



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 21st February 2019

Subject: 18/03007/FU - One dwelling with detached garage – Masham Court, Shaw Lane, Headingley

APPLICANT
Mrs L Vickers

DATE VALID
10.05.2018

TARGET DATE
20.07.2018

Electoral Wards Affected:

Weetwood

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

RECOMMENDATION:

GRANT approval subject to the following conditions:

Conditions

1. Time limit on outline permission
2. Development to accord with approved plans
3. External materials to be approved
4. Surfacing materials to be approved
5. Boundary treatments to be approved
6. Condition survey and maintenance plan for retaining wall to be approved
7. Construction Method Statement to be approved
8. Vehicle areas to be laid out
9. Bin storage to be provided
10. Electric vehicle charging point to be provided
11. Landscape scheme to be approved
12. Landscape scheme to be carried out
13. Preservation of existing trees
14. Protection of existing trees
15. Phase 2 site investigation to be approved

- 16. Amended remediation statement
- 17. Verification reports to be approved
- 18. Imported soil tests to be approved

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel at the request of Councillor Bentley due to the potential impact the development will have on the Far Headingley Conservation Area and the material planning issues which have been highlighted by residents and the Far Headingley Village Society.

2.0 PROPOSAL:

- 2.1 This application seeks planning permission for the construction of one detached dwelling with a detached double garage. The dwelling is a two and half storey building providing ground floor open living space and 4 bedrooms on the first and second floors. A single storey link extension is located to the front providing an entrance hall and a living room.
- 2.2 The external design of the dwelling includes an asymmetric roof form, extensive glazing of the front elevation, a feature lift shaft and projecting bay elements to the side. The dwelling is to be constructed from red brick with variations and contrasts of coursings to add visual interest to the front elevation.
- 2.3 A detached double garage is to be located to the front of the site which is also to be constructed from red brick. The garage also forms a front boundary wall to the site and is set back from the road frontage with a driveway and landscaping proposed to the frontage of the site.
- 2.4 A brick wall is proposed on the boundary between the site and the adjacent Masham Court.

3.0 SITE AND SURROUNDINGS

- 3.1 The application relates to a vacant, cleared garage site between the 1960's red brick flat development at Masham Court to the south and the traditional stone terraces on Albert Grove to the north. The northern boundary is formed by a large retaining wall and the site sits at a lower level to the properties on Albert Grove.
- 3.2 The site is located within Far Headingley Conservation Area where both grit stone and red brick are widely used. The area is predominately residential with two and two and half storey properties forming the character of the area. Immediately opposite the site are traditional redbrick and render semi-detached properties.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 PREAPP/18/00118 – New Dwelling – Advice provided stating that a new dwelling would be acceptable in principle on this site.
- 4.2 17/05947/FU – Demolition of garages – Approved

5.0 HISTORY OF NEGOTIATIONS

- 5.1 On submission of the original scheme officers had significant concerns with the size, scale, design and overall layout of the proposed dwelling which was considered to be

harmful to the both the character of the Conservation Area and the amenity of the occupants of neighbouring properties and therefore the scheme could not be supported as submitted. Following these concerns being relayed to the architect, officers, including the design and conservation officers, discussed the scheme and the constraints of the site with the architect. It was considered that there is the opportunity to redevelop this site with a dwelling of greater architectural merit and interest which was also lower in height and scale and which better responded to the constraints of the site, reducing the impact on the amenity of the occupants of neighbouring properties.

