

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26th November 2009

Subject: APPLICATION 09/03490/FU – Two storey front extension, part three storey part single storey rear extension with decking area over lower ground floor level at 19 Henley Close, Rawdon, Leeds, LS19 6QB

APPLICANT	DATE VALID	TARGET DATE
P Dibb	10 th August 2009	5 th October 2009

Electoral Wards Affected:

Horsforth

☒

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION:

GRANT planning permission, subject to the following conditions:

Conditions

- (i) Time limit: 3 years
- (ii) Matching materials
- (iii) No further windows to be located within the side elevations of the front and rear extensions.
- (iv) All windows within the south-west side elevation (facing 7 Henley Avenue) shall be obscure glazed and retained as such.
- (v) Solid screen shall be installed and then retained to the south-west side boundary (facing 7 Henley Avenue) of the proposed rear decking area.
- (vi) The existing hedging and fencing to the side elevations of the site shall be retained at a height of no less than 1.8 metres.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

Policy BD6 (UDP)

Policy GP5 (UDP)

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel due to a request from Councillor Cleasby and following an Officer Review by the Area Planning Manager.

2.0 PROPOSAL

- 2.1 The application relates to the construction of a two storey front extension, part three storey part single storey rear extension with decking area over lower ground floor level. The proposal will be constructed of stone with a slate roof, to match the existing dwelling.
- 2.2 The proposed two storey front extension will project 1.5 metres from the front wall of the property and incorporates a lean-to roof design. The rear extension will project 3.7 metres at first floor level and incorporates the formation of a rear gable end. The extension will project a further 800mm at single storey level, with an additional 2.3 metres deep decking area above the lower ground floor level extension to the rear.

3.0 SITE AND SURROUNDINGS:

- 3.1 The existing property is a substantial detached dwelling, constructed of stone with a slate dual-pitched roof. The dwelling is three storey's in height to its front elevation and incorporates an integral garage at lower ground floor level. The property is located at the end of the cul-de-sac and is well set back from the highway to the front. The surrounding area is predominately residential consisting of mainly large detached and semi-detached dwelling of varying scale, design and materials. The streetscene is located on a steep slope generally from north to south. As a consequence the property is located on a significantly higher level than the adjacent dwelling at 7 Henley Avenue and a significantly lower level than the adjacent dwelling at 21 Henley Close. The property has a substantial rear garden area which is well enclosed by fencing and hedging. The property also has an existing small decking area to the rear and a modest porch to the front.

4.0 RELEVANT PLANNING HISTORY:

None.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Amendments were requested on 14th September 2009 to indicate a solid screen to be installed to the south-west side elevation of the decking area, in order to prevent any overlooking of the adjacent amenity space at 7 Henley Avenue. Amended plans indicating the aforementioned changes were received on 16th September 2009.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 In total seven letters of objection were received from four neighbouring households. An email requesting the planning application to be determined at Plans Panel was also received from Councillor Cleasby.

The letters raised the following concerns:

- (i) Excessive scale of the development.
- (ii) Privacy/overlooking.
- (iii) Loss of light.
- (iv) Over-dominance.
- (v) Impact on the character of the area.
- (vi) Loss of views.
- (vii) Noise levels from the decking area.
- (viii) Accuracy of the plans.
- (ix) Impact on property values/saleability.
- (x) Ancillary disturbances from building work (such as noise, dust and scaffolding)

7.0 CONSULTATIONS RESPONSES:

None.

8.0 PLANNING POLICIES:

- Policy GP5 of the Leeds Unitary Development Plan (Review) 2006 - seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy BD6 of the Leeds Unitary Development Plan (Review) 2006 - All alterations and extensions should respect the scale, form, detailing and materials of the original building
- Planning Policy Statement 1 - Delivering Sustainable Development (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- SPG: Neighbourhoods for Living: A guide for residential design in Leeds (2003)

9.0 MAIN ISSUES

- Streetscene/design and character
- Privacy
- Overshadowing/Dominance

- Parking provision/Highway Safety
- Representations

10.0 APPRAISAL

10.1 Streetscene / Design and Character

10.1.1 The materials of the extensions are considered acceptable, as they are to match the original dwelling. The proposal incorporates the formation of a small two storey extension to the front of the dwelling. The principal of a front extension is considered to be acceptable given that the adjacent dwelling at 21 Henley Close has an existing three storey front extension of substantial scale. The proposed front extension is of sympathetic scale and simple form and will respect the character of the surrounding area. The front extension is also well setback from the highway to the front, which reduces its visual impact. The proposed rear extension is of significant scale and bulk, however the proposal will be situated away from predominant views within the streetscene, and as a result its visual impact on the locality will be minimal. The extension will also be considered to be of acceptable design and will be situated over 2 metres from the side boundary of the site at its nearest point, therefore adequate visual gaps will be retained with neighbouring dwelling. It is noted that the overall scale of the development is significant, however the main character of the area is derived from substantial detached properties within large plots, especially the immediate neighbour at 21 Henley Close. The proposed development will not be out of keeping with this prevailing character. It is therefore considered that the scale of the proposal is on balance acceptable and the proposal will not create a dwelling which is out of proportion with other property in the locality. The proposal is therefore, not considered to be unduly detrimental to the character or appearance of the original dwelling or the present streetscene.

