



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 3rd October 2013

Subject: 13/03029/FU – New section of wall, increase in height to existing wall to side and timber pedestrian gate at Dene Cottage, Linton Lane, Linton, Wetherby, LS22 4HL

APPLICANT

Mrs Sara Jamieson

DATE VALID

4th July 2013

TARGET DATE

29th August 2013

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission
2. Stone sample panel
3. Dark stain colour to gate
4. Landscape scheme

1.0 INTRODUCTION

- 1.1 This application seeks permission to erect a boundary wall to part of the curtilage of the site as it runs along Linton Lane. The application property is the subject of enforcement action due to the erection of authorised extensions to the dwelling. These unauthorised extensions were discussed by Panel in December of 2012 and March of this year. Permission was granted subject to alterations to a rear gable feature. Following this negotiated position the applicant has expressed a desire to retain the as-built unauthorised extensions and an application to this effect has been submitted. This is currently being considered under application reference (13/03352/FU).
- 1.2 The application is brought to Panel at the request of Councillor Rachael Procter due to the planning and enforcement history.

2.0 PROPOSAL

- 2.1 The applicant seeks permission to increase the height of part of an existing boundary wall and erect a new section of wall to the same boundary of the site. This extends an existing wall which runs along the boundary with Linton Lane and which is set back from the highway edge behind a grass verge. A 1.8m solid timber gate is also proposed (but the gates to the vehicular access are set back from the Linton Lane and as a consequence do not require planning permission). This boundary has a frontage of approximately 52m to Linton Lane. The new section of wall comprises 11.5m of that length. The section of wall to be increased in height is approximately 6.8m in length. The application plans show a wall of around 1.5m in height.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a detached dwelling which is sited just north of Linton village core and within the conservation area. The property was once a small cottage built in a pastiche Arts and Crafts style, however recent extensions have substantially enlarged the dwelling. Sections of these building works remain unauthorised. The property is largely rendered and has a slate roof.
- 3.2 The property is sited within a generous plot and is set back from Linton Lane and is orientated side-on to the highway with its principal elevation facing toward its main amenity space which is to the front of the property. The plot and wider area are very verdant and this is an important part of the semi-rural character of the area. The bank of trees and vegetation to the north of the site are visible from Linton Lane and form an important backdrop to this section of the village. Boundary treatments within the area vary in height and design. Post and rail fencing, walls and vegetation are most in keeping with the agrarian character of the village, although larger, suburban style boundary treatments are in evidence.
- 3.3 The existing boundary treatment to the eastern side of the site is largely formed by a 1.5m (approx.) high wall constructed of stone set in loose, irregular courses. The wall is topped with vertical stones to give a castellated effect. A section of the boundary wall has been demolished to allow construction access for the extension. Other sections of the boundary are formed by fencing and established vegetation softens both the wall and the fence.

4.0 RELEVANT PLANNING HISTORY:

31/2/97/FU	Part two storey and part first floor side extension with new dormer windows Approved
31/148/04/FU	Two storey side extension with balcony to front Refused
31/281/04/FU	Part two storey part single storey side extension with balcony to side of first floor Approved
09/01910/FU	Part single storey and part two storey side, front and rear extension with balcony over part, dormer windows to side and rear of extension, and new raised terrace area to front Approved

12/02122/FU Two storey extension to front, side and rear with balconies to side, new entrance porch to front, raised terrace to rear and replacement bay window to side
Withdrawn

12/04456/FU Two storey extension to front, side and rear including dormer with juliet balcony to side and dormer to rear; raised terrace with balustrading above to front and new bay window to other side
Approved (panel)

5.0 HISTORY OF NEGOTIATIONS:

5.1 The plans have been revised during the course of the application to reduce the height of the wall so that all sections are 1.6m in height.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised neighbour notification letter, site notice and newspaper advert.

6.2 Councillor Rachael Procter raises concern regarding the impact of the new wall upon the streetscene and conservation area.

7.0 CONSULTATIONS RESPONSES:

7.1 PROW express no objection to the proposal.

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006).

Local Planning Policy

8.2 The Leeds Unitary Development Plan (Review 2006) is the development plan for the whole of the Leeds district. Relevant planning policies in the Leeds Unitary Development Plan (Review) 2006 are listed below:

GP5: Development proposals should resolve detailed planning considerations (including access, drainage, contamination, stability, landscaping and design). Proposals should seek to avoid problems of environmental intrusion, loss of amenity, pollution, danger to health or life, and highway congestion, to maximise highway safety, and to promote energy conservation and the prevention of crime. Proposals should have regard to the guidance contained in any framework or planning brief prepared for the site or area.

