



## Report of the Chief Planning Officer

### PLANS PANEL NORTH & EAST

Date: 27 November 2014

Subject: APPLICATION 14/03383/FU – Application for a part two storey part single storey rear extension at 16 Valley Terrace, Leeds, LS17 8NZ

#### APPLICANT

Mrs C Wood

#### DATE VALID

16 June 2014

#### TARGET DATE

29 August 2014

#### Electoral Wards Affected:

Alwoodley

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 following conditions

- 1) Time limit
- 2) Development to accord with approved plans.
- 3) External materials to match
- 4) No further windows to be inserted in the development hereby approved

#### 1.0 INTRODUCTION

- 1.1 This application is brought before the plans panel upon the request of Cllr Peter Harrand who has cited his planning reasons as the scale and massing of the proposed development and the overlooking of the neighbours to the west of Valley Terrace.

#### 2.0 PROPOSAL

- 2.1 The applicant is seeking planning permission to extend the existing property to the rear. This would entail the construction of a part two storey and part single storey extension. The proposed dimensions are as follows:

### Ground floor

- 4.8m in depth to the eastern side
- 3.5m in depth to the western side with a 1.2m step in before the remaining 1.3m extends to meet the 4.8m of the eastern side.
- 6.4m in total width that is broken up into two parts given the proposed stepped approach.
- 2.2m in eaves height and 3.4m to the ridge
- Part of the single storey element closest to the western boundary would be 2.2m to the eaves but would be 3.1m to the ridge.
- Pitched roof forms.

### First floor

- 3.5m in depth
- 5.0m in width
- Terminate in height 0.5m below the ridge of the existing roof.
- Gabled.

2.2 In addition a new window would be inserted into first floor of the existing eastern gable. The external materials would match those of the existing property.

## **3.0 SITE AND SURROUNDINGS**

3.1 Valley Terrace is a residential street with dwellings that range from pre and post war development. Materials of constructed are brick and render under tiles roofs. Roof forms are in the main hipped but with some pitched and even flat roofed properties.

3.2 Semi-detached properties dominate but there are the sporadic detached dwelling as well as two older terraces located to the western end of Valley Terrace. Generally properties are two storeys, although over time rooms in the roof-space have been created in a number of the dwellings. The older terraces are taller at three storeys with some of these properties having rooms in the roof-space. In addition there is a row of three pairs of bungalow on which the application site sits. These bungalows have all being extended to the rear over time.

3.3 The application site comprises a brick built semi-detached bungalow with a pitched tiled roof. The property is set back from the highway behind a front garden with a drive way to the eastern side leading to a detached garage and a good sized rear garden. The site slopes from north to south. There is an existing covered veranda to the rear and the rear is bounded by a lattice fence some 1.2m in height along the adjoining boundary, planting and fencing elsewhere with a detached garage within the site acting as a robust screen for its length. To the rear is an area of dense tree coverage between the application site and those properties to the rear on the Ring Road (A6120). These trees are covered by TPO's.

3.4 The adjoining property has an existing rear conservatory that projects approximately 2.4m and has glazing to the rear and eastern elevations. This property also has a single storey side extension and a box dormer to the rear roof-slope. The other bungalows on the row have all had some development to the rear ; porches, conservatories and 1.5 storey high gabled extensions.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 09/02165/FU - Two detached 3 bedroom and one detached 4 bedroom dwellings with alterations to existing dwelling including extension to rear and new raised roof with dormer windows to front and rear forming rooms in roof-space – Withdrawn.
- 4.2 14/05798/FU – Part single storey part two storey rear extension with accommodation in the existing roof-space – Under Consideration.

The above application is a twin for the application before Members but the applicant is different. It is not clear why this has been submitted other than the Agent advises he has been instructed to do so. This application will not be decided until Members decide the outcome of the application before them.

## **5.0 THE HISTORY OF NEGOTIATIONS**

- 5.1 Officers raised concerns regarding the scale, massing and design of the proposals initially submitted and subsequent revisions have been submitted for assessment and the scheme before Members is the resulting scheme agreed between agents for the applicant and Officers.

