



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 3 October 2013

Subject: APPLICATION 13/00527/FU – First floor side extension with dormer to front; two storey and first floor extension to rear; porch to side; new retaining wall with steps to remodelled rear garden at Friars Cragg, Linton Common, Linton, LS17

APPLICANT

Mr Adam Beaumont

DATE VALID

15 February 2013

TARGET DATE

12 April 2013

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

1. Time limit;
2. Plans to be approved;
3. No insertion of side windows;
4. All side facing windows indicated on plan to be obscure glazed and top opening only.
5. Removal of permitted development rights
6. Retention of vegetation to boundary

1.0 INTRODUCTION:

- 1.1 This application is being brought to Plans Panel as it involves the erection of large extensions to a house in the Green Belt. The report sets out the reasons why, in this case, the extensions are considered acceptable by officers. The applicant is a significant investor in the city and the consideration of the application by Plans Panel is thought to be the most transparent method of decision making.

- 1.2 The applicant seeks permission for first floor, two storey and single storey extensions to both sides and rear, one new dormer window to the front and some alterations to the garden to create steps and a raised patio to the rear garden. .
- 1.3 Pre-application discussions have been held regarding development at the site and officers raised concerns regarding the amount of extension in the Green Belt, noting that the property had already been previously extended. Concerns regarding compliance with Green Belt policy, design and residential amenity have been raised with the agent during the application process and this has led to the receipt of revised plans that are the subject of this report.
- 1.4 It is pertinent to note that since the receipt of the application, there has been a relaxation of permitted development rights nationally which allows larger single storey extensions to be built at the rear of detached dwellings for a period of 3 years up to 2016. This will be discussed later in the report.

2.0 PROPOSAL:

- 2.1 A first floor extension is proposed to the west of the dwelling at the front, building above an existing flat roofed side extension which presently has a balcony over. This enlarges the dwelling by approximately 2.4m in width. One additional dormer is added to the front, the same size as the existing front dormers
- 2.2 To the rear, an existing two storey annexe and single storey rear linked extension are to be demolished. There are 2 two storey extensions proposed, each with a steep gable but with a low eaves height that matches that of the present roof. A glass cube is proposed to be sited between and linking the two rear extensions. This appears to float out into the raised terrace garden giving direct access from the first floor of the property to the rear garden. A small porch is proposed to the eastern side.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a detached dormer bungalow constructed of stone and with a blue slate roof. The property is augmented to the front with a transverse two storey gable and three, small, hipped dormer windows. It is typical of the character of Linton Village. The stone heads and cills and the detailing to the front gable window are examples of this style.
- 3.2 The property was granted permission in 1953 and has been extended and altered over the years. The garage, the rear annex, and the single storey rear extension and single storey side extension are all later additions. There is no planning permission associated with the flat roofed side extension or the garage.
- 3.3 The property is located just outside Linton Village core and is within the Green Belt. There is a ribbon of houses to the north side of the road with the river Wharfe to the south. The river and Linton Common form part of the Conservation Area although the houses are not within the conservation area boundary. There is a severe gradient change within the area with the land rising from the river. There is significant and mature vegetation along the river bank and also some mature vegetation within the gardens and to the side boundaries of the houses. The properties are individually designed and set back from the roadside and are usually also set up from the road level and the character of the area is created by the spaces, the vegetation and the gradient, rather than a consistent design motif.

4.0 RELEVANT PLANNING HISTORY:

4.1 Previous Applications:

WE1022 - Two storey, stone faced dwelling - Approved (1953)

WE1022(A) - Extension over garage - Refused (1963)

WE3858 - Extension to form living accommodation - Approved (1964)

31/56/96 - Single storey rear extension - Approved

31/143/99 - New pitched roof to existing rear annex - Approved

07/02374/FU - Infill extension to first floor and alterations to form annex accommodation
Approved

5.0 HISTORY OF NEGOTIATIONS:

5.1 The application has been revised and reduced since the original submission. The originally proposed dormer windows at the front have been removed, the existing extensions are proposed to be demolished, a revised reduced rear extension is proposed.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Neighbour notification letters have been sent with re-notification occurring after the receipt of revised plans.

