



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 27th August 2015

Subject: 15/03034/FU – Two storey rear, single storey side extension at 9 Fieldhead Drive, Barwick-in-Elmet, LS15 4EE

APPLICANT

Mr K Harrison

DATE VALID

26th May 2015

TARGET DATE

21st July 2015
(ext to 31st August 2015)

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER AND DELEGATE approval to the Chief Planning Officer subject to the expiry of the publicity period and no objections being received that raise significant new planning issues and with the following conditions:

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Materials to match;
4. Garage to be demolished prior to commencement of works;
5. PD restriction – extensions, roof alterations and outbuildings;
6. No insertion first floor side windows.

1.0 INTRODUCTION

1.1 This application seeks permission to construct two storey rear and single storey side extension. The site is located within the Green Belt and within an enclave of existing residential properties with a road frontage. There are other extensions to similar properties within the immediate area, the majority of which have taken place prior to adoption of the Householder Design Guide. The scale of the proposed extension is not too dissimilar to other properties in the locality, and there is the possibility of a large single storey extension being built under permitted

development. It is noted that PD was removed from the property in 2013, 13/01340/FU refers, although it would appear that no material start had been made to date. The proposal is considered to be proportionate to the main dwelling and for the reasons outlined below it is considered that on balance the proposal should be accepted

- 1.2 The application is brought to Panel due to the recent planning history of the site. The site was the subject of a Panel site visit in July 2014.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application relates to a detached dwelling located within a small residential enclave which lies outside Barwick-in-Elmet village, just to the north of Aberford Road. The property is constructed of brick with a hipped, rosemary tiled roof. The dwelling has been extended to the rear where a flat roof, two storey brick built extension has been clad in white render. The surrounding houses are of a similar size and scale although several have been extended. There are a mix of architectural styles on the street including hipped and gabled roofed properties.

- 2.2 Parking is located to the side of the property where a domestic driveway allows two cars to be parked in tandem. A detached domestic garage sits at the head of the driveway. The main amenity space is set to the rear where a domestic garden is enclosed by a mix of fencing and vegetation. A small single storey extension is present to the side of the dwelling.

- 2.3 The property is located outside the village of Barwick-in-Elmet and within the Green Belt. Open agricultural land lies to the front and rear.

3.0 PROPOSAL

- 3.1 Proposals involve the erection of a two storey rear and single storey side extension. This would facilitate the extension of a family home from what currently comprises a 3 bedroom house (with one of the bedrooms being relatively small) to a larger 3 bedroom house plus a study in lieu of the current small bedroom. The downstairs accommodation would also be increased to facilitate a larger kitchen / dining area with a small utility room and WC.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/01340/FU: First floor rear extension, pitched roof over existing two storey rear extension and single storey side/rear extension – **Approved**
- 4.2 14/01466/FU: Two storey rear extension - **Refused** by Plans Panel on 24th July 2014.
- 4.3 14/06969/DHH: A determination for Prior Approval was issued for a single storey rear extension. The proposed rear extension extends 7.95m beyond the main rear elevation. Neighbours were notified and no objections were received. On this basis, the proposed extension would constitute Permitted Development.
- 4.4 14/06110/FU: Two storey, single storey side/rear extension – **Refused** by Plans Panel on 8th January 2015. The decision was appealed. The appeal was

dismissed with the Planning Inspector supporting the LPA's position that the proposal was disproportionate (i.e. that the size of the extension exceeded the tolerances set out in the council's Green Belt planning policy for extensions to houses).

- 4.5 The Planning Inspector also indicated that there is no conflict between the LPA saved UPD policy N33 and the SPD (HDG) and the NPPF.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant first approached the council in 2012 seeking pre-application advice regarding a 2.5m deep two storey rear extension. Officers considered that an extension of that size would be harmful to the Green Belt and advised that planning permission would not be granted.

- 5.2 A smaller scheme which added a roof to the existing flat roofed extension and included a single storey side extension was subsequently granted in 2013. Later that year the applicants again enquired about the possibility of constructing a larger two storey extension. General advice regarding the Green Belt was given and attention was drawn to policy HDG3 within the Householder Design Guide.

