



Report of the Chief Planning Officer

Plans Panel North and East

Date: 22nd February 2018

Subject: 17/06735/FU - Alterations including two storey part single storey front, side and rear extension incorporating a double garage; first floor terrace area with balustrade to rear; inset dormer window to rear and raised roof height at 24 Lakeland Crescent, Alwoodley, Leeds

APPLICANT

Mr M Jones

DATE VALID

18.10.2017

TARGET DATE

(Ext. of time 02.02.2018)

Electoral Wards Affected:

Alwoodley

Yes

Ward Members consulted

Specific implications for:

Equality and Diversity

Community Cohesion

Narrowing the gap

RECOMENDATION: GRANT PERMISSION subject to the following conditions:

1. Standard time limit for commencement
2. Standard plans reference
3. No insertion of windows and doors in the side elevations
3. Submission of materials relating to window detailing
4. Public Footpath - a survey prior to the commencement of works; and on completion of the development shall be submitted and agreed
5. Materials- the development will be constructed in the materials detailed on the approved plans
6. Re-planting scheme
7. Provision of and retention of glass privacy screens to terrace
8. Green roof not to be used for seating or recreational area

1.0 INTRODUCTION

- 1.1 The application has been brought to Plan Panel at the request of Councillor Peter Harrand on the grounds of:

- The proposed height of the proposal.
- Potential overlooking of adjoining properties and lack of privacy
- Incursion into public footpath

1.2 The matters raised relate to more than impact upon neighbouring amenity and therefore under the terms of the Officer Scheme of Delegation it is appropriate to report the application to Panel.

2.0 PROPOSAL

2.1 The application proposes a two storey, part single storey, front, side and rear extension incorporating a double garage; first floor terrace area with balustrade to the rear; inset dormer window to rear and raised roof height. The two-storey side extension would create a living room at ground floor with a bedroom and en-suite facility on the second floor. The enlargements to the rear would serve a kitchen at ground floor; and bedrooms at first and second floor. The dwelling would be constructed in split face stone, cedar cladding and white render finish with slate tiling on the roof slopes.

3.0 SITE AND SURROUNDINGS

3.1 The application relates to a detached, two-storey dwelling located in a primarily residential area. The existing property has been constructed in stone, brick and with dual pitched-hipped roof slopes in grey tiling. The house has been finished in part white render part red brick. The eastern boundary of the site lies adjacent to a Public Footpath serving the Dales Way; which lies within the ownership of the applicant with agricultural land to the immediate north of the site. To the east, west and south of the application site are existing residential properties. These properties display a wide variation to the wider streetscene in terms of the design, form and proportions.

4.0 PLANNING HISTORY

4.1 The site has the following planning history:

30/374/03/FU- Attached double garage to side – Approved 29.07.2003
 30/72/96/FU- Single storey front and side and first floor side and rear extensions - Approved 18.04.1996

5.0 HISTORY OF NEGOTIATION

5.1 In respect of this particular proposal there have been no pre-application enquiries submitted. During the process of the application additional plans relating to a tree report and streetscene have been received to inform assessment of the scale of the proposal in relation to adjacent properties. Revised plans have also been received including alterations to the terraced area, boundary treatment and design of window detailing.

6.0 PUBLIC/LOCAL RESPONSE

6.1 The application was originally publicised by neighbour notification letters on the 25th October 2017 and a site noticed displayed from the 8th November near the public footpath facing the street. The application was then re-advertised following receipt of amended plans, with neighbour notification letters sent to properties in the immediate vicinity on the 29th January. Subsequently a

second site notice was displayed on the 2nd February with the final expiry date for comments on the 16th February. To date, no new comments have been received however any new comments between the writing of this report and the Plans Panel meeting will be reported orally.

