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**Report of the Chief Planning Officer**

***PLANS PANEL EAST***

**Date: 6<sup>th</sup> October, 2011**

**Subject: APPLICATION 11/00601/FU - Detached double garage with storage over to rear at Old Village Hall, Village Road, Eccup, LS16 8AS.**

**APPLICANT**  
**Mr. M Hourigan**

**DATE VALID**  
**14.11.2011**

**TARGET DATE**  
**11.04.2011**

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**Electoral Wards Affected:**  
Alwoodley

☐ Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

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**RECOMMENDATION:**

**REFUSE PLANNING PERMISSION for the following reason:**

**Reasons for Refusal:**

The Local Planning Authority considers that the proposed detached garage by virtue of its size, siting and location represents a disproportionate addition to the host property (when considered with the newly converted and extended dwelling as constructed) which introduces an element of sprawl to the site, producing development that is inappropriate and harmful to the openness of the Green Belt and Special Landscape Area. As no very special circumstances have been demonstrated the proposal contravenes Policies N33 and N37 of the Leeds Unitary Development Plan (Review) 2006, Policy HDG 3 of the Draft Householder Design Guide (September 2011) and advice within Planning Policy Guidance 2 - Green Belts.

**1.0 INTRODUCTION:**

- 1.1 The application is reported to Panel for determination at the request of Councillor P Harrand as a compromise between Officers and the applicants regarding the erection of a garage could not be reached through negotiation.

## **2.0 PROPOSAL:**

- 2.1 The applicant seeks permission for a large detached double garage to be located in the south-east corner of this large plot. The garage is located within the approved residential curtilage of the dwelling to which it will relate. The garage is proposed to be approximately 5m high to the apex of its pitched roof and will have a footprint measuring 5.8m x 7.8m as shown on the submitted plans. The garage will provide space to park two standard sized domestic vehicles and also creates a substantial area of storage within the large roof space above the parking area. The garage is to be finished in coursed stone work to three of its elevations with coursed block work to the rear elevation. The storage space will be illuminated by two roof lights within the north facing roof plane. The roof is proposed to be hung in natural slate.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site is located in a rural location to the north of the main urban area of Leeds within the small scattered settlement of Eccup and consists of a detached converted dwelling set in good sized grounds. The house is of a unique design in an area characterised by a mixture of large bespoke detached dwellings set in substantial plots and structures and farm dwellings linked with agriculture.

The site is located within the Leeds Green Belt and the Harewood Special Landscape Area.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Application site:  
08/06755/FU - Mount View Garage, Change of use and alterations including extensions of car repair garage to 1 three bedroom detached house (Approved Feb 2009).

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The case officer met with the applicant and their planning consultant at the site to discuss a potential way forward. The advice of the case officer was that the garage needed to be significantly reduced in size and located much closer to the property to have any chance of being considered acceptable in terms of Green Belt Policy. The applicant's and their agent did not wish to compromise on the location of the garage as it would affect their views from the dwelling. There was a willingness to compromise on the scale of the garage, but without this being accompanied with a change of location away from the open rear corner of the site this would not have addressed fully the case Officer's concerns. On further consideration of the history, officers subsequently questioned the principle given the level of extended accommodation allowed at the time of the change of use application. (Ref 08/06755/FU)

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

- 6.1 Alwoodley Parish Council – No comment
- 6.2 One letter of support has been received from a neighbouring resident. The neighbour supports the application but asks that the council require the nearby existing tree and three hedge bushes be retained at their present height at least.

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None.

## **8.0 PLANNING POLICIES:**

8.1 Local – Leeds Unitary Development Plan (Review 2006) Policies:

GP5: Gives advice in relation to new development stating that all new development should not have a detrimental impact on amenity.

BD6: Gives advice in relation to extensions to residential properties which states that extensions should respect the scale, form, detailing and materials of the original building.

N33: Except in very special circumstances approval will only be given in the Leeds Green Belt for: Limited extension, alteration or replacement of existing dwellings.

