



## Report of the Chief Planning Officer

### PLANS PANEL NORTH & EAST

Date: 4 February 2016

**Subject: APPLICATION 15/05529/FU – Application for raising of the roof height to form a two storey side and rear extension and two storey side extension to other side at No.41 Nunroyd Road, LS17 6PH**

#### APPLICANT

Mrs Khalil

#### DATE VALID

18 September 2015

#### TARGET DATE

13 November 2015

#### Electoral Wards Affected:

**Moortown**

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
2. Development to accord with approved plans
3. Samples of the external materials to be submitted to the LPA for written approval
4. No further windows to be inserted in the development hereby approved
5. Opaque glazing to bathroom

#### 1.0 INTRODUCTION

- 1.1 This application is brought before the Plans Panel upon the request of Cllr Sharon Hamilton. The planning reasons cited for the request are that a Plans Panel should take into account whether the proposals are harmful to the character of the building and the impact the proposals would have on neighbouring occupants.

#### 2.0 PROPOSAL

- 2.1 The applicant is seeking planning permission to extend the existing property at two storey to the sides and part of the rear and a flat roofed single storey rear extension. The remaining roof forms would be dual gable features to the front with the two

storey rear element having a hipped roof. The height of the roof is also proposed to be increased.

- 2.2 External materials would be brick, render and concrete clay tiles. The below table details the increases (approximate):

|              | Existing Building | Resultant Building |
|--------------|-------------------|--------------------|
| Width        | 14.8m             | 14.8m              |
| Depth        | 8.5m              | 12.6m              |
| Eaves height | 5.9m              | 5.5m               |
| Ridge height | 7.3m              | 7.8m               |

### **3.0 SITE AND SURROUNDINGS**

- 3.1 The site is located within a residential context where there is little in respect of an architectural theme along the northern side of the road but greater levels of uniformity does exist to the southern side. Nunroyd Road has clearly being developed over time with properties from an array of periods. There are grass verges and street trees which create an attractive and pleasant street-scene. Off-street parking is widely available.
- 3.2 The application site comprises a detached dwelling with a central two storey element and single storey 'wings' set to its sides. The building also has a conservatory to the front elevation. The dwelling is set well back into the large rectangular plot (by some 13m) and has good separation to the flanks (approx. 2.8m to the west and 2.4m to the east). The dwelling has rendered walls under a red tiled hipped roof with a detached garage block set to the side/rear of the western side. A driveway leads to this garage.
- 3.3 Garden areas are located to the front and rear with the front area screened by hedging within the site and trees planted on the grass verge directly to the front of the site. The side is bounded by fencing, hedging and tree coverage.
- 3.4 The flanking properties are a detached dwelling to the east (No.43) which is set forward of the application property, whilst to the west (No.39) is a detached property that terminates at a much lower height than the application site but sits on the same building line. Properties to the rear on Nunroyd Lawn and Nunroyd Street are located behind the sites 17m deep garden.

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

- 4.1 14/07103/FU and 15/01075/FU. Both applications proposed a two storey extension to rear and both sides. Both applications were refused for reasons of character and appearance, shading and over-dominance towards No.43 Nunroyd Road.

### **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 22 September 2015. In response three letters of objection have been received from No.s 43 and 39 Nunroyd Road and No.5 Nunroyd Lawn.

6.2 The issues raised have been summarised below:

- Loss of privacy
- Increase noise and disturbance resulting from a larger property
- Over-development
- Out of character within the area
- Loss of light into No.39's kitchen window
- A single storey extension would be more appropriate

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None

## **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:

- (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 (2003)

Supplementary Planning Document - Street Design Guide (2009)

Supplementary Planning Document- Parking (2015)

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.

### 8.3 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. Moreover, Policy P10 of the Leeds Core Strategy (LCS) refers to design and states that new development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. P10 also states *inter alia that* developments should respect and enhance existing streets according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making. P10 advises that the size, scale, design and layout of the development should be appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.
- 10.2 There is a very clear variety of architectural styles located on the northern side of Nunroyd Road where design, scale and heights follow no strict theme and where in many cases the original dwellings have been extended and altered. The application

site is unique within the street in respect of its design which has a two storey element flanked by single storey 'wings'. There are no other properties that are akin to this design approach. Therefore to alter the building would have no detriment on the character of the building which would remain a residential property with a domestic scale located in a residential area of design variance within the immediate locality of the northern side of Nunroyd Road. The proposal would see the single storey element removed and replaced by two storey extension that extend to the sides and part rear with a single storey element towards the eastern boundary with a marginal increase in height of some 500mm.

10.3 The resulting building is considered to represent development that is acceptable by reason of its design, scale and height which are considered to result in proportionate additions that would appear wholly in context within the character and appearance of the northern side of Nunroyd Road thereby responding the immediate context of Nunroyd Road thus meeting with the aims of Policy P10 of the LCS.

10.4 The flat roof element to the single storey rear is not ideal but Officers are of the view that this would not be reasonable on its own to justify withholding planning permission.

10.5 The proposed external materials would be brick to the ground floor and render to the first floor; both materials are common on the street and dual use of such materials can be found. Samples of the external materials can be secured by condition.

10.6 The parking and bin arrangements would not be required to be altered.

#### Residential Amenity

10.7 This scheme represents a policy compliant form of development in terms of the proposed scale and mass as well as the retained gaps to the flanking boundaries allowing mitigation for the proposed depth. Clearly the levels of shade would increase given the resulting height and depth above that of the existing dwelling on site. The main recipients of the increased shade and loss of light would be the residents of the flanking properties No.43 to the east and No.39 to the west. Given the location of the application property in relation to No.43 it is likely that a good level of shade already falls towards the rear elevation and rear garden areas of No.41 during the later afternoon and early evening as well shade onto No.43's rear garden from No.43 itself. The proposed increase in the scale and height of No.41 is considered to increase the level of shade that would fall on the garden area although the level of shade that would fall towards No.43's rear elevation windows would be unlikely to be significantly worse than the existing situation. The increased shade across the garden area of No.39 is not considered to be unduly harmful to the living conditions of these residents as the element of the proposal that would sit adjacent to the shared boundary would be single storey with the two storey element set well away from the boundary by some 6m.