- 5.3 An application was submitted in March 2014 seeking permission for a 3.5m rear extension. Officers advised that an extension of this size would be harmful to the Green Belt. Detailed discussions regarding Green Belt policy were undertaken with the applicants and Councillor Rachael Procter. At this meeting officers advised that the extension needed to be reduced in size and scale. The applicants subsequently decided not to reduce the scheme and wished the application to be determined on the submitted plans.

- 5.4 The application was taken before the Planning Committee on 24th July 2014 who determined that it should be refused for the following reason:

“The Local Planning Authority consider that the proposed extensions, by virtue of their overall height, size, scale and siting represent a disproportionate addition to the dwelling which would also harm the openness and character of the Green Belt, and which are therefore considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and as no very special circumstances have been demonstrated the proposal is considered contrary to the aims and intentions of policy N33 of the Leeds Unitary Development Plan (Review) 2006, policy HDG3 of the Householder Design Guide as well as guidance contained within the National Planning Policy Framework.”

- 5.5 Following this refusal a further application was submitted in October 2014 without further approach to the Local Planning Authority. Officers advised the agent that an extension of this size would be harmful to the Green Belt. Again, detailed discussions were had via e-mail with the agents who then concurrently submitted an application for a scheme that will fall within permitted development to be considered simultaneously to the planning application. This application was again considered by Plans Panel.

- 5.6 On the 8th January 2015 the Plans Panel refused the application as disproportionate development in the Green Belt. The applicant appealed the decision and as noted above the appeal was dismissed.

5.7 This current application was submitted on 26th May 2015. Again, it was initially considered as being disproportionate. Following further advice the agents submitted the revised scheme that is now before the Plans Panel for consideration.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by neighbour notification letters sent on 3rd June 2015 and 23rd July 2015.

- Barwick-in-Elmet with Scholes Parish Council express no objection to the application.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways: No objections are raised. Sufficient off-street parking is retained for the occupants of the dwelling.

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 Leeds Unitary Development Plan (Review 2006), the Natural Resources and Waste Development Plan Document (2013) and SPGs and SPDs.

Core Strategy

8.2 The Core Strategy and CIL was adopted by the Council on 12 November 2014 and forms the Statutory Development Plan for Leeds.

Policy P10 relates to design and amenity.

Local Planning Policy

8.3 The Leeds Unitary Development Plan (Review 2006) forms part of the development plan for the whole of the Leeds district. 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.

N33: Seeks to restrict inappropriate development in the Green Belt.

Supplementary Planning Guidance/Documents

8.4 Leeds City Council Householder Design Guide was adopted on 1st April 2012 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.

HDG3 All extensions, additions and alterations within the Green Belt should represent limited development and should not harm the character, appearance and openness of the Green Belt. In order to be considered as limited development all existing and proposed extensions should not exceed a thirty percent increase over and above the original house volume. Development proposals which exceed thirty percent or which harm the character, appearance or openness of the Green Belt are considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and will be resisted unless very special circumstances are demonstrated.

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

- Green Belt
- Design and Character
- Neighbour Amenity

10.0 APPRAISAL

Green Belt

- 10.1 Paragraph 89 of the NPPF notes that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The NPPF also states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 10.2 This advice is replicated in HDG3 of the Design Guide which notes that approval will only be given for limited extension, alteration or replacement of existing dwellings. The adopted Householder Design Guide notes that approximately a thirty percent increase over and above the volume of the original building is considered to be a reasonable interpretation of limited extension (HDG3). In order to be considered acceptable development within the Green Belt, extensions should not only be limited but should not harm the openness of the Green Belt. Development proposals which are disproportionate or which harm the openness of the Green Belt are considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and will be resisted unless very special circumstances are demonstrated.
- 10.3 The extensions which are proposed are considered to comply with the aims and intentions of Green Belt policy. The extensions comprise a two storey rear extension and small ground floor side extension. Volume calculations which have been undertaken suggest that the extensions proposed amount to approximately 39%-40% increase on the original house. This is a reduction from the previous figure of approximately 60% which the Inspector considered to be visually and numerically disproportionate. Whilst an increase of 40% clearly exceeds the suggested thirty percent threshold within the Householder Design Guide, the document makes it clear that this figure is not definitive. There will be circumstances where development beneath this threshold is harmful and, as in this case, development over the threshold which is not considered harmful.
- 10.4 The test outlined within the NPPF is whether the extensions would be disproportionate to the original building. The additions which are proposed are modest structures which should relate well to the existing building and which are similar in size and scale to other development within neighbouring sites. Ultimately, a modest two storey extension to the rear of a two storey dwelling set within a ribbon of suburban style residential development is not considered to be disproportionate as outlined within the NPPF and the Householder Design Guide. The extensions are also not considered to harm openness, nor the character and appearance of the Green Belt, as they are modest in size and scale and are located within the existing pattern of development and do not project out into existing open areas. Granting planning permission would also allow the authority to restrict the right to construct additional forms of development such as roof alterations and outbuildings which could have a greater impact upon the openness and character of the Green Belt.
- 10.5 It should also be noted that an application was recently approved by plans panel for house extensions at 477 Leeds Road in Scholes. This was a residential dwelling which sought additions greater than 30% within the Green Belt. Officers and members considered that the additions were not disproportionate and thus approval was granted. As such, subject to a condition removing Permitted