N37: Development should not seriously harm the character and appearance of the landscape.

Draft Householder Design Guide (at consultation stage as of 19.09.11):

Policy HDG3 seeks to put a limit on extensions to dwellings in the Green Belt of 30% of the original volume.

## **9.0 MAIN ISSUES**

Green Belt  
Special Landscape Area  
Other Issues

## **10.0 APPRAISAL**

### **Green Belt**

10.1 The application site is located within the Green Belt. The governments' policies concerning the Green Belt are contained within PPG2. Paragraph 3.1 of PPG2 states that there is a general presumption against inappropriate development within Green Belts and that such inappropriate development should not be approved except in very special circumstances. It goes on to state that very special circumstances "would not exist unless the harm... is clearly outweighed by any other considerations". At paragraph 3.4 it states the "limited extension, alteration or replacement of existing dwellings" is not inappropriate. This is further expanded upon in paragraph 3.6 which states that "Provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in the green belt".

The UDP policy relating to domestic extensions in the Green Belt has been altered with Policy GB8 being removed in the 2006 Review. The removal of this policy and heavier reliance on PPG2 has in fact strengthened the approach of the LPA to domestic extensions in the Green Belt, as the previous policy was open to be interpreted to allow extensions equal to the size of the existing dwelling. The position that the LPA currently takes is that extensions to dwellings or within their curtilage, singularly or cumulatively (from 1947 onwards), which exceed 50% of the total volume of the existing dwelling will be considered inappropriate and disproportionate as they cannot be reasonably considered to be limited extensions which are considered appropriate in the Green Belt.

The Draft Householder Design Guide seeks to reduce the volume limit further down to 30% in Policy HDG3. However, this document has only recently (19.09.11) entered the consultation stage and therefore, given the application was submitted substantially before and was due for determination prior to the formal consultation period of the design guide; it has been given only limited weight in the consideration of this application.

The level of extension permitted under the change of use application (ref 08/07655/FU) amounted to a 41 % increase in footprint above the original building. The garage proposed adds a further 45 square metres to the footprint making the percentage increase by footprint in the region of 80%. Volume calculations were not undertaken in relation to the original application. Nevertheless it is clear that this proposal when considered cumulatively with the previous additional development allowed under the application, which approved the original dwelling, is considered to represent a disproportionate addition to the site and as such is inappropriate development in the green belt.

- 10.2 The applicant concedes in their supporting statement that the proposed development represents inappropriate development in the Green Belt and puts forward three distinct arguments why the proposal has very special circumstances which justify the proposal.

1. Scale and appearance:

The supporting statement asserts that that the garage has been constructed to a scale and with an appearance commensurate to the dwelling which it will serve. The statement goes on to suggest that the previous improvements to the site brought about from its conversion to a residential development from a commercial garage should continue to justify this further proposed residential development of the site as in the context of the conversion, the new garage will not add to perception of inappropriate development. The applicants' also consider that the parking of vehicles within a dedicated structure will improve the visual amenity of the site in comparison to the existing parking of vehicles on the driveway. In relation to appearance, the statement emphasises the appropriate materials being used to construct the garage and that the topography of the site will result in the structure being screened from public viewpoints.

Officers agree that the proposal is of a scale which is commensurate to the residential dwelling, however the scale and particularly the height of the garage is considered excessive in the context of its open location resulting in the extension having undue prominence within general views of the designated Green Belt and Special Landscape Area and this is not addressed by the design. Officers acknowledge the improvements to the site brought about by the conversion of the site to a residential use. However this was considered as part of the previous application and an allowance for an increase in the overall footprint and volume of buildings within the site was made in recognition of the improvements offered. The increased footprint allowed was considered to have effectively used up the limit of what could be considered limited extensions as part of the total re-development of the site and therefore a condition removing permitted development rights to extend the property further was attached. Whilst not completely discounting the acceptance of additional development the condition does seek to keep any further structures within the control of the Local Planning Authority so that they could be assessed against the impact on the Green Belt. Further supplementary arguments are put forward in a second supporting letter dated 01.06.11 from the applicants regarding the permitted development fall back position. These are not considered persuasive

as the extant condition referred to above has removed all permitted development rights at the site.

