



Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 6th December 2012

Subject: APPLICATION 12/04246/FU – part two storey, part single storey rear extension with relocation of flue and condenser units; addition of access ramp to front at Sukhothai, 4 St Annes Road, Headingley, Leeds LS6 3NX.

APPLICANT	DATE VALID	TARGET DATE
Mr G Marks	10.10.12	5.12.12

<p>Electoral Wards Affected:</p> <p>Weetwood</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>
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RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

1. Commencement of development within 3 years.
2. Approval of plans
3. Samples of all external walling, roofing and surfacing materials to be approved prior to commencement of development
4. Use of booking system for first floor function room
5. details of flue and air conditioning units
6. further details of dropped kerb and bollards to be agreed and implemented
7. implementation of travel plan measures
8. cycle and motorcycle parking to be provided
9. vehicle areas to be laid out
10. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, BD6, T2, T24, S2

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

1.1 This application is brought to the Panel as it is a re-submission of an application which has previously been refused consent by the Panel.

2.0 PROPOSAL:

2.1 The proposal is a full application for a rear extension to a restaurant, enabling an increase in the amount of covers in the restaurant from 72 to 100, plus the relocation of an existing flue and the addition of an access ramp to the front.

2.2 This application is identical to the previous application 11/04959/FU considered by Panel on 29th March 2012 which was refused consent for reasons relating to traffic and transport grounds. Changes to the status of the 'pay and display' car park opposite the site are however considered to be a material change in circumstances.

3.0 SITE AND SURROUNDINGS:

3.1 The site is a restaurant, known as 'Sukhothai', which is housed in a two storey brick building which is part of a parade. Elsewhere in the same parade there are a range of uses, including shops, offices, restaurants and a take away.

3.2 The parade is identified as a Secondary Shopping Frontage, and also lies within the Headingley Town Centre boundary.

4.0 RELEVANT PLANNING HISTORY:

4.1 10/01144/FU – external seating area with retractable canopy and covered eating area to front – refused for reasons relating to design and highway safety.

4.2 11/01459/FU – Part two storey, part single storey rear extension with relocation of flue and a/c units – refused for reasons relating to highway safety.

4.3 11/04959/FU - Part two storey, part single storey rear extension with relocation of flue and condenser units; addition of access ramp to front - refused for reasons relating to highway safety.

4.4 (nearby unit in same parade) 10/03806/FU – change of use of vacant retail unit (Class A1) to restaurant (Class A3) to facilitate an extension to the adjoining Italian restaurant and laying out of new parking area to rear with addition of new cycle stands to front, at Salvo's Restaurant, 111 Otley Road – approved.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The application has been the subject of two previous applications as above determined on 1st June 2011 and 29th March 2012.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been publicised by means of site notices; a total of sixteen representations have been received which support the proposals.

6.2 Representations in support of the proposal make the following points:

- The proposals would improve the facilities offered by the restaurant;
- The proposals would improve the visual amenity of the parade;
- The restaurant is an asset to the community and people travel from far and wide to visit it.

6.3 Additionally a petition containing 117 signatures has also been received. This states that the petition is to support the planning application to extend the restaurant and improve the facilities.

7.0 CONSULTATION RESPONSES:

7.1 The original Highways consultation response sought further clarification / information regarding the proposed parking refund scheme, works to the site frontage and traffic management signage. These have been provided as referred to below. Other comments referred to cycle parking, surfacing to the rear yard, which is considered acceptable.

7.2 The existing parking restrictions were introduced following work with the business owners present at that time, the existing signage for limited waiting is tucked tight against the shop frontages because the shop owners objected to them being near the kerb-line as they would normally be and the footway is private. If Sukhothai other businesses affected are happy for signs on 50mm square poles to be fixed on the footway near to the kerb line then it can be arranged with Traffic Management. However, as the works would affect other frontages it cannot form part of the planning proposal. Sukhothai's commitment to try to work with other businesses to deliver the changes as part of the travel plan is adequate for the purposes of the application.

