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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 13<sup>th</sup> July 2017**

**Subject: 16/07483/FU - Residential development of one 3 storey block of 7 No. apartments and associated works including demolition of existing three storey dwelling at Eden House, Alwoodley Lane, Leeds.**

**APPLICANT**

Loxley Homes Ltd – Mr T  
Dodkins

**DATE VALID**

3<sup>rd</sup> January 2017

**TARGET DATE**

20/07/2017 (Ext of Time  
Agreement)

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**Electoral Wards Affected:**

Alwoodley

☐ Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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

1. Standard three years Commencement time limit
2. Approved Plans
3. Submission of materials
4. Drainage
5. Contaminated Land
6. Submission of and erection of screen to balcony on south eastern part of building
7. Landscape scheme
8. Laying out of car parking prior to occupation
9. Construction of 4.8 Metre access point
10. Submission of Bat Mitigation Plan and licence issued by Natural England
11. Construction compound and management Plan
12. Implementation of tree protection measures prior to commencement of works on site
13. Hours of construction

## **1.0 INTRODUCTION**

- 1.1 This application is brought to Plans Panel at the request of Councillor Cohen and Councillor Buckley. Reasons for referral include: scale and mass of the development, traffic issues, loss of privacy and conflict with emerging Alwoodley Neighbourhood Plan. These are material planning considerations that give rise to concerns affecting more than neighbouring properties and accordingly it is appropriate to report the application to Panel for determination.

## **2.0 PROPOSAL**

- 2.1 The proposal seeks to demolish the existing house known as Eden House and replace it with a three storey block containing 7 flats, amenity space and surface car parking.
- 2.2 The proposal is for a substantial block measuring 29.6 metres in total width facing Alwoodley Lane. The western part of the block drops to two storey height so the split in the three storey/two storey width of building is 23.5 of three storey building and 6.1 metres of two storey building when viewed from Alwoodley Lane. The maximum depth of the block is 21.5 metres. This depth of building will result in a flat roof however this will not be apparent from ground level.
- 2.3 The site is somewhat triangular in shape narrowing to a point to the south with the common boundary with 380 Alwoodley Lane curving towards Harrogate Road to form this triangular shape. This boundary is also the common boundary with the front of the plot of 515 Harrogate Road. The southernmost part of the garden space is dense tree planting which is shown to be retained. The closest point of the building facing Harrogate Road is 7.2 metres and this lies behind a mature belt of trees that are shown to be retained. The closest point of the building to Alwoodley Lane is 13 metres. And the closest point of the building to the common boundary with number 380 Alwoodley Lane is 1.7 metres which is the rear corner of the two storey element. The three storey part of the proposal sits 5.5 metres at its closest point to that common boundary.
- 2.4 The overall height of the building is shown at 11.2 metres above ground level (agl) with an eaves height of 7.4 metres agl. The two storey element drops in height by 1.1 metre at the roof apex.
- 2.5 Materials are indicated as brick/stone with a fibre cement slate roof. Grey UPVc windows and doors are proposed throughout and the hard surfacing surrounding the building is indicated as a tarmac finish.
- 2.6 Access is proposed from the existing access point and will serve two visitors and one residents car parking spaces to the west of that access point and 7 car parking spaces to the east running parallel to the north (front) boundary behind landscaping and the existing boundary which is indicated to be retained. The access road runs along the front of the building then turns south to run along the eastern side of the proposal to serve a parking area to the rear that is shown between the block of apartments and the amenity space, 6 spaces are indicated layered out in a chevron pattern.
- 2.7 The external appearance of the building is broken with vertical features most of which terminate to provide balconies for the units on the 2<sup>nd</sup> floor. These vertical elements are indicated to be finished in different materials to the main walling materials which further helps to provide relief to the elevations. The corner closest

to the Alwoodley Lane/Harrogate Road junction features a part hexagon feature that helps the building turn the corner visually and this feature projects into the roof zone of the building thereby adding a key visual feature on his important location of the building. The expanse of roof is broken up through the use of various sized dormer features that in addition to this visual relief, provide internal headroom for the flats that they serve.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located at the junction of Alwoodley lane and Harrogate Road, a traffic light control junction. The property sits in a site that is roughly triangular in shape which tapers in an inverted triangle towards Harrogate Road. Dense mature tree planting exists on both the Harrogate Road boundary and the common boundary with the neighbouring property 380 Alwoodley Lane to the west.
- 3.2 To the south lies the front garden and manoeuvring space of 515 Harrogate Road.
- 3.3 The wider area is characterised by large houses and flatted development set within large and mature landscaped grounds. The street, generally and notwithstanding its location next to a busy traffic light controlled junction is characterised by wide pavements with verges and trees planted giving a spacious feel to the roads with the domestic scale of development as the backdrop.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There is no planning history relevant on this property to this development proposal.

