



Leeds
CITY COUNCIL

Originator: Michael Howitt

Tel: 247 8000

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 12th July 2012

Subject: APPLICATION 12/00746/FU – Proposed Detached dwelling – Land adjacent to 2 New Farmers Hill, Woodlesford, Leeds.

APPLICANT
Stuart Mitson

DATE VALID
1st March 2012

TARGET DATE
26th April 2012

<p>Electoral Wards Affected:</p> <p>Rothwell</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
---	--

RECOMMENDATION:
GRANT PERMISSION subject to the following conditions:

1. Standard full time limit.
2. Development in accordance with approved plans
3. External walling and roofing materials to be submitted.
4. No insertion of windows in South Eastern side elevation
5. Obscure glazing in South Eastern side elevation
6. PD restriction of outbuildings.
7. Plan of proposed and existing levels to site to be submitted and approved
8. Site to be laid out, drained, surfaced and sealed.
9. Maximum driveway gradient
10. Protection of existing trees

- 11.Landscaping scheme to be submitted.
- 12.Landscaping implementation.
- 13.Replacement planting.
- 14.Drainage details to be submitted
15. Gas protection measures
- 16.Reporting of unexpected ground conditions

Reason for approval: The principle of residential development is considered to be acceptable as the site is situated in a highly sustainable location. The layout and scale of the proposal is appropriate in regard to its surroundings (Conservation Area), raises no issues of detrimental harm to visual or residential amenity and no issues harm to highways safety and as a consequence, complies with policies GP5, BD5, H4, N12, N13, N15, LD1 and T2 of the UDP Review, as well as guidance contained within the National Planning Policy Framework, and having regard to all other material considerations, the applications are recommended for approval

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel (East) at the request of Councillor Stuart Golton due to concerns raised by local residents that it could have an effect on the conservation area and also the proximity of the proposal to other dwellings.
- 1.2 Further concerns have subsequently been raised by the two other Ward Members, Councillors Nagle and Bruce, stating that they also would ask the application be brought to Panel stating that the application is not sensitive to the Conservation Area in that it does not sit with the pattern of existing development, it will harm the setting of the neighbouring properties and the space between those dwellings, there will be a loss of landscaping and the proposal will give rise to highway safety issues as well as on street parking. A Members site visit is requested.

2.0 PROPOSAL:

- 2.1 The application is for a new dwellinghouse located within the garden of an existing property, 2 New Farmers Hill.
- 2.2 The proposal is to build a property on three levels, a basement, ground and first floor with a flat roof. The building is proposed to be built using timber cladding and brickwork and will have a flat roof in order to represent a similar scale as well as the rather unique nature of the design of the existing development on New Farmers Hill

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is currently a large rear garden to an existing flat roofed dwelling raised above Pottery Lane on rising ground. The rear garden is approximately 2 metres higher than the dwelling of whose garden it provides.
- 3.2 The site is screened from Pottery Lane by substantial hedging and to the rear by mature trees. New Farmers Hill is characterized by detached dwellings set in reasonable sized gardens of varying designs and styles. The site is set within the context of a run of houses of a contemporary design that incorporate large areas of dark stained timber cladding and glazing mixed with areas of buff bricks. Some of the houses have flat roof whilst others appear to have pitched roofs that have been added over time.
- 3.3 The site is located within the Woodlesford Conservation Area and there is a Tree Preservation Order in place on all trees on the site. The TPO is a group TPO giving value to all the trees as a grouping rather than individual trees themselves being of individual value.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 08/01747/FU - One detached 7 bedroom dwelling with detached double garage to garden site. Refused 13.10.2008.
Reasons for refusal related to:
- a) Design and character
 - b) Highway safety (Steep gradient to driveway)
 - c) Highway safety (Additional traffic to a substandard junction)
 - d) Impact on trees
 - e) Dominance on neighbouring properties.
- 4.2 10/03918/FU - One detached 5 bedroom dwelling with detached double garage to garden site. Refused 20.10.2010.
Reasons for refusal related to:
- a) Harmful to the character of the area
 - b) Highway safety (Steep gradient to driveway)
 - c) Highway safety (Additional traffic to a substandard junction)
 - d) Impact on trees
 - e) Dominance on neighbouring properties.
 - f) Overlooking of neighbouring properties
 - g) Overdevelopment

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There is a long history of negotiations associated with this site commencing with preliminary discussions after the refusal of the first application.
- 5.2 Guidance was given on how to overcome the several reasons for refusal and whilst some progress was made in certain areas, the revised application did not successfully overcome the concerns. As a result, the subsequent application was also refused.
- 5.3 A new agent was employed by the applicant and the current application was discussed with the agent and submitted in accordance with that advice. In particular, how it reflected the neighbouring properties in terms of design and scale and also its relationship in terms of residential amenity to the neighbouring properties. Highways amendments were also discussed, particularly the steepness of the drive and how that should be overcome.

