



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 17th April 2014

Subject: 13/01017/FU – New roof to existing garage to side/rear and enlarged canopy, to front; retrospective application for outbuildings to rear, enlarged dormer to front and new window to side at

Woodthorpe, St. Johns Avenue, Thorner, Leeds, LS14 3BZ

APPLICANT

Mr Peter Armstrong

DATE VALID

20th February 2014

TARGET DATE

17th April 2014

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 specified conditions.

Conditions

1. Time limit;
2. Plans to be approved;
3. Fence to be retained.

1.0 INTRODUCTION

- 1.1 This application seeks permission to add pitched roof to an existing garage and to construct an enlarged canopy to the front of the house.
- 1.2 Other works have been carried out at the property, including a two storey and single storey rear extension which was approved in 2013 and a hip to gable conversion which was permitted development. Other works have also been carried out and

retrospective permission is sought for the erection of outbuildings to the rear, an enlarged dormer to the front and the insertion of a window to the side.

- 1.3 The application is brought to Panel at the request of Councillor Anne Castle due concerns regarding the unauthorised works to the dormer and the removal of a hedge to the front of the dwelling.

2.0 PROPOSAL:

- 2.1 Permission is sought to add a pitched roof to an existing garage to the side/rear and to enlarge a canopy to the front. The new pitched roof will have an asymmetrical pitch and will be 2.5m high at its apex; the enlarged canopy will be added over the entrance door, with its width increased from 2.5m to 3.6m.

- 2.2 The applicant also seeks retrospective permission for the erection of outbuildings to the rear and works to the dormer to the front. The outbuildings to the rear comprise a long, wooden structure which includes a bin store, log store, garden stores, a garden room and a tractor store and then a separate, octagonal timber greenhouse. The large outbuilding measures 14.6m in length, 2.6m in width and its asymmetrical roof is 2.1m to eaves and 2.5m to ridge. This lies against the boundary with the public footpath. The octagonal greenhouse lies adjacent to the boundary with the attached neighbour and measures approximately 2.5m in width/depth and 1.9m to eaves and 2.6m to ridge. The existing front dormer of the dwelling has also been rebuilt with the structure being 15cm higher as a result and a window has been inserted in the side gable of the dwelling.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a semi-detached brick built dwelling with render to its upper portion and a red, concrete tiled roof which was originally hipped and is now gabled. The property is an historic Arts and Crafts dwelling and includes a flat roof front dormer and a transverse front gable. The dormer spans across the semi-detached pair with the gables flanking the dormer. Additional single storey structures are located to the rear where a lean-to, brick addition stretches into the back garden. A similar structure lies within the neighbouring site and together the two halves form a gabled addition. The application property has also added a part two storey part single storey rear extension which was granted permission in 2013.
- 3.2 The property lies to the south of Thorner village within a residential cul-de-sac which includes properties from throughout the twentieth century. Large, ornate Arts and Crafts properties lie to the opposite side of the street and are included within the conservation area. The later twentieth century properties and also the application property do not lie within the conservation area. St John's Avenue does not have a common architectural character but the road is wide, houses are set back from the highway edge behind open front garden and space is retained around the houses. This gives the street a soft, open, semi-rural character which is augmented by the open Green Belt land to the south and west.
- 3.3 The main amenity space lies to the rear where a domestic garden is enclosed by a mix of fencing and vegetation. A public footpath runs along the west side of the plot which gives access to the fields beyond.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/01357/FU Two storey and single storey rear extension; single storey rear extension; gable extension to roof (Permitted Development); and porch to front
Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 As initially submitted the application included a proposal to add 1.6m railings to the front boundary and add a fence to the side boundary. An amended access point and additional hard-standing to the front was also indicated on the plans. The front boundary wall and railings were removed from the application at the request of officers as they were considered to be out of keeping with the semi-rural character of the street. The applicant has also decided to keep the existing boundary treatment to the side rather than replace the hedging. These elements have therefore been removed from the application.
- 5.2 Further information has been received about the hard-standing to the front that shows it will drain to soakaways in the form of beds to the front of the site. As such these works and the amended access point have been removed from the application description.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notice and neighbour notification letter.

