



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 1st December 2011

Subject: Application 11/02650/FU – Demolition of existing house and erection of replacement detached house at No. 16 Nook Road, Scholes

APPLICANT

Mr Peter Crossley

DATE VALID

19th July 2011

TARGET DATE

13th September 2011

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the specified conditions:

1. Time limit
2. Plans to be approved
3. Samples of walling and roofing materials to be agreed
4. Driveway to be laid out and hard surfaced
5. Retention of garage for vehicle use
6. Front boundary to Nook Road not to exceed 1.05m in height
7. Retention of hedge to the boundary with No. 14
8. Details of boundary treatments proposed
9. North elevation landing window to be obscure glazed
10. Removal of Permitted Development rights for extensions and roof alterations
11. Reporting of unexpected site contamination
12. Testing of imported soil
13. Submission of a demolition/construction programme to avoid disturbance to nesting House Martins (1st March to 31st August)
14. Method statement for construction

Details of conditions to be deferred and delegated to officers.

Reasons for approval: This application has been considered in accordance with the requirements of the RSS and UDPR 2006 and policy guidance within PPS1 and PPS3 and it

is considered that the proposed dwelling is of an acceptable design and would not have a detrimental impact on the residential amenity enjoyed by nearby properties. The application is considered to comply with the following policies:

UDPR Policies GP5, N13, BD5 and T24.

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 presented to Plans Panel at the request of Cllr Rachael Procter, due to concerns regarding the design of the proposal and its effect on the character of the streetscene.
- 1.2 At the 3rd November Plans Panel meeting, Members resolved:
- a) To defer and delegate approval to officers, following further consultation with Ward Members over the design the dwelling.
 - b) That a further condition to be added to require a method statement for the construction of the dwelling, including days and hours of building works.
 - c) Condition 13 to be explicit as to what time of the year demolition and construction works can take place.

2.0 PLANS PANEL UPDATE SINCE 3RD NOVEMBER 2011

- 2.1 Following the 3rd November Plans Panel meeting, a further meeting has taken place with Cllr Rachael Procter. As a result of this meeting, a number of design changes have been requested to the design of the dwelling, as follows:
- a) The building must be faced with render, rather than brick.
 - b) The proposed arch top heads to the windows and doors must be omitted.
 - c) The front entrance door must be recessed and have double doors and an opening and arch top surround to match No. 14.
 - d) The horizontal glazing bars must be omitted such that the windows have vertical proportions only.
 - e) The building must have a chimney to the verge of the north elevation roof slope.
 - f) The roof should be finished with 'small square tiles', taken to be Rosemary tiles or similar
 - g) The front hedge must be a planted Privet hedge (as per the side boundary).
- 2.2 At the Plans Panel meeting of 3rd November, the agent acting for the applicant stated that they would be happy to incorporate a chimney into the design. However, the applicant is not prepared to further revise the design of the dwelling to accord with the latest points set out in paragraph 2.1, above. The installation of a chimney would compromise the proposed first floor side facing landing window and is therefore not considered to be feasible by the applicant.
- 2.3 In light on the above, the application is brought back to Plans Panel for determination, on the basis of the design considered previously. It is noted that the City Council has been criticised in previous appeal decisions for trying to impose a particular architectural style when a sites context does not warrant it (as in this particular case), contrary to national planning policy. PPS1, 'Delivering Sustainable Development', states that *"Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or*

styles” (para. 38). The PPS also sets out that new development should improve the character and quality of an area (para. 34). Overall, it is considered that the proposed development is acceptable in design terms in that it represents an improvement over the existing dwelling and that is in general conformity with the character of the area. Accordingly the application is recommend for approval.

- 2.4 With regard to conditions, these have been amended in light of the Plans Panel resolution. Specifically, a condition has been added to require a statement of construction practice and condition 13 refers to months of the year when House Martins may be nesting.

