



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 25th September 2014

Subject: 14/03819/FU - Alteration include: raise roof height; single storey rear gable roofed extension; porch to front at 10 Raby Park, Wetherby.

APPLICANT	DATE VALID	TARGET DATE
Mr Paul Burke	30 th June 2014	25 th August 2014

Electoral Wards Affected:

Wetherby

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the specified conditions:

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Materials to match existing
4. Solid timber screen/fence to a minimum height of 1.8m to be erected/maintained to common boundary south and east.

1.0 INTRODUCTION

- 1.1 The application is brought to panel at the request of Councillor John Procter who wishes that the panel considers the impact of the application on the amenity of the neighbouring properties 8 and 9 Raby Park.

2.0 PROPOSAL

- 2.1 This application seeks permission to raise roof height; single storey rear gable roofed extension; porch to front.
- 2.2. It is proposed to raise the height of the roof of the applicant property and the rear (east) elevation. The existing roof measures approximately 6.8m tall to ridge and

2.5m tall to eaves. The proposed roof will measure approximately 7.7m high to ridge and 5.4m to eaves measured from ground level. The existing cat slide roof will be replaced by a conventional gable roof and the front (west) and rear (east) walls built up to eaves level. Thus, an increase in 0.9m to ridge.

2.3 The proposed single storey rear (east) extension will measure approximately 4.3m wide by 4m deep by 4m tall to ridge and 2.6m to eaves measured from ground level. It should be noted that the rear elevation has been set back. The existing property is 11m deep. The proposed property will be 11m deep.

2.4 The proposed porch will measure approximately 2.1m wide by 1.1m deep by 3.1m high to the ridge and 2.3m to the eaves measured from ground level.

3.0 SITE AND SURROUNDINGS:

3.1 The application relates to a random coursed, stone built single storey chalet style residential dwelling with gable roof and gable dormer additions to the roof plane front and rear adding a first floor. The property is set back approximately 18m from the highway behind a 1.8m high fence and vegetation. The property is in close proximity to the former railway line now a public footpath which is set below the level of the property. The property backs onto and thus overlooks the rear gardens and garage area of the houses at Raby Park.

3.2 The property, despite the address, is actually located on and accessed from the main route in/out of Wetherby from the West, which is the A661 Spofforth Hill. The area, which is part of the Wetherby Conservation Area, is characterised by a mix of residential property styles and sizes, generally set back and separated from each other by large gaps and the highway by front gardens. The properties closest to the application site are older than the more contemporary application property and are two storey, built of coursed magnesian limestone with red tiled gable roof, semi-detached residences of larger scale and size than the application property.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Previous Applications:
Reference: H31/637/75
Proposal: Double and single rendered concrete block garages in one block to detached house
Status: Approved
Decision Date: 10th November 1975
- 4.2 Reference: H31/675/75
Proposal: Alterations and extension to dining room to detached house.
Status: Approved
Decision Date: 17th November 1975
- 4.3 Reference: 12/04382/FU
Proposal: Alterations to boundary treatment to form new vehicular access, entrance gates, wall and driveway to rear.
Status: Approved

Decision Date:

18th December 2012

5.0 HISTORY OF NEGOTIATIONS:

5.1 Informal pre-application discussions have been held with officers prior to the submission of this application following an earlier discussion in respect of similar application but with cat slide roof and dormer windows to the rear.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by placing a site notice at the site on the 4th July 2014, advertised in the press on the 10th July 2014 as affecting the character of a conservation area and by sending letters out to neighbours and the Parish Council on 1st July 2014.

6.2 The publicity period for the application expired on 31st July 2014.

Objections

6.3 9 Raby Park: 15th July 2014
Expresses concern in respect of overdominance.

7 Raby Park: 16th July 2014
Expresses concern in respect of overshadowing, overdominance, overdevelopment of site and access of works plant.

