



**Leeds**  
CITY COUNCIL

Originator: A Stone

Tel: 2478054

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**Report of the Chief Planning Officer**

***PLANS PANEL EAST***

**Date: 13<sup>th</sup> May 2010**

**Subject: APPLICATION 08/04259/FU – demolition of existing bungalow and erection of 4 four bedroom detached chalet bungalows with attached garage, Lingwell Rise, Gipsy Lane, Beeston, Leeds, LS11 5TP**

**APPLICANT**

A Pickles

**DATE VALID**

15/07/2008

**TARGET DATE**

09/09/2008

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**Electoral Wards Affected:**

**Beeston and Holbeck**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION:**

**GRANT PERMISSION subject to the following conditions:**

1. Standard time limit.
2. Development to be carried out in accordance with approved plans.
3. No development shall take place until the land shown to be within the visibility splay on the approved plans has been adopted as highway.
4. No development shall take place until works have been undertaken to provide sight lines either side of the access as shown on the approved plan. Such site lines shall be clear of obstructions to visibility greater than 1m in height above the level of the adjacent carriageway and shall be thereafter retained.
5. All areas to be used by vehicles must be hard surfaced sealed and drained.
6. The garages shall be fitted with roller type garage doors and be retained and maintained as such.
7. Details of all walling and roofing materials to be approved.

8. Landscape scheme to be submitted including hard surfacing, boundary treatments soft landscaping and grass embankment to site frontage.
9. Implementation of landscaping.
10. Replacement of trees.
11. Submission of drainage scheme including use of sustainable drainage systems and incorporating infiltration drainage and flow attenuation. Condition incorporates no piped discharges and use of porous surfacing.
12. Standard contamination conditions.
13. Direction – Section 38 agreement to be entered into for highway works.

**Reasons for approval:** The site constitutes previously developed land located in a sustainable location. The proposed dwellings by reason of their scale, design and spatial setting are in keeping with the established residential character of the area. The dwellings have been designed and laid out so as not cause harm to the amenities of neighbouring residents. Sufficient parking provision has been made for the occupiers of the dwellings and visitors to the site. Appropriate sight lines are provided at the access to the site. As such application is considered to comply with policies GP5, H4, N12, T2 and T24 of the UDP Review, as well as guidance contained within SPG13 Neighbourhoods for Living and within PPS1 and PPS3 and, having regard to all other material considerations, is considered acceptable.

## **1.0 INTRODUCTION:**

- 1.1 This application was brought to Panel on the 7<sup>th</sup> May 2009 at the request of Councillor Congreve in his capacity as a Ward Councillor on the grounds of the large amount of local opposition to the proposal by residents and the implications of the development on conditions of highway safety. A Members site visit was carried out prior to that Panel meeting.
- 1.2 During the site visit questions were raised in regards to the ownership of the land which abuts the public highway and subsequently the application was withdrawn from Panel so that this issue could be further investigated.
- 1.3 Since the May 2009 Panel further discussions have been held with the applicant in attempt to improve the design of the scheme so that fits better with the character of the area and to reduce the impact of the scheme on the amenities of adjacent residents. These revisions are as follows:
  - The dwellings have been redesigned from two storey houses with integral garages to dormer bungalows. Their modest form and design relates well to the built form of Nessa Villa and also reduces their presence in the streetscene.
  - The integral garages have also been replaced by attached garages. This has served to improve the appearance of the dwellings and accords with the recently adopted design approach with regard to the incorporation of garaging.
  - Dwellings nearest Gypsy Lane have been set further back into the site, allowing the retention of existing hedging and the introduction of a more robust landscape scheme to this frontage.
  - All first floor windows have been removed from the elevations which face the site of Nessa Villa (one rooflight is set at high level in the roof slope that faces Nessa Villa). Ground floor windows on the rear of Block A will be screened by boundary treatment and face the side elevation of the garage of Nessa Villa. All other windows face into the site or onto their own rear gardens, therefore pose no threat to neighbouring amenity.

