



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 14th December 2010

Subject: APPLICATION 10/03747/FU – Part two storey and part single storey side extension at 5 Caythorpe Road, West Park, Leeds, LS16 5AQ

	DATE VALID	TARGET DATE
APPLICANT M Simpson	13th August 2010	6 th January

Electoral Wards Affected:

Weetwood

Y

(Ward Members consulted
Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE planning permission, for the following reason:

Reason for refusal:

The Local Planning Authority considers that the proposed extension by reason of its scale and form would produce a discordant feature which is unsympathetic to the character of the host dwelling, street scene and wider surrounding area. In addition the harm would be exacerbated by the loss of the open area of garden which provides a welcome visual relief in the street scene and by the substantial screening of the Oak tree which are attractive features in the landscape and as such contrary to policies GP5, BD6, N12 and N13 of the Leeds Unitary Development Plan (Review) 2006 and advice contained within 'Neighbourhoods for Living' and the 'Far Headingley, Weetwood and West Park Neighbourhood Design Statement'.

1.0 INTRODUCTION

The application is brought before Plans Panel due to the high level of community involvement including representation from an elected ward member (Councillor Sue Bentley) and a request that because of the history of the site the application should be considered by panel.

2.0 PROPOSAL

The application is for a part two storey and part single storey side extension. The extension would substantially alter and enlarge the existing attached garage and porch in forming a double garage, garden room, Jacuzzi and toilet to the ground floor with a bedroom, bathroom and gym above. The extension measures 8.3m wide by 11.7m long with eaves and ridge heights to its pitch roof of 3m and 6m respectively. The extension is to be built with red brickwork and white painted sand and cement render walling and red concrete tiles to the roof to match the existing dwelling.

3.0 SITE AND SURROUNDINGS:

The site is in the West Park area to the northwest of Leeds city centre, located on the south side of Caythorpe Road.

The neighbourhood is predominantly residential and of attractive character set within tree lined verges running the full length of the street frontage. The street scene contains differing dwelling types with varying designs and styles including detached and semi-detached units. Whilst the character of the area is in part defined by the varied appearances of the dwellings, a consistent theme within the setting is the spatial distances to side boundaries which generally range from 3m to 5m. These visual gaps within the street scene form a regular and attractive pattern of development, augmented by landscaping and mature front gardens.

Housing is predominantly two storey with a number of bungalows interspersed within the grain of the area. A mixture of period styles are evident in the surrounding area reflecting the lengthy period over which the area has been developed.

The existing buildings to the north of Caythorpe Road are two storey semi-detached and a mixture of detached and semi-detached to the south. The houses appear to have been built circa 1930's and materials are red facing brickwork, natural stone and painted sand and cement render under clay or concrete tiles. Both hipped and gabled roofs are evident with gables forming both side and front elevations. Off-street car parking is accommodated in driveways, integral garages and detached garages.

The extension is proposed to be within the side garden of 5 Caythorpe Road which is a detached bungalow constructed in rendered masonry under clay and concrete roof tiles. The plot also accommodates a flat roof single garage which is link-attached to the side of the bungalow via a flat roof porch.

The plot has two notable trees within its curtilage, a white cherry located halfway along the south east boundary which has a small crown and an oak located halfway along the southwest boundary. The site in general is fairly flat.

4.0 RELEVANT PLANNING HISTORY:

08/06703/FU - Gable extension to front of roof - Approved - 2009

09/02260/FU - Application for a four bedroom house with integral garage - Refused 03.08.2009

09/03499 - Application for a four bedroom house with integral garage to garden - Refused - 05.10.2009

Appeals were submitted challenging the decisions on the two aforementioned applications. Both appeals were considered together and were dismissed on the 23rd of June 2010 – The Inspector accepted the Councils stance on both reasons for refusal for both applications. He stated that the proposals would have a cramped appearance, materially harmful to the spacious character and appearance of the area. He also stated that the harm would be exacerbated by the loss of the open area of garden to the side of the dwelling which provides a welcome visual relief in the streetscene and by the substantial screening of the Oak tree and White Cherry which are attractive features in the landscape.

