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TARGET DATE

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Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 5th January 2012

APPLICANT

Yes

Subject: APPLICATION 11/03168/FU -SUBSTITUTION OF HOUSE TYPES AND NUMBERS TO PLOTS 134-141 AND 159-214 AT SITE C TO PROVIDE 50 HOUSES WITH REVISED ACCESS ROADS AND LANDSCAPING TO APPLICATION 06/05070/RM AT LAND OFF SWARCLIFFE AVENUE, SWARCLIFFE, LEEDS

Persimmon Homes (West 30th August 2011 29th November 2011 Yorkshire) **Electoral Wards Affected:** Specific Implications For: **Equality and Diversity** Community Cohesion Narrowing the Gap

DATE VALID

RECOMMENDATION:

GRANT PERMISSION subject to the specified conditions.

1. Time limit on full permission

Ward Members consulted

(referred to in report)

- 2. In accordance to approved plans
- 3. Submission of details of external walling and roofing materials
- Permitted development restrictions on dwellings 4.
- Restrictions to prevent conversion of garages 5.
- Area used by vehicles to be laid out 6.
- 7. Submission/implementation of landscape details
- Provision for replacement of trees 8.
- Submission and implementation of surface water disposal (updated details) 9.
- Submission of details of lighting to resident car parking area 10.
- Report any unexpected contamination 11.

Reasons for approval: The application is considered against policies GP5, N1, N8, N9, H4, R2, T2 and BD5 of the UDP Review, as well as guidance contained within Neighbourhoods for Living and having regard to all other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 This application is presented to Plans Panel (East) at the request of Ward Cllr Peter Gruen and on the basis that previous planning applications associated with Swarcliffe PFI were considered by Plans Panel.
- 1.2 The application site forms part of the wider Swarcliffe PFI and Regeneration project that aims to revitalise and regenerate the Swarcliffe estate through a phasing of development and refurbishment over a period of time. This application site forms part of the release of sites for residential development and lies within Development Site C. The site has benefit of outline permission issued in 2003 (Ref: 32/446/03/OT) and detailed reserved matters approval in 2006 (Ref: 06/05070/RM). Work associated with these permissions has commenced and construction work is progressing across the site.
- 1.3 The applicant has provided a breakdown of the current construction progress across Development Site C (Ref:06/05070/RM). Of the 213 dwellings units granted planning approval, 97 dwellings have been constructed and occupied, 40 plots are in the process of construction (with 11 plots already reserved) and the remaining 76 plots yet to commence.

2.0 PROPOSAL:

2.1 This application seeks planning consent to replace 62 dwellings and flats with 50 dwellings within two portions of the approved Development Site C. This proposal will result in an amendment to the mix of housing delivered. The table below shows a breakdown of the dwellings approved under 06/05070/RM and the dwellings proposed under this planning application 11/03168/FU:

	As approved 06/05070/RM	As proposed 11/03168/FU
Flats (2 bed)	6	0
2 bedroom house	43	3
3 bedroom house	13	36
4 bedroom house	0	11
Total No. dwellings:	62	50

2.2 The layout of the proposed substitute dwellings largely follows that of the previous approved layout by having regard to the position of existing dwellings, the position of properties currently under construction and the approved road layout. The proposed dwellings will predominantly be 2 storey in height intermixed with 2½ storey

dwellings. The proposal will include a greater proportion of detached dwellings and larger family dwellings than the extant planning permission at the site.

- 2.3 The proposed dwellings have private rear gardens with off-street parking provided on drives, within garages or contained in parking courts. A total of 12 off-street parking is also to be laid out within the application site for the benefit of existing residents adjacent to the site (properties along Stanks Drive and Pennwell Gate). This provision is made to accord with the wider Swarcliffe estate car parking strategy and the spaces were provided as part of the extant planning permission.
- 2.4 The proposed dwellings are to be constructed of external walling (facing brickwork) and roofing (concrete tile) materials that match those agreed for the remainder of development site C. The proposed boundary treatments will also reflect those treatments agreed and will comprise close-boarded fencing and walling (with timber fencing insert panels) to provide privacy. Low railings and timber knee rails will demarcate the site and maximise levels of natural surveillance to benefit security where privacy is not required.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site lies within a wider residential development site that is currently under construction and the land to which this application relates is vacant.
- 3.2 To the north of the application site are commercial units which include a new retail unit (under construction), the Staging Post PH, Langbar parade and a housing office. To the east and south east of the application site stand existing dwellings which are laid out in either terrace rows or in a semi-detached arrangement. A cluster of 4 storey high flats stand beyond the north-east corner of the site but predominantly the locality is a suburban residential estate comprising a mix of established and new housing types including maisonettes, semi-detached, detached and terraced dwellings.