- The layout of the houses have been altered so that the plots afford greater outdoor amenity provision and longer gardens.
- The internal layout of the houses have been significantly altered so that principle (dining room windows) benefit from the longest parts of the rear gardens.
- The access road has been modified and the visitor car parking spaces moved to the opposite side of the site. This has resulted in a significant reduction of hardstanding on site, allowing for larger plot sizes and more soft landscaping.
- The dwellings have been reduced in scale and moved further away from the boundaries of the site. The main dwelling on site B will now retain a distance of 4.8m to the shared boundary and the attached garage 1.5m. At its closest point the garage will be 2.4m at eaves height (similar height to the boundary treatment) and 4.8m at ridge height. The dwelling on site A will retain a distance of 8.0m to the shared boundary. Revisions to the size and positions of these dwellings is considered sufficient to mitigate the threat posed to amenity from over dominance.
- There has not been a reduction in the number of dwellings but the amount of development has been reduced. The habitable floor space of the dwellings have been reduced from 114m<sup>2</sup> to 94m<sup>2</sup>, the access road has been modified and the plots have been reapportioned. All four houses now sit on well proportioned plots that have a side garden with open plan landscape frontages (4-5m deep). Each house has an attached garage and driveway (two parking spaces). Plus 2 on street visitor parking spaces. Further to this each dwelling is afforded well over the 2/3rds of outdoor amenity provision recommended in guidance document 'Neighbourhoods for Living', 200% more than the recommend guidance in some cases.

## **2.0 PROPOSAL:**

- 2.1 This revised application now seeks permission for four detached dormer bungalows to an existing garden site. Each house will be one and half storeys in height with four bedrooms and an attached garage. The bungalows are of a traditional modest design with the proposed materials being brick and render with pantile roofs. Each property is accessed via a shared drive off Gypsy Lane, with one external parking space plus two visitor parking spaces. Gardens are provided to front, side and rear. The nearest dwellings are set back from the public highway by at least 4-5m, behind the existing hedge which borders the site frontage. A new grass embankment is to be formed behind the visibility splay to merge with existing embankment. The existing bungalow will be demolished.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site is located on the western side of Gypsy Lane, this is a large residential site of 0.17ha currently occupied by one dwelling, which is a modern rendered bungalow with hipped roof. The remainder of the site is laid out as garden space.
- 3.2 The site is set up from the highway by approximately 0.5 - 1m and the site slopes upwards from the north end of the site to the south. A retaining wall forms the boundary with Nessa Villa, which is another modern, brick built bungalow located to the northern tip of the site. The garden of Nessa Villa wraps around the northern

and western boundaries of the application site forming a buffer between the site and the Ring Road Beeston Park.

- 3.3 The southern boundary is formed by hedging marking the extent of an area of open space which is designated as both urban green corridor and protected playing pitch. The eastern side of Gipsy Lane is residential, made up of semi-detached buildings which form part of the wider Southleigh community. Further south along Gipsy Lane is Cockburn High School.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 08/01090/FU, 8 three bedroom houses each with integral garage in 2 blocks of 3 and 1 block of 2. Refused 21.05.2008 on the grounds of poor design and highway safety due to inadequate visibility.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Following, the Panel of 7<sup>th</sup> May 2009 negotiations have taken place with the applicant to address amenity and design issues to improve the quality of the proposal. These revisions have resulted in significant changes to the design, scale, form and positioning of the dwellings which in turn has made for larger plot sizes and a modified access road.
- 5.2 More recently further minor revisions have also been made to address issues identified by Councillor Congreve, to the revised scheme. These include the reduction in the size of the dormers which have now been set down from the main ridge. In addition the first floor dormer windows which faced towards Nessa Villa have been removed from the scheme and replaced with a roof light. There are now no first floor windows which face towards the neighbouring site, Nessa Villa.

#### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 Neighbour Notification Letters were initially sent out on 06/08/08. Following submission of revised plans further letters were sent out on 30/01/10 with a response requested by 21/02/10.
- 6.2 Southleigh Residents Association objected to the original proposal on the grounds of increased traffic and highway safety, and due to the loss of a public right of way from Gipsy Lane to the Ring Road. *Highways issues are dealt with below. With regards to the public right of way there is no definitive right of way across the application site, and the site is currently private garden.*
- 6.3 Overall 17 letters of objection were received from residents, to the original scheme followed by 14 letters of objection to the first revised scheme which was put forward at panel. No new issues were raised by the revised scheme. The previous concerns raised were:
- Loss of privacy and overshadowing of Nessa Villa. Issues of residential amenity dealt with in appraisal.
  - No consideration given to the aesthetic beauty of the existing architecture or the context. Dealt with in appraisal.
  - Over development of the site. Dealt with in appraisal.
  - Highway safety, traffic increase, existing situation is already bad, school traffic causes a lot of congestion and parking on-street, junction of Gipsy Lane and

Southleigh Road, and with the Ring Road is very bad. Dealt with in appraisal. This issue was by far the predominant objection matter raised.

6.4 Following the publication of the new scheme on 25/03/2010, 7 letters of objection have been received from residents on the grounds of:

- Increased traffic and highway safety.

*Note: Recent comments made in regards to design and potential amenity issues were made in reference to the three storey houses with integral garages. The current scheme is for dormer bungalows with attached garages. No objections on design or amenity issues have been raised to the dormer bungalows and attached garages.*

## **7.0 CONSULTATIONS RESPONSES:**

### **Non-statutory:**

7.1 Highways: The highway authority will need to adopt the land within the visibility splay as highway, as the owner has not come forward yet the proposal will need to be advertised to see if the owner objects, if not then the land can be adopted. Visibility of 2.4m x 51m can be achieved and is acceptable. Level of parking is adequate. The scheme does not adversely affect road safety, subject to provision of the visibility splay.

7.2 Mains Drainage – No objections subject to submission of drainage details under condition.

## **8.0 PLANNING POLICIES:**

### **Development Plan**

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. The following policies from the UDPR are relevant.:

- GP5 – Applications should resolve all planning considerations.
- H4 – Housing on unallocated sites should be in sustainable locations, make use of brownfield sites in urban areas and comply with all other policies.
- N12 – Urban design principles.
- T2 – Highway and access issues.
- T24 – Car parking guidelines.

### **Relevant supplementary guidance**

8.3 SPG13 Neighbourhoods for Living – Seeks to ensure good design principles in residential development.

## **Government Planning Policy Guidance/Statements**

PPS1 – Sustainable Development.

PPS3 – Housing.

### **9.0 MAIN ISSUES**

- Principle of development.
- Design, appearance and layout.
- Impact on residential amenity.
- Highway safety.

### **10.0 APPRAISAL**

#### Principle

- 10.1 The site is brownfield land, located in an urban area close to local facilities with good public transport links to local centres and into the city centre. The location is therefore considered sustainable and the principle of residential development is considered to comply with local planning policies and central government guidance.
- 10.2 Concerns have been raised that four dwellings represents over development of the site which is currently occupied by just 1 dwelling. The proposal results in a density of just 24 dwellings per hectare which is lower than the 30 dph recommended by Government in PPS3 as a national indicative minimum in terms of the efficient use of land. Despite being a low density it is considered that this is the best achievable by the land due to the slope of the land and the embankment along the southern boundary. So in this case it is considered that there is a good reason for a density below that suggested in PPS3.
- 10.3 Furthermore, revisions to the layout, design and scale of the properties has resulted in larger and more useable amenity space at the rear. Guidance in Neighbourhoods for Living stipulates that outdoor amenity should represent 2/3rds of the internal floor space of the dwelling. All four properties are afforded significantly more than this guidance. The dwellings also benefit from front, side and rear gardens and attached garages rather than integral. All these factors indicate that the site is able to accommodate four dwellings comfortably. The spatial setting of these dwellings is not dissimilar to that enjoyed by other dwellings in the locality.