3.0 PROPOSAL:

- 3.1 The application proposes the demolition of an existing house and erection of a replacement two-storey detached house. The proposed dwelling will measure 9.78m x 11.14m x 4.5m (to the two-storey eaves level) and 7.4m (to ridge line). The form of the building has been significantly revised during negotiations such that the two-storey element has a dual pitched roof, with gables to the front and rear. The single-storey garage, cloaks and study area to the side has a hipped mono pitched roof. The building will be faced with rustic red facing bricks and roofed with smooth grey Marley Modern tiles.
- 3.2 The main elevation windows will overlook the front and rear garden areas. A garage window and cloak room window are proposed to the ground-floor north east side elevation and are to be obscure glazed. A landing velux window is also proposed to the north east elevation roof slope. An access door and utility room window and kitchen window are proposed to the ground-floor of the south west side elevation. An obscure glazed bathroom window is also proposed to the first-floor of the same elevation.
- 3.3 During negotiations on the application, the front elevation has been revised in order to reduce the dominance of brickwork. The revised design amends the roof form over the garage, such that the front elevation appears as a two-storey house with a single-storey garage to the side. The applicant has also agreed to the inclusion of a chimney.

4.0 SITE AND SURROUNDINGS:

- 4.1 The application relates to a single detached dwelling of early C20th appearance. The design of the dwelling is unusual in that the front elevation contains a number of narrow vertical windows. This is not typical of the rest of the street which is largely comprised of detached and semi-detached properties of traditional early C20th design, although the individual designs vary.
- 4.2 The property has a significant flat roofed extension to the north east side. The neighbouring property at No. 14 has a modest single-storey rear projection to the rear. The neighbouring property at No. 18 has a substantial two-storey side extension with a single-storey extension behind.
- 4.3 The existing property benefits from a substantial lawned garden area to the rear, with side boundaries formed by 1.8m high hedges. The front garden area is relatively open with a significant area of driveway. The boundaries of the front garden area are comprised of low level post and rail fences to the north east boundary, planters to the front boundary and a 1.5m high hedge to the south west boundary.

4.4 The surrounding area is predominantly residential in character, comprising two-storey properties, faced in a mixture of render and brickwork, with some use of timber cladding. The roofs of properties vary and include dual pitched roofs, hipped roofs, some flat roofed extensions and some complex hipped roofs with dormers on some larger extended properties. Many of the properties have roof planes facing the street, although there are some with gable features. Front garden areas tend to be well planted and many include off street car parking. Boundary treatments vary and include brick or stone walls, dwarf walls with hedges, hedges of varying heights and timber fences. The area to the rear of the site is open countryside falling within a Protected Area of Search.

5.0 RELEVANT PLANNING HISTORY:

5.1 None

6.0 HISTORY OF NEGOTIATIONS:

6.1 Negotiations have taken place during the course of the application to reduce the dominance of the front elevation and rationalise the fenestration detailing.

7.0 PUBLIC/LOCAL RESPONSE:

7.1 5 neighbour notification letters were sent to the surrounding properties, posted 20th July 2011.

7.2 One letter of representation has been received from Cllr Rachel Procter, objecting to the proposals on the grounds that the scheme would be out of character in terms of its design (lack of a chimney, window design and materials) and would be detrimental to the streetscene.

7.3 One letter of representation has been received from Barwick-in-Elmet and Scholes Parish Council, stating no objection to the application.

7.4 Three letters of representation have been received from local residents stating concern that:

- The demolition and rebuilding of a dwelling may cause stability problems for the neighbouring properties.
- Most of the properties in Nook Road were built in the 1930s and a modern design would not be compatible.
- The plans do not give a clear picture of what the final development will look like.
- Construction may result in damage to the Privet hedges and boundary fences between and around the site and neighbouring properties.
- Construction will result in dust, mud, noise and disturbance to nearby properties.
- Construction traffic will cause problems on Nook Road and manoeuvring vehicles could pose a hazard.
- The property could be modernised rather than demolished. No evidence has been provided in relation to the soundness of the building and no justification has been submitted for demolition.
- Entry and egress to driveways will be greatly reduced.
- The development will impede the outlook from neighbouring properties.

