



Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 17th May, 2016

Subject: APPLICATION 16/01757/FU – Single storey extension to front of retail unit at 35-45 Brudenell Grove, Hyde Park, Leeds. LS16 1HR

APPLICANT

Mr M Rashid

DATE VALID

16th March, 2016

TARGET DATE

11th May, 2016

Electoral Wards Affected:

Hyde Park & Woodhouse

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 front extension would, due to its location, design and materials, represent an alien and incongruous addition to the host property to the detriment of visual amenity and the wider townscape. As such, the proposal fails to comply with Policy P10 of the Leeds Core Strategy, Saved Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) and is also contrary to guidance within the National Planning Policy Framework

1.0 INTRODUCTION:

1.1 This application is brought to the Panel at the request of Councillor Javaid Akhtar who supports the application. The grounds for support are summarised in the 'Representations' section of the Appraisal.

2.0 PROPOSAL:

2.1 The proposal is to erect a single storey extension to the front of a retail unit

2.2 The extension measures 24.2m wide, 3.4m deep and 3.5m high, being of flat-roofed construction and erected using steel posts.

2.3 The proposed frontage incorporates external perforated roller shutters.

2.4 Additional highways measures are proposed, including the erection of bollards to the front of the site, additional servicing measures and the re-ordering of waste management facilities to the rear.

3.0 SITE AND SURROUNDINGS:

3.1 The site is at the southern edge of a late-Victorian terrace row, and comprises a large retail supermarket within a commercial parade of retail units with residential accommodation above. The supermarket has solid roller shutters, for which there is no planning history.

3.2 At the front of the supermarket is an open paved area.

3.3 The existing frontage of the property retains a number of original features, with decorative curved heads and stone cills at first floor level, and no forward projections across the whole of the retail parade.

3.4 The property to the south of the site at the junction of Brudenell Grove and Brudenell Street, which is occupied by the Leeds Muslim Council, has a 1.2m front boundary wall but does not itself project beyond the existing unbroken frontage of Brudenell Grove.

3.5 Adjacent to the site there are several terraces of densely packed residential dwellings erected in the late Victorian era.

4.0 RELEVANT PLANNING HISTORY:

4.1 A planning application for a similar scheme was refused planning permission in March 2016 on the grounds of visual impact, highway safety and impact on flood risk management, reference 16/00970/FU.

5.0 HISTORY OF NEGOTIATIONS:

5.1 As noted above, a previous application for a similar scheme was refused in March 2016 on the grounds of design, highway safety and flood risk management.

- 5.2 The current application has been amended following a recent meeting with Highways Officers and the agent. These changes are considered to have addressed the previous reason for refusal relating to highway safety, subject to a number of recommendations by the Highways Officer relating to servicing, parking and the addition of bollards to the main frontage.
- 5.2 The application has also been amended to take account of the previous issues relating to flood risk management and drainage. This is considered to have addressed the previous reason for refusal relating to those matters.
- 5.3 The negotiations have not been successful in reaching agreement on a scheme to address the previous Design issues.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by means of a Site Notice.
- 6.2 Ward Councillor Javaid Akhtar has written in support of the proposal and to ask that this application be referred to the Plans Panel.

7.0 CONSULTATION RESPONSES:

- 7.1 The following consultations have been carried out for this application.
- 7.2 Highways. The Highways Officer has commented that the revised scheme has now addressed previous issues relating to servicing, parking and cycle storage, subject to recommended conditions.
- 7.3 Flood risk management. The Flood Risk Management Officer has commented that the revised scheme is now considered acceptable with regard to flood risk and drainage issues.

8.0 PLANNING POLICIES:

The Development Plan for Leeds comprises the adopted Core Strategy (2014), saved policies from the Leeds UDP (Review 2006) and the Natural Resources and Waste DPD (2013).

Relevant policies in the Core Strategy are as follows:

- Policy P10: New development will be expected to provide high standards of design appropriate to its scale, location and function and taking into consideration local context, car parking and the prevention of crime.
- Policy T2: New development should be located in accessible locations and served by existing or programmed highways improvements, public transport and infrastructure for pedestrians, cyclists and the disabled.

The most relevant saved Policies from the Leeds Unitary Development Plan are listed below: -

- UDP policy GP5 seeks to ensure all detailed planning considerations are resolved as part of the application process including the protection of local residents amenities.
- UDP policy BD6 seeks to ensure that all extensions and alterations to existing buildings respect the materials and design of the existing building and its context.

Relevant Supplementary Guidance:

- Supplementary Planning Documents provides a more detailed explanation of how strategic policies of the Unitary Development Plan and Core Strategy can be practically implemented. The following SPDs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.
 - Parking SPD - This was approved in 2016 and sets out recommended minimum standards for parking.

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Impact on visual amenity and the streetscene
- Impact on highway safety
- Impact on flood risk management and drainage
- Representations

10.0 APPRAISAL:

IMPACT ON VISUAL AMENITY AND THE STREETSCENE

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and Planning Authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Policy P10 of the Core Strategy relates to the external design of new buildings and states that this should be based on a robust contextual analysis of the surroundings and be appropriate to its location. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity”. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”.
- 10.2 The host property is an attractive Victorian terrace which has a relatively clean and unfettered frontage with an open forecourt, being part of a terrace of commercial units, none of which have been extended to the front. There is no history of any large front projections having been approved in the vicinity of the site.

- 10.3 The proposed extension raises significant concerns with regard to visual amenity and appearance within the street scene. It is a large, box-like structure comprising steel posts with metal shuttering, the incongruity of which is exacerbated by its flat-roofed form. It is considered wholly incongruous and unsympathetic to the existing Victorian frontage and wider streetscene.
- 10.4 It is therefore considered that the proposed front extension would fail to respect the existing character of the host property and represent an alien and incongruous addition to the host property and the wider streetscene, resulting in an unacceptable impact on visual amenity.

IMPACT ON HIGHWAY SAFETY

- 10.5 The application as originally submitted raised a number of issues and concerns relating to highway safety, pertaining to servicing and off-street parking.
- 10.6 Those issues are now considered to have been addressed following a number of discussions with the developer, subject to appropriate conditions relating to servicing, parking, waste management and cycle storage.

IMPACT ON FLOOD RISK MANAGEMENT

- 10.7 The application as originally submitted raised a number of concerns relating to flood risk management and drainage runoff.
- 10.8 Those issues are now considered to have been addressed following a number of discussions with the developer.

REPRESENTATIONS

- 10.9 Ward Councillor Javaid Akhtar has requested by email that this application be referred to the Plans Panel for determination by Members on the grounds that the proposal will rejuvenate the locality by providing a better range of fresh produce and groceries for local residents, and offer the potential to remedy existing problems relating to graffiti and vandalism.
- 10.10 With reference to the points raised by Ward Councillor Javaid Akhtar, whilst it is acknowledged that the extension would potentially increase the range of fresh produce, it is considered that proposed design would fail to relate to the original character of the property and that other means to vary the range of goods could potentially be accommodated within the existing site.
- 10.11 Furthermore, although the proposal indicates the removal of the existing solid shutters and the introduction of perforated external shutters, it is nonetheless considered that the scale and form of the front extension would be unduly harmful to visual amenity and the wider townscape.
- 10.12 It is also considered that other options remain currently available to tackle issues relating to existing graffiti and/or vandalism without the need to extend the property in the manner proposed.

11.0 CONCLUSION:

11.1 For the above reasons the Panel is recommended to refuse planning permission.

Background Papers:

Application file;

Certificate of Ownership.



SOUTH AND WEST PLANS PANEL

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