Thorner Parish Council raise concerns regarding works to the front boundary.

Concerns have been raised by the occupants of Red Croft, The Timbered House, Stacks House and Sandy Mount. These concerns centre around the increased height of the dormer, works to the front boundary, the potential loss of hedging and the new access point.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Statutory and Non- Statutory Consultees

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) and the Natural Resources and Waste Development Plan Document (2013).

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.

BD6: All alterations and extensions should respect the scale, form, detailing

N19: Development within or adjacent to a conservation area should preserve or enhance the character of appearance of the area.

8.3 **Supplementary Planning Guidance/Documents**

Street Design Guide Supplementary Planning Document (Main Report) was adopted in August 2009 and includes guidance relating to highway safety and design.

8.4 **Emerging Local Development Framework Core Strategy**

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 significant 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 ISSUE**

- 1) Design and Character/Conservation Area
- 2) Neighbour Amenities
- 3) Representations

10.0 **APPRAISAL**

Design and Character/Conservation Area

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 whilst Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. Conservation policies (N19) seek to ensure that new development preserves or enhances the character and appearance of the area. This advice is elucidated and expanded within the Householder Design Guide.

- 10.2 When considering the impact of the development upon the character and appearance of the application property and the wider conservation area the works can be split into two separate areas; the works to the side/rear of the dwelling which include the garage and the outbuildings, and those to the front which include the dormer and the permitted development works to the access and garden. The works to the garage and the outbuildings within the rear garden do not raise any concern regarding the character of the dwelling or the wider area. Although the timber shed is a very large building, this is set within a large garden and it does not appear out of scale or overdominate its context. The presence of a garage, a greenhouse and a large shed within a domestic context is not unusual nor harmful. The addition of a further windows within the gable also does not harm the character or appearance of the house or the wider area.
- 10.3 The works to the front of the house are those which are causing concern to the Parish Council and local residents. The alterations to the access, the works to the front garden and the works to the front boundary do not require planning permission and as such will not be discussed further. The only works which do require planning permission are the enlarged canopy and the retrospective works to the front dormer. The enlarged canopy does not raise concern as this is a modest structure which relates well to the character of the dwelling and will not appear out of keeping with the wider streetscene.
- 10.4 The changes to the small front dormer are also not considered to be harmful. The works which have been carried out mean that the dormer is now approximately 15cm higher than the attached neighbouring dormer, a difference which from ground level is negligible. Furthermore because the dormers are positioned between the two transverse gables the height difference is only visible from directly in front of the property, and from oblique views along the street the dormers are effectively screened. As such, not only is the slight height differential not considered to be harmful but it will not be perceptible from the majority of public points of view. Attention has been drawn to the advice within the Householder Design Guide which notes that dormers should maintain the appearance and symmetry of a house or a semi-detached pair. This advice is largely intended to apply to significant roof alterations (such as large side dormers, or large box dormers) which can severely unbalance the visual symmetry of two houses. Although the increase in height of the dormer has led to a slight difference between the two properties, this difference is very marginal and does not significantly unbalance the pair. This slight visual difference between the two properties is not so significant that harm, sufficient to warrant the refusal of planning permission, has occurred as a result. As such the application is considered acceptable in this regard.

Residential Amenity

- 10.5 Policy GP5 notes that development proposals should resolve detailed planning concerns including amenity and this advice is replicated within policy HDG2 of the Householder Design Guide. The application raises no concerns in respect of the amenity of neighbours. Although the timber shed and the garage constitute a very long span of buildings along the side boundary of the property, these are very low slung structures with an eaves height of approximately 2.0m and lie adjacent to the

public footpath and not a neighbouring garden. The other structure which lies close to a boundary is the greenhouse, which is a modestly sized and largely glazed building. As such harm through overdominance or overshadowing is not expected to occur.

