



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 18th August 2011

Subject: APPLICATION 11/02289/FU - 4 BEDROOM DETACHED HOUSE TO LAND ADJACENT TO 3 HILLCREST RISE, COOKRIDGE, LEEDS LS16 7DJ.

APPLICANT

Mr J Goodchild

DATE VALID

2 June 2011

TARGET DATE

28 July 2011

Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

APPROVE subject to the following conditions:

1. Time limit three years
2. development in accordance with plans
3. details and samples of walling and roofing materials to be submitted
4. details of boundary treatments to be submitted
5. details of landscape works to be submitted
6. retention of garage for parking of vehicles
7. area used by vehicles laid out, surfaced and drained
8. frontage boundary treatment to not exceed 1m height
9. removal of P.D. rights for dormers
10. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, N12, N13, H4, BD5, T2

SPG13 Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Ward Councillor Sue Bentley, who objects to the proposal for reasons related to visual amenity, residential amenity and highway safety.

2.0 PROPOSAL:

- 2.1 The proposal is a full application for the erection of a four bedroom detached house to a former garden site adjoining 3 Hillcrest Rise in Cookridge.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site consists of a former side garden to no.3. This is presently mostly to grass, although there are some trees to the rear.
- 3.2 The boundaries of the site are identified by a mix of post and rail and close boarded fencing. Hillcrest Rise has a slope down to the junction with Tinshill Road, resulting in the site itself sloping down to the north and west.
- 3.3 To the immediate east of the site there is a two storey block of flats identified as Hillcrest Court. These are set back from the main road with rear access and gardens to the front. To the immediate west of the application site is the former host property, identified as no.3 Hillcrest Rise.
- 3.4 The local area is characterised by a mix of architectural styles, including detached and semi-detached properties of varying age, bungalows as well as flat blocks. Both brick and render treatments are evident in the locality.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 08/00293/OT – Outline application for erection of a detached house – approved 19.11.08 and still extant (3 year permission to submit reserved matters).

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The application has been the subject of negotiations aimed at reducing the size of the proposed dwelling and seeking modifications to the design. To this end revised plans were submitted on 12th July and 21st July.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by means of site notices and neighbour notification letters; six representations have been received in response to the originally submitted plans which object to the proposal on the following grounds:

- The building would be too large for the plot and appear cramped
- The building would be sited too far forward and be too prominent in the street scene; the siting of the proposed dwelling would be forward of the established building line;
- The proposal would cause overshadowing and a dominating effect on properties to the north;
- The proposed design and materials would be out of character with the local vernacular;
- Vehicular access to the site would be hazardous due to the bend in the road;
- The proposal would set a precedent for much larger properties with bedrooms in the roof space.

6.2 Revised plans have also been publicised by means of neighbour notification letters which have been sent to neighbouring occupiers and objectors. This has resulted in a further four objection letters. These have originated from the previous objectors, and reiterate previous reasons, as summarised above including visual amenity, residential amenity and highway safety.

6.3 Objectors have also been notified electronically of a second set of revised plans. This has generated an additional six letters from existing objectors. These reiterate concerns summarised above.

6.4 Additionally, objections have been received from Councillors Bentley and Chapman as follows:

- The proposed house is much greater than that for which planning permission was granted in 2008;
- The proposed house is over dominant and bearing on the site;
- There is little ground around the house compared to other properties on this road;
- It therefore does not fit in with street scene or the general spaciousness around properties on this road;
- The proposed house is set forward of the flats on the adjacent plot of land and will cast shadowing on the closest properties thus deny light to their main living rooms and balconies;
- The wall adjacent to site at number five is overbearing and there has been no effort to soften the blank white wall;
- There are concerns regarding access to and from the garage on the corner of Hillcrest Rise which has a great deal of through traffic due to Cookridge Primary School at the far end of the road;
- Despite being at a lower level to the adjacent property at number 5 it is still higher than number 5;
- It will be a dominant feature on the corner of Hillcrest Rise due to its forward position and its height.