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 When the scheme was originally submitted the proposal was for 8 units and was in the form of an almost 'T' shaped building which projected into the site to the south and what is presently the main area of garden space for Eden House. The applicant was informed that the proposals were unacceptable due to the site coverage resulting in a lack of adequate amenity space for future occupiers of the flats proposed and the coverage of the remainder of the site in car parking and hard standing. There was also concern expressed with regards to potential overlooking, particularly of the amenity space of 380 Alwoodley Lane and to the design that was originally proposed.
- 5.2 Following consideration of the case officer's comments, the scheme was re-submitted reducing the units proposed from 8 to 7 with a revised design.

### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been advertised by site notice on two occasions the latest time for comment expiring on 19<sup>th</sup> May 2017. As a result of this consultation process 38 letters of objection have been received. Comments made:
- Object to three storey block of flats as inappropriate and out of keeping
  - Highways safety issues
  - Fails to establish the existing pattern of development
  - Impact on character of area
  - Adverse impact on the street scene
  - Poor design

- Contrary to NPPF, UDPR, Core Strategy and the Neighbourhoods for Living guidance.
- Overbearing
- Increase in noise
- Loss of light
- Loss of trees
- Amendments do not improve on highway safety concerns
- Mass and scale overbearing
- Loss of large family homes will deter senior executives to Leeds
- Danger particularly to school children who walk to school
- Opens doors for everyone to demolish and build flats for financial gain.
- Disappointing that the Council is even entertaining the planning application
- Contrary to emerging Alwoodley Neighbourhood Plan
- Lack of local amenities would mean dependence on use of cars adding to traffic problems
- Combined impact of proposal at GSAL
- Overdevelopment of the site
- Flats not necessary
- Being built by a stream with subsequent impact on wildlife
- Revised orientation still not acceptable.
- Not a sustainable location for flats
- Result in disturbance
- Alwoodley lane borders the Green Belt and the block of flats is not in keeping with this environment
- Impact on the right to light
- Impact on school place provision

6.2 One of the letters of objection comes from Alwoodley Parish Council who object on the grounds that there is potential for serious traffic disruption.

6.3 Councillor Cohen and Councillor Buckley object on the grounds that the scheme is out of keeping, will have an adverse impact on the local highway with particular concern regarding the Alwoodley Lane/Harrogate Road junction, loss of privacy for occupiers of neighbouring properties. Also that the proposal is contrary to the emerging Alwoodley Neighbourhood Plan

## **7.0 CONSULTATIONS RESPONSES:**

7.1 Nature Conservation – Requests that consideration be given to determine the application in accordance with Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System” which requires the presence or absence of a protected species to be established prior to determination. However, the applicant has submitted an interim report and are undertaking additional reports and it is considered that this aspect can adequately be dealt with by conditions.

7.2 Contaminated Land Team: No objections subject to imposition of conditions and directives.

7.3 Highways: Seeking a White “keep clear” marking laid out on Alwoodley Lane at the developers expense, an improvement to the access point to widen it to 4.8m

including the grass verge and dropped kerb. Comment that the aisle depths do not meet the ideal depth of 6.0 metres for all but two of the car parking spaces. At the time of writing an amended plan was being sought in to address this.

- 7.4 Mains Drainage: No objection subject to the imposition of suitably worded conditions.

## **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 (2014), saved policies within the Leeds Unitary Development Plan (Review 2006), the Natural Resources and Waste Development Plan Document (2013) and any made neighbourhood plans.

### Local Planning Policy

- 8.2 The most relevant Core Strategy policies are outlined below:

Spatial Policy 1	Location of Development
Spatial Policy 6	Housing requirement and allocation of housing land
Spatial Policy 7	Distribution of housing land and allocations
Policy H2	New housing on non-allocated sites
Policy H3	Density of Residential Development
Policy P10	Design
Policy P12	Landscape
Policy T2	Accessibility Requirements and New Development
Policy G2	Creation of new Tree Cover
Policy G7	Protection of important Species and Habitats
Policy EN5	Managing Flood Risk

- 8.3 Of the UDPR the following policies re considered relevant:

GP5 – Seeks to deal with matters through the planning process  
BD5 – Seek to ensure new developments have regard to their own and their neighbour's amenity.