4.0 RELEVANT PLANNING HISTORY:

07/04408/LA Change of use of footpath to domestic garden incl. new fencing/access gates- Approved (08/01/08)

06/05070/RM Laying out of access roads and erection of 198 houses and 12 flats, with public open space and landscaping- Approved (12/07/07)

32/446/03/OT Outline application for housing & retail and full application for road links & Home Zone with refurbishment of Swarcliffe Estate- Approved (31/12/03) 32/265/04/RM Laying out of car parking and landscaping to Swarcliffe estate-Approved (05/03/05)

32/462/04/RM 148 dwellings to housing estate- Approved (28/09/05) 32/115/05/RM Laying out of access roads to proposed residential development-Approved (26/08/05)

5.0 HISTORY OF NEGOTIATIONS:

5.1 Prior to the submission of this application discussions took place with the applicant to establish the level of information required to accompany this planning application.

6.0 PUBLIC/LOCAL RESPONSE:

5 site notice displays posted dated 9th September 2011 advertising a major development. The application was publicised in the Leeds Weekly News dated 22nd September 2011.

1 letter of representation received. The letter comments that the new development is welcomed although concerned that the access (vehicular) to the rear of their property (17 Pennwell Gate) is lost.

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 Environment Agency comments dated 20th September 2011. Objection. The submitted surface water management strategy detailed within the flood risk assessment. Presently it is expected that a 30% reduction in surface water run off is provided however this scheme is proposed to operate at 20% in line within the remainder of the development site.
- 7.2 Revised Environment Agency comments dated 28th November 2011. Objection withdrawn following discussions with the applicant's agent about the previous approval and installation of drainage infrastructure. No further comments to make.

Non-statutory:

- 7.3 Yorkshire Water comments dated 6th September 2011. No comments.
- 7.4 Flood Risk Management comments dated 22nd September 2011. No objections and the conditions imposed under approved 06/05070/RM remain applicable.
- 7.5 Highways comments dated 21st September 2011. Objections raised covering: parking arrangements for plots 134-137 are unsuitable; plots 160-161 should have straight driveways; long sections of dropped crossing to be avoided; drive lengths should not be intermediate lengths; garage dimensions do not meet size requirements & be set back a minimum of 5.6m; number of driveways of substandard width.
- 7.6 Revised Highways comments received dated 25th November 2011. No objections to the revised plans.
- 7.7 Contaminated Land comments dated 27th September 2011. No objection. Suggested condition covering unexpected contamination.

8.0 PLANNING POLICIES:

8.1 The Development Plan for the area consists of the Regional Spatial Strategy and the adopted Unitary Development Plan Review (UDPR), along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDPR but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. 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 including housing.

Regional Spatial Strategy (RSS) (adopted May 2008)

S1: achievement of sustainable development.

H1: annual average additions to housing stock and previously developed target.

H2: Sequential approach to allocation of land.

H5: making the best use of existing stock.

LCR1: Leeds city region sub area policy.

8.2 The application site is not specifically allocated within the City Council's Unitary Development Plan but lies within a 'Community Priority Area' for Urban Regeneration. As such, the following policies are considered to be of relevance:

GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD5 requires new buildings to give consideration to both their amenity and that of their surroundings.

R1 refers to community regeneration priority.

R2 identifies the area of Swarcliffe for area-based regeneration initiatives to be undertaken.

N1 development on protected greenspace not permitted.

N4 relates to the provision of green space in new residential developments.

N12 states that development proposals should consider and respect spaces between buildings; the best buildings of the past; good design; character and scale; encouragement of walking and cycling; adaptability for future uses; the needs of the elderly and people with disabilities and restricted mobility; visual interest; and crime prevention.

N13 requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N23 incidental space around built development should provide a visually attractive setting.