6.0 CONSULTATION RESPONSES:

Statutory Consultations:

- 6.1 None.

Non Statutory Consultations:

- 6.2 Sustainability (Nature) – No objection.
Sustainability (Landscape) – No objection subject to conditions
Sustainability (Conservation) – No response
Contaminated Land – No objections subject to conditions
Highways – No objections subject to conditions
Mains Drainage – No objections subject to conditions

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was advertised by site notice on 16 March 2012 and by newspaper advertisement on 29 March 2012. 2 letters of support, one letter of general comment and 6 letters of objection as well as letters of objection from Councillors Nagle and Bruce have been received and the objections are on the following grounds.

Public Response:

- The development proposes an access that is steep, located on a bend and positioned between two existing driveways.
- There is a danger of increase on street parking.
- The proposal will be harmful to the character of the area.
- The application would constitute garden grabbing.
- The development feels cramped and squeezed in.

- 7.2 Councillors Nagle and Bruce raise the same objections:

- The application is contrary to a number of aspects of the Woodlesford Conservation Area Appraisal.
- The application is not sensitive to the conservation area in that it fails to respond to its setting.
- The proposal is to wedge a large house in between two houses that are identified as positive buildings and this will harm their setting.
- The proposal does not respond to the density and spatial setting and will only serve to add clutter.
- Loss of trees and garden and creation of hardstanding will harm area.
- Access is tight and the turning area is hidden that will lead to parking on the road. The position of the access next to two existing drives will make the cul-de-sac less safe for young children and others.
- The original development was carefully laid out and this will harm the area.

7.3 Oulton Society - Object to the proposal for reasons of it being contrary to aspects of the Woodlesford Conservation Appraisal such as spatial setting, having a negative impact upon positive buildings in the Conservation Area, and that the proposal may give rise to possible highways issues in the way of on street parking.

7.4 The letter of general comment raises issues concerning the height of existing conifers on the boundary and their impact upon the amenities of an adjoining resident.

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 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 The following policies from the UDP are relevant:

- Policy GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy BD5 seeks to ensure that all new buildings should be designed with consideration to both their own amenity and that of their surroundings.
- Policy H4 provides guidelines for residential development on sites not identified for this purpose in the UDP.
- Policy N12 seeks to ensure that development should respect fundamental priorities for urban design.
- Policy N13 seeks to ensure that the design of new buildings should be of high quality and have regard to the character and appearance of their surroundings.
- Policy N19 ensures that all new buildings preserve and enhance the character of Conservation Areas.
- Policy T2 ensures that development proposals should not create new, or exacerbate existing, highway problems.

Supplementary Guidance:

- Neighbourhoods for Living (SPG)
- Street Design Guide
- Woodlesford Conservation Area Appraisal – The site falls in character area 4. The area is described as follows “New Farmers Hill an area of distinctive residential development by Appleyard Arbor built in the 1960s-90s”
The areas key characteristics are identified as:
 - Timber framed construction with a mix of flat roofed and pitch roof timber and brick surfaces.
 - Mature trees and landscaping in the garden plots add to the positive character of the area and form an important soft setting to the strong architectural forms.
 Opportunities for management and enhancement:
 - Respect the form and materials of the buildings.
 - Retain the soft landscaping and spatial contribution of gardens where they positively contribute.
 The application site is located between houses that are identified as making a positive contribution to the character of the conservation area.

