



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 22nd March 2018

Subject: 18/00613/FU – Part three storey, part single storey side extension; single storey rear extension at 5 North Park Avenue, Lidgett Park Leeds LS8 1DN

APPLICANT	DATE VALID	TARGET DATE
Mr Roger Williams	29 th January 2018	26 th March 2018

Electoral Wards Affected:

Roundhay

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 on full permission;
2. Development carried out in accordance with approved plans
3. Samples Wall/Roof Materials to be submitted
4. Details windows, door, head, cill, guttering to be submitted
5. Trees shown to be retained to be protected
6. Retained hedges and trees not to be cut or pruned.
5. The first floor windows in the side elevation of the three storey extension facing No.5A North Park Avenue to be glazed with obscure glass and retained thereafter.

1.0 INTRODUCTION

- 1.1 The application seeks permission to erect a part three storey, part single storey side extension and a single storey rear extension. This application has been bought to Plans Panel at the request of Cllr Tunnicliffe, who highlights the proposal will result in the dwelling appearing dominant upon the streetscene.

- 1.2 The Councillor raises material planning considerations that give rise to concerns affecting more than neighbouring properties and therefore it is appropriate for the application to be determined by the Plans Panel.
- 1.3 This is the second application the applicant has submitted for this scheme. The first application was made in 2017 (17/07631/FU) and is the subject of an appeal against non-determination.

2.0 PROPOSAL

- 2.1 The application proposes to demolish the existing two storey side extension on the dwelling and to replace it with a three storey extension and a single storey garage. A single storey rear extension is also proposed. The dwelling is identified as a positive building within the Roundhay Conservation Area.
- 2.2 The three storey side extension will be of a similar proportion, scale and design to the three storey element of the adjoining semi-detached dwelling. The rear extension will also be of a similar scale to the rear extension that exists on the neighbouring dwelling and this element of the scheme will not project beyond the rear extension of the adjoining property. A single storey side garage is also proposed to the side of the building. This will feature a pitched roof and would abut the hedges that are present along the common boundary with No.5.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located on North Park Avenue, Leeds, and falls within the boundaries of the Roundhay Conservation Area. The immediate area comprises of predominately Victorian and Edwardian period properties set within large plots, set back from the highway. There are instances of smaller buildings dating from the post war period. The streets are tree lined and this planting provides a dominant feature within the public realm and plays a key role in the character and appearance of the area. Planting can also be found within domestic plots. Materials within the area are natural stone, render, slate and red tiles.
- 3.2 The application site is a semi-detached stone built property. The pair of semis are unbalanced in that the adjoining semi features a three storey gable and a single storey side garage. There are large trees located to the front garden. The front garden is enclosed by hedges.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 17/07631/FU- Part three storey, part single storey side extension; single storey rear extension. (An Appeal for non-determination has been lodged for this application, the application is under consideration by the Inspector)
- 4.2 H30/144/92/- Detached double garage to side of detached house. Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 No negotiations have taken place with regards to this scheme.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was originally advertised by Neighbour Notification Letters that were sent 1st February 2018. Site notices were posted on 09 February 2018 and the application was advertised in the Yorkshire Evening Post on 16th February 2018.
- 6.2 Eleven objection letters have been received. The following concerns have been raised:
- The three storey extension would be an over-development of the site.
 - The proposal will have an overbearing impact upon the neighbouring dwelling No.5A
 - The proposal will overlook No.5A and other dwellings within the area
 - The fact that No.7 has a similar three storey extension does not set a precedent for this extension
 - The proposal will have a negative impact upon the character of Conservation Area.
 - The proposal will raise on street parking concerns
 - The proposal will create drainage issues.
 - The proposal will harm the spatial character of the area
 - The proposal conflicts with planning policy guidance
 - The proposal does not meet the accepted minimum distance guidance between side windows bedroom windows of the adjacent dwelling and the side aspect of the extension.
 - The proposal will affect the hedgerow between the host dwelling and No.5a
- 6.3 Fabian Hamilton MP has also written an objection to the scheme. The MP highlights that the proposal raises issues of overdevelopment, overshadowing, over-dominance, overlooking, highway safety and also highlights that the proposal will have a negative impact upon the character of the Conservation Area.
- 6.4 Two letters of support have been received. The support comments highlight that the proposal will balance the symmetry of this pair of semi-detached dwellings and create a scene of balance from the street. It is highlighted that the proposal will not affect the privacy of the adjacent dwelling No. 5A nor will it overshadow No.5A.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Conservation Team: The application was discussed at the Conservation Officer surgery. The Conservation Officer did not object to the demolition works proposed and comments that the design of the proposed extensions, is acceptable and will not harm the character of the Conservation Area.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.2 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires development, as a whole, to preserve or enhance the appearance or character of Conservation Areas.

