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**Report of the Chief Planning Officer**

**PLANS PANEL NORTH AND EAST**

**Date: 23<sup>rd</sup> October 2014**

**Subject: APPLICATION 14/01568/FU – Two storey side extension including pitched roof to existing side extension and single storey rear extension at 20 Carr Manor Avenue, Leeds 17.**

**APPLICANT**

Mr Tariq Luqman

**DATE VALID**

7<sup>th</sup> April 2014

**TARGET DATE**

2<sup>nd</sup> June 2014

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**Electoral Wards Affected:**

**Moortown**

☐ Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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**RECOMMENDATION: REFUSE for the following reasons:**

1. The Local Planning Authority considers that the proposal will result in an overdevelopment of the site that will result in inadequate private amenity space provision for the occupiers of this family house and a house with a spatial setting that is out of keeping with, and causes harm to, the established residential character of the area. As such the proposed development would be contrary to Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) and Policy HDG1 of the Householder Design Guide and paragraphs 17, 56, 58 and 64 of the National Planning Policy Framework.

**1.0 INTRODUCTION:**

- 1.1 Consideration of this application was deferred at the Plans Panel of 25<sup>th</sup> September following requests from the applicant and Councillor Sharon Hamilton since the applicant wished to address the Panel but was out of the country at that time.

- 1.2 This application is brought to Plans Panel following the request by the Ward Member Councillor Hamilton on the grounds that she supports the proposal as submitted and the applicant's wish to retain the garage and disagrees with the suggested removal from the site of the long detached garage to the rear in order to overcome officers' concerns about accumulative overdevelopment of the site, loss of character and unacceptable loss of private amenity space for existing and future residents.

## **2.0 PROPOSAL:**

- 2.1 The proposal is to provide a pitched roof in matching tiles and level with the ridge of the hipped roof to the host dwelling to the existing 2 storey flat roofed side extension. The proposal also includes the replacement of the 2 existing rear single storey extensions with a single larger single storey extension in matching brick and tile which is 5m deep and 6.2m wide. A separation of 1.6m to the southern party boundary will remain and a total of 2.9m between the side elevations of number 20 and the neighbouring property – as extended- at number 22, will be provided.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a large detached 2 storey hipped roof dwelling with single and 2 storey side and rear extensions mostly with flat roofs. Until approx. 10 years there was a large garden to the northern side, but planning permission was granted for an additional large detached house (i.e. number 20A) which has been implemented. Between these 2 houses are a wide paved driveway and the front gardens are also paved for car parking. To the other southern side of the host is a 1.6m strip of land to the party boundary. There is a long narrow garage at the rear built alongside most of the rear western boundary and part of the southern party boundary. The remaining small area at the rear is hard surfaced. The plot is relatively small and wedge shaped with a much shorter rear garden than its neighbours within Carr Manor Avenue and Castle View to the rear.
- 3.2 Within the surrounding area which is residential there are mainly detached and semi-detached dwellings set within large sized plots. Many dwellings have been extended over time but retain good private amenity space provision due to having long rear gardens.
- 3.3 Number 22 to the south side, has a large single storey rear extension which is separated from the party boundary by 1.2m. It retains a long rear garden.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 08/00494/FU refusal of extensions to 22 Carr Manor Ave.
- 4.2 07/00616/FU refusal of conservatory to rear to 20A Carr Manor Ave.
- 4.3 06/00443/FU approval of amendment application for new house
- 4.4 30/159/03/FU approval of detached house.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 No pre-application discussions were undertaken. The applicant has refused to completely remove the existing garage from the site to overcome concerns about overdevelopment and loss of character and private amenity space.

## **6.0 CONSULTATION RESPONSES:**

### Statutory Consultations:

- 6.1 None

### Non Statutory Consultations:

- 6.2 None

## **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 Neighbour notification letters were posted on 10.4.14. No representations were received. Councillor Hamilton supports the retention of the garage and the proposal and has requested that the proposal be reported to Plans panel for determination.

## **8.0 PLANNING POLICIES:**

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The proposals will be considered in the context of both national planning policy and the Development Plan. The development plan currently comprises the adopted Leeds Unitary Development Plan (Review 2006) (UDP), policies as saved by directions of the Secretary of State, dated September 2007 and June 2009, the Natural Resources and Waste Local Plan, along with relevant supplementary planning guidance and documents and any material guidance contained in the emerging Local Development Framework (LDF).

### Leeds Unitary Development Plan (Review 2006):

- 8.3 The following policies are considered to be of relevance:

- GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD6: All extensions and alterations should respect the scale, form and detailing of the original building.
- T2: Development proposals should not create new, or exacerbate existing, highway problems.

### Leeds Householder Design Guide:

- 8.4 The following policies are considered to be of relevance:

- HDG1 all alteration and extensions should respect the scale , form ,proportions and character and appearance of the main dwelling and the locality.
- HDG2 All development proposals should protect the amenity of neighbours.

#### Emerging Local Development Framework: Core Strategy

- 8.5 The Council has submitted its Core Strategy to the Secretary of State. The Strategy is considered by the Council to be sound and in line with the policies of the NPPF and the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011. An initial hearing session has been held and the Inspector is satisfied that the Council have fulfilled the legal obligations of the Localism Act as they pertain to the Duty to Co-operate. The Core Strategy progressed to formal hearing sessions which were held in the autumn 2013 and the spring of 2014. The Inspector's main modifications were published on 13<sup>th</sup> March 2014 for six weeks public consultation. More recently the final modifications have been publicised with a further period of consultation. The Inspector's report has now been received and significant weight can now be attached to the policies of the Draft Core Strategy as amended by the main modifications. The delivery of new housing and design issues are both key objectives of the Core Strategy.