7.3 The plan provided in the travel plan shows a dropped kerb and bollards will be used to protect an area for pedestrian access from the road. However the plan is not to scale and therefore a condition should be attached to any approval requiring further details to be agreed and implemented prior to occupation of the extension.

7.4 The revised travel plan details a refund scheme which will need to be managed by Sukhothai but allows customers to produce evidence of a ticket which is not exhaustive. Advertising the refund scheme will be important to its success and the travel plan commits to advertising it on the restaurant website as well as within the

restaurant. The revised travel plan advises long stay cycle parking will be available to staff in the garages at the rear of the restaurant.

8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).
- 8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.

Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.

Policy S2: This states that the vitality and viability of the following town centres will should be maintained and enhanced.

Policy BD6 refers to the scale, materials, character and design of extensions.

Policies T2 and T24 seek to maintain adequate levels of vehicle parking provision with no undue detriment to other highway users.

National Planning Policy Framework

Emerging Core Strategy

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 set 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 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development.

9.0 MAIN ISSUES:

- 9.1 The following main issues have been identified:

- Vitality and viability of the local centre
- Visual amenity
- Neighbour amenity
- Highways

10.0 APPRAISAL:

- 10.1 The application site is located within a local centre. A restaurant use is compatible with this area as it is identified as a main town centre use in the National Planning Policy Framework. Such a use is therefore broadly acceptable in principle.
- 10.2 The proposal seeks consent to erect a two storey extension to the rear of the building, and to relocate an existing flue. The area to the rear of the parade is presently a somewhat untidy area which is used by businesses in the parade for ancillary purposes. The area comprises an unmade track which slopes down to the northern end of the parade. Vehicles are parked informally on this track, which presumably belong in the main to employees working in the businesses. The area is also used for bin storage, although much of this is fairly haphazard. To the rear of the track there is also a line of lock-up garages. The application indicates that two of these garages belong to the applicant.
- 10.3 The rear of the application property is a somewhat untidy collection of extensions, air conditioning units and a large flue. The property has a single storey rear extension, which is partly render finished, and partly brick. This projects approximately 3.5m. Four air conditioning units are attached to the rear elevation at first floor level, and a large and prominent flue also emerges at the same level and rises above the eaves.
- 10.4 The proposal would rationalise this situation somewhat by creating a part single and part two storey extension. The ground floor elevation would have a brick plinth and white painted render. This would then have pitched tiled roof, and there would be a smaller first floor element. This would have a flat roof and be render finished. The air conditioning units would be relocated to the roof, and the flue would be altered such that it would run up the side of the extension. Roof lights would be added to illuminate existing bedrooms on the first floor which would be reconfigured in order to increase the amount of accommodation.
- 10.5 The proposed extension would rationalise the somewhat untidy rear elevation, and to this extent it would represent an improvement.
- 10.6 The proposed relocation of the flue could potentially cause noise and odour problems to existing residential occupiers within the unit. However technical details of alterations to the flue and air conditioning units could be required by condition in order to address this.
- 10.7 The proposal as amended would increase the amount of covers in the restaurant from the current provision which is stated to be 72, to 100, revised from the original figure of 110. This represents an increase of 39%. However 84 of these are shown to be downstairs in the main part of the restaurant, while an additional 16 are shown to be included within a function room upstairs. As depicted neither of these spaces would be used to their full capacity. The applicant's Design and Access Statement states that the function room would only be used from time to time for special occasions. The applicant states that the function room would not be used as a general overflow for the restaurant but instead would only be used via a booking system. The applicant has therefore suggested the use of conditions limiting the use of this area to bookings only and for a maximum of 100 covers overall. By this method, the applicant suggests that the parking demand generated by the proposal would be lessened.
- 10.8 It is considered that the proposed extension would generate a demand for an additional eight parking spaces, four to each of the ground floor restaurant area and to the first floor function room respectively. The reduced numbers of covers to the

ground floor could reduce the potential added demand for parking from customers to a total of five spaces. The UDP guidelines would suggest seven spaces for the function room, however booked groups of diners would be more likely to travel together, and as such a reduced figure has been identified.