Development Plan

- 8.3 The Development Plan for Leeds comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Development Plan.

The application site has no specific allocations or proposals other than being in the Roundhay Conservation Area.

Adopted Core Strategy

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

Policy P10: Seeks to ensure that new development is well designed and respect its context

Policy P11: Seeks to ensure developments that affect designated and undesignated heritage assets conserve and enhance local character

Policy T2: Accessibility requirements and new development

Saved UDP policies:

- 8.5 Policy GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
Policy BD6: Seeks to ensure that all alteration and extension respect the scale, form, detailing and material of the original building.
Policy LD1: Seeks to ensure that development is adequately landscaped.
Policy N23: Refers to open space and the retention of existing features which make a positive visual contribution.
Policy N25: Refers to boundaries around sites.
Policy N19: Developments within conservation areas.

Relevant Supplementary Planning Guidance includes:

- 8.6 Supplementary Planning Guidance "Householder Design Guide" – that includes guidance that the design and layout of new extensions and that they should have regard to the character of the local area the impact on their neighbours.

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.

- 8.7 Roundhay Conservation Area Appraisal: The site is located within character area 5 of the conservation area and the dwelling is designated as 'Other Positive Buildings'
- 8.8 Roundhay Ward Neighbourhood Design Statement. The site falls within Character Area 9: Park Villa's and Lidgett Park. The area has a sub-urban character, typified by 2 and 3 storey villas set in leafy streets behind low stone walls and there is a strong Arts & Crafts influence.

National Planning Policy (NPPF)

- 8.8 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 and promotes sustainable (economic, social and environmental) development. NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.9 In relation to heritage assets The NPPF states that the Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph's 132 and 138 of the NNPF with regards to Heritage Assets states that,

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

- 8.10 Guidance on conditions is provided within the Planning Policy Guidance (PPG).

9.0 MAIN ISSUES

- 1) Design, Character and impact on Conservation Area
- 2) Residential amenity
- 3) Parking
- 4) Public Representations

10.0 APPRAISAL

Design, Character and Impact on Conservation Area

- 10.1 The application proposes to demolish the existing two storey side extension on this dwelling and to replace it with a three storey extension and a single garage. A single storey rear extension is also proposed. The dwelling is identified as a positive building within this Conservation Area. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 10.2 The proposed demolition works relate to an aspect of the scheme which is a later addition to the dwelling and does not form a prominent feature of the building neither does this element of the dwelling hold any architectural merit. Therefore, it is considered that the proposed demolition works are acceptable and will not harm the character of the Conservation Area.
- 10.3 The application site forms one part of a pair of semi – detached dwellings. The symmetry of the pair of semi-detached dwellings is currently unbalanced, with the adjoining dwelling featuring a three storey gable extension and a single and half storey side garage. It is considered that the proposed three storey extension will be similar in design, scale and proportion to the three storey extension on the adjoining dwelling. It is considered that the proposed extension will allow the symmetry of the pair of semis to be more balanced and pleasing to the eye than at present. Therefore, it is considered that the proposal will improve the design of this pair of semi-detached dwellings and in turn would enhance the character of the Roundhay Conservation Area.
- 10.4 The single storey garage will be a modest pitched roof structure which will not appear prominent from the street and will not overwhelm the design of the main building. The garage, it is considered, will therefore not harm the character of the Conservation Area or adversely impact on the design of the main building. The use of matching materials and fenestration in the proposed extensions will further ensure that the proposal will tie in well with the main building and the Conservation Area in general. This scheme was discussed at a Conservation Surgery, where the Conservation Officer did not express any fundamental objections to the scheme.
- 10.5 Many of the objections that have been received comment that the proposal will result in the site being overdeveloped. The spatial setting of buildings is an important characteristic of the area and regard should be had to this. However, the spacing between dwellings on the street do not follow a regular pattern, with some maintaining greater gaps than others. This is part of the character of the area. The proposed three storey element of the building will be set approximately 4m away from the adjacent boundary with No.5A and around 7.5m away from its first floor side elevation. It is considered that the separation distances are considered adequate to ensure that the proposed three storey extension will not appear to harm the spatial character of the area.
- 10.6 The single storey garage will be set close against the adjacent boundary with the neighbour at No.5A. The garage being a single storey extension, will not appear prominent from the street, therefore, it is not considered that the proposal will harm the spatial character of the Roundhay Conservation Area and or appear as an overdevelopment of the site.