#### National

- 8.6 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012 and replaces previous Planning Policy Guidance and Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the NPPF is a presumption in favour of Sustainable Development.

### **9.0 MAIN ISSUES:**

- 9.1 The following are the key considerations in this case:

- The principle of the development.
- Impact of the development on the character and appearance of the area.
- Impact on residential amenity of the occupants of surrounding residential properties.
- The impact upon highway safety.
- The impact on private amenity space provision for the existing and future occupiers

### **10.0 APPRAISAL:**

#### The principle of the development.

- 10.1 The principle of extending and altering an existing residential property for domestic purposes is acceptable. However, the acceptability of an extension will be dependant of a number of factors including its design, its impact upon the amenities of neighbouring residents and whether it results in an overdevelopment of the site.

#### The impact on the character of the area

- 10.2 The extension would be larger than the extensions being replaced and this would use up the majority of the existing small rear garden. The virtual loss of the usable rear garden results in an overdevelopment of the site that would have a detrimental impact upon the character of the area which mainly features family sized dwellings which have substantial rear gardens that are not dominated by car parking and outbuildings.

### The impact on residential amenity

- 10.3 To comply with the council's design guidance an extension at 5m in depth requires to be set in 2m from the party boundary to avoid dominating the neighbouring property. In this case only 1.6m is provided. However, the 5m depth will bring the rear ground floor elevation in line with the neighbouring property at Number 22 which has been extended to the side and rear and which in turn only has 1.2m separation to the party boundary. It is considered that in these circumstances the shortfall is acceptable. The extensions are set well away from No.20a Carr Manor Avenue that is situated to the north. The proposal is acceptable therefore in terms of its impact on residential amenity.

### The impact upon highway safety

- 10.4 More than adequate on site car parking remains to the front and side of the property which has been completely hard surfaced. The garage is not required to contribute to the onsite car parking requirements for this dwelling of 2 spaces. This aspect is therefore acceptable.

### The impact on private amenity space.

- 10.5 The Householder Design Guide recommends for family housing of 3 bedrooms and above that no more than half of the private garden space should be covered by extensions and the residual space should be free of car parking and outbuildings.
- 10.6 The land originally associated with this dwelling included the plot of land now occupied by and associated with the 'new' house numbered 20a. The remaining area of land immediately to rear of No.20 has an area (as scaled from the submitted application plans) of approximately 160m<sup>2</sup>. By virtue of the detached garage and the proposed rear extension this area is reduced to approximately 53m<sup>2</sup>.
- 10.7 It is considered that this aspect is unacceptable, as the large family sized 4 bedroom detached dwelling as extended would have minimal usable residual private amenity space, available for the benefit of existing and future residents. The remaining space would be an irregular shape with limited space between the extended house and the retained detached garage and between the garage and the common boundary and 22 Carr Manor Avenue to the south.
- 10.8 Where outbuildings are in close proximity to extensions or the host and to boundaries overdevelopment can occur. The irregular shaped space between the extension and the garage, which is built alongside the angled rear boundary, has a depth measuring between 2.4m and 4.8m. The suggested solution to completely remove the existing garage from the site in order to provide a more acceptable balance between development and garden space has been rejected by the applicant as he wishes to retain the garage to enable the storage of building materials for the proposed development. Although the applicant is content for he and his family to have an even smaller private rear garden space than existing, a longer term and more sustainable view needs to be taken, which includes the aim of securing a residential environment which is suitable for generations to come.

## **11.0 CONCLUSION:**

11.1 On balance, it is considered that, the application should be refused for the reason given as the proposal fails to comply with the council's adopted design guidance.