6.2 To date, the application has received 8 objections and one representation; including an objection from Cllr Peter Harrand and Alwoodley Parish Council. The objections are summarised below:

- Dimensions on plans
- Impact on Amenity Loss of privacy/overlooking
- Out of character/scale/ visual appearance
- Landscaping - no arboriculture impact assessment submitted.
- Publication of the application

6.3 As part of the public consultation process Alwoodley Parish Council and the Ramblers Association also made the following comments:

Alwoodley Parish Council:

The proposed front design would not be consistent with the streetscene, in particular the height of the proposal is not acceptable. In addition, concern is expressed in regard to the impact on neighbouring properties in potentially restricting light and creating an overbearing impact. Further, the boundary of the public footpath is shown within the curtilage and boundary treatment would be subject to a separate application.

Ramblers Association:

The application does not adequately address the impact of the proposal on the boundary treatment bordering the public footpath. There is a lack of mention/adequate status given to the public right of way. The proposal should not impact upon existing boundary vegetation and concern expressed that the boundary treatment may be the subject of a separate application.

7.0 CONSULTATION

7.1 Landscape:

The proposal appears to underestimate the impact of extending to the East and on boundary treatment adjacent to the public footpath.

The enlargements are likely to impact upon the RPAs (Root Protection Zones) and Canopy Zones of the green boundary.

The applicant may wish to submit an Arboriculture Impact Assessment. To mitigate the loss of vegetation the planting of two compact garden trees, like Rowan or Birch, in addition to the proposed hedging to the eastern boundary would help mitigate the loss of boundary trees.

7.2 Public Rights of Way:

Footpath subsists within red line boundary of the site.

Raised no objections subject to the footpath width being retained, and damage to the surface as a result of construction being repaired to Public Rights of Way satisfaction.

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:

P10 - Seeks to ensure that new development is well designed and respect its context.

T2 - Seeks to ensure that new development does not harm highway safety

- 8.3 The following saved UDP policies are also relevant:

GP5 - Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD6 - All alterations and extensions should respect the scale, form, detailing and materials of the original building.

National Planning Policy

- 8.4 The National Planning Policy Framework (2012) (NPPF) 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 NPPF 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.

Relevant Supplementary Planning Guidance/Documents:

- 8.5 Householder Design Guide (HDG). The following extracts from the HDG are relevant:

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, over dominance or overlooking will be strongly resisted.

- 8.6 To help with the assessment of the impact on neighbouring residents the HDG refers to the 45 degree and states:

“The 45° code usually applies to two storey extensions although it can inform the decision making process for single storey extensions. This code takes account of the position of neighbouring windows. It relates to main living areas such as living rooms, bedrooms, dining rooms and kitchens; it does not usually apply to utility rooms, toilets, staircases or landings.

In order to apply the code you should first locate the nearest edge of the closest window on your neighbour’s property (fig 1). A line which extends from the wall of the house at an angle of 45° should then be drawn from this point (fig 2). Extensions should then be set within the green area. Extensions set within the red area may well be considered to have too great an impact upon your neighbours and could be refused (fig 3).”

- 8.7 Alwoodley Neighbourhood Plan - The Plan has been through an independent examination and the city council has confirmed that subject to modifications the Plan may proceed to the Referendum stage. A plan incorporating the modifications as recommended by the examiner has been produced and is open to public inspection. As such the plan carries some weight. The plan includes an objective that requires new development to be generally sympathetic to the character of the area. Policy BE2 addresses the issue of local character and design part (c) of the policy states:

“The Alwoodley Character Appraisal sets out specific design features for the five defined character areas across the built up area. Development proposals should make reference to this appraisal and demonstrate how local character is being reflected in new proposals.”

With regard to extensions the policy offers the following guidance:

“Side extensions of properties must not create a terracing effect.”

The site falls within the Alwoodley Park character area. This consists mainly of pre and post war housing. The properties are largely traditional and brick built. However some properties are rendered and some have distinctive designs.

- 8.8 Leeds Parking Supplementary Planning Document – sets parking guidelines for residential development.

