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## Report of the Chief Planning Officer

### PLANS PANEL WEST

Date: 15<sup>th</sup> September 2011

**Subject: APPLICATION 11/02569/FU – Part two storey, part single storey side and rear extension with porch to front at 82 Moorland Road, Pudsey, LS28 8EJ**

#### APPLICANT

Mr C Zaffair

#### DATE VALID

29.06.2011

#### TARGET DATE

24.08.2011

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#### Electoral Wards Affected:

**Calverley & Farsley**



Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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#### RECOMMENDATION:

**GRANT PERMISSION subject to the conditions outlined below:**

#### Conditions

1. Time limit
2. Plans to be approved
3. Materials to match
4. No insertion of windows
5. Introduction of fencing
6. Reduction in garage
7. Justification

#### 1.0 INTRODUCTION:

- 1.1 This application was presented to Plans Panel West on 15 September 2011 and Members also visited the site in the morning before Plans Panel. At the meeting Members expressed their concerns about the workmanship of the partially completed

extension. Officers were asked to defer the application and to meet with the Building Control Surveyor on site to look at the structural integrity of the extension. This report sets out the findings of the Surveyor and what remediation works are required. The original report is attached for information.

## **2.0 PROPOSAL:**

- 2.1 The applicant seeks planning permission for the erection of a two storey side extension to the host property. The extension is proposed to be a variable 1.95 - 3.5 metres in width, the widest dimension being to the front elevation of the dwelling, the smaller towards it's rear, employing a splayed edge parallel to the tapering boundary of the site. The extension would be 4.8 metres in height to the eaves, employing a hipped roof form which would be set down from that of the original house by 300mm and recessed from the main roof plain by 600mm.
- 2.3 A two storey rear extension with a hipped roof is then proposed to be set 3.2 metres from the shared boundary with the conjoined neighbour, projecting 1.4 metres from the rear wall.
- 2.4 A porch is proposed to the front elevation, with a canopy above, wrapping around the extension with a small mono pitch roof to the side employed where the first floor is recessed by 0.5 metres from the ground floor side elevation. A ground floor bay window is also proposed to the front elevation.
- 2.5 The applicant proposes the use of brick external walls and Rosemary tiles to the roof.

## **3.0 BUILDING CONTROL MATTERS**

- 3.1 The team leader for Householder West met the applicant on site along with the Building Control Surveyor for the area. The Building Control Surveyor carried out a ground floor inspection from the application site and from the adjacent house. Safe access from the first floor was not available. Some defects were found, these include:
1. Adequacy of foundation for front bay window
  2. additional ventilation to ground floor void
  3. floor joists need strutting centrally
  4. Cavity walls not continuous around openings
  5. Cavity tray not provided, these are required around all openings and along the full length of the first floor side extension.
  6. Gas boiler will need a suitable discharge location
- 3.2 The most serious of these matters is item 5, the cavity trays. It would be difficult to provide them retrospectively along the side elevation without the demolition of the first floor that has already been built. Officers have discussed with the applicant the remedial works and they have agreed to demolish the first floor side extension and rebuild it complying with current Building Regulations should they be granted planning permission. Other matter identified by Plans Panel eg, rear corner brickwork and exposed lintels can also be improved upon. The brickwork can be replaced and the lintels painted.
- 3.3 The applicants have a new local builder who has met with the Building Control Surveyor and has also been provided with a list of the defects highlighted above. They are due to meet on site w/c 3 October to discuss the works. Any matters that

arise from that meeting will be verbally reported to Plans Panel. The applicant and the builder are keen to start work as soon as possible.

#### **4.0 APPRAISAL**

- 4.1 The applicant accepts that the works that have been completed so far are not to the highest of standards. It must be noted that Building Control Officers have very little control regarding the workmanship as long as an extension is built structurally sound. The demolition of the first floor will remove the worst part of the brickwork and it can then be rebuilt so that it is aesthetically pleasing and also structurally sound and the applicant acknowledges this. Building Control have agreed to keep a close eye on the progress of any works undertaken at the property.
- 4.2 The adjoining neighbour has been kept informed of the latest progress of the application.

