



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 8th April 2010

Subject: APPLICATION 09/04656/FU – Change of use from 2 flats to 2 town houses including external alterations, roof extensions, bay window to side with balcony over, single storey building to rear to form 3 dwellings, 2.3m high wall and 1m high glazed balustrade with altered vehicular access and parking court at 128 Wetherby Road, Roundhay.

APPLICANT

L Pargetar

DATE VALID

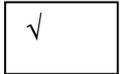
06/01/2010

TARGET DATE

03/03/2010

Electoral Wards Affected:

Roundhay



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

Conditions

1. Time Limits
2. Samples of Materials
3. Surfacing materials
4. Boundary treatments
5. Areas to be used by vehicles laid out
6. Landscape Scheme
7. Implementation of Landscaping
8. Protection of Trees
9. Replacement of Trees
10. Tree retention method statement
11. Contamination
12. Drainage details
13. Bin storage management

14. Construction Methodology
15. Re-siting of gate piers
16. Removal of pd rights: extensions, roof alterations outbuildings and windows.
17. Rear part (south) of roof of new dwellings shall not be used as roof terraces.
18. Provision of cycle parking/storage
19. Unallocated parking

Reasons for approval: The application is considered to comply with Policies GP5, H4, N12, N13, N18A, N18B, N19, N20, N23, N25, N26, LD1, BD2, BD5, BC7, T2 and T24 of the UDP (Review 2006), as well as guidance contained within the Council's SPG 'Neighbourhoods for Living' and, having regard to all other material considerations.

1.0 INTRODUCTION:

- 1.1 The scheme proposes the redevelopment of a two storey early twentieth century building and its associated garden within the Roundhay Conservation to provide a total of 5 dwellings. Planning permission is sought for the conversion and alteration of the building to 2 townhouses with the erection of 3 dwellings towards the rear. This application is reported to the Plans Panel at the request of Councillor Lobley. This is due to concerns over the design, impact on the character of the Conservation Area, insufficient parking, over-development of the site and the new houses are not subservient to the original house.

2.0 PROPOSAL:

- 2.1 The scheme relates to a full planning application for the demolition the existing single storey extensions and outbuildings and conversion and alterations of the building to form 2 townhouses. Proposals also involve the erection of a replacement bay on the west (side) elevation with balcony over, extensions to the main roof to create additional habitable accommodation within the roofspace and the formation of new windows to either ends of the roof. The alterations facilitate the formation of 2 houses arranged over three floors (1 x 4 bed and 1 x 5 bed).
- 2.2 Towards the rear of the site the existing single storey extensions, greenhouse and outbuildings would be demolished and replaced with a single storey building comprising 3 x 2 bedroom townhouses. This would be attached to the main building via a 1.2m wide glazed link. The new dwellings would be partially sunken into the ground and would occupy an overall footprint of 15m x 23.5m. Each unit would have a U-shaped footprint with a central courtyard/enclosed garden in the centre measuring 6m x 4.3m. Accommodation includes an open plan living/kitchen area to the north and 2 bedrooms and a bathroom to the south (rear). Each unit features a roof top terrace measuring 7.7m x 5.6m with stairs leading upwards from the courtyard area. Glazed balustrading would enclose each roof terrace. Proposed materials include the use of white render to match the main building. In order to prevent overlooking of these terraces from the adjacent houses within the main building, there are no habitable rooms with windows in the rear elevation of the converted property.
- 2.3 In terms of access and parking, proposals involve the re-siting and widening of the access further to the west along Wetherby Road. The proposed access would be 5.5m wide, would have a turning area and would lead towards a dedicated parking area. This parking area takes the form of a walled garden which is attached the east of the proposed single storey dwellings and measures 16m x 15m. The parking