9.0 MAIN ISSUES

Residential Amenity
Design and Appearance
Highways
Other Issues

10.0 APPRAISAL

Residential Amenity

Overlooking:

- 10.1 In regard to overlooking, the openings of the extensions would predominantly face the hosts own front and rear garden areas. Concern has been raised on a potential loss of privacy for occupiers of neighbouring properties from the proposed 1st floor terrace; the green roof at first floor level; inset terrace in the roofslope and from windows on the front elevation. The revised proposal includes a 1.8m opaque glass privacy screen on the side elevations of the 1st floor terrace area that serves a rear facing bedroom. It is considered that this; combined with the approximate 4.5m separation distance to the garden area of No.22 is sufficient to reduce any impact. In addition, the green roof would be accessible for maintenance only; thus would not be an area regularly frequented by occupants. These matters could be controlled by a condition.
- 10.2 The nature of the inset terrace to the roof, and which also serves a bedroom, is such that views of the neighbouring gardens would be limited by the walls of the roofslope; akin to the screening effect detailed at first-floor level. Combined with the separation distance to the boundary (approximately 7m to No.26); the siting of the terrace is considered acceptable in respect to potential loss of neighbour's privacy.
- 10.3 Outlook from the principal elevation would predominantly be consistent with the existing arrangement as the current space between houses is retained. In this respect; while the windows would be larger in scale than the existing, the net impact for occupants of properties facing the application site is considered marginal and acceptable in this regard.

Dominance/Overshadowing:

- 10.4 Concern has been raised regarding the proposal's scale affecting light and outlook for neighbouring occupants. To the rear, the proposal would project approximately 2.5/3m beyond the rear elevations of the adjacent dwellings at a distance of 4.5 metres to the boundary to the east and a distance of 5 metres to the western boundary. To the east boundary, the proposal would increase in height and mass; the existing single-storey garage/utility replaced with a two-storey, hipped addition of greater depth. However, it is considered that the proposed space between properties is reasonable. When the 45 degree code is applied, see paragraph 8.7 above, a line from the neighbour's nearest window edge would be unbroken; and current levels of outlook and sunlight predominantly retained. To the western boundary, the proposal would increase the footprint of the dwelling by approximately 2 metres in depth at the rear. Given the relative spatial detachment from No.26; existing levels of outlook from that dwelling, and light would not be affected and the net impact for occupants of number 26 considered minimal.

Overdevelopment:

- 10.5 Concern has been raised that the proposal would present an overdevelopment of the site. The extensions would increase the floorspace from approximately 145 m² to 220 m². However, in consideration of the size of the plot, and garden space remaining; the dwelling would still leave sufficient private amenity of over 350 m² for current and future occupants which is considered adequate

- 10.6 The impact of the proposal on residential amenity is therefore considered acceptable; and complies with Policy P10 (Design) of the Core Strategy, saved policy GP5 of the Unitary Development Plan, HDG2 of the Leeds Householder Design Guide and the aims and objectives of the NPPF

Design and appearance

Spatial Character:

- 10.7 The proposal would increase the overall scale and massing of the dwelling as viewed from the front elevation. The width would increase by approximately 3.5 metres; with the overall ridge height of the eastern two-storey front extension mirroring the southern front facade. The massing of the house would be increased as viewed from the public space on Lakeland Crescent and Public Footpath. However, good levels of space around the building, which is supplemented by the presence of the footpath, would be maintained to the side boundaries and the resultant spatial relationship to the neighbouring properties is not uncommon on the street. The ridge height would be consistent with adjacent dwellings. In this regard it is considered that the proposal is proportionate to the plot, and the spatial character of the area would not be unreasonably uncompromised.