8 Raby Park: 31st May 2014
Express concerns in respect of overshadowing and overlooking and overdominance and proximity of the proposal to trees.

7.0 CONSULTATIONS RESPONSES:

7.1 Conservation Team: Consider that the proposals are sympathetic to the host dwelling, but it should be ensured that traditional materials are used in the construction to preserve the character of the conservation area.

7.2 Nature Team: The roof tiles and brickwork appear to be in good condition with no obvious features for roosting bats, therefore a bat survey is not required at this time.

8.0 PLANNING POLICIES:

8.1 **National**
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.

Sections 72 and 66 of the (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) identifies the general duty with respect to any buildings or other land located within a Conservation Area. Parliament requires the decision-maker to give considerable importance and weight to the preservation or enhancement of the character or appearance of a Conservation Area. Moreover, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.2 **Local**

The development plan for the whole of the Leeds District is the Leeds Unitary Development Plan (UDP) Review (2006). Relevant policies in the Local Development Framework must also be taken into account. Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.

Relevant UDP Policies:

GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD6 All alterations and extensions should respect the scale, form, detailing and materials of the original building.

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.

8.3 **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.

8.4 **Relevant Supplementary Planning Guidance/Documents:** Householder Design Guide

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 details;
- iii) architectural features;
- iv) boundary treatments and;
- v) materials.

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

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.

9.0 MAIN ISSUES

- 1) Conservation Area/Townscape/Design & Character
- 2) Impact on Neighbour Amenity

10.0 APPRAISAL

Conservation Area / Townscape / Design & 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. Conservation area policies seek to ensure that development proposals preserve or enhance the character of appearance of an area. This advice in respect of good design is expanded and elucidated within the Householder Design Guide (HDG). Policy N19 relates to Conservation Areas advising that all new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the conservation area.
- 10.2 Sections 72 and 66 of the Listed Building and Conservation Area Act 1990 place a duty on LPA's to consider this aspect and give it significant weight.
- 10.3 As already noted, the application relates to a random coursed, stone built single storey residential dwelling with gable roof and gable dormer additions to the roof plane. The property is set back approximately 18m from the highway behind a 1.8m high fence.
- 10.4 The property, despite the address, is actually located on and accessed from the main route in/out of Wetherby from the West, the A661 Spofforth Hill. The area is characterised by a mix of residential property styles and sizes, generally set back and separated from the highway by front gardens.
- 10.5 The property as noted is a single storey chalet style residential dwelling with dormer windows set into the roof giving a first floor. The proposal is to raise the roof height and walls to form a more conventional, two storey gable roofed dwelling. The ridge height will rise by approximately 0.9m and the eaves by 2.9m to form a conventional gable roof. The proposal will result in a residential dwelling of modest and simple form and similar in style and scale to the existing dwelling, albeit higher.

The original footprint is retained and thus existing gaps between the applicant property and the side boundary are not eroded. It is considered that the proposal respects the scale and style of the existing property. It is acknowledged that increasing the height and the change in form will alter the character and nature of the applicant property but this is not considered to be harmful to character and nature of the wider street scene or the Wetherby Conservation Area.

- 10.6 It is proposed to erect a pitched roof single storey rear (east) extension. This will reflect the scale, size, form and style of the existing property. Whilst the proposed extension will be deeper than the existing, this is by virtue of setting back the rear (east) elevation against which it is set, thus the gap to the side (south) or rear (east) boundary will not eroded. It is considered to be in-keeping with the applicant property as proposed and will not harm the character and nature of the wider street scene or the Wetherby Conservation Area.

Impact on Neighbour Amenity

- 10.7 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 and overlooking will be strongly resisted”.