10.2 Privacy

10.2.1 No windows are proposed within the north-east side elevation of the proposed front and rear extensions. As such no significant overlooking of the adjacent property or private amenity space at 21 Henley Close will occur as a result of the extensions. Several windows are proposed within the south-west side elevation of the extension however none of the windows will serve main rooms and the openings also will be obscured glazed, in order to prevent any overlooking of the adjacent dwelling or amenity space at 7 Henley Avenue. No significant overlooking will also occur as a result of the proposed rear decking area given that the neighbouring dwelling at 21 Henley Close sits at a significantly higher level than the host property and a 1.8 metre high closed boarded fence is also present on the common boundary between the dwellings. Additionally; the neighbouring dwelling also has an existing balcony/decked area to the rear which will remain above the balcony/decked area of the application site. The neighbouring dwelling at 7 Henley Avenue is located on a significantly lower level than the host dwelling. The presence of the existing substantial hedge on the common boundary between the dwellings reduces any potential loss of privacy and a 1.8 metre high screen will be present to the side boundary of the decking area also. As such no significant overlooking of any adjacent properties or amenity space will occur as a result of the proposed decking area. No significant overlooking will also occur to the rear of the site as the proposal will be situated over 12 metres from the rear boundary of the site at its nearest point, which complies with the distance recommendations contained within Neighbourhoods for Living (Supplementary

Planning Guidance). It is therefore considered that the proposal will not be unduly detrimental to the privacy of any neighbouring occupants.

10.3 Overshadowing /Dominance

- 10.3.1 The proposed rear extensions increase the ground floor, floor area by approximately 90% and (excluding the Balcony) and increase the 1st floor, floor area by approximately 57% the increase. The volume and massing of the proposal is therefore significant. This perception of excessive massing is reinforced by the fall of the land across the site and from the rear of the property to the end of the garden. However; the garden measures approximately 22 metres at its deepest 20 metres at its shallowest, so even with the extension an acceptable garden depth of 14.7m Max to 12.6min is maintained. The existing rear boundary treatment will also soften the impact of the proposal on the neighbouring dwelling at 12 Henley Drive It is noted that the extension will appear large, however its potential massing effect when viewed from the rear is considered to be acceptable.

The proposed rear extension is of significant scale and projection. However; the rear wall of the existing dwelling is set back considerably from the rear wall of the adjacent property at 21 Henley Close. Consequently; the proposal will not extend beyond the rear wall of the neighbouring dwelling which is also located on a substantially higher land level. Additionally the neighbouring dwelling also contains no habitable room windows within its side elevation. It is therefore considered that the proposal will not result in a significant loss of light or over-dominance of the neighbouring dwelling/private amenity space and any resulting massing impact will be minimal.

The neighbouring property directly to the South of the site (7 Henley Avenue) sits at a much lower level than the application property. However; the dwelling is angled away from the proposed extension and incorporates a substantial rear garden area. At its nearest point the extension would be approximately 4 metres from the boundary and 15 metres from the neighbouring dwelling. At these distances it is considered that the proposal will not have a significant impact on the dwelling or amenity space in terms of loss of light or over-dominance.

Additionally Sun Track diagrams have been plotted for the application premises showing the likely shadowing impact before and after the extension. These diagrams indicate that in both winter and summer there will only be a limited increase in shadowing on the garden of No 21 Henley Close and none on 7 Henley Avenue or 12 Henley Drive, due to the orientation of the host property in relation to its neighbours as the day progresses. It is therefore considered that the proposal will not have a significant impact on any neighbouring dwellings in terms of loss of light or over-dominance.

10.4 Highway Safety/Parking

- 10.4.1 The proposal will result in retention of a substantial integral garage to the front of the property. A substantial area of hardstanding is also present to the front of the property, which is large enough to accommodate at least two vehicles off-street. As such it is considered that the property will retain an adequate off-street car parking provision. Consequently; the proposal is unlikely to result undue pressure for further on-street parking within the locality, which could be detrimental to highway safety.

10.5 Representations

10.5.1 As mentioned previously seven letters of representation were received, all in objection to the proposal. The letter are from four neighbouring households.