- 8.4 The advice given in Neighbourhoods for Living regarding minimum space standards and protecting amenity is also considered relevant to this proposal

- 8.5 The emerging Alwoodley Neighbourhood Plan is a material consideration in regards to this proposal. See paragraph 10.3 below for a discussion of the relevant policy.

### National Planning Policy Framework

- 8.6 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

## **9.0 MAIN ISSUES**

- 9.1 The main issues relating to this proposal are:

- The principle of the development
- Highway safety
- Design
- Amenity of both future occupiers and those of the current neighbours
- CIL

## 10.0 APPRAISAL

### The principle of the development:

- 10.1 The proposal is in an area that is residential in character with non-residential uses few and far between. Therefore in simple terms the principle of a residential development in this residential area is considered appropriate. However, there have been concerns expressed by Ward Members and members of the public that there is a character on Alwoodley Lane that should be protected. This character is that of large detached dwellings in large plots. These dwellings are all of unique design and contribute to the character which, it is argued, should be protected.
- 10.2 Whilst these concerns are noted it is not considered that there is sufficient difference in the form of the development proposed to the predominant existing residential land use that would result in a recommendation for a refusal of planning permission. The built environment is an evolving entity and there is arguably a time when Alwoodley Lane and its immediate environs was very different to that experienced today. It is also envisaged that over time it will evolve further. That the use of the proposed development is in broad compliance with the predominant surrounding land uses and that there is no policy that might otherwise seek to control such change as is proposed by the current application (further comment on the emerging Alwoodley Neighbourhood Plan is made below), the principle of the development is considered acceptable.
- 10.3 The Alwoodley Neighbourhood Plan is at an advanced stage, awaiting final adoption, and so should be given weight in the determination of this application. Policy BE2 of that document is considered the most relevant:

#### **“BE2: Local character and design:**

- a) Infill new building should use original or similar building materials which are sympathetic to the surrounding area so that local distinctiveness and character is maintained.
- b) All new housing estates should have a distinctive style of buildings. Grass verges and trees should be used to maintain the character of the parish.
- c) Detached and semi-detached houses have space at the side so that they appear to be distinct buildings. To avoid a terracing effect, developments subject to planning permission should not be developed to the side beyond that allowed as permitted development. Extensions should complement the existing building.
- d) To preserve the existing character on the Buckstone Estate existing domestic bungalows should be protected from conversion into, or replacement by, houses.
- e) Where existing properties are demolished and replaced, the replacement building should be of comparable height.

f) Any new development whether infill or large scale should be no more than two storeys high in keeping with the rest of the parish and should have parking on the site of the property.

10.4 Of this policy the most relevant parts are considered to be (e) and (f). Drawings have been submitted that indicate that the overall height of the proposed flatted development is marginally lower in height than the existing Eden House and so to this end is considered to comply with this policy. In respect of 'f' whilst this policy is acknowledged, it needs to be interpreted in context of each proposal and given that Eden House is already a three storey property and that the proposal is slightly lower in height it is considered it would not be relevant to invoke the 'letter' of this policy to justify refusal of planning permission.

10.5 These policies are borne out of the Objectives identified earlier in the document and in particular Objective 2 that seeks "To ensure new developments are of a scale that do not overwhelm or are out of keeping with their surroundings and are generally sympathetic to the existing character of the Parish."

Highway Safety:

10.6 The proposal has been the subject of a technical assessment by the Highways division and subject to the conditions recommended it is considered that the scheme is acceptable in highways terms.

10.7 The concerns raised by objectors to increased pressure on the public highway near to the traffic light controlled junction of Alwoodley Lane and Harrogate Road are noted, however, the scheme complies with the off street car parking requirements of the Council in that 2 spaces per unit and two visitors spaces can be provided, (a total of 16 spaces). The access is to the technical standard required to allow two way passing traffic into and out of the site and the provision of a white "keep clear" box will help ensure that egress, in particular is made easier for the future tenants. Whilst this deal with the technical aspects, it is considered that an increase in the density of units on the site as a result of this proposal from 1 unit to 7 is not significant in the number of vehicular movements that it will generate. In all other respects the highways considerations are acceptable, subject to the recommended conditions.

