



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 7th April 2016

Subject: 15/07182/FU – Detached dormer bungalow and garage on former garden land- Hawks Nest Gardens East, Alwoodley, Leeds, LS17 7JQ

APPLICANT

Miss S Iqbal

DATE VALID

10th December 2015

TARGET DATE

4th February 2016

Electoral Wards Affected:

Alwoodley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: REFUSE PERMISSION for the following reasons.

1. The Local Planning Authority considers that the proposed development is unacceptable by reason of the design, size and location which fails to respond to the immediate context of Hawks Nest Gardens East in terms of its arrangement, the proposed design not reflecting the local vernacular, spatial separation, siting of the garage located to the front of the dwelling, within a street scene of semi-detached properties where dormer bungalows and two storey front projections do not feature. As such, the design approach proposed would result in an incongruous form of development that fails to respect the immediate context of the street within which it is located, contrary to the General Policy and Policy P10 of the Leeds Core Strategy (2014) saved Policy GP5 of the Leeds Unitary Development Plan (Review 2006), advice contained within Supplementary Planning Guidance 13 - Neighbourhoods for Living (2003), and guidance contained within the National Planning Policy Framework (2012).
2. The development along Hawks Nest Gardens East would have a significantly harmful effect on spatial character and the appearance of the immediate area thereby going

against the prevailing character of the immediate locality where there is good levels of regular separation between existing dwellings. Therefore the development is contrary to the General Policy and Policies H2 and P10 of the Leeds Core Strategy (2014) saved Policies GP5 and N23 of the Leeds Unitary Development Plan (Review 2006), advice contained within Supplementary Planning Guidance 13 - Neighbourhoods for Living (2003), and guidance contained within the National Planning Policy Framework (2012).

1.0 INTRODUCTION

- 1.1 The application is for a detached dormer bungalow and garage on former garden land.
- 1.2 Councillor Harrand has requested that the application be determined at Plans Panel if officers are mindful to refuse the application.

2.0 PROPOSAL:

- 2.1 The proposal is for a detached dwelling which is to be located on a plot of land which is currently vacant. The proposal is for a detached brick and render dwelling with two storey projection (described by applicant as a dormer) at the front with the rear to be finished in render. A single garage is proposed to the front.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site was former garden area to No 24 Primley Park Avenue. However the context of the site is more properly Hawks Nest Gardens East as this is where the access to the site is to be taken and the where the public views of the development will be seen from.
- 3.2 The existing properties in Hawks Nest Gardens East are all two storey semi-detached properties with modest gardens and driveways creating regular gaps within the street scene. The site is located between semi-detached residential properties. However, those to the west are rotated 90 degrees to the application site and face Hawks Nest Gardens South.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 30/773/03/FU - 4 bedroom detached house with integral garage – Refused 04.02.2004

This application was refused as it was considered to overdevelop the site and be out of keeping with the area. The overall size and siting would dominate the gardens of adjacent properties which would cause harm to the amenities of the neighbour. The loss of protected tree would cause harm to the character and amenities of area.

30/441/96/OT – Outline application to erect one detached dwelling – Approved 09.05.1997

The form of the dwelling was not known the impact on adjoining properties cannot be determined. It is noted the site is large enough to accommodate a dwelling of a modest size without affecting the amenities of neighbouring properties providing that any building and windows are carefully positioned. Adequate visibility can be provided and it is not thought that one further dwelling would generate a

material increase in traffic or contribute to additional congestion. Adequate protection for the tree covered by the Tree Preservation Order.

H30/52/89/ - Outline application to erect detached bungalow, with detached garage to garden site. – Approved 22.05.1989

H30/948/80/ - Outline application to lay out access, and erect detached bungalow with detached garage to garden site – Approved 19.01.1981

5.0 HISTORY OF NEGOTIATIONS:

5.1 Discussions have been held with the agent which have resulted in revised plans been submitted that show the eaves line lowered, the dwelling set in from both side boundaries by approx. 1.8m and 1.5m. The originally proposed hardstanding has been removed and is soft landscaping with hardstanding in front of the proposed garage to reduce the potential impact on a tree protected by a Tree Preservation Order (TPO).

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by site notice and letters to occupiers of neighbouring properties.

6.2 There has been 2 objection letters from members of the public. The points of concerns are:

- Impact upon the existing tree.
- Concerns of drainage and run off.
- Overdevelopment

7.0 CONSULTATIONS RESPONSES:

7.1 Highways	No objections. The site has an existing dropped crossing onto Hawks Nest Gardens East and adequate off-street parking proposed.
Mains Drainage	There are no records of flooding problems in the area so the drainage proposals for this site can be dealt with by the Building Inspector as part of the Building Regulations requirements. No objections with regards to drainage.
Contaminated Land	No objection.
Landscape	No objection subject to an amended layout to show permanent protected area around the tree free from hard surfacing and a condition to require tree protection plan.
Design	Design team officers have been involved in discussions with the applicants to assist in an understanding behind the rational of the design concept.

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) 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 relevant:

P10 Seeks to ensure that new development is well designed, respects its context and does not harm amenity.

Spatial Policy 6 Identifies that 500 dwellings per year are anticipated to be delivered on small and unidentified sites

The following saved UDP policies are also relevant:

GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD6: Seeks to ensure all alterations respect the scale form and detailing of the original building.