court comprises a 2.3m high wall with a 3m wide timber gate. A total of 8 parking spaces are proposed within the parking court plus a bin storage area. Two visitor parking spaces are proposed adjacent to the access road. The existing pedestrian entrance from Wetherby Road would be reinstated. With regard to trees, a number are proposed for removal in order to facilitate the rear extension. However, the majority of trees within the site and on the boundary would be retained.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises a large detached and extended two storey house, a garage, drive, and front, side and rear gardens. The building is currently split into two dwellings with parking currently taking place to the front and side of the building. The building was constructed in the early 1900s as an Electric Lighting Works, and then converted and remodeled, circa 1918, to a house with a small electric sub-station. The main facing materials are white painted render and concrete, whereas most nearby properties are built in stone or red brick. Previous works to the building have included increasing its height, adding a new roof, and creating new openings as well as rear extensions.
- 3.2 In terms of detailing, the building has a hipped roof with a central projecting gable on the front elevation. The gable contains a doorway and a Venetian window above. On each side of the gable there are three sash windows at first floor level, echoed below by sash windows and a second door. The windows are set in full architraves, while the two entrances, which include fanlights, are framed by canopies and pilasters. The door and window surrounds, quoins and the plinth are all concrete castings.
- 3.3 The building is set within an expansive plot within the Roundhay Conservation Area and is identified as a positive building within the Oakwood character area in the Roundhay Park Conservation Area Appraisal. In terms of levels, the site is set below the street level and bounded by stone boundary wall with overgrown landscaping behind. There is an elevated section of the garden adjacent to the western boundary. The land steps downwards by approximately 0.5m beyond the rear boundary. The area is residential in character with a recently constructed property to the east, which is of modern design with details and materials which complement the application site. To the south of this is 2 Elmete Drive which is also identified as a positive building within the Conservation Area. A block of 1970's two storey flats are to the west and elevated above the site. This stretch of Wetherby Road has a 40mph speed limit and lies almost opposite one of the car parks which serves Roundhay Park.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The site has been the subject of a previous proposal to demolish the building (Ref. 08/00360/CA) and to erect a 5 bedroom detached house with a granny flat and a triple garage. Both applications were refused on 18 March 2008 and were the subject of appeals which were dismissed on 1 September 2008. In her decision letter, the Inspector commented:

"I have seen insufficient evidence that the existing property could not be converted, modernised or refurbished. The appellant has not said why the property could not be altered to meet his needs or sold. In my view, therefore, neither the design nor the condition of the building would justify

the proposed demolition..”

4.2 The Inspector then commented upon the detailed design proposals:

“... the development proposed would not improve on the existing building in design terms, and there is little evidence that it would deliver significant community benefits.”

4.3 07/04697/FU – demolish existing detached building and replace with 5 bedroom detached house with granny flat and triple integral garage. Withdrawn

07/04698/CA – Conservation Area application to demolish existing building. Withdrawn

4.4 There are two separate Tree Preservation Orders which relate to the site. TPO (No. 21) 2006 relates to a Sweet Chestnut tree adjacent to the site frontage. TPO (No. 4) 1976 relates to a number of trees, principally within the rear gardens of properties on Elmete Walk, and includes a group of trees partly within the south eastern corner of the application site (2 Beech and 1 Elm tree).

5.0 HISTORY OF NEGOTIATIONS:

5.1 Concerns were initially raised over the number of proposed units which the application originally proposed. A total of 6 units were proposed with objections being raised by Highways as this would be contrary to the guidance within the Street Design Guide. The number of units being served of the proposed access was considered to be unacceptable, while the design of the access road and the layout of the parking places could not be supported. Consequently, the applicant has amended the proposal and omitted one unit from the converted building. This amendment has not been re-advertised as it represents a decrease in the density of development.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Following the advertisement of the application by way of site notices posted on 20 January 2010 advertising the application as affecting the character of a Conservation Area, a total of 2 letters of representation have been received making comments on the application. One resident who lives to the rear wishes their privacy to be maintained and the erection of a fence may be difficult due to a difference in levels.

6.2 One resident of the adjacent property at no. 130 Wetherby Road has discussed the proposals with the applicant. No objections are raised and it is considered that the proposals are a well designed and innovative scheme which should add to the character of the area. However, a planning condition should be imposed that states that no bins shall be sited or stored outside the site and that natural stone and copings are used to match the existing wall in the area where the vehicular access is to be closed up.

6.3 **Ward Members** – Councillor Lobley objects to the proposals on the following grounds:

- Yet another over-development of a site in Roundhay;

- Footprint is larger than original house and the huge proportion of the plot is covered by parking and buildings;
- Gross over-development in the Conservation Area should be resisted;
- Inadequate car parking spaces with no guest parking;
- New houses are not subservient to original house making for a very odd effect; and
- Design of new houses is very poor and not in keeping with the area.