10.8 A similar situation would occur earlier in the day towards No.39 with shade crossing closer to No.39's rear elevation windows and a kitchen window located to the side of a single storey rear extension would increase. No.39 also has a side elevation dormer window which would, along with the kitchen window be subject to loss of natural light penetration in the early morning, but this is not considered to be unduly harmful to neighbours amenity. The kitchen window and dormer would still receive good level of natural light throughout the day.

10.9 It is not however considered that properties further to the north on Nunroyd Lawn and Nunroyd Street would not be subjected to excessive levels of shade given the

retained separation from the proposed development and neighbouring amenity areas and rear elevation habitable room windows.

- 10.10 In respect of retaining acceptable levels of privacy to the rear; guidance contained within the Householder Design Guide and Neighbourhoods for Living states that main aspect Windows (living and dining areas) should achieve a separation of 10.5m to boundaries and 21m to neighbouring main aspect windows. In respect of secondary windows (bedrooms and ground floor kitchens) guidance states that 7.5m should be retained to boundaries and 18m from bedrooms to neighbouring main aspects.
- 10.11 The front elevation glazing would gain outlooks from the upper floor windows onto Nunroyd Road with those at lower levels providing existing outlooks into the sites front garden. The properties to the opposite side of Nunroyd Road are in excess of 18m from the proposed front elevation first floor bedroom windows and it is not considered that there would be any undue loss of privacy.
- 10.12 To the proposed rear elevation there would be ground floor windows serving a family room, dining area and a kitchen. The distance retained to the rear boundary would be some 13m which exceeds the 10.5m and 7.5m separation requirements set out in guidance. To the first floor three windows are proposed, two bedroom windows and a bathroom. As stated above guidance states that 7.5m to boundaries should be achieved for bedrooms. Therefore the 13m to the boundary is acceptable in planning terms as is the distance to the main aspects of the properties to the rear which exceeds 18m. Oblique views from the bedrooms windows could be achieved towards the garden areas of the flanking properties but the impact on residential amenity from these oblique views would not be unduly harmful and is a common relationship between buildings within the immediate vicinity Therefore it is not considered that overlooking would occur from the bedroom windows and conditions can secure opaque glazing to the bathroom window and that no further windows are inserted.
- 10.13 The application property is set behind No.43 Nunroyd Road, the width of the application property would not be increased and would remain at approximately 14.8m. To the eastern side towards No. 43 Nunroyd Road the single storey extension proposed would be approximately 4.1m in depth as would the proposed two storey rear extension. The single storey element would be some 2.0m from the side boundary with No.43 whilst the two storey element retains some 6m. The 4.1m depth exceeds the 3.0m depth set out in the Householder Design Guide however the separation distances retained to the side boundary are considered to mitigate for the additional 1.1m, thus meeting current planning guidance and the occupants of No.43 could reasonably enjoy their private garden areas and habitable rooms to the rear without an undue sense of over-dominance.
- 10.14 To the opposite shared boundary with No. 39 Nunroyd Road the proposal would be two storeys in height with a hipped roof to reduce massing. To this side the gap to the boundary would be approximately 3m and a ground floor kitchen window that faces towards the side boundary would be some 10m from the proposed rear addition which is considered sufficient to avoid undue levels of dominance or a sense of enclosure. The relationship between the resultant building and its neighbours in terms of its bulk and mass is not dissimilar to the other buildings in the vicinity and therefore the resulting impact is not considered to be significantly different.

#### Highways Matters

- 10.15 The proposed development would see a three bedroom property become a five bedroom property. The width of the driveway would not meet with current standards, nevertheless, a car could access the driveway and its length would be able to

accommodate two/three vehicles in a tandem formation. It is not considered that the increased number of habitable rooms requires the applicant to provide a greater level of off-street parking and those facilities that already exist are considered acceptable.

#### Other Matters

- 10.16 In response to the neighbour notification letters that were issued three letters of representation have been received from local residents with one representation made by Cllr Hamilton. The relevant materials planning considerations have already been discussed within this report.

### **11.0 CONCLUSION**

- 11.1 After due consideration, it is considered that the proposed extensions are acceptable in planning terms and offer a visual improvement within the street-scene 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

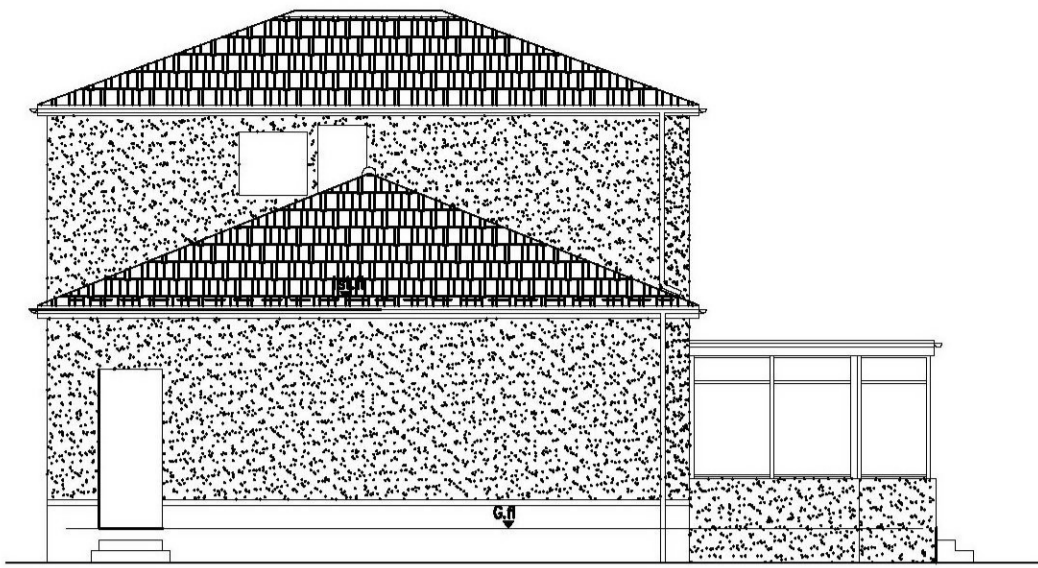
Refused applications 15/01075/FU and 14/07103/FU

Certificate of Ownership (Cert A) signed by the agent for the applicant: 14 September 2015.