National Policy/Guidance:

- National Planning Policy Framework (2012)

9.0 MAIN ISSUES:

1. The principle of development
2. Conservation Area

3. Landscaping.
4. Highways
5. Residential amenity
6. Private amenity space

10.0 APPRAISAL:

1. The principle of development.

- 10.1 The application site is the garden of No 2 Farmers Hill and whilst there have been no changes in the physical characteristics of the site since the time of the previously refused application, there have been fundamental changes to planning policy in that PPS3 has now been replaced with the Nation Planning Policy Framework. However, the status of the land still remains as Greenfield and as such the considerations remain the same. The property is placed within a corner plot and would not be seen from any elevation other than slightly from New Framers Hill and given the retention of the tree planting to Pottery Lane it is considered that the loss of this garden site would not be harmful to the area. Whilst being an area of garden, its location in the corner with such a little frontage means that it is considered that the proposal will have little impact on the spatial characteristics of the area. It should also be stated that contrary to the comments of the Conservation Appraisal many of the adjacent houses are located closely together and indeed in the case of the neighbouring four houses to the South East, with little separation at all. In terms of housing land supply, a simple singular dwelling would be unlikely to have any significant impact on the re-use of previously developed land elsewhere within the authority. As a result, it is considered that the principle of residential use is acceptable in this location.

2. Conservation Area

- 10.2 The property has been radically redesigned from that of it's previously refused predecessors in that the original application was for a Georgian style seven bedroom property that was considered totally out of keeping with its surroundings. As a result, the design has been altered to that of a bespoke flat roofed property built on three levels that picks up on the designs of the neighbouring properties without copying and as a result, provides an attractive property that sits well against its neighbours both in terms of design and also in terms of scale, which, by using a multi level format, achieves a similar scale to that of No 4 New Farmers Hill. It is considered that the proposal conforms with comments in the Woodlesford Conservation Area Appraisal which state the key characteristics as being timber framed buildings with a mix of flat and pitched roofs and clad in brick and timber and the mature trees and landscaping. The proposed development is sensitive to the surrounding properties, and the conservation area, by picking up on and respecting elements of design

and scale from its neighbours. In addition it is considered that the application site does not make a significant contribution to the spatial characteristics of the area. The site being enclosed in a corner plot with limited public views. The spatial setting of the new dwelling will be broadly similar to that of other houses in the road. Accordingly it is considered that the proposal will not harm the feeling of open space between properties or the spatial characteristics of the area.

3. Landscaping

- 10.3 At the time of the previous applications, it was thought that a Tree Preservation Order should be served to protect the array of trees on the site. This application has provided a better relationship between development and the trees on the site and an additional revision removing a retaining wall around the perimeter of the garden and the relocation of a wall to the parking area has satisfied the Conservation (Landscaping) team that the development is acceptable in retaining and protecting the future of all the trees of value on the site.

4. Access and highway safety considerations

- 10.4 The proposal achieves an access that is now acceptable in terms of gradient (a previous reason for refusal) and whilst the width of the drive is less than 3.3 metres, it is wider at its junction with New Farmers Hill and at the garage and as such the Highways Authority do not raise an objection, subject to conditions and a section 278 agreement for the new access and it is therefore acceptable in terms of highway safety.

5. Impact on Residential Amenity

- 10.5 The site is located on a corner plot with the neighbouring buildings being residential properties. The building has been so designed as to keep the height to a similar level to that of the neighbouring property at 4 New Farmers Hill and as such will avoid issues of overdominance. Additionally, the proposal avoids the use of windows in the South Eastern side elevation but for a bathroom and landing window that are both obscure glazed, and a condition could be included to ensure retention of this glazing, with another condition restricting further installation of windows in that elevation. The first floor level is set back from No 4 New Farmers Hill by offsetting the proposal by not building over the garage and this helps to create a perceived degree of separation between the two properties. With regard to No 2 New Farmers Hill there is a separation of approximately 12 metres and as the proposal only uses tertiary windows within this elevation facing that property, it is considered that there will be no significant loss of residential amenity to that property. As a result, it is considered that there will be no detrimental harm created from overlooking

by the proposal and consequently there should be no significant harm to residential amenity from this proposal.

6. Private amenity space

- 10.6 The area required for outside private amenity space for dwellings as suggested by guidance given in SPG 'Neighbourhoods For Living' is three quarters of the gross floor area of the living areas of the proposal. One of the reasons for the previous application being refused was due to a lack of useable private amenity space. The relocation of the house and reduction in footprint creating a smaller habitable area means that the amount of private amenity space that is now provided now accords with guidance and as such the proposal is considered acceptable in these terms. The proposal removes a garden area from the existing property at No 2 Farmers Hill and as such reduces significantly the amount private amenity space to that property. However, No 2 is still left with significant garden areas to the North and West of the existing house that would be more than acceptable in this respect.

