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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 5<sup>th</sup> February 2015**

**Subject: 14/02451/FU - Alterations including two storey front and side extensions, two storey rear extension, roof terrace to rear at Quarry House, 49 Bracken Park, Scarcroft, Leeds.**

|                                   | <b>DATE VALID</b>        | <b>TARGET DATE</b>        |
|-----------------------------------|--------------------------|---------------------------|
| <b>APPLICANT</b><br>Altaf Sadique | 6 <sup>th</sup> May 2014 | 1 <sup>st</sup> JULY 2014 |

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**Electoral Wards Affected:**

**Harewood**

☐ Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

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**RECOMMENDATION: GRANT PERMISSION subject to the following conditions:**

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Materials to match the existing;
4. Pre-commencement Tree Survey required. Recommendations to be implemented;
5. PD restriction – No windows to side elevations/roof plane of proposed extensions;
6. No use of flat roof as balcony adjacent to bedroom 4.
7. Condition to ensure opaque screen is retained in perpetuity
8. Pre-commencement condition requiring approval in writing of bat roosting provision to be made on the site.

**1.0 INTRODUCTION**

- 1.1 This application seeks permission to construct a two storey front and side extension and two storey rear extension and balcony.

- 1.2 The application is brought to Panel at the request of a ward member, Councillor Rachael Procter who is concerned with the impact that the proposal will have on the character of the area.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The application relates to a gable roofed, random coursed stone built rectilinear large detached residential dwelling of modest and simple form and style. The house is set back from the highway behind a low wall with railings and a front garden dominated by a driveway with two access points off Bracken Park. The property has a large garden to the rear with mature planting and trees and solid timber fencing and high hedge boundary treatment which is to be retained.
- 2.2 The property has a detached double garage set behind and to the side of the main property and the driveway allows at least two cars to be parked clear of the highway.
- 2.3 Bracken Park is located on a cul-de-sac of large residential dwellings spaced well apart and of similar size, scale, form and style to the applicant property in a rural-fringe location within the envelope of the village of Scarcroft to the north east of the city of Leeds.

## **3.0 PROPOSAL**

- 3.1 It is proposed to make alterations to the existing property to include a two storey front and side extension, two storey and single storey rear extension and roof terrace to the rear.
- 3.2 The proposed two storey gable roofed extension to be set to the wall forming the front elevation will measure approximately 4.7m wide by 1m deep by 8m tall to ridge and 5.6m to eaves measured from ground level.
- 3.3 The proposed two storey gable roofed side extension will be set to the wall forming the side (north) elevation. It is proposed that it will be set back from the wall forming the front (east) elevation by approximately 1m and will project beyond the wall forming the rear (west) elevation by approximately 1.6m. The extension will measure approximately 4.2m wide by 6.6m deep by 8m tall to ridge and 5.6m to eaves measured from ground level.
- 3.4 It is proposed to erect a two storey gable roofed extension to be set to the wall forming the rear (west) elevation of the above (3.4) proposed two storey rear extension. It will be stepped in behind the above by approximately 1.8m and will measure approximately 4.4m wide by 8m deep by 8m tall to ridge and 5.6m tall to eaves measured from ground level.
- 3.5 It is proposed to erect a single storey hipped roof extension to be set to the wall forming the rear (west) and side (north) elevation of the above (3.5) and the wall forming the rear (west) elevation of the above (3.4).
- 3.6 It is proposed to erect a single storey flat roofed infill extension set to the wall forming the rear (west) elevation of the main dwelling, the wall forming the side (south) elevation of the above (3.6) and the wall forming the side (north) elevation

of an existing transverse extension. This will measure approximately 4.6m wide by 7m deep by 2.5m tall. It is proposed that the flat roof will be used as a roof terrace.

#### **4.0 RELEVANT PLANNING HISTORY:**

Reference: H31/487/77/  
Proposal: Detached stone double garage, to rear of detached house.  
Status: Approved  
Decision Date:: 18-OCT-77

Reference: H33/159/83/  
Proposal: Alterations and extension, to form loggia to rear of detached house.  
Status: Approved  
Decision Date:: 01-JUL-83

Reference: H33/2/86  
Proposal: Alterations and extension, to form lobby, swimming pool room and plant room, to rear of detached house.  
Status: Approved  
Decision Date: 18<sup>th</sup> FEB 1986

Reference: H33/111/86/  
Proposal: Alterations extension to form swimming pool, to rear of detached house .  
Status: Approved  
Decision Date:: 16-MAY-86

Reference: 33/7/04/FU  
Proposal: Single storey rear extension and porch to front  
Status: Approved  
Decision Date:: 23-FEB-04

Reference: 33/596/04/FU  
Proposal: First floor rear extension with balcony  
Status: Approved  
Decision Date:: 07-JAN-05

Reference: 33/363/05/FU  
Proposal: New pitched roof to existing flat roof detached double garage  
Status: Approved  
Decision Date:: 03-OCT-05

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 No pre-application discussions have been held with officers prior to the submission of the initial application.

