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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 12<sup>th</sup> March 2015**

**Subject: 14/05100/FU - Raise roof height of main dwelling; two storey extension to front; two storey extension to side/rear; single storey extension to side; dormer windows to rear roof plane and create living space in roof at 7 Bracken Park, Scarcroft, Leeds. LS14 3HZ**

**APPLICANT**

Mr and Mrs Khan

**DATE VALID**

27<sup>th</sup> August 2014

**TARGET DATE**

10th December 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. Permitted development restriction – No windows to side elevations/roof plane of proposed extensions;
6. Pre-commencement condition requiring approval in writing of bat roosting provision to be made on the site.
7. Pre-commencement details of tree protection methods.
8. Retention of garage for parking.

**1.0 INTRODUCTION**

- 1.1 This application seeks permission to raise the roof height of the main dwelling to create a second floor, to erect a two storey side and rear extension, a single storey side extension and dormer windows to rear.

- 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 set down from the highway set back from the highway behind a low wall and a front garden dominated by a driveway with two access points off Bracken Park. The property is characterised by a chalet style form, thus rather than appearing as a two storey structure it has a single storey with living space and dormers in the roof. 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 to the side of the main property and the tarmacked 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 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 by raising the height of the existing roof and create living space in the roof void. It is also proposed to erect a two storey front extension and two storey side extension and two storey and single storey side/rear extension.

- 3.2 It is proposed to raise the height of the roof of the application dwelling from approximately 7m tall to ridge and 3.3m tall to eaves to approximately 8m tall to ridge and 6m to eaves. The gabled roof form will be retained.

- 3.3 Proposals involve a two storey gable roofed transverse extension to the wall forming the front (south) elevation of the application dwelling. This will measure approximately 4.2m wide by 8m tall to ridge and 6.3m eaves measured from ground level.

- 3.4 The proposed two storey, gable roofed side extension will be to the east elevation and will measure approximately 7m wide by 15.2m deep by 7.5m tall to ridge and 5.4m tall to eaves. It will be set back behind the front elevation by approximately 0.8m and project beyond the wall forming the rear elevation by approximately 7.2m including the chimney stack

- 3.5 The proposed single storey side mono-pitched roofed extension will measure approximately 3m wide by 8m deep by 4.4m tall to ridge and 2.8m tall to eaves measured from ground level. It will be set back from the front elevation of the proposed two storey side extension by approximately 3.3m. It will also be set 2.2m at its nearest point away from the side boundary with no. 9 Bracken Park, and 3.0m away at its furthest point.

- 3.6 It is proposed to create a living space into the roof space of the main part of the application property with three flat roofed box dormers to the rear (north) roof plane. Each dormer will measure approximately 2m wide by 1.7m deep by 1.2m tall.

#### 4.0 RELEVANT PLANNING HISTORY:

Application number:	14/02450/FU
Proposal:	Alterations including three storey, two storey and single storey front/side/rear extensions; dormer windows to front/rear and balconies to side/rear
Status:	Withdrawn

#### 5.0 HISTORY OF NEGOTIATIONS:

- 5.1 No pre-application discussions per se have been. However, this application is a re-submission of an earlier application for a similar proposal that was withdrawn.
- 5.2 Revised plans have been submitted in light of officer concerns and following consultation with the ward member, Rachael Procter.
- 5.3 The original submission proposed a significantly longer side extension and taller roof height. The initial plans also proposed a balcony sited on the rear elevation, now removed and replaced with a Juliet balcony.