5.2 The amendments made to the originally submitted scheme were as follows:

1. The height and scale of the building was amended to reduce this from 3 storeys to 2 storeys with room in the roof space to better reflect the scale of the surrounding buildings – particularly the adjacent row of terraced properties.
2. An asymmetric roof line is proposed, to help reduce the mass of the building and provide a transition and separation between the flats at Masham Court and the adjacent terraces on Albert Grove. This also has the benefit of significantly reducing the impact of the mass of the side elevation on Albert Grove.
3. Significant changes have been made to the fenestration detailing of the building. The principal large front window is to be inset and framed by the roof line and the lift shaft has been introduced as a distinct element to add interest and break up the mass. In doing this important shadow lines are introduced to the previous bland and non-descript front elevation.
4. Detailed discussion has taken place with regard to materials. It is proposed to predominantly use red brick with the addition of feature coursing and brick pattern to add further interest. Following further concerns being raised locally regarding the extensive use of brick the applicant advised that they would consider constructing the dwelling in stone. This option was discussed with the design and conservation officers and was considered to be harmful to the design of the dwelling. The dwelling is designed as a brick building and its success is dependent on using brick in a sensitive and innovative manner.
5. A simpler and more coherent rear elevation is proposed.
6. Landscaping has been added to the street frontage to soften the previous stark frontage and to reduce the width of the vehicular access..

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by site notice posted on the 18th June 2018 and in the Yorkshire Evening Post on the 20th June 2018. 5 letters of representation raising concerns with the scheme as originally submitted were received. The issues raised are summarised as follows:

1. The development is close to an historic wall and this should be retained and maintained as part of the development.
2. Development should not be taller than the historic wall as was the case with the low garage buildings on the site.
3. The materials should be stone in keeping with Albert Grove and the new development at Tetley Hall.

4. The loss of the garage parking for Masham Court could result in additional on street parking pressures.
5. The design of the dwelling is out of keeping with the Far Headingley Conservation Area'
6. The development will overshadow the front gardens of Albert Grove, particularly 6, 7 and 8. The development should be two storey only.
7. There has been no consultation with surrounding residents.

Far Headingley Village Society raised concerns on the following concerns:

1. The historic loss of parking from Masham Court compromises the original consent for the flats and results in additional on street parking.
2. The approval of the scheme should be conditional to the widening of the pavement along Moor Road.
3. A front boundary should be added to front of the site.
4. The scale, form and use of materials does not respond well to the local distinctiveness of the Conservation Area.

Councillor James Gibson has commented on the scheme. These comments are:

1. The Conservation Officer should be consulted.
2. The vehicular access to the site should be reduced in width to reduce vehicular speed,
3. Consideration should be given to the scheme contributing to the widening of the pavement along Moor Road.

6.2 Following the extensive amendments to the design of the dwelling neighbours were notified of the changes and given the opportunity to provide any additional comments. 5 further letters of representation were submitted with the issues raised summarised as follows:

1. The design, scale and use of brick is out of keeping with the adjacent Albert Grove stone terrace.
2. The development will result in overshadowing and loss of sunlight to the Albert Grove properties.
3. The loss of the Masham Court parking has resulted in additional on street parking and highway safety issues locally.
4. The addition of a further dwelling will increase vehicular movements locally.

6.3 Two letters of support have been received

7.0 CONSULTATION RESPONSES:

7.1 Highway Services

Highway Services have commented on the scheme and have raised no objections to the development of the site for a single dwelling subject to conditions covering construction management, bin and waste storage provision, laying out of hard surfaced areas and provision of electric vehicle charging point.

Contamination

7.2 No objections subject to conditions

8.0 PLANNING POLICIES:

Development Plan

8.1 Section 38 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 comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) the Aire Valley Leeds AAP and any made neighbourhood plan.

8.2 The following Core Strategy policies are considered most relevant:

- Spatial Policy 1 – location of development.
- H2 – New housing on unallocated sites. .
- P10 – Design.
- P11 - Conservation
- P12 – Landscape.
- T2 – Accessibility and highway safety.
- EN2 – Sustainable design and construction.

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.
- N19 – Development in Conservation Area.
- BD5 – New development and protection of amenity.
- LD1 – Protection of vegetation.