Overshadowing

- 10.8 Concern has been expressed by 7, 8 and 9 Raby Park in respect of overshadowing. The proposal has the potential to impact on 7 Raby Park a detached property set to the south east of the applicant property, and on 8 and 9 Raby Park, semi-detached dwellings set to the South of the applicant property. In terms of track of the sun the proposal will not significantly harm 7, 8 and 9 Raby Park, set to the south, to any greater degree than existing as the proposal results in a modest increase in height of some 0,9m to the ridge and the sun will not cast a shadow on these properties..

As such and in this regard the proposal is acceptable.

Overdominance

- 10.9.1 Concern has been expressed by 7, 8 and 9 Raby Park in respect of overdominance.
- 10.9.2 The proposal has the potential to impact on 7 Raby Park a detached property set approximately 25m to the south east of the applicant property, 8 and 9 Raby Park, semi-detached dwellings set to the South of the applicant property.
- 10.9.3 In terms of size and scale: it is proposed that the height of the applicant property be increased by 0.9m. It is considered that whilst the 8 and 9 Raby Park are quite close to the applicant property the proposal will not be more significantly harmful than already experienced in respect of the existing and whilst perhaps not comfortable is acceptable.

As such and on balance in this regard the proposal is acceptable.

Overlooking

- 10.10.1 Concern has been expressed by 8 Raby Park in respect of overlooking.

- 10.10.2 The proposal has the potential to impact on 8 and 9 Raby Park , semi-detached residential dwellings set in close proximity to the south of the applicant property.
- 10.10.3 The windows proposed to the front (west) elevation are approximately 18.5m to the boundary and would overlook the highway, the HDG advises 7.5m, there are no concerns in this respect.
- 10.10.4 In respect of the windows to be installed in the side (south) and rear (east) elevation of the single storey extension, these will be approximately 2m and 1.5m respectively from the boundary. The highest point of the ground floor window is approximately 2m above ground level. As such overlooking could be mitigated by a 1.8m boundary fence at this point. Conditions will be applied to ensure that such a fence is erected and retained. It should be noted the proposed window will be in the same location as the window in the existing flat roofed single storey extension and as such overlooking will not be significantly more harmful than at present.
- 10.10.5 The proposed rear (east) first floor windows are approximately 4m to the boundary, the HDG advises 7.5m. It is noted that the existing rear windows are approximately 4m from the boundary.
- 10.10.6 In terms of height the existing first floor rear windows are approximately 4.2m from ground level to lower cill and 5.1m to upper lintel.
- 10.10.7 The proposed windows are approximately 4.2m from ground level to lower cill and 5m to upper lintel. They are smaller and no closer to the boundary than the existing windows. In these term overlooking will not be significantly greater than at present in relation to the existing and whilst this is not comfortable it is acceptable.

As such and in this regard the proposal is acceptable.