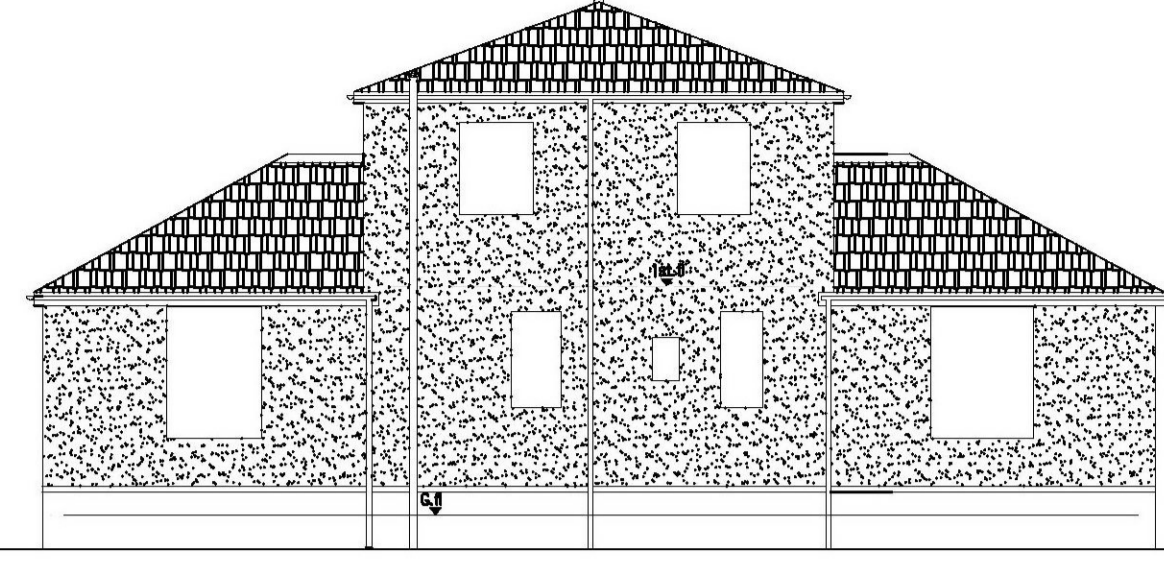




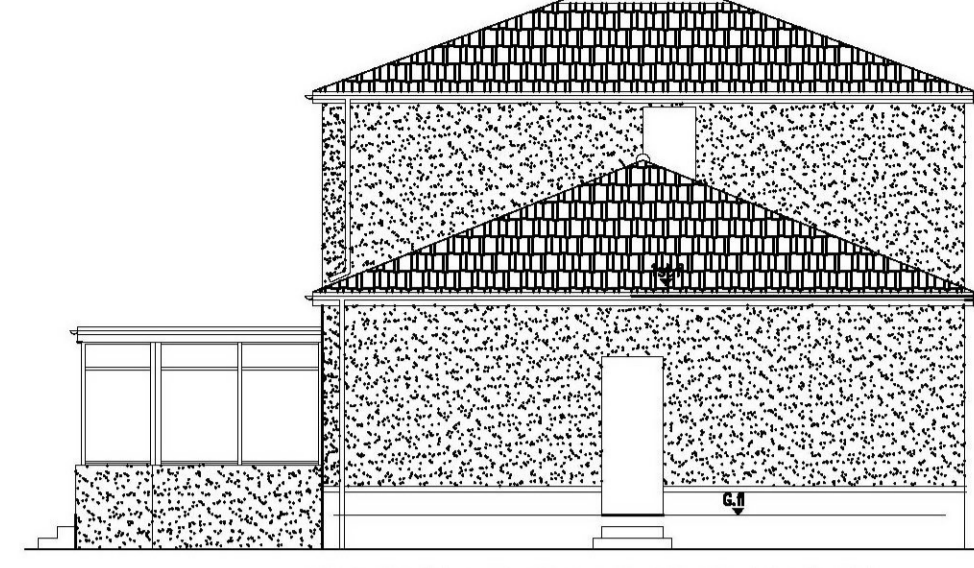
EXISTING FRONT ELEVATION



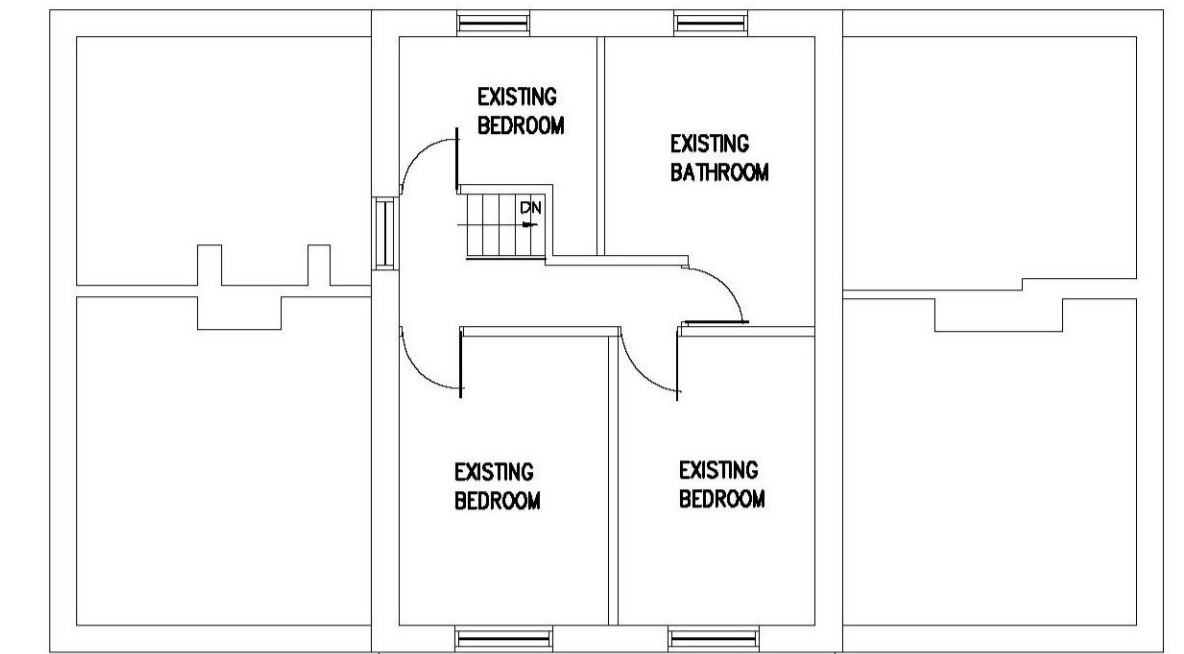
EXISTING SIDE ELEVATION  
(FROM HOUSE 39 NUNROYD ROAD.)



