



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 6th March 2014

Subject: Planning application 13/05573/FU – Detached house to garden at 9 Coach Road, Guiseley, LS20 8AY

APPLICANT

Mr Jack Thornton

DATE VALID

4th December 2013

TARGET DATE

29th January 2014

Electoral Wards Affected:

Guiseley and Rawdon

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE planning permission for the following reasons:

The Local Planning Authority considers that, by reason of the development being accessed off the unadopted Coach Road together with the lack of appropriate sight lines, pedestrian footpath and carriageway width, a further dwelling will result in an adverse impact on highway safety and an unacceptable increase in maintenance requirements to the detriment of other property owners on Coach Road. As such, the proposed development is contrary to policies GP5, H4 and T2 of the Leeds Unitary Development Plan Review (2006) and the Street Design Guide SPD.

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel at the request of Councillor Latty as he does not agree that the use of the unadopted Coach Road to provide vehicular access to the site is inappropriate.

2.0 PROPOSAL:

- 2.1 The application is for a detached house within the southern portion of the existing garden of 9 Coach Road. The house will have a footprint of 11 metres by 5.5 metres and an overall ridge height of approximately 7.8 metres. It is proposed to construct the house from coursed sandstone and grey concrete roof tiles. Architectural detailing includes stone surround mullion windows and two full chimneys to both gables.
- 2.3 Accommodation provide comprises a sitting room and kitchen dining room at ground floor and three bedrooms to the first floor.
- 2.2 Vehicular access is from the unadopted Coach Road. A permeable paved driveway with two parking spaces is proposed. Bin storage is located to the rear of the site.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises a stone built detached property located to the north of the site with garden land with ancillary garden buildings to the south. The garden is enclosed by a mature hedge. Existing vehicular access is from Coach Road.
- 3.2 To the immediate north east of the site is a small builder's yard currently being used as storage for a roofing company. Beyond this yard is a designated N1A allotment site. The designation includes the small builder's yard together with the house and garden curtilage of both 9 Coach Road and the neighbouring 17 Coach Road.
- 3.3 The area surrounding the application site comprises a mixture of property styles. To the north are brick and render semi-detached and detached properties on Silverdale Avenue. To the west are large stone built detached properties set within generous plans accessed off Esholt Avenue. To the south is a modern stone detached property.
- 3.4 The site abuts Guiseley Conservation Area with Coach Road and the properties to the west located within the defined Conservation Area boundary.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/00618/FU - Detached house to garden - Withdrawn

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The previous application 13/00618/FU was withdrawn following concern being raised with the size, scale and design of the property together with the vehicular access off an unadopted road. Following the withdrawal, the case officer met the applicant on site to discuss potential options in progressing the proposal. The applicant was advised that a property of reduced size and site coverage, with a simplified design, maybe acceptable in terms of design, character and residential amenity. The applicant was also advised that the issue of an additional property using the unadopted and unmade Coach Road for vehicular access remained unacceptable and that consideration should be given to improvements to the carriageway and provision of pedestrian access in order to overcome this issue.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 One letter of representation has been received raising the following issues:

- The full length of Coach Road is regularly used by both residents and visitors. The side roads are not always used for access.
- The Strategic Housing Land Availability Assessment discounted the use of the allotments of Silverdale Avenue for housing. Whilst not in use as an allotment the garden area of 9 Coach Road should be retained for leisure use.
- The allotments to the rear of the site are susceptible to flooding. Developing this site may exacerbate this flooding issue.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory consultations

Highway Development Control: Objections due to an additional property being accessed off an unadopted road already serving 9 properties, insufficient sight lines, insufficient carriageway width and lack of a segregated pedestrian footpath to the detriment of highway and pedestrian safety.

7.2 Non Statutory Consultations:

Flood Risk Management: No objections. The site is located in flood risk zone 1 and there is no history of flooding in the vicinity. Our records indicate there are no watercourses or drainage assets within the site. The use of water butts is encourage and permeable paving where possible in the development.

Land Contamination: The information provided in the report suggests that the site was part of an allotment gardens prior to being developed as a residential garden. Allotments are considered to be a potentially contaminative use and as such a full desk study report for the site is required. Depending on the outcome of the desk study a Phase II site investigation may also be required.