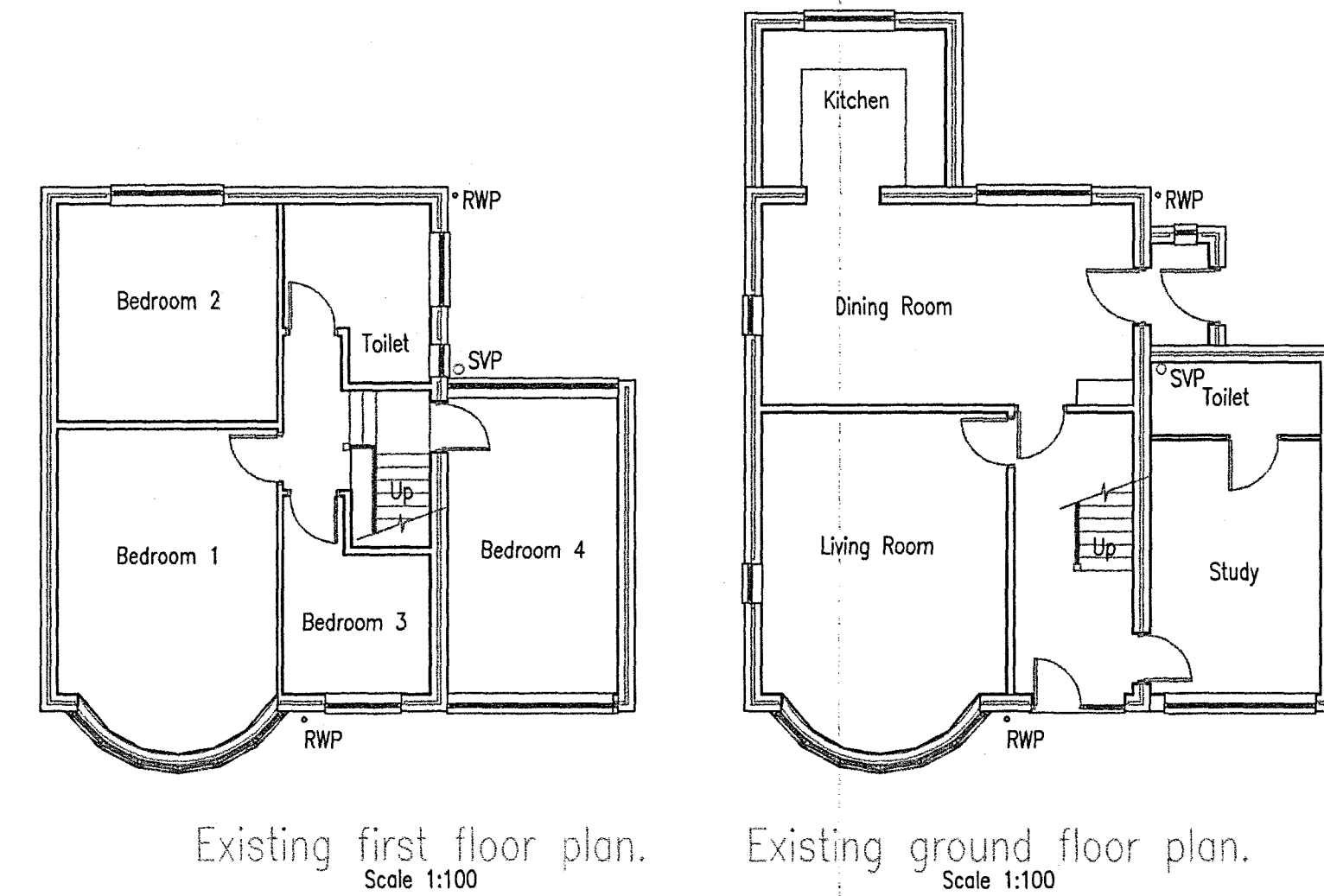
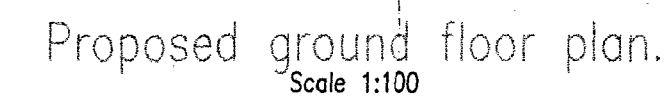
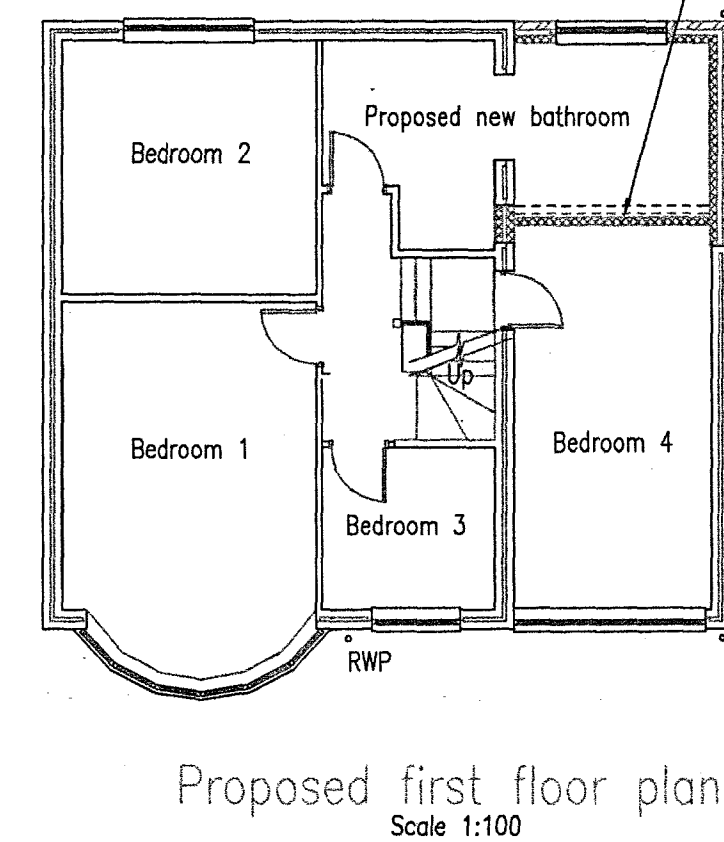
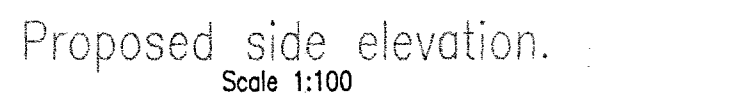