#### Design, Appearance and Layout

- 10.4 The site stands separate from the main residential area having open space to one boundary and the gardens of Nessa Villa to a further two boundaries. With this in mind the new design has looked to relate to the scale, form, height and character of the adjacent building 'Nessa Villa'. The position and height of the dwellings also respond to the topography of the site, being stepped in height, affording a set back position in line with the built form of Nessa Villa and being staggered in relation to Gypsy Lane so as to respect the curved pattern of the road.
- 10.5 In respect of the side elevations which face onto Gypsy Lane. These elevations have been articulated to add character and interest. This has been achieved by adding windows to break up the brick work and architectural detailing such as brick work features including head and cills, brick portholes and brick banding.

- 10.6 The dormers also add visual interest to the roofscape of the dwellings. The dormers have pitched roofs to mirror the pitched form of the main roof. They are modest in size and appear as subordinate and balanced additions. The use of sympathetic materials also ensures that they relate to and respect the main dwellings.
- 10.7 Proposed materials are brick and render in line with many of the properties in the area. Exact details are suggested to be conditioned for approval.

#### Residential Amenity

- 10.8 The new scheme has sought to further alleviate impact on the neighbouring site of Nessa Villa at the northern tip of the site. The nearest proposed bungalow will now be 17m (an increase of a further 3.0m than previously proposed) from the side elevation of Nessa Villa with their detached garage sitting in-between. No windows are proposed at first floor level to the rear elevation of Block A so no overlooking will take place as ground floor windows to the rear of Block A will be screened by boundary treatment and the neighbour's garage.
- 10.9 The proposed bungalows will sit higher up than Nessa Villa because of the change in land levels. The bungalows are 3.0m in height to the eaves and 6.0m to the ridge. This represents a decrease in height of 2.5m to both eaves and ridge height in reference to the previously proposed houses. At their maximum the nearest dwellings will now be 1.6m above the ridge level of Nessa Villa. Further to this, the repositioning of the bungalows also affords a greater degree of space between the buildings. The modest scale and positions of these dwellings is considered to pose no significant threat to amenity from over dominance.
- 10.10 Similarly any marginal increase in overshadowing would be close to the boundaries of the site and unlikely to have any significant impact on the extensive rear garden of Nessa Villa.
- 10.11 Within the site there is ample private amenity provision and outlook provided for the intended residents. It is recommended that landscaping, including the provision of new trees, be covered by condition, but that the result should be to enhance and continue the benefits of the adjacent green corridor.

#### Highway Safety

- 10.12 As with the previous scheme, this is the main objection reason raised by residents within the local area who cite existing problems with congestion, particularly caused by the Cockburn High School traffic. The impact that would be caused by the additional 3 dwellings is however not considered to result in a detrimental increase in traffic that would lead to a worsening of road safety conditions.
- 10.13 The layout provides for one garage and one external parking space per house, plus two visitor parking spaces. One more than previously proposed. This is adequate for the scale of the proposed development and will not lead to issues of highway safety. The garages are of a size whereby cycle parking can also be incorporated within them.
- 10.14 Negotiations have taken place with the applicant over the provision of a suitable visibility splay. The land required for this is not within the ownership of the applicant or the Council. The applicant has taken steps to try to identify the owner but this has been unsuccessful. The highways authority will need to advertise further to allow the owner a further chance to come forward. If no objection is received however then the highway authority will need to adopt the land so that the visibility splay can be achieved. A condition will be required so that development cannot be

commenced until such time as this visibility splay is provided to ensure continued highway safety.

