



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 20th February 2014

Subject: 13/02352/FU - First Floor Extension to side at 10 Shadwell Park, Court, Shadwell, Leeds, LS17

APPLICANT

Mr R Lill

DATE VALID

17 May 2013

TARGET DATE

12 July 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: REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASON:

1 The Local Planning Authority consider that the proposed extension, owing to its overall width, lack of set back from the front elevation and lack of set down from the main ridgeline would result in an incongruous form of development which would fail to be subservient to the existing dwelling, would be harmful within the streetscene and detrimental to the character of the area, including the spatial separation of other dwellings in the locality. As such, the development is contrary to Policies GP5 and BD6 of the Council's Unitary Development Plan (Review 2006) and to Policy HDG1 of the SPD Householder Design Guide and to design advice contained within the NPPF.

1.0 INTRODUCTION

1.1 This application is brought to Plans Panel at the request of Councillor Rachael Procter.

2.0 PROPOSAL

2.1 The proposal seeks to extend the property over an existing garage being flush with the front elevation of the property and set one metre in from the common boundary with the neighbour at number 12 Shadwell Park Court. The extension has a 0.5

metre set in from the rear elevation and is finished off with a full hipped roof that ties in with the existing roof at its apex thus **not** providing a step down in ridge level.

3.0 SITE AND SURROUNDINGS:

3.1 The site is located in an area that is wholly residential being characterised by large detached dwellings in reasonable sized plots. Many of the dwellings have a distinctive “L” shape to them, however there are one or two examples of “flat faced” dwellings in the street that help break up the potential monotony of the dominant design. The application site is one such example. The road falls from the north to the south so that dwellings are lower than their immediate joining neighbour giving a fairly “staggered” effect to the street scene generally.

4.0 RELEVANT PLANNING HISTORY:

4.1 None

5.0 HISTORY OF NEGOTIATIONS:

5.1 There are no negotiations prior to the submission of this application for planning permission.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by means of individual letters to occupiers of surrounding properties and the posting of a site notice in the vicinity of the application site. Time for comment to this publicity expired on 21 June 2013. No comments were received at that time however more recently three letters of support have been received from nearby neighbours. Two of the letters support the design as currently submitted in general terms and the other letter emanating from the neighbouring property at number 12 suggest that if any alterations were made which resulted in the rear extending further back that is presently proposed, it would adversely affect their privacy. They therefore support the extension as presently submitted.

7.0 CONSULTATIONS RESPONSES:

7.1 No consultations have been undertaken as a result of this proposal's submission.

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) and the Natural Resources and Waste Development Plan Document (2013), supplemented by supplementary planning guidance and documents.

8.2 Local Planning Policy

8.3 Relevant planning policies in the Leeds Unitary Development Plan (Review 2006) are listed below:

- Policy GP5 - refers to development proposals should seek to avoid loss of amenity.
- Policy BD6 – refers to the scale, form and detailing of extensions.
- Policy N12 – refers to urban design

Supplementary Planning Guidance/Documents

- 8.4 The Householder Design Guide was adopted in April 2012, Inter alia, guide and advise on issues of good design in relation to domestic extensions. Of that policy document policies HDG1 is considered relevant;

HDG1 States:

All extensions, additions and alterations 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 detail;
- iv) boundary treatments and;
- v) materials

Extensions or alterations which harm the character and appearance of the main dwelling or locality will be resisted.

HDG2 States:

All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

Emerging Local Development Framework Core Strategy

- 8.5 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.

- 8.6 The Core Strategy has been the subject of independent examination (October 2013) and its policies attract some weight, albeit limited by the fact that the policies have been objected to and the Inspector's Report has yet to be received (currently anticipated in Spring 2014).

8.7 National Planning Policy Framework

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.

9.0 MAIN ISSUES

- 9.1 The Main issues relating to this proposal are:
Neighbours Amenity
Impact in the Streetscene

10.0 APPRAISAL

Neighbours Amenity:

- 10.1 This falls broadly into three categories:
- Overshadowing
 - Over dominance and
 - Overlooking.

The location of the proposed extension is such that it has no direct relationship to any other property on Shadwell Park Court other than number 12.

