



**Report of the Chief Planning Officer**

**PLANS PANEL WEST**

**Date: 18<sup>th</sup> August 2011**

**Subject: PLANNING APPLICATION 11/02338/FU – Two bedroom detached house to garden site (amendment to previous approval 11/00639/FU for detached house incorporating single storey front and side extensions).**

**at: 5 Caythorpe Road, West Park, Leeds, LS16 5HW**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
M Simpson	6 <sup>th</sup> June 2011	1 <sup>st</sup> August 2011

**Electoral Wards Affected:**

Weetwood

N

Ward Members consulted  
(Referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**APPROVE planning permission, subject to the following conditions**

- 1 3 year time limit
- 2 Development completed in accordance with approved plans
- 3 Samples of walling and roofing materials
- 4 Surfacing materials
- 5 Soft landscaping details
- 6 Landscaping Implementation
- 7 Landscaping Maintenance and retention to front curtilage
- 8 Removal of PD rights
- 9 Boundary details to be submitted (not to be greater than 1m in height on site frontage)
- 10 Details of cycle and bin storage to be submitted

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), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, N12, N13, BD5 and T2

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 before Plans Panel due to the planning history of this site, and because the previous approval for a detached dwelling was considered and approved by Members at Plans Panel in March 2011.

## **2.0 PROPOSAL**

- 2.1 The application is for amendments to a recently approved, two storey detached dwelling. The dwelling has not yet been constructed. The amendments include the addition of a single storey front projection which measures 0.5m x 3.5m, and a side porch which is 3.5m x 2.5m.
- 2.1 The approved dwelling has a first floor which is accommodated within the roof space of the dwelling. The approved dwelling has a living room and kitchen on the ground floor, with a side entrance, and 2 bedrooms and a bathroom at first floor level. The proposed dwelling has a footprint of 7.8m x 11.2m.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is in the West Park area to the northwest of Leeds city centre, located on the south side of Caythorpe Road. West Park is an attractive residential area, which was mainly developed in the inter war period and is characterised by Arts and Craft architecture.
- 3.2 The neighbourhood is predominantly residential and of an attractive mature character. Dwellings are 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. 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.
- 3.3 Housing is predominantly two storey with a number of bungalows interspersed within the grain of the area. 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.

- 3.4 The dwelling 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:**

- 4.1 The proposed dwelling which this application seeks to amend was approved at Plans Panel on 6<sup>th</sup> April 2011 (ref 11/0639/FU).
- 4.2 Prior to this application for a detached house, planning consent was granted on 7<sup>th</sup> January 2011 by Plans Panel (following an Officer recommendation for refusal) for a part two storey and part single storey side extension to the existing property at 5 Caythorpe Road (10/03747/FU). This extension was very similar in terms of form and design when compared to the detached dwelling which was later approved.
- 4.3 09/02260/FU - Application for a four bedroom house with integral garage – Refused 03.08.2009
- 4.4 09/03499 - Application for a four bedroom house with integral garage to garden Refused - 05.10.2009
- 4.5 Appeals were submitted challenging the decisions on the two aforementioned applications. Both these applications were refused on the same two grounds, design/ impact on the character of the street scene, and lack of private amenity space due to coverage of a large protected oak tree. Both appeals were considered together and were dismissed on the 23<sup>rd</sup> of June 2010

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The applicant was advised that the proposed extensions could not be accepted as non material amendments to the recently approved application, and that a further planning application would be required.

#### **6.0 PUBLIC/ LOCAL RESPONSE:**

Letters of notification were sent out to the previous objectors, on 21<sup>st</sup> June 2011. To date 3 letters of objection have been received to the application, the points raised in these objections are highlighted below.

- The proposal is the fifth application upon this site in two years

- The applicant has 'played' the planning system through incremental applications to gain a large house upon this site
- The proposed porch adds 20% to the width of the property
- The proposed porch cannot be described as 'small'
- The proposal already consumes more garden area, which is limited in size
- The proposal is located too close with the boundary fence with 3 Caythorpe Road
- Porches are only characteristic upon semi-detached properties along Caythorpe Road not detached properties.

The issues raised in these representations will be assessed in the appraisal of this report.

## **7.0 CONSULTATION RESPONSES:**

Highways: No objections subject to conditions.