8.0 CONSULTATIONS RESPONSES:

8.1 **Statutory:**

None

8.2 **Non-statutory:**

Highways: - No objections as the dwelling will replace an existing property and use the existing access.

Land Drainage: - No objections. The drainage related matters for this development can be dealt with as part of the Building Regulations requirements. No separate drainage related planning conditions are necessary.

Contaminated Land: - No objections subject to the imposition of conditions.

9.0 **PLANNING POLICIES:**

9.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development including housing. The site is not designated for any particular purpose in the UDPR. Land abutting to the south and east is designated Green Belt. The development plan policies relevant to this reserved matters application are set out below.

9.2 Leeds Unitary Development Plan (UDP) Review:

GP5: General planning considerations.

N13: Urban design principles.

BD5: Design considerations for new build.

T24: Parking guidelines.

9.3 National Planning Guidance:

PPS1 – Delivering Sustainable Development

PPS3 – Housing

9.4 Neighbourhoods for Living – A Guide for Residential Design in Leeds

10.0 **MAIN ISSUES**

1. Principle of development
2. Highway issues
3. Design
4. Residential amenity
5. Other matters

11.0 **APPRAISAL**

Principle of development

11.1 The application relates to a site that has previously been developed with a single dwelling. The proposal is to replace the existing dwelling with a new one. Given that the existing property is of a design which is at odds with the wider streetscene and given that it is likely to be significantly less energy efficient than the new dwelling, it is considered that the proposal, in that respect, offers a sustainable development. Accordingly, the principle of development is considered to be acceptable.

Highway issues

- 11.2 The vehicular access to the site is currently taken from the Nook Road frontage and this would continue to be the case if the proposed scheme was implemented. Highways Officers have no objections to the scheme as it is a replacement of one single dwelling with another. The dimensions of garage component of the proposed dwelling has been revised such they accords with the Council's standards, ensuring that it can be used for the storage of a car.

Design

- 11.3 There is some very general congruity of character in the street, in so far as the properties are generally two-storey semi-detached or detached dwellings, faced primarily with brick and/or render. Whilst many of the properties are of a 1930s suburban style, there is a mix of properties from later periods with slightly different forms and fenestration detailing.
- 11.4 Detailed discussions have taken place with the applicant about the design of the dwelling proposed. The proposed dwelling is essentially of a two-storey form that is congruent with the rest of the street. The initial design did include an unusual roof form of one long extended roof plane, although there are some other similar examples of this in the street. This has since been modified in order to achieve a better design to the front elevation when viewed from Nook Road. The dwelling now appears as a traditional two-storey gable fronted property with a single-storey side extension.
- 11.5 The dwelling is proposed to be faced with brick, which is considered to accord with the materials found elsewhere within the street. The roof is to be finished with grey concrete roof tiles. At the 3rd November Plans Panel meeting, the applicant agreed to incorporate a chimney into the scheme, although this would be a mock chimney, as it would serve no functional purpose. The proposed windows all benefit from heads and cills and most have an arch top head feature. The fenestration detailing is considered to add interest to the elevations and there are examples of similar detailing on the opposite side of the road.
- 11.6 On balance, it is considered that the proposals will result in the removal of a property that is somewhat unusual in its design and at odds with the architectural detailing found in much of the rest of the street. This is to be replaced by a property which is of a similar height and scale to the other properties in the street and also benefits from traditional elevational treatments, more akin to the surrounding properties. Overall, it is therefore considered that the proposed design is acceptable.

Residential amenity

- 11.7 The proposed dwelling is essentially sited in the same place as the existing one, although it would have a slightly larger and differently shaped footprint. The two-storey form of the dwelling will project approximately 2m beyond the main two-storey rear elevation of No. 14, although it would be set 2.45m from the boundary. Additionally, No. 14 benefits from a single-storey rear extension which projects a further 3.3m beyond the two-storey rear elevation. In this context, it is considered that the proposed two-storey dwelling has an acceptable rear projection and distance from the boundary such that it would not appear over-dominant when viewed from No. 14.
- 11.8 No. 18 is a semi-detached dwelling which has benefited from substantial two-storey and single-storey flat roofed extensions to the side. The two-storey element of the proposed dwelling is set away from No. 18. Additionally, the proposal does not project significantly beyond the rear of No. 18. In this context, it is considered that the form

and siting of the proposed dwelling is such that it would have no detrimental impact in terms of over-dominance when viewed from No. 18.

