Leeds CITY COUNCIL

Originator: Marianne Banksy

Tel: 247 8000

Report of the Chief Planning Officer

PLANS PANEL NORTH AND EAST

Date: 5th February 2015

Subject: APPLICATION 14/06550/FU – Application for single storey rear extension at Flat Number 6, The Acres, The Avenue, LS17 7FD.

APPLICANT	**DATE VALID**	**TARGET DATE**
Mr. R Dhand	14th November 2014	9th January 2015

Electoral Wards Affected:	**Specific Implications For:**
Alwoodley	Equality and Diversity ☐
	Community Cohesion ☐
Yes ☐ Ward Members consulted (referred to in report)	Narrowing the Gap ☐

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Three year time limit.
2. Approved plans as revised
3. External materials to match
4. Obscured glazing to be used for the proposed side windows

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel following the request by Councillors Buckley and Harrand who raise concerns about overlooking and overdevelopment . The proposal is for a relatively modest extension to a ground floor flat. Since the receipt of the application revised plans have been submitted that delete a balcony that was proposed for the first floor flat and substitute the flat roof with a pitched and matching tiled roof. These were submitted in respect of concerns raised by various neighbours about potential overlooking.

2.0 PROPOSAL:

2.1 The proposal, as revised is for a 3m deep by 3.8m wide single storey rear extension with gabled double pitched roof (containing a roof light to each slope). It is proposed to be sited to the rear of the ground floor flat 6 to provide extra space onto a bedroom. Matching materials including brick, coloured render and concrete tiles will be used. Bi-fold glazed doors will be installed on the rear west facing elevation and a small side window provided in the south elevation. The bedroom north side elevation within the host will benefit from an additional window.

3.0 SITE AND SURROUNDINGS:

3.1 The application site consists of 2 blocks of flats (7 in total) with 2 areas of off street car parking provided to the rear and middle, a long winding driveway and various communal amenity spaces constructed within a landscaped setting .

3.2 The principle of the flats was approved on appeal in 2006 following the refusal of planning permission to redevelop a single bungalow site. Various amendment applications followed and were approved. The smaller block located to the rear and west side of the irregular shaped site and is of 2/3 stories and contains a 2 bed ground floor flat (No.6) and a 3 bed duplex above at first floor level that extends into the roof space (No.7). There is a small shared front porch entrance. The larger block is sited towards the front and east side of the site and contains 5 flats over 3 floors.

3.3 The surrounding area is mainly characterised by detached and semi-detached housing of mixed age, materials and styles. The plot sizes are mostly large with large mature rear gardens.

3.4 To the north of flat 6 is a dwelling which fronts The Grove (No. 8) and has a very long 40m rear garden adjoining the site. There is a 2 to 3m gap to the party boundary from the proposed single storey extension.

3.5 To the south is a pair of semi-detached dwellings (Nos. 19 and 21 the Avenue) with small rear gardens – approx. 7m in depth. The distance between the rear boundary of these properties and the south side elevation of the single storey extension is approximately 15m.

3.6 To the west is the communal garage block and large servicing area for the shopping parade fronting King Lane. Above the shops are maisonettes which are located approx. 30m away from the party boundary. The residual separation to this common boundary will be approximately 3.5m. The outlook will be onto the rear of the communal garaging and intervening boundary treatment.

3.7 To the front, which is unaffected, is the rear parking and amenity space for the 2nd larger block of flats and beyond is the long rear garden of number 25 The Avenue.

4.0 RELEVANT PLANNING HISTORY:

4.1 30/371/05/FU (APP/N4720/2007061) - 2 blocks of 7 flats allowed on appeal subject to various conditions, including the provision of obscure glazing to all side widows.

4.2 06/06532/FU approval of amendments to the smaller block for 2 flats to provide an additional bedroom in the roof space for the upper flat including new dormer window.

4.3 07/9/00257/MOD Approval of addition of rooflights to block of 5 flats.

5.0 HISTORY OF NEGOTIATIONS:

5.1 No pre-application discussions were undertaken. Revised plans have been offered which responds to the concerns of the neighbouring dwellings in relation to loss of privacy by deleting the balcony element.

6.0 CONSULTATION RESPONSES:

Statutory Consultations:

6.1 None

Non Statutory Consultations:

6.2 None

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Neighbourhood notification letters were dispatched on 14/11/14 and site notices were posted on 21/11/14.

7..2 Eight letters of objection have been received including a letter from the Parish Council and a letter from Councillors Harrand and Buckley who request that the application be reported to the Plans Panel if minded to approve. The objections are on the following grounds.