6.5 A letter has also been received from Greg Mulholland M.P. which states that residents living nearby have expressed concerns about the proposals, as identified above.

7.0 CONSULTATIONS RESPONSES:

Non-statutory:

Mains Drainage – no objections

Highways – no objections subject to conditions
Access Officer – no objections
West Yorkshire Police ALO – no objection

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.

GP5 – general planning criteria
N12 – urban design
N13 – design of new buildings
H4 – residential development on non identified sites
BD5 – design of new buildings
T2 – highway access

8.3 Supplementary Planning Guidance:

- Neighbourhoods for Living (SPG13);

8.4 National Planning Policy Guidance:

- PPS1: Delivering Sustainable Development;
- PPS3: Housing;

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Principle of development
- Visual amenity
- Neighbour amenity
- Highways

10.0 APPRAISAL:

10.1 The site is a former side garden to the adjoining property no.3 Hillcrest Rise. As identified above, this parcel of land was separated from the curtilage of the adjoining property and outline consent granted for its development for a detached house in 2008. The details approved under this consent are layout, access, scale and appearance.

10.2 While the current application is a full application rather than for reserved matters, the principle of the proposed development is established by the existing valid permission.

- 10.3 Of most relevance is the extent to which the current proposal differs from the existing approval in respect of visual amenity and street scene, the amenity relationship with neighbouring properties, and highway safety.
- 10.4 The proposed dwelling is shown to be sited approximately to the centre of the site. The property has been pushed back into the site as far as possible while maintaining a suitable level of private amenity space to the rear, in line with SPG13. The siting would be similar to the 'parent' property adjacent, and both would appear to have a similar degree of set back from the highway. However the proposed dwelling would be sited some 7m forward of the elevations of the neighbouring flats to the north, Hillcrest Court. These latter properties are in some regard 'back to front' as access is gained from the side and rear, while the front elevation is dominated by main elevations and balconies. These properties therefore have gardens to the front.
- 10.5 The proposal would sit approximately 8m from the back edge of the footway, measured to the main elevation, providing what would be a good degree of setback in most circumstances. However the neighbouring flats are sited approximately 15m from the footway.
- 10.6 While it is therefore noted that many of the properties along Hillcrest Rise enjoy significantly deeper front garden and driveway areas, there is not a clearly established building line. A number of properties further up Hillcrest Rise are sited 7m from the footway, however occasionally properties are situated over 30m from it. There is therefore a significant degree of variation in respect of this issue.
- 10.7 The significant slope to this part of Hillcrest Rise means that the site sits at a lower level than the flats adjacent, as evidenced by the retaining wall which part forms the eastern boundary. As a result the proposed property would be sitting at a lower level than the neighbouring flats by approximately a metre. This stepping down would mitigate the potential visual impact of the property when approaching down Hillcrest Rise from the north east.
- 10.8 The proposed property has been revised to bring it into line with the existing outline consent, as well as neighbouring properties. It is now shown to be of significantly reduced dimensions, making it of similar size and proportions to the adjoining property at no.3 Hillcrest Rise.
- 10.9 The 2008 outline approval depicts a two storey dwelling of approximately 7.5m width by 8.5m depth. Height to the eaves is shown as 6m, and 8.2m to the ridge. The proposal depicts a property of 9.8m width, and 7.75m depth of the two storey element plus a three metre single storey lean to. Height to the eaves is shown as 5.5m, and 8.4m to the ridge. The footprint of the approved property is approximately 63.75sq.m, while the proposal is shown as 64 sq.m. for the main body of the house, excluding the front projecting gable and the rear single storey element. Essentially therefore the main part of the house is of very similar dimensions to that previously approved, the key difference being the addition of the above elements.
- 10.10 While the proposed dwelling does have a significantly wider frontage, it does include an integral garage whereas the approved scheme includes an additional detached garage which would be sited to the front boundary of the site. This latter arrangement would be arguably more intrusive in the street scene than that which is currently proposed. Should Panel Members be minded to approve the application it may be appropriate to impose a condition requiring the retention of the garage as such for the lifetime of the development. This would address concerns regarding

the possible loss of the garage for additional accommodation, which could raise highway safety issues.