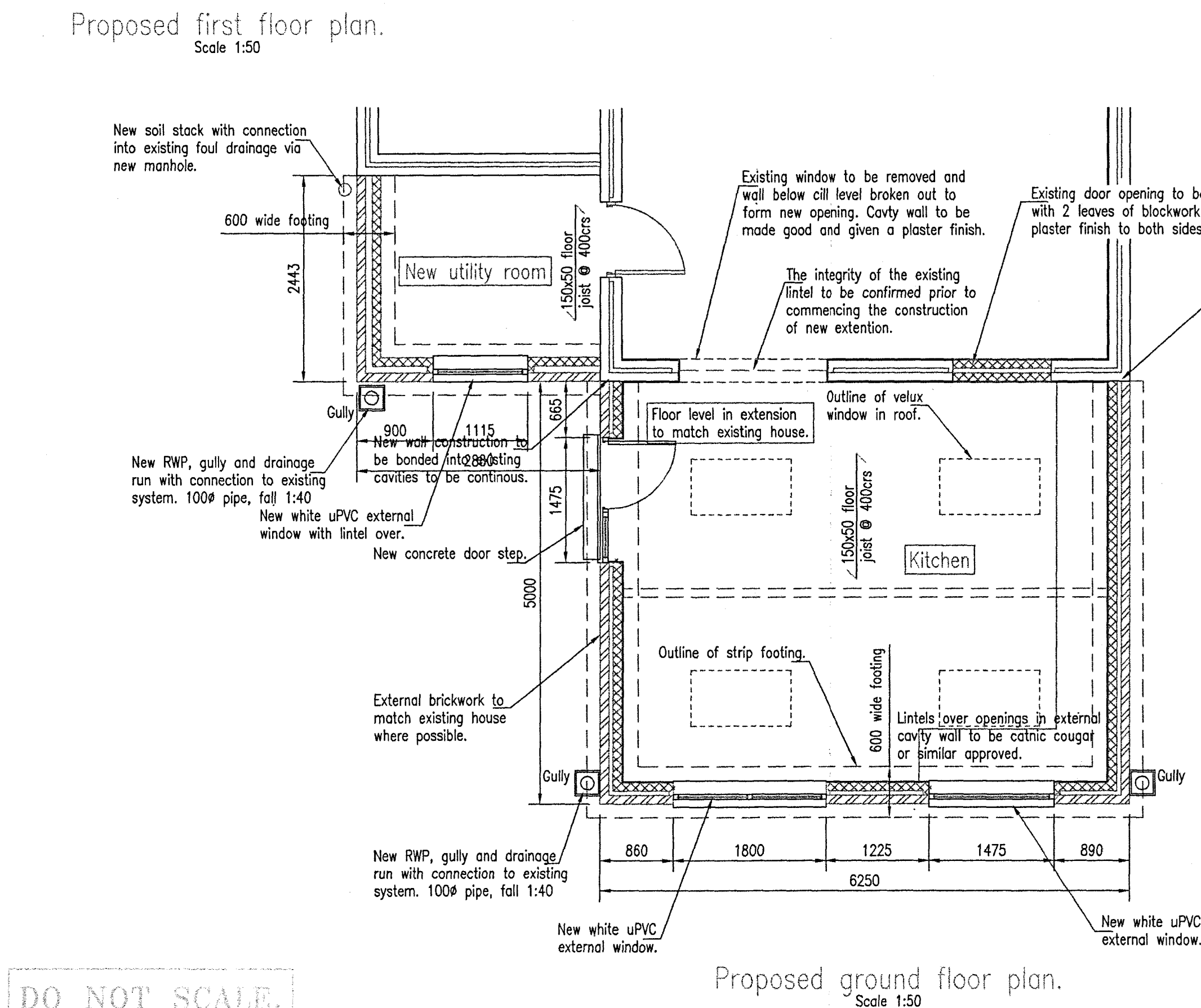
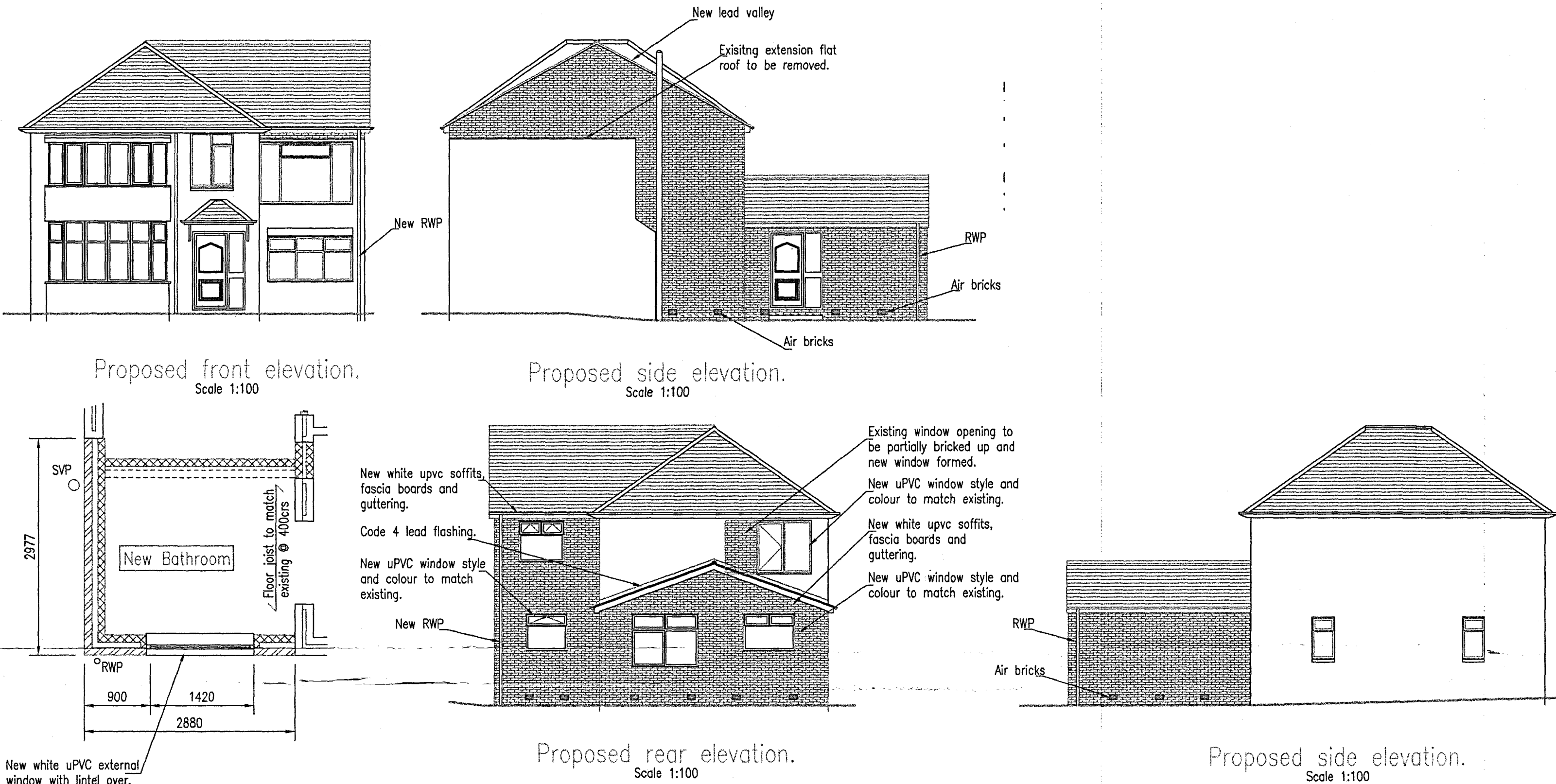
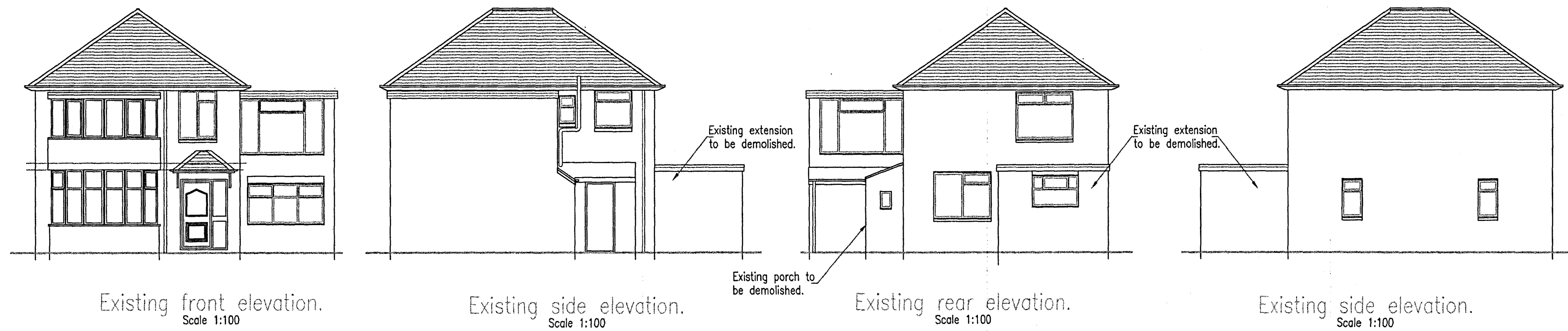
**Background Papers:**