N19 All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area by ensuring that:

- i. The siting and scale of the building is in harmony with the adjoining buildings and the area as a whole;
- ii. Detailed design of the buildings, including the roofscape is such that the proportions of the parts relate to each other and to adjoining buildings;
- iii. The materials used are appropriate to the environment area and sympathetic to adjoining buildings. Where a local materials policy exists, this should be complied with;
- iv. Careful attention is given to the design and quality of boundary and landscape treatment.

N25: Boundaries of sites should be designed in a positive manner, using walls, hedges, or railings where appropriate to the character of the area. All paving materials should accord with the character of adjacent buildings and surrounding areas.

Householder Design Guide SPD:

- 8.3 Leeds City Council Householder Design Guide was adopted on 1st April 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.

HGD1 All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality/ Particular attention should be paid to:

- i) The roof form and roof line;
- ii) Window detail;
- iii) Architectural features;
- iv) Boundary treatments
- v) Materials;

Emerging Local Development Framework Core Strategy

- 8.4 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 September 2013. As the Council has submitted the Publication Draft Core Strategy for independent 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.

Policy P10: Design

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

Proposals will be supported where they accord with the following key principles:

- (i) The size, scale and layout of the development is appropriate to its location and respects the character and quality of the external spaces and the wider locality;
- (ii) The development protects the visual, residential and general amenity of the area including useable space, privacy, noise, air quality and satisfactory penetration of daylight and sunlight;
- (iii) The development protects and enhance the district's historic assets in particular existing natural site features, historically and locally important buildings, skylines and views;
- (iv) Car parking, cycle, waste and recycling storage are integral to the development;
- (v) The development creates a safe and secure environment that reduce the opportunities for crime without compromising community cohesion;
- (vi) The development is accessible to all users.

National Planning Policy Framework

- 8.5 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design. In respect of heritage local planning authorities are encouraged to sustain and enhance the historic environment.

9.0 MAIN ISSUES

- 1) Design and Character
- 2) Highway Safety
- 3) Representations

10.0 APPRAISAL

Design and Character

- 10.1 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” whilst conservation policies seek to preserve or enhance the character of appearance of the area. Specific to boundary treatments policy N25 notes that boundaries of sites should be designed in a positive manner, using walls, hedges, or railings where appropriate to the character of the area. These policies are elucidated and expanded within the Householder Design Guide.
- 10.2 As noted above the boundary treatments within the area are varied. Post and rail fencing, walls and vegetation are appropriate to the rural character village and

predominantly these forms of boundary treatment enhance the appearance of the conservation area. Hard, taller, more defensive forms of boundary treatment are also in evidence, with these becoming nearly ubiquitous along the stretch of Linton Lane to the north of the village. The side boundary of the application property is currently formed by walling, hedging and a small section of fencing. The majority of the wall is low in height and is augmented by planting above the wall which helps to soften its appearance. The proposed new wall would be to the same height as the existing (1.5m) and a landscape scheme would ensure that some degree of verdure is retained. The new sections of wall are to rebuild that demolished for construction access and also to replace the existing fence. The scheme would therefore unify the boundary and preserve the character of the area.

- 10.3 It should be noted that at 1.5m in height the wall is taller than would normally be expected to a front boundary, and such walls can lead to concerns regarding overly oppressive and defensive forms of enclosure. However, in this instance the irregular coursing of the existing wall and the use of natural stone helps to prevent the boundary having an overly suburban and defensive appearance and the soft vegetation which grows behind and over the wall helps to soften its appearance. As such conditions will be imposed which seek a sample panel of stonework, a dark stain colour to the gate and a detailed landscaping scheme. As such the development is considered to be acceptable in respect of design and character.

Highway Safety

- 10.4 In order to be considered acceptable in respect of highway safety development proposals must not impede the free and safe passage of cars and pedestrians. The proposed works do not materially change the existing access arrangements and visibility at the access. The gates to the driveway are shown to be in the same position as the existing gates and are set back within the site by approximately 4.5m. As such there is space for a car to pull off the highway and leave the majority of the carriageway clear. Accordingly no technical highway objections are raised to the development.

Representations

- 10.4 All material planning considerations raised through representations have been discussed above.