Streetscene:

- 10.8 The proposal significantly alters the external appearance of the property to a contemporary style. Elements to the design are distinctive from other properties in the street, these being the scale of fenestration, and elements of the materials proposed. However, the streetscene is characterised by variation in housing design and form which is evidence of the roads evolution over a significant period of time. In this respect it is considered that the extensions would not create marked incongruity, nor harm any defined, uniform character of the wider streetscene. In addition, elements of the proposal do reflect architectural features of adjacent or nearby dwellings. For instance, the gabled front facades would mirror in form surrounding properties, while the external white-rendered finish would reflect neighbouring dwellings.
- 10.9 Whilst the materials and external appearance of the resultant building are markedly different than that of the original and thus the policy requirement of BD6 are not strictly speaking adhered to, the aims of this policy are in the main, to prevent extensions and alterations that would lead to conflicting architectural solutions within the same building. The proposal under consideration here provides an architectural solution to the whole building that is in itself coherent and thus in this instance the weight to be given to BD6, as such, is considered to be more limited than to other policies referred to. Further, The NPPF at paragraph 59 says;

“However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.”

- 10.10 The design and appearance of the proposal is therefore considered to be in compliance with the requirements of HDG1 of the Leeds Householder Design

Guide, Policy P10 of the Core Strategy and saved policies GP5 and BD6 of the Unitary Development Plan. It is also considered to be in accordance with the aims and objectives of the NPPF and is not contrary to policy BE2 of the Neighbourhood Plan.

Highway Safety

- 10.11 Core Strategy policy T2, saved UDP policy GP5 and guidance within the Householder Design Guide note that development proposals should resolve detailed planning considerations at the application stage and should seek to maximise highway safety.
- 10.12 The site currently provides parking spaces through the provision of a double garage and driveway to the front of the site. These elements have been retained and incorporated into the proposal; therefore on-site parking arrangements would be maintained. The proposal is therefore compliant with Policy T2 of the Leeds Core Strategy.

Other Issues

- Public Footpath:
- 10.13 Concern has been raised regarding ownership and encroachment onto the public footpath. The proposal would extend in closer proximity to the footpath however would not encroach onto it maintaining a separation distance of approximately 1 metre at the nearest point. In this respect the existing width of the path would be retained and the accessibility for users uncompromised in the long term.
- 10.14 The consultation response from the Public Rights of Way team raised no objections subject to any potential damage as a result of the construction process being rectified to Public Rights of Way satisfaction. A condition is therefore recommended that prior to construction commencing and on completion of the development, a condition survey of the Public Footpath shall be submitted and the condition of the path rectified thereafter to the satisfaction of the Public Rights of Way section.
- Landscaping:
- 10.15 Following internal consultation the proposal is likely to impact upon the green boundary; affecting the root protection zones and canopies bordering the footpath. Trees have been removed since the original submission. The specified trees do not have a Tree Preservation order, and the site does not lie within a Conservation Area therefore there are no preventative measures against their removal. Revisions to the proposal submitted include hedging along the eastern boundary with the public footpath. Further details regarding this are recommended to be submitted and agreed through the imposition of a condition.
- Publicity:
- 10.16 Matters regarding the publication of the application have been raised; with it being suggested that the application should be publicised as a new dwelling house. These comments are noted, however while it is recognised that alterations are extensive, it is effectively enlargements to the original dwelling and therefore has been assessed as such.