Overshadowing:

- 10.2 The application site lies due north of the neighbour at number 12 Shadwell Park Court. The proposed extension lies between the existing side elevation of the application site's original dwelling and the side elevation of number 12. There is no rearward projection of the proposed first floor extension and therefore there is no overshadowing that will take place of the neighbour directly related to the proposal.

Over Dominance:

- 10.3 The rear part of the proposed side extension will be visible from the rear garden of the neighbour at number 12 Shadwell Park Court and a gap that exists currently between the properties will be 'filled-in' should an extension be allowed. However the views are all from a reasonable distance and the relationship will be no worse than many of the relationships that already exist between other properties in Shadwell Park Court. It is therefore considered that there will be no impact on the amenity of occupiers of number 12 Shadwell Park Court as a result of over dominance.

Overlooking:

- 10.4 The proposal shows two windows inserted in the rear elevation facing westwards, directly overlooking the rear garden space of the application site. The proposed windows are shown to serve an en-suite and a small 'corridor' separating the en suite from a walking wardrobe. The main part of the bedroom is served by the front facing window which will face eastwards. The relationship of these windows to the common boundary with number 12 Shadwell Park Court will not result in overlooking any worse than many situations where such a relationship exists, say in the case of a pair of semi-detached houses and due to the location of those windows, been set away from that common boundary on the rear elevation, the potential for overlooking and or the increased perception of being overlooked by occupiers of number 12 are further reduced.
- 10.5 In discussions with the applicants relating to the suggested amendments discussed in more detail below, it has also been suggested that the whole extension could be shifted rearwards to be flush with the rear elevation of the main dwelling with no harm caused to the potential of overlooking and loss of privacy to occupiers at number 12 Shadwell Park Court.

Impact in the Streetscene:

- 10.6 The Householder Design Guide seeks to ensure that extensions to residential properties are designed appropriately. This involves a few basic principles applicable to first floor extensions which include:
- The set back of the front elevation of the extension by two metres from the front elevation of the main dwelling.
 - The setting in of one metre of the side elevation from the boundary of the site (this is particularly important at first floor level where the proposed extension will be more visible in the street scene generally).
 - A general requirement that extensions do not extend more than two thirds of the width of the original dwelling. (In this case this would result in a setting in of 1.5 to 2.0 metres from the common boundary of the side elevation of the proposed extension.

- 10.7 The recesses of front and side walls will by definition reduce the height of the roof line so that the size and therefore the bulk and massing of the new roof is reduced by a proportionate amount from the ridge of the roof of the original house and together these dimensions will give a proportionate appearance to any side extension particularly at first floor level. The result is twofold. The side extension will prevent the potential for a terracing effect where there is a danger of this occurring and secondly it is considered good design to render an extension as subordinate features rather than making them equal or dominant elements in the streetscene.
- 10.8 In this case due to the size and nature of the dwellings on Shadwell Park Court, the result of not implementing the reduction to the front and size will not result in a terracing effect. Number 12 Shadwell Park Court is set significantly lower than number 10 with the eaves of that property not being much higher than the guttering and eaves of the single storey garage at the application site. Instead the concern of the proposed 'in filling' of the frontage at almost full width at number 10 Shadwell Park Court relates to the impact that such an extension will have on the streetscene.
- 10.9 The main house is 7.25 metres wide. The garage attached to it is some 6.5 metres wide. As currently submitted the proposed first floor extension is some 5.5 metres wide. The first floor extension therefore represents a 75% increase in bulk and massing of the frontage of the house as presented to the street scene. Other dwellings in the street are predominantly "L" shaped in their foot print. This helps to break up the massing of the dwellings in presenting only a part of the width of the dwelling to the frontage and they exist as an integral original design set within their plots. It is considered in this instance that a set in from the common boundary of between 1.5 - 2 metres is necessary to prevent the visual dominance of the extension over the original dwelling. Not only will the bulk and massing of the extension itself be reduced by this amount of 'set-in' from the boundary, but a corresponding reduction in the amount of roof created will result, further reducing the impact of the overall proposal to an acceptable level.
- 10.10 In summary, the proposed extension is contrary to the House Holder Design Guide due to its overall width, which would be flush with the main front wall of the house, and the lack of set down from the main ridgeline. It would erode the gap between the adjacent dwelling and would fail to be subservient to the house, harming the character of the streetscene as a whole.