- 10.11 The current application is shown as a four bedroom dwelling, including one bedroom in the roof space. An additional room in the roof space would seem likely to be used as a home office or storage space as it includes the stair landing and as such lacks privacy. The proposal is therefore defined as a two and a half storey dwelling. While this is an increase over the outline approval for a two storey and three bedroom dwelling, as identified above the overall roof height of the proposal is almost the same. The rooms in the roof space are shown to be illuminated by roof lights, and the addition of dormer windows to the roof plane facing the highway would be controlled by the need for planning permission. The insertion of dormer windows to the side or rear facing roof planes could be controlled by the removal of permitted development rights should Panel Members be minded to approve the application. The increased impact of the proposed additional accommodation would therefore be marginal.
- 10.12 The proposed dwelling itself is shown to be constructed with mostly render finish on a brick plinth, with a tiled roof, and with a hipped roof form to the side and rear elevations. The hipped elements would help to reduce the bulk of the property, albeit there is proposed to be a central projecting gable to the front elevation to provide an architectural feature. A broad belt of landscaping is shown to the front of the site. This would be important to soften the impact of the proposal in the street scene. Additionally the distance shown to the side boundary treatment is a little under 2m; this would be sufficient to provide planting to soften the visual appearance of this side of the proposal. It is therefore considered appropriate that, should Panel Members be minded to approve the application, that landscaping be secured by condition.
- 10.13 While the overall architectural character of the proposal does not find direct resonance with neighbouring properties, as noted previously the character of the area is somewhat mixed. It is therefore not considered that the proposal would appear out of keeping with the vernacular architecture and character of the area.
- 10.14 Overall while the proposal would undoubtedly have some degree of impact upon the street scene; a number of factors such as the size of the property, site slope and landscaping would to some degree help to mitigate this. Additionally the existence of a fallback position of a very similar nature suggests that the additional impact of the current proposal would be minimal, if at all.
- 10.15 The property would enjoy a good degree of separation from neighbouring ones, in excess of such distances suggested by SPG13. The nearest neighbouring properties would be the Hillcrest Court flats, but these would be separated by a gap of 6m. The proposal represents an increase over the previously approved siting which depicted a gap of 5m. The nearest opposing property, no.10, would be some 28m away. SPG13 suggests a distance of 21m between main aspect elevations.
- 10.16 As referred to in paragraph 10.4, the proposed property would project some 7m beyond the front elevation of the neighbouring flats. While this would not be ideal it is not considered that this would be significantly detrimental to the occupation of these properties. A 45 degree line struck from the edge of the nearest habitable window would not bisect the proposed property. It is therefore unlikely that the proposal would have a measurable impact upon the flats by virtue of overshadowing or dominance.