- 10.7 The single storey rear extension will be similar in scale and design to the single storey extension to the adjoining dwelling and it is considered that the scale, form and proportion of the extension pays due regard to the main building and the character of the area.
- 10.8 There are trees located to the front of the site which, due to the separation distance, will not be harmed as a result of the works. The single storey side garage will require some of the hedges along the eastern boundary of the site to be pruned and some shrubs may be removed. As only a small portion of the landscaping along the side boundary will be affected by the works, and as these hedges and the gaps left will not be visible from the street, it is considered that this element of the scheme will not harm the character of the Roundhay Conservation Area.
- 10.9 On the whole, it is considered that the proposal will comply with Policy P10 of the Core Strategy, which seeks to ensure that new development is well designed and respect its context, and with saved Policies GP5 and BD6 which seeks to ensure buildings are designed with consideration given to both their own amenity and the amenity of their surroundings. The proposal will also comply with policy HDG1 of the Householder Design Guide as the scale, form and proportions of the extensions proposed pay due regard to the character and appearance of the main dwelling and the area. The proposal will comply with policy P11, Saved Policy N19 and with the Roundhay Conservation Area Appraisal, which advises that new developments should protect and, or, enhance the character of the Roundhay Conservation Area.

Residential Amenity

- 10.10 The application property, No.5, is set directly to the west of No.5A. The side extension will be set adjacent to the side gable wall of the neighbouring dwelling (No.5A) and its side garden, but will not project beyond its rear elevation. The adjacent dwelling features first floor windows, which appear secondary in nature and are set 7m away from the extension. The orientation of the dwellings and the separation distance is such that, it is considered that the three storey extension will not unreasonably overshadow or over-dominate the adjacent dwelling.
- 10.11 The single storey side garage will be a modest single storey structure, the roof of which will slope away from the adjacent boundary. The single storey rear extension will be set 10m away from the adjacent dwelling (5A). Given the separation distances in relation to the scale and design of the various elements of the scheme, it is not considered that the proposed extensions will raise issues of overshadowing or dominance, nor is it considered that the proposal will reduce natural light that the occupiers of the adjacent neighbouring dwelling 'No.5A' currently benefits from.
- 10.12 The extensions that are proposed will not project out beyond the rear wall of the adjoining dwelling No.7, which has also been substantially extended to the rear. Therefore, it is considered that the proposed single storey extension will not overshadow or over-dominate the adjoining dwelling, nor is it considered that the proposal will reduce light that is currently enjoyed by the occupants of No.7.
- 10.13 It is considered that the proposed windows of the rear and front elevations of the extension will not offer significant views of the private areas of the neighbouring dwellings. The side elevation windows are secondary in nature that have been recommended to be obscure glazed. Therefore, it is not considered that the side extension will raise overlooking issues. Given the mature boundary treatment that encloses the site, it is considered that the single storey rear extension will not raise overlooking issues.

- 10.14 It is concluded therefore that the scheme complies policy HDG2 of the Householder Design Guide which states that all development proposals should protect the amenity of neighbours.

Parking

- 10.15 It is considered that the existing front drive, which has a length of approximately 10m and is a maximum of 5m in width, is sufficient to accommodate two vehicles within the site. Therefore, it is not considered that the proposal will raise on street parking issues. Many of the objectors have raised concern that the proposal will increase traffic movements within the area. The extension is for an existing dwelling and will not create any additional units of accommodation, therefore there is no requirement for additional car parking provision to be made

Public Representations

- 10.16 The comments made by members of the public and the Local MP with regards to the impact of the development upon the character of the Roundhay Conservation Area, overdevelopment of site, overshadowing, dominance, overlooking and the increase parking have all been addressed within the report. The report also discuss the issues raised in relation to the impact upon the vegetation within the site.
- 10.17 The concerns raised within regards to drainage is are noted. Given that the scheme simply seeks to extend this modest dwelling, it is considered that the proposal is unlikely to create significant drainage issues within the area and this aspect will also be dealt with under the Building Regulations rather than the planning system.
- 10.18 One of the objection letters received highlight that the proposal does not meet the minimum distance guidance in so far as there are three bedroom windows in the side elevation of No. 5a, which the extensions will be set less 12m away from. It is considered these windows appear to be secondary windows to bedrooms which would have other windows that do not overlook the extension. Therefore, in this instance the 12m rule would not apply.

