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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 20<sup>th</sup> February 2014**

**Subject: 14/00457/FU – Single storey side/rear extension at 477 Leeds Road, Scholes, LS15 4DA**

	<b>DATE VALID</b>	<b>TARGET DATE</b>
<b>APPLICANT</b> Mr Stephen McArthur	27 <sup>th</sup> January 2014	24 <sup>th</sup> March 2014

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**Electoral Wards Affected:**

**Harewood**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: DEFER AND DELEGATE approval to the Chief Planning Officer subject to the expiry of the publicity period and no objections being received that raise significant new planning issues and with the following conditions:**

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Materials to match;
4. No insertion of side windows;
5. Provision of adequate off-street parking;
6. PD restriction – extensions, roof alterations and outbuildings.

**1.0 INTRODUCTION**

1.1 This application seeks permission to construct a wrap-around single storey side and rear extension and a porch to front.

1.2 The application is brought to Panel as the applicant is a Council Officer who works closely with Development Management officers and is involved in administering Panel meetings. Members should note that the publicity period for the application has not yet expired however in order to ensure the decision is issued in time the scheme has been brought to this Plans Panel.

## **2.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a semi-detached dwelling located within a ribbon of development to the west of Scholes village. The property is constructed of brick with a hipped, tiled roof and its front elevation is augmented by a two storey chamfered bay window. The surrounding houses are of a similar size and scale and each pair of dwellings is separated by domestic driveways which produces a degree of architectural and spatial consistency. Some properties within the area have been extended and attached side garages are present at both 473 and 475. A two storey side extension is present at 481 Leeds Road.
- 3.2 Parking is located to the side of the property where a domestic driveway allows two cars to be parked in tandem. The main amenity space is set to the rear where a domestic garden is enclosed by a mix of fencing and vegetation. A small single storey extension is present to the rear of the dwelling. A similar extension is also present to the rear of the attached neighbour.
- 3.3 The property is located outside the village envelope of Scholes and within the Green Belt. Open agricultural land lies to the front and rear.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 None

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Informal pre-application discussions have been held with officers prior to the submission of an application. Officers were of the view that single storey extensions were likely to be acceptable subject to impact upon neighbours and design. A two storey front extension would raise concerns.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been advertised by neighbour notification letters sent on 4 February 2014 and site notice posted on 14 February 2014.
- 6.2 The publicity period for the application has not yet expired (it expires on 7 March 2014, but to date no representations have been received).

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 None

## **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).

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: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD6: Seeks to ensure extensions respect the scale and form of the existing dwelling.

N33: Seeks to restrict inappropriate development in the Green Belt.

### **Supplementary Planning Guidance/Documents**

8.3 Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> 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.

HDG1 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.

HDG2 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.

HDG3 All extensions, additions and alterations within the Green Belt should represent limited development and should not harm the character, appearance and openness of the Green Belt. In order to be considered as limited development all existing and proposed extensions should not exceed a thirty percent increase over and above the original house volume. Development proposals which exceed thirty percent or which harm the character, appearance or 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 are demonstrated.

Natural Resources and Waste DPD

### **Emerging Local Development Framework Core Strategy**

8.4 The Core Strategy was submitted to the Secretary of State for Communities and Local Government on 23rd April 2013. The Secretary of State appointed a Planning Inspector to conduct the examination of the plan, which commenced on 7th October and ended on 23rd October. The Inspector's report is awaited. At this stage the only issues which the Inspector has raised concerning the soundness of the plan relate to the affordable housing policy and the Council's evidence on

Gypsies and Travellers. As 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).

### National Planning Policy

- 8.5 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.6 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.

## **9.0 MAIN ISSUES**

- 1) Green Belt
- 2) Design and Character
- 3) Neighbour Amenity
- 4) Highway Safety

## **10.0 APPRAISAL**

### Green Belt

- 10.1 Paragraph 89 of the NPPF notes that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The NPPF also states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 10.2 This advice is replicated in Policy N33 of the UDPR which notes that approval will only be given for limited extension, alteration or replacement of existing dwellings. This represents the wording of the superseded PPG2, however the difference between 'limited extension' and 'not...disproportionate' is semantic only and both documents clearly seek to restrict inappropriate development within the Green Belt. The NPPF and UDP provide no guidance on how to interpret what constitutes disproportionate or limited extensions, however the adopted Householder Design Guide notes that approximately a thirty percent increase over and above the volume of the original building is considered to be a reasonable interpretation of limited extension (HDG3). In order to be considered acceptable development within the Green Belt, extensions should not only be limited but should not harm the openness of the Green Belt. Development proposals which are disproportionate 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 are demonstrated.