8.0 PLANNING POLICIES:

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

Development Plan:

The relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SP) as follows:

Policy SG4: To ensure that development is consistent with the principles of sustainable development

Policy SA1: Secure highest quality of the environment throughout the District

Policy SA2: Strategic Aim to encourage development in locations that will reduce the need to travel, promote the use of public transport and other sustainable modes and reduce the journey lengths of those trips which are made by car

Policy SP3: Seeks to ensure that new development will be concentrated within or adjoining main urban areas and settlements, with existing public transport provision or a good potential for new provision.

The relevant Leeds Unitary Development Plan policies are considered to be: -

Policy GP5: Refers to development proposals should seek to avoid loss of amenity.

Policy BD5: All alterations and extensions should respect the scale, form, detailing and materials of the original building.

Policy H4: Windfall housing sites

Policy N12: Refers to all development proposals should respect fundamental priorities for urban design.

Policy N13: Refers to design of new buildings should be of high quality and have regard to character and appearance of surroundings

Policy N19: All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area.

Policy T2: Refers to development capable of being served by highway network and not adding to or creating problems of safety

Policy T24: Refers to parking guidelines for new developments

Relevant supplementary guidance:

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Street Design Guide SPD
Guiseley Conservation Area Appraisal and Management Plan

DRAFT CORE STRATEGY

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012.

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. The examination occurred in October 2013.

As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents

recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

POLICY H2: NEW HOUSING DEVELOPMENT ON NON ALLOCATED SITES

New housing development will be acceptable in principle on non-allocated land, providing that:

- i) The number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development.
- ii) For developments of 5 or more dwellings the location should accord with the accessibility standards in Table 2 of Appendix 2
- iii) Green Belt policy is satisfied for sites in the Green Belt

In addition, greenfield land:

- a) Should not be developed if it has intrinsic value as amenity space or for recreation or for nature conservation, and makes a valuable contribution to the visual, historic and/or spatial character of an area, or
- b) May be developed if it concerns a piece of designated greenspace found to be surplus to requirements by the Open Space, Sport & Recreation Assessment (PPG17Audit).

POLICY P10: DESIGN

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

Proposals will be supported where they accord with the following key principles;

- (i) The size, scale and layout of the development is appropriate to its location and respects the character and quality of the external spaces and the wider locality,
- (ii) The development protects the visual, residential and general amenity of the area including useable space, privacy, noise, air quality and satisfactory penetration of daylight and sunlight,
- (iii) The development protects and enhance the district's historic assets in particular existing natural site features, historically and locally important buildings, skylines and views,
- (iv) Car parking, cycle, waste and recycling storage are integral to the development,
- (v) The development creates a safe and secure environment that reduce the opportunities for crime without compromising community cohesion.
- (vi) The development is accessible to all users.

NATIONAL PLANNING POLICY:

The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

9.0 MAIN ISSUES:

- 1) Principle of development
- 2) Visual amenity
- 3) Residential amenity
- 4) Highway Safety and Parking
- 5) Any other issues
- 6) Letters of representation
- 7) Conclusions

10.0 APPRAISAL:

Principle of development:

- 10.1 The site is in an existing residential area within the Guiseley, close to local amenities and public transport routes. It therefore is considered that an additional residential property is appropriate in this context, provided that the proposals would not detract from the character and appearance of the area, the amenities of nearby residents or highway safety.
- 10.2 The site is covered by the N1A designed allotments which includes the allotments off Silverdale Avenue together with 9 Coach Road and the neighbouring 17 Coach Road. However, given the site is clearly a private garden area which is not in use as an allotment nor has the potential to be brought into allotment use, it is not considered appropriate to resist the development on the grounds that it will result in a loss of allotment provision. Indeed, given that both the dwellings and gardens of 9 and 17 Coach Road are inappropriately included in the allocation, it appears that their inclusion is a result of a drafting error as part of the original designation.

Visual amenity:

- 10.3 Consideration has been given to the impact the proposed development will have on the character of the area with particular regard to the adjacent Guiseley Conservation Area. The proposed dwelling is of a design of appropriate quality for this location. The scale of the dwelling is appropriate in this residential location and the use of quality coursed stone together with architectural detailing such as the stone window mullions and two full chimneys are welcome. With regards to the property's spacial setting, the curtilage is comparable to the retained curtilage of 9 Coach Road and with other properties within Coach Road and neighbouring Silverdale Avenue, therefore the

dwelling will not appear unduly cramped or incongruous in this setting. In light of the above, it is considered that the dwelling that would sit comfortably in this location preserving the character of and views to and from the Guiseley Conservation Area.