H4 relates to residential development on sites not identified for that purpose.

H9 seeks to ensure a balanced provision of housing types.

H11-H13 require the provision of affordable housing.

T2 developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T24 parking provision to reflect the guidelines set out in UDP Appendix 9.

LD1 development proposals should protect existing vegetation, allow sufficient space around buildings to retain existing trees in healthy condition and allow new trees to grow to maturity.

Swarcliffe Planning Framework (Feb 2011)

Supplementary Planning Documents

Neighbourhoods for Living
Designing for Community Safety
Street Design Guide

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing Planning Policy Guidance 12: Transport

Planning Policy Statement 25: Development & Flood Risk

9.0 MAIN ISSUES

- 1. Principle of development
- 2. Impact on visual amenity
- 3. Impact on residential amenity
- 4. Highways implications
- 5. Flood Risk Management
- 6. Other Matters

10.0 APPRAISAL

Principle of development:

- 10.1 The principle for residential development at this site is already established following the grant and implementation of planning permissions (32/446/03/OT and 06/05070/RM). These permissions remain material to the consideration of this proposed substitution of house type application as the applicant could continue to implement these extant permissions.
- This planning application seeks consent to substitute 62 dwellings with 50 dwellings. Allied to this reduction in housing numbers, the flats approved under the previous scheme are to be removed and the number of two bedroom houses reduced. This revised scheme will provide a greater proportion of three and four bedroom houses offering a greater mix of larger family housing.
- The amended housing mix is a response to current housing market needs. It is understood that progress of construction work at the site has slowed as a result of the present economic conditions. The applicant anticipates that based on current market assessments it will take a further 4 years to build out and complete the remainder of the site in the current approved format (at a sale rate of circa 25 dwellings per annum). However, it is anticipated that a scheme with the mix now proposed would achieve a sales rate of approximately 35 dwellings per year meaning the development could be built out and completed in approximately 3 years.
- 10.4 This application seeks to stimulate housing development within Development Site C to the tune of circa an additional 10 dwellings per annum and affect the speedier delivery of private housing at this regeneration site.
- The 7 private housing development sites within Swarcliffe estate (comprising 453 dwellings) included no on-site provision for affordable housing. Instead the affordable housing element was provided within 5 separate development sites across Swarcliffe estate and contained 148 affordable units (in excess of 30% provision). These affordable units have been constructed and are now occupied (with the exception of site Q which is being finished). Given that this latest application involves a reduction in housing numbers and that the affordable housing has already been provided as part of the wider Swarcliffe PFI scheme, this re-plan of Development Site C is not requested to make further provision.
- 10.6 It is to be noted that matters concerning the provision of on-site greenspace and wider landscaping and environmental improvements across the Swarcliffe estate (incl. trim trail, highways verge planting etc.) were secured under other detailed planning consents. Moreover, matters relating to education provision were considered previously within historical planning submissions. These matters are not to be re-visited within this substitution of house-type application.
- 10.7 Overall, it is considered that this proposed substitution of housing will facilitate development offering betterment in terms of deliverability, when compared to the previous scheme, as well as providing a broader range of housing to the regeneration benefit of this area.

Impact on visual amenity:

10.8 The layout and design of the proposed dwellings are of suburban style and are reflective of the existing pattern of the surrounding residential estate and the

recently constructed dwellings within the remainder of Development Site C and to other Persimmon Homes development sites visible along Stanks Drive.

- This development seeks to maintain visual interest and enhancement through the use of a variety of house types, including house types which 'turn a corner' at strategic and prominent junctions within the layout (namely off Swarcliffe Avenue and Pennwell Gate). The substituted house-types will provide predominantly 2 storey dwellings and a scattering of 2½ storey dwellings. The proposed dwellings will respect the appearance of those dwellings already constructed and utilise the same external walling and roofing materials which have been agreed across the remainder of Development Site C.
- 10.10 The substituted house types are considered to readily assimilate with the form, scale and appearance of the recently constructed dwellings (within Development Site C) and will be seen as equally compatible with those existing dwellings that stand adjacent to the application site.