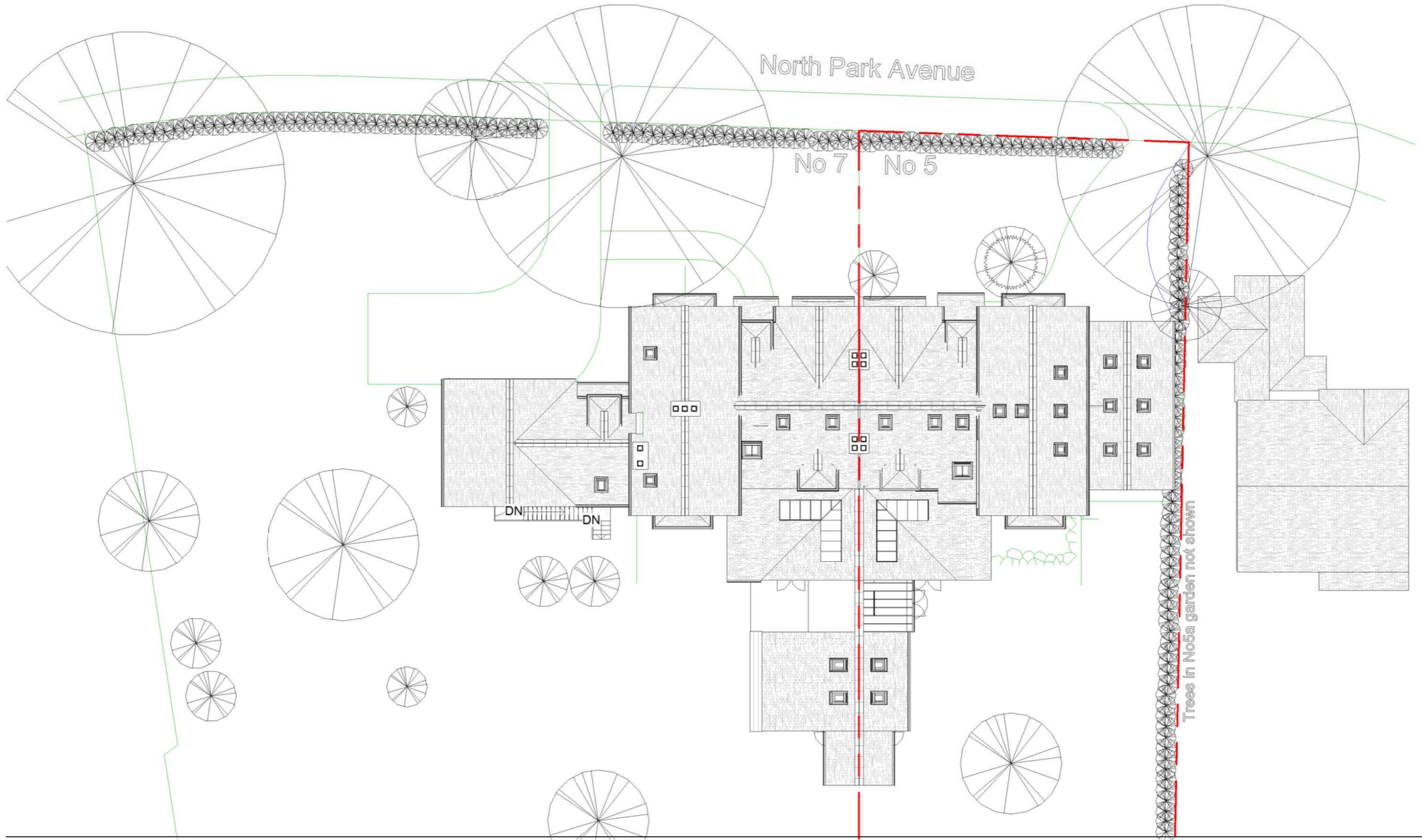
11.0 CONCLUSION

- 11.1 In light of the above, it is considered that the principle, design, scale and height of the development are acceptable within the immediate context and will not harm the character or the appearance of the Roundhay Conservation Area. Furthermore, it is not considered that the proposal will cause harm to neighbouring amenity nor will it raise highway safety issue. As such, the proposed scheme is considered to be in accordance with the relevant policies and guidance detailed within this report and subject to the conditions listed at the head of this report planning permission is recommended to be granted.