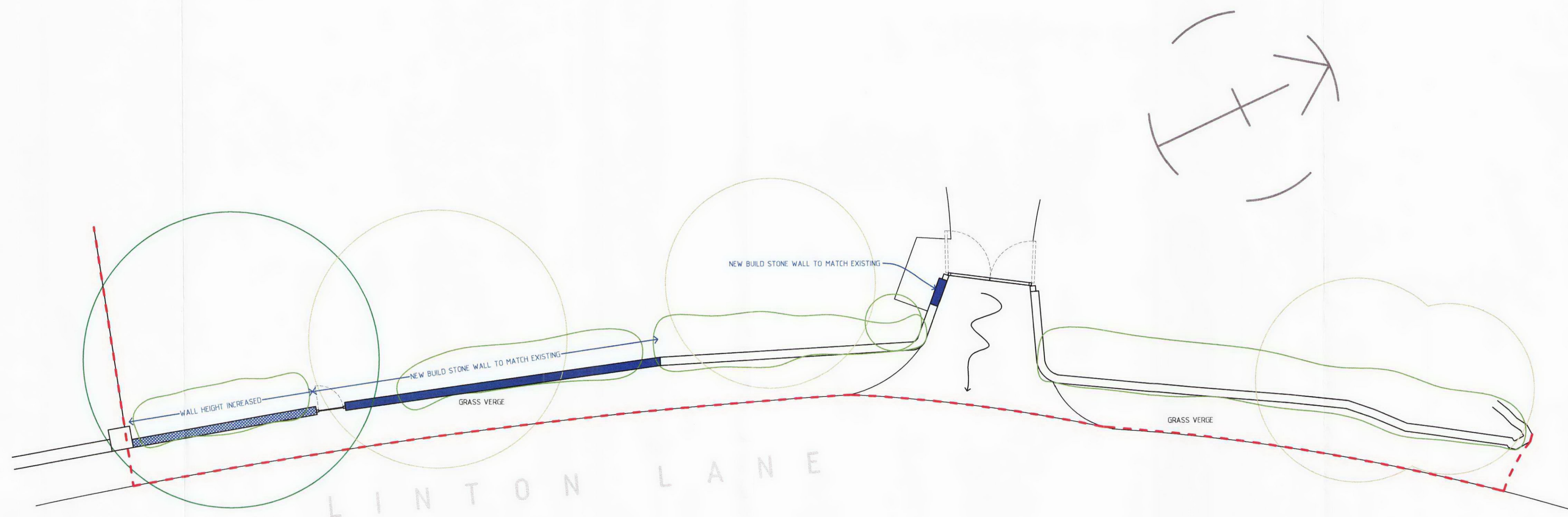
11.0 CONCLUSION

- 11.1 The application is therefore considered to be acceptable. The application is considered to be in sympathy with its surroundings and will not have a harmful impact upon highway safety. As such the development is compliant with the relevant policies and guidance and approval is recommended.

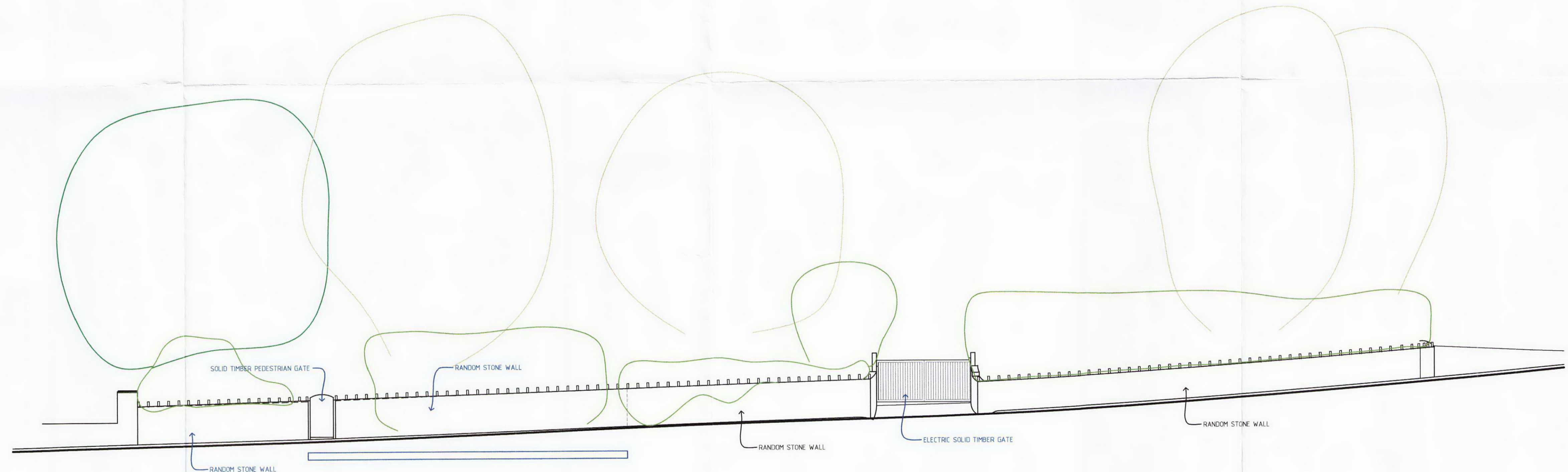
Background Papers:

