
Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 9th March 2017

Subject: 16/04533/FU – Two storey/singe storey side/rear extension; to include garage to side at 36 Buckstone Crescent Moortown Leeds LS17 5HU

APPLICANT

Mr P Gill

DATE VALID

19th July 2016

TARGET DATE

14th March 2017

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 specified conditions:

Conditions

- 1) Time Limit
- 2) Plans to be approved
- 3) Materials to match existing
- 4) No insertion of windows and doors in the side elevations
- 5) Removal of PD rights
- 6) Final details of access to be submitted and approved

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel in response to a request from Councillor Dan Cohen. The concerns raised are the proposal is too large for the plot and is dominant in the street scene, out of character, will result in increased parking in the local area, and has raised concerns about the access into the garage. These being matters give rise to concerns affecting more than neighbouring properties and are therefore considered appropriate for referral to Plans Panel for determination.

2.0 PROPOSAL

- 2.1 The application proposes a part single, part two-storey, side and rear extension of a modern, semi-detached, two-storey dwelling on a corner plot at 36 Buckstone Crescent. The additional single-storey ground floor accommodation would provide for an integral single garage to the side with hipped roof to the front and rear, a wrap-around single-storey hipped roof rear element containing a second living room, an extended kitchen and an extended dining room. The two-storey element would provide for a ground floor accessible bedroom and wet room and two further bedrooms at first floor which overall results in a 5 bedroom dwelling.
- 2.2 The two-storey side extension would be hipped-roofed to match the design and angle of the existing roof, set down from the main ridge and a set back from the front face of the existing dwelling. The two-storey element would measure 8m to the ridge and 5.3m to the eaves and would be 3.8m by 7.2m in footprint. The single storey element of the proposal would measure 3.6m to the ridge and 2.4m to the eaves and would be 13.7m at its widest by 7.5m (garage) at its deepest. Overall the ground floor would cover 80m². Materials proposed are to match the existing.

3.0 SITE AND SURROUNDINGS

- 3.1 The application relates to the right-hand half of a two-storey, demi-detached dwelling that is finished in a painted render with hipped roof clad in an interlocking pantile. The designs of dwellings vary in the immediate streetscene. The property is located on a large corner plot. The site is close to the junction of Buckstone Crescent with Buckstone Way.

4.0 RELEVANT PLANNING HISTORY

14/05904/FU: Detached house to garden Status: Refused Decision Date: 8 December 2014 Dismissed at appeal. The Inspector stated that the main issues is the effect of the proposal on the character and appearance of the area

13/04243/FU: Detached house to garden Status: Refused Decision Date: 24 October 2013: Dismissed at appeal. The Inspector stated that the main issues are the effect on the character and appearance of the area and highway safety in respect of the provision of car parking.

13/02219/FU: Detached house to garden Status: Refused Decision Date: 1 August 2013.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 No pre-application advice was given in relation to the proposed side and rear extension.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 A number of neighbours were notified by letter dated 22nd July 2016 and then following revisions neighbours were re-notified on the 5th January 2017.
- 6.2 Objections have been received from 5 local residents and a Ward Member. Comments have been received from Alwoodley Parish Council.
- 6.3 The objections raised relate to the following:

- Proposals are too large for the plot;
- Extension will be unduly prominent in the streetscene;
- Proposal will be out of character within the street;
- Proposals will double the size of the site;
- Significant increase in number of occupants given the number of rooms;
- Proposal would cause significant parking problems in the local area;
- Unsure how access to the garage will be gained;
- Property could be divided into two dwellings;
- Property may be rented out; and
- Overlooking towards neighbouring properties.

6.4 **Alwoodley Parish Council** have indicated that they neither support nor object to this application. They have questioned the location and accessibility of the garage from the drive as shown on the proposed plans.

6.5 The applicant submitted a letter following letters of objection to address the concerns of local residents, and this is discussed in the appraisal section of this report below.

7.0 CONSULTATION RESPONSES

7.1 Highways: Following discussions with officers no concerns were raised with the new access as properties opposite have a similar entrance.

8.0 PLANNING POLICY

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

Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

<u>P10</u>	Seeks to ensure that new development is well designed and respect its context.
<u>T2</u>	Seeks to ensure that new development does not harm highway safety

The following saved UDP policies are also relevant:

<u>GP5</u>	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
<u>BD6</u>	All alterations and extensions should respect the scale, form, detailing and materials of the original building.

National Planning Policy

8.3 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.

- 8.4 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.

8.5 Relevant Supplementary Planning Guidance/Documents: Householder Design Guide (HDG)

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 details;
- iii) architectural features;
- iv) boundary treatments and;
- v) materials.

Extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.

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.

Neighbourhoods for Living
Street Design Guide
Leeds Parking Supplementary Planning Document

9.0 MAIN ISSUES

- 1) Neighbour Amenity
- 2) Design and Character
- 3) Highway Safety
- 4) Representations
- 5) Community Infrastructure Levy

10.0 APPRAISAL

Neighbour Amenity

- 10.1 Core Strategy Policy P10 notes that developments should "[protect] ... residential and general amenity...". Saved policy GP5 notes that developments should protect amenity and policy BD6 notes that "all alterations...should respect the scale, form, detailing and materials of the original building".

Overshadowing

- 10.2 Due to the location of the proposed extension in relation to the orientation of the sun and neighbouring properties. The majority of overshadowing will fall on the hosts own dwelling and private amenity space. Later in the afternoon there will be some overshadowing to the adjoining neighbour rear garden area. Given the projection of 3m along the boundary and the proposal being single storey with the neighbour it will not negatively impact the private amenity of the said neighbour. There will be no overshadowing to the adjacent neighbour given the overall size and scale of the existing plot. It would not be significant to justify a refusal in terms of overshadowing.