#### **5.0 CONCLUSION**

- 5.1 It is considered that the demolition of the first floor side extension together with the other remedial works and the subsequent completion of the extensions adequately addresses the concerns that Members had regarding the structure. Officers recommend that the application be approved.

#### **Background Papers:**

Application files: 08/00495/FU, 08/06770/FU, 25/157/05/FU, 08/01239/NCP2  
SPG13 – 'Neighbourhoods For Living'

#### **Ownership Certificate:**

Certificate A signed by agent



**Leeds**  
CITY COUNCIL

Originator: M Walker

Tel: 2478000

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**Date: 15<sup>th</sup> September 2011**

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Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

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Narrowing the Gap

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**RECOMMENDATION:**

**GRANT PERMISSION subject to the following conditions:**

Conditions

1. Time limit
2. Plans to be approved
3. Materials to match
4. No insertion of windows
5. Introduction of fencing
6. Reduction in garage
7. Justification

**Reasons for approval:** The application is considered to comply with Policies GP5, BD6, of the Leeds Unitary Development Plan (Review 2006), not cause harm to the character or appearance of the original house or street scene, nor to residential amenity and, having regard to all other material considerations, it is considered that the proposal is acceptable.

## **1.0 INTRODUCTION:**

1.1 Councillor Andrew Carter has requested the application be brought before plans panel as, given the extensive planning history at the property and the partially completed state of the development for a significant period of time, wider scrutiny of the proposal by members is required.

## **2.0 PROPOSAL:**

2.1 The application proposes an alteration to the previously approved part two storey, part single storey front, side and rear extensions (08/00495/FU). That application was itself a resubmission and enlargement of another prior approval (25/157/05/FU) of virtually the same description.

2.2 The applicant now seeks planning permission for the erection of a two storey side extension to the host property. The extension is proposed to be a variable 1.95 - 3.5 metres in width, the widest dimension being to the front elevation of the dwelling, the smaller towards it's rear, employing a splayed edge parallel to the tapering boundary of the site. The extension would be 4.8 metres in height to the eaves, employing a hipped roof form which would be set down from that of the original house by 300mm and recessed from the main roof plain by 600mm.

2.3 A two storey rear extension with a hipped roof is then proposed to be set 3.2 metres from the shared boundary with the conjoined neighbour, projecting 1.4 metres from the rear wall.

2.4 A porch is proposed to the front elevation, with a canopy above, wrapping around the extension with a small mono pitch roof to the side employed where the first floor is recessed by 0.5 metres from the ground floor side elevation. A ground floor bay window is also proposed to the front elevation.

2.5 The applicant proposes the use of brick external walls and Rosemary tiles to the roof.

## **3.0 SITE AND SURROUNDINGS:**

3.1 Located near the junction of Galloway Lane and Moorland Road and within an area that is similarly residential, the property consists of a semi-detached house erected with mottled brown brickwork and hip roof over covered by weathered red clay tiles. A feature of the front elevation is the bay windows that have a pitch roof over with a mock-Tudor style gable.

3.2 To the front of the house is a good size garden area and driveway whilst to the rear is a more moderate size garden. The site is fairly flat and even in level and enclosed by brick walling, metal rails, timber fencing and robust shrubbery planting. The house is at an off-set angle from the neighbouring dwelling (80 Moorland Road) that would be adjacent to the proposed extension.