8.4 Natural Resources and Waste Development Plan:

8.5 The following Supplementary Planning Policy documents are relevant:

- Far Headingley Conservation Area Appraisal and Management Plan
- Neighbourhoods for Living.
- Street Design Guide.
- Building for Tomorrow Today: Sustainable Design and Construction.

Neighbourhood Plan

8.6 The Headingley Neighbourhood Plan is currently in preparation and at this stage is considered to carry limited weight

National Planning Policy

8.7 The National Planning Policy Framework (NPPF) sets out the Governments Planning Policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.

- 8.8 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

9.0 MAIN ISSUES

- Principle of development
- Design and impact on Conservation Area
- Residential Amenity
- Highway Safety and Parking
- Other material planning issues
- Local representation
- Conclusions

10.0 APPRAISAL

Principle of development

- 10.1 With regards to the principle of whether the addition of a single dwelling on this site is acceptable, as the site is previously developed and located within a predominantly residential area with good access to public transport and local services the location of the site is considered to be appropriately sustainable. In light of this, it is considered the proposals meet the requirements of policy H2 and T2 of the Core Strategy and are therefore acceptable in principle, subject to all other material planning considerations

Design and impact on Conservation Area

- 10.2 In considering the appropriateness of the design and scale of proposed dwelling it is important to consider the design of the dwelling in isolation and how it will sit within its immediate site context and wider Conservation Area setting.
- 10.3 As has previously been discussed, the design and scale of the dwelling has evolved from the scheme submitted at pre-application stage and since the submission. The amended scheme is considered a dwelling of appropriate design quality which will enhance this vacant site and sit comfortably with the surrounding residential properties.
- 10.4 The height and scale of the dwelling, being two storey with additional accommodation within the roof space is considered to be a sympathetic response to the scale and form of the neighbouring dwellings. The asymmetric roof form helps to reduce the overall height and mass of the building providing a transition between the flats of Masham Court and the stone row of terrace properties on Albert Grove.
- 10.5 With regards to the design detailing and fenestration the proposed articulation and detailing of the principal front elevation, with a large window which is to be inset and framed by the roof line, the lift shaft provides a focal point to the property adding interest and depth to the elevation. It is proposed to use red-brown brick with the addition of feature coursing and brick patterns to add further detailing to the front elevation.
- 10.6 The proposed double garage is located towards the front of the site and will appear as a boundary wall when viewed from the street. This is set back from the road to allow

for a driveway and additional landscaping to help soften what otherwise could be a hard and stark site frontage. This is considered acceptable.

- 10.7 It is considered that the proposed dwelling will be an appropriately designed and detailed contemporary dwelling which will sit comfortably within this currently vacant site. However, it is important to also consider how the dwelling responds to the historic context of the Far Headingley Conservation Area.
- 10.8 The Far Headingley Conservation Area Appraisal and Management Plan provides detailed guidance on the materials palette within the Conservation Area. This advises that both stone and brick are used extensively throughout the Conservation Area – with brick used largely used outside the village core and on later 19th and 20th Century developments. The application site is located away from the village core where there is a mixed of stone, brick and render used within and adjacent the Conservation Area. In this context, it is considered that the use of high quality brick is sympathetic and appropriate. Furthermore, given the contemporary form and design of the dwelling it is considered to be a stand-alone building which, whilst taking reference to the scale of the adjacent building and its wider historic context, is not directly responding to the design and form either the positive stone terraces or the lower status 1960s brick development which immediately neighbour the site. As such, it is considered that the dwelling provides a transition between the two contrasting developments which abut the site.
- 10.9 The Appraisal and Management Plan advises that residential properties within the Conservation Area often two storey with some larger properties being two and half storey with rooms within roof spaces. The scale of the dwelling adheres to this scale.
- 10.10 It is also important to consider that the dwelling will be located to the rear of the site and at a lower level to the street. As a result, the dwelling will not be a prominent addition to street scene with only relatively limited views being afforded from the street and as such there will be limited change to the appearance of the wider street scene from the development.
- 10.11 In summary, it is considered that the proposed development constitutes a good quality and well-designed contemporary dwelling which will enhance the appearance of this currently vacant site and responds positively to its wider historic context. As such, the development is considered to be compliant with policy P10 and P11 of the Leeds Core Strategy, GP5, BD5 and N10 of the Saved Unitary Development Plan Review (2006), Far Headingley Conservation Area Appraisal and Management Plan and the design and conservation requirements of the National Planning Policy Framework (2018) and Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential amenity