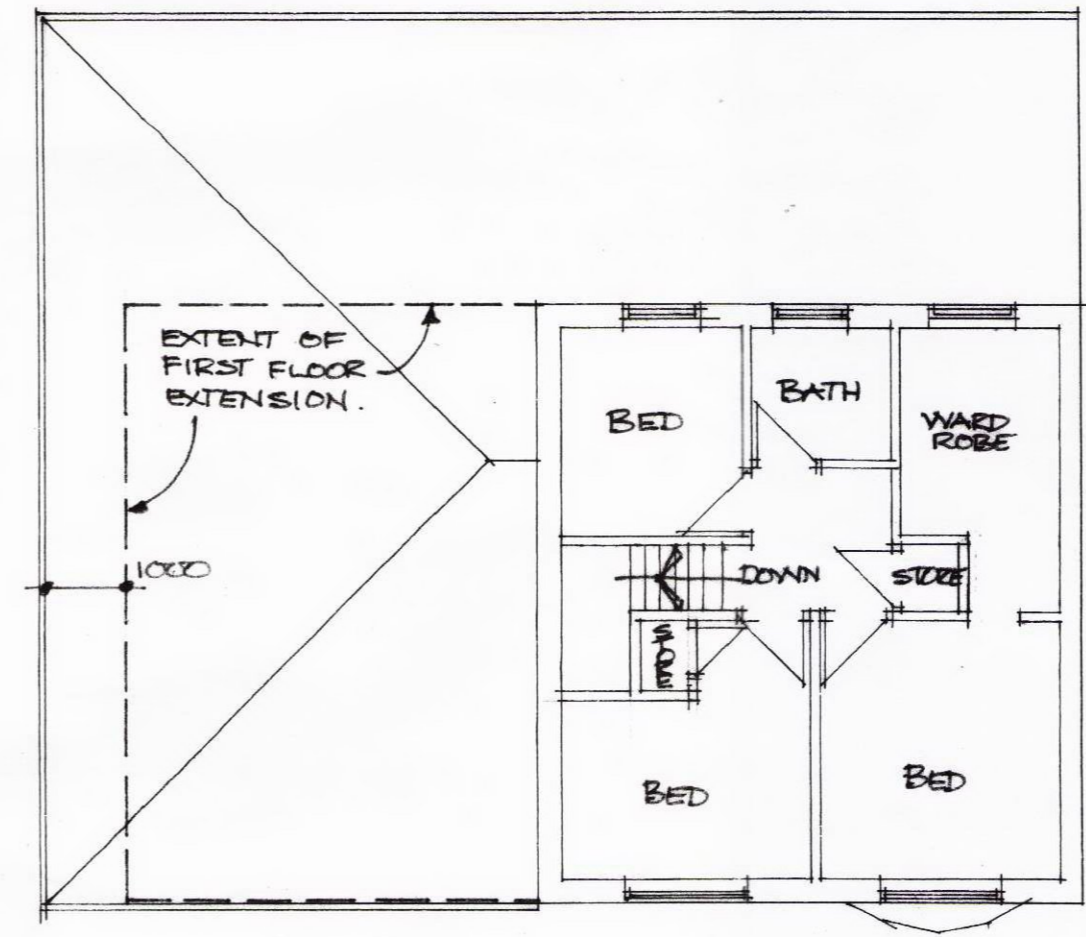