10.8 The onsite parking provision meets the Councils standards in the SPG on Parking Provision in terms of numbers but is slightly substandard in that the reversing aisle for vehicles reversing out of the parking spaces are shorter than the ideal by approximately 0.4 metres. They do not meet the ideal of 6.0 metres depth which allows vehicles to reverse out of a space in one movement. Whilst this is not considered critical to the scheme an amended drawing was requested at the time of the publication of this report to address this issue. This would re-locate one space from the front to the rear so enabling those spaces to be wider and allow for easier access and egress in front of the building. The spaces to the rear of the building are requested to be re-aligned so that they are perpendicular to the manoeuvring space behind them, the additional space located in this row of spaces and then the spaces pushed slightly further away from the building in order to achieve the full 6.0 metres of reversing space. This will not, it is considered, adversely impact on the provision of the private amenity space and will provide a better environment for the manoeuvring of vehicles to the rear of the site. An oral update on this will be provided at the Panel meeting.

### Design:

- 10.9 A number of the issues raised by objectors cover various aspects of the design including layout, bulk massing and the end design itself.
- 10.10 The site is located on the junction of Alwoodley Lane and Harrogate Road and presently is screened to a significant degree by dense mature landscaping. The Harrogate Road frontage is characterised by large buildings in plots set back from the highway until Eden House which is orientated towards Alwoodley Lane and site in the plane of the existing properties along Alwoodley Lane by and large conforming to the 'building line' as 'defined' along that road. This means that Eden House presently projects closer to Harrogate Road to its side than does the existing properties along Harrogate Road. Whilst the proposed development comes closer to Harrogate Road than does the existing dwelling it is considered that its 'encroachment' forward of the existing line on Harrogate Road is acceptable. There is still a significant gap between the side elevation and Harrogate Road of some 8m and the elevation facing Harrogate road is significantly screened by the existing mature vegetation that will be retained as part of the development. The intention of this is not to screen the development but to provide a softening context that helps break up the development much as the vegetation presently breaks up views from Harrogate Road of Eden House.
- 10.11 The design itself is considered to be coherent. It consists of two storey's constructed from stone/brick with the third storey rendered and gable features that break the eaves pushing the development into the roof. This helps reduce the overall bulk of the building in the street scene and the lighter coloured third floor further reduces the visual 'heaviness' of the building.
- 10.12 The building steps down in height towards the neighbour on Alwoodley Lane which further breaks up what might otherwise be an overly dominant frontage. Balconies and 'half-turret' features occur regularly on the three main elevations all of which contribute towards a sense of relief. The corner is turned using this 'turret' motif which breaks the eaves line. The glazing to wall ratio is considered to be of an acceptable level with good sized windows including where appropriate, glazed doors to balconies which provide a coherence in design whilst displaying variety within that design adding interest.
- 10.13 Overall this design approach in and of itself, is considered acceptable. In terms of the context, Alwoodley Lane, as attested to in many of the letters of objection, is characterised by large dwellings of individual design set in large plots. Whilst the proposed building might be bulkier than the dwelling it is replacing it is still considered that it respects the large building of individual design in a reasonable sized plot character of this part of Alwoodley.

### Amenity of both future occupiers and those of the current neighbours:

- 10.14 The revised design has taken into account the relationship of the neighbouring property to the west on Alwoodley Lane. That property has to its east, and therefore the common boundary with the application site, the more functional aspects of a domestic property such as its garaging facilities. It also demonstrates a step down in height from the main dwelling and whilst it is difficult to discern

from Alwoodley Lane itself due to the curvature of the common boundary between the two properties it maintains a small gap between it and the application site. The revised design mirrors that in that the lower part of the accommodation sits closest to this common boundary and the full height of the property is reached some 8.4 metres into the application site (measured at a mid-point along the boundary between the two properties). The distance between the two main side elevations is 17 metres and between the elevation of the neighbour's extension to the side and the main elevation of the application site proposal is 10.4 metres. These distances are considered appropriate in the context of this part of Alwoodley Lane and that there are no windows on the side elevation of the proposed flats above ground floor level serving any habitable rooms means that there is no concern in regards to potential overlooking of the neighbours private amenity space.

10.15 The positions of the balconies are considered acceptable with the only concern being the balcony at first floor level on the rear to the west. This measures at 6.0 metres to the common boundary with the next door property 380 Alwoodley Lane which would not normally be considered appropriate. However it is recommended that a condition be imposed that a screen be erected to a height of 2.0 metres that will be of obscured glazing in order to prevent any direct overlooking of the neighbour at 380 Alwoodley Lane should the mature planting that exists along the common boundary presently ever fail in the future or otherwise be removed.