- 10.6 Some additional glazing which faces toward neighbouring sites is included within the application, this is the new side window within the gable and the glazed doors which serve the garden room within the timber outbuilding. The first floor side window serves a staircase area and faces toward the front drive and parking area of the neighbour, and as such harm is not anticipated. The glazing within the garden room faces toward the rear garden of the attached dwelling and is located approximately 8.5m from the boundary, a distance which is less than the 10.5m advised by Neighbourhoods for Living and the Householder Design Guide. However, this said, direct views from the garden room are screened by the existing fence which lies between the two gardens and this will be conditioned to remain.

Representations

- 10.7 All material planning considerations raised through representations have been discussed above. The concerns of the Parish Council and neighbours regarding the potential loss of hedging and alterations to the boundary treatment are noted, however these works are not within the control of the Local Planning Authority.

11.0 CONCLUSION

- 11.1 The application is therefore considered to be acceptable. The works (both prospective and retrospective) do not cause harm to the character and appearance of the application property, the wider streetscene nor the adjacent conservation area, nor will harm be caused to residential amenity. As such the application complies with the aims and intentions of policies GP5, BD6 and N19 of the UDP, policies HDG1 and HDG2 of the Householder Design Guide and advice contained within the National Planning Policy Framework.

Background Papers:

Application files 14/01017/FU
Certificate of ownership: Certificate A signed by agent