- 11.9 The main windows serving habitable rooms directly overlook the front and rear garden areas. The side elevation facing No. 14 contains a utility room door and window and kitchen window, whilst the first-floor contains an obscure glazed bathroom window. The side elevation facing No. 18 contains a garage and cloak room window at ground floor (both obscure glazed) and an obscure glazed landing window at first-floor level. It is also noted that the existing 1.5m high Privet hedge between Nos. 14 and 16 is to be retained and can be controlled by condition. It is considered that the proposal will not result in any overlooking to neighbouring properties.
- 11.10 Given the orientation of the proposed dwelling, to the north east of No. 14, it is considered that the presence of the new dwelling will not result in any overshadowing. No. 18 is located to the north east of the application site, although it is considered that due to the roof form and distance between the two-storey mass and the boundary, there will be no significant impact of overlooking on No. 18.

Other matters

- 11.11 One of the letters of representation received expresses concern regarding the effect that demolition and re-construction of the dwelling could have on ground stability for the site and neighbouring properties. There is no reason to believe that the ground is unstable and Building Regulations approval will be required to ensure that the development is of a sound construction.
- 11.12 The noise, disturbance and safety issues raised in relation to construction vehicles would exist in any similar site within a residential context. However, the movement of vehicles in relation to construction would be a short term matter and any problems that arise could be dealt with by other legislation, such as under the Council's Environmental Health powers.
- 11.13 The Bat survey submitted with the application is considered to be acceptable and no evidence was found to suggest any Bat roost in the property. However, the survey did identify the presence of House Martin nests on the rear elevation. House Martins are summer visitors to the UK, where they build nests under the overhanging eaves of buildings. A condition shall be attached to ensure that the demolition and erection of the new building does not have a detrimental impact on nesting House Martins.

12.0 CONCLUSION:

- 12.1 In conclusion, the principal of redevelopment is considered to be acceptable and the replacement of a design anomaly in the street with a traditional design is considered to offer a visual improvement on the existing situation. It is also considered that the proposed dwelling will have no detrimental impact on the residential amenity enjoyed by neighbouring occupiers in terms of overlooking, overshadowing or over-dominance. Whilst the demolition and construction process is likely to result in some short term noise and disturbance to nearby properties, this can be controlled by other powers to ensure that it is kept within reasonable parameters. The demolition and construction processes will also be subject to Building Regulations approval to ensure that adequate measures are in place to ensure the protection of the public and adjacent properties. Conditions are suggested to ensure the retention of the boundary hedge between Nos. 14 and 16 and also to ensure that the works do not have a detrimental impact on nesting House Martins. Overall, it is therefore considered that the application is acceptable and is therefore recommended for approval.