7.0 CONSULTATIONS RESPONSES:

Statutory:

7.1 None

Non-Statutory Consultations:

- 7.2 **Highways:** No objections are raised to the amended scheme as 5 units are acceptable from a private access road. Ten off-street parking spaces are provided, which constitutes 2 spaces per dwelling. However, a condition is recommended requiring that the parking is unallocated.
- 7.3 **Yorkshire Water:** No objections subject to the imposition of conditions.
- 7.4 **Drainage:** No objections subject to the imposition of conditions.
- 7.5 **Contamination:** No objections subject to the imposition of conditions and further information.

8.0 PLANNING POLICIES:

- 8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal.
- 8.2 Unitary Development Plan (Review 2006) Policies:
- | | |
|--------------|--|
| Policy GP5: | General planning considerations |
| Policy H4: | Housing on unallocated sites |
| Policy BD2: | Views and vistas |
| Policy BD5: | New buildings should not cause loss of amenity |
| Policy N12: | Urban design |
| Policy N13: | Design of new buildings |
| Policy N18A: | Demolition within Conservation Areas |
| Policy N18B: | Redevelopment following demolition within Conservation Areas |
| Policy N19: | New development within Conservation Areas |
| Policy N20: | Demolition within Conservation Areas |
| Policy N23: | Incidental open space around new development |
| Policy N25: | Boundaries of sites |
| Policy N26: | Landscape schemes |

Policy N49:	Nature Conservation
Policy BC7:	Use of traditional materials within Conservation Areas
Policy T2:	Transport and highway safety
Policy T5:	Safe and secure access
Policy T24:	Car parking provision (Appendix 9)
Policy LD1:	Landscape proposals

8.3 SPG: "Neighbourhoods for Living".
SPD "Designing for Community Safety – A Residential Guide"
SPD "Street Design Guide"

8.4 PPS1: Delivering Sustainable Development
PPS3: Housing
PPS5: Planning for the Historic Environment

8.5 Roundhay Conservation Area Appraisal – 128 Wetherby Road is identified as a positive building within the Oakwood character area. The area is characterised by many good nineteenth and early twentieth century villas and estates, built in varied but clear architectural styles such as Arts and Crafts. Most houses are set behind mature front gardens, which with street trees give the area a green and leafy appearance.

9.0 MAIN ISSUES

- i) Principle of Development
- ii) Design and Impact upon Character and Appearance of Area
- iii) Impact on Living Conditions of Neighbours & Future Occupants
- iv) Highway Safety
- v) Trees, Landscaping and Nature Conservation
- vi) Consideration of Objections
- vii) Conclusion

10.0 APPRAISAL

Principle of Development

10.1 The site constitutes previously developed land as it comprises the land currently occupied by a building which is currently used for residential purposes together with its associated front, side and rear garden areas. The proposal is considered to meet the tests set out within Policy H4 of the UDP and therefore the principle of residential development would appear to be acceptable subject to all other material planning considerations as set out below.

10.2 Such matters relate to the acceptability of design and its impact on the Roundhay Conservation Area, parking and highway safety, the impact on the living conditions of neighbours and impact on trees. It is also relevant to take into account the planning history of the site.

Design and Impact upon Character and Appearance of Area

10.3 The proposal involves the retention of the existing building and follows the guidance from the Inspector as part of the previous appeal. This approach is a conservation led scheme by the applicant which also involves an element of innovative new build

towards the rear. The existing building will be re-arranged internally to provide 2 townhouses, with one 4 bedroom and one 5 bedroom property, both arranged over three floors. The existing roof will be extended to both sides with the formation of new windows to either ends of the roof. The existing bay window on the west elevation will be replaced by a slightly larger bay window with a balcony over. The main front façade of the building therefore remains essentially the same. These alterations are considered to be acceptable and would not be harmful to the character or appearance of this part of the Roundhay Conservation Area. All materials to be used would match those of the existing building.