Drainage: No objection

## **8.0 PLANNING POLICIES:**

### **Local Planning Policies:**

8.2 Locally Leeds City Council has begun work on our Local Development Framework ("LDF") with the Local Development Scheme most recently approved in July 2007. This provides a timetable for the publication and adoption of the Local Development Documents.

8.3 In the interim period a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below: -

- UDP policy GP5 seeks to ensure all detailed planning considerations are resolved as part of the application process including the protection of local residents amenities.
- UDP policy H4 states that residential development on sites not identified for that purpose will generally be permitted provided the proposal is acceptable in sequential terms, and is within the capacity of existing and proposed infrastructure.
- UDP policy BD5 seeks to ensure that all new buildings are designed with consideration given to their own amenity as well as that of their surroundings.
- UDP policy N13 seeks to ensure that the design of all new buildings should be of a high quality and have regard to the character and appearance of their surroundings.
- UDP policy N25 seeks to ensure that boundaries of sites should be designed in a positive manner and be appropriate to the character of the area.

- UDP policy T2 seeks to ensure that new development should be served adequately by existing or programmed highways and by public transport, make adequate provision for cycle use and parking, and be within walking distance of local facilities.
- UDP Policy T24 seeks to ensure parking provision reflects the guidelines set out in UDP Appendix 9.

### **Relevant Supplementary Guidance:**

8.4 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

- SPG13 Neighbourhoods for Living.

### **Government Planning Policy Guidance/Statements:**

8.5 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes:

PPS1 Delivering Sustainable Development.  
PPS3 Housing.

## **9 MAIN ISSUES:**

9.1 Having considered this application and representations, it is the considered view that the main issues in this case are:

- Principle of the Development;
- Design/ Appearance
- Amenity Considerations
- Highways/ Parking

## **APPRAISAL**

### Principle of Development

10.1 The principle of a dwelling upon this site has already been established through the previous approval (ref 11/0639/FU). This application is concerned with minor extensions to the approved dwelling. There are no issues with the principle of this development, and therefore the application will be assessed against normal development control considerations such as design, dominance, impact on adjacent occupiers and parking.

### Design/ Appearance

10.2 The proposed front extension projects out from the approved building by 0.5m and avoids a flat front elevation. This proposed amendment is similar to a projection

which exists upon the adjacent property at no 5. It is considered this proposal will improve the appearance of the dwelling by adding a degree of visual interest and detailing to the proposed dwelling, whilst increasing the degree of uniformity with the adjacent dwelling. Others properties along Caythorpe Road have front projections such as bays/ porch etc, and as such it is considered the proposal does respect the character of the street scene.

- 10.3 The proposed side porch extension is set back from the front elevation by 3m. This set back ensures it appears subordinate to the appearance of the host property. This set back ensures the frontage (width) of the property is not enlarged. This proposal has a hipped roof which further minimises its dominance. It is considered the proposal follows the policy guidance of BD6 and N13 of the adopted Leeds UDP.

#### Amenity Considerations

- 10.4 It is not considered the proposed extensions would give rise to any amenity issues, in terms of the impact on adjacent occupiers in respect of over-shadowing, privacy and dominance. The proposed side porch lies opposite the side of 3 Caythorpe Road. The proposed porch is located between 1.8m and 2.2m from the boundary with this property and between 4.8m and 5.2m away from the side elevation of this property. The relationship between these properties is described as 'side to side' as the distances exceeds the minimum guidance as recommended through the adopted SPG 'Neighbourhoods for Living'.

- 10.5 Permitted Development rights were removed on the previous approval for a detached dwelling on site, and it is recommended that this condition is imposed again on the approval of this application. This is to ensure the site is not over-developed, to protect the character and visual appearance of the street scene, and to ensure adequate levels of off-street parking.

#### Highways

- 10.6 The parking layout was approved as part of the previous application. The proposal would not impact upon the parking facilities of the proposed dwelling. The driveway would be 10.5m in length which is capable of accommodating two cars.

