



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28/10/2010

Subject: APPLICATION 10/00056/FU – Five bedroom detached house with attached double garage at The Old Rectory, 1 Lower Mickletown, Methley, LS26 9 JH

APPLICANT

Mr James Fender

DATE VALID

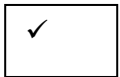
18/01/2010

TARGET DATE

15/03/2010

Electoral Wards Affected:

Kippax & Methley



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: REFUSE PERMISSION for the following reason:

1. The Local Planning Authority considers the proposed development to be unacceptable, by virtue of its skewed siting, scale and design, which would dominate the application site, and fail to achieve a level of subservience which respects the character and appearance of the listed building and the adjacent Laurel farmhouse. Consequently, the proposal would adversely affect the setting and visual amenity of the listed building, which would be made more apparent by the removal, in part, of the existing hedgerow which currently screens the site. Furthermore, the skewed siting of the proposed dwelling house and the inclusion of the incongruous link between the double garage and the house, fails to respect the urban grain and character of the immediate area, causing detriment to the visual amenity of adjacent properties and the existing streetscene. As such, the proposal is contrary to policies GP5, BD5, N12 and N13 of the Leeds Unitary Development Plan Review and Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing and Planning Policy Statement 5: Planning for the Historic Environment.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel East at the request of Councillor Parker, due to the changes to PPS3 and the re-designation of garden land. A Members site visit was also requested.

1.2 Notwithstanding that there was a previous approval for a detached dwelling house at the site in 2006, this permission has since lapsed and in the interim period there has been a material change in circumstances, as a result of the recent changes to PPS3 and the introduction of PPS5 (Policy HE7). As such, the proposal has been considered afresh, in accordance with current policy and guidance.

2.0 PROPOSAL:

2.1 The proposal seeks permission for the construction of a detached, five bedroom dwelling house, to be constructed in reclaimed red brick, with a link attached double garage, in the front garden of Grade II listed building "The Old Rectory", eastern end of Main Street, Methley.

2.2 The proposed house will be sited approximately 7.5m from the listed front stone wall and close to the eastern side boundary of the front garden, adjacent to Laurel farmhouse. The building will be orientated at an oblique angle to the adjacent property, with the rear elevation facing towards the eastern boundary.

2.3 The main section of the house will measure approximately 12m x 8m, standing at just over 8.5 in height to the ridge of the pitched roof, which will be tiled with blue slate and will contain one roof light to the front and three to the rear. The house will be characterised by a three bay façade, featuring a central porch with tandem pitch roof. The windows will be timber framed with stone heads and cills. The property will also feature stone quoining to all corners and an exposed gable chimney extending up the east side elevation.

2.4 The house will be attached to the double garage via a single storey link building. The garage will be of a matching red brick construction and will measure approximately 7.4m x 6.5, standing at over 6m in height, in order to contain first floor accommodation. The garage is set at an oblique angle to the house, with its rear elevation parallel with the front elevation of The Old Rectory.

2.5 The proposed house will be accessed off the existing driveway.

2.6 The listed stone wall which extends along the front and western side boundary of the site will have to be demolished in part to the front and rebuilt and re-aligned with a reduction in height closest to the access, in order to improve visibility.

2.7 Landscape works including the removal of some trees have already been undertaken as a consequence of the previous approval. However, in order to achieve visibility the substantial hedge along the front boundary would also have to be reduced to a metre in height or removed, in part, along the front boundary.

3.0 SITE AND SURROUNDINGS:

3.1 The application site consists of the front portion of the large main front garden of The Old Rectory, which is a Grade II listed house, former rectory, of the late 17th/early 18th Century, situated in the area of Lower Mickletown, Methley.

3.2 The property occupies a prominent corner location at the point where Main Street meets Lower Mickletown, at the junction with Parsonage Road and Pinfold Lane.

The setting of the property is defined by the listed stone wall which extends around the front and western side boundary of the site. The mature garden is characterised by a number of mature protected trees, and a substantial mature hedgerow, which contributes much in the way of character and greenery to the streetscene of Lower Mickletown.