#### 6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The initial application was advertised by neighbour notification letters sent on 3<sup>rd</sup> September 2014.
- 6.2 The publicity period for the application expired on the 28<sup>th</sup> September 2014 and 22<sup>nd</sup> December 2014 following submission of revised plans. To date one objector from no. 9 Bracken Park has made comments. Concerns expressed are in relation to the initial plans :
- Inaccuracy of the plans.
  - The proximity of the proposal to the boundary and closure of the gap between properties
  - Over-dominance.
  - Overshadowing.
  - Scale and massing of rear extension.
  - Contrary to the Council's House Holder Design Guide.
- 6.3 Revised plans were received on 13<sup>th</sup> January 2015 and consultation letters sent out on 14<sup>th</sup> January 2015 with an expiry date of 24<sup>th</sup> January 2015 for responses. The neighbour at no. 9 Bracken Park has re-iterated their previous objections.
- 6.4 Further plans were received on the 21<sup>st</sup> January 2015, 30<sup>th</sup> January 2015 and 12<sup>th</sup> February 2015. As these reduced the scale and mass of the scheme consultation letters were not sent out.
- 6.5 **Scarcroft Parish Council:** Recommend that officers carry out a site visit to clarify issues raised by objector.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 Sustainability-Nature Team: 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 a condition be attached that requires the provision of bat roosting features.

Landscape: Note that the proposal does not appear to be in conflict with any trees but advise a condition requiring trees to be protected during construction works.

## **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 Core Strategy, saved policies of the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013), as well as relevant SPGs and SPDs.

### Local Planning Policy

- 8.2 Relevant saved UDP policies include:

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.

### Local Development Framework - Core Strategy

- 8.3 Policy P10 requires a high standard of design.

### Supplementary Planning Guidance/Documents

- 8.4 Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> April and carries significant weight.

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. The NPPF requires places an importance on achieving good design.

### **9.0 MAIN ISSUES**

- 1) Design and Character
- 2) Neighbour Amenity
- 3) Highway Safety
- 4) Consideration of Objections

### **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”. These policies are elucidated and expanded within the Householder Design Guide.
- 10.2 The existing property is as noted a large residential dwelling of modest and simple style and form and the proposal will increase the width, height and depth of the property.
- 10.3 The application property is set in a depression and is thus lower than the surrounding street scene. The rise in roof height within this context does not significantly impact on the wider street scene.
- 10.4 The extensions which are proposed adequately complement the existing dwelling. They have a simple shape and form and their size and scale reflect 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 street scene.
- 10.5 In terms of size and scale, the proposed application property will be similar to other properties in Bracken Park and whilst the proposal represents a significant change to the application property the size and scale is in keeping with neighbouring properties in Bracken Park.
- 10.6 There has been some concern expressed in relation to the reduction of the gap between the application property and 9 Bracken Park. The proposal will result in a gap of approximately 3m between the proposed single storey side (east) extension and the single storey garage at 9 Bracken Park and approximately 8m between the proposed single storey side (east) extension and the main dwelling at 9 Bracken Park.

- 10.7 In terms of the gap and the effect of the proposed two storey side (east) extension on the gap, it will result in a gap of approximately 6m between the proposed side (east) elevation and the single storey garage at 9 Bracken Park and 11.5m from the side to the main dwelling at 9 Bracken Park.
- 10.8 Whilst the gap will be reduced, there will still be a clear visible gap when read from the street and as such it is considered that the proposal will not significantly harm the character and nature of the application property, 9 Bracken Park or 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 proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance of overlooking will be strongly resisted”.

#### Overshadowing:

- 10.10 In respect of overshadowing the potential greatest impact is on 9 Bracken Park. This is a two storey house of similar size and scale to the applicant property. Under the proposed scheme the main dwelling would be separated from the application property by a gap and its own a single storey attached garage.
- 10.11 The applicant property is set lower than 9 Bracken Park and the proposed two storey side (east) and rear (north) extension have been stepped down relative to the applicant property. The ridge height of the main dwelling as proposed will be slightly taller than 9 Bracken Park and the proposed two storey side extension will be slightly lower than the main dwelling at 9 Bracken Park. In terms of the track of the sun in relation to the proposed side (east) extension, it is considered that overshadowing will not be to a significantly greater degree than in relation to the existing.
- 10.12 In respect of the proposed two storey rear (north) extension, it is likely that this will cause some overshadowing during the afternoon. However, the garage of 9 Bracken Park is located to the side (west) and it will be that area to the rear of the garage that will be most affected by the proposal. It is noted that 9 Bracken Park has a large garden with a significant amount of private amenity space that will not be affected by the proposal and given the distance from the main dwelling at 9 Bracken Park and proposed two storey rear (north) extension, approximately 11.6m, overshadowing is not considered to have such a significantly harmful impact that it would justify a refusal.