5.0 HISTORY OF NEGOTIATIONS:

14.10.2010 - E-mail from Lisa Hart, Principal Planning Officer Householder West to David Cook, the applicants agent - concerns regards the divorced relationship of the extension to the main house in that it does not read as an extension but as a smaller version of the host dwelling and would effectively attempt to achieve a new dwelling within the side garden area that the applicants had twice previously had refused and dismissed at appeal. The proposal also fails to be sufficiently subservient to the main dwelling, therefore opinion is that a more conventionally attached extension with hipped roof would be appropriate whilst the issue of the hallway losing light with the existing roof windows being covered by such a design is not significant as they can be easily reinstated whilst the suggested design is a more integrated approach to providing additional accommodation to the dwelling in a more modest and appropriate scale and form.

6.0 PUBLIC/LOCAL RESPONSE:

The application was advertised in by Neighbour Notification Letters dated 29 April 2010. 11 letters of representations were received stating objections to the proposal including one from Cllr Sue Bentley. The following issues are raised:

1. Scale/Overdevelopment
2. Poor design/Out of character
3. Size of garage
4. Incidental use
5. Similarity to refused application for a house - limited connectivity between host and extension.
6. Impact on oak tree.

7.0 CONSULTATION RESPONSES:

Highways: No objections.

Drainage: No objection subject to conditions.

Landscape Officer: Objection in relation to the extension being too big with regard to loss of garden aspect, harm to local distinctiveness and character. Recommend withdrawal and re-submission of revised drawings with reference to Far Headingley, Weetwood and West Park Neighbourhood Design Statement.

8.0 PLANNING POLICIES:

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)

Far Headingley, Weetwood and West Park Neighbourhood Design Statement: States that: '...an essential part of the character of the neighbourhood as a whole is the relationship to major green spaces... and the part played by the soft landscape structure that overlies the built form'. The statement goes further to state that :- '...the trees within the front and rear gardens are all important assets in the neighbourhood...'

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

9.0 MAIN ISSUES

- Design & Character - Impact on street scene - principle of development
- Representations
- Area of Housing Mix
- Highway Matters
- Trees

10.0 APPRAISAL

10.1 Design and Character - impact on street scene - principle of development

The application site lies within the urban area of West Park and is unallocated with no specific land use allocation. It is therefore considered that land or buildings within the Unitary Development Plan area which are not identified by any specific policy or proposal should retain their existing uses or conform to the predominant use of the immediate area. Residential proposals which affect such areas will be treated on merit and subject to the requirements of housing policies set out in the Leeds UDP (Review) 2006.

As two previous applications to erect an additional dwelling in the side garden of a similar footprint and scale have been refused, the starting point in assessing this application is to therefore, to consider whether the previous concerns and reasons for refusal are satisfactorily addressed.

The two aforementioned schemes highlighted in the relevant planning history were refused on the following grounds:

- 1)The proposed dwelling would by reason of its size, siting and lack of space about the dwelling result in an incongruous and unsympathetic addition to the street scene

that would be detrimental to the visual amenity of the area and harmful to the spacious and attractive character of the locality. As such the proposal is considered contrary to Policies GP5, BD5, N13 and N12 of the Leeds Unitary Development Plan (Review) 2006, the guidance within Neighbourhoods for Living Supplementary Planning Guidance and the guidance within the Far Headingley, Weetwood and West Park Neighbourhoods Design Statement.

2)The proposed dwelling would not afford future occupiers with a satisfactory level of outdoor useable private amenity space due to the proposed rear garden area being dominated by the Oak Tree and its canopy. This view is further exacerbated when considering the siting of the tree in relation to the orientation of the sun which is likely to cast the shadows across the proposed garden area to the detriment of the living condition of future occupiers. As such the proposal is considered contrary to Policies GP5 and BD5 of the Leeds Unitary Development Plan (Review) 2006 and the Neighbourhoods for Living Supplementary Planning Guidance.