- 10.9 The applicant also states that all the staff either live in the premises or locally in the Headingley area, thus it is suggested that the proposal would not cause an increase in demand for staff parking.
- 10.10 The applicant has, however, supplied a Travel Plan, although one is not required for this scale of development.
- 10.11 This includes a number of proposed measures designed to encourage sustainable travel, such as encouraging staff to use taxis or car share, and encouragement of staff to use buses, walk or cycle. Travel packs would be provided to staff to achieve this, and a fee provided to the City Council in order to monitor the travel plan.
- 10.12 The area around the parade already suffers from high levels of on-street parking demand. The applicant considers that the site is well located for public transport links, and has a high demand from customers who attend the site on foot. A survey included within the Travel Plan suggests that around 50% of customers currently travel to the restaurant by car, while around 20% walk. However off-street parking provision in the locality is poor.
- 10.13 Members at the previous Panel meetings questioned the status of the 'pay and display' car park close to the site. At the time of the previous meeting this was unauthorised but was the subject of a planning application to regularise its use. This has now been approved, providing a total of seven spaces for public use, in addition two spaces for the neighbouring flats and three for the adjacent businesses on Otley Road. The submitted Travel Plan includes a survey of the use of this car park, which finds that usage of the car park is low during the day, and low to medium in the evening. There is therefore spare capacity in this car park for the majority of the time.
- 10.14 The applicant therefore proposes to provide a subsidised parking scheme for its customers whereby they provide the ticket number, or a photograph of the ticket, and the cost of the ticket would be deducted from the bill in the restaurant. It is concluded that on balance any additional car parking could be absorbed without detriment to highway safety.
- 10.15 In addition the submitted Travel Plan suggests that customers arriving by car can legitimately use the Headingley Taps car park. However this is situated approximately 0.5km from the site.
- 10.16 The proposed extension would to some degree impact upon the rear parking area by reducing the amount of space available. This area is already constrained, and poorly surfaced. While the area to the rear of the property would be resurfaced, this is shown on the submitted plans as the area to the rear of the property only within the applicants red line. The applicant has stated however that they have had discussions with neighbouring occupiers such as Salvo's in respect of resurfacing a larger part of the rear yard area. It is stated that Salvo's in particular will join in with the surfacing works, although the agreement of other occupiers does not appear to have been secured. While there would clearly be some benefit in laying out the rear yard area it should be noted however that such work would not form part of the

current application and its delivery could not be ensured; therefore it should not form part of the consideration of this application.