Overdominance

- 10.3 The scheme has been revised since the original submission. Officers are aware that the proposal is a large addition on the existing dwelling. The proposal is for a disabled person who will use the ground floor accommodation. Due to the sensitive nature of the application and the overall size of the plot the property can comfortably accommodate the addition whilst retaining private garden space and will not impact neighbouring properties private amenity.
- 10.4 The two storey element (side extension) has been reduced in width and now complies with the guidance of the Householder Design Guide in that it is no more than two thirds of width of the original dwelling. The front face of this extension is also a set back from the front elevation of the existing house and a set down from the existing ridge line which makes the extension a subservient addition.
- 10.5 The garage has been set further back approximately 7m from the existing front elevation. With this set back the impact on the existing dwelling, and immediate street scene, has been reduced.
- 10.6 The overall size and scale of the single storey rear extension would not be a dominant addition on the adjoining neighbour, given the 3m projection along the boundary and the hipped roof design further reducing concerns of dominance. This complies with the guidance in the HDG.

Overlooking

- 10.7 It is proposed to install windows and doors into the front and rear elevations of the extensions which will face the applicants own front and rear garden area and also the public highway. At ground floor level these windows will serve an extended dining room, kitchen, living room, garage and bedroom. The first floor windows will serve two additional bedrooms. Conditions are proposed restricting additional openings in the side elevations of the proposed extension.
- 10.8 From the first floor rear window to the rear boundary will be a distance of 18.8m and at ground floor the distance is approx. 14.1m and approx. 7.3m from the rear elevation of the proposed garage. At 14.1m the proposal falls within the distances advised in Neighbourhoods for Living. It would therefore not be significant to justify a refusal in overlooking. Therefore, the proposal complies with Policy HDG2 of the House Holder Design Guide.

Highway Considerations

- 10.9 Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety.
- 10.10 Highways have reviewed the proposal and commented that the proposed new access is acceptable. The width of the access is 5m and will create a new dropped kerb. The proposed garage will be able to accommodate a car and additional parking in front of the garage. It is therefore considered that the proposal will not be detrimental to highway and pedestrian safety.
- 10.11 It is acknowledged that some of the objections refer to the impact on parking in the locality due to the increased size of the dwelling and number of habitable rooms. In response, the proposal provides two off street car parking spaces, and a further three spaces on the existing driveway which is shown to be retained according to the submitted plans. The proposal is therefore policy compliant in respect of the parking provision. It is also worthy to note that property is to be occupied by a single family unit and any potential sub-division would require the benefit of planning permission.

CIL Liability

- 10.12 This revised development is under the 100m² and is therefore not CIL liable.

Representations

- 10.13 The comments made by the Parish Council in respect of the location and accessibility of the garage have been discussed in the report.
- 10.14 The comments made by Cllr Dan Cohen and neighbouring properties have been addressed in the report. Concerns have been raised over splitting the property into two properties. The applicant has stated in a letter received that the proposal will be for a family home and if the applicant decides to separate the property into two separate dwellings, this gives rise to a planning application and the neighbouring properties would be statutorily notified in order to comment on such a change upon.

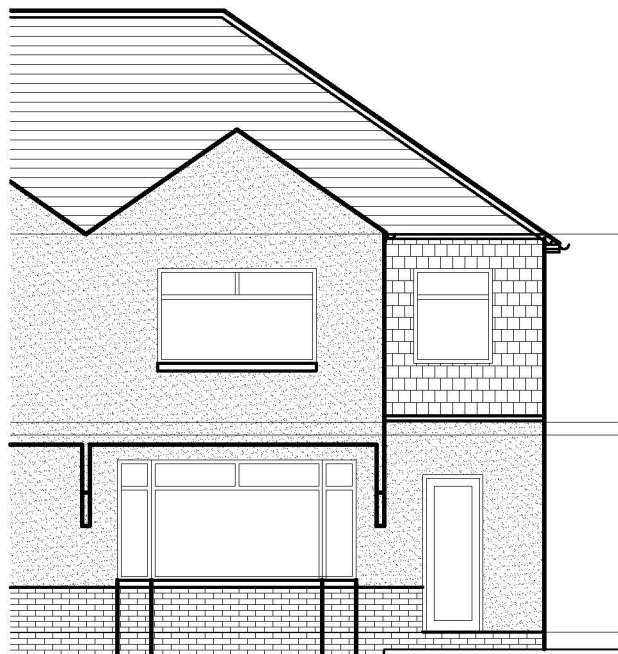
11.0 CONCLUSION

- 11.1 The main body of the report shows the proposal complies with the relevant Core Strategy and saved UDP policies. It is therefore concluded, taking all matters into account including the representations received, that planning permission should be granted subject to the conditions at the head of this report.

Background Papers:

Application files: 16/04533/FU

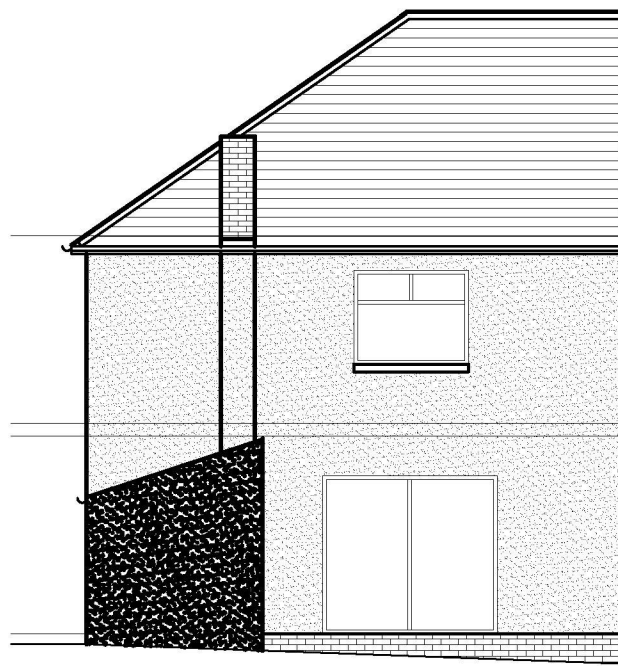
Certificate of ownership: Certificate A signed by agent on behalf of applicant (Mr P Gill)



