



Leeds
CITY COUNCIL

Originator: Aaron Casey
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Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 16 August 2018

Subject: APPLICATION 18/01506/FU - Planning application for demolition of existing house, laying out of access road and construction of four detached houses to garden at Vaynol Gate, Rooms Lane, Morley, Leeds, LS27 9PA

APPLICANT

Vaynol Developments

DATE VALID

28 March 2018

TARGET DATE

21 June 2018

Electoral Wards Affected:
Morley North

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to conditions specified below

1. Time limit
2. Plans to be approved.
3. Samples of walling, roofing and surfacing material to be approved.
4. Window details including section to show recess within reveals
5. Details of bin stores.
6. Tree protection measures
7. Submission of landscape scheme for approval by the LPA and implementation of the approved details, including levels, services and boundary treatment.
8. 5 year landscaping retention condition.
9. Details of interim construction phase drainage works.
10. Feasibility study into use of infiltration drainage methods.
11. Details of drainage scheme for surface water.
12. Statement of construction practice including constructor parking, compound location, hours of working etc.
13. Vehicle spaces to be laid out prior to development being occupied.
14. Electric vehicle charging point provision.

15. Standard Contamination conditions
16. Removal of Permitted Development (Classes A – E)
17. Details of bat roosting and bird nesting provision to be provided.
18. Details of site investigations to assess potential risks posed by past shallow coal mining activity and submission of report of findings. Details of mitigation to be included and implemented.

1.0 INTRODUCTION

1.1 The site is not identified for any purpose in the Submission Draft Site Allocations Plan and can be regarded as a windfall site for the provision of housing.

1.2 This planning application is presented to Plans Panel at the request of Cllr Tom Leadley. The planning reasons are summarised below:

- Plot 1 sits too close to the boundary with the adjacent site of ‘Treefield’
- Plot 3 would harm the living conditions of residents of Woodcross Fold by reason of over-shadowing, loss of light, over-dominance and loss of outlook.

2.0 PROPOSAL

2.1 This application seeks planning permission for the residential development of 3035 sq/m (approx. 0.304 hectare site) to deliver four x 5 bedroom detached dwellings. The dwelling will be served by private garden space and off-street parking and the site would be landscaped. This landscaping would be secured by condition and is shown to include tree planting along the north-eastern boundary with Woodcross Fold where previous tree coverage existed but has in recent times being removed.

2.2 The proposed dwellings would read as 2 storeys with a bedroom within the roof-space. The houses are indicated to be constructed in a palette of materials that include brick, render and timber cladding under grey tiled roofs. Fenestration detailing is also proposed i.e. flat arched heads, cills and bay windows.

2.3 A single vehicular access into the site is proposed from Rooms Lane.

2.4 The existing dwelling would be demolished.

2.5 Below are details of the approximate height of the proposed dwellings and that of the existing:

- Plots 1 and 2: 4.8m to the eaves and 9.3m to the ridge
- Plots 3 and 4: 5m to the eaves and 9m to the ridge
- Existing dwelling: 5.2m to the eaves and 8.3m to the ridge

3.0 SITE AND SURROUNDINGS

3.1 The site sits within the urban area with well-established residential development located around the site with Springfield Mill Park sited in close proximity to the site. The site is located close to local amenities and good public transport routes and can therefore be regarded as sitting within a sustainable location. The character of the surrounding area is residential comprising development from varying periods of construction which is reflected in the array of architectural styles, scale, form and detailing. The size of gardens also vary, as do boundary treatments.

- 3.2 The application site presently comprises garden land serving an existing large detached dwelling known as Vaynol Gate. To the front is an area of hard-standing, a detached garage is located in the northern corner of the site with a patio and a large lawned area located to the rear. The existing house is constructed in red brick under pitched and hipped slate roofs and appears to date from the 1920s-30s and is of the Arts and Crafts style. Over time there have been extensions and alterations to the existing building some of which are unsympathetic additions. The site is located to the north-eastern part of Rooms Lane and has been sub-divided previously to its southern part to accommodate a detached dwelling set within a sizable plot (No.47 Rooms Lane). To the north of the site is a large detached dwelling 'Treefield' set within a large plot. A detached dormer bungalow and garage block has been approved within this plot to the south of the existing dwelling on site (under reference 16/06174/FU). Elsewhere around the application site boundaries to the north-east and south-east are much smaller dwellings set within smaller plots. This tighter grain of development is the norm along Rooms Lane and within the immediate area with early Edwardian, dwellings sitting in close proximity to 1930's housing development as well as that from the late 20th century.
- 3.3 To the north-east are a row of dwellings on Woodcross Fold who have gardens that back onto the application site. These dwellings have their habitable rooms facing towards the rear and their garden sizes vary. They are also set some 500mm below the application site and are separated in part from the sites boundary by a narrow ginnel/bin run. To the south and south-east are a row of properties located on Room Fold that form part of the same housing estate as that of Woodcross Fold. Along the boundary with Woodcross Fold was up until recently fringe planting comprising mature tree coverage. These have since been removed (with the relevant permissions in place); along the boundary with Rooms Fold to the south/south-east is a tree line that has statutory protections in place (TPO's).