#### Overdominance:

- 10.13 In light of the degree of separation (11m to the main house) and scale of the extensions it is not considered that the resultant house would dominate 9 Bracken Park that it would justify a refusal.

#### Overlooking:

- 10.14 5 Bracken Park is the adjacent property set approximately 19m to the side (west) of the application property.

- 10.15 It is proposed to install windows at ground and first floor level into the side (west) elevation of the proposed two storey rear (north) extension. These windows will be approximately 24m from the common boundary with 5 Bracken Park and 37m from the main dwelling at 5 Bracken Park. As such they exceed the distances advised in the HDG and are not uncommon within residential contexts. Accordingly, overlooking is not considered to be significantly harmful enough to justify refusal.
- 10.16 Other proposed windows will allow views toward the front (south) and over the highway and rear (north) and over open countryside. There will be no windows located in the side (east) elevation and thus no overlooking toward 9 Bracken Park.

#### Highway Safety

- 10.17 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.
- 10.18 The works which are proposed remove the existing garage and replace it with a new garage as part of the proposed two storey side extension. This measures approximately 6.4m wide by 5.8m deep. This falls marginally short of the size advised in the HDG to be considered as a parking space for two cars (3m wide x 6m long per car). However, this standard is aimed towards more dense housing developments which do not comprise any other storage facilities. In this instance, the garage is large enough for 2 vehicles while the house and garden is large enough to cater for the storage needs of the occupants of the dwelling. There is also additional parking provision within the site frontage. As such the application is considered acceptable in this regard.

#### Consideration of Objections

- 10.19 The concerns and issues raised by the neighbour at no. 9 Bracken Park have been addressed above.

