



## Report of the Chief Planning Officer

### **PLANS PANEL SOUTH & WEST**

Date: 20<sup>th</sup> October 2016

Subject: **PLANNING APPLICATION 16/04771/FU – Variation of condition 2 (approved plans) of approval 15/04158/FU for MINOR MATERIAL AMENDMENT to allow for minor alterations, including two dormer windows to unit 4 at 11 St. Ann’s Lane, Burley, Leeds, LS4 2SE**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Mr Amar Latif (Traveleyes Ltd.)	29 <sup>th</sup> July 2016	23 <sup>rd</sup> September 2016

<b>Electoral Wards Affected:</b>  Kirkstall  <input type="checkbox"/> Yes Ward Members consulted (Referred to in report)	<b>Specific Implications For:</b>  Equality and Diversity <input type="checkbox"/>  Community Cohesion <input type="checkbox"/>  Narrowing the Gap <input type="checkbox"/>
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**RECOMMENDATION: GRANT PERMISSION subject to the following conditions:**

1. 3 year time limit.
2. Development completed in accordance with approved plans.
3. Materials to match existing.

## **1.0 INTRODUCTION**

1.1 This amendment to add two dormer windows to an extant permission for the construction of two semi-detached, two-bedroom houses with parking and amenity space on the site of a garage block and former builder’s yard is considered acceptable in terms of its implications for residential and visual amenity. It is brought before the South and West Plans Panel at the request of the Kirkstall Ward Members due to the high level of interest in the previous application from members of the public and local residents.

## **2.0 PROPOSAL**

- 2.1 Permission is sought to amend the previous proposal for two semi-detached dwellings to incorporate two pitched-roofed dormers to the southern elevation of the approved new house. Each dormer will be roofed in slate with the face and cheeks constructed in natural stone. The dormers will be constructed flush with the rear wall of the house and each window sill will be set below the eaves line.
- 2.2 The dormers will be positioned in line with the ground floor fenestration, in order to provide a legible hierarchy. They will serve the first floor bedrooms at the rear of the property, providing additional headroom, lighting and ventilation over the approved skylights.
- 2.3 Each dormer will measure 2.0m in width, 2.54m from eaves to ridge, and 2.96m from sill to ridge. Window apertures will measure 1.55m x 1,23m. The top of each window will be 3.88m above the ground level of the access/parking area.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application refers to a parcel of land located between St. Ann's Lane and St. Anne's Drive in Burley. The site is occupied by a number of currently disused buildings, with the remainder hard-surfaced. To the western side, fronting onto St. Ann's Lane, is a Victorian stone building 'The Coach House'. This comprises Nos. 11-13 St Ann's Lane and to the western elevation is relatively plain, a single-storey structure dominated by its large slate roof. However, the eastern side and the southern return of this L-shaped building are much more ornate, including a stone carriage arch to the former and a two-storey projecting gable feature with clock and loft access doors to the latter. Detailing to this elevation includes sawn stone heads, sills, plinth and corbels.
- 3.2 The crook of the 'L' encloses a yard area finished partly in stone setts and partly in crazy paving. This is bounded by a 1.0m stone retaining wall and is itself set approximately 1.0m above the remainder of the site, which is surfaced in tarmacadam. The garage block, which comprises a row of five precast panel units roofed in corrugated asbestos, occupies the northern part of the site and is set back from St. Anne's Drive by approximately 5m. This and the adjacent access (via double gates to the lower yard) are also hard surfaced in asphalt. An area to the north-west of the garages is overgrown, suggesting an extended period of disuse. A triangular piece of land to the north-east, adjacent to the access, was previously occupied by the large sycamore tree mentioned in many of the local objections, and its stump remains visible.
- 3.3 There are a number of other residential properties in close proximity to the site. Laurel Cottage (No. 17 St Ann's Lane) is attached to the southern end of the Coach House premises; it is a two-storey stone dwelling which has been extended by way of a large uPVC conservatory to the rear and which has a garden and driveway that abut the southern end of the former builder's yard (also at a higher level). St. Anne's Green is a residential cul-de-sac of inter-war terraced houses. Nos. 2-16 St. Ann's Green back onto the site, separated from it by a variety of 2.0m timber board and lap panel fences, and have relatively short rear gardens of approximately 5-6m.
- 3.4 The prominent junction of St. Anne's Drive and St. Anne's Lane is dominated by Nos 5 and 7, a pair of large semi-detached Victorian houses (No. 5 has a date stone reading '1886' to the eastern elevation. This property is the more ornate of the two,