- 10.4 The proposals also involve an element of new build towards the rear of the building in the form of 3 single storey dwellings. In order to accommodate the new dwellings, all existing rear extensions and outbuildings will be demolished. The new dwellings would be attached to the main building via a 1.2m wide glazed link and would be partially sunken into the ground, occupying an overall footprint of 15m x 23.5m. Each unit would have a U-shaped footprint with a central courtyard/enclosed garden in the centre measuring 6m x 4.3m. Each unit features a roof-top terrace measuring 7.7m x 5.6m with stairs leading upwards from the courtyard area. Glazed balustrading would enclose each roof terrace. Proposed materials include the use of white render to match the main building. The scheme also includes a walled parking court which would adjoin the new dwellings to the east.
- 10.5 The overall scale, height, massing, siting and design of these new dwellings and walled parking court must be considered in the context of the character of this part of Wetherby Road and upon the character and appearance of this part of the Roundhay Conservation Area. In this respect, regard needs to be taken to the guidance contained within PPS5 and the Roundhay Conservation Area Appraisal. The latter identifies the site as being a positive building located within the Wetherby Road and Park Avenue character area. The appraisal notes that the area is characterised by many good nineteenth and early twentieth century villas and estates, built in varied but clear architectural styles such as Arts and Crafts. Most houses are set behind mature front gardens, which with street trees give the area a green and leafy appearance.
- 10.6 The proposal retains the positive building in the Conservation Area and sets the new development towards the rear of the site, thereby ensuring that the main building remains the dominant feature within the streetscene. Although the footprint of the three new dwellings are considerably larger than the existing building, it is considered that they would not be visually dominant within the streetscene since they would be set back behind the retained building, are single storey and partially screened by the mature vegetation along the site frontage. Glimpsed views of the front wall and timber entrance gates would be possible from Wetherby Road which are set back 8.5m from the front wall of the retained building. However, this rendered boundary wall and timber gates would be in keeping with the character and appearance of the Conservation Area and consistent with the advice within PPS5 and the guidance contained within the Conservation Area Appraisal.
- 10.7 The existing access would be relocated further to the west to facilitate two way passing while the existing gate piers would be relocated. The majority of trees within the site frontage which is a characteristic of the Conservation Area would be retained, while the area to the front of the building would be landscaped and access prevented for vehicles.
- 10.8 In summary, it is considered that the sympathetic alterations to the main building are acceptable while the new dwellings towards the rear represent an interesting and

innovative solution which do not compromise the character or appearance of the Conservation Area. As such, the proposals are considered to comply with the advice contained within PPS5 and with the Roundhay Conservation Area Appraisal.

Impact on Living Conditions of Neighbours & Amenity of Future Occupants

- 10.9 The impact upon the residential amenity of existing adjacent occupants as well as the intended future occupants of the development must be considered. In this respect and with regard to the former, it is not considered that the proposed development would give rise to loss of light, overlooking or would create an overbearing sense of enclosure to the detriment of residential amenity of occupants of nearby properties.
- 10.10 In terms of the properties to the rear within Elmete Grove, the land is approximately 0.5m lower than the application site adjacent to the rear boundary, with the closest parts of the nearest two properties set 11m and 15m respectively from the site's rear boundary. The rear boundary comprises a mixture of vegetation which acts as a screen between the existing properties and the application site. The rear elevation of the new houses are set 8.5m from the site's rear boundary, with the exception of part of the western unit which is 6.5m from the boundary owing the shape of the site. This rear elevation features 3 bedroom windows (one to each unit) and measures 2.3m in height. Guidance within Neighbourhoods for Living advises that secondary windows are set 7.5m from a boundary. As such, the proposed rear bedroom windows satisfy this guidance and is not considered that the proposals would be harmful to the living conditions of the neighbours towards the rear in terms of loss of privacy, dominance and overshadowing.
- 10.11 In terms of the properties to the east, the proposed wall which forms the parking court is set 3.2m from the rear boundary with no. 2 Elmete Drive and measures 2.3m in height. New planting would be proposed along this boundary in order to soften the visual appearance of this wall. It is therefore considered that the wall to the parking court would not be harmful to the living conditions of adjacent occupants.
- 10.12 In terms of the impact upon the amenity of future occupants, it is considered that the scheme provides a satisfactory standard of accommodation for the intended occupants of the 5 dwellings. Satisfactory communal amenity space is proposed to the front, rear and side of the building, while each of the new houses benefit from a roof terrace and internal courtyard area. There are no habitable room windows within the rear elevation of the retained building, therefore ensuring that the roof terraces are not overlooked. In terms of outlook and sunlight to the new units, each living room and one of the bedrooms only have an outlook into the internal courtyard area. Whilst this may not provide the minimum distance set out within Neighbourhoods for Living, these elevations would be fully glazed with the living areas being south facing, and would therefore provide a reasonable level of amenity for prospective new occupants.