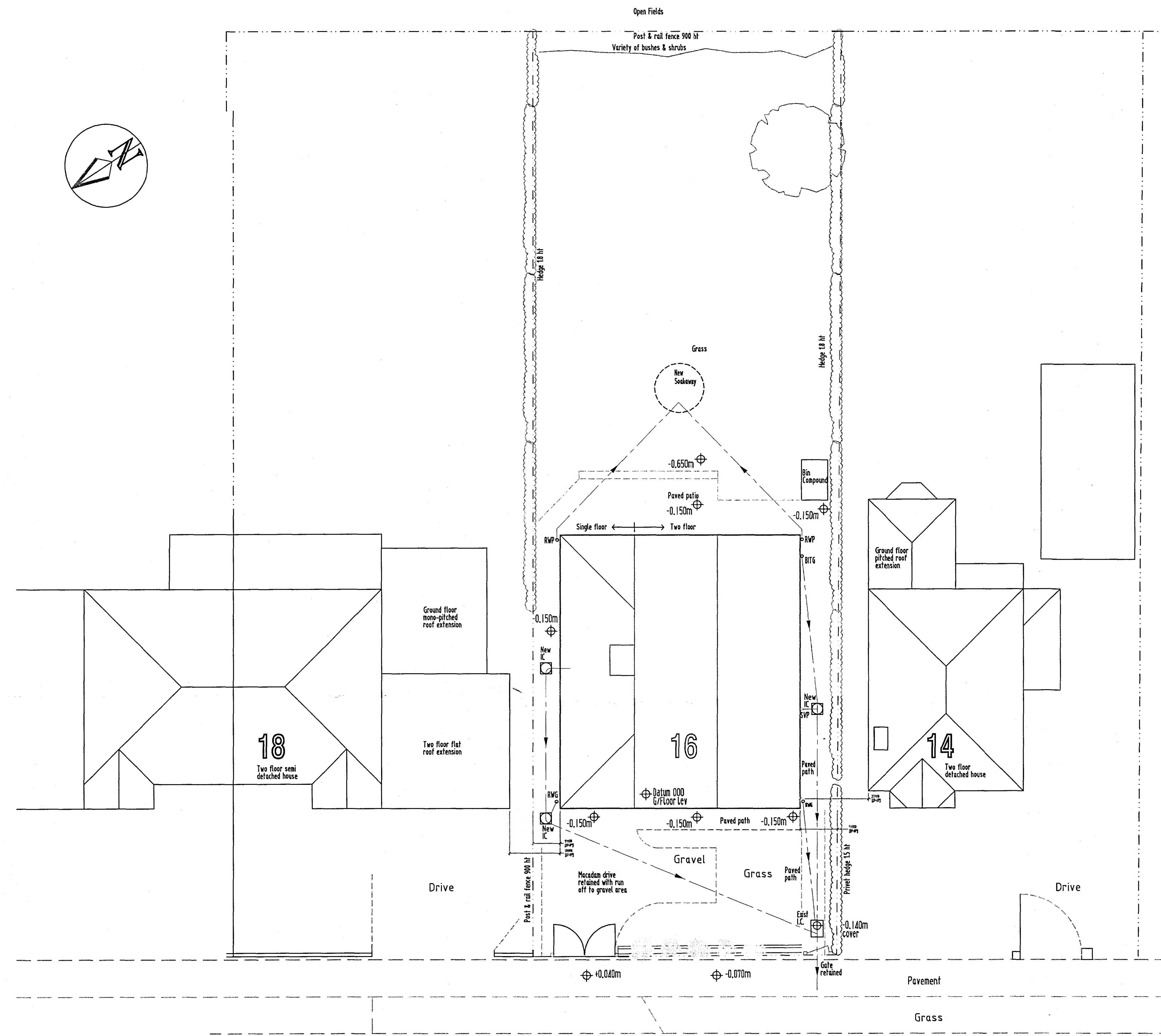
Background Papers:

Application and history files.

Certificate of ownership: Signed as applicant.