- 10.12 It is important that the impact the development will have on the amenity of the occupants of nearby properties is fully considered. With regards to the properties within the row of terraces on Albert Grove, as these are located to the north of the development site there is the potential for the dwelling to overshadow habitable rooms and private outdoor amenity space. However, the proposed dwelling is located approximately 15.5 metres from the front elevations of the properties on Albert Grove, in excess of the 12 metres separation of habitable windows to blank side gable advised in the Neighbourhoods for Living SPG. Furthermore, the application site sits at a lower level to the properties on Albert Grove and the asymmetric roof design further reduces the height and massing of the side elevation facing Albert Grove. In addition, a solar analysis has been undertaken by the applicant which indicates overshadowing of windows will be largely limited to a small number of windows of the early part of the

day during winter months. As such, whilst acknowledging that the development will result in some overshadowing of the properties on Albert Grove, with 4, 5 and 6 Albert Grove being most affected, it is considered that the harm will not be so significant as to result in an unreasonable reduction in the residential amenity currently enjoyed by the occupants of the properties on Albert Grove.

- 10.13 With regards to the occupants of the flats within Masham Court, as the development is located to the north of the flats and the main mass of the development sits adjacent to the block of flats with only the low single storey front projection extending beyond the front building line of the flats, it is not anticipated that any significant harm to the amenity of the residents of the Masham Court will result from the development.
- 10.14 All the habitable room windows are located on the front and rear elevations such that no overlooking or loss of privacy of the properties in Masham Court or on Albert Grove will result from the development. As the development is for a single dwelling on a site previously containing garaging, it is not anticipated that noise and nuisance will result from additional vehicular movements.
- 10.15 With regards to the amenity offered to the future occupants of the proposed development, sufficient private amenity space is provided to the rear of the property and the level and quality of the internal accommodation will ensure that the occupants will benefit from a good quality living environment.
- 10.16 Overall, it is considered that the dwelling responds sympathetically to the amenity of neighbouring residents ensuring that any impact will not result in significant harm to residential amenity locally. As such the proposed development is considered to comply with policy GP5 of the Saved Unitary Development Review (2006) and the guidance within the Neighbourhoods for Living SPG.

Highway Safety and Parking

- 10.17 With regards to highway safety and parking, the proposed development provides sufficient off street car parking and space for vehicles to turn within the site to ensure they can exit the site in a forward gear. As such, it is considered that the development will not contribute to additional on street parking pressures or wider highway safety issues.
- 10.18 Consideration has been given to the impact the loss of parking previously provided by the garages has and will have. This issue was considered in detail as part of application 17/05947/FU for the demolition of the garages and it was considered that the loss of the garaging, which had fallen into disrepair and was not used for parking by the residents of Masham Court would not result in additional on street parking pressures. The garages have since been demolished with the site now being a cleared and vacant site. The Highway Officer does not object to the proposal subject to conditions.
- 10.20 In light of the above, it is considered that the development complies with policy GP5 of the Saved Unitary Development Plan Review (2006) and T2 of the Leeds Core Strategy.

Other Material Planning Issues

- 10.21 Concern has been raised regarding the condition of the boundary wall between the application site and Albert Grove and the potential damage the development could

have on the wall. To address this and allay concerns, a condition is recommended that a condition survey is carried out prior to development and any required structural work agreed with the Local Planning Authority.