3.3 The townscape of Moorland Road is defined by semi-detached houses of similar design, appearance and period of construction with space between the semi-detached pairs, small trees and other greenery also strong characteristics of the setting.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 Reference: 08/00495/FU  
Address: 82 Moorland Road  
Pudsey  
LS28 8EJ

Proposal: Part two storey, part single storey front side and rear extension with retention of 1.8m front boundary wall and gates  
Status: Approved  
Decision Date: 20-MAR-08

4.2 Reference: 08/06770/FU  
Address: 82 Moorland Road  
Pudsey  
LS28 8EJ

Proposal: Retrospective application to raise eaves height to main roof of previously approved application 08/00495/FU part two storey part single storey front side and rear extension  
Status: Refused  
Decision Date: 05.02.2009

4.3 Reference: 25/157/05/FU  
Address: 82 Moorland Road Pudsey  
Proposal: Part two storey part single storey side extension and porch to front  
Status: Approved  
Decision Date: 22-JUN-05

4.4 Reference: 0-25/34/05/MOD  
Address: 82 Moorland Road Pudsey  
Proposal: Part two storey part single storey side extension and porch to front  
NON MATERIAL AMENDMENT: Changes to the design of the roof  
Status: M01(approved)  
Decision Date: 17-FEB-06

4.5 Enforcement:  
Reference: 08/01239/NCP2  
Address: 82 Moorland Road  
Pudsey  
LS28 8EJ

Breach Type: NCP2  
Status: Pending

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The application site was initially the subject of an application in 2005 (25/157/05/FU) and a minor modification to those plans in 2007 which approved works for a two storey extension to the side of the host property including a 2.6 metre wide first floor extension at it's widest point and proposed ground floor width of 4.5 metres, with no distance retained to the side boundary of the site.
- 5.2 In 2008 an application (08/00495/FU) was submitted to amend the previous approval and allow for a change in roof design, with a sloping side eaves line and the retention of a gap to the side boundary of 800mm, whilst increasing the width of the first floor portion of the development slightly to 3.3 metres at the widest point. This was approved.
- 5.3 In 2008, a third application (08/06770/FU) was submitted to Leeds City Council. This new proposal again involved a first floor extension width of 3.3 metres but did not features the sloping eaves line of the previous proposal, thereby producing an eaves height of 4.7 metres positioned 800mm from the common boundary for the full length of the dwelling. Although the extension appeared more sympathetic in it's design to the previous approval the application was refused on the grounds of over-dominance to the occupiers of 80 Moorland Road.
- 5.3 In February 2010 planning officers including the Head of Planning Services met the applicant on site to discuss ways to move the stalled building works forward, which had now been in a partial state of completion for a number of years and the subject of an extant enforcement case requiring conclusion. The applicant was advised that any new extension would need to correctly subordinate the property, the proposed bay windows would have to be removed from the first floor and a subservient roofline employed. It was agreed that, despite the previous refusal, a lowering of the eaves line of the property would have no real benefit to neighbours with regard to over-dominance and a boundary fence should also be erected to enclose the rear garden area. A portion of the existing rear garage would be required to be removed to provide suitable private garden space to the rear of the house.
- 5.4 In June 2011 the application under appraisal was submitted in accordance with the advice provided to the applicant in February 2010.

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

6.1 One letter of objection has been received from the adjacent neighbour at 80 Moorland Road.

## **7.0 CONSULTATIONS RESPONSES:**

### **Statutory & Non-Statutory Consultations:**

None

## **8.0 PLANNING POLICIES:**

8.1 The development plan comprises the adopted Leeds Unitary Development Plan (Review 2006).

8.2 Leeds Unitary Development Plan (Review 2006) Policies:  
Policy GP5: General planning considerations  
Policy BD6: General planning considerations  
Policy T2: Refers to parking provision

8.3 PPS1: Delivering Sustainable Development

8.4 SPG 13 – 'Neighbourhoods For Living'

## **9.0 MAIN ISSUES**

- i) Design and Character
- ii) Overlooking
- iii) Over-dominance/Overshadowing
- iv) Parking
- v) Private Garden Space