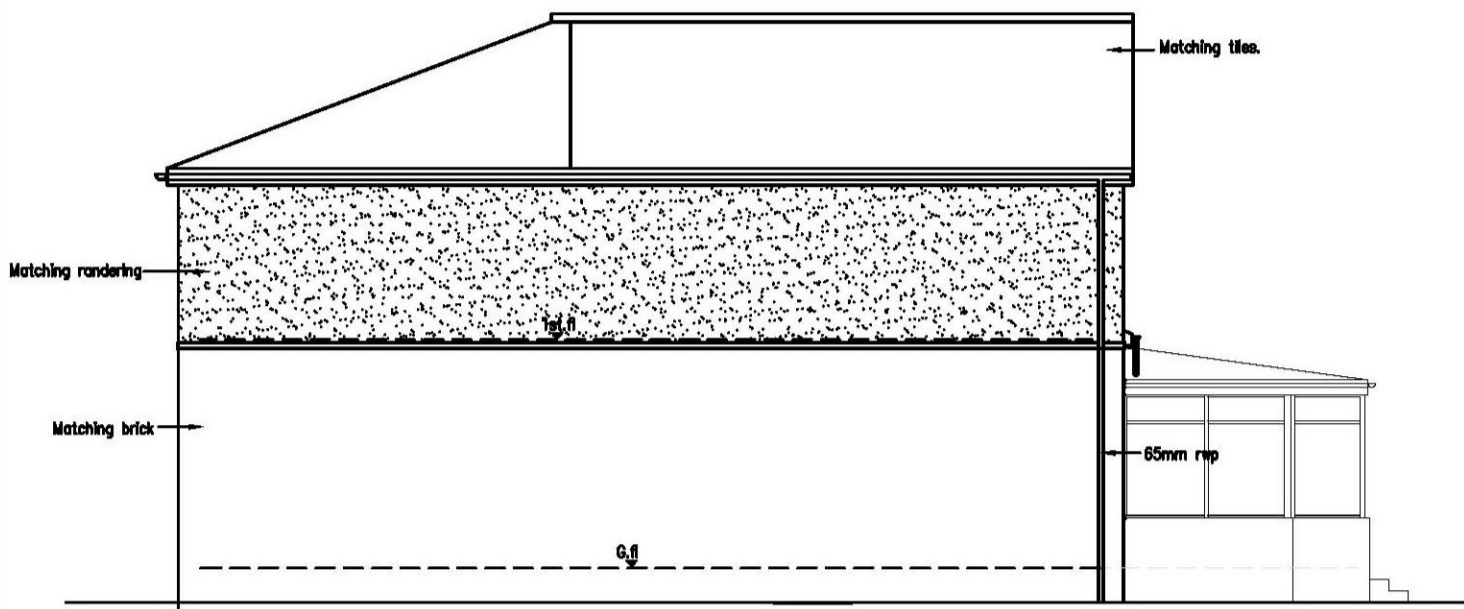
EXISTING REAR ELEVATION



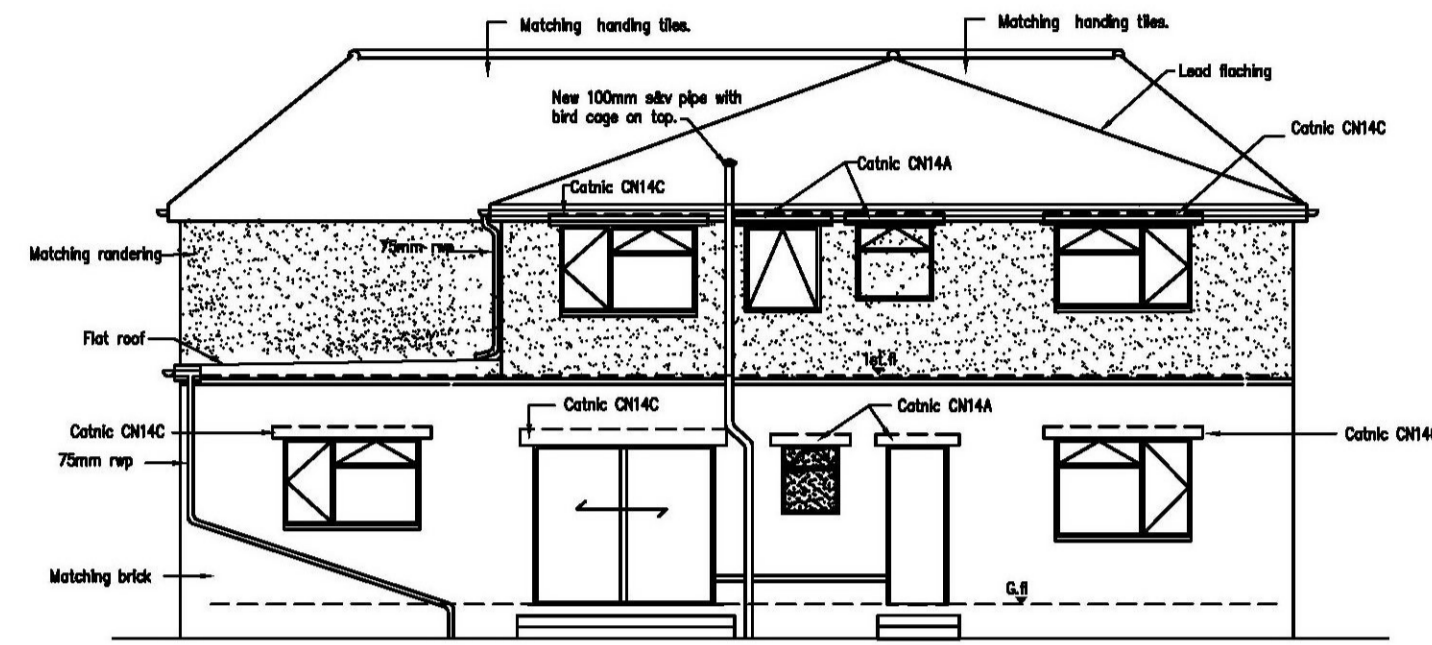
EXISTING SIDE ELEVATION  
(FROM HOUSE 43 NUNROYD ROAD.)