4.0 RELEVANT PLANNING HISTORY

- 4.1 PREAPP/15/00764 - Demolish existing dwelling and replace with 5 dwellings with a new private drive – Advice given and some extracts are set out below:

“The principle of residential development is accepted. The site is in a sustainable location within an existing residential area in Morley, close to amenities and public transport links”.

“The layout and density of the scheme appears acceptable in that it reflects the mixed spatial pattern of surrounding developments and subject to alterations appears to be able to accommodate five (smaller) dwelling houses”.

“Plot 3 will also be located at the bottom of neighbours rear gardens and should be reduced in size/height, or moved further from the boundary to reduce impact”.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Initially the existing dwelling was to be retained but this drove the layout and created issues in providing a layout that presented plots 1 and 3 overly close to the boundaries. In the main it was the proximity of the unit on plot 3 that raised Officer concern and from the Officer site visit it was clear that although the separation distance proposed from the rear elevations of the properties on Woodcross Fold met with those set out in SPG13, the siting of the proposed unit on Plot 3 would create

issues in respect of undue levels of shade and a sense of dominance to the directly adjacent properties.

- 5.2 Subsequently Officers engaged with the Applicant's agent to set out the considered issues as well as seeking to amend the layout to respond to comments from consultees. Moreover, Officers advised it would be prudent to extend their consultation from the residents of 'Treefield' to the residents of Woodcross Fold. Officers understand that this consultation exercise was undertaken with residents and Cllr Tom Leadley.
- 5.3 The layout now before Members is considered acceptable and due regard is given to the Council's need to provide housing over the plan period and that there is currently no 5 year housing supply in Leeds, a point concluded at several recent appeals. Details of these appeals are expanded upon later within this report.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 The application has been advertised by means of a site notice (20 April 2018) and neighbour notification letters (5 June 2018). Morley Town Council were also notified (5 June 2018).
- 6.2 There have been 21 letters of objection. The matters raised in response to the revised scheme are summarised below:
- The proposal represents over-development of the site
 - Proximity of proposed Plot 3 and garages along the boundary with Woodcross Fold would result in over-bearing development
 - Loss of light
 - Impacts on neighbours right to light
 - Loss of outlooks
 - Loss of privacy
 - Noise and disturbance during the construction phase
 - Strain on the existing highway along Rooms Lane by reason of increased traffic.
 - Increased levels of noise and disturbance
 - The proposed trees would cast shade and potential safety issues i.e. falling branches.
 - How will the fence along Woodcross Fold be maintained?
 - The removal of the trees that formally ran along the boundary with Woodcross Fold removed levels of privacy.
- 6.3 Cllr Tom Leadley has raised objections as set out in the introduction of this report.
- 6.4 Morley Town Council have cited that the proposal represents over-development of the site, would have a negative impact on residential amenities, particularly those on Woodcross Fold as well as having a negative impact on the street-scene.

7.0 CONSULTATION RESPONSES

- 7.1. Coal Authority: Initial objection is now withdrawn. The phase 1 desk study identifies that coal mining legacy poses a risk to development at the application site. Therefore intrusive site investigations will be needed to establish the situation and to inform of any required remediation.

- 7.2 Highways: No objections subject to conditions securing a statement of construction practice, vehicle spaces to be laid out and provision of electric vehicle charging points.
- 7.3 Landscape: No objections subject to conditions for protection of retained trees and a detailed landscape scheme.
- 7.4 Flood Risk Management: No objections subject to conditions securing interim drainage measure during construction, surface water and implementation scheme.
- 7.5 Ecology: No objections subject to a condition securing bat roosting and bird nesting features within the buildings.
- 7.6 Contaminated Land: No objections subject to standard contamination conditions.
- 7.7 Environmental Studies – Transport Strategy Team: Care should be taken such that the recommended WHO standards for daytime noise levels in amenity gardens are met; an acoustic barrier (heavy duty close - boarded fence or equivalent) might be necessary, depending on how heavily trafficked Rooms Lane is.

Officer Note: Rooms Lane serves a relatively large number of dwellings and is well used but not so heavily used that it is likely that the future occupants would experience excessive levels of noise and disturbance. The proposed gardens would be bounded by close boarded timber fencing and the impact on the future residents would be no more than existing residents experience within the built up urban area.