Development rights for classes A, B and E the application is considered acceptable in this regard.

Design and Character

- 10.6 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”. Policy P10 of the Core Strategy seek to ensure that new development is of high quality and is appropriate to its context and this is also reflected in saved UDP policies GP5 and BD6 and policy HDG1 of the Householder Design.
- 10.7 The extension which is proposed raises some concerns in respect of design. The use of the flat roof is less than ideal and is a direct consequence of attempts to “max-out” the useable volume for living space and not have ‘dead’ space within the roof void. This does mean that the extension fails to reflect the character of the application dwelling and thus fails to comply with saved policy BD6. However, this said, architects have used a generous soffit depth to provide some sense of definition and distinction to the extension such that it has its own sense of integrity. The extension is located to the rear of the dwelling and will not be overly visible within the wider streetscene. As such the degree of harm which the extension will cause to visual amenity is limited and thus in this instance is it not considered that refusal is warranted.

Neighbour Amenity

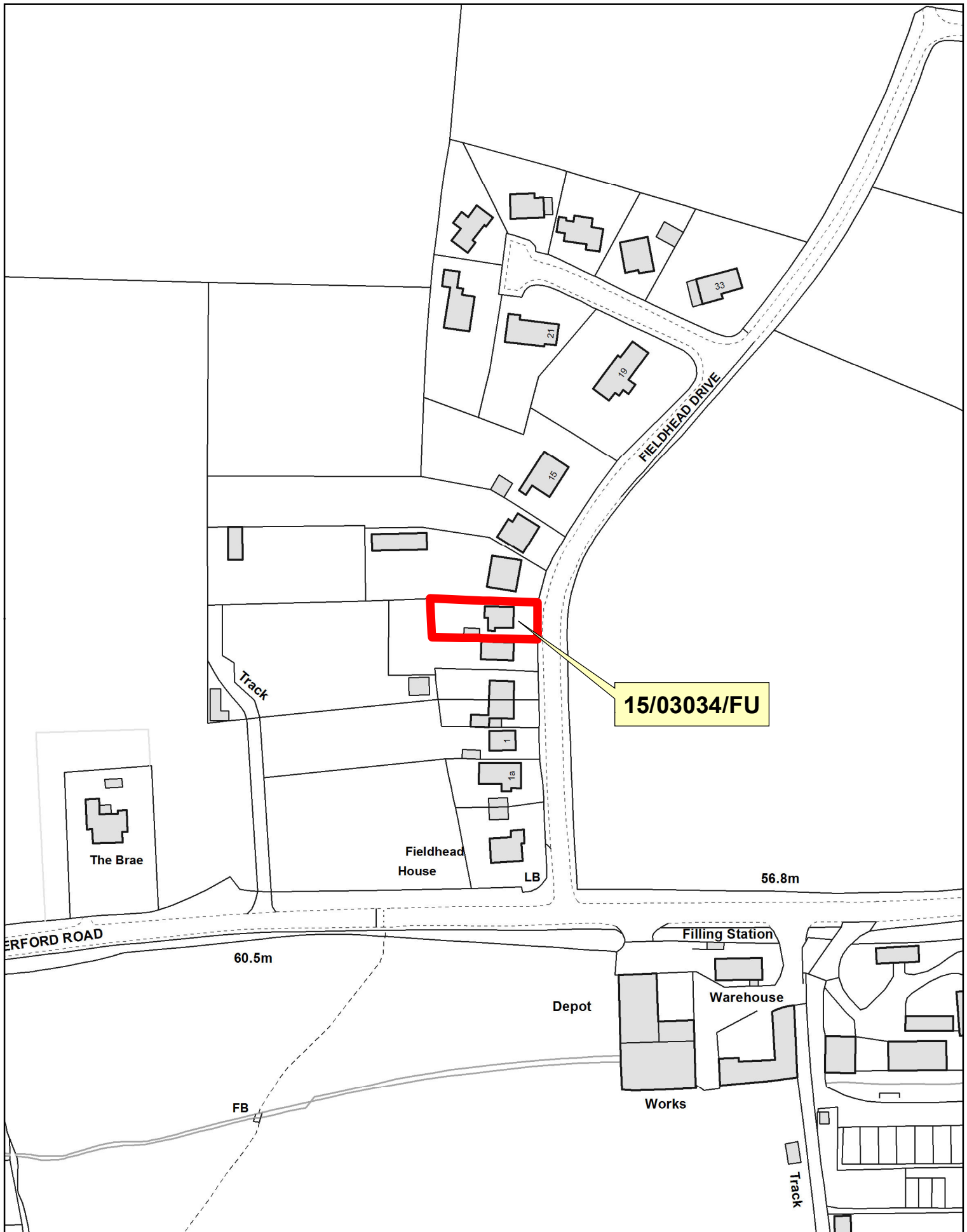
- 10.8 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted”.
- 10.9 The proposal raises no significant concerns in respect of the impact upon neighbours. Although the extension is two storey, the surrounding houses are largely detached and there is adequate space between the dwellings to prevent harm. The extension sits closest to the common boundary with 11 Fieldhead Drive which lies to the north. However, this property is splayed away from the application site and buildings along the common boundary provide some mitigation in respect of both overdominance and overshadowing. The two storey rear extension is set approximately 3.0m from the common boundary with 7 Fieldhead Drive. This neighbouring dwelling has already been extended to the rear and the proposed extension would sit roughly in-line with this addition, meaning that main windows and main amenity space are not harmfully affected. The proposed rear windows will allow oblique views toward neighbouring gardens, however these are not uncommon within residential contexts and are similar to the views currently afforded from the existing dwelling. The insertion of side windows could cause harm to neighbours and as such a condition restricting further insertion at first floor will be imposed. As such, subject to conditions, no harm is anticipated to neighbouring amenity.