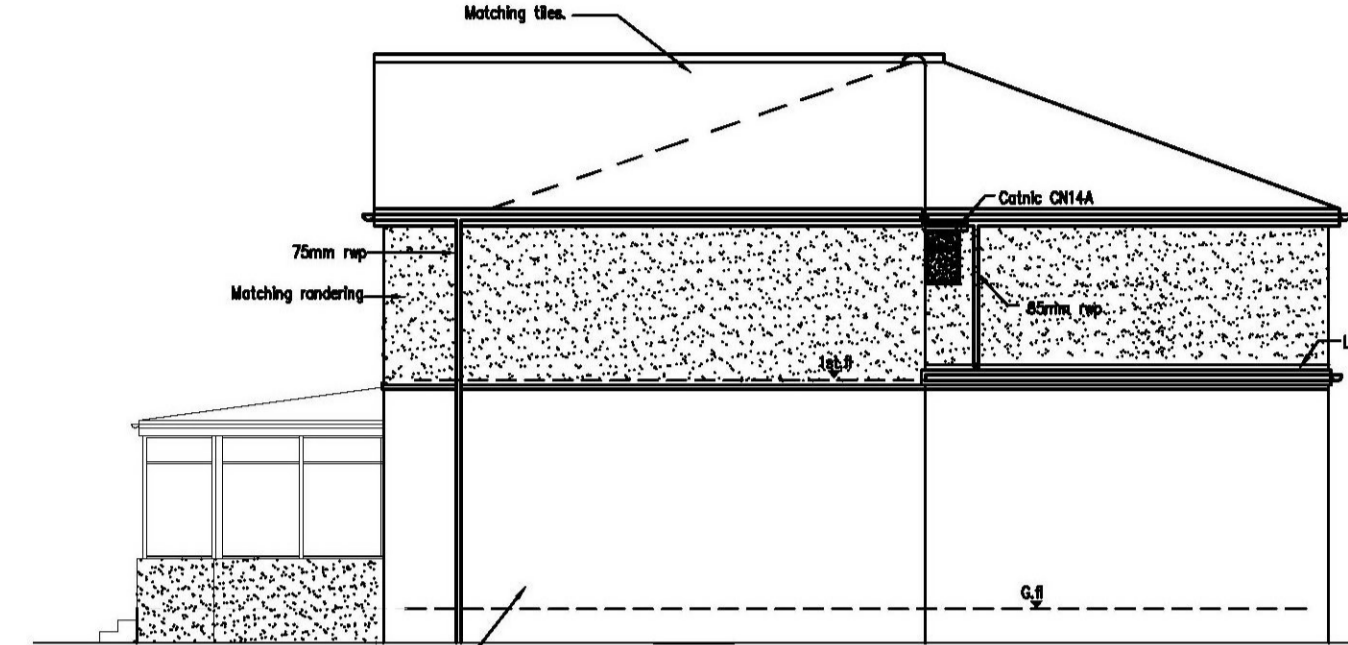
EXISTING FIRST FLOOR



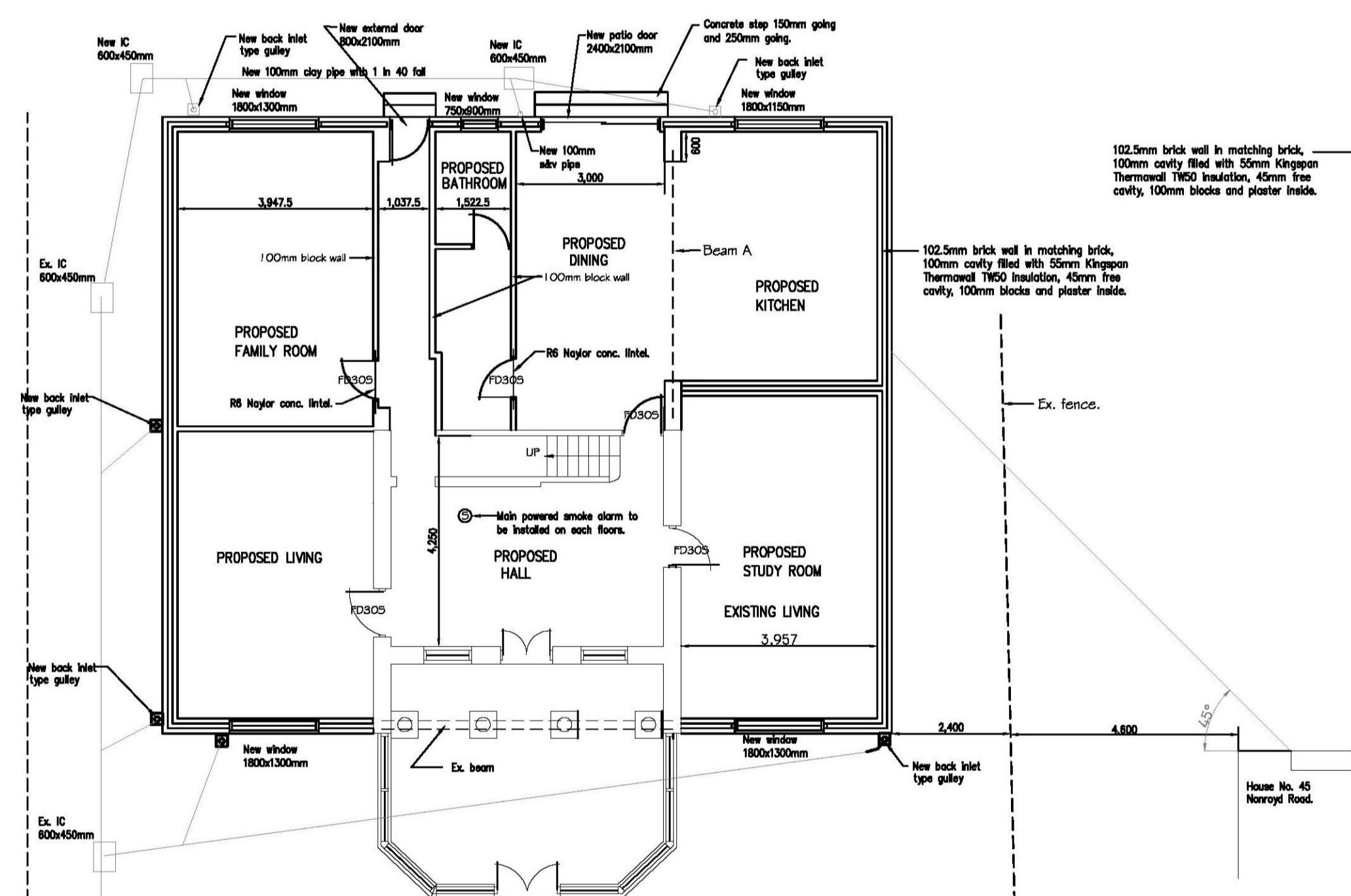
PROPOSED SIDE ELEVATION  
(FROM HOUSE 39 NUNROYD ROAD.)