8.0 PLANNING POLICIES

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds comprises the Adopted Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) as well as any made Neighbourhood Plan (NP). In this instance the site does not lie within a NP area.

Adopted Leeds Core Strategy (LCS)

- 8.2 The following Core Strategy policies are considered most relevant:

- Spatial Policy 1: Location of development
- Policy H2: Housing on unallocated sites (Windfall)
- Policy H3: Density of residential development
- Policy H4: Housing mix
- Policy P10: Design and context
- Policy P12: Landscape
- Policy T2: Accessibility requirements and new development
- Policy G8: Protection of species and habitats
- Policy G9: Biodiversity improvements
- Policy EN5: Managing flood risk

Saved Policies - Leeds UDP (2006)

8.3 The following saved policies within the UDP are considered most relevant to the determination of this application:

- GP5: Development Proposals should resolve detailed planning considerations.
- N23/25: Landscape design and boundary treatment
- LD1: Detailed guidance on landscape schemes.

Relevant supplementary guidance:

8.4 Street Design Guide SPD
Neighbourhoods for Living SPG13
Natural Resources and Waste Development Plan Document

National Planning Policy Framework (NPPF)

8.5 The National Planning Policy Framework (Revised July 2018), and the National Planning Practice Guidance (NPPG) set out the national policies for England and how these are expected to be applied. One of the key principles running through the Framework is a presumption in favour of Sustainable Development set out in three objectives: Social, Economic and Environmental. The revised NPPF now seeks to tighten definitions on the presumption in favour of sustainable development, increases the emphasis on high-quality design and place-making. The framework introduces from November 2018 the Housing Delivery Test (subject to transitional provisions) which is focused on driving up the numbers of homes delivered in their area, rather than how many are planned for.

8.6 Paragraph 11 of the revised NPPF directs LPA's to apply a presumption in favour of sustainable development and that they should approve development proposals that accord with an up-to-date development plan without delay.

8.7 With regard to housing applications, section 5 deals with the delivery of a sufficient supply of homes. Paragraph 59 of the revised NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

8.8 The below sections are also considered to be relevant:

- Section 5 - Delivering a sufficient supply homes
- Section 6 - Building a strong, competitive economy
- Section 9 - Promoting Sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving Well-designed places
- Section 15 - Conserving and enhancing the natural environment

DCLG - Technical Housing Standards 2015

8.9 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.

8.10 The technical housing standards provide a table that sets out the minimum gross internal floor areas. The DCLG sets out a maximum of 138 sq/m for a 6 bed dwelling with an 8 bed-space dwelling set out over 3 floors.

8.11 The proposed units would all be 5 bedrooms with 9 bed-spaces and therefore correlation can be set against the DCLG's maximum figure above. All proposed units would be in excess of the 138 sq/m gross floor area.

9.0 MAIN ISSUES

- Principle of development
- Highways
- Layout, Scale and Appearance
- Landscape
- Residential Amenity
- Ecology
- Flood Risk
- Other Matters

10.0 APPRAISAL

Principle of development

10.1 Having regard to relevant policies within the Adopted Core Strategy, it is noted that the Leeds Core Strategy (LCS) is up-to-date and accordingly, full weight can be attached to the distribution strategy for the appropriate location of development as set out in Core Strategy Spatial Policies 1.

10.2 Spatial Policy 1 relates to the location of development and confirms the overall objective is to concentrate the majority of new development within and adjacent to urban areas, taking advantage of existing services, high levels of accessibility, priorities for urban regeneration and an appropriate balance between brownfield and greenfield land. It confirms that the largest amount of development will be located in the main urban area and major settlements with small settlements contributing to development needs subject to the settlement's size, function and sustainability. As a consequence, the priority for identifying land for development is:

- (i) previously developed land within the Main Urban Area/relevant settlement,
- (ii) other suitable infill sites within the Main Urban Area/relevant settlement and
- (iii) key locations identified as sustainable extensions to the Main Urban Area/relevant settlement.

10.3 The site falls within the urban area and whilst the house is considered to be on brownfield (previously developed) land, the garden constitutes greenfield (non-developed) land. The effective use of land by reusing brownfield land is encouraged but the development of Greenfield land is not precluded with the presumption in favour of sustainable development the primary determinant.