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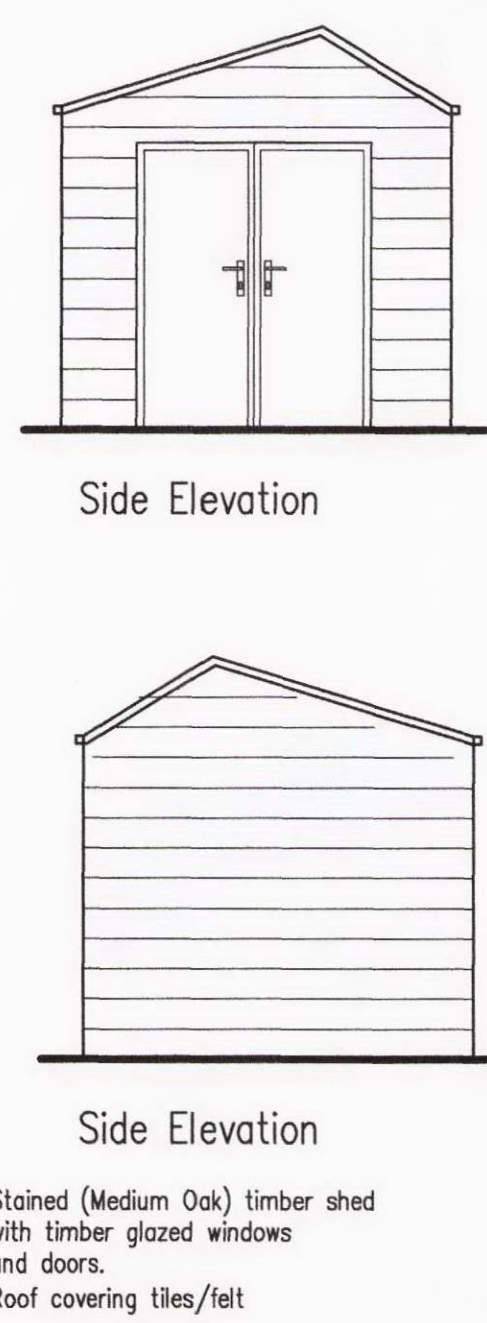
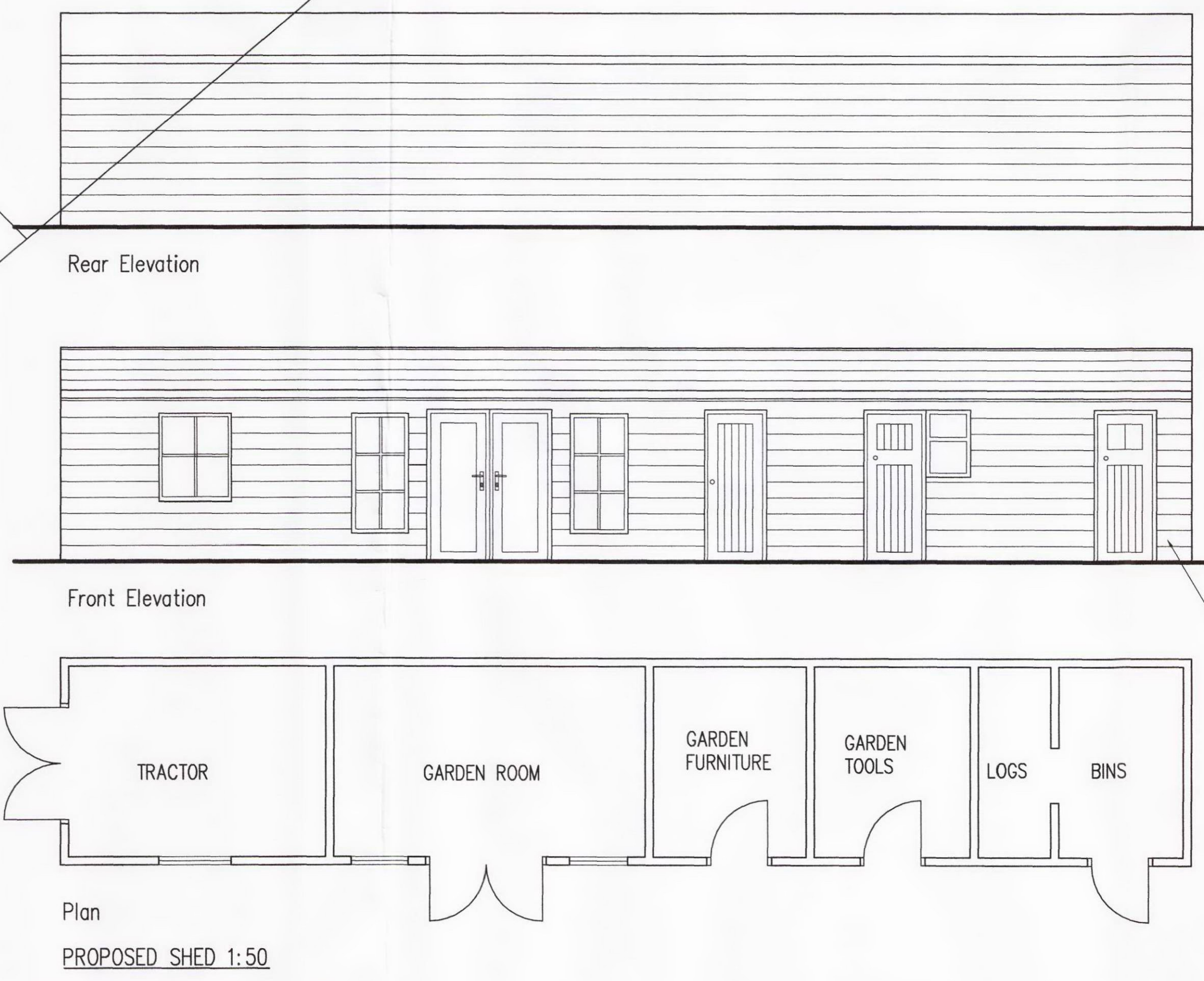