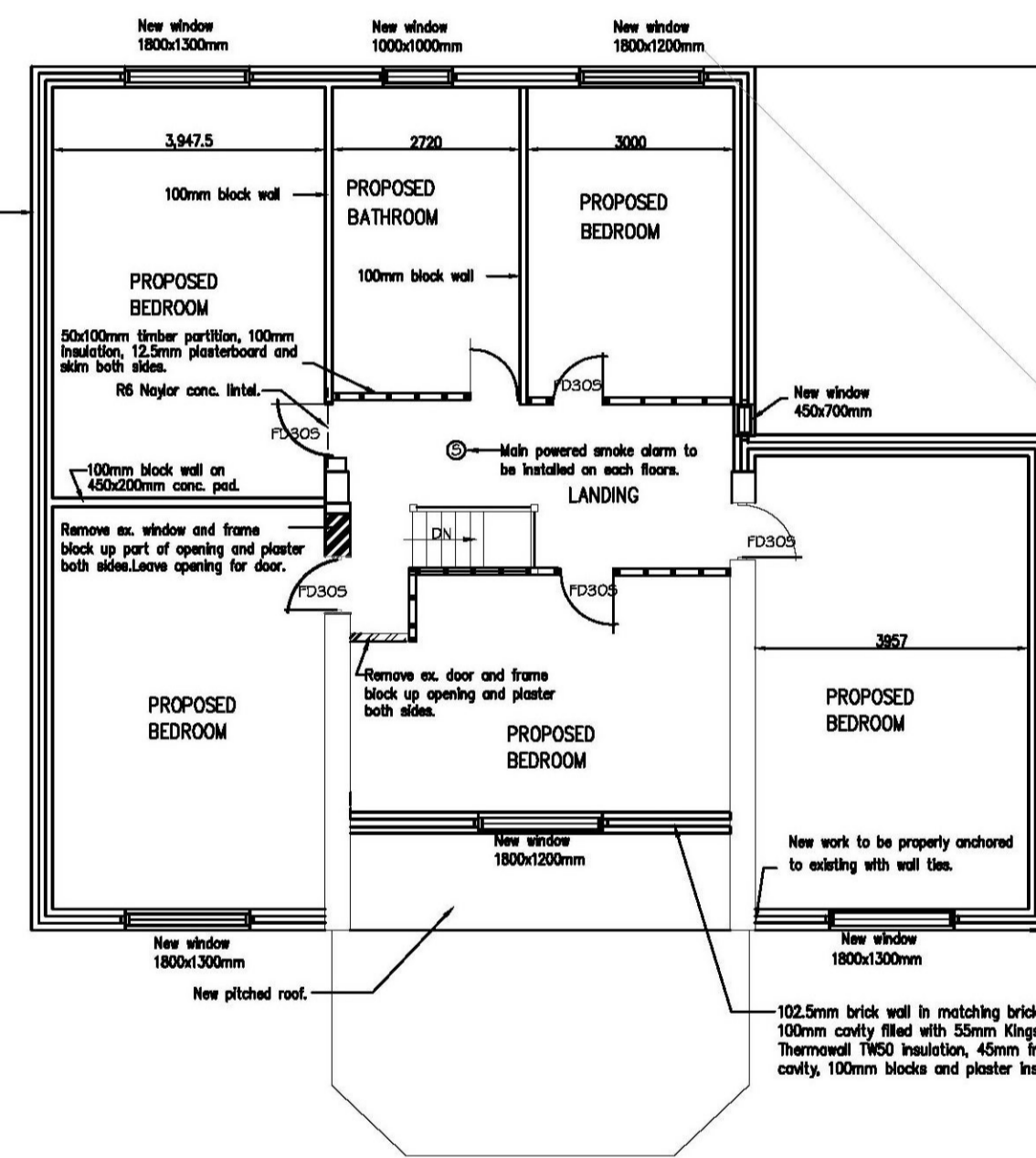
PROPOSED REAR ELEVATION