- 10.22 Reference has been made to the requirement of the development being approved with the condition that the pedestrian footway is widened to continue that undertaken as part of the adjacent Tetley Hall development. This is not considered necessary or proportionate for a development of a single dwelling and in any event, there would be concerns regarding the loss of the cobbled footway to the front of the site.

Local representation

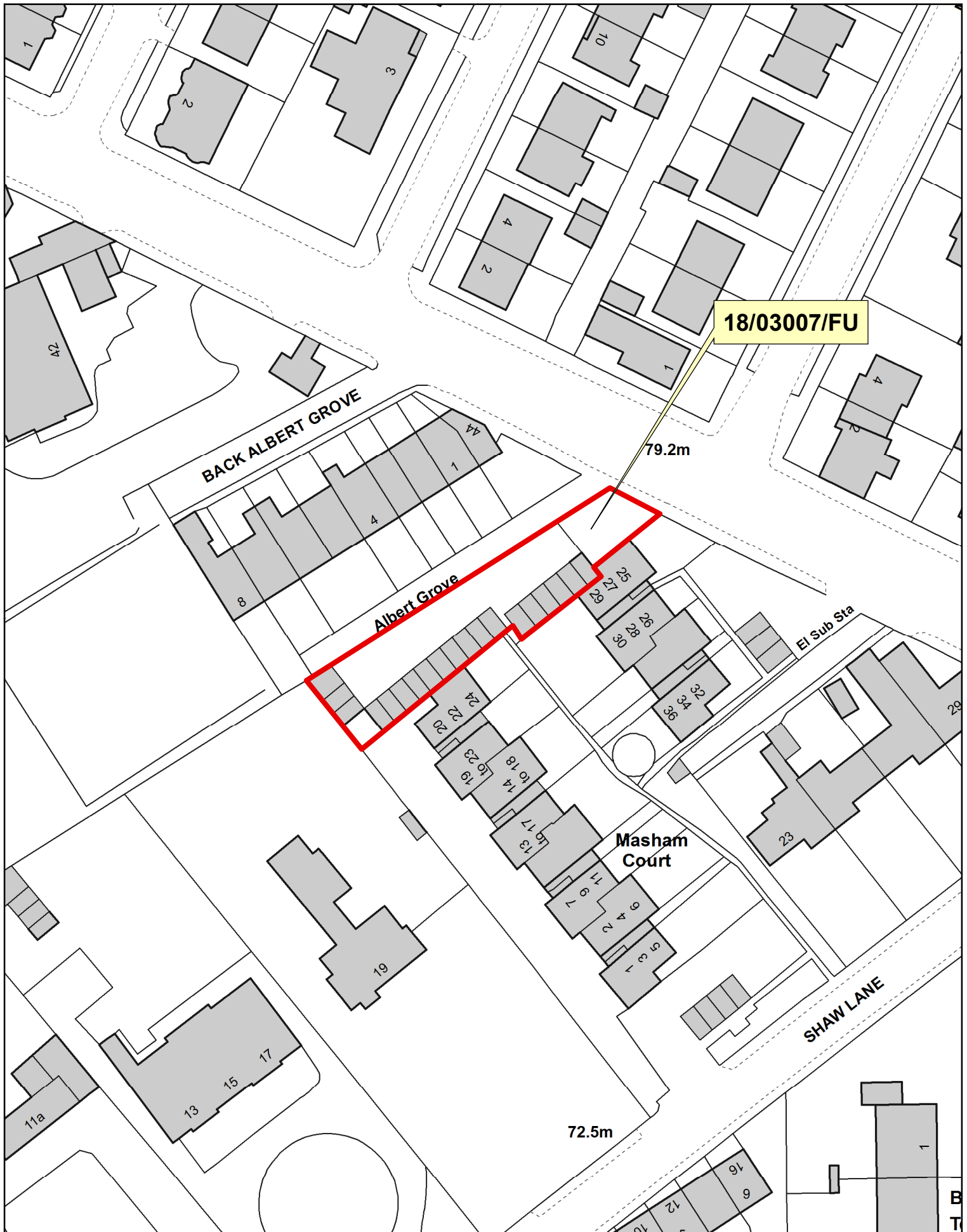
- 10.23 It is noted that a number of letters of representation have been received raising a number of concerns regarding the design, scale and the use of materials of the proposed dwelling with the impact this will have on local character and residential amenity. These issues, together with all other material planning issues raised, have been fully considered in assessing the application with significant alterations to the design and scale being made to address these impacts.