The difference between the two previously refused applications and the proposed extension can be detailed as follows:

- No part of the extension projects beyond the front of the dwelling
- the maximum height of the extension is set-down from the ridge of the original dwelling as opposed to being some 1m higher
- the footprint of the extension is less than those of the refused dwellings
- the proximity of the extension from the adjacent side boundary is 2.4m more than from the refused detached dwelling
- the retained garden space about the extended dwelling would be greater than with the refused detached dwelling added to the plot and as such more of the attractive green break to the frontage would be retained
- the distance between the Oak Tree and rear elevation of the extension is approximately 14m which is an increase of 0.5m upon the refused dwelling
- the proposed extension would add 1 new bedroom to the property whereas the refused dwelling sought to add 4 more bedrooms
- the new access as was proposed for the dwelling is not proposed for the extension
- the extension would appear less cramped within the plot than the refused dwelling

Despite the aforementioned changes the proposal presents a significantly long frontage to the street and is still considered not to fully address reason 1 of the previous planning decision as its scale and form would produce a discordant feature which is unsympathetic to the character of the host dwelling, street scene and wider surrounding area.

The character of Caythorpe Road comprises of detached and semi-detached houses and bungalows of varying periods of construction. It is considered that the character of the area would be adversely affected by proposal. The proposed extension fails to be of a sympathetic scale and simple form in order to respect the character of the dwelling. The resulting prominence of the extension and significant reduction of the visual gap in public views from the street scene would result in the visual amenity of the locality being severely eroded.

It is considered that the proposal would therefore, be detrimental to the character and appearance of the original dwelling, street scene and wider surrounding area. The harm would be exacerbated by the loss of the open area of garden to the side of the

dwelling which provides a welcome visual relief in the streetscene and by the substantial screening of the Oak tree and White Cherry which are attractive features in the landscape. This is considered to be consistent with the Inspectors conclusion on both of the previous appealed applications for detached dwellings referred to previously.

With regard to reason 2, this was concerned with level of useable private amenity space and the garden area being dominated by the Oak tree and its canopy.

Following the refusal of the previous applications, the Oak tree to the rear of the site has now been protected with a Tree Preservation Order. This tree is shown to be retained on the submitted plans. The relationship between the tree and the proposed extension although close is considered satisfactory. Although part of the garden area would be dominated by the tree and the canopy of the tree would occupy a large amount of the garden space it is considered that the tree makes a positive contribution to the street scene. As the application is now for an extension to a single dwelling the occupiers will have access to the rest of the garden. This area is considered to provide adequate levels of amenity space for one dwelling.

10.2 Representations

11 letters of representations were received stating objection to the proposal including one from Cllr Sue Bentley. The following issues are raised:

1. Scale/Overdevelopment
2. Poor design/Out of character
3. Size of garage
4. Incidental use
5. Similarity to refused application for a house - limited connectivity between host and extension.
6. Impact on oak tree

In response:

Except for point 5 of the above, the remaining issues have been addressed within the above appraisal.

With respect to point 5, the proposal is assessed upon its merits as a house extension. Whilst there are similarities between this proposal and those which were previously submitted, refused and appealed for a separate dwelling, this proposal is measured purely against its validity as a domestic house extension. The Local Planning Authority does however acknowledge local concern regarding the incidental use of the extension and the limited connectivity between it and the original house.

10.3 Area of Housing Mix

The proposed extension is not considered contrary to policy H15 of the Leeds UDP(Review) 2006. Although a substantially sized extension, the accommodation created would be unlikely to be employed as student accommodation, given the expansive level of internal accommodation created, the extended house is more likely to be employed as a family dwelling.

10.4 Highway Matters

The Council's Highway Engineer in considering the previous schemes raised no objection to the principle of development and this scheme is not materially different to the refused scheme in this regard.