10.16 Concerns raised regarding disturbance can be controlled by the implementation of a condition restricting the hours of construction suggested hours would be:

No construction outside of 08:00-18:00 Monday to Friday  
No construction outside of 08:30-13:00 Saturdays  
No Construction on Sunday's and Bank holidays.

10.17 With regards to disturbance as a result of the intensification of the use of the site, this is not considered to be materially significant. The site is a large plot, well screened and the normal activities that take place in connection with domestic units is not considered severe enough on the amenities of occupiers of neighbouring properties to justify a reason for refusal of planning permission.

10.18 The combination of balconies to certain of the units and the amenity space left to the southern part of the site is considered an adequate mix to provide for the future occupiers of the flats proposed. There is in excess of 370 square metres of amenity space to the south of the rear car parking area plus the balconies built into the development. This is in the form of the grassed and treed area which conforms to the Core Strategy aspirations of providing varying forms of open space provision including lawned spaces and areas of tree cover that offer shaded and possible walking areas. It is concluded that the provision for amenity for future occupiers of the units is acceptable.

Technical housing Standards:

10.19 The 7 units proposed are all 3 bed properties and exceed the minimum recommended floor areas as found in the Technical Housing Standards document as issued by the Government (all figures are in square metres):

Flat No.	Floor	Internal Floor Space	Technical Housing Standard
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1	GF/FF Duplex	135	102
2	Ground Floor	179	95
3	Ground Floor	197	95
4	1 <sup>st</sup> Floor	179	95
5	1 <sup>st</sup> Floor	197	95
6	2 <sup>nd</sup> Floor	160	95
7	2 <sup>nd</sup> Floor	175	95

- 10.20 Having regard to the advice set out in the technical standards, albeit that only limited weight can be attached to this document, and the internal layout of the accommodation it is clear that an appropriate level of amenity will be provided for future occupiers.

CIL:

- 10.21 The Community Infrastructure Levy (CIL) was adopted by Full Council on the 12th November 2014 and was implemented on the 6th April 2015. The application site is located within Zone 2b, where the liability for residential development is set at the rate of £45 per square metre (plus the yearly BCIS index). This proposal generates a CIL requirement of £42,480. Infrastructure requirements associated with this application are unknown. This is presented for information only and should not influence consideration of the application. Consideration of where any CIL money is spent rests with Executive Board and will be decided with reference to the 123 list.

## 11.0 CONCLUSION

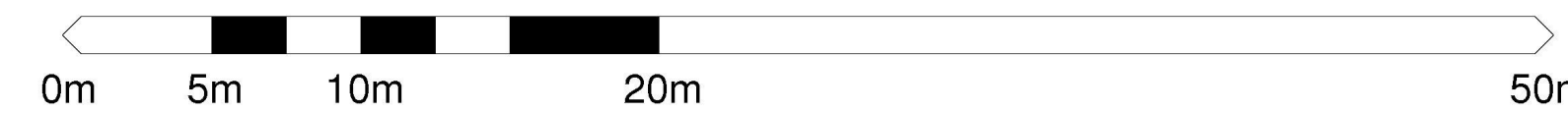
- 11.1 The principle of development complies with local and national planning policies. The scheme is considered to offer suitable levels of accommodation in a building that whilst larger than the existing building on site is considered to be in keeping with the character of the local area. There are a variety of architectural treatments of buildings along Alwoodley Lane and this proposal adds to rather than detracts from that character. There are only minor concerns in regards to loss of privacy that can be controlled by condition and the sub-standard reversing aisles that will require larger vehicles to carry out more than a single reversing manoeuvre. Adequate amenity space is provided and the mature screening that helps break up the existing property will remain and help soften the impact of the new proposal should planning permission be granted. The scheme is therefore considered to meet the requirements of planning policy and is, on balance, considered to be acceptable.

## Background Papers:

Application files: 16/07483/FU  
Certificate of ownership: Signed by agent on behalf of applicant as sole owner of site.