Cars parking within the curtilage of the site are considered significantly less harmful in terms of impact on the openness of the Green Belt and fail to justify the construction of a large garage. Such a circumstance could be applied to many properties in the Green Belt and is not very special to this site, nor is the existing parking area particularly prominent or intrusive within the Green Belt. The garage would be expected to be constructed in appropriate materials regardless of its Green belt location and this does not constitute very special circumstances to justify inappropriate development.

## 2. Purpose of including land within the Green Belt:

The applicants supporting statement states the five purposes of including land within the Green Belt. Officers agree with the applicant that the proposal will not result in the unrestricted sprawl of a large built up area, the merging of towns, any harm to the setting of any historic town, nor will it prejudice the regeneration of any brownfield sites. However, Officers do not agree that the proposal will not encroach into the countryside for the following reasons:

The proposal is considered, due to its location close to the boundary of the site which abuts open country side, to result in an encroachment into the countryside of a residential structure which would be contrary to the purposes of including land within the Green Belt. Therefore this element of the very special circumstances case put forward is rejected. Development which complied with the purposes of including land within the Green Belt would not be considered inappropriate so it is not clear why this was put forward as a very special circumstance to justify development, which the applicant has already acknowledged to be inappropriate.

## 3. Openness:

Officers disagree with the applicant's statements regarding the effect of the proposal on the openness of the Green Belt. The applicant's statement suggests that the proposal is well screened from agricultural land and will not be unduly prominent when viewed from the surrounding countryside.

The garage is a large detached structure of significant height which will be located towards the very edge of the site abutting open fields. Officers agree with the applicant's assertion in their supporting statement that there is a lack of definition regarding the concept of openness but do not agree that it only applies to urban sprawl or development which undermines the character and appearance of the countryside as they suggest. This scheme is considered detrimental to the openness of the Green belt due to its scale and prominent position at the edge of the domestic curtilage of the dwelling where there is currently a very open vista of gently rolling countryside. The garage will be distinctly detached from the dwelling and will relate more closely to the open fields than the dwelling which it will serve. In this context, the structure is considered unduly intrusive within the rural context of its setting which results in the proposal harming the openness of the Green Belt and the character of the Special Landscape Area.

## **Special Landscape Area**

- 10.3 The proposal is considered to represent an overlarge and unnecessary residential intrusion within this attractive rural landscape. Detailed landscape assessments have not been undertaken as part of this application however it is considered that

some harm would be caused to the character and appearance of the landscape due to its inappropriate scale and location.

### **Summary of other Issues**

- 10.4 Given the nature of the proposed structure, its scale and design and the isolated nature of the location there are not significant concerns regarding the impact of the proposal on the amenity of any nearby dwellings through overshadowing, dominance or overlooking. In the context of the dwelling to which the garage will relate and the wider area, the design of the structure is considered appropriate and respects the scale, form, detailing and materials of the host dwelling.