6.2 Concerns have been raised by one local resident. The points raised regarding the original plans are:

- Overlooking

6.3 Following reconsultation no objections have been received.

7.0 CONSULTATIONS RESPONSES:

Statutory & Non-Statutory Consultations:

None

8.0 PLANNING POLICIES:

Development Plan

8.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006). 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. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in October 2013. As the Council have submitted the Publication Draft Core Strategy to the Secretary of State for examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding

representations which have been made which will be considered at the future examination.

8.2 Leeds Unitary Development Plan (Review 2006) Policies:

Policy GP5: refers to development proposals should seek to avoid loss of amenity.

Policy BD6: refers to all alterations and extensions should respect the scale, form, detailing and materials of the original building.

Policy N19: new buildings within or adjacent to conservation areas should enhance or preserve the character and appearance of that area.

Policy N33: Except in very special circumstances approval will only be given for: limited extension, alteration or replacement of existing dwellings.

8.3 Leeds City Council Householder Design Guide Policies:

Leeds City Council Householder Design Guide was adopted on 1st April 2012 and carries significant weight. This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seeks to protect and enhance the residential environment throughout the city.

Policy HDG1: refers to design and appearance

Policy HDG2: refers to impact on neighbours

Policy HDG3 refers to impact on development in the Green Belt and sets a 30% extensions limit over and above the original house volume to be appropriate otherwise very special circumstances will need to be demonstrated.

8.4 Neighbourhoods For Living: A Guide for Residential Design in Leeds was adopted as Supplementary Planning Guidance by the Council in December 2003.

9.0 MAIN ISSUES

- i) Green Belt and Recent Permitted Development Changes
- ii) Townscape/design and character
- iii) Overlooking
- iv) Overdominance and Overshadowing
- v) Representations

10.0 APPRAISAL

Green Belt

- 10.1 The property is located within the Green Belt. As outlined within the National Planning Policy Framework (NPPF) the essential characteristics of Green Belt are their openness and their permanence. The construction of new buildings within the Green Belt is inappropriate, except within certain circumstances, one of which is the limited extension of a building, provided it does not result in a disproportionate addition. This advice is replicated in policy N33 of the UDPR. The NPPF provides no guidance on how to interpret what constitutes limited extensions, however the Householder Design Guide, notes that a thirty percent increase over and above the volume of the original building is considered to be the limit of what can be defined as a limited extension. In order to be considered acceptable development within the Green Belt, extensions should not only be limited but should not harm the character,

appearance or openness of the Green Belt. Development proposals which exceed this thirty percent threshold or which harm the openness of the Green Belt are considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and will be resisted unless very special circumstances can be demonstrated.

- 10.2 The main Green Belt issues in relation to this application are therefore;
- whether the proposal is a disproportionate addition that constitutes inappropriate development within the Green Belt ;
 - whether any harm, by reason of inappropriateness and / or impact on openness, is outweighed by other considerations so as to amount to very special circumstances.

In order to assess whether or not a proposal constitutes inappropriate development there are two main issues to explore. The first consideration is whether the proposal can be considered to be a disproportionate addition, and the second issue is whether the proposal harms the openness, character and appearance of the Green Belt.

- 10.3 A volumetric assessment can give a reasonable indication of the suitability of a development within the Green Belt, and as noted above the LPA consider that an upper limit of thirty percent increase is acceptable (HDG3). The original property which was granted permission in 1953 was for the dormer bungalow with the three front dormers and the gable. There were no other structures approved at the time. The original house has a volume of approximately 463m³. Other additions over time have added 236 m³ in volume. Of that 236 m³, 183 m³ is to be demolished as part of this development proposal leaving the single storey flat roofed side extension of 53 m³. Part of the scheme proposes a first floor extension over the flat roof extension providing bedroom accommodation. This adds 41 m³ of volume to the house and taken in isolation removes overlooking from the balcony and improves the external appearance of the dwelling and is supported by officers.