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

- 6.1 Letters of notification were posted on the 19 June 2014, 8 September 2014 and 17 November 2014. In response 17 letters of objection have been received, 16 in objection and 1 in support. A number of the objections come from out of locality parties.

- 6.2 The issues raised have been summarised below:

### Objections

- Design
- Out of character within the area
- Loss of privacy
- Over-dominance
- Loss of light
- Shading
- Increase in demand for on-street parking
- Highway safety
- Anti-social behaviour

### Support and general comment

- The letter of support comes from the partner of the applicant and offers a counter view to the above objections as well as refuting the alleged anti-social behaviour and is of the view that the personal nature and tone behind objections is preventing any balanced and objective consideration of the application.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 In this instance it was not considered necessary to seek any technical views.

## 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:
- (i) The Leeds Core Strategy (Adopted November 2014). This is the main overarching document of the Local Development Framework (LDF).
  - (ii) Saved UDP Policies (2006) – Appendix 1 of the Core Strategy.
  - (iii) The Natural Resources and Waste Local Plan (2013).
- 8.2 The plan's aim is to guide development and investment decisions and to provide a framework for Development Plan Documents. Following the adoption of the Core Strategy and the Natural Resources and Waste Local Plan, a number of UDP Policies have been deleted which are also identified in Appendix 1 of the Core Strategy. In addition to the saved UDP Policies a number of site specific policies are also saved until they are superseded by the Site Allocations Plan, Aire Valley Area Action Plan or future Development Plan Documents once adopted.
- 8.3 The below Core strategy and saved UDP (2006) policies, supplementary development documents and national guidance are considered to be relevant to this application.

### Core Strategy

General Policy – Sets out the presumption in favour of sustainable development

Policy P10 - Design

Policy T1 - Transport Management

### Saved UDP (2006)

Policy GP5: Development should not cause loss of amenity and resolve detailed considerations.

Policy BD6: refers to extensions/alterations should respect the design of the original building.

Policy T24 - Parking

Supplementary Planning Guidance 13 - Neighbourhoods for Living.

The Householder Design Guide – HHDG (2012) – The guide gives advice on how to achieve high quality design for extensions and additions to existing properties, in a sympathetic manner that respects the spatial context. The below policies contained within this document are considered relevant;

Policy HDG1: 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

Policy 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.

### 8.3 National Planning Policy Framework (2012):

- This document promotes sustainable (economic, social and environmental) development and *inter alia* endorses good design as playing a key factor in achieving sustainable development.
- Guidance on conditions is provided within the Planning Policy Guidance

## 9.0 MAIN ISSUES

- Character and Appearance
- Residential Amenity
- Highway Matters
- Other Matters
- Conclusion

## 10.0 APPRAISAL

### Character and Appearance

- 10.1 The National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development and is indivisible from good planning and that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.2 The proposed rear location of the extension would act to preserve the street-scene and whilst visual reception of the proposed eastern elevation wall would be gained when travelling east to west along Valley Terrace the influence that the proposal would have on the character and appearance of the Valley Terrace would be extremely limited.
- 10.3 In respect of the proposed extension and its union with the existing property the design, scale and massing of the addition is considered to be, on balance, acceptable. The gable feature is consistent with other rear extensions on the row and the pitched roof forms correspond with the existing property.
- 10.4 The extensions the proposed external materials would match those of the existing. This can be secured by imposing a planning condition.
- 10.5 There are a number of TPO'd trees to the very bottom of the rear garden area however the proposed development would be sited a significant distance from these trees and their welfare would not be affected by the proposal.

### Residential Amenity

- 10.5 The proposed glazing to the extension would be rear facing into the sites garden Area. The boundary fence to the western boundary has limited screening and outlooks from the windows would also be of the neighbouring garden area. Such outlooks can already be gained from the existing veranda, however in principle a 2.0m high fence would be erected along this boundary which would adequately act to screen the neighbours garden. The proposed rear facing bedroom window would also gain outlooks onto the neighbours garden area but this is not considered problematic. The adjoining neighbour also has a dormer window to its rear roof which offers overlooking very much akin to what would occur with the proposed first floor bedroom window. A new window to the existing side elevation facing the

adjacent dwelling is also proposed to serve a bedroom. This window would not overlook amenity areas of neighbouring occupants and is considered to be acceptable. A condition can secure that no further windows are inserted.