## **11.0 CONCLUSION**

- 11.1 The previous application for 8 dwellings was considered to result in a very cramped and overly dominant development for this site. Revisions to this application has sought to address the previous reasons for refusal by reducing the number of dwellings down to 4.
- 11.2 Further revisions have also looked to address design, scale and amenity issues. The properties are set within suitable spacing, and provided with gardens that exceed guidance stipulated in Neighbourhoods for Living. The resulting scheme now responds to the context of the site and character and built form of the adjacent building, whilst also respecting the topography and general built pattern of the area.
- 11.3 Their set back positions and modest form also ensures the retention of important views and vistas, especially when viewed from Gypsy Lane. The introduction of a robust landscape scheme and the retention of hedging and trees will soften the developments appearance in the streetscene by enhancing and continuing the benefits of the adjacent green corridor. The revised layout and design is therefore considered to comply with policy and guidance in these matters.
- 11.4 With regard to highway safety the increase in traffic is not considered to result in detrimental harm to the local network, and subject to provision of a suitable visibility splay no objections are raised. On balance therefore the re-development of this site represents sustainable development that complies with local policy and national guidance and approval is therefore recommended.

### **Background Papers:**






Application and history files.

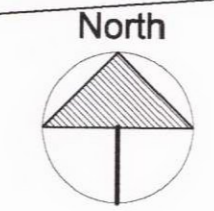
Certificate of Ownership – Signed as applicant.



**SITE AREA**  
0.22 Hectares  
(0.54 Acres)

**KEY**

-  ROADWAY: TARMAC (NON ADOPTED)
-  PARKING BAYS: PERMEABLE PAVING
-  FOOTPATHS
-  SITE BOUNDARY
-  PLOT BOUNDARY



**NOTES**  
Do not scale from this drawing. Only figured dimensions are to be taken from this drawing.  
Contractor must verify all dimensions on site before commencing any work or shop drawings.  
Report any discrepancies to the architect before commencing work. If this drawing exceeds the quantities taken in any way the architects are to be informed before the work is initiated.  
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**DRAWING STATUS/TYPE KEY**

F Feasibility	BK Sketch	L Landscape
P Planning	M Marketing	S Survey
T Tender	TNT Tenant	OS Ordnance Survey
C Construction	AB As Built	

This drawing originates from the CAD file: S:\2007\07221\Planning\P10.dwg

**REVISIONS**

Rev	Description	Drawn	Date	Checked	Date
A	Amendments made following comments from planner	JH	12/08/08	NW	12/08/08
B	Layout clarified, colour added	GW	17/12/08	NW	17/12/08
C	Garages increased to 3 x 6m; one parking space per dwelling omitted; extent of adopted highway reduced; boundary increased to include visibility splay	GW	23/01/09	NW	23/01/09
D	Retaining walls omitted, replaced with embankment; site boundary amended; visibility splay note added	GW	29/07/09	NW	29/07/09
E	Layout amended following comments from planning	RAP	09-02-10	NW	09-02-10
F	Layout amended following further comments from planning	LAC	24/02/10	GW	24/02/10
G	Layout amended following further comments from planning	GW	08/03/10	RAP	08/03/10
H	Layout amended to accommodate amended floor plans	GW	23/03/10	RAP	23/03/10
J	Bin store added, site entrance amended	GW	07/04/10	NW	07/04/10
K	Bin store repositioned, site entrance amended	GW	08/04/10	NW	08/04/10

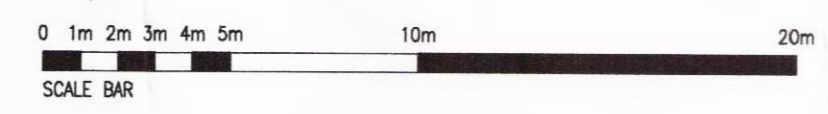
LEEDS CITY COUNCIL  
Please refer to Decision Notice  
- 8 APR 2010  
**REVISED**



Browne Smith Baker Architects, Leeds.  
**PLANNING**  
Date: 08/04/10 Signed: GW

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PROJECT  
**Residential Development  
Lingwell Rise  
Gipsy Lane, Beeston**

