
Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 22nd October 2015

Subject: 15/03928/OT – Outline application for link detached house with two garages, to consider matters of access and layout only. Land at 36 Town Street, Carlton, WF3 3QU

APPLICANT

Mrs Karen Bruce

DATE VALID

30th July 2015

TARGET DATE

23/10/15 – Extension of Time.

Electoral Wards Affected:

Rothwell

N

Ward Members consulted
referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

GRANT approval to the Chief Planning Officer subject to the conditions specified

- 1 Submission of Reserved Matters within 3 years**
- 2 Matters to be reserved – scale, appearance, landscaping.**
- 3 Plans to be approved**
- 4 Existing and proposed level and finished floor levels**
- 5 Tree protection to be submitted and installed prior to commencement of development**
- 6 Sample of all walling and roofing and external materials**
- 7 Sample of surfacing materials**
- 8 Submission of cycle and motorcycle parking**
- 9 Submission of bin storage**
- 10 Submission of hard and soft landscaping**
- 11 Vehicle spaces to be laid out prior to occupation**
- 12 Maximum gradients for access and driveways**
- 13 Widening of footpaths**
- 14 Remediation Statement if unexpected Contamination encountered**
- 15 Importing soil to be tested**

16	Submission of Verification Certificate
17	Boundary details to be submitted, approved and installed, prior to occupation
18	Submission surface water drainage works
19	Construction Method Statement including Hours of Construction

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel as Mrs. Karen Bruce (applicant) is also an elected ward member for Rothwell, in the interests of transparency and democracy.

2.0 PROPOSAL:

- 2.1 The proposal seeks outline planning consent for a link detached house with two garages. The proposal involves the demolition of disused outbuildings which are located within the applicant's domestic curtilage.
- 2.2 The only matters to be considered at this outline stage are the means of access and layout of the scheme.
- 2.3 The new dwelling would front onto Town Street and would be linked to the existing dwelling at No.36 Town Street by a double garage.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site consists of a regular shaped area of residential land which currently forms part of the domestic curtilage of No.36 Town Street. The land has previously been used as outbuildings and private garden space; the two storey lean-to outbuildings are presently unused. The site area measures 0.028ha and is surrounded by dwellings to the north, south and west. Brick built semi-detached properties lie to the north, whereas a short row of modern terraced dwellings are located to the south; both house types front onto Town Street. The rear gardens of these properties lie to the west of Town Street and adjoin the rear garden areas serving the adjoining neighbouring dwellings on Queens Drive which is located to the west of Town Street.
- 3.2 The site contains a number of mature trees and dense vegetation, which are not protected. The site is relatively flat and boundary treatment consists of a brick wall measuring approximately 1m in height with timber fencing over to the front and a mixture of domestic garden enclosures includes timber panel / board fencing and hedging across the western boundary.
- 3.3 The site lies in an established suburban residential area, which is characterised by regular spaced semi-detached properties. The site lies in Carlton in very close proximity to the border with the Wakefield district.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There are no previous applications upon this site for any form of development, the applicant did seek some informal pre application advice in 2011 however there is no record of the advice given.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant was asked to supply further information in relation to contaminated land. A revised site layout has also been submitted following comments from the Highways Officer.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by site notice posted on 14th August 2015 and neighbour notification letters were sent out on 30.07.2015; to date 2 letters have been received from neighbouring properties who have submitted general comments neither supporting nor objecting to the proposal.

- 6.2 The points raised in the comments are highlighted below.

- Concerns regarding the location of the existing bus stop in relation to the new double garage and if the bus stop needs relocating can it be relocated away from their properties
- A desire not to introduce a dual bus stop which would lead to people waiting for buses outside their house
- Retention of boundary planting and tree cover to help retain privacy
- Concern regarding removal of tall boundary wall and questions what boundary treatment will be erected in the future.
- Concerns regarding the future position of the new 4 bedroom property in relation to their existing property and bathroom window
- There is a change in land levels and the neighbours land is approximately 3ft (0.9m) lower than the application site. They do not want the new dwelling to be any higher than the existing dwelling at No.40 Town Street
- Encouraged a style of dwelling that relates well to the style of existing properties

Ward Members

- 6.4 Due to the minor nature of this application local Ward Members have not been consulted on the application, they will have been notified via the highways consultation. No response has been received.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Contaminated Land – No objection subject to conditions.

- 7.2 Highways - no objection subject to amendments and conditions.

- 7.3 Flood Risk Management – No objections in principal

- 7.4 Coal Authority – No objections, based on the additional information submitted by the applicant dated August 2015.

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 the area consists of the adopted Core Strategy, saved policies within the Unitary Development Plan Review (UDPR) and the Natural Resources and Waste DPD, along with relevant supplementary planning guidance and documents.

8.2 Local Development Framework Core Strategy policies:

The existing site is unallocated.