5.2 After initial consideration of the submitted application proposal discussions were held with the agent as a result of which the amended plans were submitted. The original submission proposed a two storey front gabled extension with a further single storey porch and large glazed doors and first floor window. The initial plans

also proposed a two storey hipped roof, side and rear extension, wider and deeper than the current proposal with double garage and two sets of garage doors at ground floor level and balcony across the rear.

- 5.3 Officers advised the agent that they are not against a side extension in principle but it would need to be of appropriate scale and reflect the size, scale, form and style of the existing dwelling and respect the gap at the side of the applicant dwelling.

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

- 6.1 The application has been advertised by neighbour notification letters sent on 9<sup>th</sup> May 2014. Following the submission of the amended plans and re-advertisement 18<sup>th</sup> May 2014 on submission of further revised in in November 2014, 2 further comments and then further revised plans submitted plans 13<sup>th</sup> January 2015 resulted in one further objection comment.
- 6.2 The publicity period for the revised submission application expired on the 23<sup>rd</sup> January 2015. To date 4 objectors have made comments. It should be noted that only one of these was submitted after revised plans were accepted 13<sup>th</sup> January 2015. Comments made include the following main points:
- The proposal is forward of the building line
  - The size of the proposal and proximity to the boundary
  - Overdevelopment, increase in size and massing
  - Gable to front of property
  - Impact on neighbour privacy in respect of the balcony/roof terrace
  - Overshadowing of properties set to the north
  - Impact of building works on traffic
  - Overlooking to the front (east)
  - Time to make objections.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 Sustainability-Nature Team: Have identified that that applicant site lies in an area where bats may be present and that there is a bat roost in a property in the vicinity of the applicant property. The applicants, on advice from the Nature Officer, have provided a Bat Emergence Survey. This has been reviewed by the Nature Officer who concludes that the report is satisfactory and advises that should planning permission be approved appropriate conditions should be attached.
- 7.2 Landscape: Note that the proposal does not appear to be in conflict with any trees but advise a Pre-commencement condition requiring a Tree Survey and implementation of any recommendations therein.

## **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, the saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013), together with any relevant SPGs and SPDs.

## Local Planning Policy

- 8.2 The Core Strategy was adopted on 12<sup>th</sup> November 2014. The following policies are relevant:

P10 - Design

- 8.2 Relevant planning policies in the Leeds Unitary Development Plan (Review 2006) are listed below:

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

BD6: Seeks to ensure extensions respect the scale and form of the existing dwelling.

## Supplementary Planning Guidance/Documents

- 8.3 Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> 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, overdominance or overlooking will be strongly resisted.

## 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 ISSUES**

- 1) Design and Character
- 2) Neighbour Amenity
- 3) Highway Safety

## **10.0 APPRAISAL**

### Design and 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”. Policy BD6 seeks that all alterations and extensions should respect the scale, form, detailing and materials of the original building. These policies are elucidated and expanded within the Householder Design Guide.
- 10.2 The existing property is as noted a large residential dwelling of simple architectural style and form and the proposal will increase the width and depth of the property. The proposed extensions will introduce a more suburban form to the character of the property but it is considered that this would not be out of place in Bracken Park.
- 10.3 The extensions which are proposed adequately complement the existing dwelling. They have a simple shape and form and their size and scale reflect the existing dwelling and the pattern and scale of surrounding development. As such, subject to a condition to match the materials of the existing house, no harm is anticipated to the dwelling or the wider streetscene. It should be noted that the existing garage will be demolished as part of the proposal.
- 10.4 It is proposed to erect a two storey gable roofed extension set to the front of the application property. Set against the context of the size and scale of the application property this is a modest addition which projects by approximately 1m and will not significantly harm the building line of the wider street scene. The gable roof form to the front roof plane will but set against a wide expanse of clear roof plane that can be viewed from the wider street scene and as such is not considered to harm the character and nature of the application property or the wider street scene.
- 10.5 Whilst It is noted that the proposal includes a large decorative glazed area to the proposed two storey front (east) elevation and it is recognised that this would introduce a new feature into the area, on balance it still presents an appropriate amount of stonework.
- 10.6 The proposed two storey side (north) extension will retain a gap of approximately 3m to the common boundary with 18 Bracken Park. The gap between 18 Bracken Park and the same common boundary is approximately between 12m toward the front of the property and 8m toward the rear.