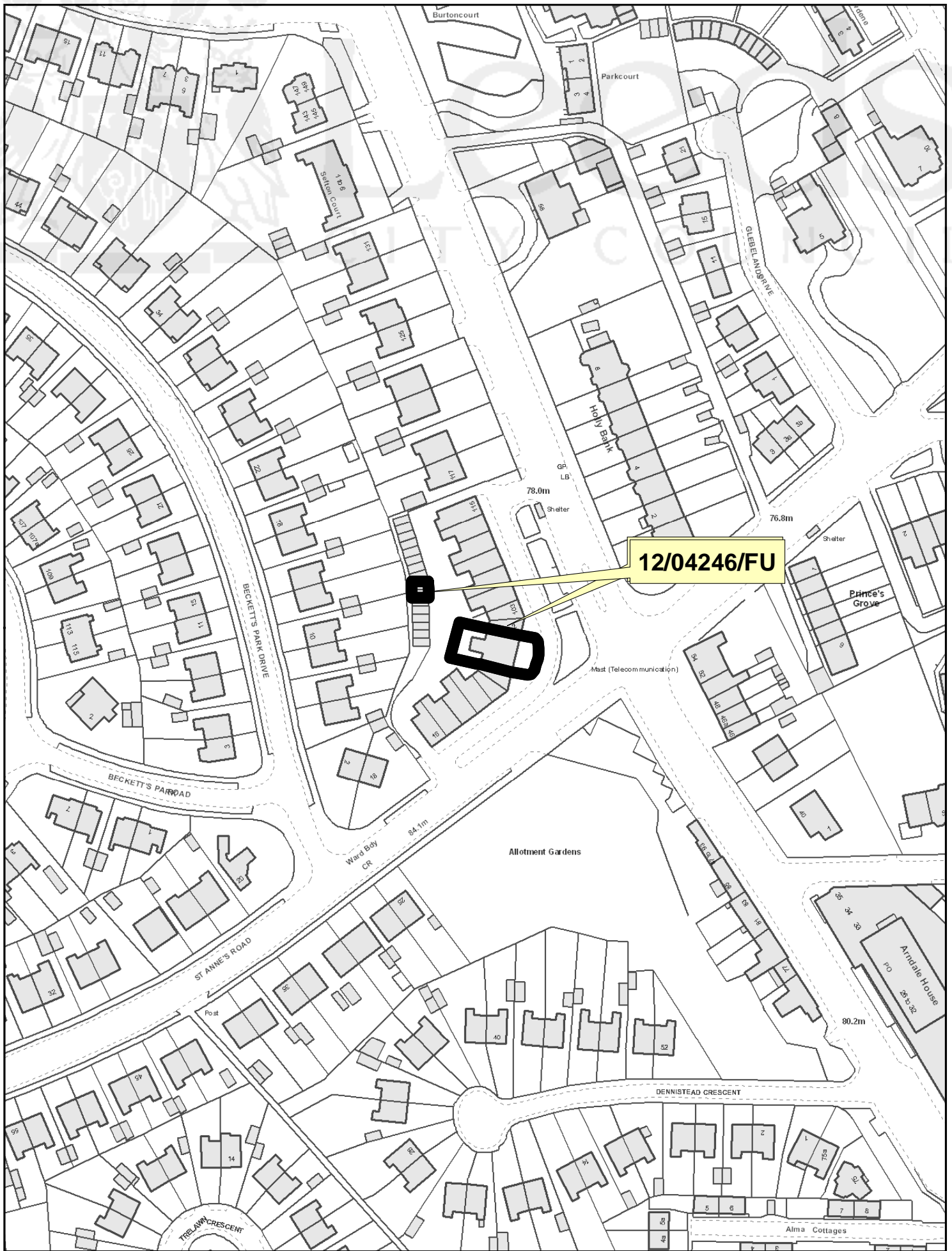
- 10.17 The site includes two lock up garages to the rear of the yard. It is understood that these are presently used for ancillary storage, however the application states that they would be used for long stay staff cycle parking. This would be in addition to two cycle parking stands which would be provided for customers to the front of the premises.
- 10.18 Currently parking on both sides of the service road to the front of the restaurant can cause the route to be blocked to wider/longer vehicles. The proposal now includes bollards to be installed along the inside kerb line across the frontage of the restaurant to discourage parking and improve pedestrian access. Additionally the applicant has agreed to the use of the frontage of the restaurant for signage required by LCC Traffic Management. This is because waiting restrictions along the service road are not clear due to the footway being in private ownership, and as such the City Council has been unable to erect appropriate signage. Therefore the proposal will assist in addressing this issue.
- 10.19 The footprint of the proposed extension is approximately 2m deeper than the existing footprint. The proposal would therefore move bins and parking further into the yard area . The extension of the footprint of the building is a concern as the rear yard area is already constrained, and the proposal would to some extent exacerbate this. However if the existing extension, with parking at right angles to the wall, is measured the footprint of this would be approximately the same as the proposed extension with parking aligned parallel to the wall. If the parking to the rear of the extension is formalised in this way then overall it is considered that the impact of the extension on access provision would be small. A swept path analysis has been provided which demonstrates that turning adjacent to the staff parking at the rear of the property by typical delivery vehicles would be unaffected by the proposed extension.

11.0 CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable subject to the imposition of suitable conditions. The proposal is therefore recommended for approval.

Background Papers:

Application file;
Certificate of Ownership.



12/04246/FU

SOUTH AND WEST PLANS PANEL