H2 New housing development on non-allocated sites

EN5 Managing flood risk

T2 Accessibility requirements and new development

P10 Design

8.3 Saved Policies of Leeds Unitary Development Plan Review (UDPR):

GP5 General planning considerations

N25 Landscape design and boundary treatment

T7A Cycle parking guidelines

BD5 Seeks to ensure new development protects amenity

The following Natural Resources and Waste DPD 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

8.4 Relevant Supplementary Planning Guidance:

Building for Tomorrow Today – Sustainable Design and Construction (2011)

Natural Resources and Waste Development Plan Document

Neighbourhoods for Living – A Guide for Residential Design in Leeds

Street Design Guide – Supplementary Planning Document

8.5 National Planning Policy:

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.

Relevant paragraphs/sections from NPPF are listed below:

7. Requiring good design

9.0 MAIN ISSUES

- Principle of development

- Principle of Demolition/ Impact on Character of Locality
- Layout
- Highways/ Access
- Representations

10.0 APPRAISAL

Principle of development

- 10.1 The main issue affecting whether the principle of residential development of this site is acceptable are (i) whether the site is considered sustainable. The only other issues under the assessment of this application are the layout and highways arrangement of the scheme, as these are the only matters which fall to be considered by this outline application. Therefore, the proposal will be subject to further detailed planning assessment at the reserved matters stage.
- 10.2 The NPPF published in March 2012 continues to indicate that planning decisions should encourage the effective use of land by re-using land that has been previously developed, and that Local Planning Authorities may consider the case for a locally appropriate target for the use of brownfield land. However, it does not include reference to a sequential approach. Instead the advice is that housing applications should be considered in the context of the presumption in favour of sustainable development. As the site is currently in use as a domestic garden it is technically classed as being greenfield.
- 10.3 Policy H2 of the adopted Core Strategy states that new housing on non-allocated sites should be accepted, provided that the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, accord with accessibility standards and Green Belt policy is satisfied.
- 10.4 The site lies within an established residential area close to the local services, although it is accepted that these are limited. There are public transport connections close by, and access is available to larger service areas such as Rothwell town centre, Middleton, Morley and Leeds itself. The site is in private ownership with an established residential use, it is not considered that this proposal (which is for a net gain of 1 property) would create a demand on local services which could not be met. The proposal could therefore be considered to represent sustainable development.

Principle of Demolition/ Impact on Character of Locality

- 10.5 The proposal includes the demolition of a collection of outbuildings which front Town Street. The buildings are in poor condition and their historic and run down appearance is at odds with the attractive examples of neighbouring suburban house building trends in the wider area. The outbuildings are to be demolished to create space for the proposed link detached dwelling house with two garages and to allow access into the site.
- 10.6 The outbuildings are not considered to be remarkable architecturally, they are not listed and are not located within a Conservation Area. Therefore in planning legislation they are not afforded any protection and could be demolished regardless of this application. The exact design of the new dwelling which would face onto Town Street would be assessed in full at the Reserve Matters stage. The design of this dwelling would need to be carefully considered, to preserve the character and patterning which exists along Town Street.

Layout

- 10.7 The layout provides a credible response to on-site constraints (site boundaries) and to existing properties which surround the site. The proposal comprises of a reasonable plot size which is not dissimilar to the plot size of No.36 Town Street. A gradient does exist on the site and whilst no level drawings have been submitted as part of this application, the comments received from neighbouring dwelling at No.40 Town Street land suggest that the application site is approximately 3ft (0.9m) higher than the neighbouring property to the south. Details of the levels would be required at reserved matter stage when scale will be assessed. A new joint access point is proposed from Town Street serving No.36 Town Street and the new dwelling. The properties will be linked by their garages. The proposed dwelling lies 10m from the rear boundary shared with neighbouring dwellings on Queens Drive. This boundary is currently defined by mature vegetation which offers further screening.
- 10.8 The proposed dwelling is located within close proximity of the adjacent dwelling at No.40 Town Street however, so is the existing part two and part single storey outbuilding. Therefore, due to the existing layout and distances, it is not considered that the siting of the proposal would have any additional adverse impact on the living conditions of this property. The heights of the proposed property and exact relationship with existing properties in terms of window openings etc would be assessed in full at the Reserved Matters stage. It is however, considered that this proposed layout could achieve an acceptable scheme, would not appear over-dominant or result in significant levels of over-shadowing or over-looking onto existing properties, subject to a suitable design.

Highways

- 10.9 The scheme includes a new access into the site which has been designed up to adoptable standards. Following revisions to improve visibility, the Highways Team raise no objections to the application. It is considered that the intensification of the site from 1 dwelling to 2, would not create an unacceptable demand on the local highway network, which would warrant grounds to refuse the application. It is noted that a bus stop is located outside the application site and this would need to be relocated to accommodate the new drive. The applicant is advised to contact West Yorkshire Combined Authority (formerly Metro) with regards to this matter.