11.0 CONCLUSION:

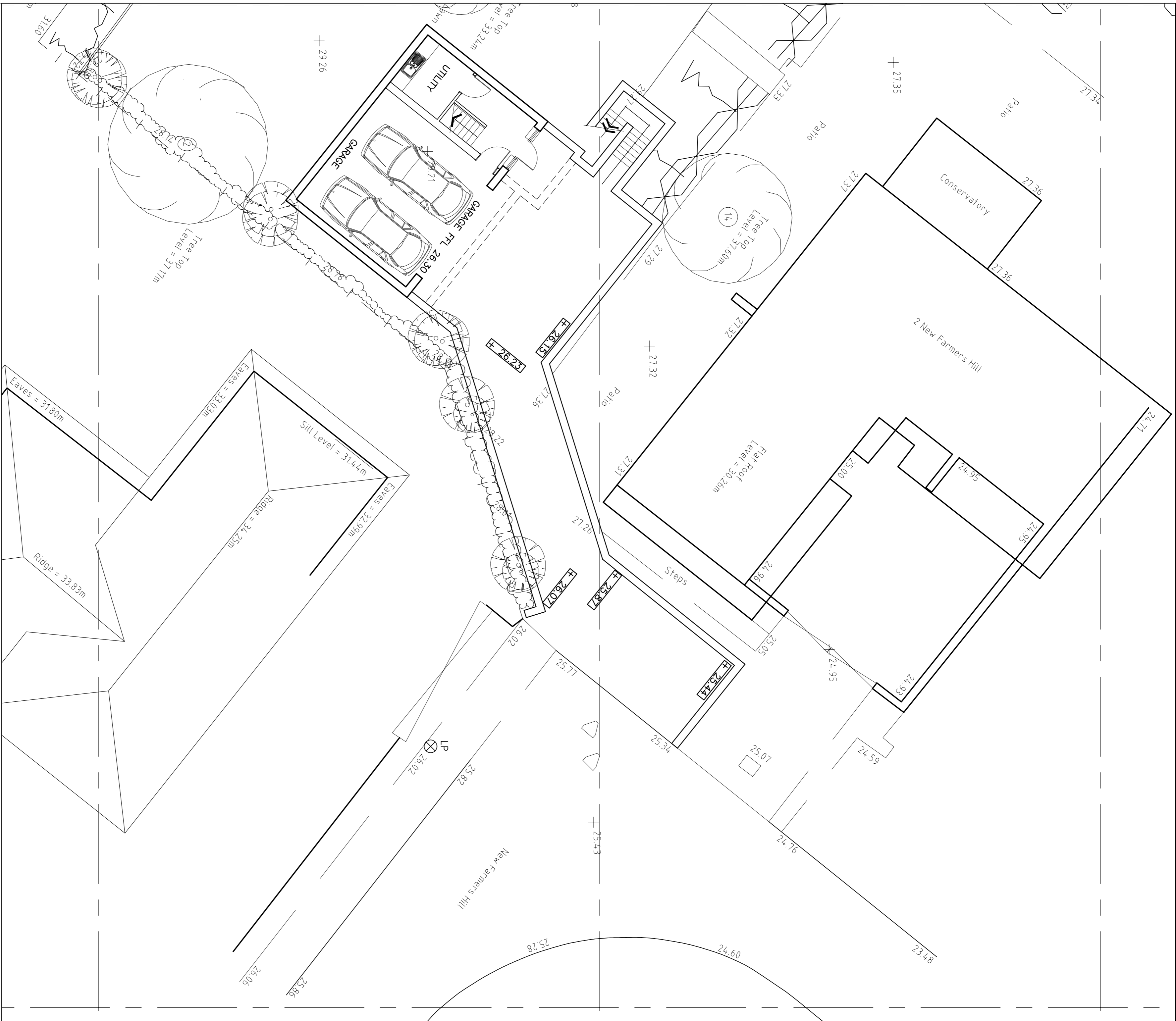
- 11.1 On balance, it is considered that subject to appropriate conditions as discussed above, the proposal is acceptable given that the principle of residential development is considered to be acceptable as the site is situated in a highly sustainable location. The layout and scale of the proposal is appropriate in regard to its surroundings, it raises no issues of detrimental harm to visual or residential amenity and no issues harm to highways safety and it is considered to preserve the character of the Conservation Area and as a consequence it is therefore recommended that the application be approved.