Application file 14/01568/FU

**Certificate of ownership:**

As applicant





Notes:

All dimensions are in millimetres unless noted otherwise.

Foundations: Size and depth to be agreed with the Building Inspector min 600mm x 200mm thick to cavity walls. Depth from ground level to be 600mm but to be below the invert of any adjacent drains.

External walls formed with 100mm thick class A concrete blocks to outer leaf taken up to 150mm below ground level then concrete block to DPC level min 150mm above finished ground level. Inner leaf formed with 100mm thick class A concrete blocks to DPC level (u/s joist) cavity to be 75mm wide and filled to ground level with lean mix concrete. 215x140 air bricks, liners and cavity trays over at a max 1500crs to vent sub-floor void (min 125mm deep).

Building area to be excavated to remove top soil/vegetation as necessary compacted hardcore used to appropriate level finished with 100mm thick oversite concrete.

External walls to comprise 100mm blockwork, 75mm cavity with 60mm thick Kingspan Thermawall (or similar) insulation and 100mm inner leaf of concrete blockwork with 12.7mm 2 coat plaster finish all to give a 'U' Value of 0.25-0.3 W/M<sup>2</sup>/C. All new cavities to be continuous with existing and to be closed at window/door openings and at roof level. Wall ties to be double triangle type Ø750mm crs horizontally and 450mm crs vertically (staggered) and at 225 crs vertically around openings. DPC to be provided at head and cills of all openings with insulated DPC at all jamps.

Floor, 150x50 grade C16 timber joist at 400crs simply supported on masonry walls on DPC. 150mm thick quilted insulation between joist on plastic netting to ground floor, with 22mm thick flooring grade chipboard fixed using annular nails and glued joints.