Highway Safety

- 10.13 Proposals involve the retention and widening of the existing vehicular access point from Wetherby Road to allow two way passing. The existing gate piers would therefore need to be relocated. The internal access road leads into 10 car parking spaces, 8 of which are located within a walled parking court. It is considered that the

level of parking proposed is acceptable in this location. Furthermore, it is considered that the proposed vehicular entrance is acceptable and that the proposals would not be detrimental to highway safety. A condition is also recommended that all of the parking spaces remain unallocated.

Trees, Landscaping & Nature Conservation

- 10.14 In terms of the impact upon existing trees, the majority of these are automatically protected given the Conservation Area designation. There are also two separate Tree Preservation Orders which relate to the site. TPO (No. 21) 2006 relates to a Sweet Chestnut tree adjacent to the site frontage. TPO (No. 4) 1976 relates to a number of trees, principally within the rear gardens of properties on Elmete Walk, and includes a group of trees partly within the south eastern corner of the application site (2 Beech and 1 Elm tree). None of these trees are proposed for removal as part of the scheme.
- 10.15 The applicant has submitted a tree survey with the application together with a plan which identifies trees for removal. The proposal results in the removal of several trees within the site to facilitate the footprint of the new development and creation of improved amenity areas. These include a Leylandii hedge, and a mixed species group of Hawthorn, Elder and Snowberry on the eastern boundary. All of these can be adequately replaced. In addition, a Goat Willow, an apple tree, and several trees along the western boundary are to be removed. The trees along the site frontage and along the rear boundary will all be retained. It is therefore considered that the level of tree removal is acceptable and a condition is imposed requiring the submission of a detailed landscaping scheme to mitigate against this loss.
- 10.16 The applicant has submitted a report into the assessment of the likely roosting of bats, given the proposed extension into the roof of the existing building. The survey indicates that there are no signs of areas within the existing building and extensions for potential access for bats. There are no openings within the eaves or the gutter lines that would facilitate access by either bats or roosting birds. In any event, the applicant would need to obtain a Natural England European Protected Species Licence should bats be found.

Consideration of Objections

- 10.17 The Ward Member and local residents raise a number of objections and concerns. It is considered that the proposal is sympathetic to the character and appearance of the Conservation Area and is appropriate having regard to planning policy, including the Conservation Area Appraisal. It is further considered that the proposal would not significantly harm the living conditions of adjacent neighbours, while the scheme raises no highway safety concerns. The proposed houses to the rear would not be visible from Wetherby Road, and the proposal would not be detrimental to the character of the area.

11.0 CONCLUSION

- 11.1 In conclusion, consideration has been given to all the matters raised, and it is recommended that planning permission is granted subject to the suggested conditions. It is considered that the proposal complies with the relevant policies in the UDP, the Roundhay Conservation Area Appraisal and national planning guidance, and officers have balanced the proposal against other material