Background Papers:

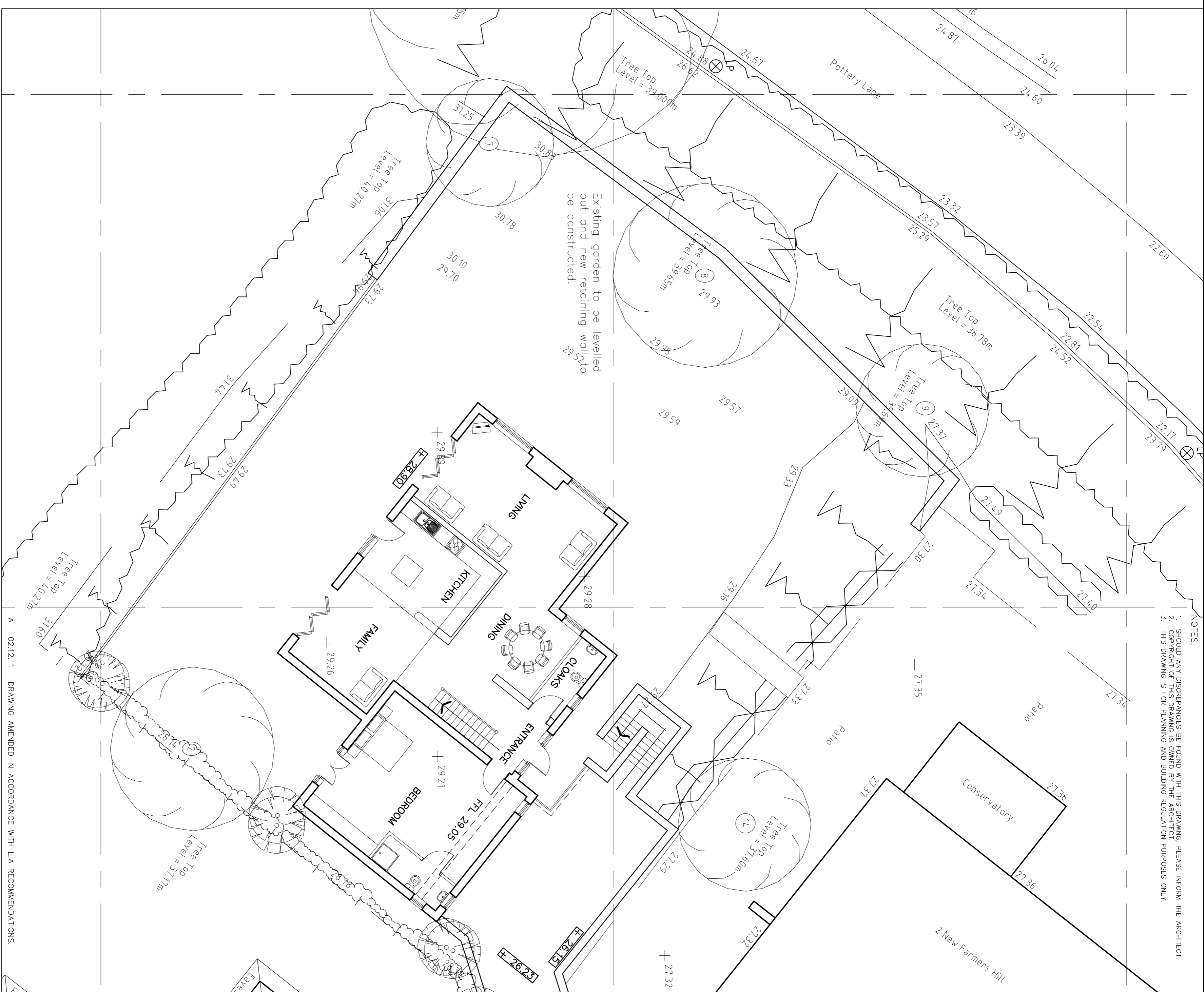
Application files 12/00746/FU

Certificate of ownership:

As applicant



LOWER LEVEL SITE LAYOUT 1:100



GROUND FLOOR SITE LAYOUT 1:100

- NOTES:
1. SHOULD ANY DISCREPANCIES BE FOUND WITH THIS DRAWING, PLEASE INFORM THE ARCHITECT.
 2. COPYRIGHT AND THIS DRAWING IS OWNED BY THE ARCHITECT FOR ARCHITECTURAL PURPOSES ONLY.
 3. THIS DRAWING IS FOR CONSULTING AND BUILDING REGULATION PURPOSES ONLY.