- 10.3 In total the proposal involves a volume increase of 359 m³ and the demolition of 183 m³ resulting in a net increase of 176 m³ or 25% of the dwelling as it presently exists but some 89% greater than the original dwelling as built. In recognising that the dwelling as it now exists is some 51% larger than the original dwelling then a further 38% would be added in volume if this application is approved. The figures are summarised in the table below;

Original volume (1953 approval)	463 m3	
Total volume now (2013)	699 m3	51% increase on original
To be demolished	183 m3	
To be added	359 m3	176 m3 net to be added
Total volume if built	875 m3	89% increase on original volume 25% increase on volume existing

This is clearly more than the 30% that is suggested by the HDG and represents inappropriate development in the Green Belt according to the policy background. The overall scheme does give the dwelling a well balanced frontage and extensions to the rear that in part reflect an extension to the house next door and in part have little impact on the general locality. Whilst overall there is a large increase from the original volume of the house as built in 1953 a substantial amount of this is achieved by demolishing existing extensions and so the actual increase over and above the current volume of the house is below the 30% threshold. Officers have also

considered the amount of development that could be added without the need for planning permission.

- 10.5 For a period of three years, between 30 May 2013 and 30 May 2016 householders have greater permitted development rights and can extend a detached dwelling by up to 8 metres subject to the outcome of a neighbour consultation exercise, the key test of which is impact on amenity. Given the relationships between this house and those on either side, it is likely that a 8 metres extension could be built at this property and that is a real possibility in this case. This could add something in the region of 288 m³ of volume to the house without the need for planning permission, which would project further out into the rear garden than that before Members today.
- 10.4 Policy also notes that development proposals must also not harm the openness , character or appearance of the Green Belt. Although the extensions add significant volume to the dwelling and do add additional bulk to the dwelling and give it some increased depth and width, the impact on openness is limited. Indeed the rear extensions do not extend as far into the rear garden as the existing two storey annexe. Views through the site to the banked rear gardens and the general wooded backdrop are allowed by the space which is retained at the sides of the dwelling, and although the works to the rear are substantial they do not affect long range views. The character of this section of the Green Belt is characterised by presence of ribbon housing, most of which has been extended over time and the proposal does not alter this. As such in respect of openness, character and appearance the proposal does not raise significant concern and actually improves the front appearance of the property by building over the flat roofed single storey side extension.

Green Belt Conclusion:

- 10.5 The scheme before Members has been amended since its first submission to take account of the concerns of officers regarding the size and design of the extensions. It was at the suggestion of officers that the existing rear extensions be demolished and the volume of those used as part of the redesign. Whilst the extensions are larger than usually allowed by the provisions of the Householder Design Guide and would be classed as inappropriate development, the resulting dwelling achieves a better outcome in terms of local character and impact on openness than could be achieved under permitted development rights and is better thought out and allows the extension of a dwelling where some rooms are not easily accessed and a child's room is on the ground floor away from their parents to be modernised and extended for normal family occupation and these factors are considered to be very special circumstances in this instance.

Townscape/design and character

- 10.6 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. This advice is expanded and elucidated within the Householder Design Guide.

- 10.7 The first floor side extension is proposed to be built above an existing single storey side extension that presently has a flat roof. The extension will have a pitched roof to tie in with the main roof of the house and a dormer to match the others on the frontage. It will improve the front of the dwelling and have little impact on the character of the area. As a result it is considered that there will be some improvement to local views to the site from within the adjacent conservation area.
- 10.8 The rear extensions are bigger but are located at the back where only very limited views would be available of them. The eaves height of the two gabled extensions matches that of the main dwelling, which is a bungalow at the rear and the ridge similarly matches the main ridge. The most striking feature is of the glass cube which will form a sun room. This will be placed in between the two rear extension and will project out to the raised terraced garden. This is a modern addition to a stone built house but being wholly glazed will allow views through it and will not be visible from public vantage points. The rear extensions will not detract from the character of the house or the locality.

Overlooking

- 10.9 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposal should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance of overlooking will be strongly resisted”.
- 10.10 The dwelling presently has windows in the side elevations at first floor level and has a balcony that has unrestricted views into the neighbours curtilage. This proposal will remove the balcony and the proposed new bedroom window to the western side elevation can be conditioned to be obscurely glazed. The proposed steps in the rear garden are in similar locations to the existing ones and views out of the sun room towards the side boundaries some 9m away will be filtered by existing planting which will be retained.

Overdominance and Overshadowing

- 10.11 The rear extensions, those which could impact most on the neighbours through over dominance and overshadowing, are 3m and 4m from the boundaries with the houses on each side. At the boundary edges there is banking and planting. The neighbouring houses are also set away from the shared boundaries. It is not considered that any over dominance or overshadowing will occur to either neighbour.