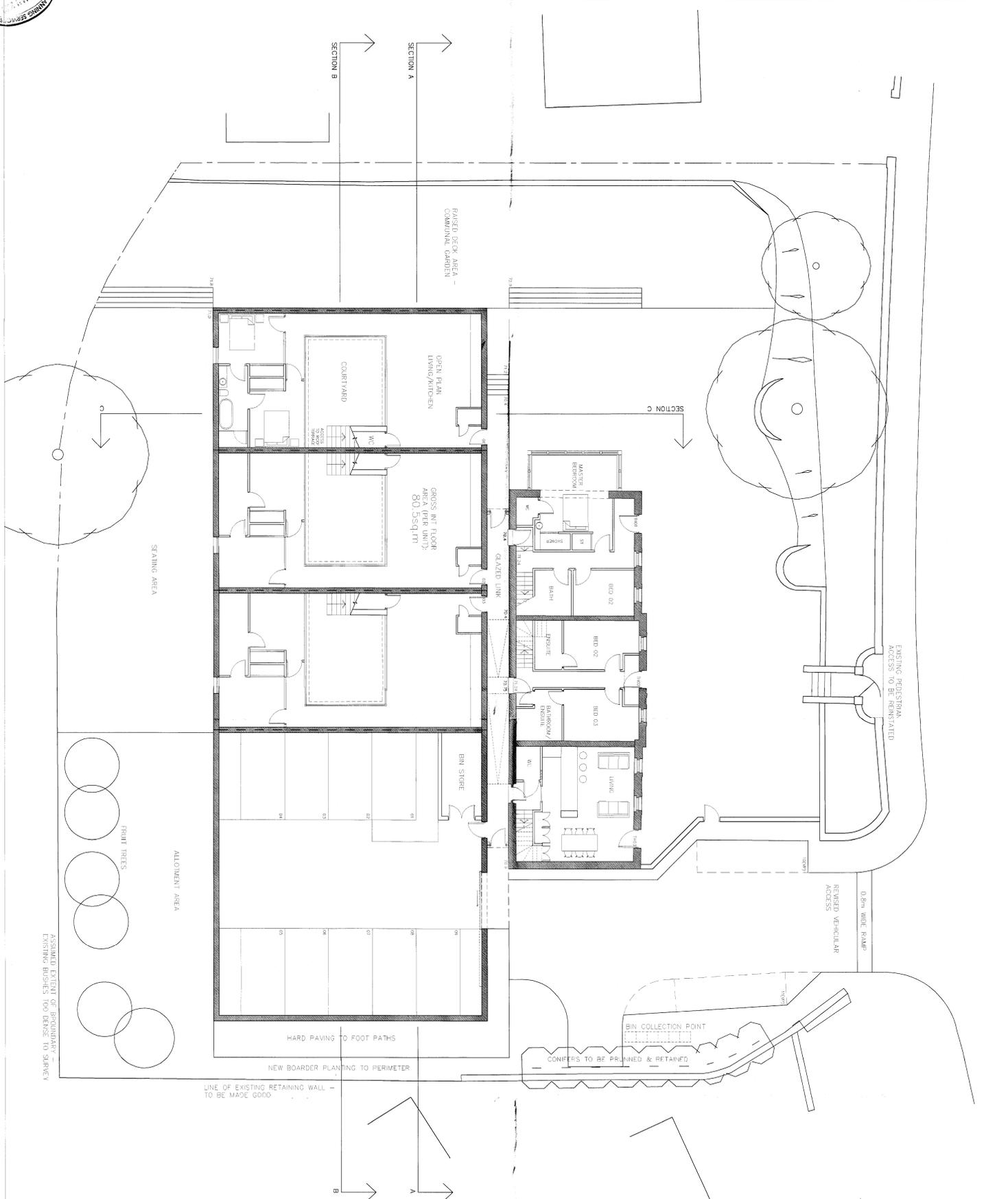
considerations. On balance, and in light of the above, the application is considered to be acceptable, and approval of the application is recommended.

Background Papers:

Application files 09/04656/FU and history file 08/00359/FU & 08/00360/CA.

Ownership Certificate:

Signed as Applicant.



NOTES

Contractor shall verify all dimensions on site before commencing work of deep drainage. If any discrepancy is found, the contractor shall be responsible for rectifying the same. The quantities shown on any work schedule are to be taken from the drawings. Do not scale off the drawings.

Only quoted dimensions to be taken from the drawings. Do not scale off the drawings.

Drawings issued on condition. Survey and/or existing ground conditions - existing and existing conditions subject to Site Survey, Structural Survey, Soil Investigation, Planning and Statutory Requirements and any other relevant information.

Drawings shall be the responsibility of the Architect. The Contractor shall be responsible for the construction of the works shown on the drawings.