- 10.6 The full depth of the proposed ground floor would be 4.8m. A gap of some 3.0m would be retained to the eastern boundary therefore in planning terms the depth can be viewed as 1.8m whereas to the western boundary a depth of 3.5m is proposed then stepped in and a further 1.3m of depth. In terms of the 3.5m a gap of 900mm is proposed, therefore in planning terms the depth is 2.6m whilst the full 4.8m to this side would be mitigated for with a gap of 2.1m, therefore 2.7m in planning terms. These measurements are acceptable and meet with current guidance. Moreover, from the corner of the adjoining neighbours conservatory the proposed extension would not breach the 45 degree rule as detailed within the HDDG (2012).
- 10.7 The first floor would be 3.5m in depth and would terminate 500mm below the existing roof ridge. This element would also be 3.0m from the adjacent and would be 2.1m to the adjoining boundary. Whilst the proposed depth is 0.5m deeper than guidance within the Householder Design Guide (2012) suggests where a 2.0m gap to the common boundary is retained, this 0.5m is not considered to be unduly harmful. The 45 degree rule is also met at first floor.
- 10.8 The rear gardens of the application site and its neighbours are south facing and the sun's path throughout the day would clearly result in shade being cast towards the flanking properties as a result of the proposal. During the early part of the adjoining neighbours would be subject to shading but during the middle and later parts of the day there is considered to be good opportunity for natural sunlight to penetrate the garden area and the rear rooms of the neighbours property. In contrast the shade cast during the later parts of the day would fall towards the adjacent property but again this for the majority of the day the neighbouring garden area and rear elevation windows would be able to receive natural light.

#### Highways Matters

- 10.9 The existing property has a driveway to the side which would not meet with current standards in terms of its width, nevertheless, a car could access the driveway and its length would be able to accommodate two cars in a tandem formation. The proposed development would see a two bedroom property become a three bedroom property. The parking requirement for a three bedroom new build would equate to two off-street parking spaces and therefore in this instance the parking facilities are acceptable. Comments have been received via representation that the applicant and visitors park on the highways creating obstructions. In reality there is little that planning can do to enforce on-site parking, all it can do is ensure that a minimum off-street parking provision is available, and in this instance that is considered to be the case.

#### Other Matters

- 10.10 In response to the neighbour notification letters that were issued 17 letters of representation were received, 16 objecting and 1 in support. The relevant materials planning considerations have already been discussed within this report. The point raised in both objection and support letters regarding anti-social behaviour is noted and if the allegations are true then such behaviour is regrettable but can not be used as a point of assessment as this is not considered to be a material planning issue.