Impact on residential amenity:

- 10.11 As stated earlier within this report, the proposed substituted house types are predominantly 2 storey in height, reflecting the height and scale of those dwellings recently constructed and those existing dwellings adjacent to the site.
- 10.12 This revised scheme will reduce the number of dwelling units across the application site and the introduction of a larger mix of detached dwellings affords a greater degree of space between properties. All the proposed dwellings are to have benefit of private rear gardens.
- 10.13 The substituted house-types also offer the opportunity to improve the spatial relationships between the proposed dwellings and the existing houses which abut the site. In particular, the proposed plots Nos.206-208 (located to rear of Nos.145-149 Stanks Drive) are to replace a 3 storey flat block. These proposed dwellings will be positioned a further 5m away from the properties on Stanks Drive and be a storey lower which will lessen the impact of the development on those residents. Plot No.167 has been revised during the application process to alter its angle and moved further away from the common boundary with No.72 Whinmoor Way with just a garage aligning the boundary of their recently enlarged garden. In addition, the position of Plots Nos.160-162 have been modestly changed to align with the existing properties along this side of Pennwell Gate. Broadly, the remaining dwellings are positioned in line with the position of the dwellings of the extant planning permission.
- 10.14 Overall, the separation distances between properties reflect those established through the previous permission. It is considered that the proposed substituted house-types will adequately safeguard the amenities of the existing and future occupants and will not be overly dominant, overshadow or overlook neighbouring properties. Therefore, it is considered that this proposal will not be adversely harmful to the residential amenity of existing or future residents.

Highways implications:

10.15 The proposed scheme incorporates a mix of arrangements to meet off-street parking requirements. The occupiers of the proposed dwellings will have use of parking bays to the front, driveways to the side, garages to the rear as well as the use of small parking courts, largely reflective of the arrangements illustrated within the extant planning permission. This application has presented an opportunity to make minor improvements to the previously agreed layout, for example re-configuring Plots 134-139 so that the number of dwellings sharing the parking court is reduced and

thereby further reducing the prospect of parking conflict in this location. In addition the dimensions of the garages have been amended to accord with current guidance.

10.16 Aside from providing suitable parking for the proposed replacement dwellings the developer is to provide off-street car parking for the benefit of those existing properties along Pennwell Gate and Stanks Drive that stand adjacent to the site. The proposed parking court (12no. spaces) is to be laid out to accord with an agreed Car Parking Strategy which covers the wider Swarcliffe estate. The car parking court was detailed within the extant permission and is repeated within this application. The car parking court provides a convenient, formal and secure environment for residents to park and is overlooked by dwellings.

Flood Risk Management:

10.17 The main drainage infrastructure was previously agreed under the extant planning permission and has been already installed. In light of this circumstance, the Environment Agency's initial objection to this application was withdrawn. The main drainage infrastructure is routed under the approved road network and as this application deals with a substitution of house-type the infrastructure will not be significantly impacted on. Nevertheless, due to the substitution of the house types the individual drainage connections will be altered. As such, it is still considered appropriate to impose planning conditions to secure up-to-date drainage details.

Other Matters:

- 10.18 In respect of land contamination matters, officers are content for the development to progress although should any unexpected contamination be encountered during construction this should be reported to the City Council. This can be adequately controlled through an appropriate planning condition.
- 10.19 One letter of representation comments that the development proposal would result in the loss of the vehicular access that leads into their rear garden. This access is informal and appears to have been created following the demolition of an adjacent former flat block. The resident presently drives along a footpath and through the applicant's site in order to park their vehicle within their rear garden. Ultimately, this application represents no change in circumstance from the extant approval whereby the implications of the proposed development on existing access arrangements were acknowledged but concluded that residents were using land not in their control, that matters of claimed rights of access were private issues and that the wider Car Parking Strategy agreed will provide alternative parking provision to those residents.
- 10.20 During the consideration of the previous application at Development Site C there were concerns about the development site's boundary position as it abutted the front edge of footways. The garden areas of the existing dwellings abutted the back edge of these footways (e.g. on Pennwell Gate/ Stanks Drive) and any development proposal would be likely to create narrow ginnels between the respective plots. This situation was not considered to be in the best interests of community and pedestrian safety. The sections of footway of concern have since been incorporated within adjacent garden areas (permitted through the implementation of planning consent 07/04408/LA) and will ensure that the dwellings proposed in this scheme directly abut up against the newly formed curtilage boundaries of existing dwellings therefore avoiding the formation of long lengths of narrow ginnels that can be intimidating for footway users. As part of these works, a scheme to provide additional street lighting in the vicinity of those areas affected was also agreed. Moreover, a planning condition was imposed under the previous permission at this site to secure details of lighting within the residents' car parking area to maximize

natural surveillance and present a safer environment during the hours of darkness. The requirements from the condition are to be repeated.