with an elaborate Tudor Revival frontage with half-timbered gable feature and the original leaded timber windows. It has an extensive front and side garden bounded by a timber picket fence and dominated by a large mature beech tree to the northern corner. No. 9 has a smaller bay window and has been extended to the rear with a single storey sun room, retaining a small yard to the rear.

- 3.5 The building is located in the St. Ann's area of Burley, close to the border with Kirkstall. The southern part of St. Ann's Lane is dominated by large stone Victorian villas, whilst the remainder of the surrounding streets are largely comprised of inter-war suburban infill – the standard, traditional semi-detached hipped roofed property with bay windows and side driveways. A range of materials is used in these properties, including red brick and painted render wall finishes and natural slate, concrete double roman and red rosemary roofing tiles. However, the cluster of buildings around the road junction are older and formed exclusively from coursed natural stone.

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

- 4.1 Pre-application advice was sought in April 2015 under reference PREAPP/15/00258; this involved the erection of a pair of semi-detached houses on the St. Anne's Drive frontage and is discussed below under section 5.1.
- 4.2 A determination application for the conversion of the first floor offices of the Coach House to two flats was approved on 2<sup>nd</sup> September 2015, under application reference 15/04202/DPD.
- 4.3 In May 2016, permission was granted by the South and West Plans Panel for a scheme to provide a pair of semi-detached houses, attached to the eastern elevation of the L-shaped building known as The Coach House, to be constructed on land which was previously a builder's yard and a row of disused garages.
- 4.4 This application had been previously deferred by the Panel at an earlier meeting on 21<sup>st</sup> April, for amendments to address concerns about the height of part of the building and the potential for overshadowing and overdominance of neighbouring houses (particularly an adjacent property at No. 7 St. Ann's Lane). The amendments to the proposal were considered sufficient to mitigate the risk of harm to the residential amenity of nearby residents, and the application was approved.

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

- 5.1 As noted above, an application for pre-application advice was submitted in April 2015. This suggested a pair of traditional semi-detached properties close to the street frontage of St. Anne's Drive, and conversion of the former Coach House into flats and an office (which in the event was carried out under Part 'O' of the General Permitted Development Order). Concerns were raised relating to the plain appearance of the houses and the lack of amenity space. A less intensive, more contemporary solution was suggested, resulting in submission of the original proposal.
- 5.2 The scheme as initially submitted comprised a full two-storey building with further accommodation in the roof space, set within 2.0m of the highway frontage on St. Ann's Lane and including a full-height lightwell through the northern part of Unit 3. In response to concerns regarding overshadowing / overdominance and the impact on the streetscene, the developer agreed to move the gable wall back to correspond with the building line of other properties on St. Anne's Drive, and to 'step-down' the

northern part of the building from 2.5 to 1.5 stories, giving a reduction of around 2.0m in eaves and ridge height to this part.

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

- 6.1 A general site notice was posted on 8<sup>th</sup> August 2015. Following the receipt of six letters of objection from neighbouring residents, the Local Ward Members were briefed on the proposals and concluded that the application should again be brought to the South and West Plans Panel for determination.
- 6.2 The main points raised by contributors are summarised in the 'Representations' section of the Appraisal.

## **7.0 CONSULTATION RESPONSES:**

- 7.1 Due to the nature of the application, no internal or external consultees were approached for comments.

## **8.0 PLANNING POLICIES:**

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, this application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), those policies 'saved' from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan. Relevant supplementary planning guidance and documents and any guidance contained in the emerging Local Development Framework (LDF) represent material considerations.