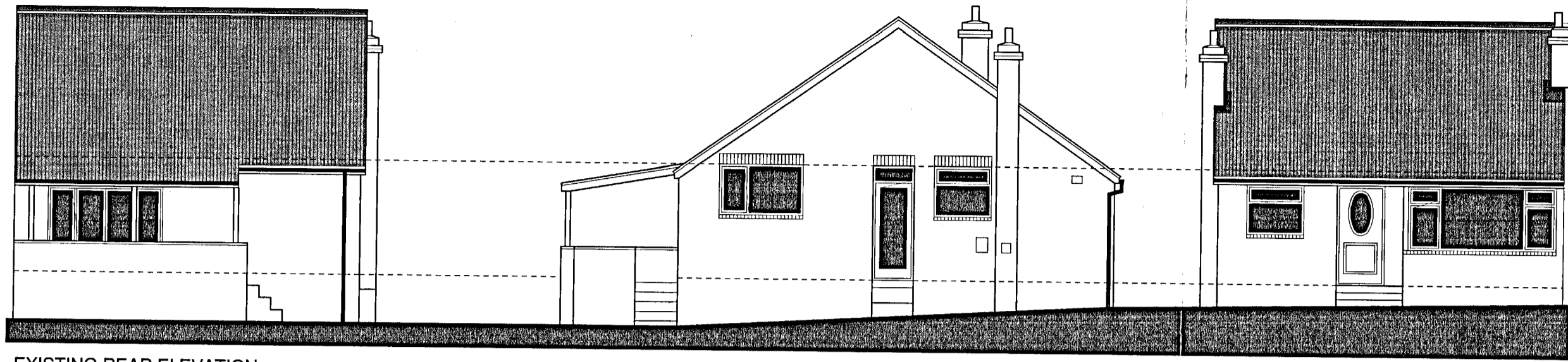
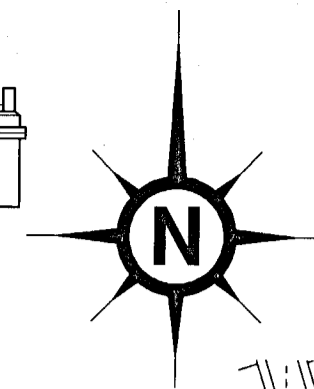
## **11.0 CONCLUSION**

- 11.1 After due consideration, it is considered that, on balance, the proposed extension is acceptable in planning terms and is generally compliant with the aims of the policies and guidance detailed within this report and for the reasons above and subject to the conditions at the head of this report it is recommended that planning permission is granted.

### **Background Papers:**

Planning application file

Certificate of Ownership (Cert A) signed by the agent for the applicant: 6 June 2014.