10.5 Trees

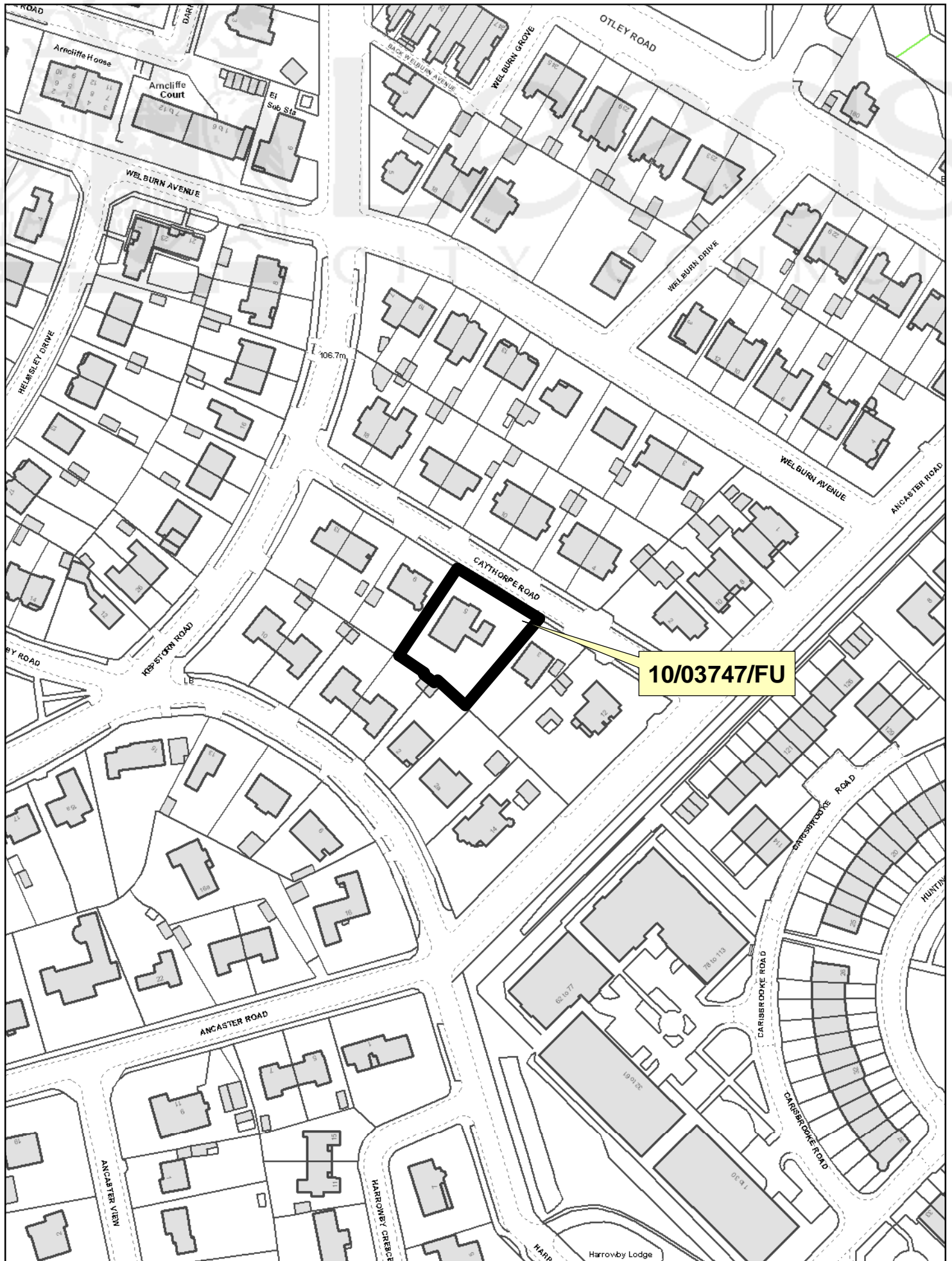
The landscape team have been consulted and whilst no objection in regard to the health and protection of the protected oak to the rear of the site has been raised, the Landscape Team remain concerned on the potential loss of shrubs and small trees to the southern boundary. The soft landscaping and trees are positive aspects of the street scene, as outlined within the Far Headingley and Weetwood Neighbourhood Design Statement. The impact and loss of view of the Oak tree may be successfully addressed through revision of the application however, the form and massing of the proposed extension under consideration is not considered to have been reduced in scale enough to remove concern that the masking of this tree would have in terms of its detriment to visual amenity of the area. It is considered therefore, that the proposed extension would harmfully erode this positive element of the street scene.

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 refused, for the reasons outlined above.

Background Papers.

Application file and site history.



WEST PLANS PANEL