11.0 CONCLUSION

- 11.1 In conclusion, it is considered that the proposal represents a good quality and well-designed contemporary development which responds positively to both its immediate and wider context and results in appropriate redevelopment of this vacant site. The development will preserve the residential amenity of the occupants of the properties on Albert Grove and within Masham Court and will not result in any additional highway or parking issues locally
- 11.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area. In additional Paragraph 196 of the NPPF states that ‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’ As the application site is currently a clear and vacant and given the good quality and sympathetic contemporary design of the scheme it is considered that the development will not cause harm and has taken the opportunity respond to and enhance the character and appearance of Far Headingley Conservation Area. As such the development complies with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 196 of the NPPF.
- 11.3 In light of the above, it is recommended that planning permission is granted.

Background Papers:

Certificate of ownership: signed by applicant.
Planning application file.



SOUTH AND WEST PLANS PANEL

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

SCALE : 1/750



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NOTES

PLEASE DO NOT SCALE DIRECTLY FROM THIS DRAWING

MAIN CONTRACTOR TO CHECK ALL MEASUREMENTS ON SITE PRIOR TO CONSTRUCTION.

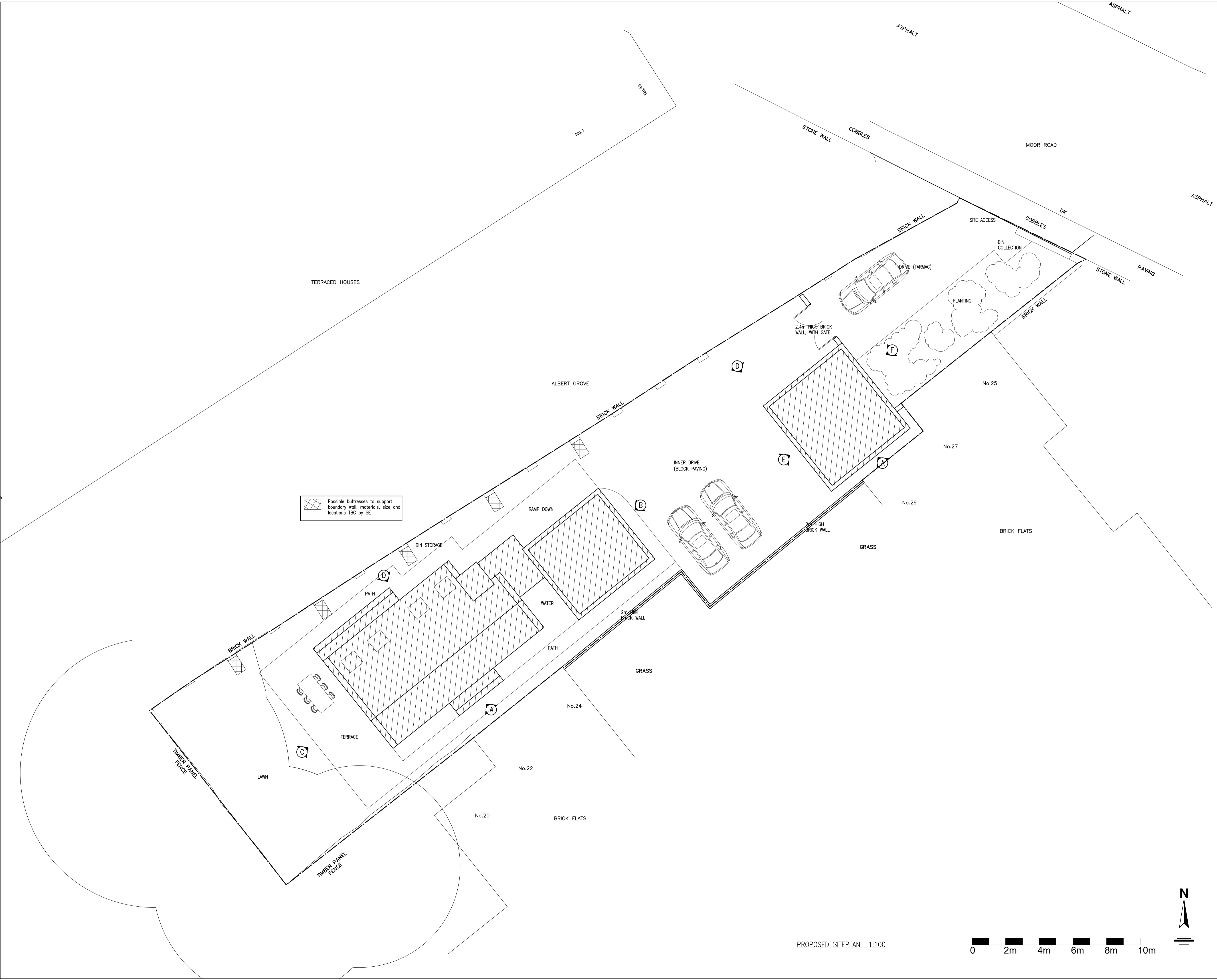
THE SITE PLAN IS BASED ON THE INFORMATION PROVIDED VIA THE SITE SURVEY PLAN PROVIDED BY MET CONSULTANCY GROUP.