11.0 CONCLUSION

- 11.1 The proposed substitution of house types aims to improve the construction momentum across Development Site C to facilitate a speedier delivery of a mix of houses which are more reflective of current market demands. Matters concerning the affordable housing, greenspace and education have been dealt with historically and are not to be re-visited through this application. Overall, it is considered that the scheme offers betterment in terms of its deliverability when compared to the extant permission and will afford a broader mix of housing within Swarcliffe estate to assist with regeneration aims.
- The design, layout, scale and appearance of the proposed development is largely reflective of the extant permission. The broader mix of house types proposed will maintain visual interest to the street views and the proposed layout will ensure that no adverse overlooking, overshadowing or over-dominance concerns arise. This application has provided an opportunity to make a few layout improvements on the extant permission. The proposed car parking arrangements are considered acceptable and adequate natural surveillance is to be afforded across the site. Accordingly, the proposal warrants a recommendation of approval.

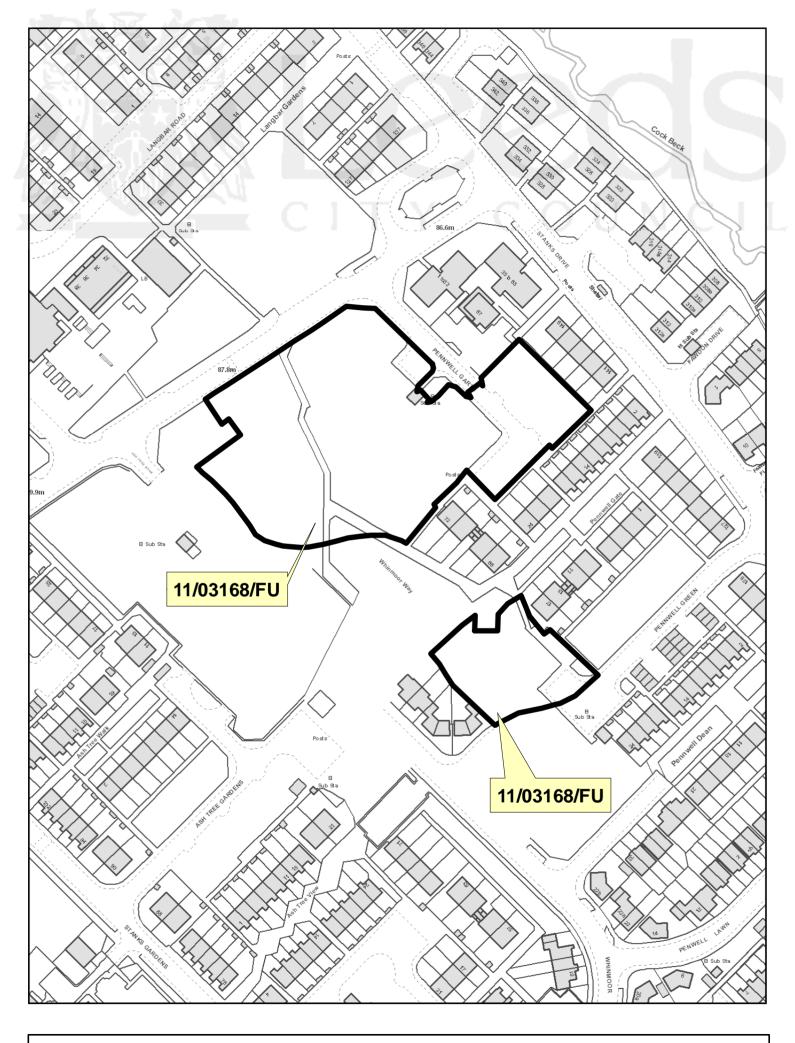
Background Papers:

Application and history files.

Certificate of Ownership signed by applicant dated 22nd July 2011.

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SWARCLIFFE, AREA C



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