### Local Planning Policies

- 8.2 The Core Strategy for Leeds replaced the Unitary Development Plan on its adoption on 12<sup>th</sup> November 2014. Relevant policies are as follows:

Policy P10: New development will be expected to provide high standards of design appropriate to its scale, location and function and taking into consideration local context, car parking and the prevention of crime.

- 8.3 In the interim period during the preparation of Supplementary Planning Documents, a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies from the Leeds Unitary Development Plan are listed below: -

- UDP policy GP5 seeks to ensure all detailed planning considerations are resolved as part of the application process including the protection of local residents amenities.
- UDP policy BD6 seeks to ensure that all extensions and alterations to existing buildings respect the materials and design of the existing building and its context.

### Relevant Supplementary Guidance

- 8.4 The Leeds Householder Design Guide was adopted in April 2012 and provides detailed guidance on the various types of alterations and extensions that are

commonly carried out to domestic properties. Part One discusses relevant concepts such as design / character and the streetscene (p.4.), privacy, overshadowing and overdominance (p.6.) and overlooking (p.12.) whilst Part Two gives specific guidelines on dormer windows (pp. 32-33). It also contains relevant policies HDG1, which relates to design and appearance, and HDG2, which covers the impact of extensions and alterations on surrounding residents.

### Government Planning Policy Guidance/Statements

8.5 In addition to the Development Plan documents, the Coalition Government's National Planning Policy Framework replaced more than 40 Planning Policy Statements and Guidance Notes in March 2012. Chapter 7 (p.14) of the NPPF refers to the need for good design, which is responsive to the character of an area and represents good architecture, as a key element of sustainable development

## **9.0 MAIN ISSUES:**

9.1 The main issues for discussion and consideration are:

1. Design and Visual amenity
2. Residential amenity
3. Representations

## **10.0 APPRAISAL**

### Design and Visual Amenity

10.1 The dormers are proposed to be installed to the southern elevation of the premises, which overlooks the shared parking area for 'The Coach House' and is screened from both St. Ann's Lane and St. Ann's Drive by the existing house at Laurel Cottage and the proposed building respectively.

Whilst there are no dormer windows to the front (St. Ann's Drive streetscene), there is an existing, very similar feature to the rear elevation of 'The Coach House'. The dormer face and cheeks are to be constructed from standard natural stone blocks, coursed to match this dormer. The contemporary influence is retained through the use of modern grey timber window frames. Dark grey roof slates are specified to the roof, again to match the existing building. P. 33 of the Householder Design Guide states that dormer windows should be small, 'well designed additions' which 'retain the original roof form' constructed from 'appropriate materials' and set down from the ridge, up from the eaves and in from the sides. Two smaller dormers are considered preferable to a single large one. In this case it is considered that, with the exception of being set up from the eaves, which is a deliberate attempt to mirror the existing dormer, the proposal accords with all relevant design criteria.

10.2 Policy P10 of the Core Strategy relates to the external design of new buildings and states that this should be based on a robust contextual analysis of the surroundings and be appropriate to its location. In this case, the design of the proposed dormers takes its reference point from the existing dormer / gable to the southern elevation of 'The Coach House'. They are of similar size, scale, design and roof pitch, and will be read in the context of the existing feature, which is positioned approximately 4m to the west. The proposed dormers are therefore considered compliant with the aims of Policy P10, to guidance contained within the Leeds Householder Design Guide, and to saved UDP policy BD6.

## Residential Amenity Considerations

- 10.3 The dormer windows are located to the southern elevation of the proposed building, which due to facing an enclosed area of land to the rear of the house (which forms its private amenity space) is not considered sensitive in terms of overlooking. For this reason, the approved scheme includes two main ground floor windows facing over this garden and the parking area beyond.
- 10.4 The dormers will replace two Velux rooflights serving the first floor bedrooms, in order to provide additional light but more importantly, headroom to the accommodation, which being located under the roof plane has the potential to feel enclosed and claustrophobic. 'Neighbourhoods for Living' p. 57 defines bedroom windows as 'secondary' aspects, and recommends a minimum distance of 7.5m between the window and the site boundary (which can be extrapolated to give a minimum distance of 15m to a neighbouring bedroom window or 18m to a main window (i.e. living or dining room). This is easily achieved from both proposed windows, both at an angle of 90-degrees and a 45-degree angle facing toward the rear windows of houses on St. Ann's Green, which lies to the east. It is therefore not anticipated that the addition of dormers will introduce or exacerbate any problems of overlooking when compared to the approved scheme.