THE LAYOUT OF THE GARDEN IS AN INDICATION ONLY. ALL MEASUREMENTS (POSITIONS OF WALLS, PATHS, MANHOLES ETC.) MUST BE CHECKED ON SITE AND NOT TAKEN FROM THIS DRAWING.

STRUCTURAL ENGINEER TO PROVIDE ALL STRUCTURAL DETAIL DESIGN AND CALCULATIONS, WHERE REQUIRED.

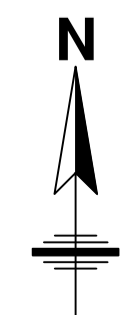
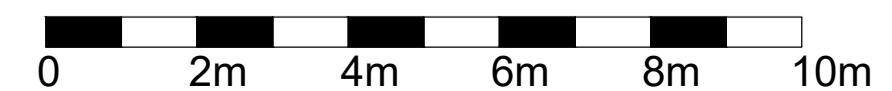
MAIN CONTRACTOR TO ENSURE ALL MECHANICAL AND ELECTRICAL SPECIFICATIONS ARE IN LINE WITH APPROVED DOCUMENTS PARTS B, L, F & P AND INSTALLED BY COMPETENT PERSONS.

ALL NEW LIGHTING TO USE ENERGY EFFICIENT BULBS (WITH APPROPRIATE IP RATINGS FOR BATHROOMS & EXTERNAL USE).



Possible buttresses to support boundary wall. materials, size and locations TBC by SE

PROPOSED SITEPLAN 1:100



FOR DESIGN / PLANNING

REVISIONS
 A 07-09-18 REDESIGN FOR PITCHED ROOF
 B 23-10-18 FURTHER REDESIGN TO SUIT FLOOR PLANS

PROJECT
 LAND OFF ALBERT GROVE, LEEDS

DRAWING TITLE
 PROPOSED SITE PLAN

DRAWING NO 356-004	REV. REV. B	SCALE 1:100@A1
DRAWN BY J.BUTTERWORTH	DATE 15-02-18	

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