- 10.3 The extensions which are proposed are considered to comply with the aims and intentions of Green Belt policy. The extensions comprise a single storey wrap-around extension to the side and rear and a porch to front. As noted above the authority use a volume assessment as a starting point when considering applications in the Green Belt. Volume calculations which have been undertaken suggest that the extensions proposed amount to just over a fifty percent increase on the original house. Whilst this figure is more than the suggested thirty percent threshold within the Householder Design Guide, the document makes it clear that this figure is not definitive. There will be circumstances where development beneath this threshold is harmful and, as in this case, development over the threshold which is not considered harmful.
- 10.4 The test outlined within the NPPF is whether the extensions would be disproportionate to the original building. The additions which are proposed are very modest structures which relate well to the existing building and which are similar in size and scale to other development within neighbouring sites. There has also been a recently allowed appeal for a similar form of development at 497 Leeds Road in which the Inspector concluded that extensions of this size and scaled were not harmful to the Green Belt. Ultimately a single storey extension to the side and rear of a two storey dwelling set within a ribbon of suburban style residential development is not considered to be disproportionate as outlined within the NPPF and the Householder Design Guide. The extensions are also not considered to harm openness, nor the character and appearance of the Green Belt, as they are modest in size and scale and are located within the existing pattern of development and do not project out into existing open areas. It is also worth noting that the bulk of the extensions could be built under permitted development and it is only the wrap-around element which means planning permission is required. Granting planning permission would also allow the authority to restrict the right to construct additional forms of development such as roof alterations and outbuildings which could have a greater impact upon the openness and character of the Green Belt.
- 10.5 As such, subject to a condition removing Permitted Development rights for classes A, B and E the application is considered acceptable in this regard.

#### 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”. These policies are elucidated and expanded within the Householder Design Guide.
- 10.7 The extensions which are proposed adequately complement the existing dwelling. They have a simple shape and form and their size and scale reflect the existing dwelling and the pattern of surrounding development. As such, subject to a condition to match the materials of the existing house, no harm is anticipated to the dwelling nor the streetscene.

#### Neighbour Amenity

- 10.8 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 with be strongly resisted”.

The proposal raises no significant concerns in respect of the impact upon neighbours. The extensions are modest in size and scale with the rear extension projects approximately 3.0m from the rear wall of the dwelling. This distance is considered reasonable and is advised within the Householder Design Guide. Although this will have some impact upon both immediate neighbours in respect of dominance and overshadowing the impact will not be unduly harmful nor unreasonable.

The proposed rear windows will allow oblique views toward neighbouring gardens, however these are not uncommon within residential contexts and are similar to the views currently afforded from the existing dwelling. A condition will be imposed preventing the insertion of side windows to protect the amenity of immediate neighbours.

#### Highway Safety

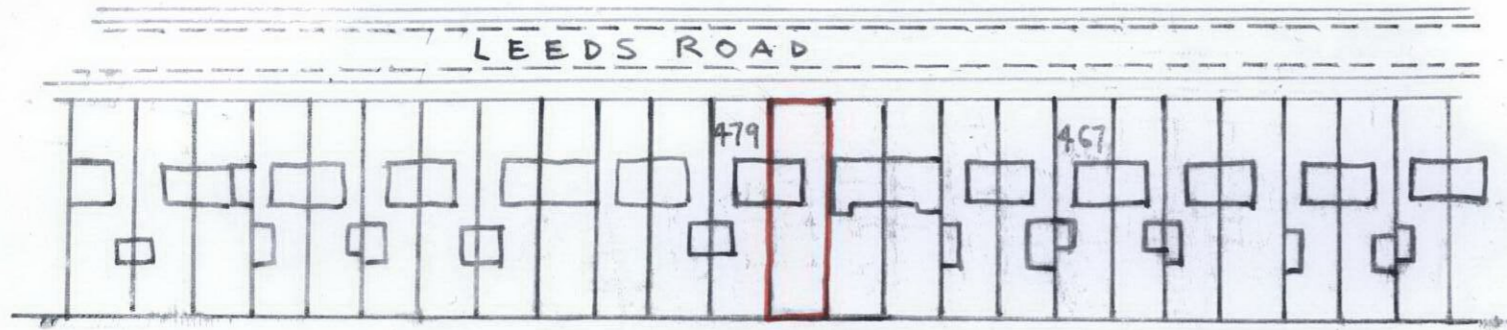
- 10.9 Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including highway safety”. In order to be considered acceptable in respect of highway safety development proposals must not prevent two cars parking within the curtilage of a dwelling. The works which are proposed build over part of the existing driveway and remove one of the available off-street car parking spaces. There is sufficient space to the front of the dwelling to accommodate two vehicles and thus a condition will be imposed to ensure that an additional space is provided prior to the commencement of development. As such the application is considered acceptable in this regard.