## Representations

- 10.5 Six letters of objection have been received in response to the standard publicity given to the application. The main concerns raised are summarised thus:

Dormer windows are not a feature of the area and these would set an unwelcome precedent.

The purpose of the dormers is to provide additional living space necessitated by the overdevelopment of the site and attempts to provide too much accommodation within the building envelope.

The dormers will facilitate the overlooking of houses and gardens on St. Ann's Green, to a degree which the specification of roof lights to this elevation was intended to prevent.

The method of submission represents incremental 'planning creep' – the dormers should have been included in the amendments to the previous application that was brought back to Panel in May.

- 10.6 In response to these concerns, it is important to note that three of the objectors do not live adjacent to the site and will not be affected by the development. Concerns regarding the potential for overlooking and the character / appearance of the dormers are discussed within the relevant sections of the Appraisal, as they relate to residential and visual amenity respectively. As regards precedent, each application must be assessed on its own merits, and in this case it is considered that the addition of two dormers to the rear of a structure which already has one as an original, existing feature does not translate to potential for a proliferation of similar additions to the various housing styles in the vicinity. Whilst the proposal has been submitted separately from the original scheme, the applicant has stated that this is the result of unforeseen issues encountered when generating technical drawings for building standards, rather than a deliberate attempt to add a controversial element at a later point. In any case, the Authority must consider the scheme as submitted, exclusively

on its planning merits, based on material planning considerations and in accordance with adopted planning policy.

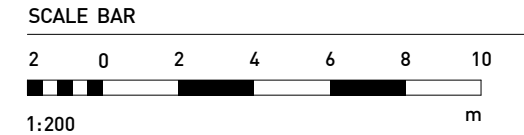
## **11.0 CONCLUSION**

- 11.1 To conclude, it is considered that the proposal accords with relevant policy and the dormers are acceptable in terms of their external design, materials, context and the likely impact on surrounding houses through overlooking. The proposal is for these reasons recommended for approval, subject to the conditions listed at the head of the Report.

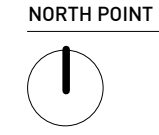
### **Background Papers**

Application Files: 16/04771/FU and 15/04158/FU

Certificate of Ownership: Mr. Yasar Awais (29<sup>th</sup> July 2016)



NOTE :  
Do not scale from this drawing, use figured dimensions only. Scale bar shown for reference only.



— Site Ownership  
- - - Site Boundary

F	Updated further to client request - Dormers facing yard added to Unit 3	16.07.28		
E	Design revised following plans panel and further to LPA comments	16.05.06		
D	Design revised further to LPA comments	16.02.26		
C	Additional / Revised Information Further to consultee and objection comments raised	15.09.07		
B	Validation Requests	15.07.23		
A	Planning Issue	15.07.03		
Rev	Description	Date	Dr by	App by

original by	date created	Approved by
Author	23.07.2015	Approver

**NICK BROWN : ARCHITECTS**

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project  
The Coach House, Headingley , 11 -15 St Ann's Drive / St Annes Lane, Leeds, LS4 2SE for Traveleyes,

drawing title:  
Proposed Site Plan - New Dwellings

project number  
2014-073

drawing number P107	revision F
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scale: 1 : 200	issue status Planning Issue
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NOTES  
Contractor must verify all dimensions on site before commencing any work or shop drawings.  
Report any discrepancies before commencing work to the Architect. If this drawing exceeds the quantities taken in any way, the architects are to be informed before the work is initiated.  
Only figured dimensions to be taken from this drawing. Do not scale off this drawing.  
Drawings based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.  
Work within the Construction (Design & Management) Regulations 2007 is not to start until a Health & Safety Plan has been produced.  
This drawing is Copyright and must not be reproduced without consent of Nick Brown Architects Ltd