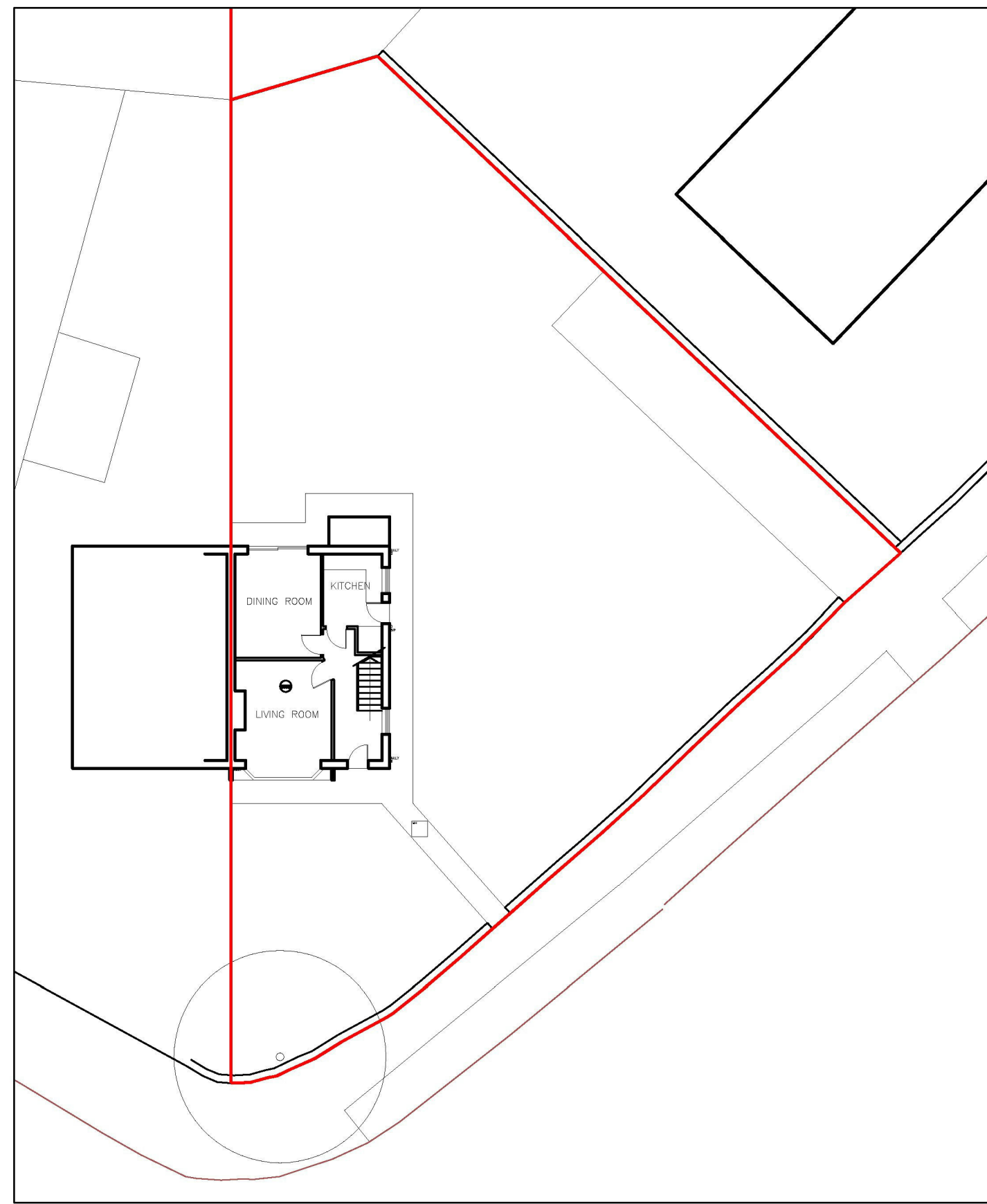
Existing Front Elevation
Scale 1:100



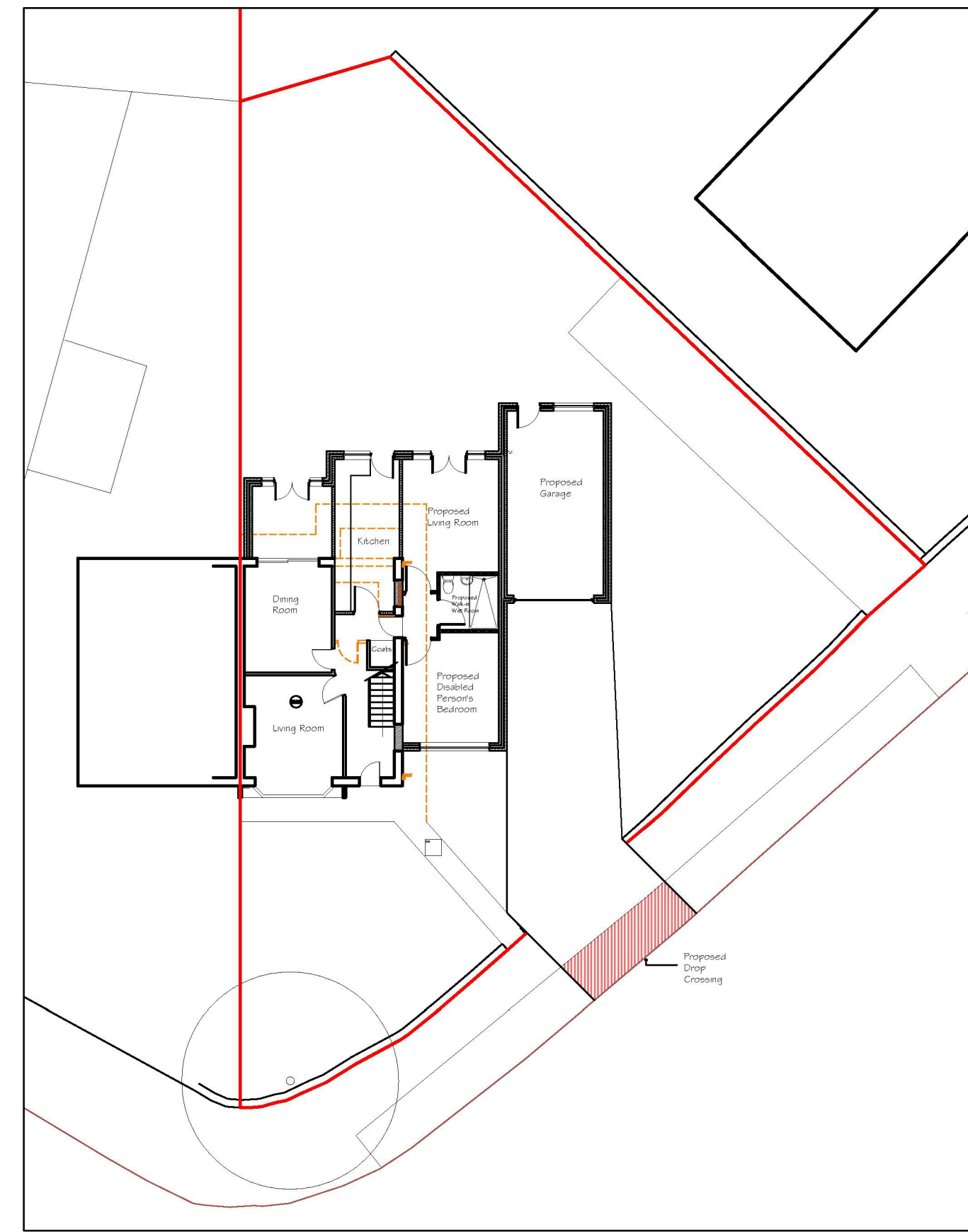
Existing Side Elevation
Scale 1:100