Application files 13/03029/FU
Certificate of ownership: Certificate A signed by agent

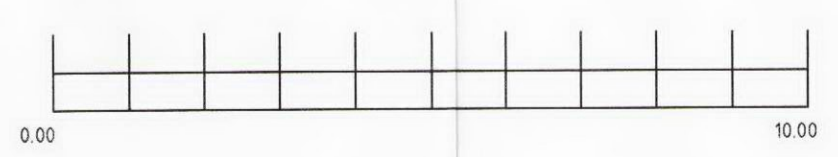
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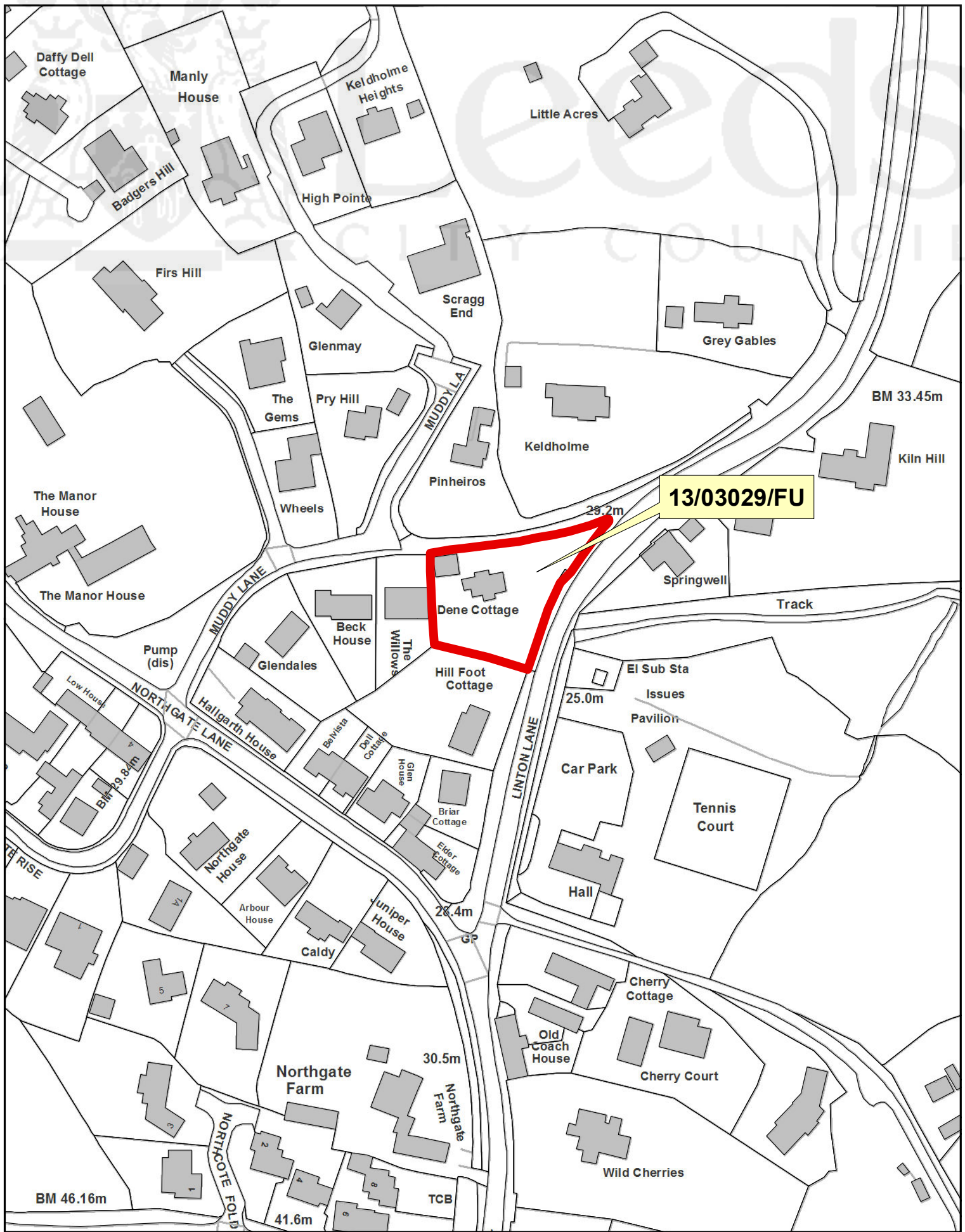
PLAN



BOUNDARY ELEVATION - LINTON LANE



NOTES.
TREES HAVE NOT BEEN SURVEYED. SIZE AND SHAPE APPROXIMATE.



NORTH AND EAST PLANS PANEL