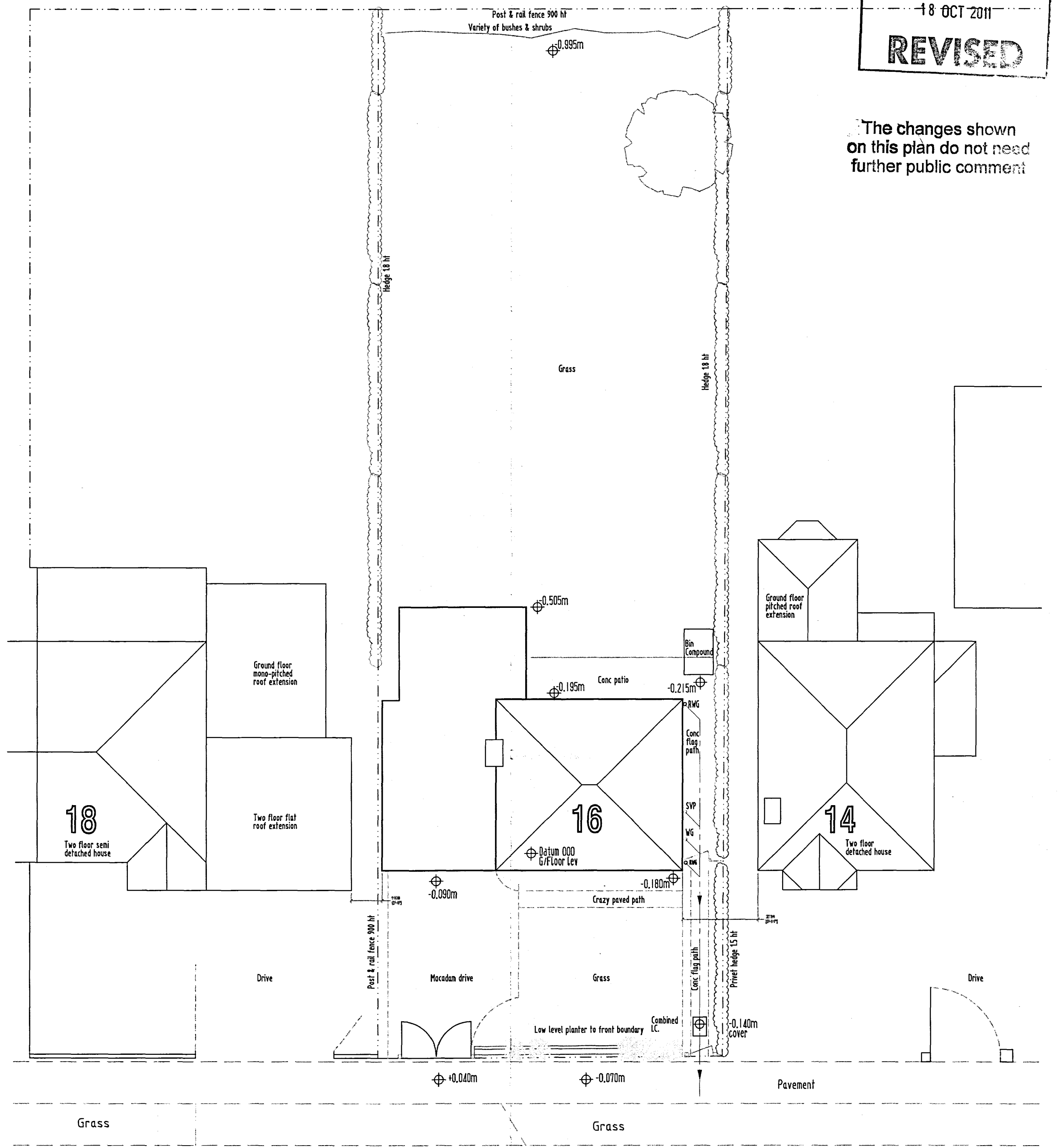
LEEDS CITY COUNCIL
18 OCT 2011
REVISED

The changes shown on this plan do not need further public comment



Proposed Site Plan 1:100

Nook Road



Existing Site Plan 1:100

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18 OCT 2011
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See drawing No TBD 2011/008/1 for Elevations Floor Plans & Sections



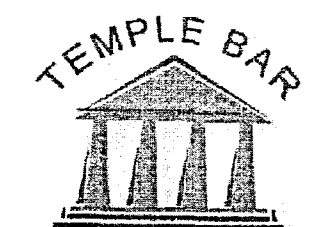
Proposed Street Scene 1:100

D	11/10/11	Street scene altered again to show new front elevation. Garage roof plan altered to lip front & rear.
C	20/09/11	Garage door width increased
B	24/08/11	Street scene altered to show new front elevation. Roof plan altered to lip front.
A	16/07/11	Street scene added
REV	DATE	

