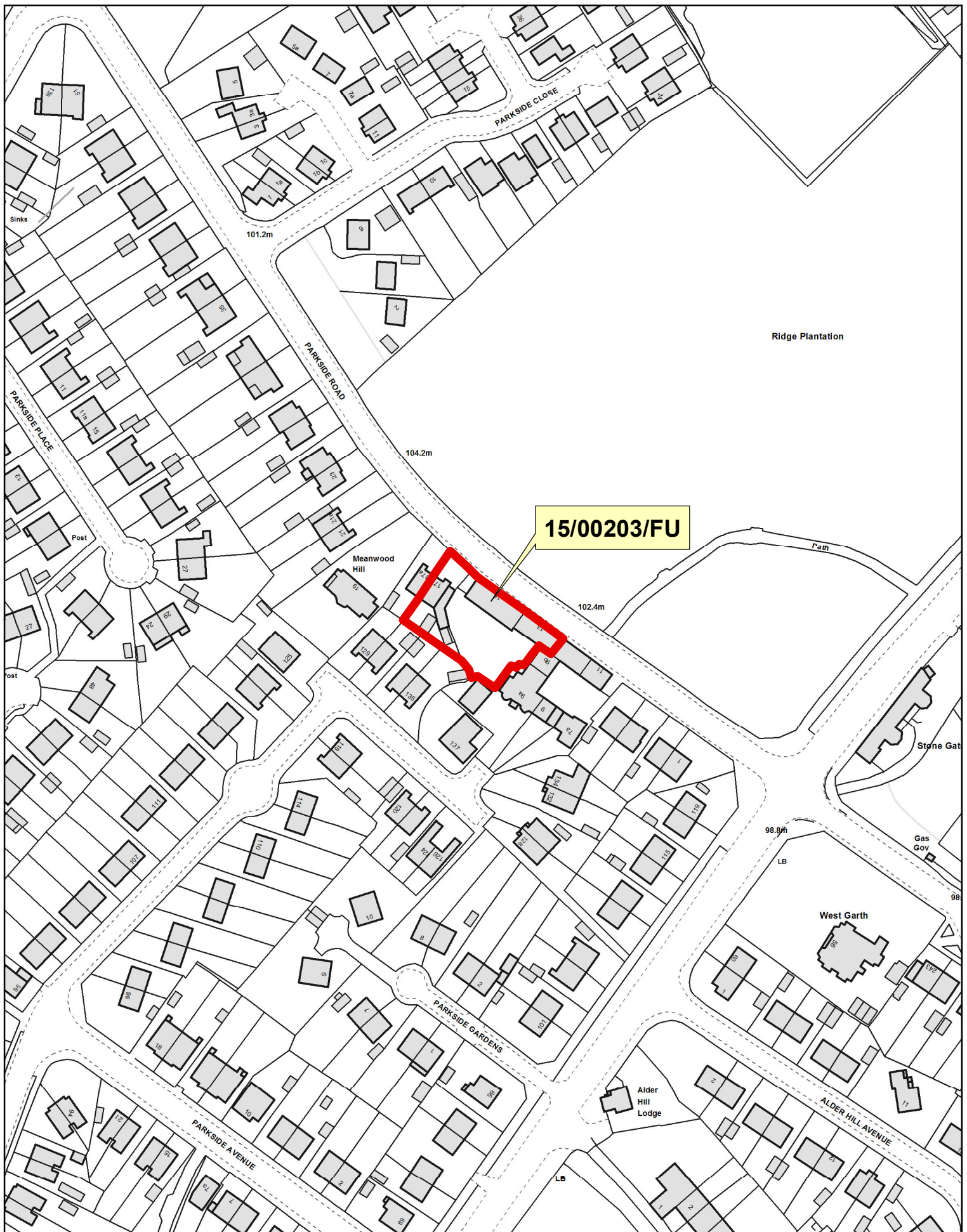
DRAWING DESCRIPTION: SITE PLAN - PROPOSED -

CLIENT: MR. MRS N. PANSON.

SCALE: 1:100

DRAWN/CHECKED BY: 1297-10-AB

DRAWING NUMBER:



NORTH AND EAST PLANS PANEL

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