- 3.3 A long driveway extends along the western boundary of the site, sweeping to the front of the building.
- 3.4 The listed building itself, which is an imposing, rectangular shaped, two storey, red brick building, with a 5 bay facade and hipped stone slate roof with prominent gable stacks, is set well back from the front boundary of the site, overlooking the land to the front of the property.
- 3.5 Laurel Farm is the building most closely related to the proposed development outside of the application site, being situated parallel to the eastern boundary of the garden, fronting onto the main streetscene of Lower Mickletown. This building is also of red brick construction, in the style of a traditional farmhouse with gable stacks to either side of the pitched slate roof.
- 3.6 Residential housing is situated to the north, south and west of the site, with the former Laurel farm situated to the east.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 22/306/05/FU – Five bedroom detached house with attached double garage, approved 20/03/06
22/305/05/LI – Listed building application for five bedroom detached house with attached double garage, withdrawn 24/10/05
22/69/04/LI – Listed building application to demolish outbuilding to rear, approved 28/05/04
H22/130/87 – Listed building application to carry out alterations, including replacement doors, roof lights and new windows, approved 19/10/87
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5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 The application was advertised by site notices posted on 22/01/10. The publicity period expired on 12/02/10.
- 5.2 One letter of representation has been received objecting to this application on the grounds that The Old Rectory is one of the most historical Grade II listed buildings in the small rural village of Methley and to build another property in its front garden would alter the whole layout/character. In addition, the property is situated on an already busy/awkward junction. A five bedroom house with double garage is over development of what is a small area of land.
- 5.3 Any material planning considerations are addressed within the Appraisal section of the report.

6.0 HISTORY OF NEGOTIATIONS:

- 6.1 Initially on re-submission of the application, it was considered that the scheme might be acceptable as submitted, in light of the previous approval. However, further to

changes in planning policy during the application process, including PPS3 and the re-classification of gardens as Greenfield land, the introduction of PPS5 and greater emphasis on PPS1 and the raising of design standards, the proposal was viewed afresh with Design and Conservation Officers. It was considered that the proposal not only did not meet current policy and design standards, but with hindsight, perhaps further improvements should have been sought at the time of the original application.

6.2 Notwithstanding the above, the principle of the development was still considered to be acceptable, but only subject to improvements to the scheme that would ensure that it did not cause detriment to the visual amenity and character and appearance of the listed building, adjacent properties and streetscene.

6.3 This was explained to the applicant, who understood that there was no guarantee that an application automatically gained approval a second time, as policy and standards may progress in the interim period. The applicant initially agreed to meet with all relevant consultees including the Conservation Officer to look at possible amendments to improve the scheme in order to gain an approval. However, subsequently the applicant has decided that they would like a decision to be made on the application in its current form.

7.0 CONSULTATION RESPONSES:

Statutory:

7.1 None

Non-Statutory:

7.2 Highways – further details required to demonstrate required visibility from proposed vehicular access. This issue can be resolved by conditions should the application be approved.

8.0 PLANNING POLICIES:

8.1 Leeds Unitary Development Plan (Review) (UDPR):

GP5 – seeks to resolve detailed planning considerations including design, access and amenity.

BD5 – all new buildings should be designed with consideration to both their own amenity and that of their surroundings.

T2 – Highway safety.

Policy H3 – Housing land release.

Policy H4 – Residential development on sites not identified for that purpose in a demonstrably sustainable location will be permitted provided the development is acceptable in sequential terms.

Policy N12 – Proposals for development should respect fundamental priorities for urban design.

Policy N13 – the design of all new buildings should be of high quality and have regard to the character and appearance of their surroundings.

National planning policy guidance documents:

8.2 Planning Policy Statement 1: Delivering Sustainable Development (PPS1)

Planning Policy Statement 3: Housing (PPS3)

Planning Policy Statement 5: Planning for the Historic Environment (PPS5)

9.0 MAIN ISSUES

- Principle of development
- Design & visual amenity
- Impact on listed building and its setting
- Impact on residential amenity
- Highways
- Landscaping
- Conclusion

10.0 APPRAISAL

Principle of Development

- 10.1 The principle of the proposed development should be considered in light of the recent changes to PPS3, which now exclude garden land from the definition of previously developed land. As such, there is no longer a policy presumption in favour of the principle of residential development, and the key consideration for development of a Greenfield site should then be the impact on the character of the area, both in terms of visual and spatial character. If the scheme is unacceptable due to the impact on character, the re-designation of a garden site as Greenfield adds weight to the objections or reasons for refusal on these grounds.
- 10.2 In light of the above, it is considered that the proposed development is acceptable in principle, subject to improvements to the scheme to ensure that it does not cause detriment to the visual amenity and character and appearance of the listed building and its setting, adjacent properties and wider streetscene.