11.0 CONCLUSION

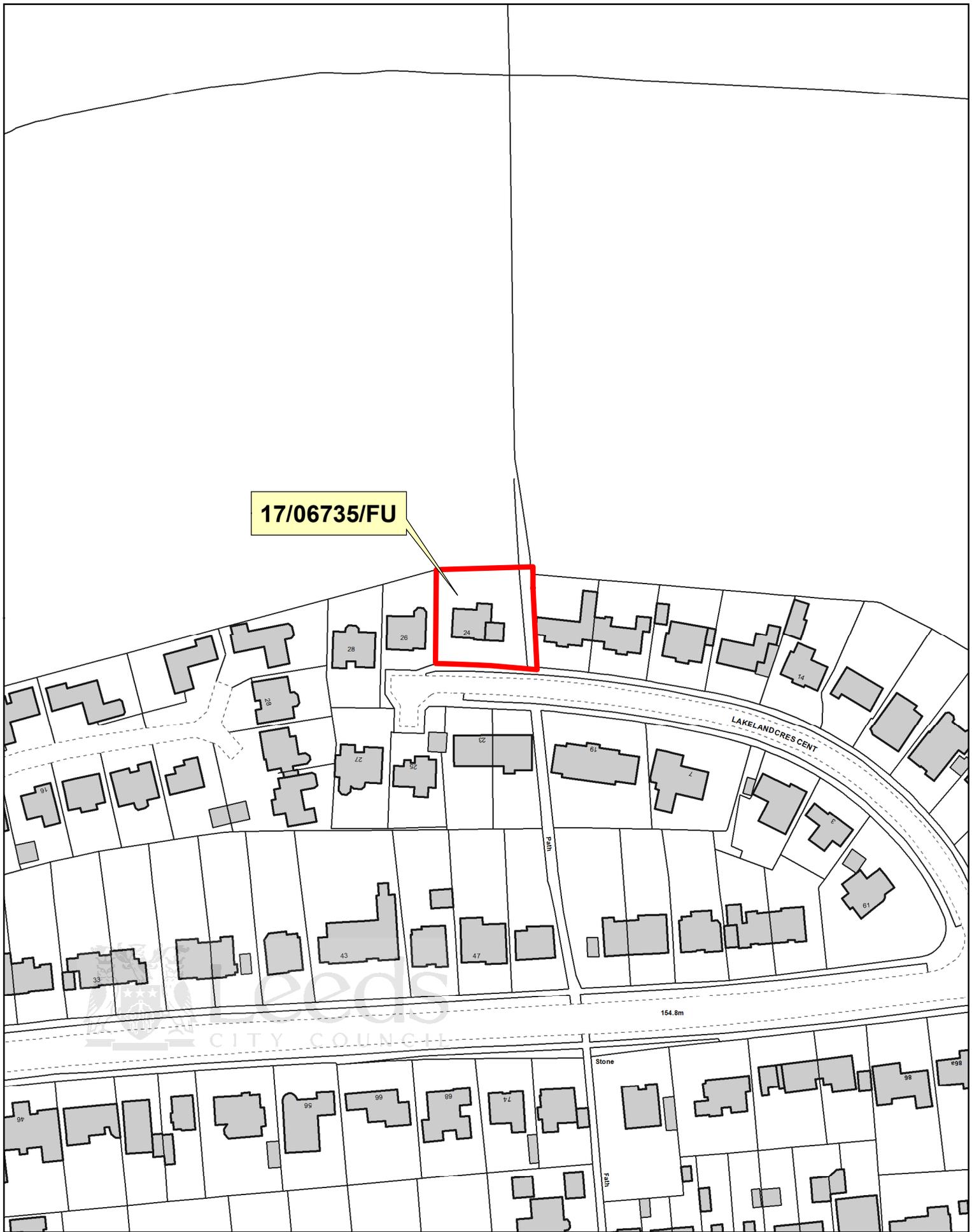
11.1 The proposal is considered compliant with Policy P10, T2, of the Leeds Core Strategy, Policies GP5 and BD6 of the Unitary Development Plan, HDG1 and HDG2 of the Leeds Householder Design Guide, the objectives and policy BE2 of the Neighbourhood Plan as well as the aims and objectives of the National Planning Framework. In consideration of the main body of the report the impact on residential amenity, design and appearance, highways safety and all other material considerations is considered acceptable; and subject to the conditions referenced recommended for approval.

Background papers:

Planning application file: 17/06735/FU

Certificate of Ownership: Signed by applicant.

17/06735/FU



NORTH AND EAST PLANS PANEL

© Crown copyright and database rights 2018 Ordnance Survey 100019567

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

SCALE : 1/1500