National Planning Policy

- 8.3 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.
- 8.4 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 accordingly, it is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
- 8.5 Section 7 (design) of the NPPF is relevant to the consideration of this application.
- 8.6 DCLG - Technical Housing Standards 2015
The above document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently developing the Leeds Standard. However, as the Leeds Standard is at an early

stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this stage.

- 8.7 The above guidance states that a 3 bedroom, 2 storey dwelling should have 102m² internal floor area. This proposal has an internal floor area of approx. 205m² which is a significant increase from guidance.

9.0 MAIN ISSUES

- Design and Character
- Highway Safety
- Representations
- Community Infrastructure Levy

10.0 APPRAISAL

Design and Character

- 10.1 As mentioned in section 5.1 discussions were held between officers and the agent and subsequently revised plans were submitted. However, the revisions made to the siting (set off the side boundaries) and lowered eaves height of the proposed dwelling are still considered not to respect the context of the immediate area, its size and overall location.
- 10.2 The character of the area is that of two storey semi-detached brick and rendered dwellings. These properties have off street parking and private gardens to the rear. The proposed development moves away significantly from the character of the immediate street scene and would introduce a form of development that would sit at odds and appear incongruous with the established housing pattern along Hawks Nest Gardens East. Other than orientation of dwellings and some alterations that have crept in through extensions etc, most of which still respect the established pattern of development, there are no other significant divergences from the pattern established by the existing dwellings. That is not to say that the site needs to be developed with a pair of semi-detached dwellings, rather, that a single dwelling needs to respect this pattern and maintain greater gaps between it and the site boundaries.
- 10.3 The design of the property fails likewise to relate to the immediate context of Hawks Nest Gardens East. A detached dormer bungalow within a street of semi-detached properties, its proposed roof-form, two storey rendered front and rear elements and garage located in front of the dwelling are all elements that do not exist in the context within which it is proposed and therefore an argument that the design takes its clues from the local area and re-interprets them in a modern manner cannot be made to support the proposal. The design approach proposed would, it is considered, result in an incongruous form of development that fails to respect the immediate context of the street and immediate locale on this part of Hawks Nest Gardens East. The proposed materials will be acceptable within the context of the area given that a number of properties have some render on them; however the design as proposed fails to respond to the immediate street-scene and in its submitted form is not contextual.
- 10.4 The character of the immediate street scene is that the properties are separated by driveways, therefore creating regular gaps within the street. This proposal does not maintain this and as such closes the gap within the street scene.

10.5 As such the application is considered not to be acceptable in this regard.

Highway Safety

10.6 Core Strategy Policy T2 notes that developments be situated in accessible locations and should ensure that adequate parking provision is required. The normal standard for dwellings is 2 off street car parking spaces per dwelling. Highway officers raise no objections as the proposal can accommodate 2 off street car parking spaces.

10.7 As such the application is considered to acceptable in this regard and raises no highway and pedestrian safety issues.

Representations

10.8 There has been 2 objection letters received from members of the public. The points of concerns are:

- Impact upon the existing tree. If approval is granted a tree protection plan shall be prepared and submitted and agreed in writing.
- Concerns of drainage and run off. In this case this is not a material planning consideration as it is advised this aspect can be dealt with under the Building Regulations regime.
- Overdevelopment. This has been referred to in the above report in the context of the site 'filling the gap'.

Community Infrastructure Levy

10.9 As there is additional floor space proposed (i.e. new dwelling) then this development is liable for a CIL payment.

11.0 CONCLUSION

11.1 Having considered all of the above the application is considered contrary to adopted planning policy and guidance and is recommended for refusal for the reasons outlined at the head of this report.

Background Papers:

Application files

15/07182/FU

Certificate of ownership: Certificate A signed by the agent

HAWKS NEST GARDENS EAST

TO MAINS SEWER

DRIVE

GARAGE

LINE OF HERB AREA INSIDE HERE TO BE RETAINED AS SOFT SOIL. HARD SURFACE ADJACENT TO BE POROUS ABOVE GROUND CONSTRUCTION. PRECISE LINE OF HERB TO BE IN ACCORDANCE WITH ADVICE FROM AN AGRICULTURAL CONSULTANT

160 sq.m GARDEN

1800 HIGH TIMBER CLOSE BOARDED FENCE TO BOUNDARIES MARKED THIS

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Project:
HAWKS NEST GARDENS EAST,
ALWOODLEY, LEEDS

Title:
HOUSE PROPOSAL - BLOCK PLAN

Scale:
1:200 @ A3

Drawn by:
PP

Client:
SANA IQBAL

Checked by:
DMC

Job No:
2178

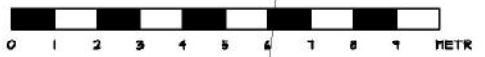
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Revision:
B

Date:
NOV 2015

DO NOT SCALE THESE DRAWINGS
THIS DRAWING MUST NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN AUTHORITY

Rev	Date	Comment
B	10/02/16	ADJUSTED TO REFLECT PLANNING COMMENTS
A	12/15	DRIVE RAMP AND PARKING ADDED





NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