EXISTING REAR ELEVATION

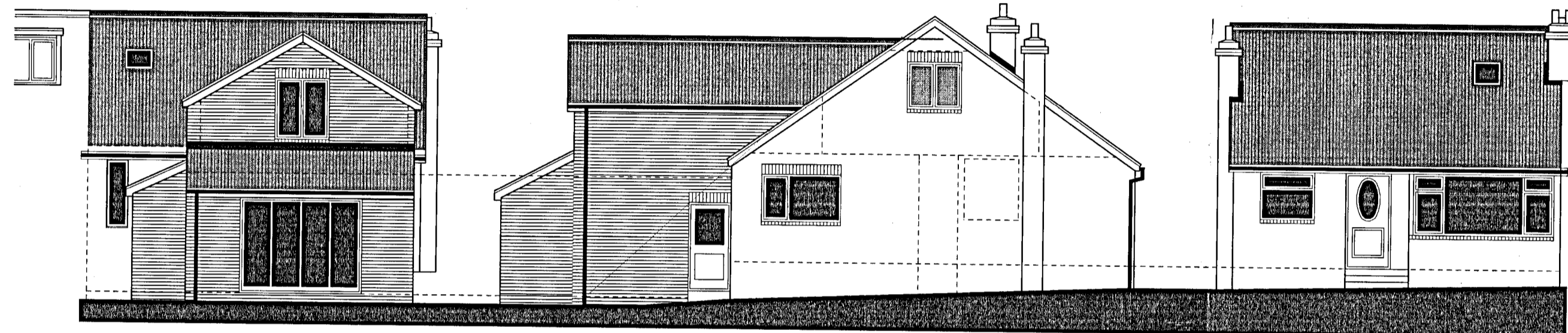
EXISTING SIDE ELEVATION

EXISTING FRONT ELEVATION



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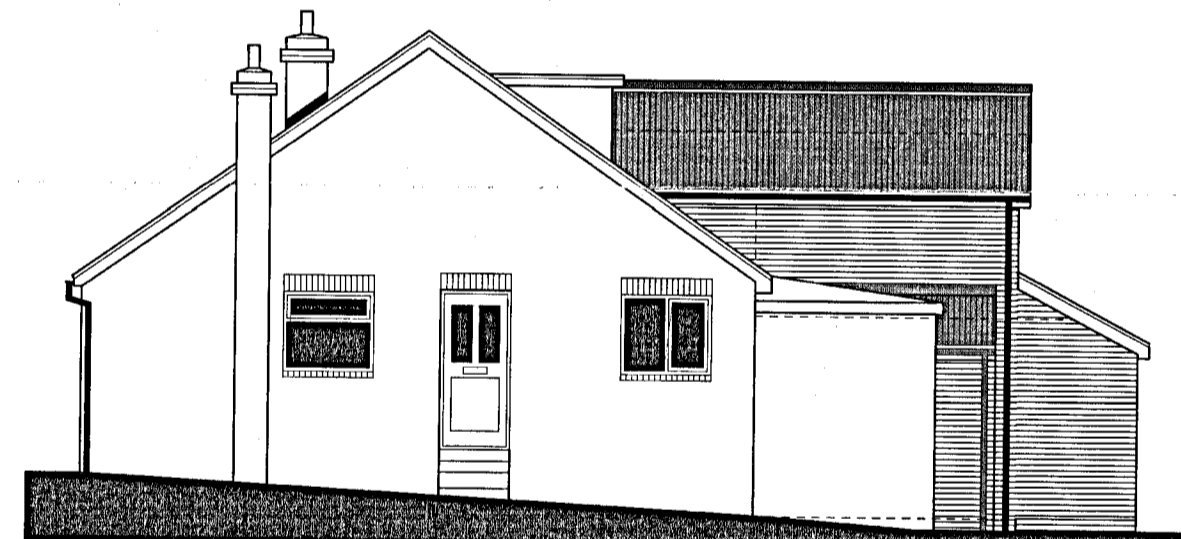
LOCATION PLAN 1 : 1250



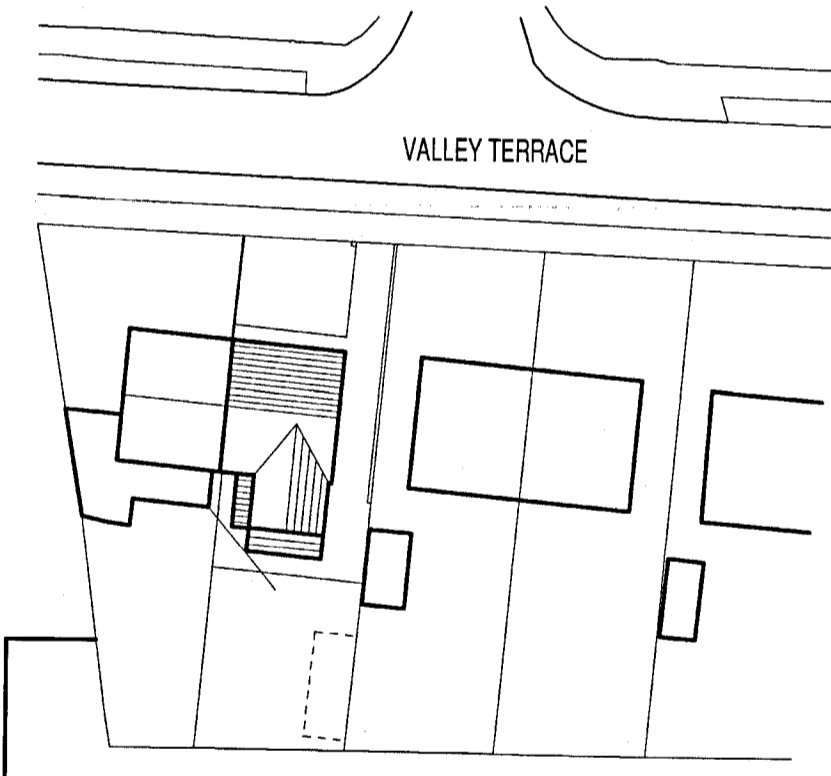
PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION