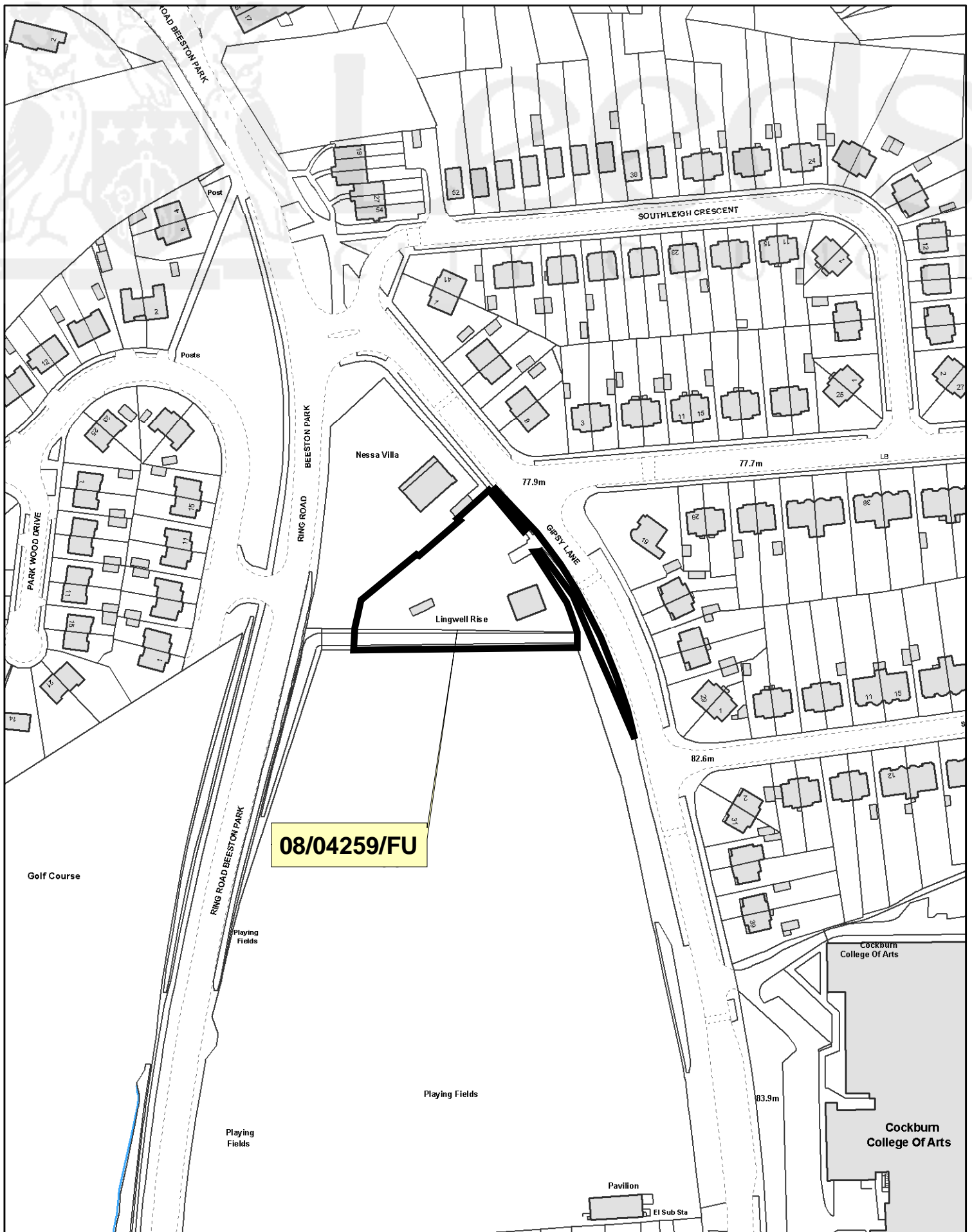
DRAWING TITLE  
**Site Layout Plan**



	Scale	1:200	Drawn By	JWH
	Checked By	NW	Date Drawn	14/07/08
	Checked By	NW	Date Checked	12/08/08
Certificate No. C089401 Drawing No.			Revision	K

07221/P10





# EAST PLANS PANEL I

Scale 1/1500

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