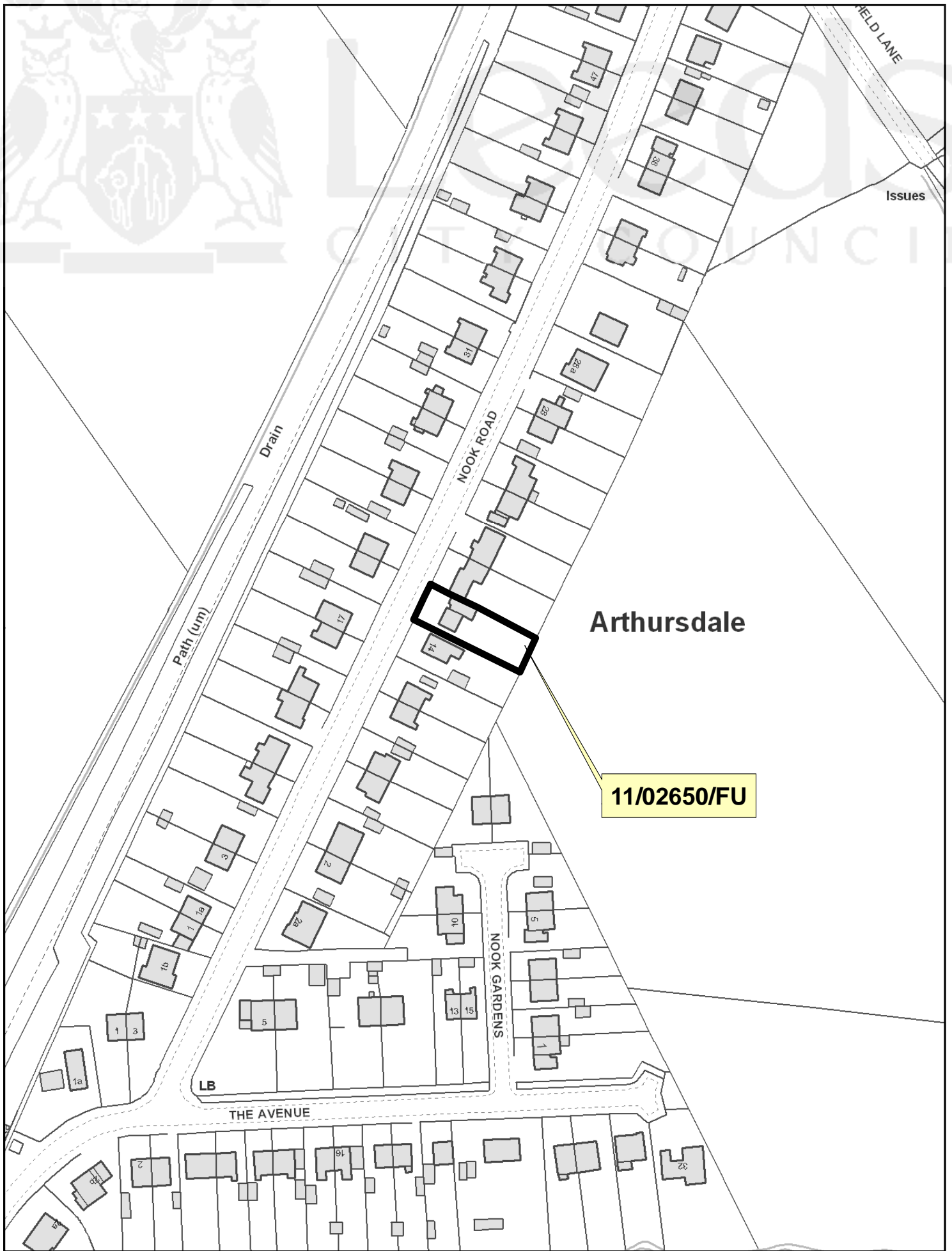
16 Nook Road Scholes
Proposed Demolition Of Existing House
& The Erection Of
A New Detached Four Bedroom House With Integral Garage

Existing / Proposed Site Plans & Street Scene

Drawing No. TBD 2011/008/2	Revision D	Scales. As shown	Sheet A1	Drawn DW	Date 01/08/11
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Arthursdale

11/02650/FU

EAST PLANS PANEL