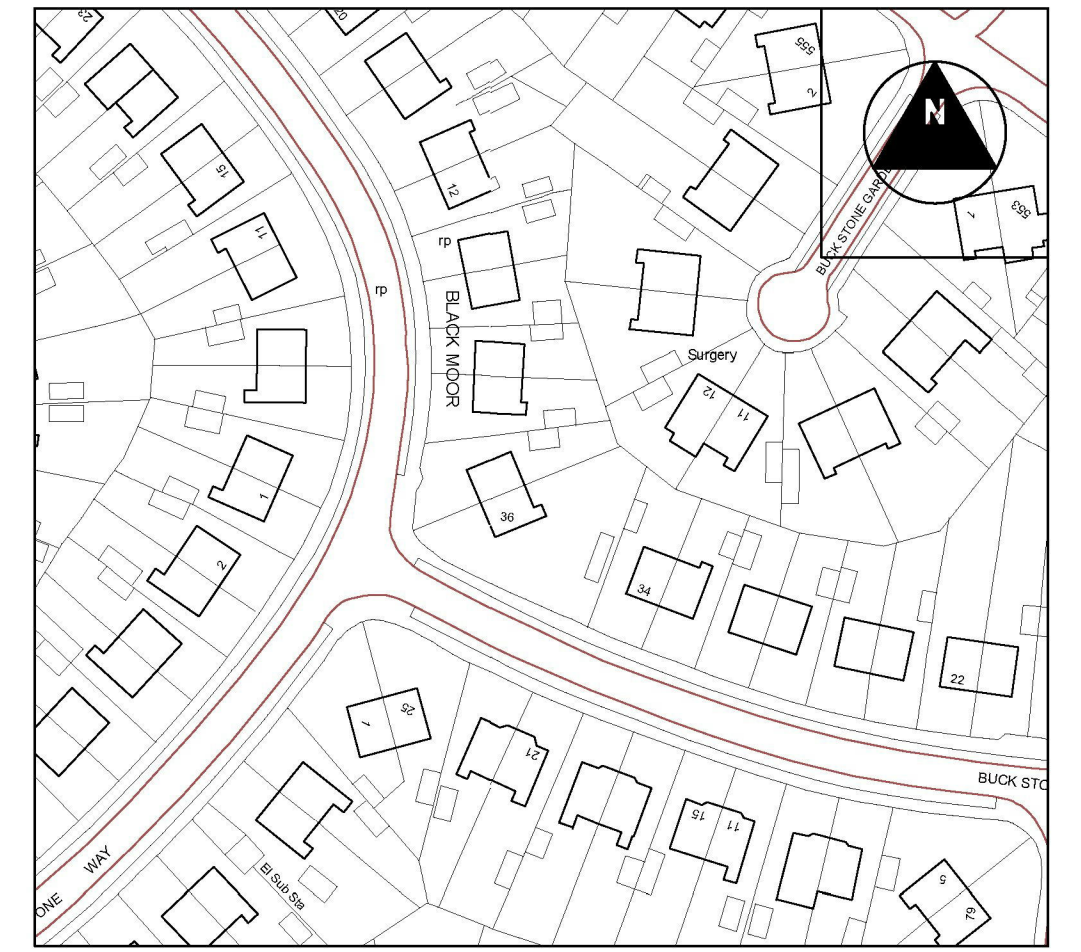
Existing Rear Elevation
Scale 1:100



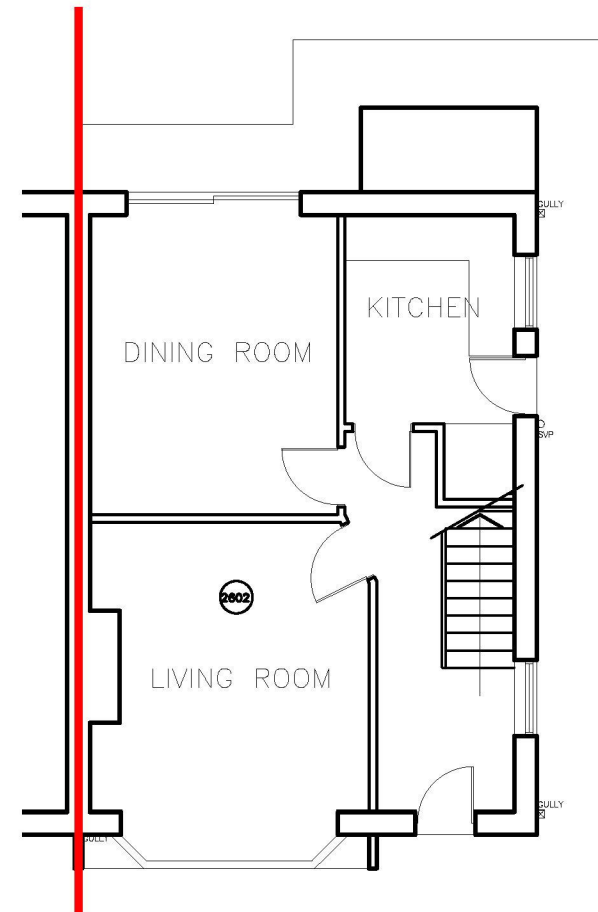
Existing SitePlan - Scale 1:200



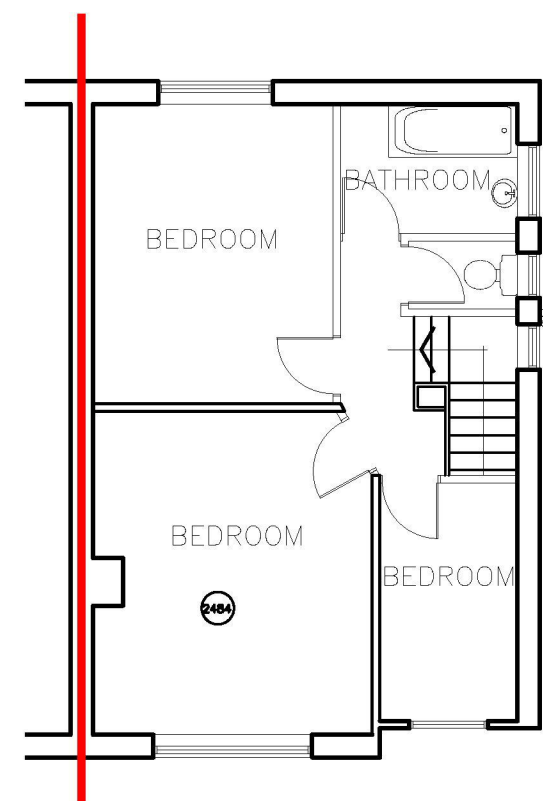