11.0 CONCLUSION

- 11.1 The application is considered to be acceptable. It is considered that the extension will not harm neighbours or the architectural character of the area and on balance, whilst technically disproportionate development, will not harm the green belt.

Background Papers:

Application files 15/03034/FU
Certificate of ownership: Certificate A signed by agent



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

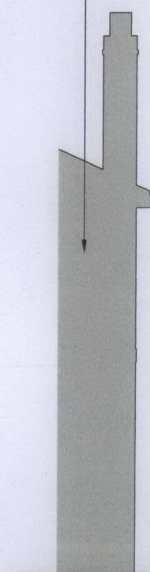


©Wildblood Macdonald Architects Ltd, registered in England and Wales no. 8722626
 Do not scale, use figured dimensions only. All dimensions are to be verified and checked before the commencement of any shop drawings or work whatsoever, either on his own behalf or for sub contractors or suppliers. Any discrepancies must be reported to the Architect immediately. This drawing is to be read in conjunction with all related architects', engineers' and specialist drawings and other relevant information. If printing from electronic copies, ensure print scaling is set to "None" to ensure correct scaling of drawing.

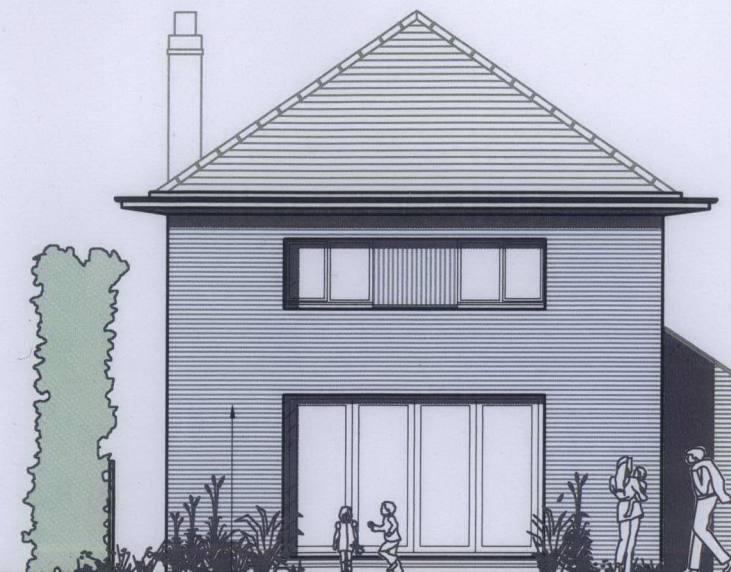


NORTH ELEVATION

Profile of No. 11

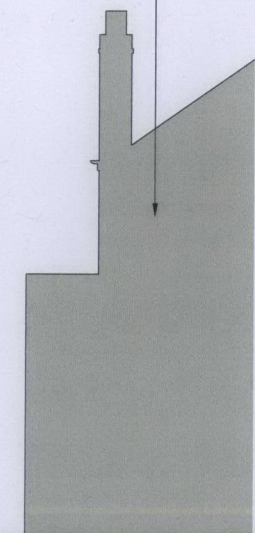


WEST ELEVATION

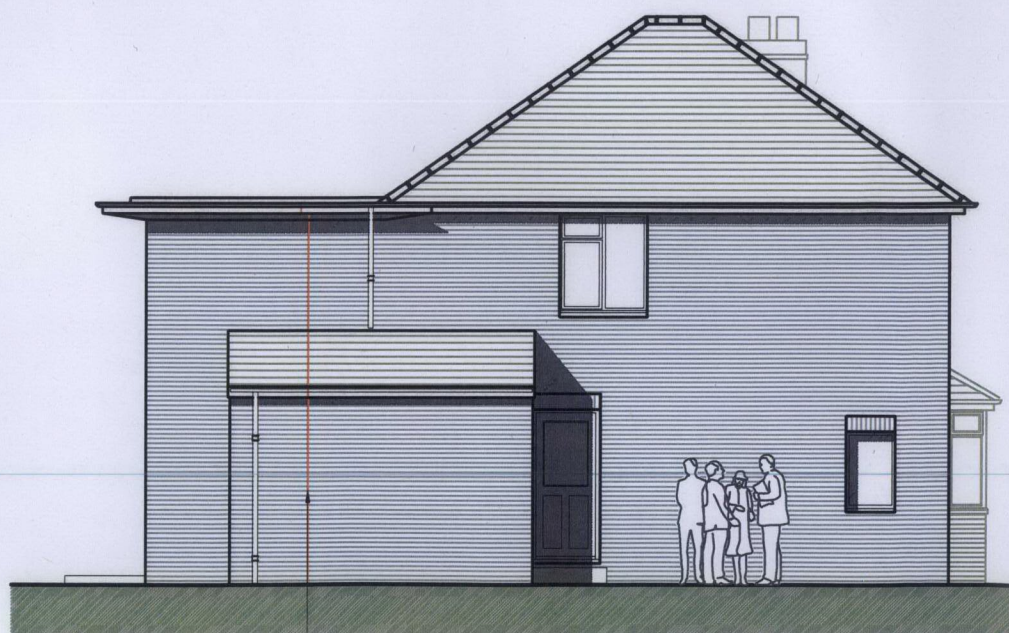
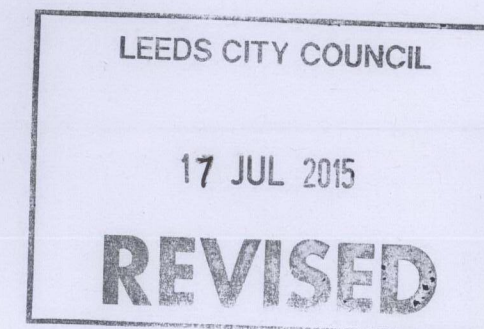


Brickwork to match existing

Profile of No. 7



Red line denotes extent of existing two storey flat roofed extension



SOUTH ELEVATION

Red line denotes extent of existing two storey flat roofed extension

Rev.	Date	By	Description
D	July 15	MB	Elevation amends
C	July 15	RM	Building volume reduced. Flat roof shown.
B	May 15	RM	Building volume reduced.
A	Nov '14	JMac	permitted development scheme