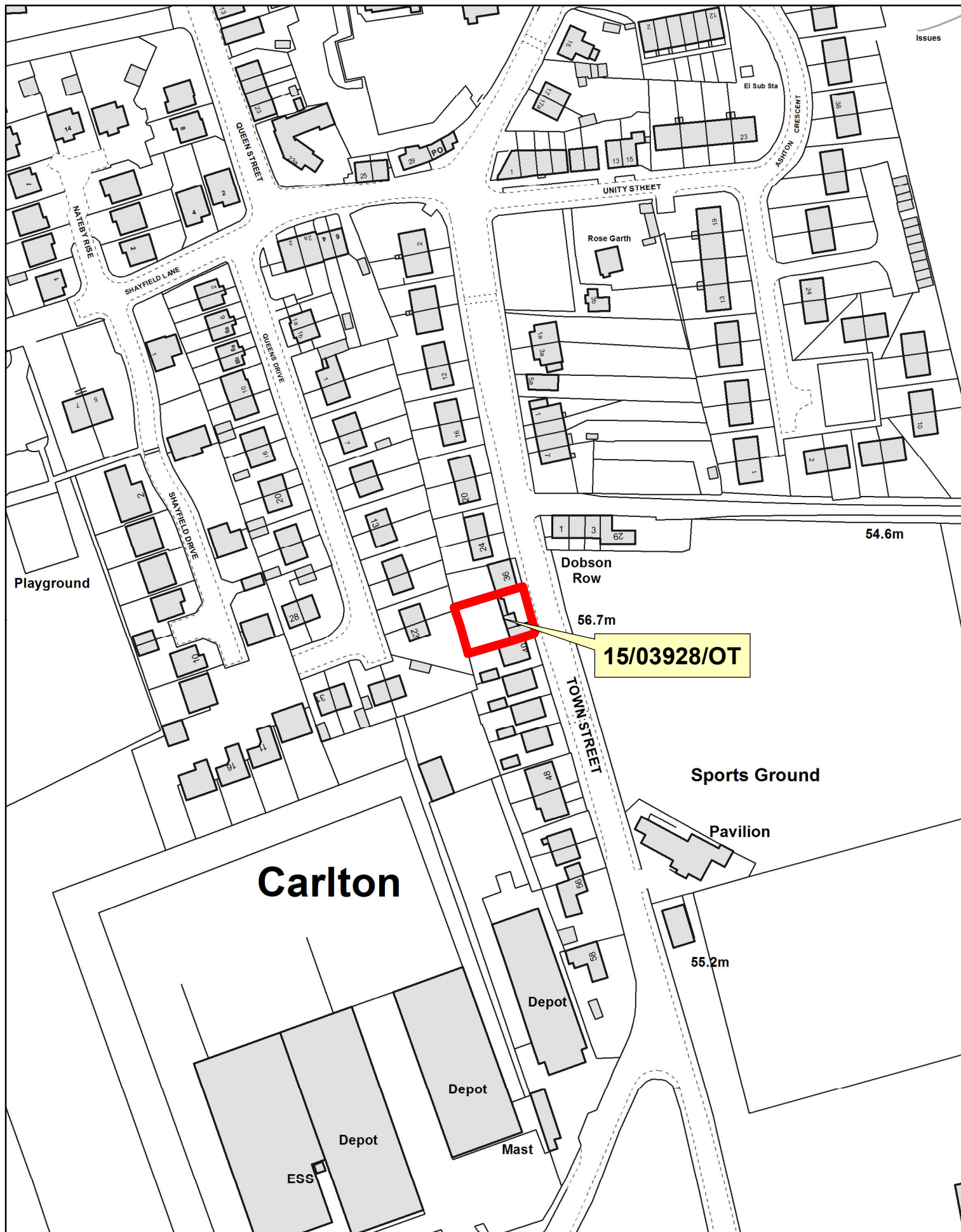
Representations

- 10.10 Two letters of the representation have been received from neighbours who have submitted general comments neither supporting nor objecting to the proposal. Concerns regarding the relocation of the bus stop will be addressed by West Yorkshire Combined Authority (Metro). Other concerns regarding boundary treatment, retention of landscaping, loss of privacy, relationship of the new dwelling in relation to existing windows and the design will be considered in full at Reserved Matters stage. Subsequent Reserved Matters applications will be subject to public consultation and neighbours will be invited to view the detailed plans and submit any comments.

11.0 CONCLUSION

- 11.1 The scheme is considered to comply with both National and Local planning policy regarding new residential development. There are not considered to be any planning reasons to resist the principle of developing this residential area of land, and the means of access are considered to be acceptable. The layout is also considered to protect the general amenity of adjacent occupiers in terms of privacy, over-shadowing and dominance. This outline application is recommended for approval subject to conditions.

Background Papers:
15/03928/OT



SOUTH AND WEST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