- 10.4 Within section 11 of the revised NPPF, paragraph 117 directs LPA's *inter alia* that decisions should promote an effective use of land in meeting the need for homes. The revised NPPF does not change its focus on a presumption that previously developed sites should be developed before Greenfield sites and whilst the application site is predominantly Greenfield rather than Brownfield site (due to the large garden area), neither the Core Strategy (CS) nor the NPPF preclude the development of Greenfield sites.
- 10.5 Specifically relevant to this proposal is Policy H2 of the CS. This states non-allocated sites '*should not be developed if they have 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*'. The proposals have been considered against this criteria and as set out below there is not considered to be significant harm to the character of the area as a result of the proposed development. The land utilised would be in the main Greenfield and its development for residential purposes is not considered harmful in respect of the local character where large gardens are not the prevailing variables that make up the fabric of the area. The full character implications are set out below.
- 10.6 The presumption in favour of sustainable development means that planning permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. As will be demonstrated in the report below, the majority of the site is generally within suitable journey times (as established through Policy T2 of the Core Strategy) from a number of the key services and facilities. This, and the fact that the site is surrounded by existing residential development produces a limited impact on the wider landscape.

Highway Matters

- 10.7 Paragraph 32 of the NPPF states that plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 10.8 As part of the assessment of this application a technical view was sought from Highways. The site does not meet Leeds City Councils accessibility standards however, it is within a 7 minute walk of a bus stop offering frequent bus services. Moreover, the site is located in the well-established settlement of Morley which contains multiple schools as well as employment opportunities. Therefore whilst not meeting the bus stop distance element of the Councils accessibility standards, it does meet other elements of the standards, and the increased walk time to a bus stop is not considered to be so great that it would discourage residents from using the services.
- 10.9 No objections are raised with regard to the internal layout of the site and parking provision is considered to be acceptable. Whilst the proposed dwellings would increase the amount of vehicles along Rooms Lane the scheme is relatively small in

respect of numbers, but Officers do note that given the size of the dwellings it is likely that each would be associated with multiple vehicles for the future occupants. It is the view of Officers that the quantum of traffic would increase by virtue of the development however the existing highway network and specifically Rooms Lane would not be significantly impacted upon and free and safe usage of the Highway would be retained.

- 10.10 The boundary wall of 47 Rooms Lane is to be realigned to achieve visibility splays of 2.4m x 33m and the proposed vehicular access is considered by Highways to be acceptable.
- 10.11 A bin collection point is indicated on the site plan and conditions can secure Electric Vehicle Charge Points for each proposed dwelling in the interests of air quality and sustainable travel.
- 10.12 Therefore the scheme is considered to be compliant with the aims of CS Policy T2 and the NPPF.

Layout, Scale and Appearance

- 10.13 Policies within the Leeds Development Plan along with the NPPF seek to promote new development that responds to local character, reflects the identity of local surroundings, and reinforce local distinctiveness. Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.14 Paragraph 127 of the NPPF seeks that planning policies and decisions should ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 10.15 Good design goes beyond aesthetic considerations and should address the connections between people and places and the integration of new development into the built environment. Design can also assist in tackling the most cross cutting issues of sustainable development such as climate change, car dependence, community cohesion and health and wellbeing.
- 10.16 Policy P10 of the CS deals with design and states that development should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. Developments should respect and enhance, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place

with the intention of contributing positively to place making, quality of life and wellbeing. Proposals will be supported where they accord with the principles of the size, scale, design and layout of the development and that development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.

- 10.17 The proposed layout shows that the dwellings will be sited off a short main route and driveways branching off from this access road. Given the small scale of the development there is a constant character offering an intimate sense of place. The retained and proposed tree coverage would also act to soften the formal urban character area within the site as well as lessening the impact from three proposed detached garage blocks that will sit close to the northern boundary.
- 10.18 The proposed housing consists of detached units all with pitched roofs and constructed in brick and render with stone sills; this offers an acceptable pattern of development within the site and given the variety within the area where an array of architectural styles are located the brick and render is acceptable. The existing house on the site is constructed in brick with sections of render and there is some reflection of this in the choice of materials. Moreover, a large spread of 1930's red brick dwellings are located within the immediate vicinity which also rationalises the proposed materials.
- 10.19 In light of the relatively diverse architectural themes within the immediate area, with buildings representing the period of construction, having a variety of scale, form, height and materials as well as plot size and shape. The appearance, detailing and scale of the proposed units is clearly residential and domestic and adds positively to the architectural vernacular of the surroundings. The standards and design of the development will offer the opportunity to add and enhance the distinctiveness of the locality and provide a high quality design standard for new homes. The scheme is considered to deliver a layout and design that meets with the Council's design aspirations established within Core Strategy Policy P10, the NPPF and guidance within SPG 13 - Neighbourhoods for Living. The details of all materials and boundary treatments can be secured by conditions which are recommended.