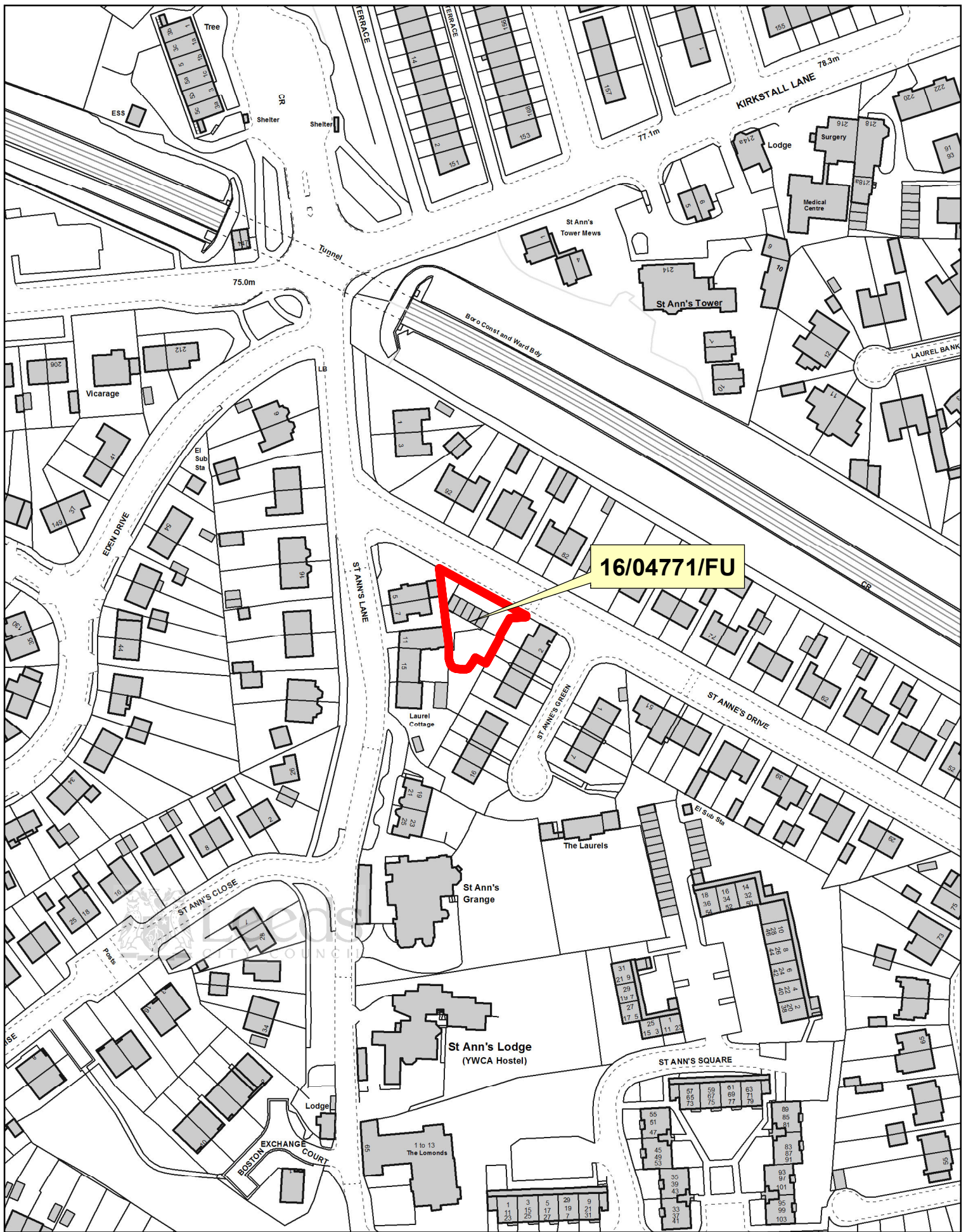
ST ANN'S LANE

ST ANNE'S DRIVE

Laurel  
Cottage

ST ANNE'S





# SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1500