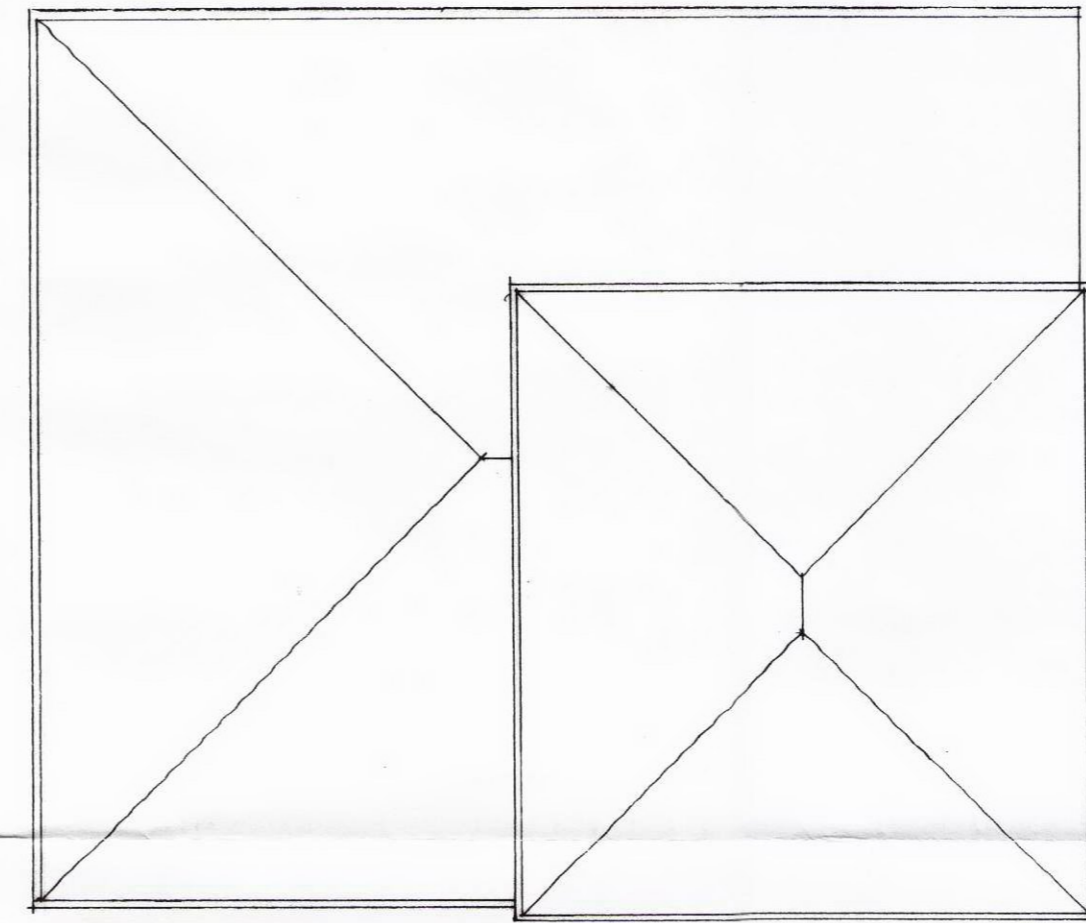
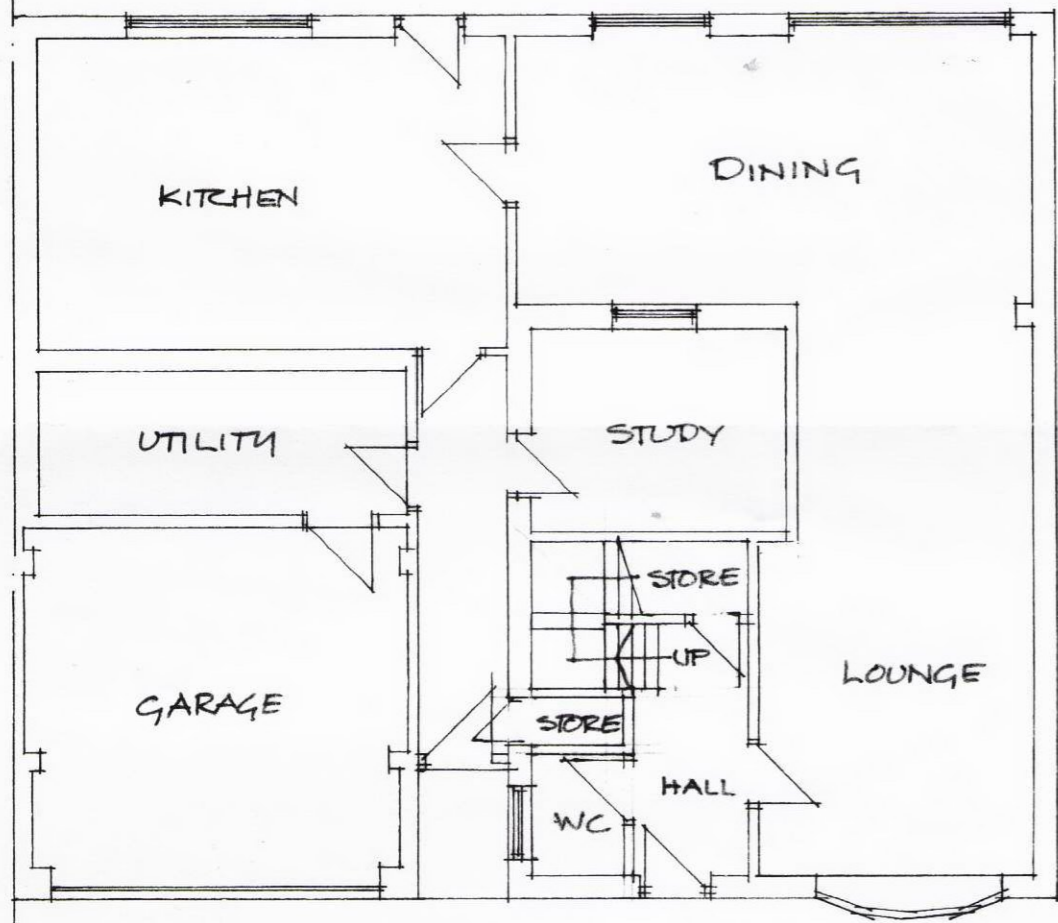