Pitched roof to comprise 'Marley Modern' or similar tiles (colour and style to match existing house) on 38x25 treated softwood batten on high performance roofing felt on, timber joist/proprietary roof trusses. 12mm plaster board and skim to ceiling. Eaves to have UPVC fascia's and soffits with proprietary ventilation system to match existing.

All new windows to double glazed UPVC with opening sashes as indicated but to give a minimum 1/20 floor area as ventilation. Garage window and door frame to be softwood.

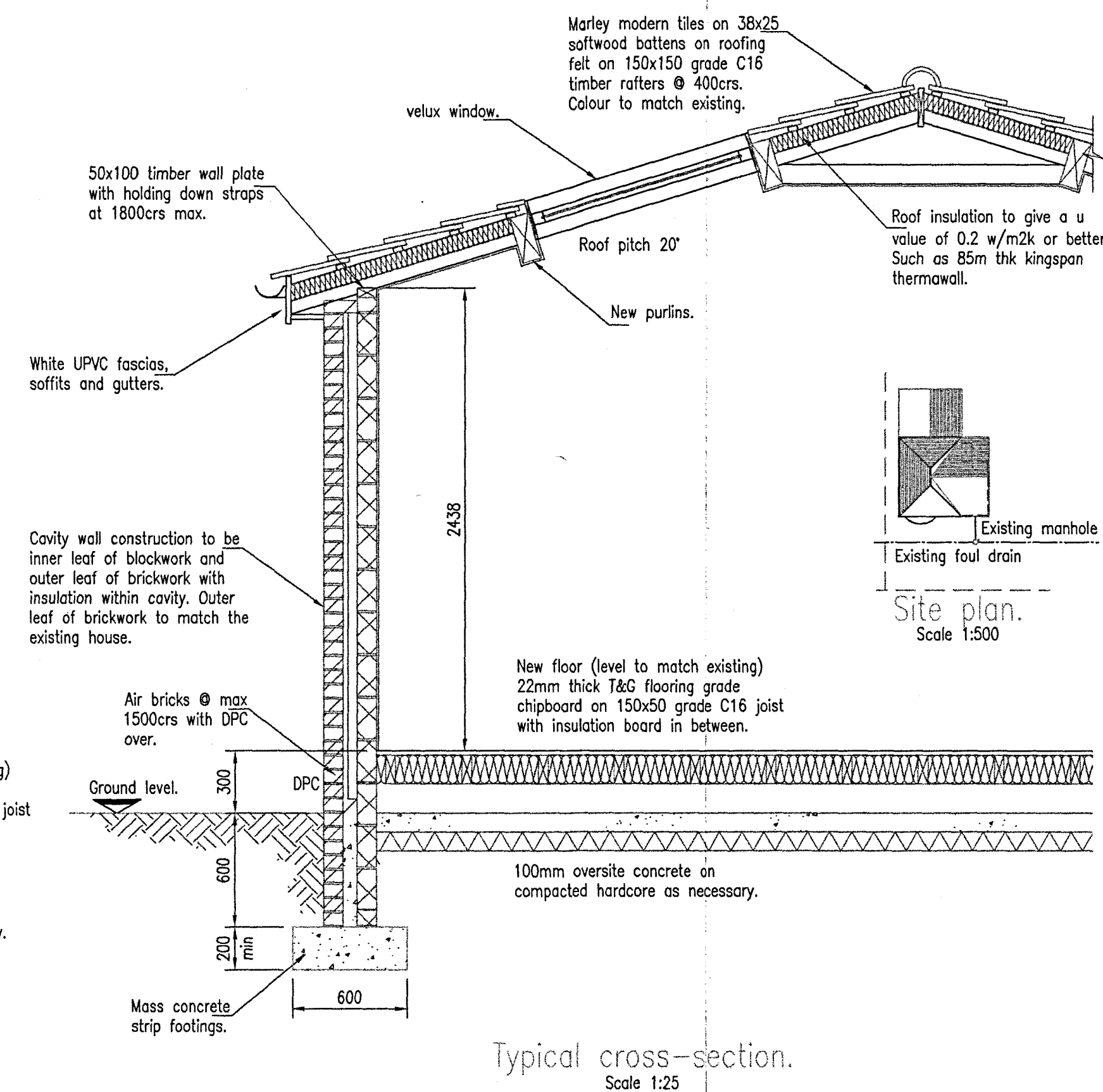
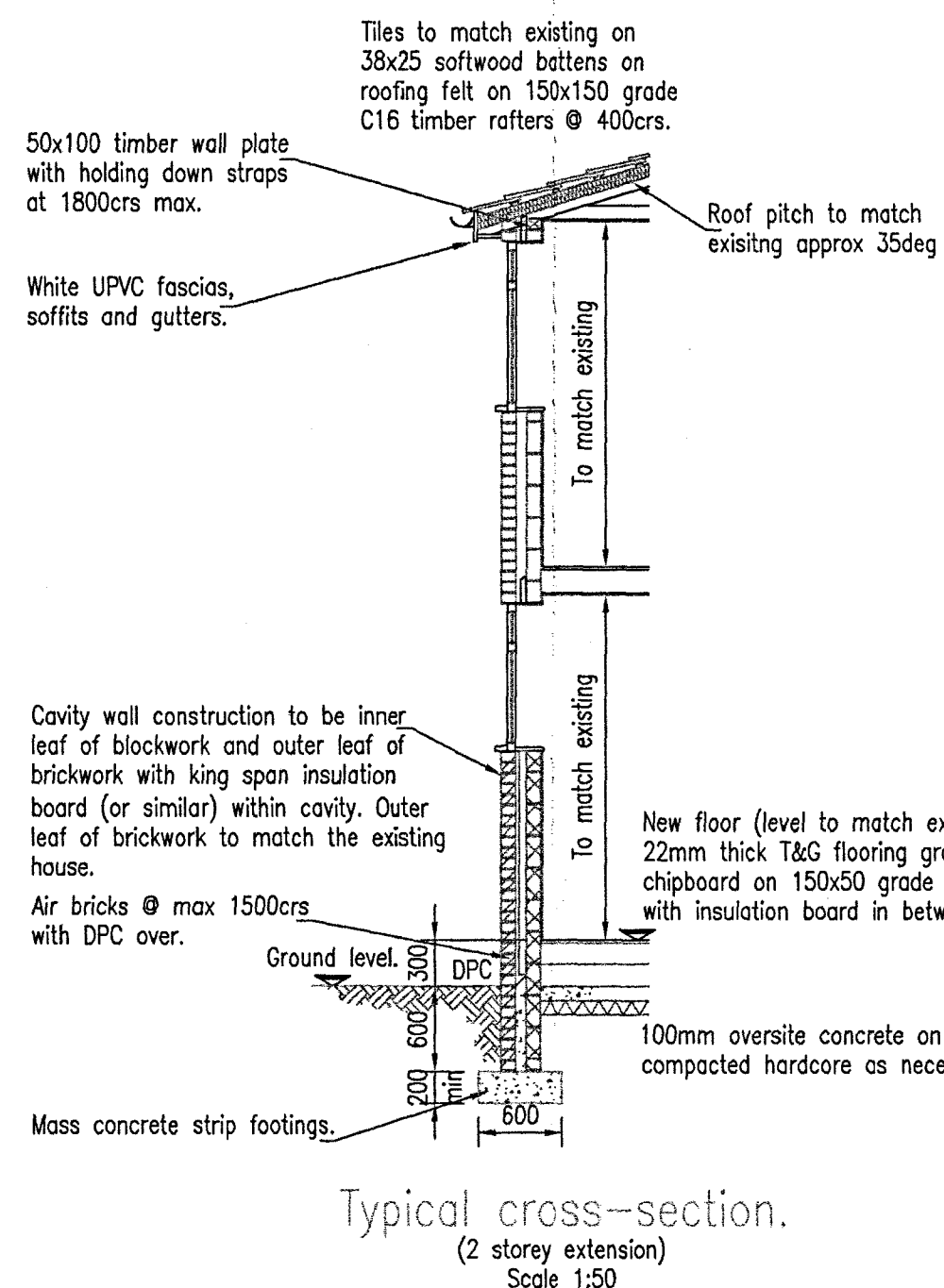
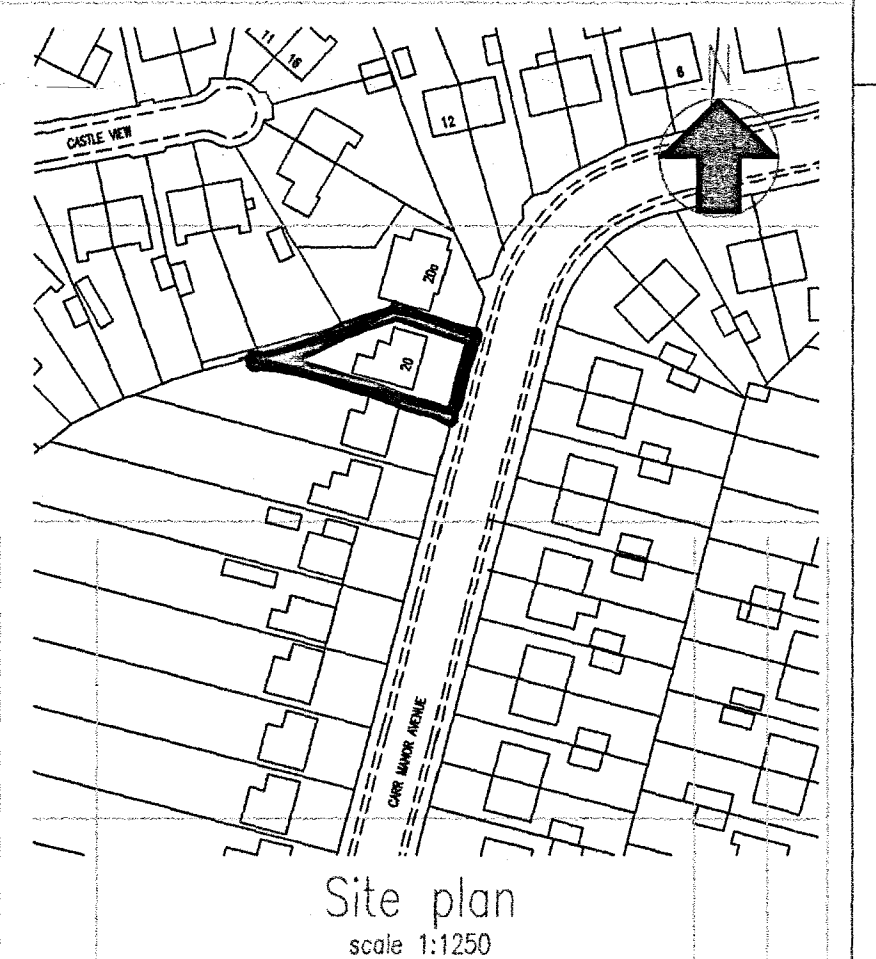
Drainage below ground to be as indicated. New gully with 100Ø PVC system laid in 150mm pea gravel surround min fall to be 1:40.