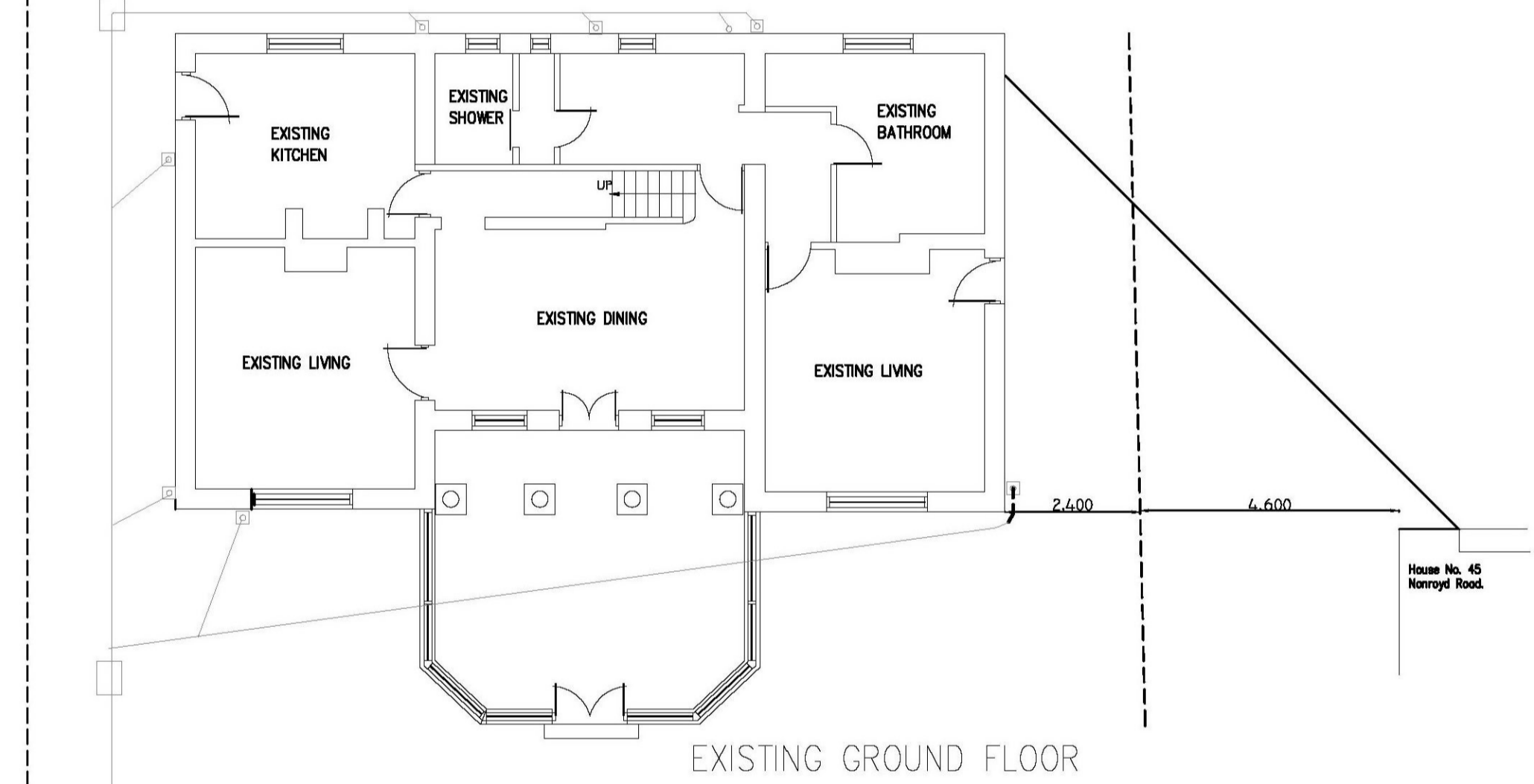
PROPOSED SIDE ELEVATION  
(FROM HOUSE 43 NUNROYD ROAD.)