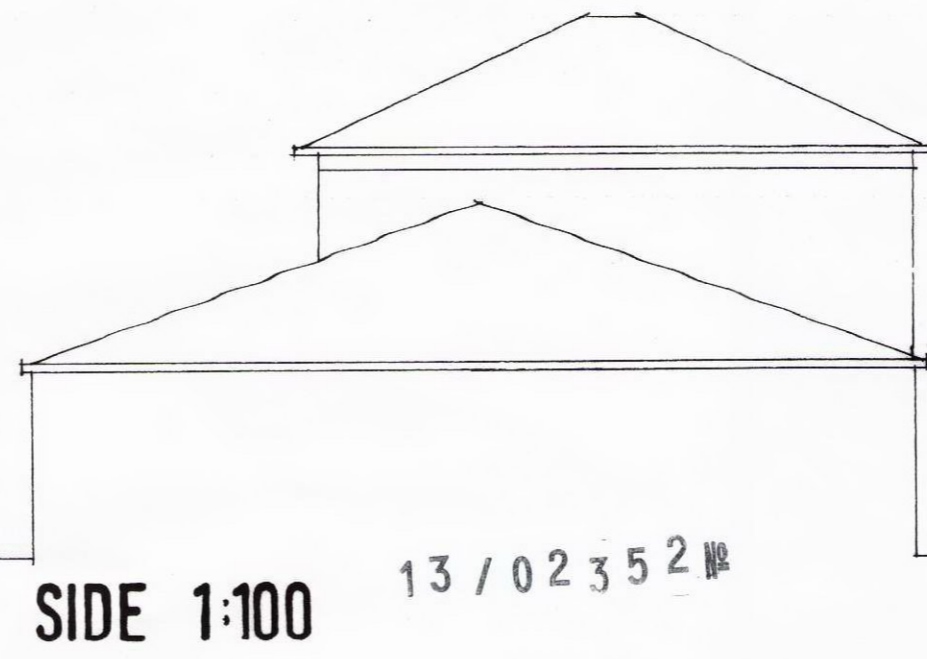
11.0 CONCLUSION

