



Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 3 December 2015

Subject: APPLICATION 15/04860/FU – Application for a single storey rear extension and dormer window to the rear at 16 Valley Terrace, Leeds, LS17 8NZ

APPLICANT

Mrs C Wood

DATE VALID

11 August 2015

TARGET DATE

6 October 2015

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 – 3 Years
- 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 the proximity and over-bearing nature of the new build on the adjacent property.

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 single storey extension with central bay feature. The proposed dimensions are as follows:

- 5.0m in depth before the bay splays in at the sides some 600mm giving a total depth of 5.6m.
- The width would be 5.0m.
- The height 4.0m to the ridge and approximately 2.3m to the eaves.
- A gap of 2.1m would remain to the adjoining boundary.
- The extension would have roof slopes that pitch away from the flanking neighbours.

In addition to the extension a flat roofed dormer window is proposed:

- 7.2m in width
- 1.8m in height
- 2.6m in depth

The external materials of both elements of the proposal would match those of the existing dwelling.

- 2.2 In addition an existing window and door would be blocked up to the eastern side elevation. 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 15/06597/DHH - 5.0m single storey rear extension, 4.0m to ridge height, 2.289m to eaves – Under Consideration

4.2 14/03383/FU - Part two storey part single storey rear extension – Refused.

“The proposed development by reason of its overall mass, extent of projection and proximity to the common boundary with No.15 Valley Terrace will result in a dominant and overbearing form of development that would overshadow the adjoining property causing harm to the amenities of the residents of that property. Therefore the proposal is contrary to Core Strategy (2014) Policy P10, Leeds Unitary Development Plan (Review 2006) saved Policies GP5 and BD6, and Policy HDG2 of the Leeds Householder Design Guide (2012) and the guidance within the National Planning Policy Framework (2012).”

The above was appealed and the Inspector dismissed the appeal.

4.3 14/05798/FU – Part single storey part two storey rear extension with accommodation in the existing roof-space – Refused

4.4 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.

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 17 August 2015. In response 18 letters of objection have been received. A number of the objections come from out of locality parties.

6.2 The issues raised have been summarised below:

Objections

- Loss of privacy
- Over-dominance
- Loss of light
- Loss of views across neighbouring gardens
- Shading
- Increase in demand for on-street parking
- Highway safety
- Anti-social behaviour
- Drainage
- Would set a precedent
- A shortage of smaller housing allowing downsizing and freeing up family housing.

7.0 CONSULTATIONS RESPONSES:

7.1 Drainage

No objections

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.

Local Policy

The Development Plan for Leeds currently comprises:

- (i) The Leeds Core Strategy (Adopted November 2014). This is the main 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 T2 – Accessibility requirements and new development

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.

- 8.4 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. However, the rear of the dwelling is clearly visible from a number of neighbouring properties along this stretch of Valley Terrace, a view which was reached by the Inspector when dealing with the previous appeal. The proposed scale size and height and height of the proposal in union with the character of the resulting building is not considered to appear at odds with that of the surrounding properties nor would it be out of keeping with the general character of other bungalows on the row.
- 10.3 The proposed external materials would match those of the existing and this can be secured by imposing a planning condition.
- 10.4 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 Inspector for the previously refused application for a part two storey part single storey rear extension (Ref: 14/03383/FU) noted that “given that there is already a degree of overlooking of neighbouring gardens and having regard to the height of the proposed boundary fencing, it is unlikely that the proposal would produce significantly more harmful overlooking than exists at present”. The proposed glazing to the proposed single storey rear 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. As noted by the Inspector such outlooks can already be gained; however in principle a 2.0m high fence could be erected along this boundary which would act to screen the neighbours garden. The proposed rear facing dormer window would also gain outlooks onto the neighbours garden area but this is not considered unduly 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 dormer window. Moreover, the previous Inspector found that whilst other residents raised concerns including loss of privacy to their properties the Inspector concluded that she had regard to the scale and siting of the larger development proposed at that time relative to neighbouring properties and she considered that the larger proposal would not harm substantively the living conditions of any other neighbours. As this scheme is a smaller scale development it is considered that the Inspectors findings are relevant and can be echoed as part of this application.
- 10.6 The depth of the proposal would be 5.0m before both sides are splayed and an additional 600mm of depth would occur. A gap of some 3.0m would be retained to the eastern boundary therefore in planning terms the depth can be viewed as 2.6m whereas to the western boundary a gap of some 2.1m is proposed, therefore in planning terms the depth is 3.5m. The total depth of 5.6m would be some 3.3m from the western boundary and therefore the total depth can be considered as 2.3m in planning terms. Therefore it is considered that the proposed depth can be accepted and is policy compliant.
- 10.7 The impact of the proposal is also reduced by the eaves height which falls below the eaves height of the adjoining neighbours rear extension and with a ridge height terminating at 4.0m, some 500mm above the flat roof of the neighbours extension. The distance to the boundary and the pitched roof form proposed is considered to negate any undue levels of harm to both the adjoining and the adjacent neighbours living conditions. It is not considered that the proposed dormer would act to over-dominate neighbours and generally accords with the dimensions of No.15's existing dormer window.
- 10.8 The rear gardens of the application site and its neighbours are south facing and the suns 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 day 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 for the majority of the day the neighbouring garden area and rear elevation windows would be able to receive natural light. The previous Inspector noted that