Design & Impact on visual amenity

- 10.3 The proposed development is considered to be unacceptable due to its siting, scale and design, which would dominate the application site, causing significant detriment to the visual amenity of adjacent properties, including the setting of a Grade II listed building and to the visual amenity of the existing streetscene in a significant corner location.
- 10.4 It is considered that the skewed siting of the main proposed building disregards the urban grain of the area, which is generally rectilinear, respecting the street frontage. The position also does not relate well to the adjacent Laurel farmhouse, whereby the gable elevation would project forward of the front elevation of Laurel farmhouse, at an oblique angle, thereby detracting from the visual amenity of this existing property. It is considered that the dwelling should be on a similar alignment to Laurel farmhouse, with gable elevation to gable elevation, orientated towards the eastern boundary, not only to achieve a better relationship between the two properties, but also to minimise the impact on views of the listed building.
- 10.5 The building design does reflect some aspects of the adjacent Laurel farmhouse, against which it will be predominantly read, including the use of reclaimed materials from the area which will tone down the appearance of the new building and the three bay façade to the main elevations. However, some design features such as quoining are clearly not a feature of the immediate setting and are therefore not considered to be appropriate. It is considered that additional features could easily

be incorporated which would better serve to integrate the building into its setting, including gable stacks to both sides of the building.

- 10.6 The link design of the house to the double garage, creates an incongruous feature which bears no resemblance to the surrounding character and only accentuates the overall size and prominence of the development. It is considered that this link attachment should be omitted from the proposal, allowing the house and garage to be repositioned appropriately. In addition, the scale of the garage itself is considered to be too large for this location and setting, as discussed in paragraph 10.12 below.
- 10.7 Due to the prominent corner location of the application site, it is essential that any development on the site is appropriate to its setting and will not be unduly prominent, particularly taking into account that the current screening provided by the existing hedgerow will be reduced, if not removed, in part, in order to achieve the required visibility at the access, which will open up views of the site. It should also be borne in mind, which the retention of existing landscaping cannot be guaranteed, as it can die or could end up being removed without authorisation by future occupants of the property. As such, existing levels of screening of a site should never justify poor or inappropriate design, particularly in a sensitive location such as this.

Impact on listed building and its setting

- 10.8 The proposed development is considered to be unacceptable due its siting, scale and design, which will have an adverse impact on the setting and views of the listed building, "The Old Rectory", (heritage asset PPS5), contrary to policy HE9.1 and HE7 of PPS5.
- 10.9 Policy HE8.1 of PPS 5 confirms that the effect of an application on the significance of a heritage asset or its setting is a material consideration in determining applications. The guidance also makes it clear that the significance of a listed building can be harmed or lost not only through alteration and destruction of the heritage asset itself i.e. the building, but also as a result of development within its setting (Policy HE9.1), which his most relevant to this case.
- 10.10 In this case, the garden itself (application site), is an integral part of the setting of the listed building. Therefore any development within this setting must be wholly subservient and sympathetic to the setting of the listed building and other adjacent buildings which contribute to that setting, so that its significance is not harmed or lost. It is considered that the proposed development in its current form would harm the significance of the listed building.
- 10.11 The height of the garage alone would dominate and impede views of the listed building, views which will be opened up by the reduction/removal, in part, of the existing hedgerow to the front. The need to have a garage of this height in order to accommodate first floor accommodation is questioned given the sensitivity of the site and the scale of the proposed house. Likewise the overall scale, design and siting of the proposed house itself, would also impede views of the listed building in its current position and again it is questioned whether the size of development, incorporating three floors of accommodation can reasonably be achieved in the defined area, without causing significant detriment to the listed building and its setting.

10.12 PPS5 (paragraph HE9.1) states that any harm or loss to the significance of the heritage asset (listed building) should require clear and convincing justification. For instance, this might be that the survival of the heritage asset is reliant on the proposed development. No such justification is given in this case, as such, the proposed development is considered to be unacceptable and contrary to PPS5.

Impact on residential amenity

- 10.13 It is considered that the proposed dwelling house will not cause significant detriment to neighbouring residential amenity as a result of overlooking, over shadowing or over dominance, as the siting of the building and outlook from the building, predominantly impact on the blank side gable elevation of Laurel farmhouse.
- 10.14 It is considered that the amenity of the future occupants of the proposed dwelling house could be improved upon. In its current position, the proximity to and alignment with the eastern side boundary, provides a poor outlook from the rear of the property, with the blank side gable elevation of Laurel farmhouse overbearing on the area immediately to the rear of the dwelling house. In addition, the oblique angle of the property creates a more restricted amenity space in terms of its usability. Again, if the building was realigned with Laurel farmhouse, this could create a much more useable private amenity space, concentrated to the rear of the property where it is most appropriate.

Highways

- 10.15 It has not been adequately demonstrated that the required visibility improvements can be achieved at the proposed vehicular access to the site. However, it is considered that this issue can be resolved by conditions should the application be approved.