Landscape

- 10.20 Policy P12 of the Core Strategy advises that the character, quality and bio-diversity of Leeds' townscapes and landscapes will be conserved and enhanced. Within the UDP, Policy LD1 provides advice on the content of landscape schemes, including the protection of existing vegetation and a landscape scheme that provides visual interest at street level.
- 10.21 The submitted landscape details identify that there would be planting of trees along the northern boundary. Up until relatively recently this boundary had fringe tree coverage along it, but that fringe planting was removed. The proposed planting location and species has not attracted any objection from the LPA's Landscaping Officer and will result in re-placement planting mitigating for the loss of a green fringe to the site. The planting scheme submitted proposes a variety of trees ranging from small to medium species which are unlikely to present an issue when fully grown (i.e. too close to the proposed and existing buildings). However, conditions can secure a landscaping scheme to be submitted to the LPA for written approval. The Landscape Officer has raised no objections or concerns that the proposed development would be too close to the retained trees or that the species proposed for planting would be inappropriate.

10.22 Conditions are recommended to secure protection of all retained TPO'd trees along the eastern boundary and the implementation of the submitted planting scheme. Conditions are also recommended for the submission for written approval by the LPA of a hard and soft landscaping plan. Subject to the approval of an appropriate landscaping plan and implementation of the planting scheme the site can be landscaped in accordance with the objectives of Core Strategy Policy P12 and UDP Policy LD1

Residential Amenity

- 10.23 SPG13 – Neighbourhoods for Living (NfL) provides recommended separation distances that should be achieved between new dwellings, these distances primarily seek to maintain appropriate levels of privacy for existing and future occupiers; although it is noted that the Councils guidance also advises that the suggested separation distances are intended as a guide and should not simply be applied without further consideration regarding the local character.
- 10.24 Guidance within NfL suggests that a separation distance of 10.5m from main windows (living and dining rooms) to boundaries and 7.5m from secondary windows (bedrooms and ground floor kitchens) to boundaries are acceptable. The guidance also suggests a separation distance of 18m between secondary windows (bedrooms) and main aspect windows and 21m between main aspect windows and 12m to side elevations.
- 10.25 The separation distances between properties within the site are considered to be acceptable and the layout will provide future occupiers a good level of amenity. All of the proposed properties have dual aspects. The rear gardens generally offer the 66% of the gross floor area of the units as set out in SPG13 – Neighbourhoods for Living.
- 10.26 There are existing residential properties located to Rooms Lane ('Treefield' and No.47 Rooms Lane), Rooms Fold and Woodcross Fold. All with gardens backing onto the site.
- 10.27 The submitted site plan indicates that proposed dwellings will have gaps to the existing properties primary (living and dining areas) and secondary windows (bedrooms) and main elevations to side elevations are in accordance with the separation distances set out in SPG13. The proposed units would have first floor rear balconies which can be sat and stood on. Plot 1 would have a gap of some 25m minimum to the properties to the north-east on Woodcross Fold whilst Plot 2 would have a gap of some 21m. Plot 3 would have a gap of some 21m and Plot 4 some 20m to the properties on Room Fold. Guidance contained within SPG13 – Neighbourhoods for Living states that outlooks from first floor balconies can be limited by intervening buildings so neighbours gardens are screened from the first floor balcony. The proposal has followed this principle with in this instance the proposed detached garage blocks sited close to the boundary fence with Woodcross Fold and boundary trees with the boundary with Rooms Fold acting as intervening buildings preventing direct overlooking. Therefore the proposed balconies are considered to be compliant with the guidance.
- 10.28 The levels of shade would increase towards rear gardens of the existing houses closest to the sites boundary throughout the day, although this shade will not affect all effected properties at the same part of the day and there will remain opportunities

for solar gain into existing rear gardens and habitable room windows. Previously along the north-eastern boundary was robust tree coverage that will have cast shade onto neighbours gardens; the separation of the main dwellings proposed to the boundary complies with SPG13 and this is also considered an indicator that the levels of shade would not be unduly harmful although greater than previously experienced given the open garden use of much of the site.

- 10.29 Sited closer to the boundaries are single storey garages with roofs that pitch away from the boundary. The eaves height of these garages would be some 2.3m with a ridge height of between 4.0m and 4.5m. This will in part be screened by the existing boundary fence that is to be retained or renewed to match the existing. A condition to determine the exact nature of the treatments is recommended.
- 10.30 The proposed dwellings are laid out so that the gardens and habitable room windows would not be unduly shaded and as noted previously the distances are considered to result in minimal harm from overlooking.
- 10.31 Another impact of the development would be the change of outlook from existing properties across a garden area. Whilst from a resident's point of view to leave the site undeveloped is preferable the scheme proposed has an acceptable layout, well designed houses and good levels of landscaping. Neighbours currently enjoy outlooks across the garden site but they do not have a right to such. Levels of outlook and light penetration etc. will all remain well within recommended guidance distances in NfL and therefore it is not considered that the change in outlook will result in unacceptable harm to neighbours amenity.
- 10.32 The 4 units proposed will add to the noise and disturbance within the area but the scheme is relatively small and sits within a well-established residential area and the increase in noise disturbance is unlikely to be unduly harmful within the wider scope of the area. Conditions are recommended to limit construction times to be included within a construction management plan to be agreed with the Council.