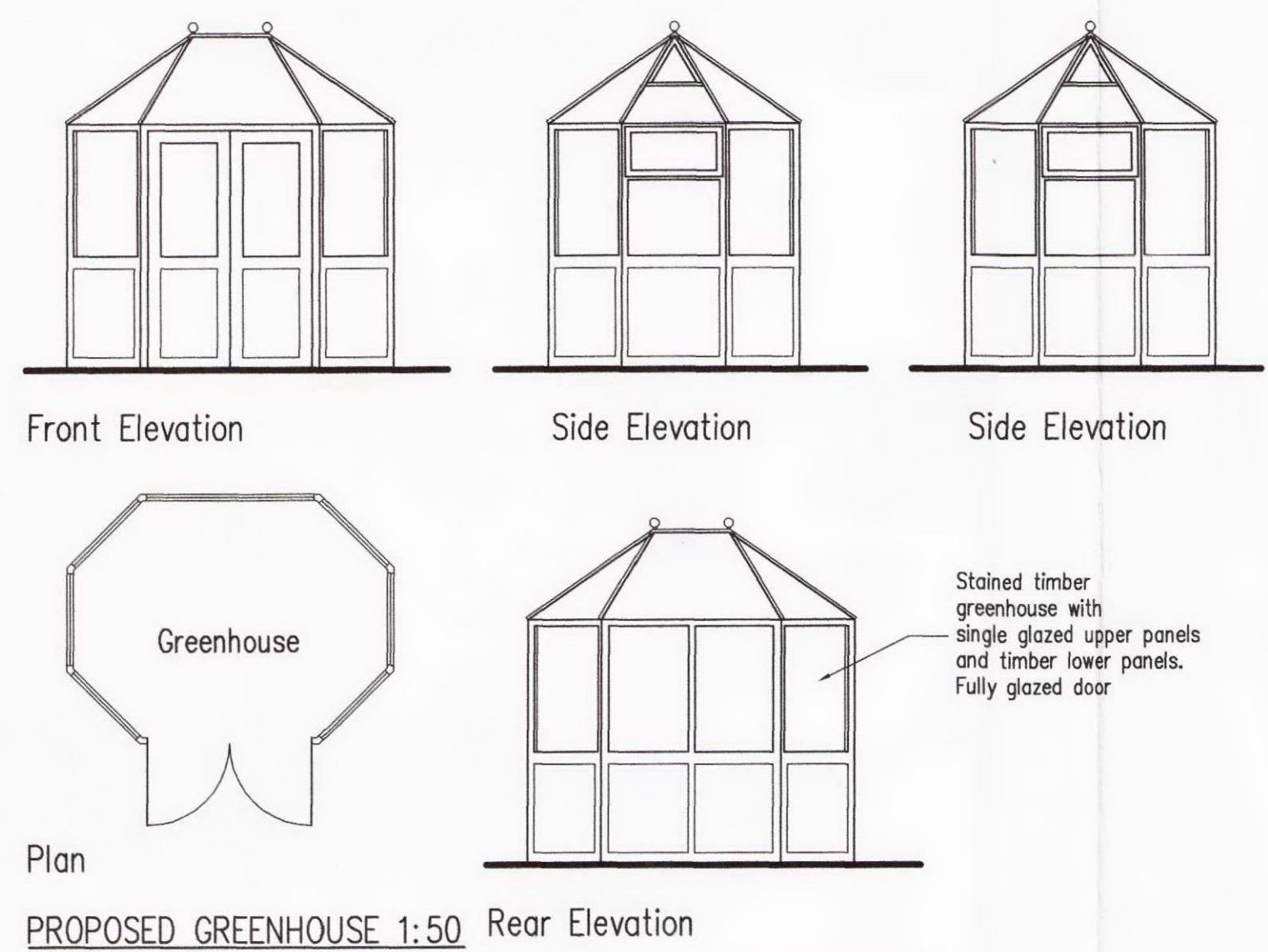
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LEEDS CITY COUNCIL