11.0 CONCLUSION

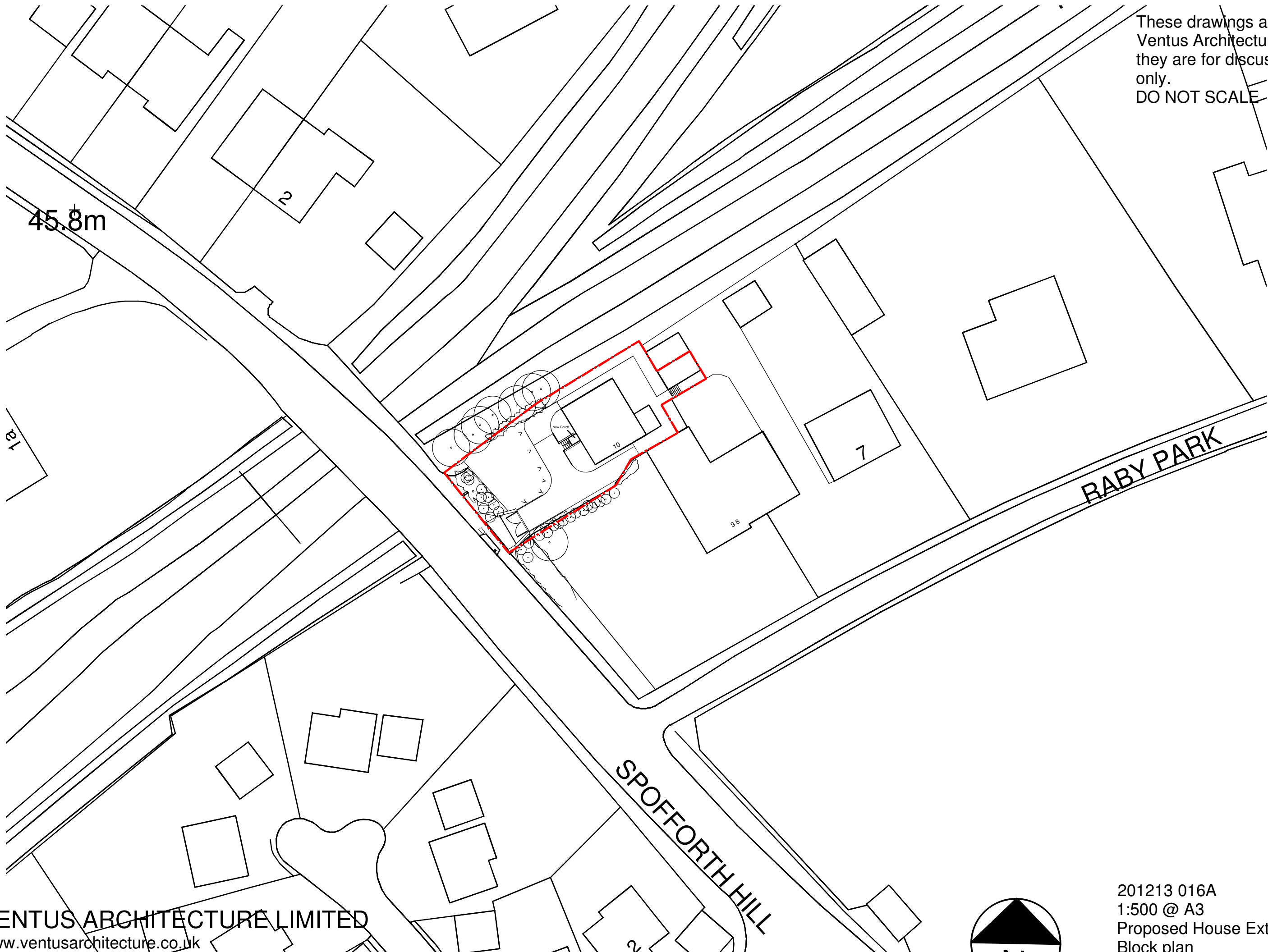
- 11.1 The application is therefore considered to be acceptable. The proposed increase in roof height, single storey gable roofed rear extension and porch to front would not significantly harm the character and nature of the application property, the wider street scene or the conservation area. As such the application is compliant with the relevant policies and guidance and approval is recommended.

Background Papers:

Application files: 14/03819/FU

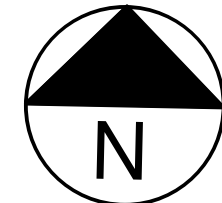
Certificate of ownership: Certificate A Signed by the agent on behalf of the applicant Mr Paul Burke.

These drawings are copyright
Ventus Architecture Limited 2013,
they are for discussion purposes
only.
DO NOT SCALE