Ecology

- 10.33 Policy G8 of the Core Strategy advises that enhancements and improvements to biodiversity will be sought as part of new developments. These policies reflect advice within the NPPF to contribute to and enhance the natural and local environment. Paragraph 170 of the revised NPPF advises that when determining planning applications, LPA's should contribute to conserve and enhance the natural and local environment.
- 10.34 The LPA's Ecology Officer has suggested that a condition be imposed to secure bat roosting and bird nesting features within the buildings. This is considered reasonable and the condition is recommended and will maintain and enhance biodiversity in accordance with Policy G9 of the CS.

Flood Risk

- 10.35 Policy ENV5 of the CS advises that the Council will seek to mitigate and manage flood risk by reducing the speed and volume of surface water run-off as part of new-build developments. The Council's records indicate the majority of the site is probably compatible to infiltration SuDS with the eastern section highly compatible. The proposed use of permeable paving can be accepted. The Developer would be

required to discharge surface water from the properties into the public sewers currently located on site.

- 10.36 The Council's Flood Risk Management Team have advised that conditions should be imposed for pre-commencement details of an interim drainage measure during site works, feasibility studies and a surface water drainage scheme. On this basis, it is concluded that the scheme will manage and mitigate flood risk in accordance with Policy ENV5 and the NPPF.

Other matters

- 10.37 The objections from local residents and Ward Members that are material to the determination of the application are addressed within the above report.

11.0 PLANNING BALANCE

- 11.1 At the heart of the NPPF remains a presumption in favour of sustainable development (paragraph 11) and for decision-taking this means:

Approving development proposals that accord with an up-to-date development plan without delay.

- 11.2 Weight is attached that this application will make a modest contribution to housing supply within the City. In terms of location of the development, whilst this is a mixed brownfield/greenfield site it is within the main urban area and whilst it is acknowledged that development of Brownfield sites should be sought prior to the development of Greenfield, development of undeveloped sites are not precluded by either the CS or the NPPF.
- 11.3 In terms of social and environmental factors: subject to the imposition of appropriate planning conditions, it is considered that the proposal has the capacity to sufficiently protect and enhance the bio-diversity on site, as set out in the report above, introduce positive drainage onto the site to ensure that there is no flood risk and ensure that the houses are adapted to climate change through Building Regulations as appropriate.
- 11.4 Whilst there are some identified potential adverse impacts of the development (it is acknowledged that there will be an impact on outlook and introducing buildings closer to neighbouring properties), these are not considered to be so detrimental that they outweigh the presumption in favour of granting permission imposed by the NPPF. For local residents that adjoin the site, the development will result in a visual change to the landscape from the existing open garden and their existing views across the open site however as set out above this is not considered to result in substantial harm. With regard to their residential amenity, the application has been fully assessed to ensure that privacy and amenity distances between existing and proposed dwellings are sufficient to comply with the Councils separation standards as well as having due regard to the immediate and wider areas character.

12.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 12.1 The CIL Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this application is CIL liable on commencement of development at a rate of £45 per square metre of chargeable floor-space. However, CIL is not a material consideration and in any event,

consideration of where any Strategic Fund CIL money is spent rests with Executive Board and will be decided with reference to the Regulation 123 list.