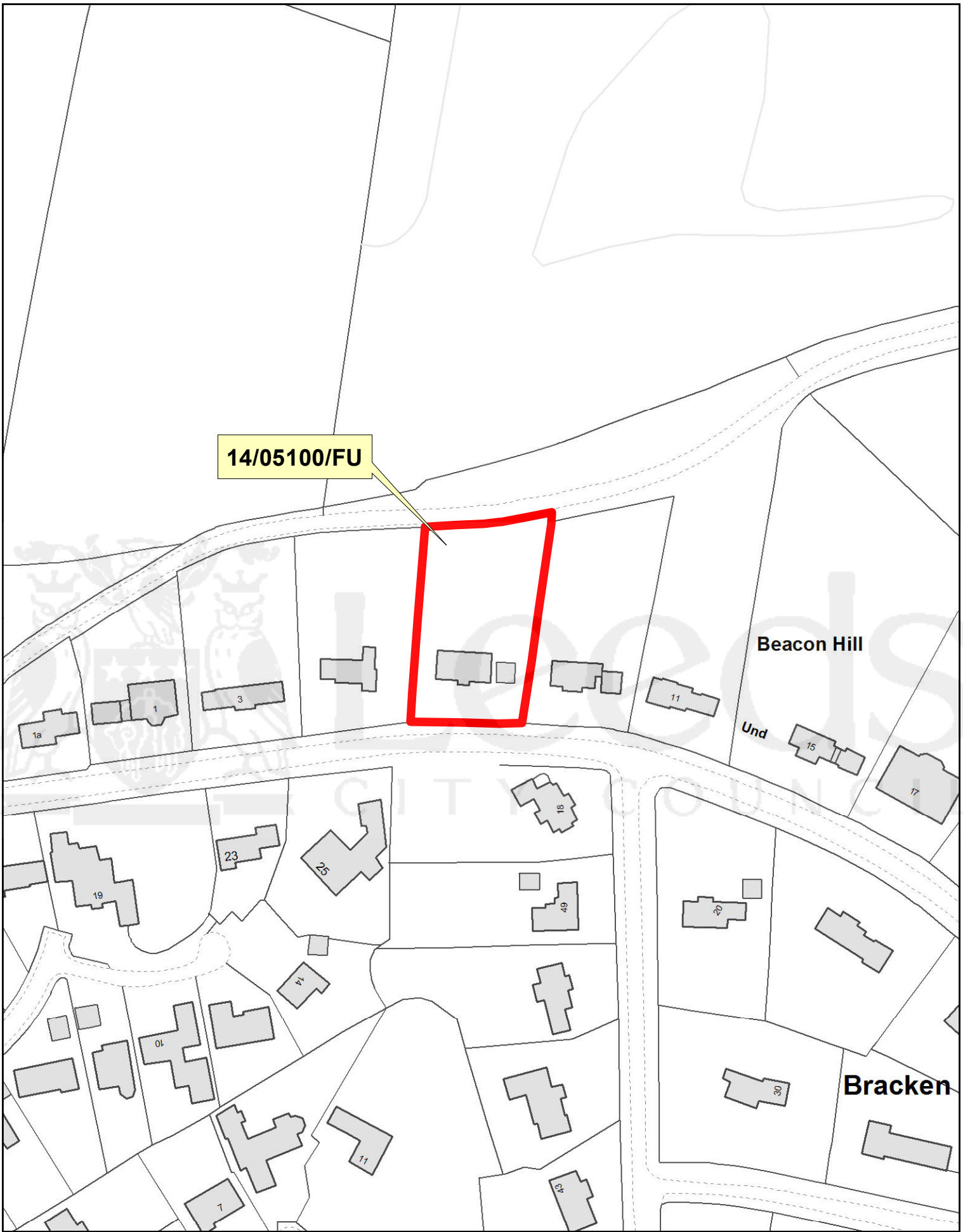
### **11.0 CONCLUSION**

- 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 compliant with the relevant policies and guidance.