Residential amenity:

- 10.4 Consideration has been given to the impact the development will have on the residential amenity of the occupants of both the proposed and neighbouring properties. Given the property is located away from all neighbouring properties, save 9 Coach Road, no adverse impact on residential amenity is anticipated to the occupants of the these properties. With regards to 9 Coach Road, the proposed property is located approximately 15 metres from the side elevation and approximately 6.6 metres from the proposed shared boundary. This degree of separation is considered sufficient to prevent any adverse impact on the amenity of either the occupants of 9 Coach Road or the proposed property from issues of overshadowing and dominance.
- 10.5 With regards to privacy and the quality of external amenity space. No side facing windows exist in 9 Coach Road or are included in the proposed property to result in overlooking of either property. The subdivision of the site into 2 comparable curtilages will ensure that both properties have adequate useable outdoor amenity space.
- 10.6 The proposed property includes a rear facing bedroom window which overlooks the builder's yard and allotments to the east. Given this window is only located approximately 4 metres from the rear boundary there is concern that this relationship could compromise the redevelopment of the adjacent site in the event of this coming forward in the future. This situation should be avoided. Therefore, in the event of planning permission be granted, it is suggested that a condition should be imposed requiring a side facing window to be included and the rear window to be removed. This would resolve the issue of potential overlooking whilst maintaining a level of outlook to this bedroom.

Highway safety and parking:

- 10.7 Consideration has been given to the impact the proposed dwelling will have on highway safety locally with particular regard to the fact that Coach Road is currently both unadopted and unmade and narrows at the point at which the highway passes the application site. Highway Development Control have commented on the application and have raised objections to a further dwelling. The adopted Street Design Guide SPD advises that no more than 5 dwellings should be served via a private street as, beyond 5 dwellings, it is considered that the maintenance liability becomes too great. As a result, the proposed dwelling would increase the number of properties served via a privately maintained road from 9 to 10 which would only increase the maintenance requirements to the detriment of other property owners.
- 10.8 As part of the information provided with the application, the applicant argues that the junction of Park Road and Coach Road is largely unused and that vehicle access to properties on Coach Road is achieved either via Hawkhill Avenue, Silverdale Road or Silverdale Mount and as a result the access to the application site would pass four properties on the private section of Coach Road from Silverdale Road or three properties from Silverdale Mount. It is however the view of officers that, the reality is, a total of 9 properties currently front on to the private section of Coach Road, vehicles and pedestrians passing the application site face a choice of using the private and unmade section of road or a significant longer and more tortuous route via Silverdale

Mount. As a result, an additional dwelling and its construction could only add to the existing maintenance problems with the private section of the street.

- 10.9 In addition to the issues relating to the access road, there is concern with the visibility on to Coach Road, lack of segregated pedestrian footpath and insufficient carriageway width to provide access for emergency vehicles, all of which further contribute to the impact the development will have on highway safety. It is noted that, subject to appropriate consideration to the impact any highway improvements have on the character of Guiseley Conservation Area, improvements to address these concerns are theoretically feasible. However, as Coach Road is not within the applicant's ownership or control, these improvements cannot be achieved by the applicant as part of this planning application.

Any other issues:

- 10.10 In the event of planning permission being granted it is considered that the provision of a desk top study, as requested by the Land Contamination, can be secured through condition.