Proposed SitePlan - Scale 1:200



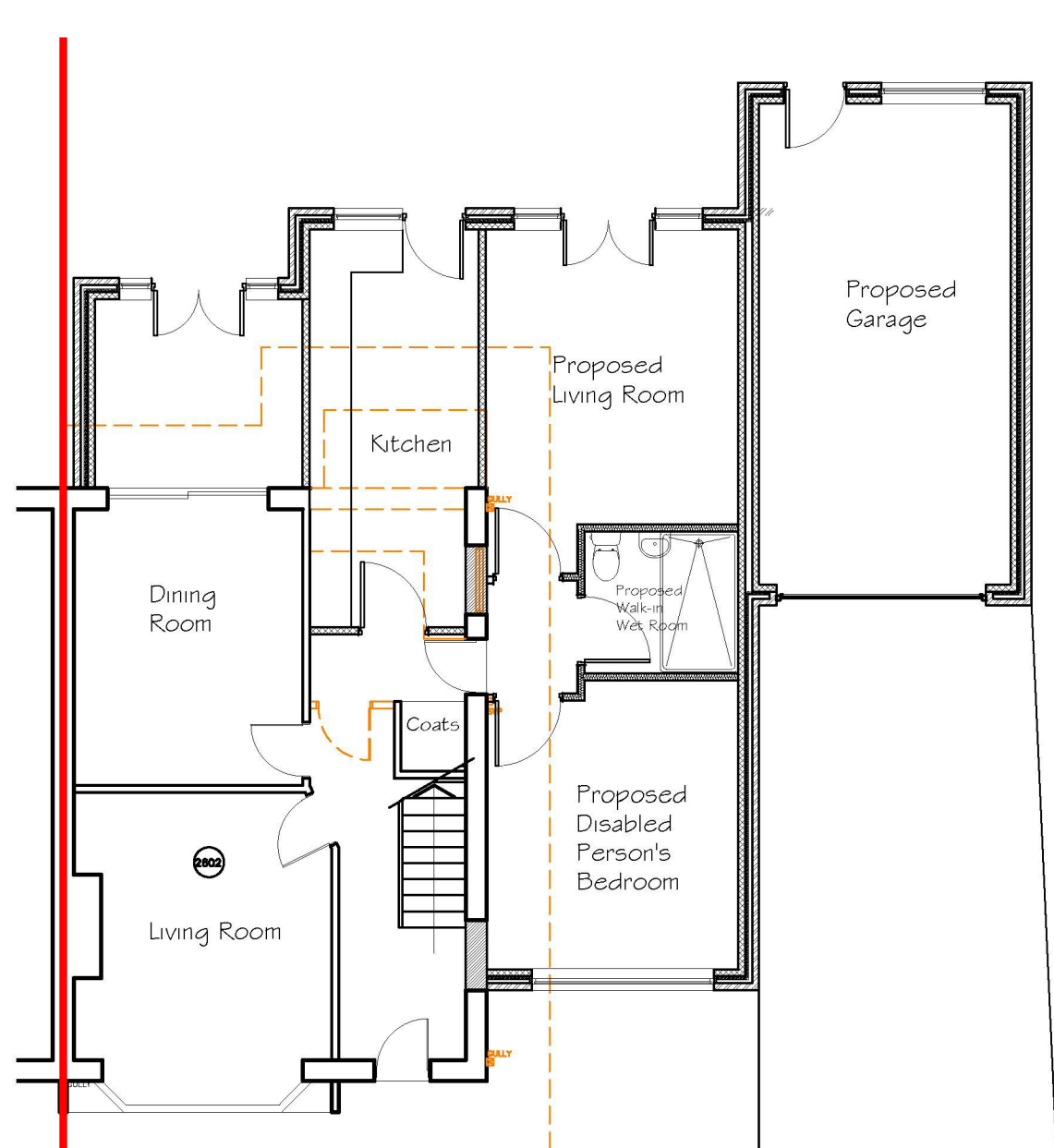
Location Plan 1:1250



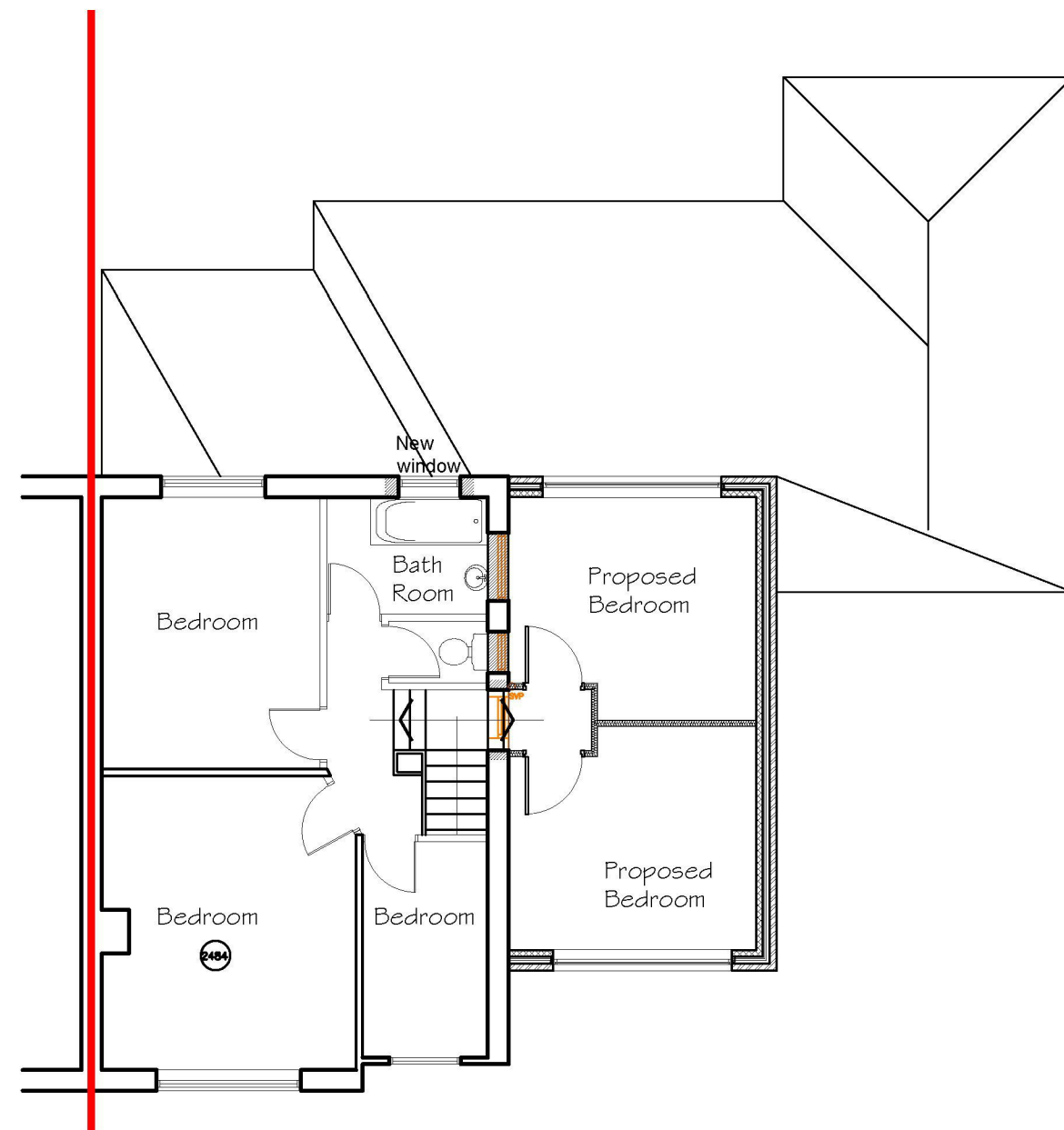
Existing Ground Floor Plan