07 APR 2014

REVISED

SITE PLAN 1:200



Rev B - Side boundary treatment removed - April 2014

Rev A - Boundary treatment to front boundary removed - March 2014

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PROPOSED RETROSPECTIVE GARDEN SHED AND GREENHOUSE TO REAR AT :

**WOODTHORPE
ST JOHN'S AVENUE
THORNER
LEEDS LS14 3BZ**

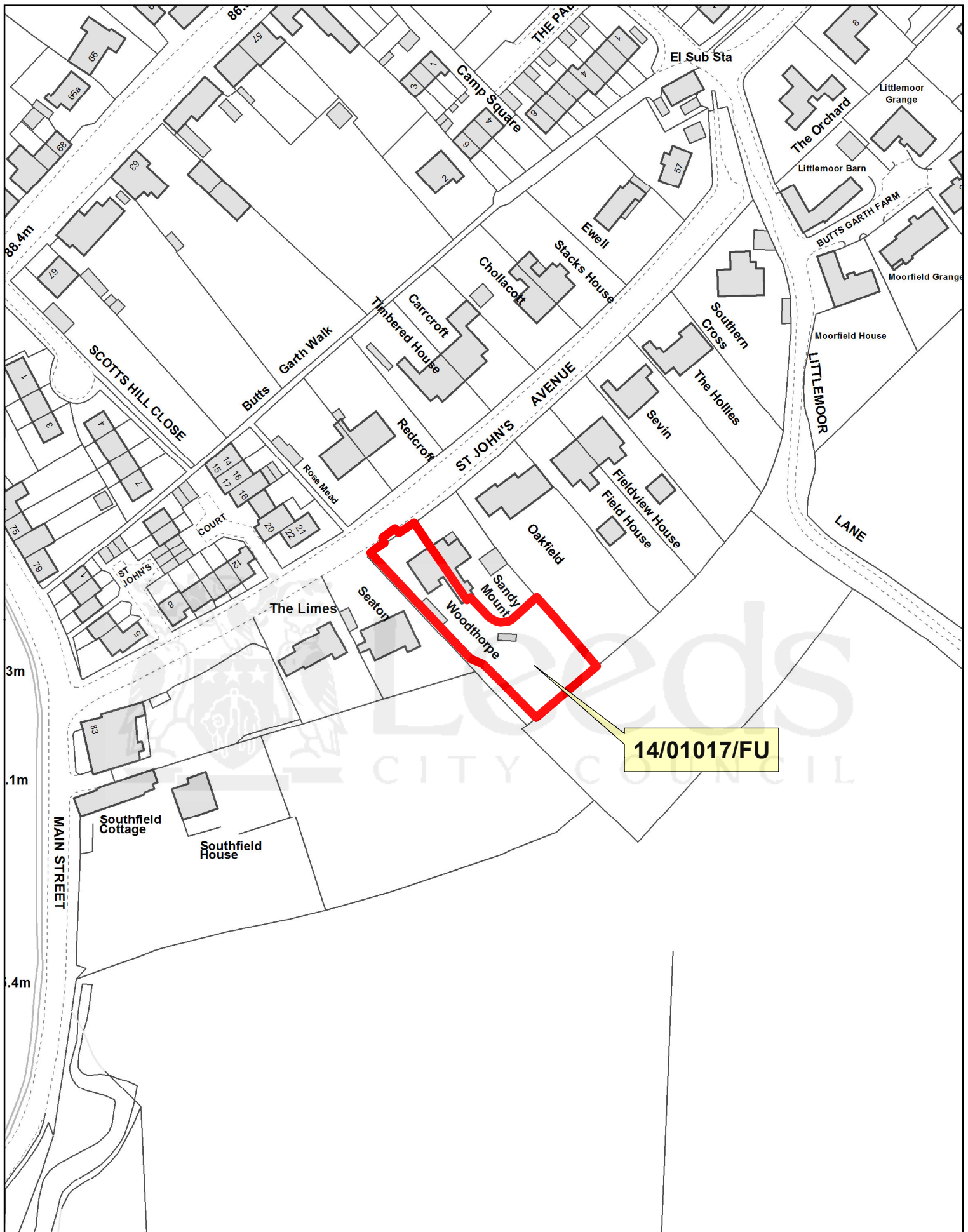
FOR : Mr Armstrong

Site Plan
Location Plan
Proposed Greenhouse and Shed
Plans and Elevations

Date - February 2014

Scale - 1:500 1:200 1:50

Dwg No. - 7424/06 RevB



NORTH AND EAST PLANS PANEL