## **10.0 APPRAISAL**

### **10.1 Design and Character**

- 10.1.1 As the house is offset from its nearest neighbour, it is considered to offer no undue potential for a terracing effect to occur and also ensure that the distinct separation remains between houses, in line with good townscape principles. Many properties in the local and wider street scene feature two storey side extensions of comparable scale and massing. The property's character is derived from its hipped roof form, its mock Tudor detailing and its transverse front gable which is currently the focus of the dwelling. In its shape, form and detail (including window detail) the extension broadly replicates the appearance and features of the host dwelling and thus in this regard is considered acceptable. It is noted that in building to the side of the dwelling there is some loss of focus to the front gable however this is not to such a degree as to be detrimental.
- 10.1.2 The proposed front porch, canopy and bay window are intended to bring some fluidity between the extension which, as can be seen on site features a slightly different tone of brickwork to the mottled brown brick of the original house. The property roof form is to feature a matching tiled throughout and the new front canopy, spanning the front of the extension, the new porch and tying up to the existing front bay window should promote better visual consistency between old and new features of the property, where presently the extension appears quite stark adjacent to the original house.

### **10.2 Overlooking**

- 10.2.1 The proposed extension does not feature any windows to its outer side and this matter will be controlled by condition to prevent overlooking to the residents of 80 Moorland Road. The proposed two storey rear extension features no side windows facing 20 Galloway Lane and again this matter will be controlled by condition. The proposed first floor rear window fails to achieve the requisite 7.5 metres to the rear boundary outlined in SPG13 – 'Neighbourhoods For Living' as suitable to prevent overlooking of the rear neighbour at 25 Moorland Drive and as this window serves a bathroom it should be obscure glazed for the privacy both the applicant and neighbour. Again this will be controlled by condition in the event of an approval.
- 10.2.1 During on site discussions the applicant was advised that the rear garden needed some further enclosure to provide some additional privacy to the occupants of 80 Moorland Road and therefore a condition for 1.8 metre fencing will be applied to the western boundary of the application site between the rear of the extended house and the reduced garage structure, giving the rear garden a greater degree of enclosure.

### 10.3 Over-dominance/Overshadowing

10.3.1 The proposal is acceptable in terms of overshadowing as its siting to the east of the side driveway of 80 Moorland Road means that its ability to directly overshadow the private amenity space of neighbours is limited. It is accepted that some additional overshadowing of the neighbour's driveway and side elevation will occur during the early morning, and a little to the front of the dwelling during the mid morning, however as this will not impact the private amenity space little significant detriment is anticipated.

10.4.2 The proposal is considered acceptable in terms of over-dominance, largely for the reasons noted above. It is accepted that the proposal brings the side elevation of 82 Moorland Road into closer proximity with that of 80 Moorland Road, however there is a first floor break to the side boundary of 1 metre proposed. With only a limited number of window and door openings in the side elevation of 80 Moorland Road (where the kitchen window opening is a secondary window to the main kitchen window situated to the rear elevation), on balance and in light of the lengthy amount of time the extension has been partially completed to eaves height and mindful of the earlier permissions to the property, the eaves height of 4.8 metres is not considered to be sufficiently harmful to warrant a refusal of the application.

### 10.4 Parking

The application site features a lengthy area of enclosed drive-space suitable for parking at least two cars off road.

### 10.5 Private Garden Space

Presently, a garage structure shared with 25 Moorland Drive overlaps the rear boundary of the site although the portion within the application site boundary is wholly within the ownership of the applicant. The rear garden area is compact and for the general residential amenity of occupiers it is important that an area of private garden space is retained as whilst there is some degree of enclosure to the front garden area, it is not considered private. In line with on site discussions, a condition will be applied that, prior to the completion of the extensions, the garage be reduced in size in accordance with the submitted plans, to ensure a small area of additional private garden space is produced and to prevent an over-development of the application site.