- 10.7 It is noted that 18 Bracken Park has an extant planning permission, valid until the 26<sup>th</sup> July 2015, (11/05251 refers). This reduces the gap to between approximately 5m to the front and 2m to the rear.
- 10.8 Moreover, 18 Bracken Park is set at an obtuse angle to the application property. As such it is considered that the proposal still retains a good sized gap and will not harm the spatial character and nature of the application property, 18 Bracken Park and the wider street scene.

#### Neighbour Amenity

- 10.9 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 of overlooking with be strongly resisted”.
- 10.10 The proposal raises no significant concerns in respect of overdominance and overshadowing and the impact upon neighbours with the exception of the proposed two storey side extension and potential impact on 18 Bracken Park, a two storey residential dwelling of similar size and scale to the applicant property and set approximately 16m north of the applicant property (at present – see above 10.7 in respect of an extant planning permission granted to 18 Bracken Park).
- 10.11 The applicant property is set lower than the adjacent property 18 Bracken Park and the proposed two storey side extension has been stepped down relative to the applicant property and thus 18 Bracken Park. The proposed two storey side extension is also set back relative to the applicant property and will be approximately 10m behind the building line of 18 Bracken Park. As such overshadowing or overdominance are unlikely to be significantly more harmful than existing, particularly as in terms of the track of the sun, the proposed side extension is set to the north of the existing applicant property, thus overshadowing will not be to a significantly greater degree than already experienced in relation to the existing.
- 10.12 The proposed windows will allow views toward the front and rear of the property however these are not uncommon within residential contexts and are similar to the views currently afforded from the windows in the existing dwelling and fall within the distances advised within the Household Design Guide (HDG). The proposed roof terrace will have direct views toward the rear (west) of the property and 25 Fern Way Scarcroft set approximately 51m to the rear of the applicant property which exceeds the parameters advised by the HDG, (the distance from the proposed roof terrace to the rear (west) boundary is approximately 43m). Moreover, the applicant property already has a roof terrace set to the rear (west) and it is considered that overlooking will not be significantly greater than currently experienced in relation to the existing.
- 10.13 It is noted that one window will be installed at ground floor level on the side (north) elevation of the proposed single storey rear (west)/side (north) extension. This is approximately 3m from the boundary and will serve a tertiary space. As such it falls within the distance advised by the HDG and would look toward hedging on the common side (north) boundary with 18 Bracken Park.

#### Highway Safety

- 10.14 Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including highway safety”. In order to be considered acceptable in respect of highway safety development proposals must not prevent two cars parking within the curtilage of a dwelling. The works which are proposed remove the existing garage and build over part of the existing driveway, however, a single garage will be located in the ground floor of the proposed side extension and there is sufficient space to the front of the dwelling to accommodate at least two vehicles. As such the application is considered acceptable in this regard.

## **11.0 CONCLUSION**

- 11.1 The application is considered to be acceptable. The proposal would not harm the design and character of the applicant dwelling or Bracken Park nor harmfully impact on neighbour amenity or highway safety. As such the application is considered to be compliant with the relevant policies, the house holder design guide and the guidance within the NPPF and it is recommended that permission is granted.