Representations

- 10.12 One resident has expressed concern about overlooking from the proposal on the original plans. These plans have changed and no additional comments have been received. Overlooking issues should improve on the existing situation as the first floor side balcony has been removed.

11.0 CONCLUSION

- 11.1 It is considered that although the proposal will add generous volume to the dwelling the proposal will not harm the openness of the Green Belt. There is a strong argument that there will be a net improvement to residential amenity with the removal of the existing balcony and an enhancement to the character of the locality through the

improved appearance of the dwelling. Given the present position on site and the amount of demolition involved together with the potential fallback position of a significant single storey rear extension which could be built as permitted development it is considered that there are very special circumstances in this case which outweigh the harm resulting from the fact it is inappropriate development and that with the other benefits the application should be recommended for approval subject to the removal of permitted development rights for any further extensions..

Background Papers:

Application file 13/00527/FU

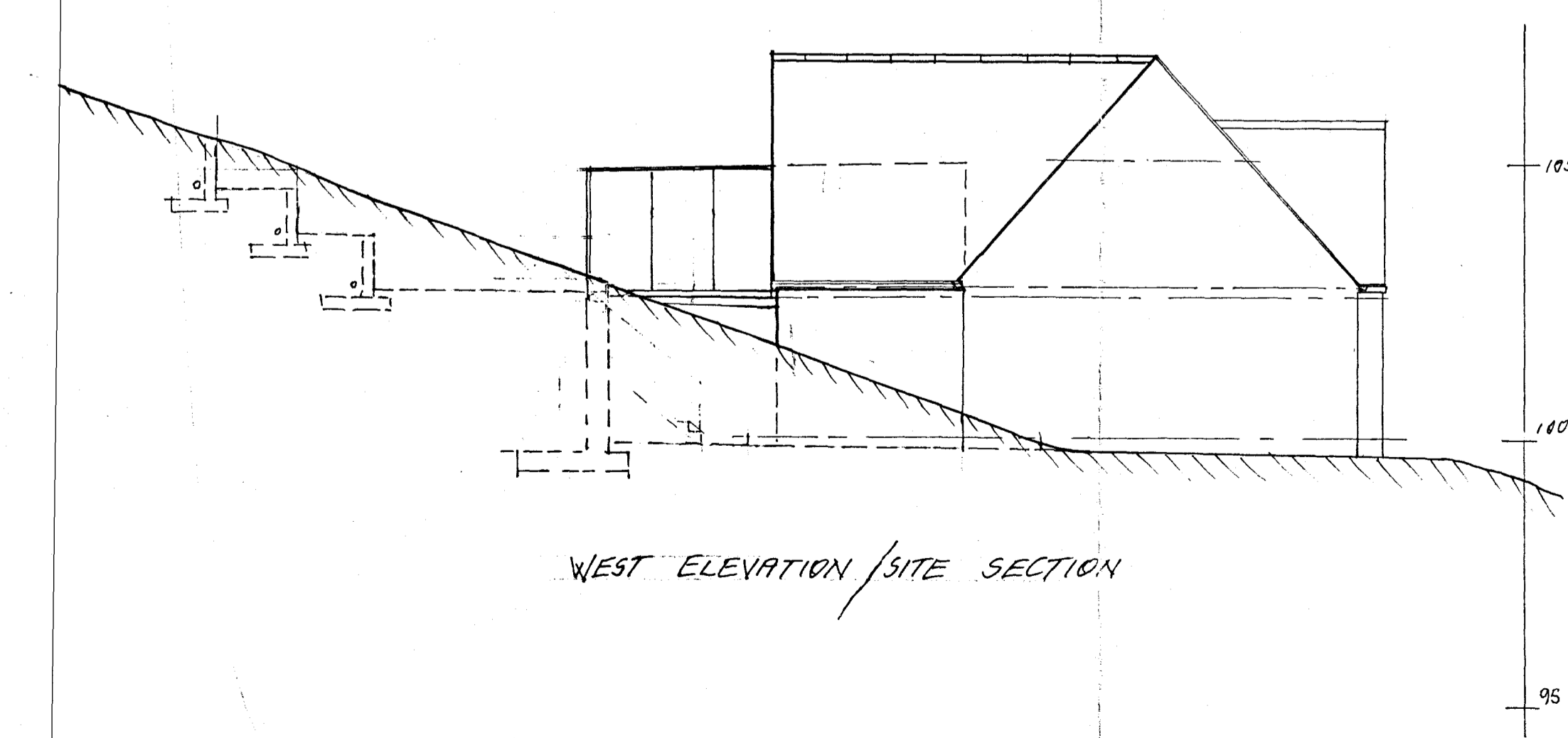
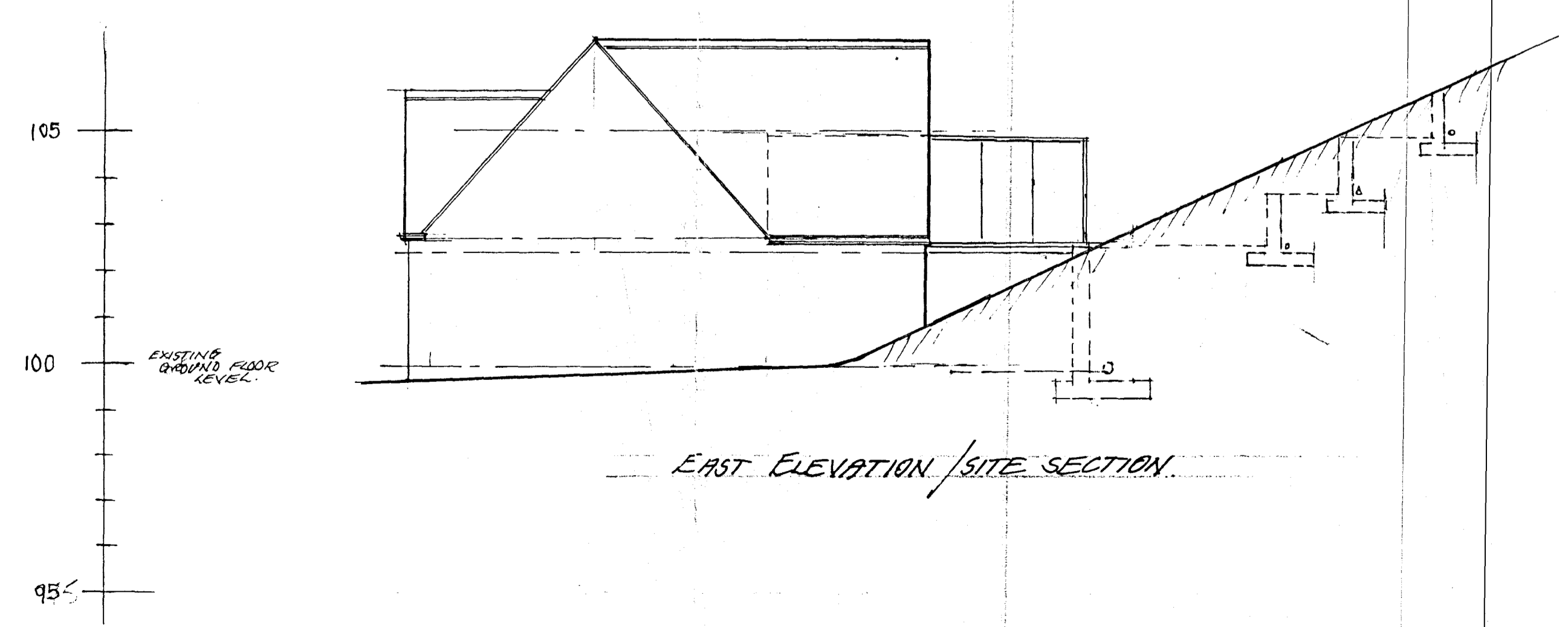
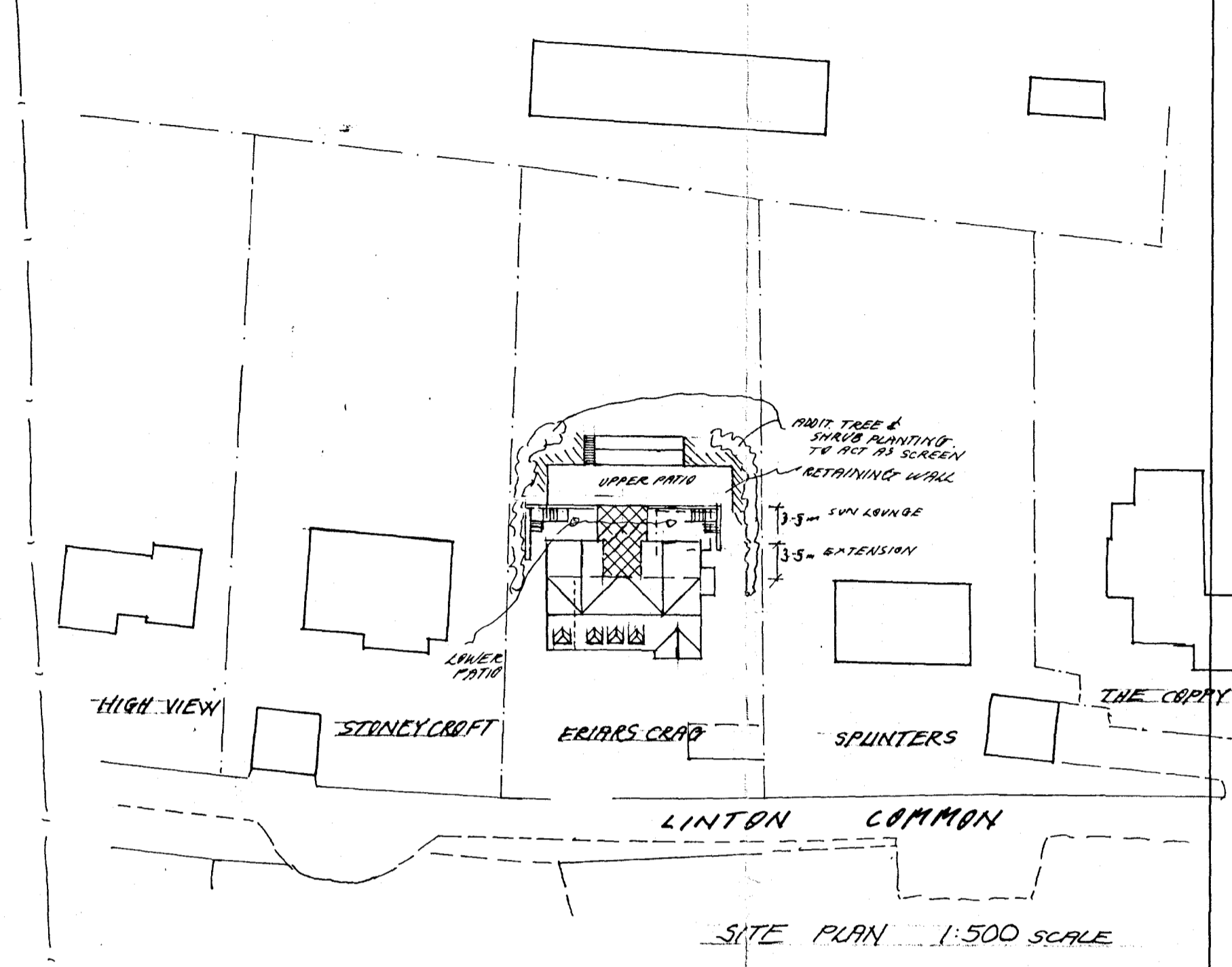
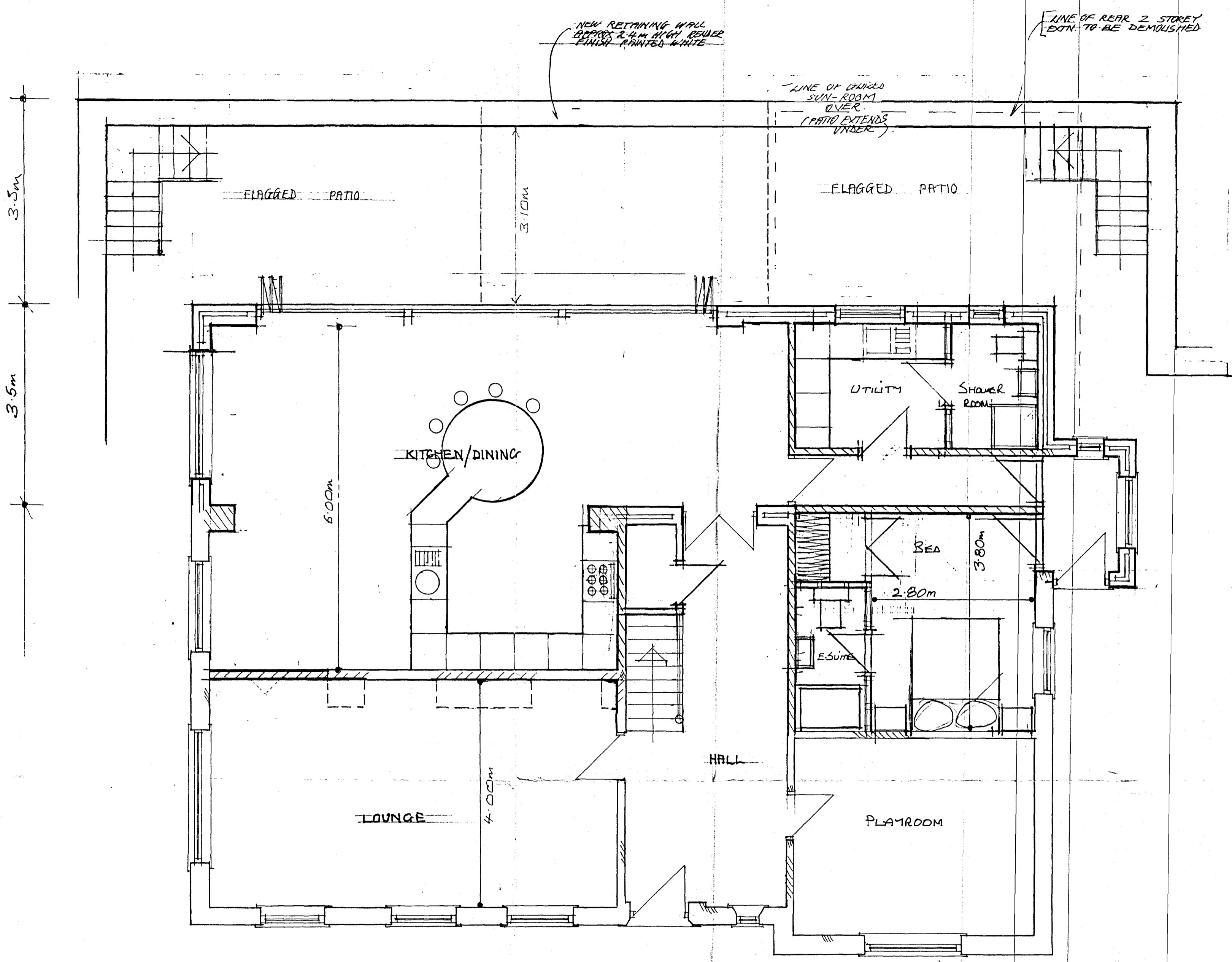
Ownership Certificate: Certificate A signed by agent