#### **Background Papers:**

Application file: 14/05100/FU

Certificate of ownership: Certificate A signed



# NORTH AND EAST PLANS PANEL

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

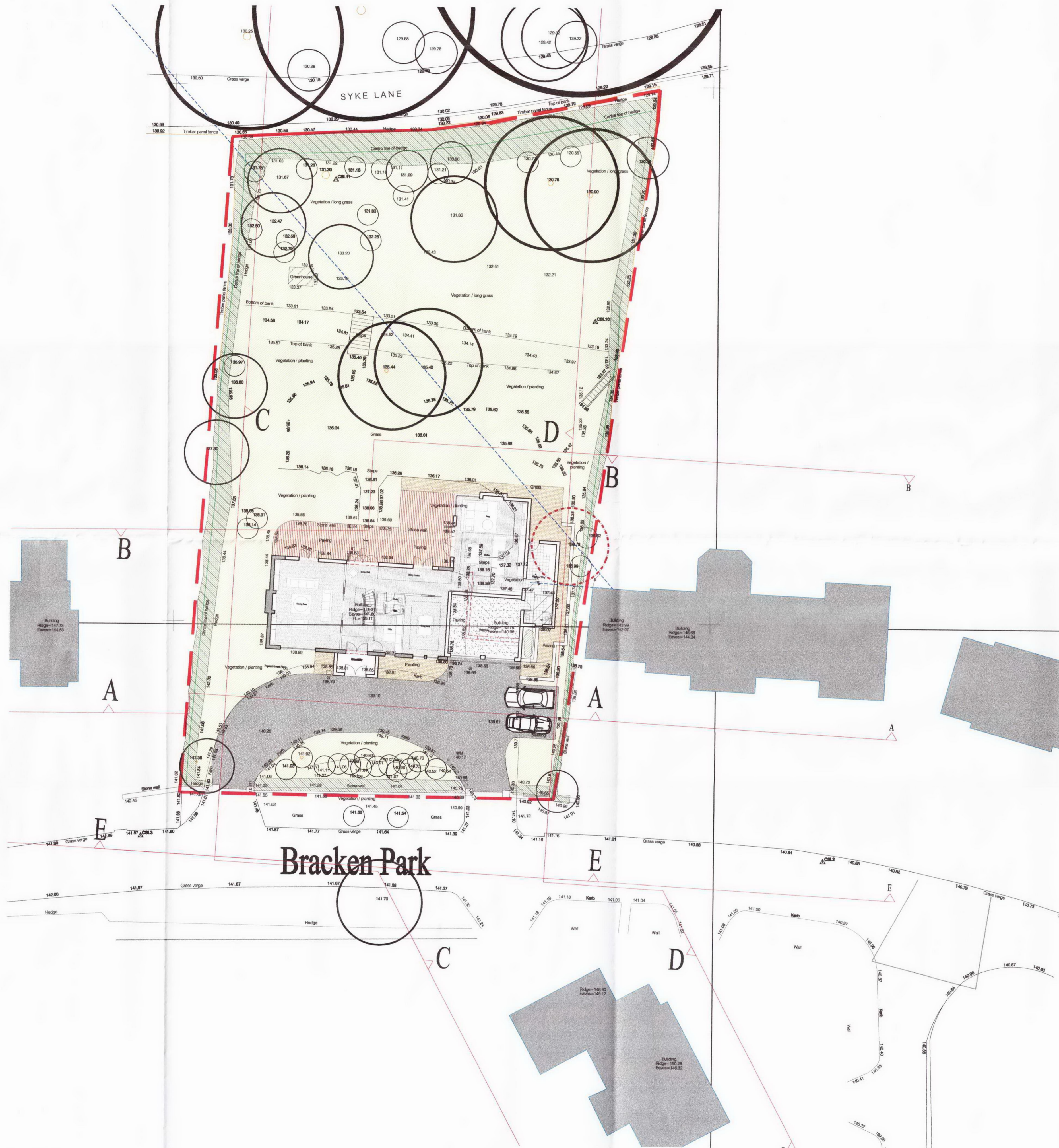
SCALE : 1/1500





REV.	DATE	REVISION	BY
A	19.02.14	Plans amended to client's requirements	FV
B	04.04.14	Floor Plan Amendments	DMC
C	17.04.14	General floor plan changes, amended as per	AS
D	04.05.14	General amendments - client meeting	AS
E	12.05.14	Demolition lines added	DMC
F	02.06.14	Footprint amended	DMC
G	16.07.14	Roof amended	DMC
H	20.08.14	Floor Plan & Site Amended	DMC
I	03.10.14	Topo Survey Added	DMC
J	13.10.14	Footprint Amends	DMC
K	19.02.14	Porch amended	DMC
L	13.02.15	Gable Wall Moved - Planning Amendments	DMC
M	21.01.15	Porch Size updated	DMC

LEEDS CITY COUNCIL  
21 JAN 2015  
REVISED



KEY

--- Site Boundary

**studio MAP**  
Architecture and Project Management

Bridge House  
1-2 Station Bridge, Harrogate  
North Yorkshire, HG1 1SS  
Tel: 01423 799192  
Fax: 01423 799183  
Email: admin@studiomap.co.uk

CLIENT  
Mr & Mrs Z Khan

PROJECT  
7 Bracken Park  
Scarcroft  
Leeds

TITLE  
Proposed Site Plan

STATUS  
Preliminary

DATE  
Feb. '14

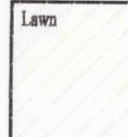
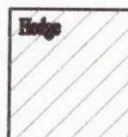
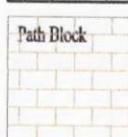



SCALE  
1:200 @ A1

DRAWN BY  
AS

REVIEWED BY  
DMC

DRAWING NUMBER  
2013 75 20 M

Proposed Materials Key

-  Lawn
-  Slope
-  Pebble Block
-  Site Roof
-  Floor Finish
-  Paving Tiling Base

Proposed Site Plan