Scale 1:100



Existing First Floor Plan
Scale 1:100



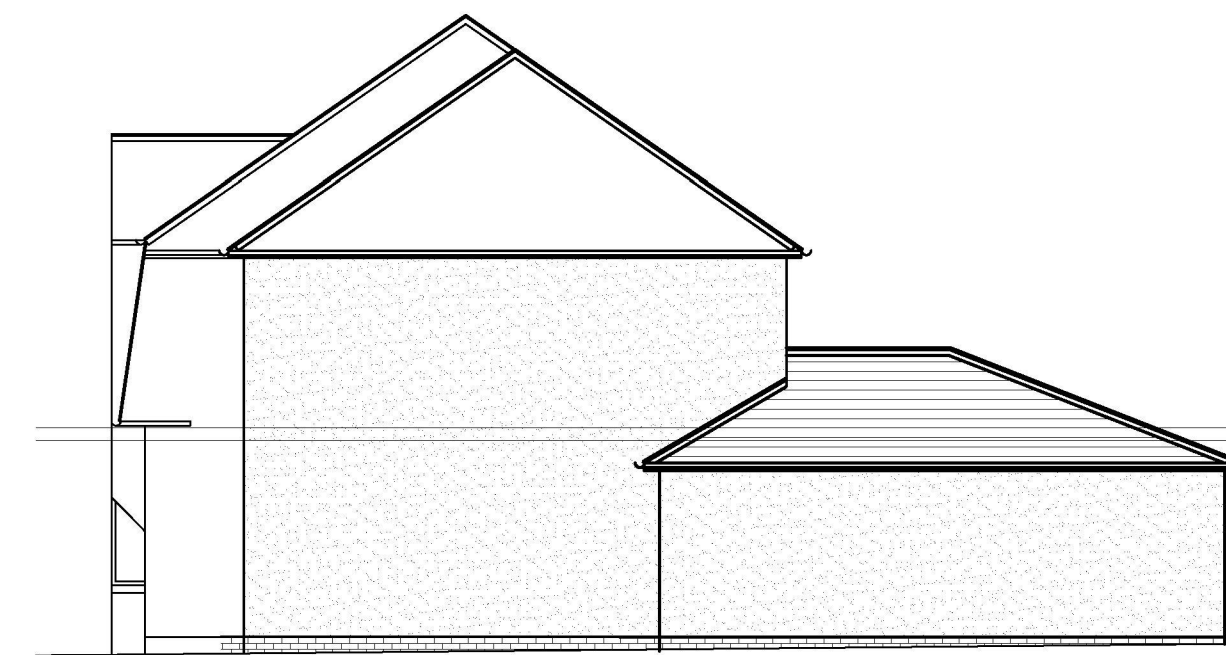
Proposed Ground Floor Plan
Scale 1:100



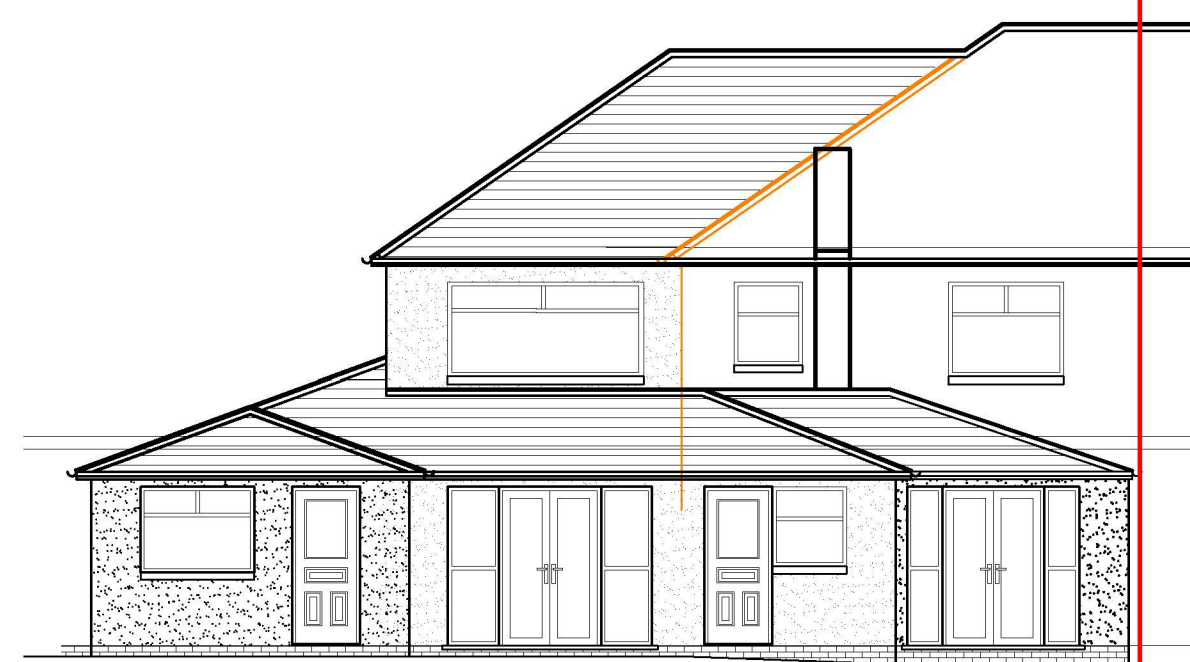