13/00527/

Notes :-
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 - ALL MATERIALS MUST COMPLY WITH CURRENT BRITISH STANDARDS IN SITUATION USED.
 THIS IS A NOTIFIABLE PROJECT UNDER THE CONSTRUCTION & DESIGN REGULATIONS 2007. THE DEVELOPER MUST BY LAW INFORM THE LOCAL HEALTH & SAFETY EXECUTIVE AND ALSO OBTAIN THE SERVICES OF A C.D.M. CO-ORDINATOR.

Party Walls
 The Party Wall Act etc. Act 1996 came into effect on 1st July 1997. If someone is planning to carry out building work which involves: work on an existing wall shared with another property; or new building on the boundary with a neighbouring property; or excavating near a neighbouring building, they should find out whether that work falls within the scope of the Act. If it does, they must serve the statutory notice on all affected owners. The government has produced an explanatory leaflet which is available from planning services.

LEEDS CITY COUNCIL
 - 7 AUG 2013
REVISED



B 6.8.13	further planning comments added.
A 23.7.13	revisions following planning comments.
Date	Revisions

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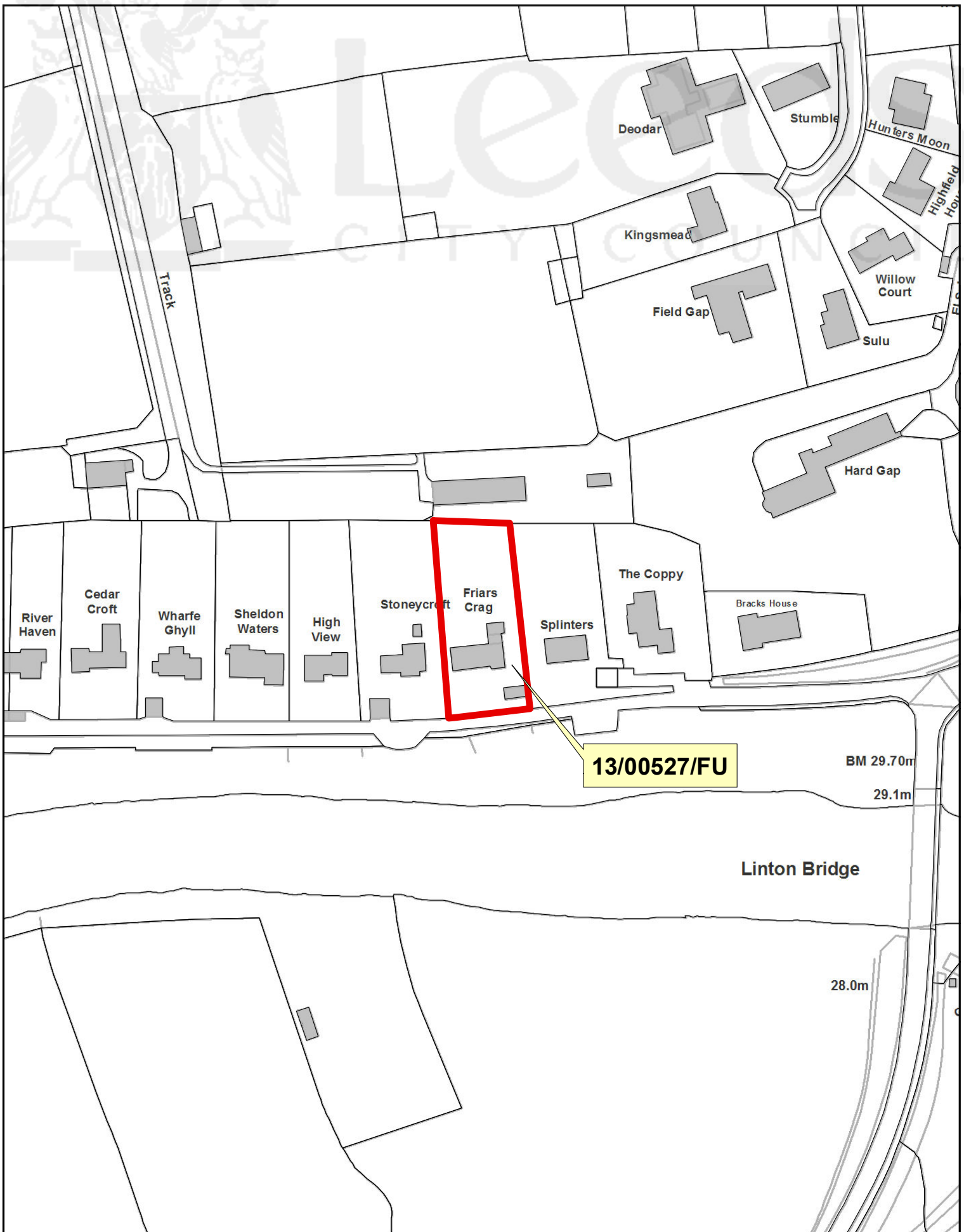
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**FRIARS CRAG
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Drawing Title
**PROPOSED GROUND FLOOR
 SITE SECTIONS
 SITE PLAN**

scale 1:50, 1:100
 date JUNE '13 drawn by

Drg No 11/5/A (ii) Rev 8



NORTH AND EAST PLANS PANEL