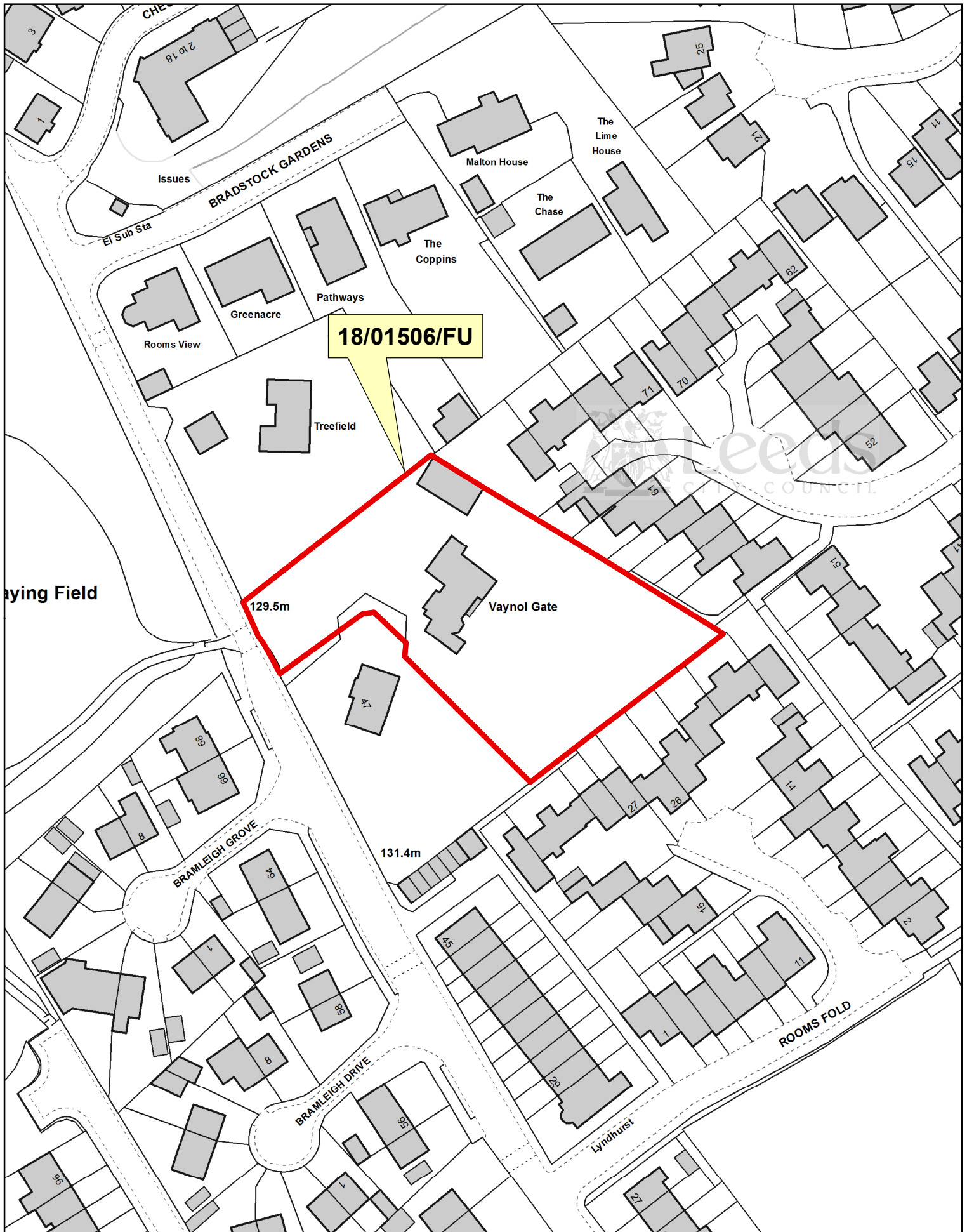
13.0 CONCLUSION

- 13.1 There is a presumption in favour of granting permission within the NPPF and there are considered to be no significant demonstrable adverse impacts which outweigh that presumption.
- 13.2 The scheme will bring forward four new well designed dwellings and there are no highways impact concerns. The site is considered to be sufficiently accessible to local services and facilities such that it is considered to represent a sustainable development.
- 13.3 Therefore, having taken all representations received into account and given the compliance of this application with relevant Policies within the Core Strategy, it is recommended that planning permission be granted subject to the list of recommended conditions at the head of this report.

Background Papers:

Application file: 18/01506/FU

Certificate of Ownership: Notice served on Mr Steve Fagan (Vaynol Gate) and Mr and Mrs Dickinson (47 Rooms Lane)



