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Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 1st December 2011

Subject: Application 11/04246/FU – Amendment to approval 10/05736/FU (alterations to existing block of 4 flats to form 6 flats) to increase size of two flats in roofspace by addition of two dormers to rear at Primley Court, 18 Primley Park Crescent, Alwoodley, LS17 7HZ

APPLICANT DATE VALID TARGET DATE

Mr M Hirst 7th October 2011 2nd December 2011

Electoral Wards Affected:	Specific Implications For:
Alwoodley	Equality and Diversity
	Community Cohesion
Yes Ward Members consulted (referred to in report)	Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions

- 1. Commencement of development within 3 years
- 2. Development to be carried out in accordance with approved plans.
- 3. Walling and roofing materials, and materials to be used for front and cheeks of dormers to be submitted and approved.
- 4. Vehicle areas to be laid out and parking spaces marked out in accordance with the details on the approved plans and retained as such thereafter.
- 5. Cycle parking details.
- 6. Construction method statement.
- 7. Obscure glazing to bathroom windows.
- 8. Submission of landscaping scheme, to include surfacing materials and provision of a new boundary treatment to the western boundary where the two existing garages are to be removed.
- 9. Retention of existing trees.
- 10. Method statement for protection of trees during works.
- 11. Sound insulation scheme for proposed flats.

12. External works to the building, resurfacing of hardstanding areas and hard landscaping works to be completed prior to the first occupation of the two new units in the roofspace, and soft landscaping works to be completed in the next available planting season following the substantial completion of the development.

Reasons for approval: It is considered that the proposed revisions to the previously approved scheme would still take the opportunity to enhance the appearance of the building and its surroundings without detracting from the character and appearance of the building or the surrounding area, the amenities of neighbouring residents or from highway safety. The proposals are therefore considered to comply with policies GP5, H4, N12, BD6, N25, T2, T24 and LD1 of the Leeds Unitary Development Plan Review and the guidance contained within SPG6, SPG13, Street Design Guide SPD, PPS1, PPS3 and PPG13.

1.0 INTRODUCTION:

- 1.1 This application is reported to Plans Panel at the request of Councillor Cohen and Councillor Harrand on the grounds that the proposals would result in a large property out of keeping with the rest of the street, that the dormers, particularly those to the rear, would result in overlooking of neighbouring properties, and that the proposals would result in increased traffic, congestion, pollution and noise and cause the front of the site to become an unsightly parking area.
- 1.2 Permission was granted in February 2011 for the provision of two additional flats in the roofspace of an existing block of 4 flats at 18 Primley Park Crescent, Alwoodley (application 10/05736/FU). A number of alterations were proposed to the building, including improvements to the brickwork and rendering, the addition of two small flat-roofed dormers and two small gable features to the front elevation and rooflights to the front and rear to serve the flats in the roofspace. Alterations to the parking arrangements and landscaping around the building were also proposed. Permission is now sought for the following alterations to the approved scheme:
 - Rearrangement of the layout of the two proposed flats within the roofspace to locate the living areas in the rear part of the building and the bedrooms in the front part
 - Provision of two flat-roofed dormers in the rear roofslope of the building to provide increased floor area to the two flats in the roofspace.
 - Slight increase in width of dormers to front and re-siting of these to align them with the windows on the floors below.

With the exception of these changes, the scheme is the same as the previous approval in all respects.

2.0 PROPOSAL:

2.1 Permission is sought for amendments to planning approval 10/05736/FU, which gave permission for the provision of two additional flats within the roofspace of a block of 4 existing flats and a number of external alterations as part of a refurbishment scheme for the whole building. Details submitted with the application advise that, following further research into the market for flats in this area, the two flats which were approved in the roofspace would offer very limited useable space and are likely to be unmarketable as a result. Works have not yet commenced on site, and permission is now sought for a number of changes to the approved scheme which the submitted details advise are intended to increase the amount of useable space within these flats and thus make them 'more appropriate to current market demands and requirements.'