**1. Proposed Site Plan**  
**1 : 250@A1**



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E	02.04.17	PDT	LCC	Re-designed in line with planners comments
D	14.03.17	PDT	ALL	Presentation Sheet
C	21.02.17	PDT	ALL	New design
B	19.01.17	PDT	LH	New parking layout
A	22.11.16	PDT	LH	Render Added

Rev.	Date	Drawn	Check	Description
Aspect Architecture, Fountain House, South Parade, Leeds, LS1 5QX Telephone: 0113 367 1265 Email: info@aspectarchitecture.co.uk Web: www.aspectarchitecture.co.uk				

## PLANNING ISSUE

**Project Title:**  
Alwoodley, Apartments Scheme

**Client:**  
Loxley Homes Ltd.

**Drawing Title:**  
Proposed Site Plan

**File Number:** R047

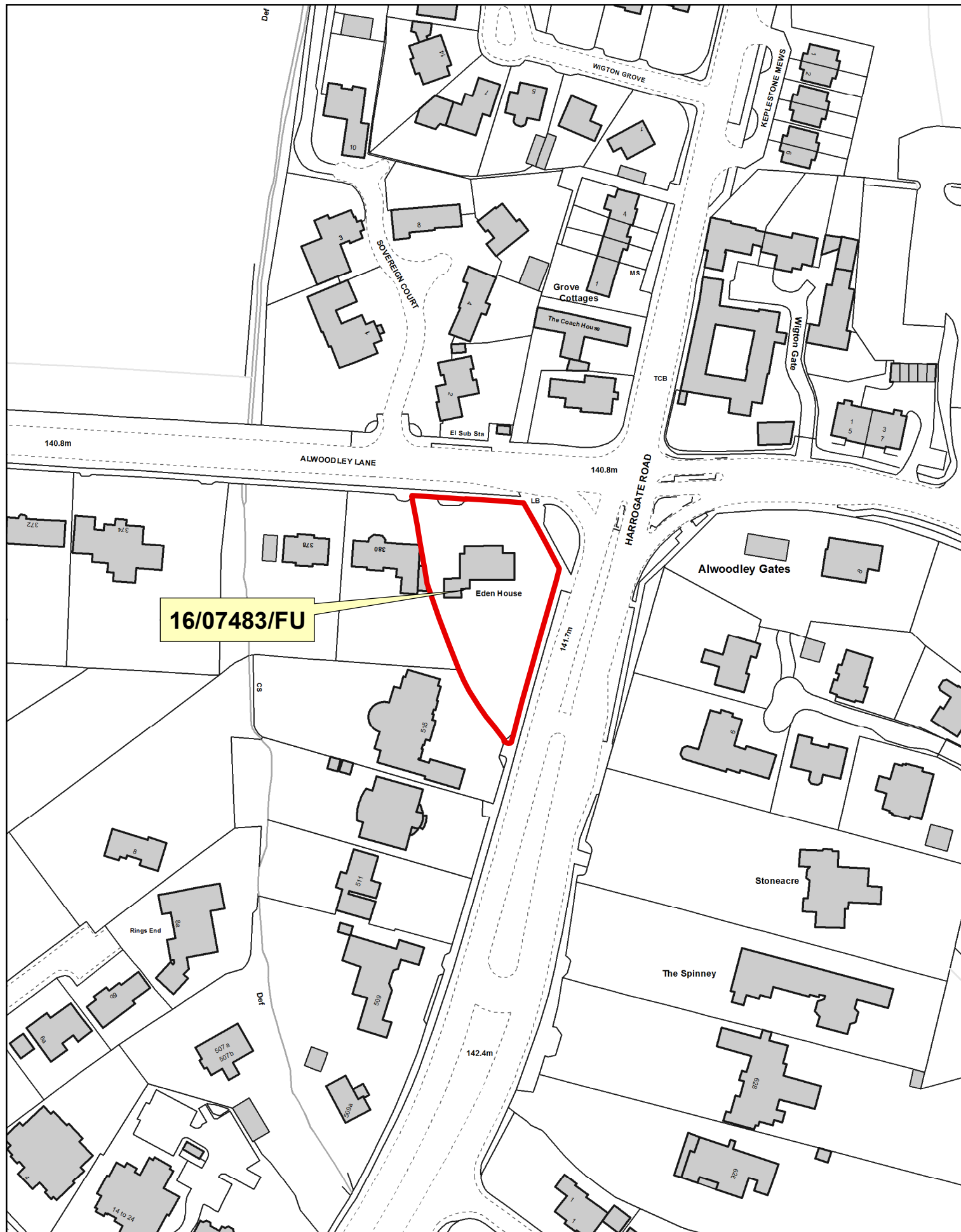
**Drawn By:** PDT

**Checked By:** JCE

**Scale@A1:** 1 : 250 **Date:** 14.03.17

**Dwg No:** SK03-01 **Rev:** E

Aspect  
Architecture



# NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