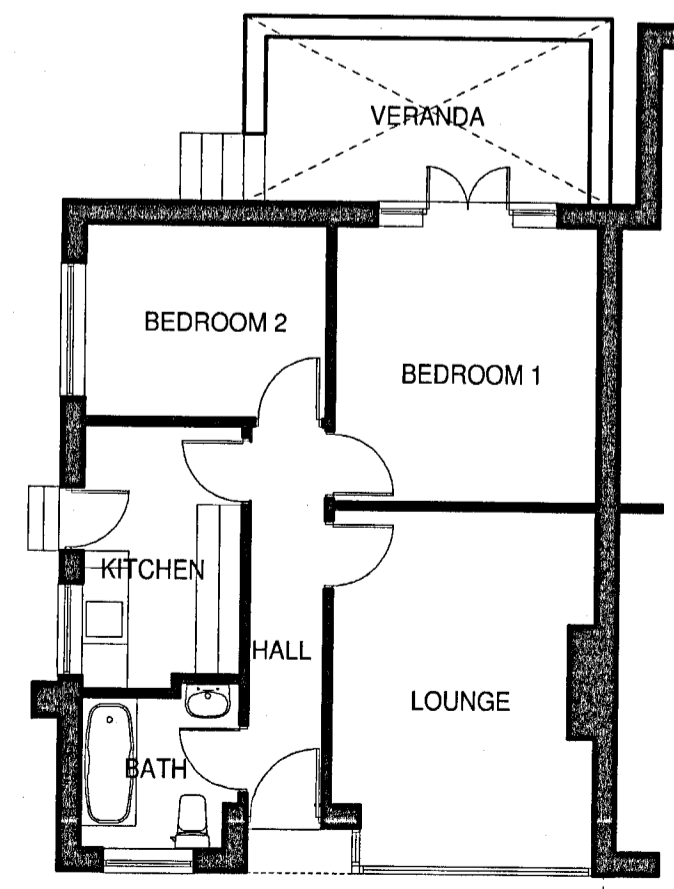
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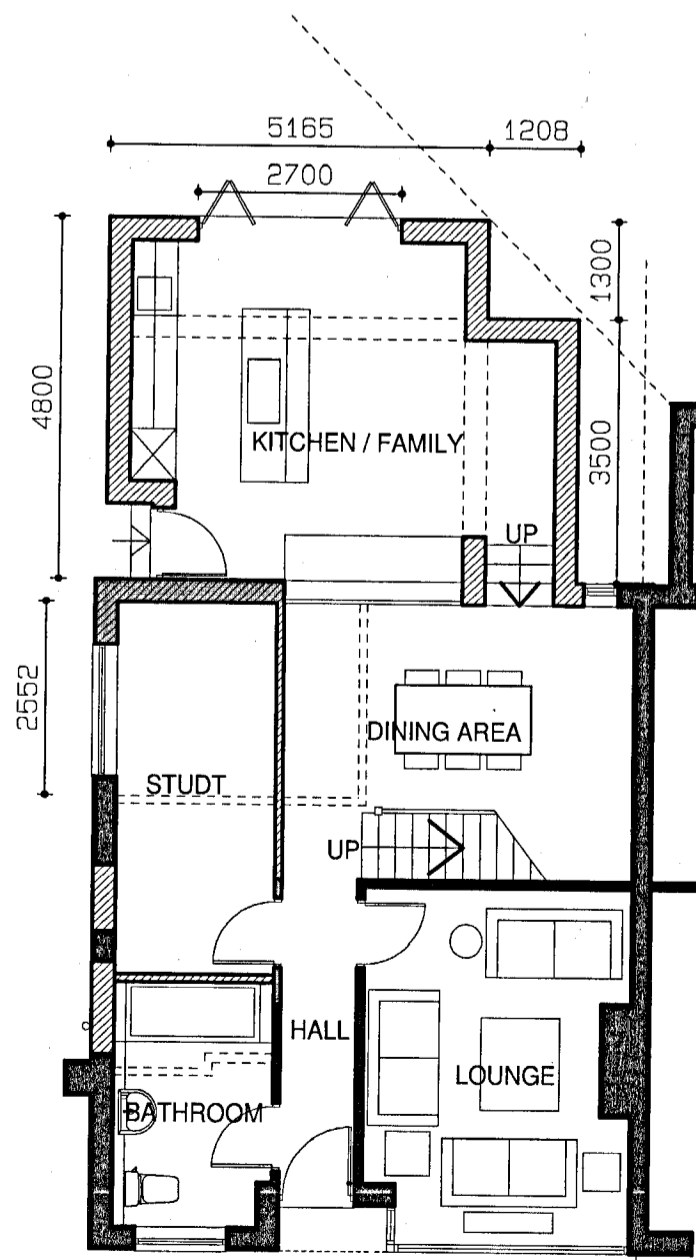
PROPOSED SIDE ELEVATION