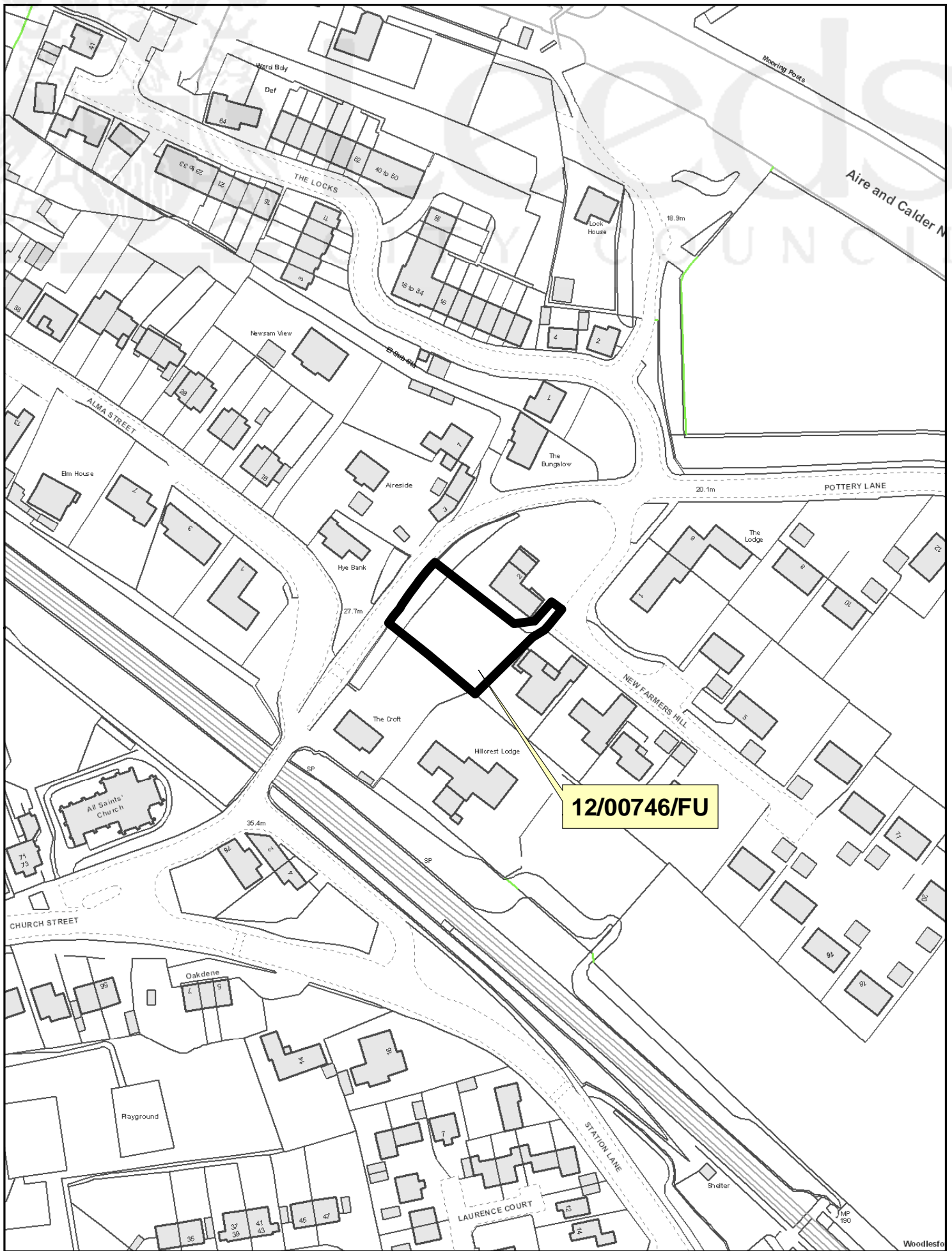
02.12.11 DRAWING AMENDED IN ACCORDANCE WITH L.A. RECOMMENDATIONS.

D & J A RUTLEDGE
BUILDING SURVEYORS AND DESIGN CONSULTANTS
75 BATLEY ROAD WEST ARDSLEY WAKEFIELD WF3 1HE
0113 2525781 07956 460858

PROPOSED SITE LAYOUT

JOB No.	3693	DRAWING No.	A
CLIENT	MRS M. MITSON	FL02	
DATE	AS SHOWN @ A1		

SEPTEMBER 2010



EAST PLANS PANEL