SOUTH AND WEST PLANS PANEL

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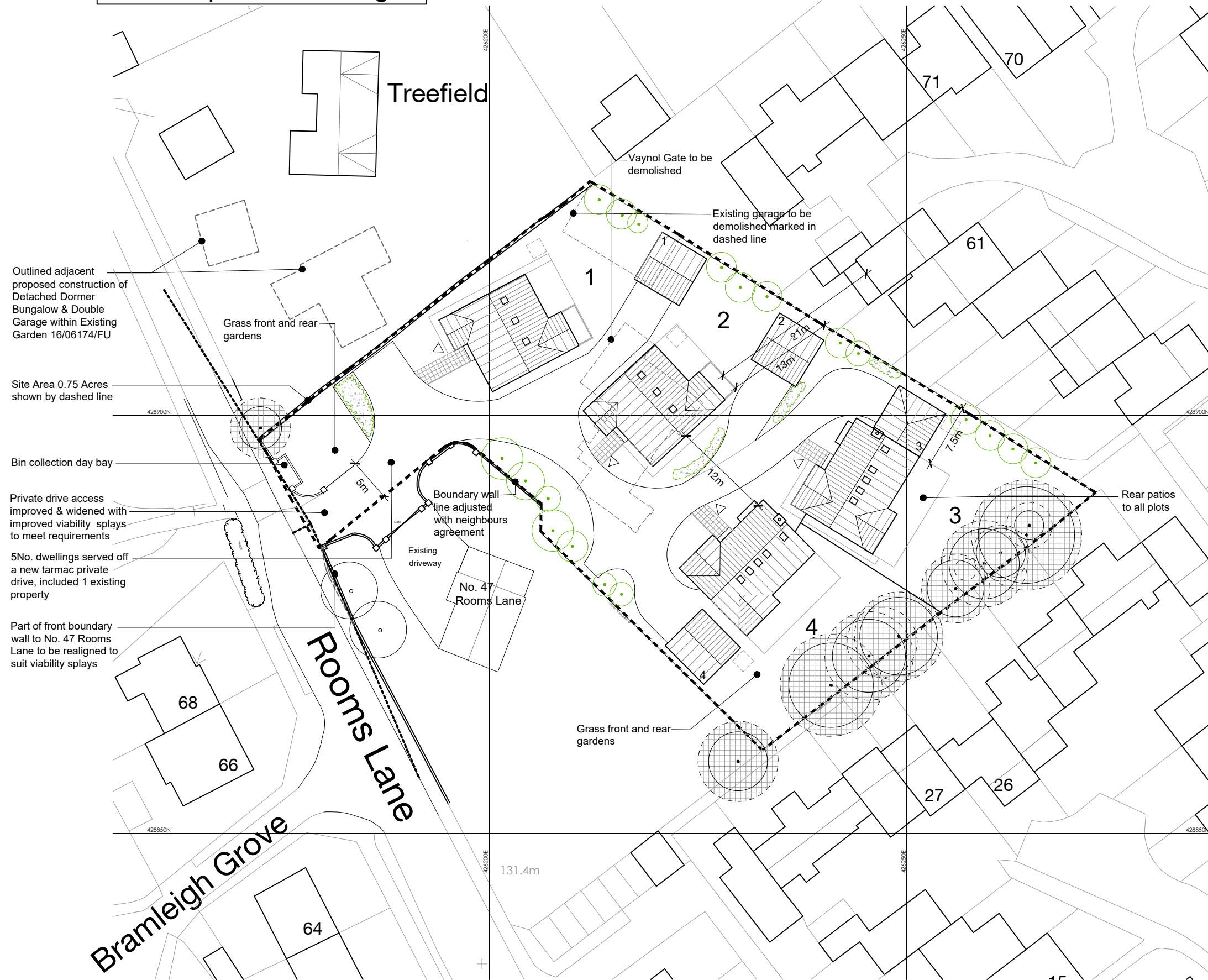
SCALE : 1/1000





Notes | Sketch schemes may be based on plan information of unknown origin and is subject to verification and survey. Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only. Ensure digital versions are plotted at 'Actual Size'. Building areas are liable to adjustment over the course of the design process due to ongoing construction detailing developments. Subject to statutory approvals and survey. The bar above is to check that the drawing has been printed to scale.

4No. Proposed Dwellings



Outlined adjacent proposed construction of Detached Dormer Bungalow & Double Garage within Existing Garden 16/06174/FU

Site Area 0.75 Acres shown by dashed line





Bin collection day bay

Private drive access improved & widened with improved viability splays to meet requirements

5No. dwellings served off a new tarmac private drive, included 1 existing property

Part of front boundary wall to No. 47 Rooms Lane to be realigned to suit viability splays

key:

-  Continuous line indicates tree to be retained
-  Dashed line indicates approx tree root protection zone
-  Landscaping and new trees
-  Bin store area dotted at 1.8m by 1.8m

Rev	Date	Description	Drawn	Checked
C	19.06.18	Plot 2 garage moved 900mm further away from boundary layout ammended	YA	GE
B	30.05.18	layout ammended	YA	GE
A	16.05.18	New layout and existing house Vaynol Gate demolished	YA	GE

Project		Vaynol Gate, Rooms Lane, Morley	
Drawing		Proposed Site Plan	
Client		Vaynol Developments Limited	
BIM Suitability Description		BIM Suitability Code	
Status	Planning	2 Riverside Way	320 City Road
Date	13.07.2017	Whitehall Waterfront	Angel
Drawn	LMF	LEEDS <input type="checkbox"/>	LONDON <input checked="" type="checkbox"/>
Checked	GE	LS1 4EH	EC1V 2NZ
Scale (A3)	1:500	t 0113 819 8041	t 0203 883 8602
		w edwardarchitecture.co.uk	
		e info@edwardarchitecture.co.uk	
Project	Originator	Discipline	Drawing No
0659	EA	A	PL006
			C