### **Background Papers:**

Application files 14/02451/FU

Certificate of ownership: Certificate A signed by David McCormack (Agent) on behalf of the applicant.



| REV. DATE | REVISION   | BY   | RVN    |
|-----------|------------|--|--------|
| A         | 04/04/2014 | Client Amendments                            | MP DMC |
| B         | 26/05/2014 | Layout Amended                               | MP DMC |
| C         | 19/06/2014 | Amended as per planners request              | AE DMC |
| D         | 14/07/2014 | Layout Amended                               | MP DMC |
| E         | 25/08/2014 | Footprint amended, IT to increased also      | AE DMC |
| F         | 12/10/2014 | Updated in accordance with survey            | AS DMC |
| G         | 13/11/2014 | Updated in accordance with planners comments | AS DMC |

LEEDS CITY COUNCIL

26 NOV 2014

REVISED

N

Key

Site Boundary

Existing Buildings

Existing Trees

Existing Hedgerow

Gravel Surface

Decking

Lawn

studio MAP  
Architecture and Project Management

Bridge House  
1 - 2 Station Bridge, Harrogate  
North Yorkshire, HG1 1SS  
Tel: 01423 709192  
Fax: 01423 709183  
Email: admin@studiomap.co.uk

CLIENT

Altat Sadique

PROJECT

Quarry House  
Bracken Park  
Leeds  
LS14 3HZ

TITLE

Proposed Site Plan

STATUS

Preliminary

DATE

October, '13

SCALE

1/200

DRAWN BY

FW

REVIEWED BY

DMC

DRAWING NUMBER

2013

65

20 G

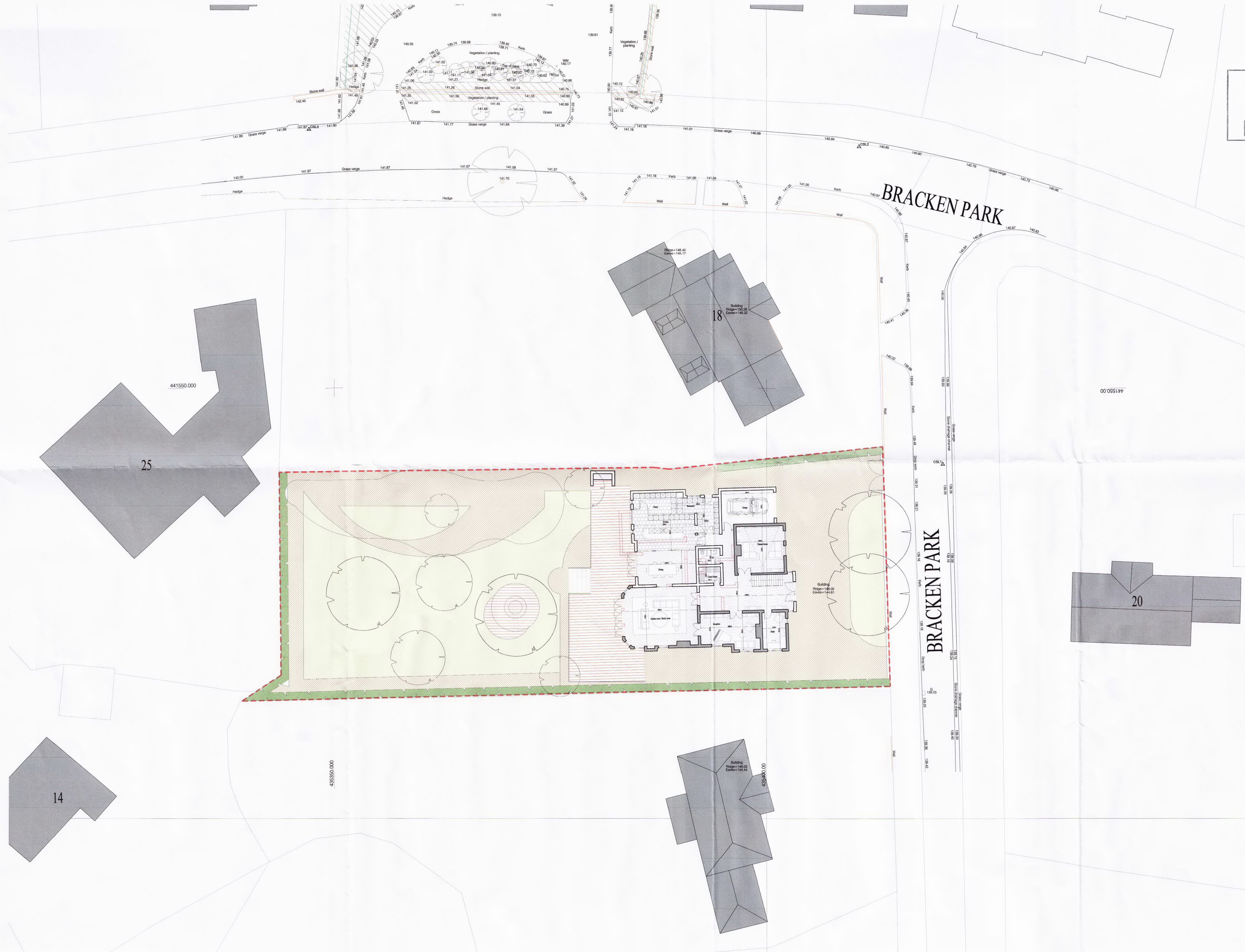
CAD DETAILS

NOTES

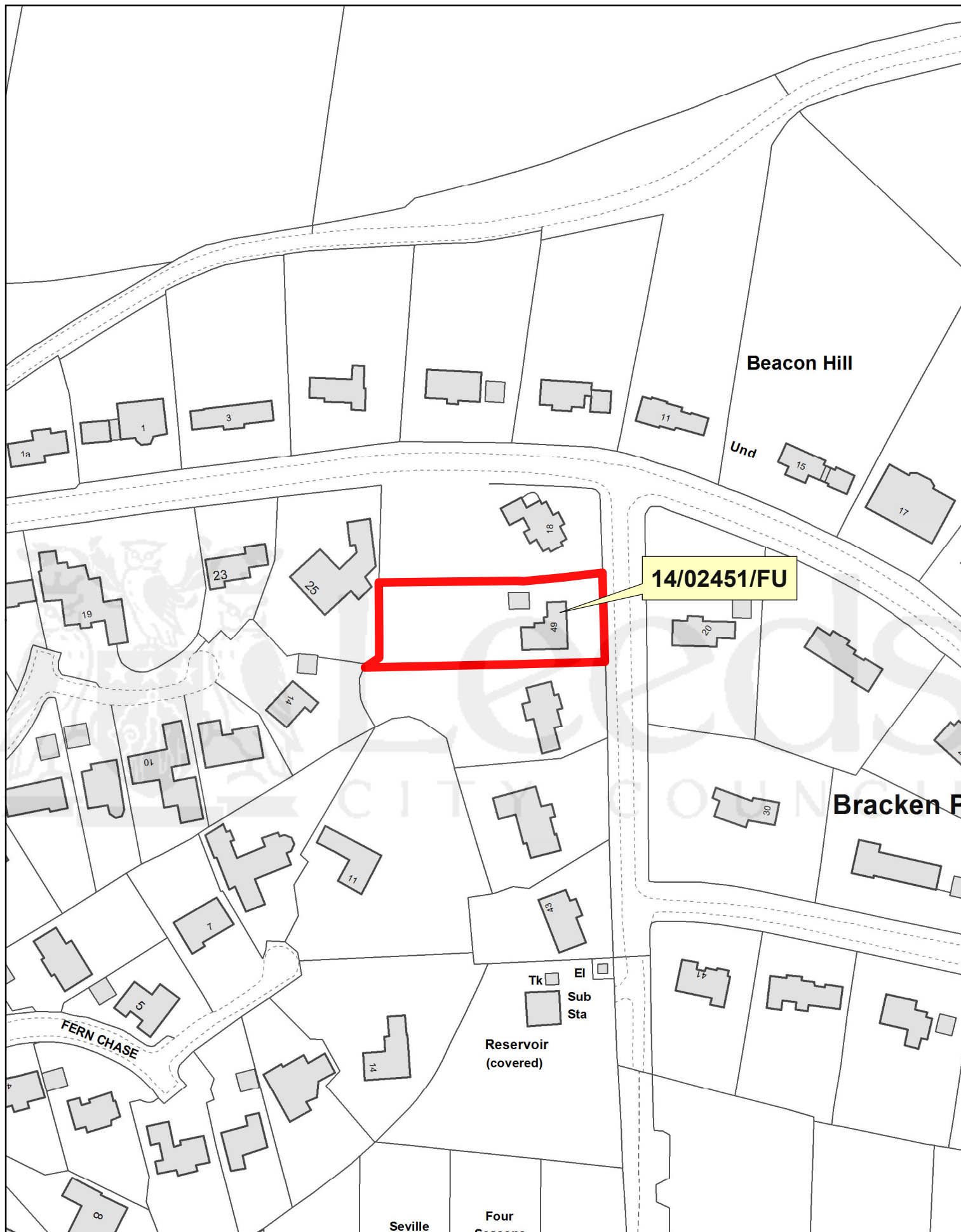
CHB

1:scale

Site







# NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