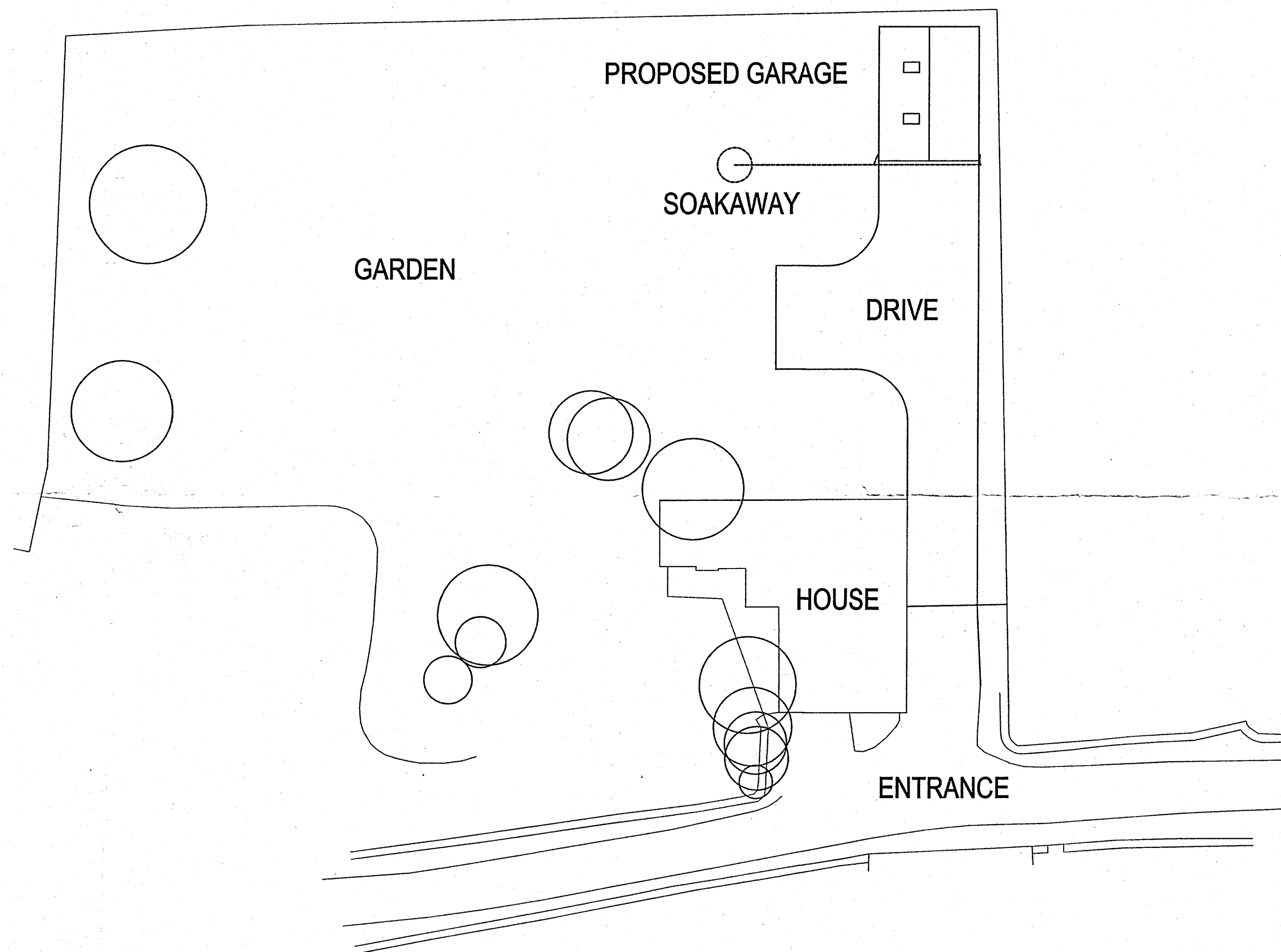
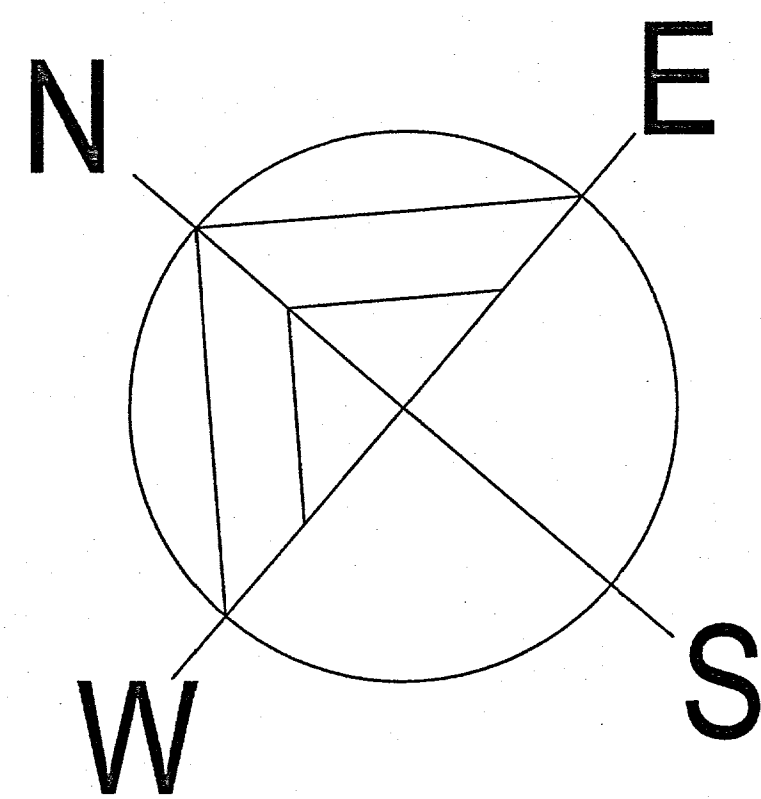
### **11.0 CONCLUSION**