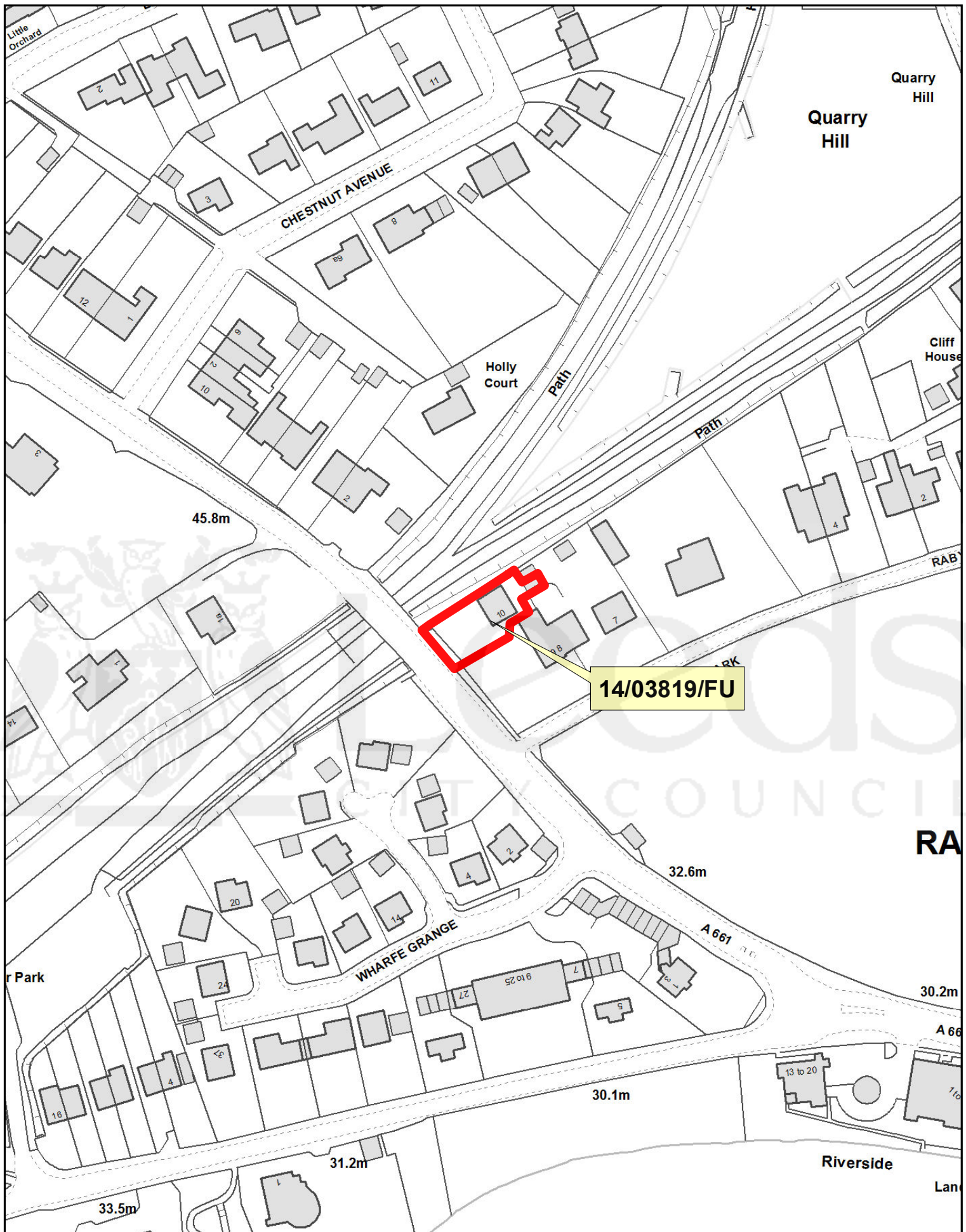


VENTUS ARCHITECTURE LIMITED
www.ventusarchitecture.co.uk
e-mail: architects@ventusarchitecture.co.uk
Tel: 07939031209

Rev A 17/04/2014



201213 016A
1:500 @ A3
Proposed House Extension,
Block plan
10 Raby Park, Weatherby.
for Mr P. Burke



NORTH AND EAST PLANS PANEL

© Crown copyright and database rights 2014 Ordnance Survey 100019567

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

SCALE : 1/1500