Proposed First Floor Plan
Scale 1:100



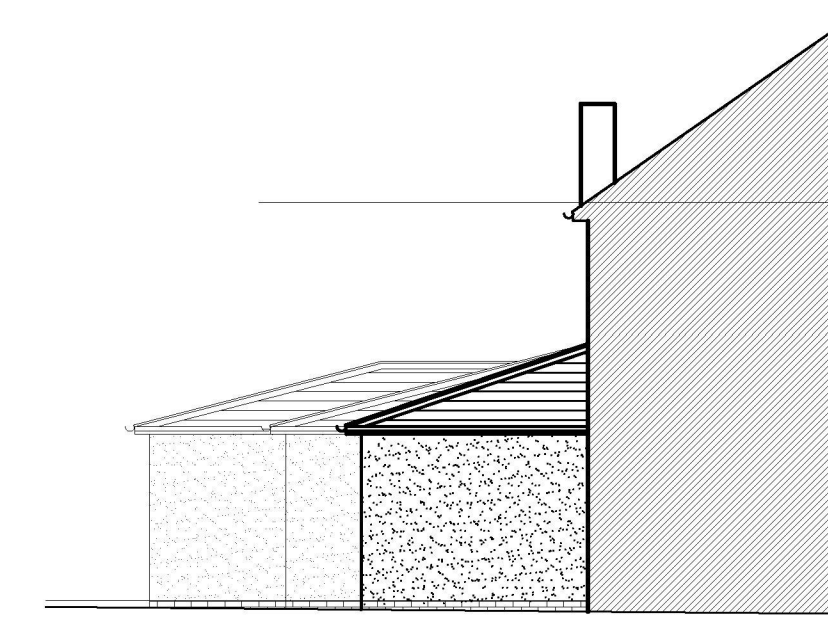
Proposed Front Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100