- 11.1 Consideration has been given to all material planning considerations and the conclusion is that the garage represents a disproportionate addition to the property which would be detrimental to the openness and purpose of including land within the Green Belt. The applicant has failed to put forward any very special circumstances which Officers would consider justify the inappropriate development proposed. It is therefore recommended that planning permission be refused.

### **12.0 Background Papers:**

Application and history files.

Certificate A signed by the applicant declaring that all land is owned by applicant.

**FOUNDATIONS:**

600 x 225 concrete strip foundation  
with min 600 cover.

Foundation blockwork with cavity finishing 225 below ground level.

**WALL CONSTRUCTION:**

250mm structural wall comprising 100mm facing stone to match house.

50mm structural clear cavity.

100mm medium density blockwork fair face pointed internally.

Stainless steel cavity wall ties at max 750 horizontal, 450 vertical and 300 at reveals.

Cavities closed at head of wall and openings.

Dpc min 150 above ground level.

**FLOOR CONSTRUCTION:**

100mm min steel float finish concrete slab reinforced with one layer of mesh on

500 gauge polythene dpm on sand blinded sulphate free hardcore.

Dust proof coating finish to slab.

**ROOF WIDOWS**

Conservation style small profile windows between rafters.

**ROOF CONSTRUCTION:**

Natural slate to match existing on

38 x 50 roofing battens on breathable roofing felt. 150 x 50 SC3 grade rafters at 400 ctrs.

100 x 75 wall plate. Holding down restraint straps at 1m centres to wall plate

and rafters at verge level across min 3 rafters.

225 x 75 floor joists to storage area at 400 centres. 22mm t and g chipboard covering.

**STAIRCASE**

13 rises of 200mm giving 2600mm floor to floor. 12 rises of 225mm.

2m min clear headroom over stairs. 900 high handrail and guarding to flight

1100mm high at landing level. Guarding not easily climbable with max 99mm gaps.

**DRAINAGE:**

Rainwater to new soakaway in garden area.

100mm dia drain with rodding eye at head.

**LINTELS:**

Catnic lintel over door opening. Designed by specialist supplier.

**ELECTRICS:**

Extended from house with isolation switch.