Landscaping

- 10.16 The landscape information as submitted, currently shows some discrepancies and does not adequately demonstrate tree protection. However, it is considered that these issues could reasonably be resolved, as such, a reason for refusal on these grounds is not considered to be warranted.

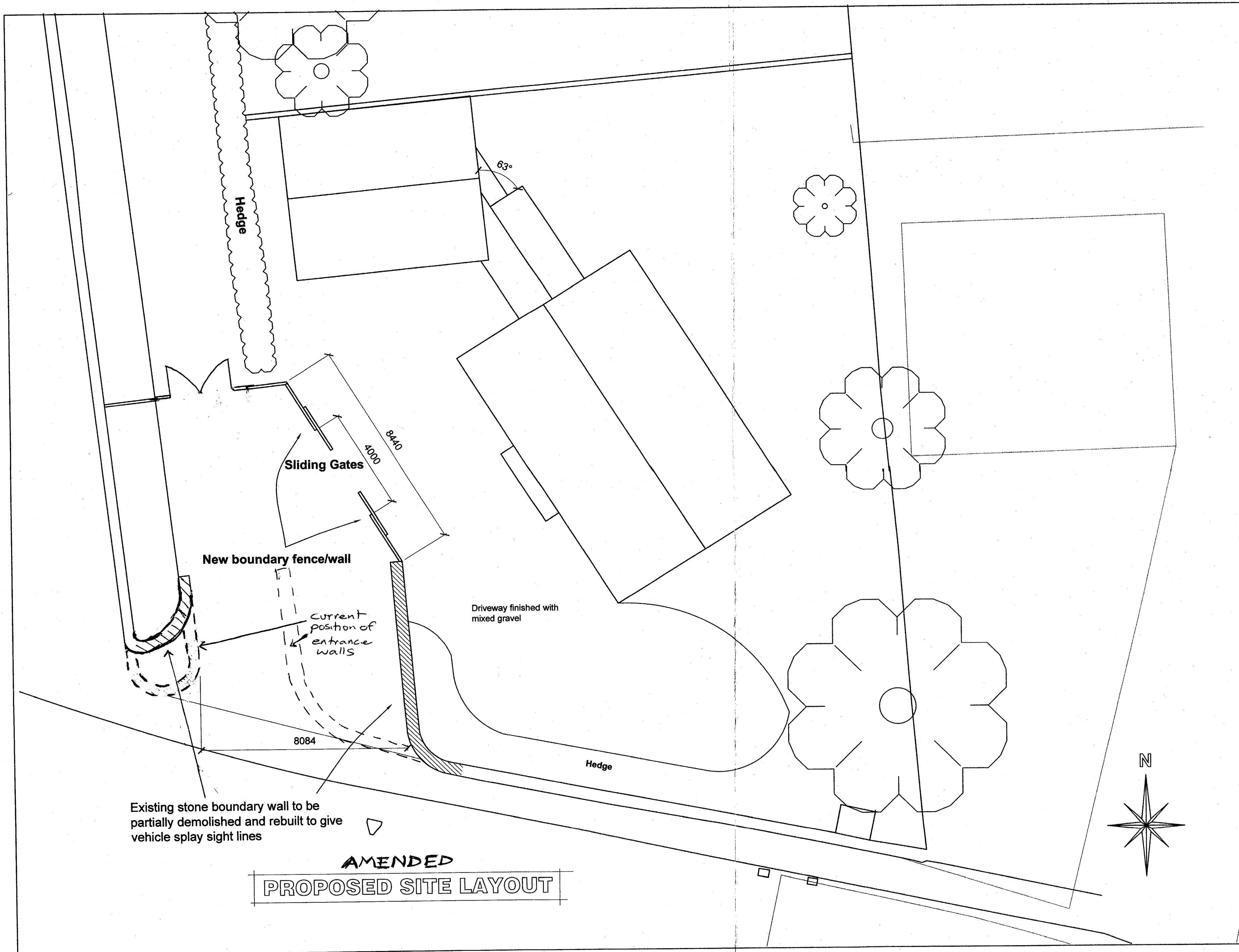
11.0 CONCLUSION

- 11.1 For the above reasons, it is considered that the proposed development is unacceptable and contrary to policy, with particular regard to the impact on the setting of a listed building and amenity, and as such is recommended for refusal.