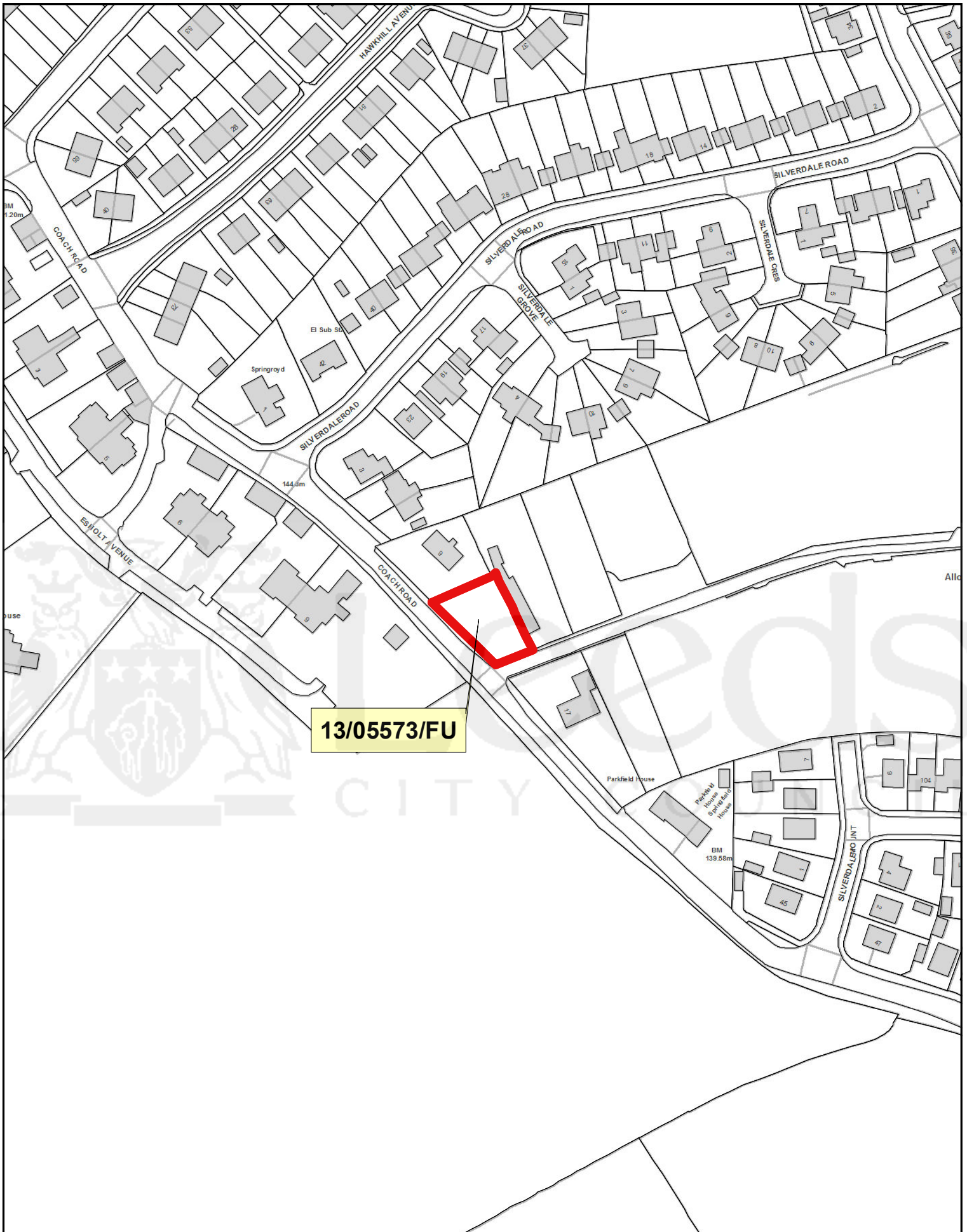
Letters of representation:

- 10.11 As part of the application process one letter of representation has been received. Issues raised include concern that Coach Road is not suitable to provide vehicular access for a further dwelling, as part of the Strategic Housing Land Availability Assessment the designated allotment was considered unsuitable for housing and, as such, the garden area should be retained for leisure use and the development could exacerbate further flooding of the allotments. In response to these concerns, as discussed, officers agree that the unadopted Coach Road is unsuitable for further dwellings, however it is considered the development of this garden site is not unsuitable in principle and, as Flood Risk Management have no objections to the proposal, it would be inappropriate to resist the development on grounds of drainage.

Conclusion:

- 10.12 In conclusion, it is considered that due to the highway safety and maintenance issues resulting from a further property being accessed from the unadopted and unmade Coach Road planning permission should be refused.

Background Papers:
Applications 13/05573/FU



13/05573/FU

SOUTH AND WEST PLANS PANEL

© Crown copyright and database rights 2013 Ordnance Survey 100019567

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

SCALE : 1/1500