The letter raised the following concerns:

- (i) Excessive scale of the development.
- (ii) Privacy/overlooking.
- (iii) Loss of light.
- (iv) Over-dominance.
- (v) Impact on the character of the area.
- (vi) Loss of views.
- (vii) Noise levels from the decking area.
- (viii) Accuracy of the plans.
- (ix) Impact on property values/saleability.
- (x) Ancillary disturbances from building work (such as noise, dust and scaffolding)

In response: Issues (i-v) have been covered within the appraisal above and as a result will not be discussed further.

vi – Loss of views: This issue is not considered to be a matter for planning consideration as there is no right to a view across neighbouring land

vii – Noise levels from the proposed decking area: The issue of excessive noise is covered by separate legislation independent of the planning system. However; no significant increase in noise levels are foreseen as a result of the proposed rear decking area. Furthermore; any impact is not considered to be more significant than from the existing rear decking area.

viii – Accuracy of the plans: One of the neighbouring letters highlighted concerns that the submitted plans were inaccurate. However; on assessment of the proposal no obvious inaccuracies have been encountered. The plans are also considered to be of sufficient quality to assess the potential impacts of the proposal.

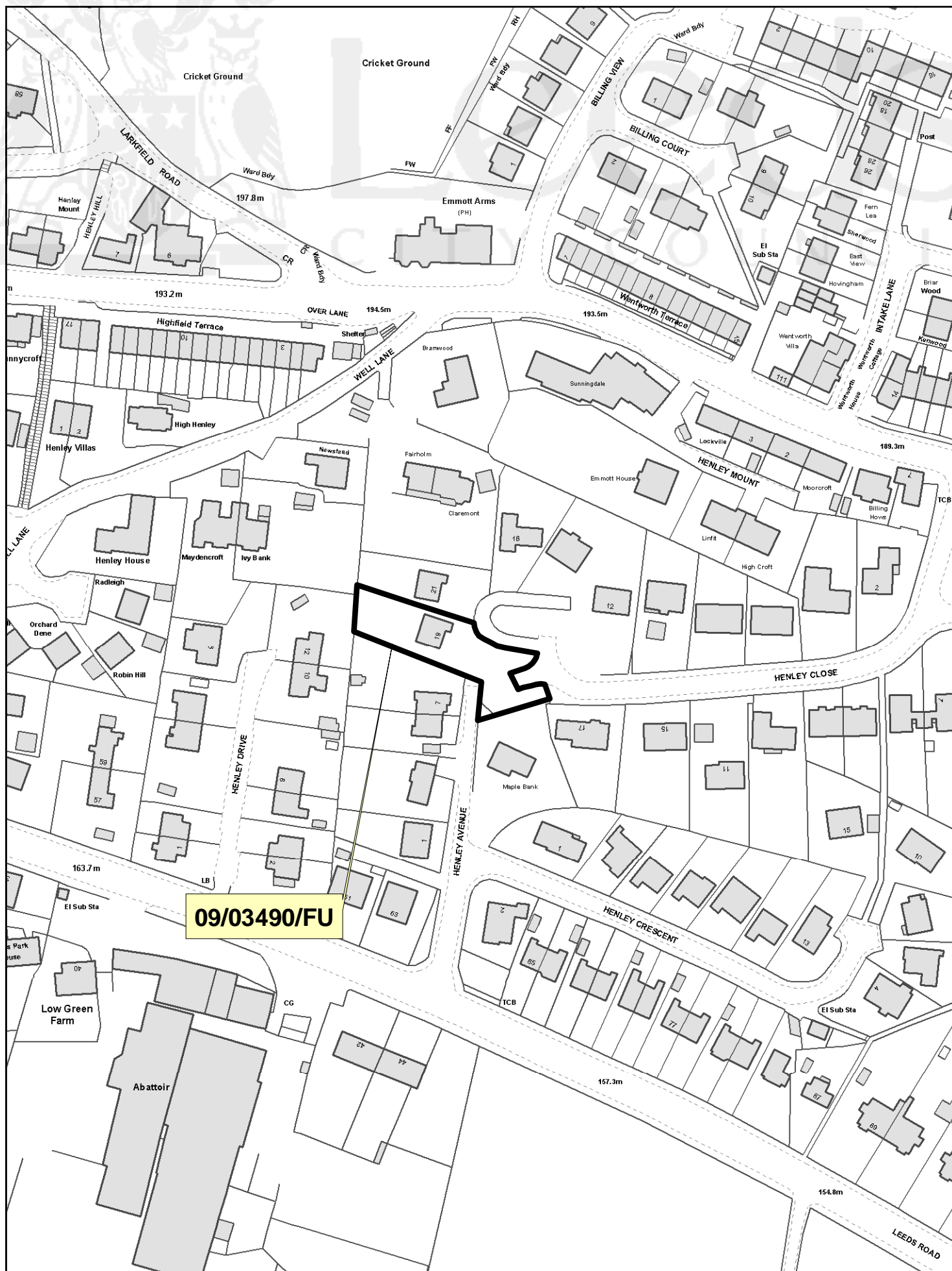
ix – Impact on property values/saleability: Property values or the potential saleability of properties are not matters for planning consideration

x – Ancillary disturbances from building work: - These issues are not considered to be matters for planning consideration.

11.0 CONCLUSION

- 11.1 For the reasons outlined in the above report and taking into account all other material considerations it is recommended that planning permission should be **approved** subject to the aforementioned conditions.

Background papers: None.



09/03490/FU

WEST PLANS PANEL



Scale 1/ 1500

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