Electrical: All electrical work shall be carried out in accordance with the latest I.E.E. regulations and tested on completion.

Any existing drainage below the new extension is to be cased in 150mm thick lean mix concrete to the Building Inspectors requirements.

Steel beams to be provided with min. 1hour fire protection min. 2 layers 12.5mm thick plasterboard.

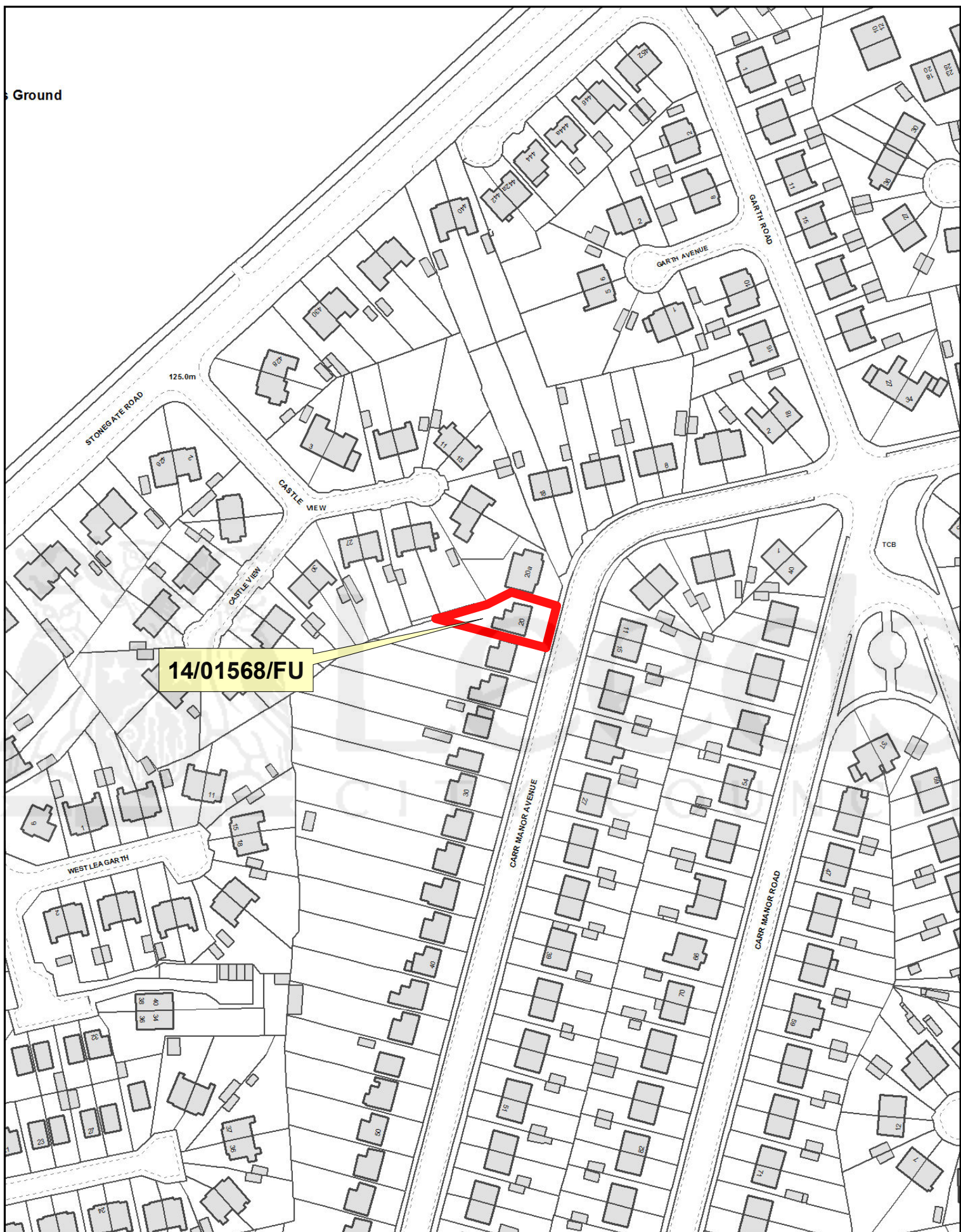
All steelwork to be shot blasted to Swedish Standard SA2½/ & painted with 1 coat zinc phosphate primer to min. DFT of 75microns. All damaged areas to be cleaned and touched up on site after erection.



<b>i.d.</b> Design Services.			
Client	Tahir Luqman		
Project	20 Carr Manor Avenue Moortown LEEDS LS17		
Title	Proposed extensions to side and rear of property		
Scale	As shown	Drawn	ID
Checked	—		Date
Nov 2013			
Job No.	13001	Drawing No.	01
Revision	—		

DO NOT SCALE.





# NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