It is concluded that given the bulk and mass of the proposed first floor extension, the lack of set back from the front elevation, the inadequate set-in from the side (common) boundary with the neighbouring property and lack of set down from the ridgeline that the proposal is unacceptable and does not meet the requirements adopted planning policies. It is therefore recommended that the proposal be refused for the reason given.

Background Papers:

Application files: 13/02352/FU

Certificate of ownership: Signed by Applicant as sole owner (Mr R Lill)

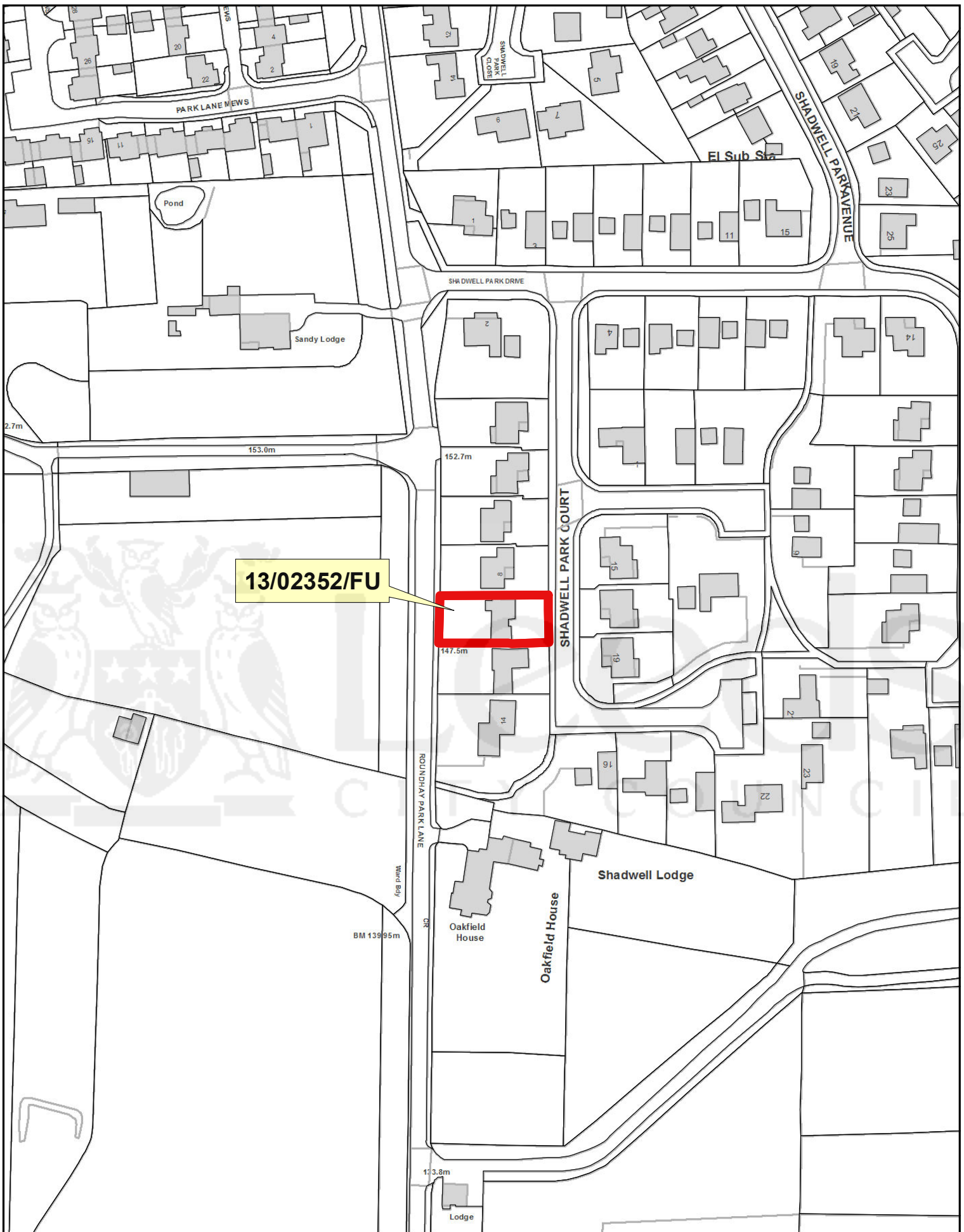


12/10 10/8

SITE PLAN 1:100



FIRST FLOOR EXTENSION TO SIDE OF
10 SHADWELL PARK COURT SHADWELL
EXISTING DETAILS SPC/01



13/02352/FU

NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