Background Papers:

Application file: 18/00613/FU

Certificate of ownership: Certificate 'A' signed by the Agent Mr White on behalf of the applicants.



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 5 North Park Avenue
 Leeds, LS8 1DN
 Drawing Title
 Site Block Plan

Status
 Proposed (Planning)
 Sheet By
 GJW
 Scale at A3 - double scale at A1
 1 : 200
 Job Number
 1756
 Drawing Number
 1109
 Issued Date
 26/01/2018



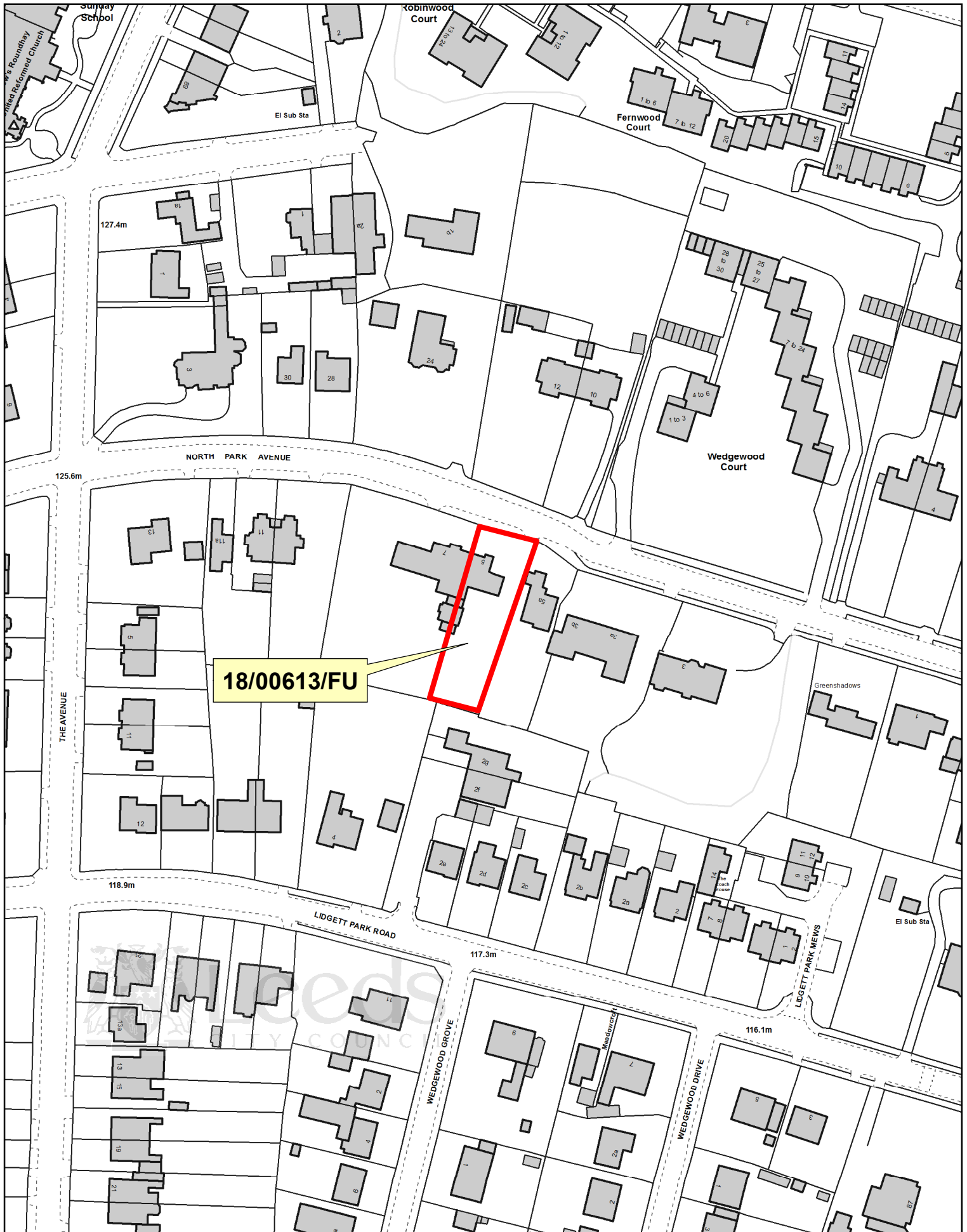
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200 Site Plan

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18/00613/FU

NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