Background Papers:

Application file: 10/00056/FU

Certificate of Ownership: the applicant and Mrs June Fender (agent)



AMENDED
PROPOSED SITE LAYOUT

NOTES

10/00056

LEEDS CITY COUNCIL
Please refer to Decision Notice
19 FEB 2010
REVISED

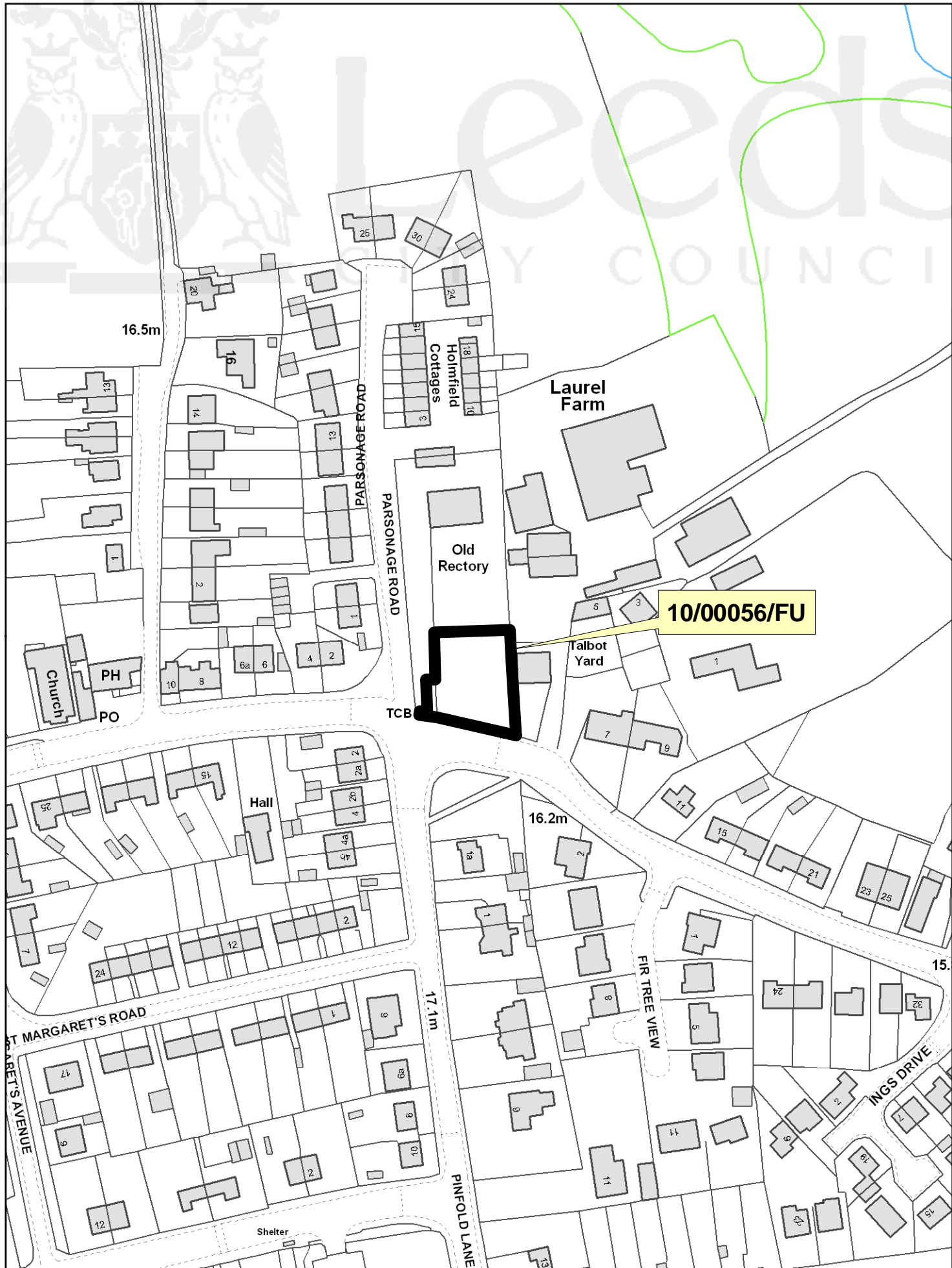
REVISIONS

MWS ASSOCIATES

Chartered Building Surveyors . Architectural Designers
Property & Construction Consultants . CDM Co-ordinators

RICS Trinity Space Centre, Waldorf Way, Wakefield West Yorkshire, WF2 8DH
 CHARTERED BUILDING CONSULTANCY Telephone: 01924 332299. Fax: 0870 7620723. email: info@mwsa.co.uk. www.mwsa.co.uk

LOCATION The Old Rectory 1 Lower Mickletown Methley LS26 9JH	DETAIL PROPOSED SITE LAYOUT
PROJECT Construction of 1 No detached dwelling.	
DRAWN: MW DATE: Nov 08	DRAWING NO. 0149/02
REVISION: SCALE: 1:100	
STATUS:	



EAST PLANS PANEL