## 11.0 **CONCLUSION**

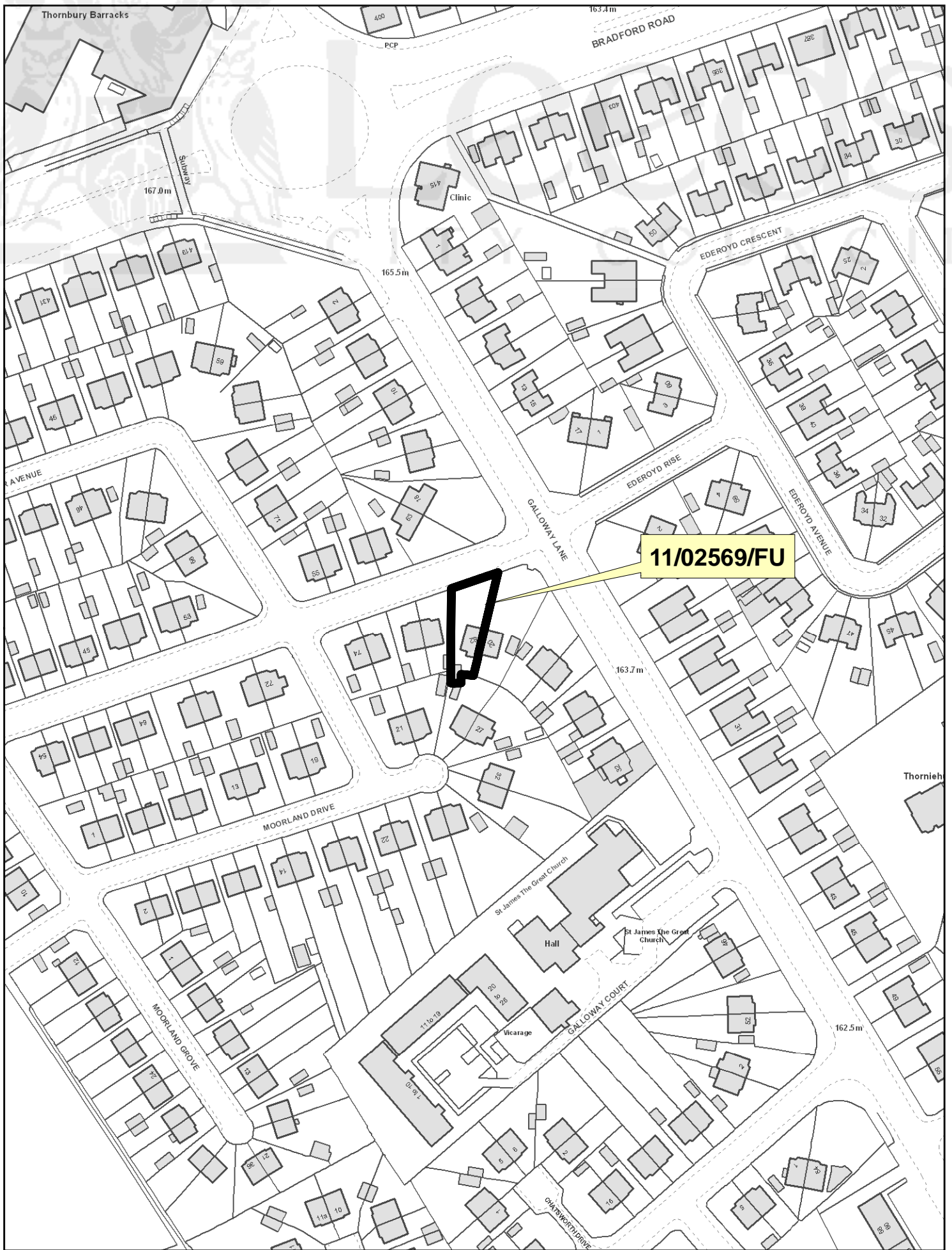
11.1 In conclusion, consideration has been given to all material planning considerations and all matters raised and it is considered that, subject to the appropriate conditions, consent be granted.

### **Background Papers:**

Application files: 08/00495/FU, 08/06770/FU, 25/157/05/FU, 08/01239/NCP2  
SPG13 – 'Neighbourhoods For Living'

### **Ownership Certificate:**

Certificate A signed by agent



# WEST PLANS PANEL