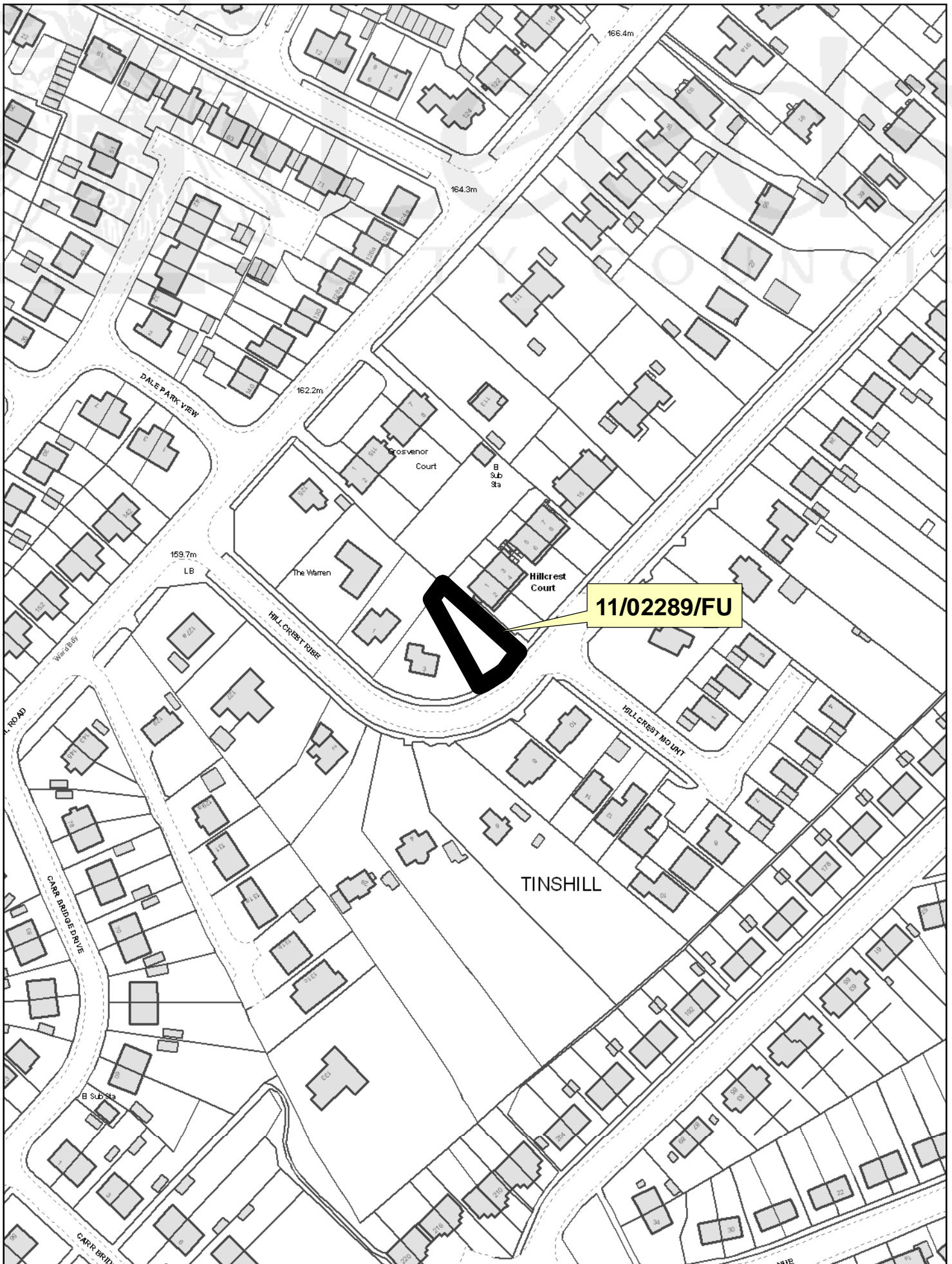
- 10.17 Consequently it is not considered that the proposal would have a significant measurable impact upon the amenity of neighbouring residents.
- 10.18 The proposed highway access to the property would be on a sloping bend in the access road. However in highway terms suitable visibility exists and as such an adequate safe access to the property can be accommodated, subject to restriction of boundary treatments to 1m height. The proposal includes an integral garage and sufficient hard standing area to the frontage for the parking of vehicles. The proposal is therefore not considered to be detrimental to highway safety.

11.0 CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable and complies with the planning policies set out in the Leeds Unitary Development Plan Review (2006), supplementary planning guidance and national planning guidance. The proposal is therefore recommended for approval.

Background Papers:

Application file;
Certificate of Ownership.



WEST PLANS PANEL