- Councillors Harrand and Buckley and the Parish Council make the same objections that it constitutes overdevelopment (the original appealed application for the flats was also contentious and an overdevelopment); obscured glazing as required by the Planning Inspector should be used in the windows if the application is to be approved; the use of the balcony will cause loss of privacy for neighbours which is a significant concern where there is further overdevelopment.
- Trees should have been planted as part of the landscaping scheme
- Significant overlooking from the balcony element
- Obscured glazing should be used as previously conditioned.

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 adopted Core Strategy, saved policies within the Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

8.2 Core Strategy
Policy P10: refers to design.

8.3 Saved policies within the UDP

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 building.

8.4 Supplementary Planning Guidance/Documents

Leeds City Council Householder Design Guide was adopted on 1st 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, over dominance or overlooking will be strongly resisted.

8.4 National Planning Policy Framework (2012):

This document promotes sustainable (economic, social and environmental)

- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation and are visually attractive as a result of good architecture and appropriate landscaping. The NPPF also states that in determining applications, great weight should be given to innovative designs which help raise the standard of design more generally in the area.

- Guidance on the use of Planning Conditions is contained within the Planning Policy Guidance.

9.0 MAIN ISSUES:

- The principle of development.
- Impact on the character and appearance of the area.
- Impact on residential amenity.
- Private amenity space/overdevelopment.

10.0 APPRAISAL:

The principle of development

10.1 The principle of flat development was established with the allowing of the appeal against the planning refusal in 2006 for 2 blocks of 2 storey flats. The principle of extending the buildings is acceptable in this residential area. The main issues therefore relate to the impact of the extension as revised on the character of the area, the amenity of neighbouing residents and whether it constitutes an overdevelopment of the site.

Impact on the character and appearance of the area

10.2 The extension is relatively modest in size, is proportionate to the original building, follows the design principles of the existing building and uses matching materials The small block of flats to be extended is located the rear of the development site known as The Acres and therefore is not visible by the general public from the surrounding 3 main roads. Overall, the impact on the character and appearance of the area is considered to be acceptable.

Impact on residential amenity

10.3 The removal of the balcony to the rear of flat number 7 and the provision of obscure glazing are considered to overcome concerns about potential overlooking. There is good separation from the side walls of the extension to the rear of Nos. 19 and 21 The Avenue (approximately 20m) and 8 The Grove (approximately 42m). These distances are far in excess of the requirements of the Householder Design Guide. The outlook of the extension will be onto the existing boundary treatment which screens the functional and dated communal garage block beyond. The small south facing window and rooflights will alleviate this limited outlook for the occupier of flat 6. The impact on the living conditions of existing neighbours is therefore now considered to be acceptable.

Private amenity space/overdevelopment

10.5 The addition of the extension at the rear reduces the amount of private amenity space available for these flats, especially flat 6 to be extended. The bi-fold doors on the west elevation will help to open up the extension somewhat. Nevertheless a reasonable sized garden is maintained around the flat block. Therefore the development is not considered to constitute an overdevelopment and this aspect is therefore considered to be acceptable overall.

11.0 CONCLUSION:

11.1 Subject to appropriate conditions as discussed above, the revised proposal is considered to be acceptable as it complies with the city councils adopted planning policies and guidelines. It is therefore recommended that the application be approved.

Background Papers:
Application file: 14/06550/FU
Certificate of ownership: As applicant

Existing Ground Floor Plan
Scale 1:100

Existing First Floor Plan
Scale 1:100

Existing Rear Elevation
Scale 1:100

Existing Side Elevation
Scale 1:100

Existing Front Elevation
Scale 1:100

Existing Side Elevation
Scale 1:100

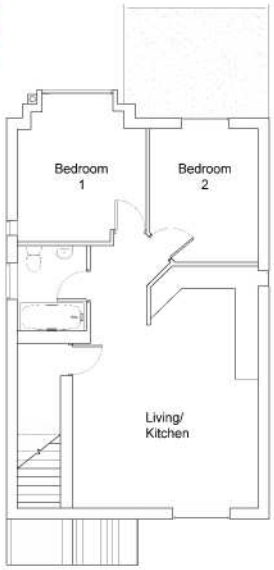
Proposed Rear Elevation
Scale 1:100

Proposed Side Elevation
Scale 1:100

Proposed Front Elevation
(to remain unchanged)
Scale 1:100

Proposed Side Elevation
Scale 1:100

Proposed Ground Floor Plan
Scale 1:50



Proposed First Floor Plan
Scale 1:50

Location Plan
Scale 1:1250

Plans only these drawings are for Planning and Building Regulation purposes only.

NOTE:
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before works commence.

All drawings must be read with and checked against any structural or other specialist drawings provided. All works to comply with British Standards, Codes of Practice, current Building Regulations and carried out to the satisfaction of Building Inspector. All materials to comply with the relevant British Standards.