#### Other Issues

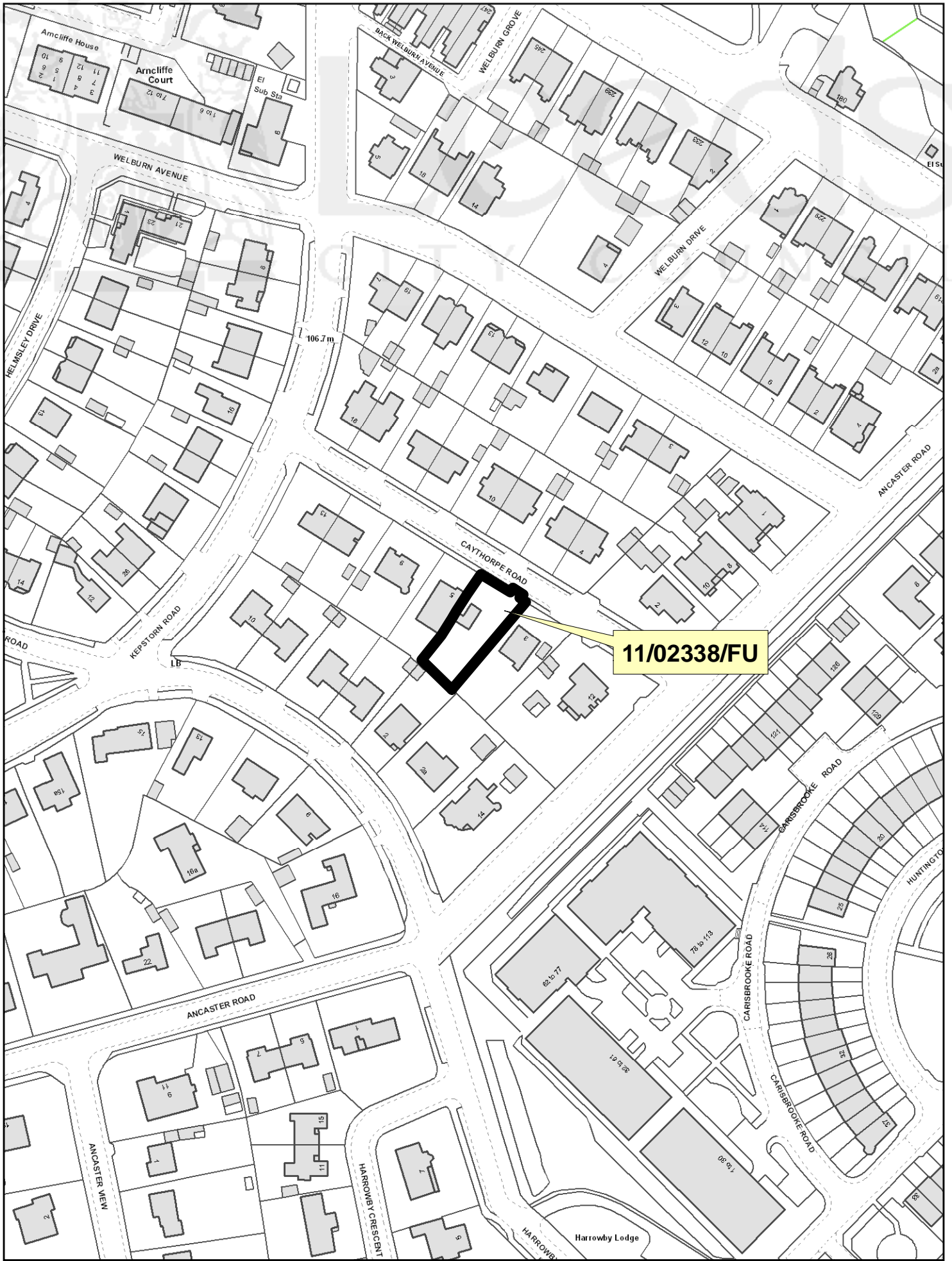
- 10.7 The sequence of applications relating to the site should not be a material consideration. This application should be assessed on its planning merits against normal development control considerations.
- 10.8 It is not considered the proposal would result in the over-development of the site. The proposal does not affect the rear garden area. The front projection of 0.5m has a negligible impact on the size and function of the front garden. The proposed porch is located to the side of the property, which is not considered to be a private usable garden area.

### **Conclusion**

- 11.1 The amendments are not considered to harm the appearance of the previously approved dwelling, or have an adverse impact on the character of the street scene. Similarly it is not considered the proposal would have an adverse impact on the living conditions of adjacent occupiers, and therefore is recommended for approval.

### **Background Papers**

Previous files 10/03747/FU, 09/03499/FU and 09/02260/FU



# WEST PLANS PANEL