### **11.0 CONCLUSION**

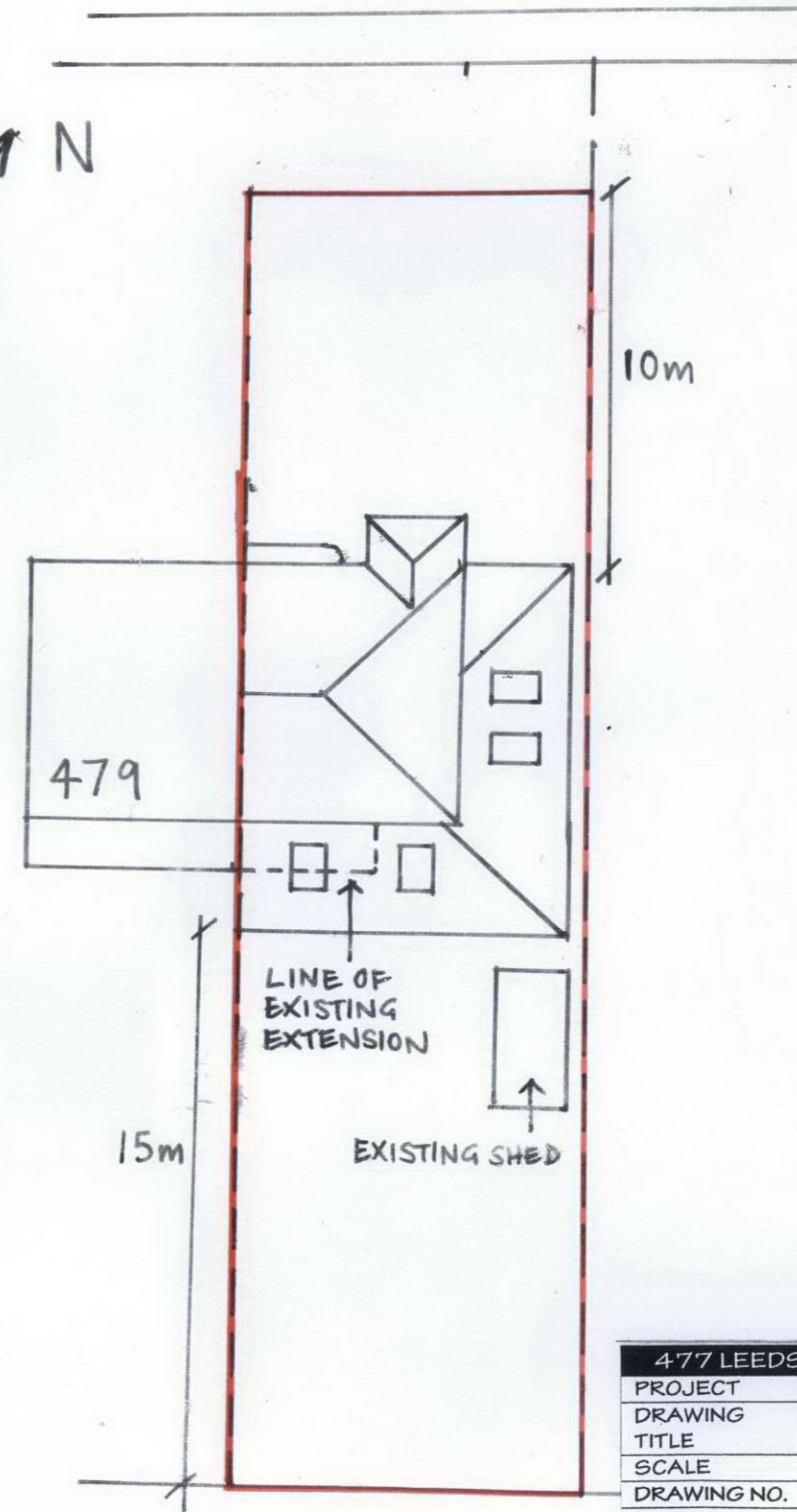
- 11.1 The application is therefore considered to be acceptable. The extensions are not considered inappropriate development within the Green Belt, and would not harm design and character, neighbour amenity nor highway safety. As such the application is compliant with the relevant policies and guidance and approval is recommended.