- 2.2 The changes proposed are as follows:
 - The addition of two flat-roofed dormers to the rear roofslope of the building to increase the amount of useable space within the roofspace of the building. The dormers would be designed with light grey flat panel cladding to the front and cheeks, and would provide two windows to the lounge areas of the proposed flats.
 - Rearrangement of the internal accommodation within these two flats to locate the living areas in the rear part of the building, where the larger dormers are proposed, and the bedrooms in the front part of the building.
 - Slight increase (0.2m to either side) in the width of the two approved dormers
 to the front of the building. The windows themselves would remain the same
 size as those on the floors below, as was originally approved, however the
 agent has advised that the approved design would not allow sufficient space
 to the walls of the dormers to provide adequate insulation within the walls,
 and that the slight increase in the depth of the walls now proposed would
 allow appropriate insulation to be provided.

With the exception of these changes, the proposals are the same in all respects as the previous approval.

- 2.3 The previous approval granted permission for a number of external alterations to the building to refurbish and update its appearance, all of which are still proposed as part of the revised scheme. These include the cladding of the building with brick and render and the addition of two small half-timbered gable features, glazed Juliet balconies and a timber framed canopy to the front elevation, and alterations to the fenestration, including the reduction in the size of some of the windows and the introduction of patio doors to the ground floor flats. No increase in the overall height of the building is proposed.
- 2.4 It is proposed to formalise the layout of the area of hardstanding to the front of the building to provide 5 parking spaces in this area, accessed from the two existing vehicular access points along the site frontage. Two of the existing garages to the rear are proposed to be retained, whilst the remaining two are to be demolished to provide 2 open parking spaces in their place. Existing hardstanding areas within the site are to be resurfaced, and existing trees within the site are to be retained and supplemented with additional planting around the building and along the site frontage, where the existing front boundary wall is to be retained.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to Primley Court, a two storey building dating from the 1960s/1970s, which is currently divided into 4 flats. The building is somewhat rundown at present, and its design is irregular in terms of its fenestration and use of materials, incorporating stone and render to half of the front elevation and brick to the other half, and a variety of window sizes and designs. The large areas of hardstanding which surround the building have begun to severely deteriorate, further detracting from the appearance of the site, and whilst there are a number of trees and shrubs to the rear of the building, there are no trees or planting around the parking area to the front.
- 3.2 The site has a block of four flat-roofed garages to the rear, two of which are to be retained as part of the proposed development, and a small flat-roofed projection to the rear of the building, which is proposed to be used as a bin store for the flats. The

rear part of the site includes a well-established area of trees and planting, and the rear and side boundaries of the site are marked by trees, hedges and fences of various heights. The front boundary of the site is marked by a low brick wall.

3.3 The site is located in an established residential area within the suburb of Alwoodley, in a streetscene characterised predominantly by large Edwardian semi-detached houses constructed of brick and render, but also including mid-20th century semi-detached houses and detached and semi-detached bungalows.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 An application for the change of use of the building into 8 flats, including a large single storey extension to the rear, was withdrawn in December 2010 following concerns the scale of the proposed development and in particular the impact of the proposed extension to the rear of the building (application 10/04700/FU).
- 4.2 Following the withdrawal of this application a revised application was submitted for a reduced scheme of 6 flats, deleting the large rear extension which was part of the previous proposal (application 10/05736/FU). Permission was granted for this revised proposal in February 2011.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Following the approval of the previous application for the change of use and refurbishment of the building to form 6 flats earlier this year, pre-application discussions with the agent took place regarding the potential to add two large dormers to the rear elevation of the building to increase the amount of useable space within the flats in the roofspace of the building. The details submitted showed much larger dormers than those now proposed and concerns were raised regarding their scale and their impact on the appearance of the building as a result.
- The plans originally submitted with this application showed some reduction in the width of the proposed dormers, however there was still concern regarding their size and that the windows proposed in the dormers, which were larger than those proposed on the floors below, would give the development a 'top-heavy' appearance and would fail to reflect the scale and features of the building. Revised plans have now been received showing the rear dormers further reduced in size to provide greater spacing between them, and the front dormers realigned to line up with the windows below.