“...Although the proposal would cast a shadow onto No 15 early to mid-morning, it is considered that from the middle to latter parts of the day there would be good levels of sunlight to both the rear rooms and garden of No 15. Consequently, I do not consider the level of overshadowing caused would be sufficiently harmful to the living conditions of occupiers of No 15 to warrant dismissal of the appeal scheme”.

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. The previous Inspector raised no issues in terms of Highways matters.

Other Matters

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

Drainage

- 10.11 Neighbours have raised the issue of drainage problems and that the proposal before Members would exacerbate these issues. Officers have engaged with colleagues in Drainage and the views expressed by drainage are that the footprint of the proposed dwelling is slightly larger than existing, as such there is likely to be a small increase in surface water runoff from the site, post-development. However, the increase in flows, offsite, would be very small and it's not practicable for the developer to provide flow balancing, as this is only really feasible for sites which are greater than about 350 sq/m. Although the Councils Flood Risk Management are aware of a number of flooding incidents within the locality, there is nothing to suggest that the public sewer in Valley Terrace would not be able to accommodate the small increase in discharge from this site. In order to offset any potential impacts, the developer could be asked to provide water butts.

11.0 CONCLUSION

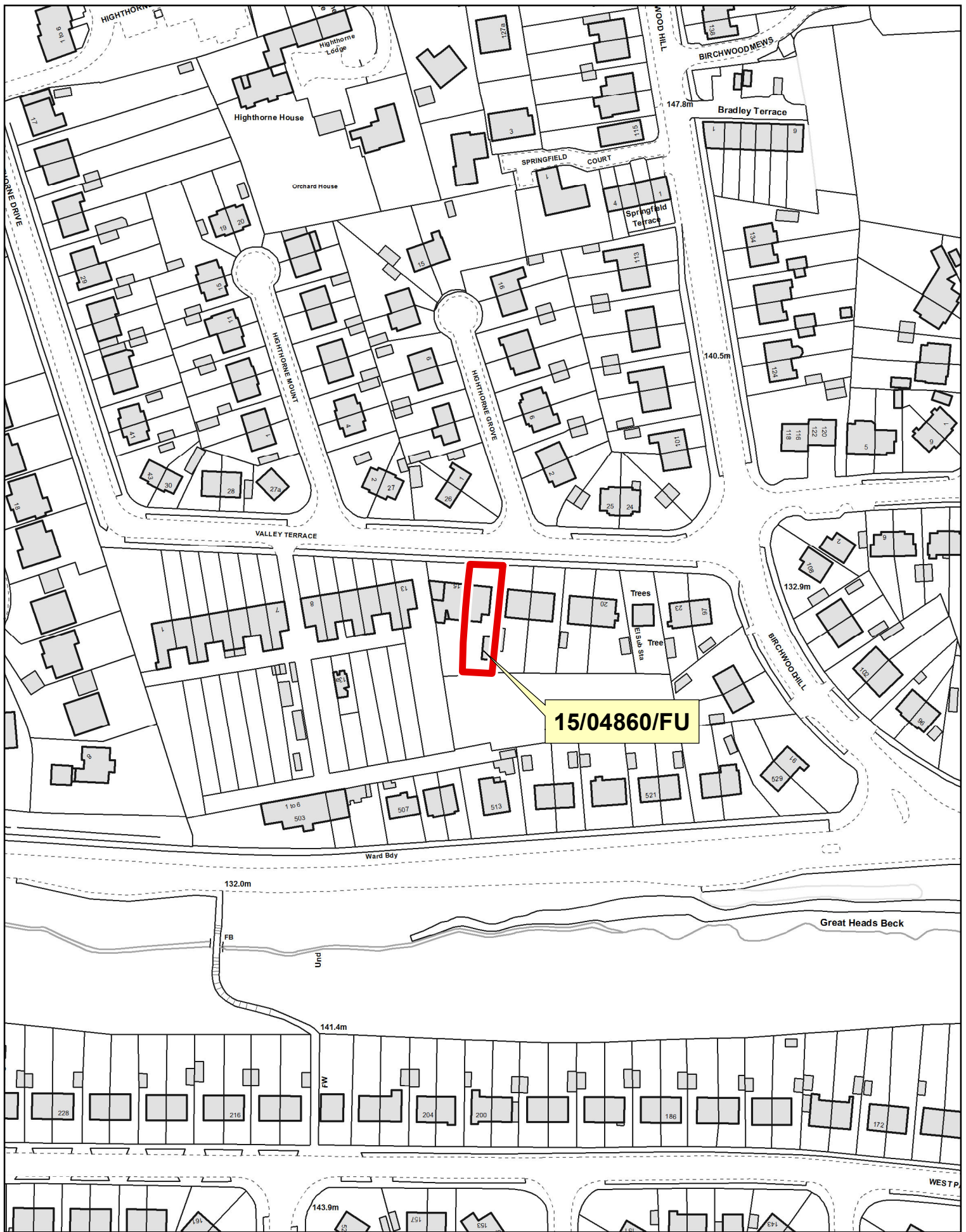
- 11.1 After due consideration, it is considered that, on balance, the proposed extension is acceptable in planning terms and is compliant with the aims of the policies and guidance detailed within this report and for the reasons above and subject to the conditions at the head of this report it is recommended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

Background Papers:

Planning application file

Refused application 14/03383/FU and the Inspectors findings

Certificate of Ownership (Cert A) signed by the agent for the applicant: 18 August 2015.



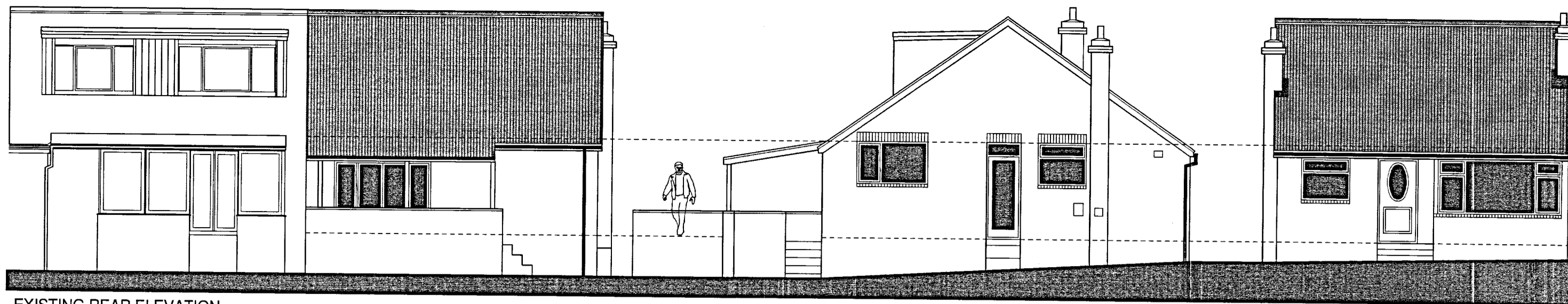
NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