Proposed Side Elevation
Scale 1:100

Please note these drawings are for Planning and Building Regulation purposes only.

NOTE:
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before works commence.

All drawings must be read with and checked against any structural or other specialist drawings provided. All works to comply with British Standards, Codes of Practice, current Building Regulations and carried out to the satisfaction of Building Inspector. All materials to comply with the relevant British Standards

F - First floor extension reduced in width	07.12.2016
E - Outline of extension amended	30.11.2016
D - Outline of extension amended	18.10.2016
C - Outline of extension amended	17.10.2016
B - Indication of access to garage	09.09.2016
A - Minor Alterations	09.09.2016
REVISIONS	DATE

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Telephone: 0113 2455492 Fax: 0113 2443800 E-Mail: info@psriyat.com

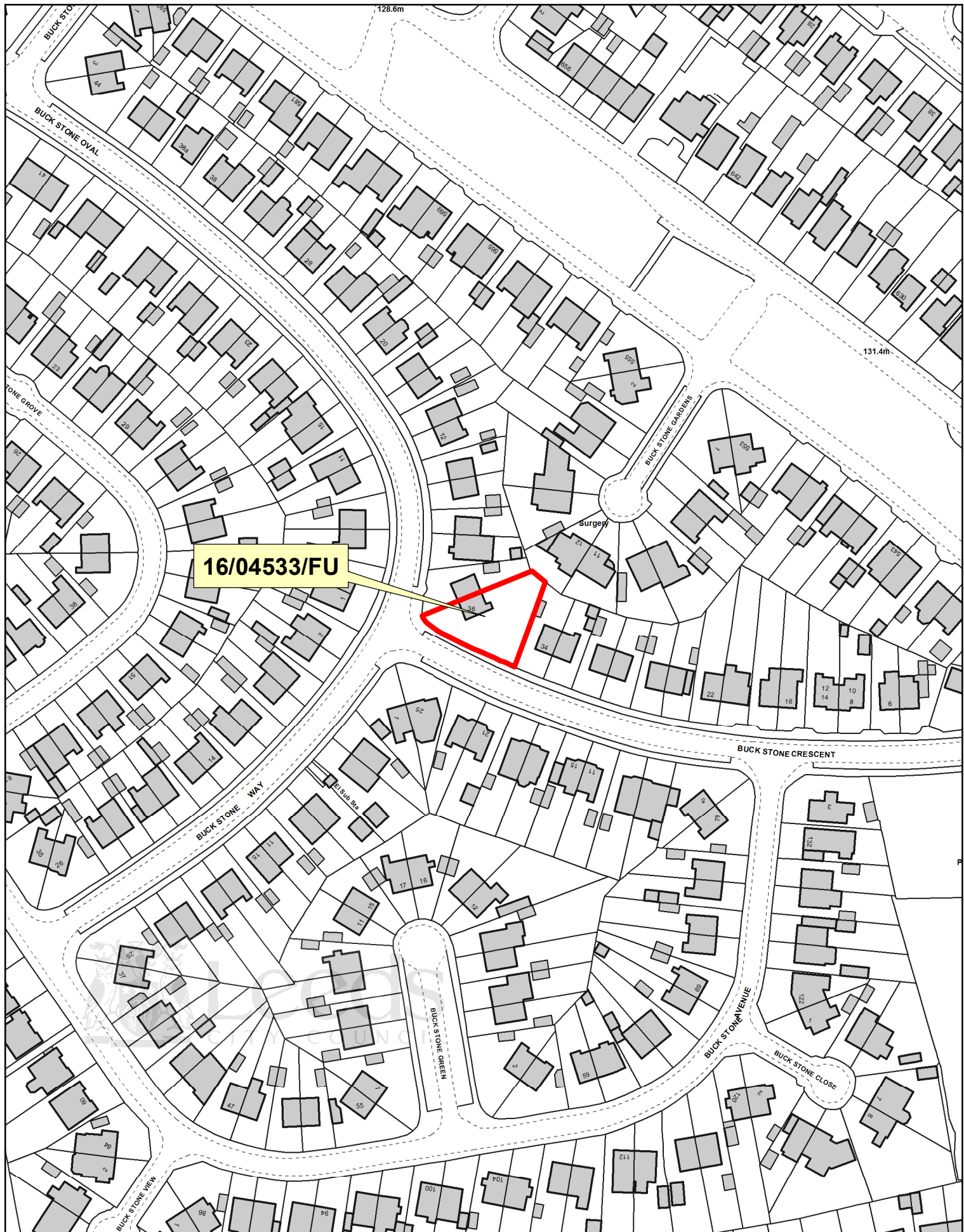
Client:
Mr P. S. Gill

Project:
Proposed Alterations and Extension to
36 Buckstone Crescent
Leeds LS17 5HU

Drawing:
Proposed Site Plan, Floor Plans and
Elevations

Scale: As Shown @ A1	Drawing No. 2295/01
Date: June 2016	XXXXXX F

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NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