Drawing Title

MR M HOURIGAN

PROPOSED DETACHED  
DOUBLE GARAGE  
THE VILLAGE HALL  
VILLAGE ROAD  
ECCUP LEEDS

BLOCK PLAN  
CONSTRUCTION NOTES

Scale 1 : 200 AT A1

Drawn

Date JAN 2011

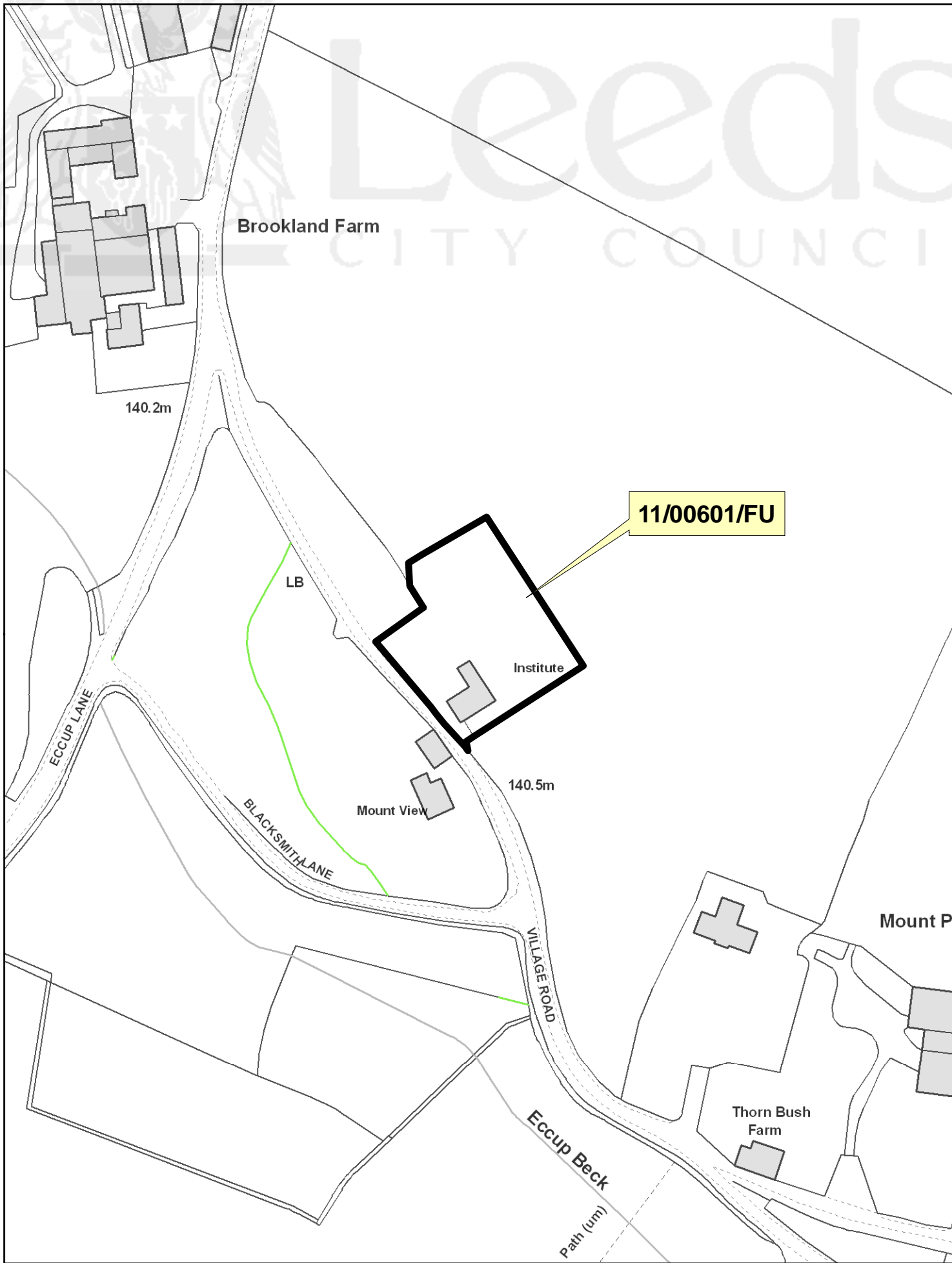
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A1 / G / 02

Rev





# EAST PLANS PANEL