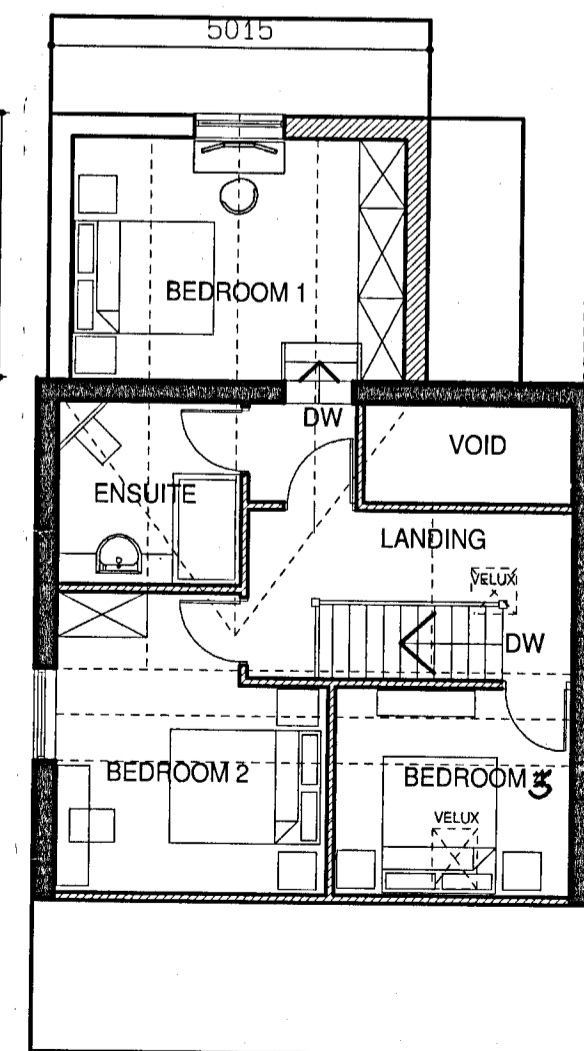
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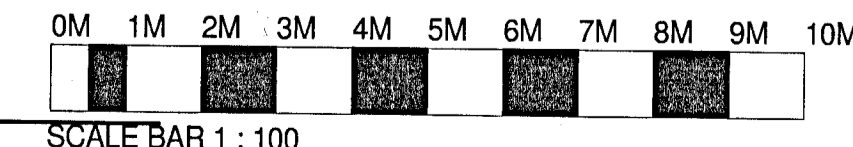
EXISTING FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

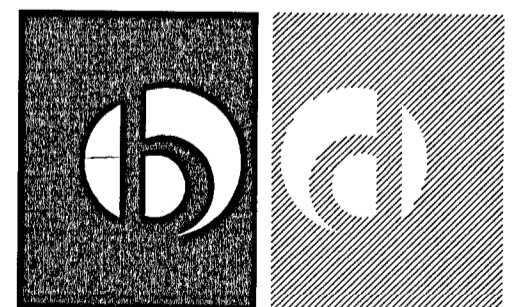


PROPOSED FIRST FLOOR PLAN



SCALE BAR 1 : 100

CLIENT	MRS C M WOOD
DRAWING TITLE	PLANNING DRAWING
PROJECT:	PROPOSED REAR 2 STOREY EXTENSION & LOFT CONVERSION 16 VALLEY TERRACE LEEDS
DRAWING No	014 / 050 / 1E
DRAWING DATE	SEPT 2014
DRAWN BY	IKB
SCALE	1:100 @A2