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Rev.	Description	Issue	Date	Checked	Date
A	ISSUED FOR PERMIT APPLICATION	KS	07/07/20		
B	ISSUED FOR PERMIT APPLICATION	KS	09/07/20		
C	ISSUED FOR PERMIT APPLICATION	KS	09/07/20		
D	ISSUED FOR PERMIT APPLICATION	KS	07/10/20		

09/04556

PLANNING ISSUE

architectural 2B

Project
Residential Development
Mr & Mrs L. Purgator

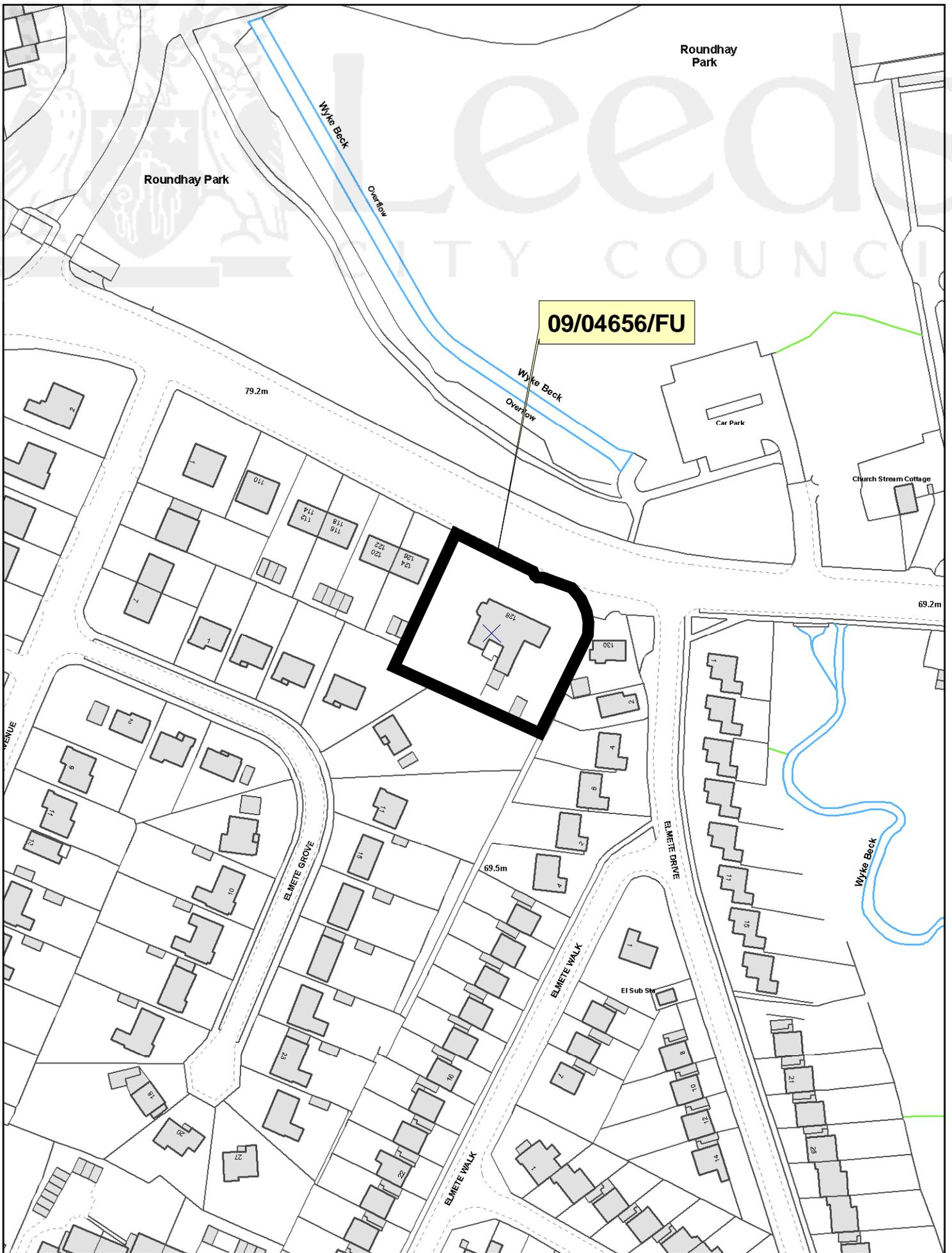
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EAST PLANS PANEL

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