#### **Background Papers:**

Application files	14/00457/FU Certificate of ownership: Certificate B signed by applicant (Notice served on P Holmes & J Grainger)
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LOCATION PLAN 1:1250

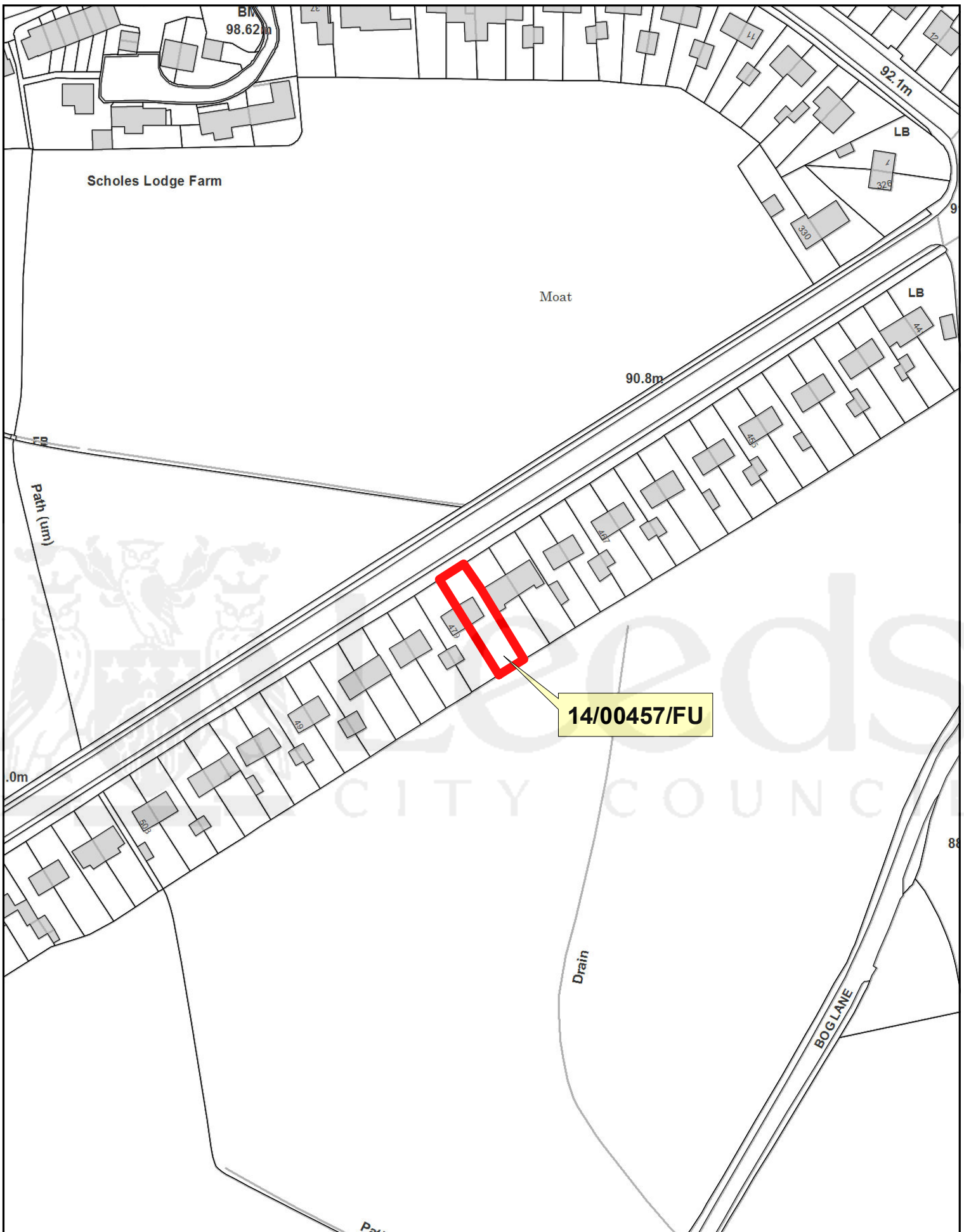


477 LEEDS ROAD, SCHOLLS, LS15 4DA	
PROJECT	MR S McARTHUR
DRAWING TITLE	LOCATION PLAN & BLOCK PLAN
SCALE	1:1250 & 1:200 @A3
DRAWING NO.	477-01 REV -
DATE	JAN 2014

PROPOSED BLOCK PLAN 1:200







# NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