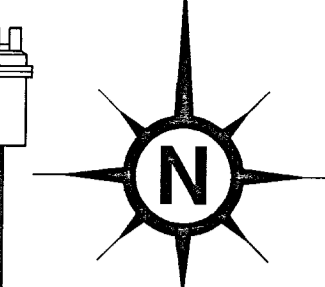




EXISTING REAR ELEVATION

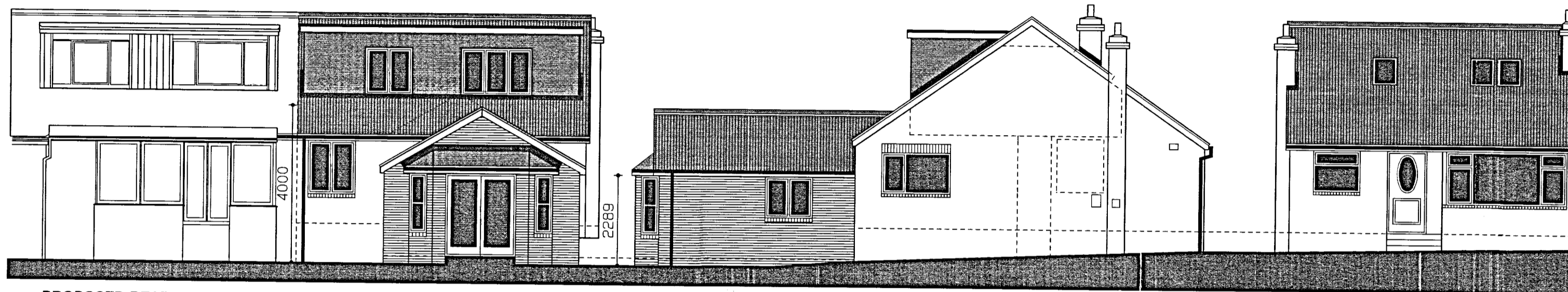
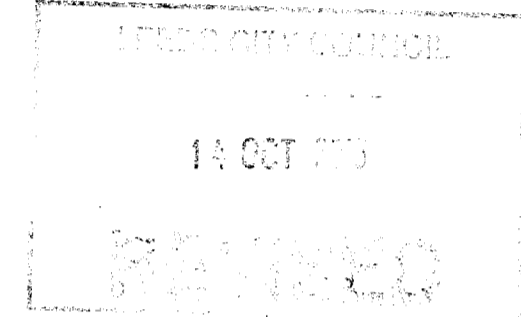
EXISTING SIDE ELEVATION

EXISTING FRONT ELEVATION



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LOCATION PLAN 1 : 1250



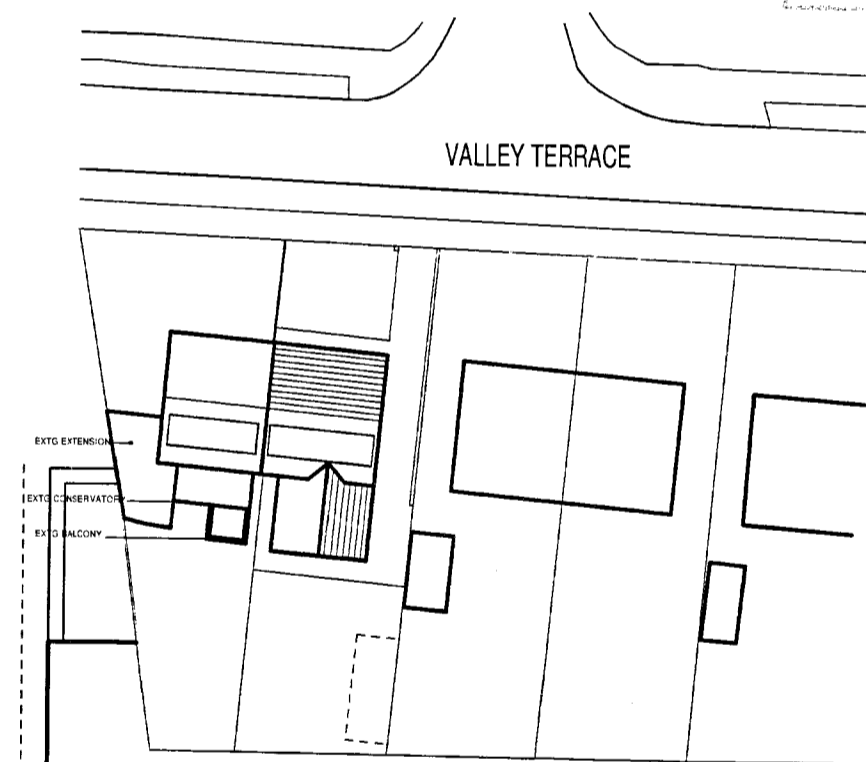
PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION

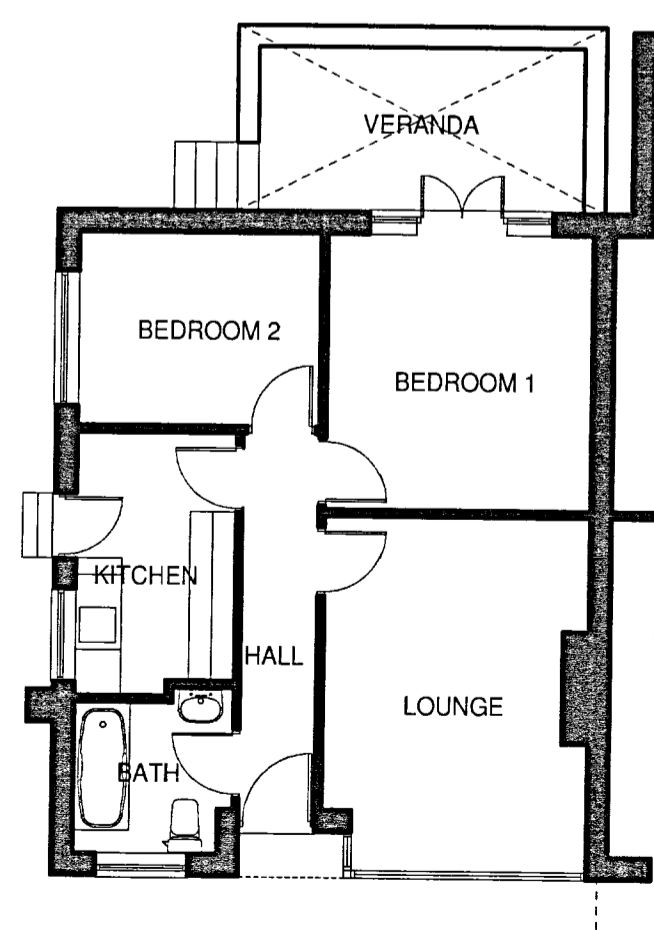
PROPOSED FRONT ELEVATION



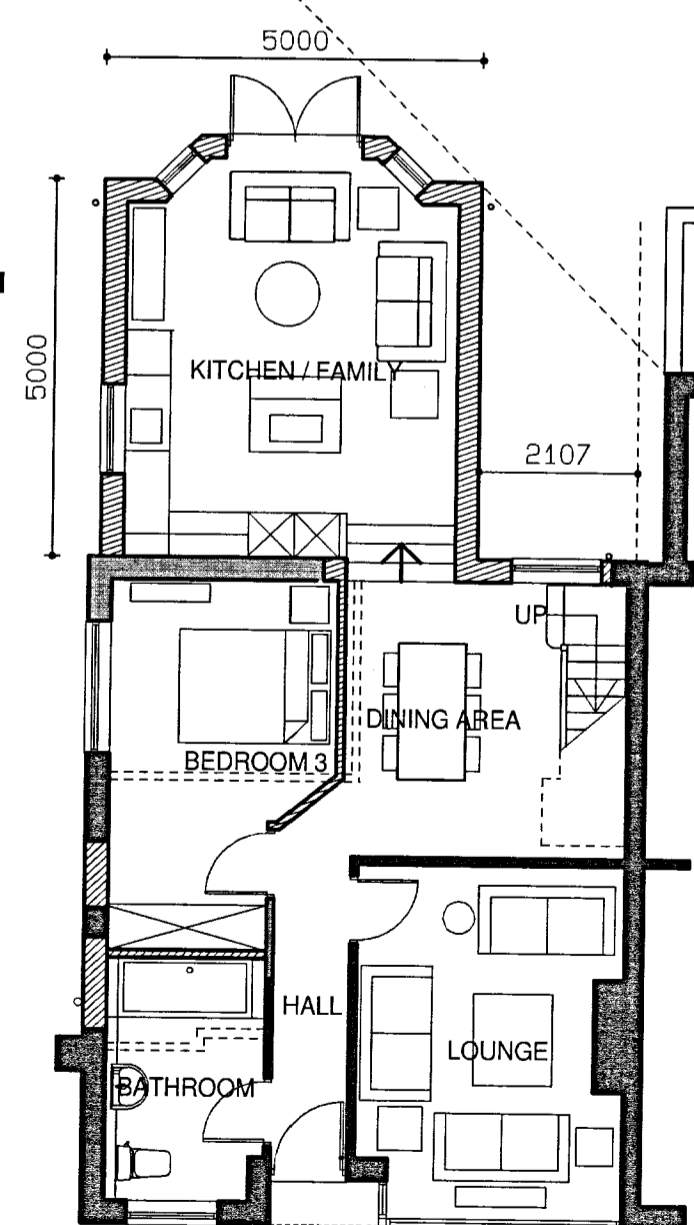
PROPOSED SIDE ELEVATION



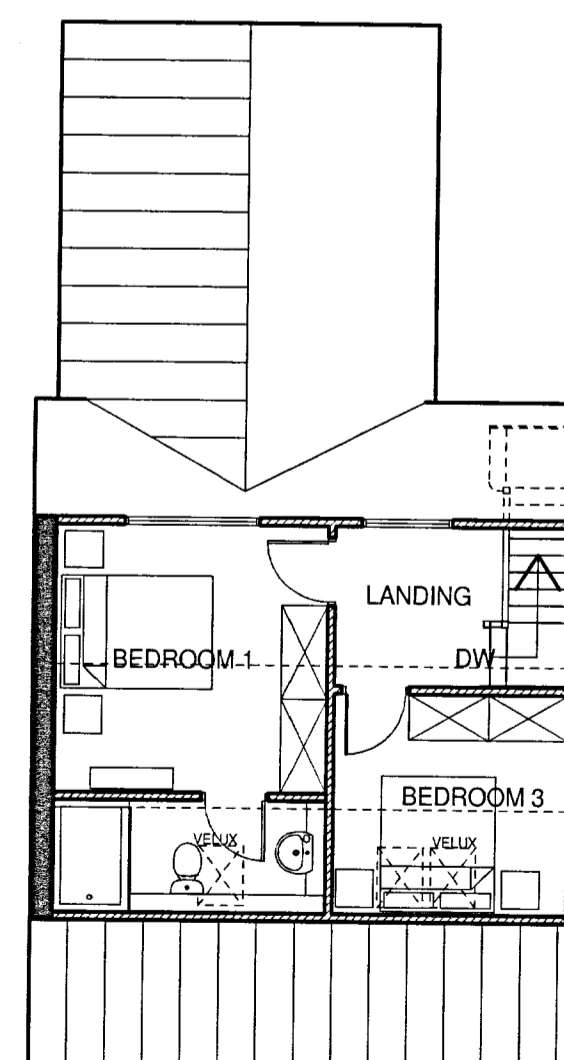
SITE PLAN 1 : 500



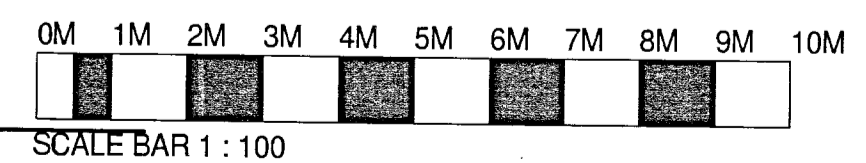
EXISTING FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



SCALE BAR 1 : 100

CLIENT MRS C M WOOD

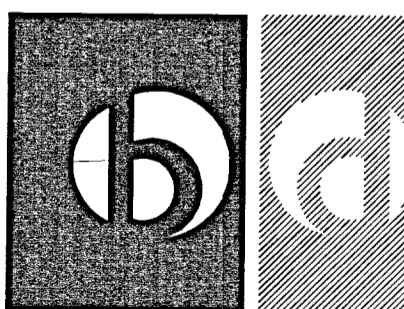
DRAWING TITLE PLANNING DRAWING

PROJECT:
PROPOSED REAR 2 STOREY
EXTENSION & LOFT
CONVERSION
16 VALLEY TERRACE
LEEDS

DRAWING No 014 / 050 / 1H

DRAWING DATE
OCTOBER 2015

DRAWN BY IKB SCALE
1:100 @



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