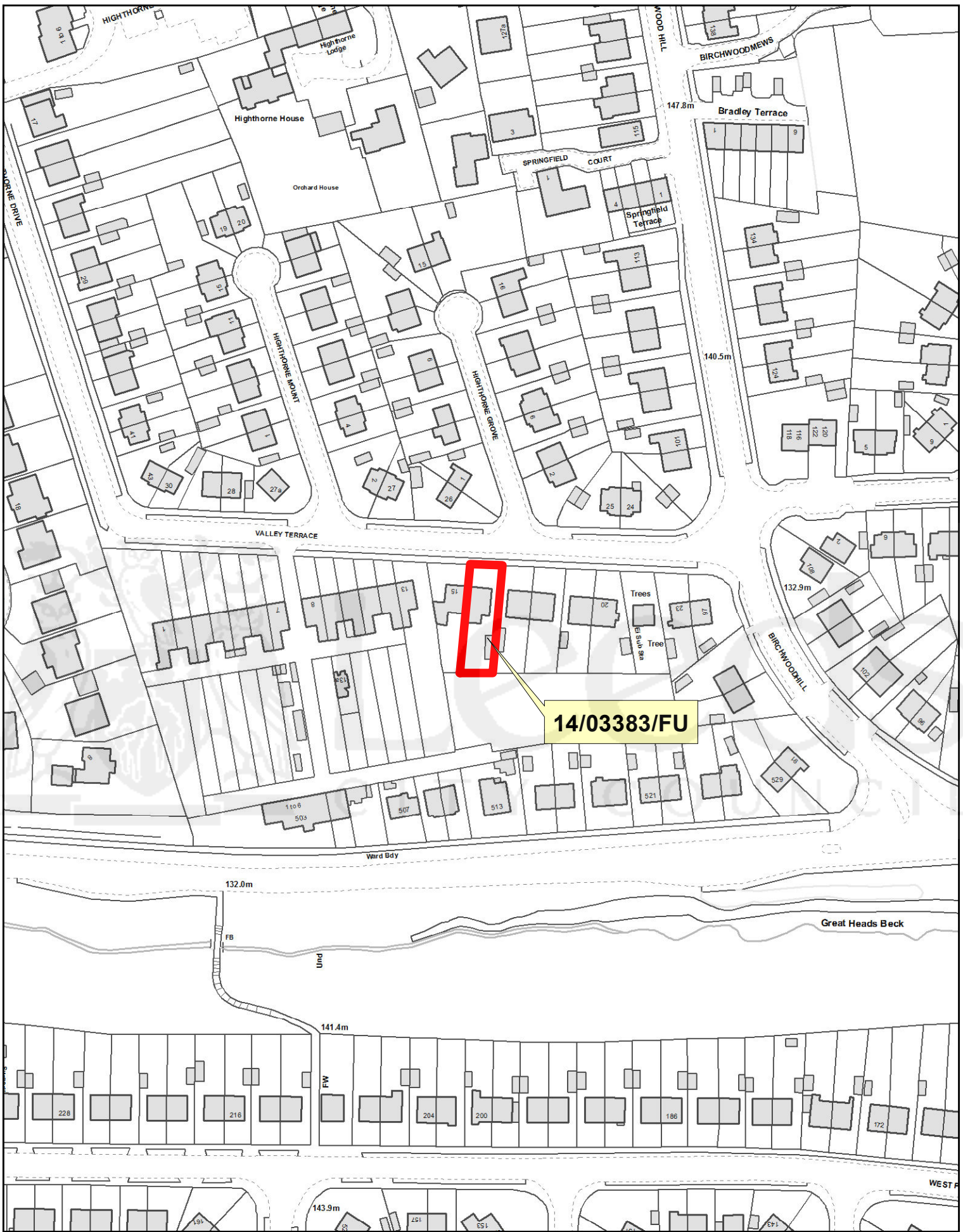


**BARRATON**  
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LEEDS CITY COUNCIL  
24 OCT 2014  
**REVISED**





# NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