C	Flat Roof balcony omitted	18.12.2014
B	Fire line missing and proposed plans added. Windows amended to include sliding corner and other.	12.11.2014
A	Roofs: proposed conversion exercise / contextually added	27.10.2014
	REVISIONS	DATE

RIYAT ASSOCIATES LTD
Architectural Designers and Planning Consultants
Belmont House, 14 Broom Street, Leeds LS7 1BL
Telephone: 0113 2455462 Fax: 0113 2440800 E-Mail: info@ra-ltd.com

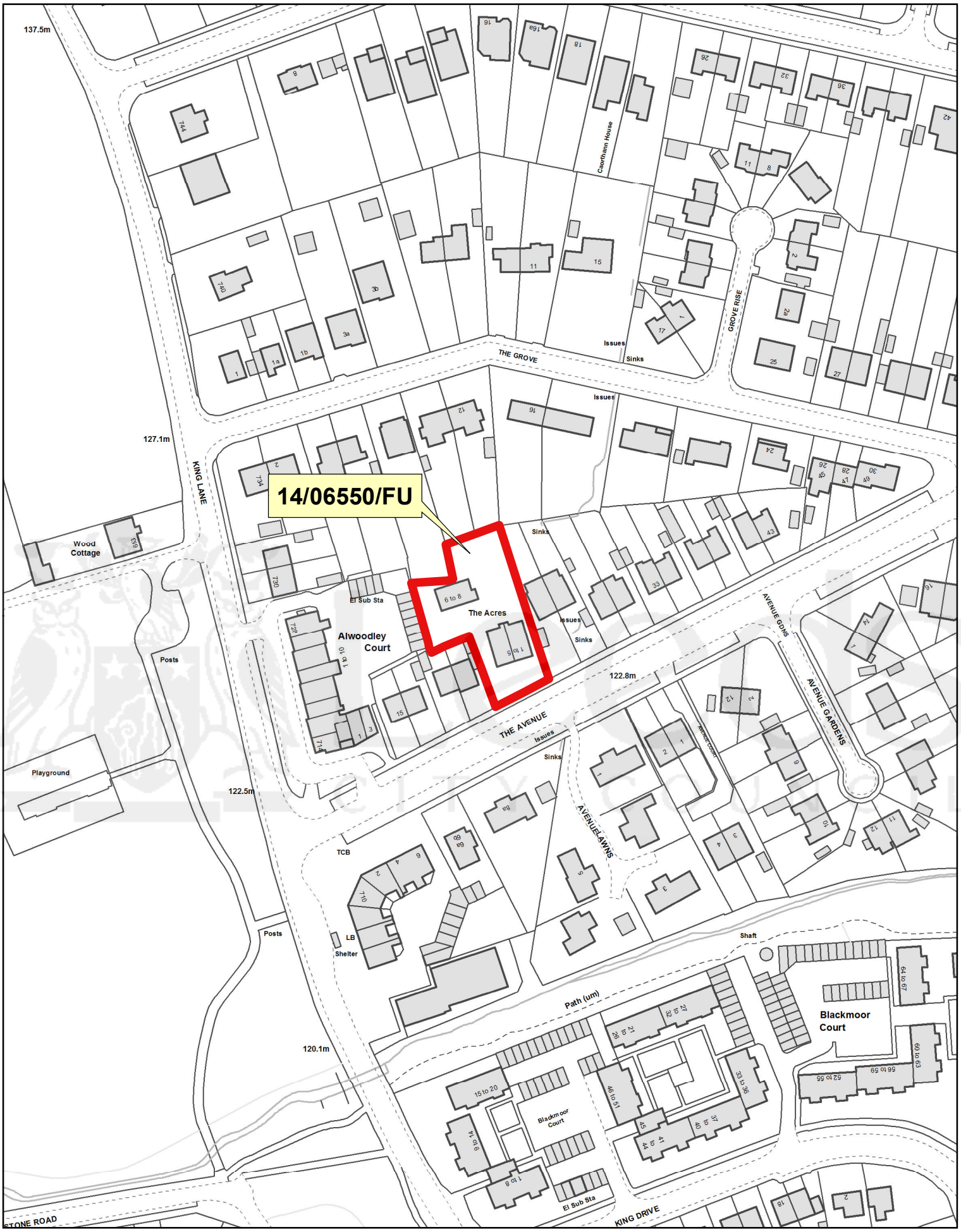
Client:
Mr R. Dhand
Mayfair North

Project:
Alterations to
Flat 6, The Acres, The Avenue,
Leeds, LS17 7BD

Drawing:
Location Plan, Existing and Proposed Elevations and Floorplans

Scale	As Shown	Drawing No. 2154/01
Date	October 2014	X X C

© Copyright Riyat Associates Ltd



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