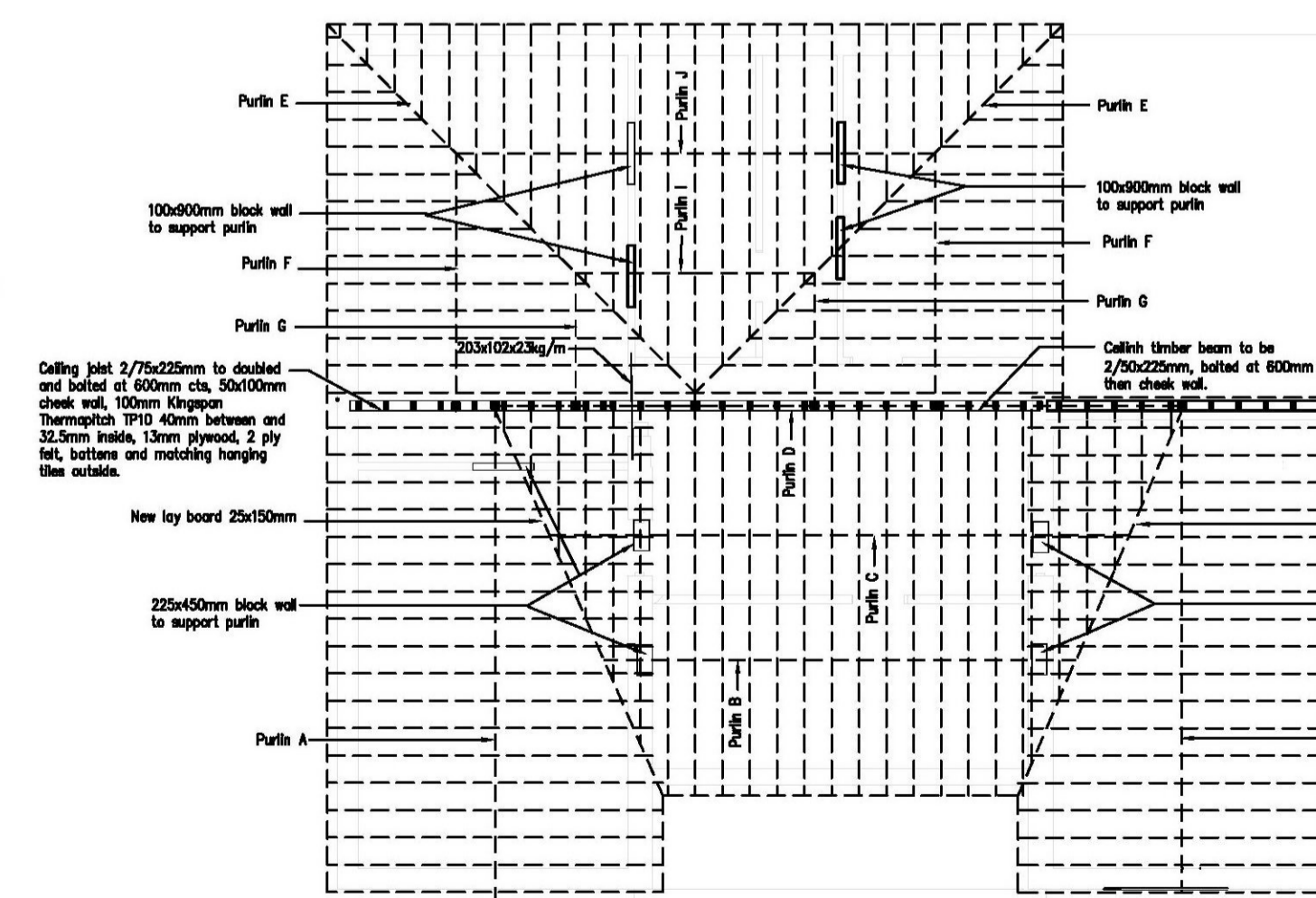
PROPOSED GROUND FLOOR



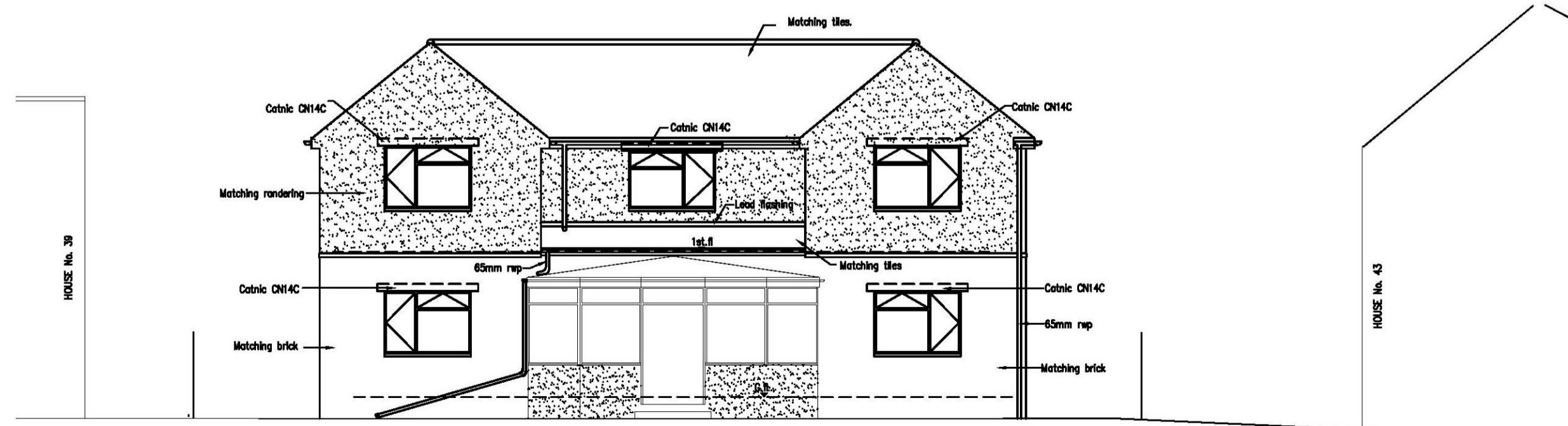
PROPOSED FIRST FLOOR



EXISTING GROUND FLOOR



PROPOSED ROOF DETAIL



PROPOSED FRONT ELEVATION

Rev B - 1/7/15 - Amendments to suit planning officer requirements.  
Rev A - 7/4/15 - Roof changed to timber truss. Height of roof to be lowered.  
Rev - C - Revised plan to planners requirement and modification with new files.  
Rev D - 1/12/15 - Revised plan to planners requirement and modification with new files.

CLIENTS NAME: MRS. YASMEEN AKHTAR, KHALIL  
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Client's Telephone: 0113 2662856  
Mobile: \*



TITLE: DEMOLISH PART OF EXISTING BUILDING AND BUILD NEW DOUBLE STOREY EXTENSION FOR KITCHEN AND BEDROOMS AT 41 NUNROYD ROAD, LEEDS LS17-6PH

Scale: 1 : 100 Date: 19/08/2015  
Drawn By: J.S.Saund Rev: D  
Drawing No: NUNROYD ROAD-10





# NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