6.0 PUBLIC/LOCAL RESPONSE:

Ward Members

- A letter of objection regarding the proposed development has been received from Councillor Cohen and Councillor Harrand, raising the following concerns and requesting that the application be reported to Plans Panel for a decision in the event that officers are minded to approve the proposals:
 - Proposal to change building from 4 flats to 6 flats would create a very large property out of keeping with the rest of this small and quiet street, which otherwise consists of detached and semi-detached houses and bungalows.
 - The dormer windows, especially the large ones proposed to the rear, would overlook and overshadow neighbouring houses.
 - Development would significantly increase volume of traffic locally, resulting in increased congestion, pollution and noise. 6 new flats would bring up to 12

- cars to the site, with only 2 lock-up garages, and the front of the property would come to resemble an unsightly car park.
- Over-extension of the site which will be detrimental to the area.

Alwoodley Parish Council

6.2 No representations received.

Other public response

- 6.3 The application has been publicised by site notices posted on 21 October 2011 and neighbour notification letters sent on 13 October 2011. 11 letters of objection have been received from local residents regarding the proposals, raising the following concerns:
 - If flats proposed in the roofspace are too small, it might be practical to replace them with a single larger flat to avoid need for large dormers to rear.
 - Large dormers will be an eyesore.
 - Enlarged dormers to front and rear would be out of character with surrounding properties and dominate the skyline, particularly given the property's elevated position.
 - Flats have always been inappropriate in this street of detached and semidetached houses, and existing building already dominates the houses to either side. Increasing their height will make them stand out more and accentuate how out of place they are.
 - Overlooking of neighbouring properties and their gardens from new dormers, both to the rear and opposite the site.
 - Overshadowing from dormers.
 - Increasing the size of the flats in the roof will increase number of occupants and therefore the number of cars on an already narrow and congested street.
 - Existing on-street parking problems on Primley Park Crescent from workers at nearby sorting office and visitors to nearby synagogue and dental surgery, as well as residents and their visitors. Increasing number of flats in the building from 4 to 6 will worsen this.
 - Additional vehicles parking to the front will make site frontage look like a garage forecourt – unattractive within the streetscene.
 - Additional noise from increased number of flats, which are likely to be occupied by young couples or single people.
 - Existing flats and their grounds are in a poor state of repair concern that property may have been allowed to deteriorate so that any plans for the building, no matter how extreme, would be accepted as being better than the existing situation.
 - Site notices did not refer to large dormers to rear and were misleading.
 - Rented flats will change character of this family neighbourhood.
 - What's now proposed is very similar to the original application which was withdrawn.
 - Impact on house prices.
 - Proposals contravene original deeds for the sale of the land.

These issues are addressed in the appraisal section below.

- In response to the comments made by local residents and Ward Members, the applicant has provided a letter raising the following points:
 - Building has not been allowed to fall into disrepair on purpose until recently two of the flats had freehold owners, without whose consent works could not

- be done to the building, therefore it has not been possible to do the works before now. Improvements are needed to make it more attractive to potential tenants, who may include retired/older people looking to downsize.
- Principle of having 6 flats at the site, including highways/parking issues associated with this, was considered and approved as part of previous application. Dormers are only changes now proposed. The flats within the roofspace will still only be one-bedroom and therefore will not generate any additional parking requirement.
- Dormers to rear are designed to appear 'lightweight' and are relatively modest compared with many rear dormers constructed under permitted development.
- Distance from neighbouring properties to rear is over 50m, well in excess of recommended distances. Do not feel it would result in any more overlooking than rooflights approved under previous scheme.
- Dormers to front are marginally larger due to need to provide adequate insulation to side cheeks. Could be reduced to originally-approved size, but this would mean reducing size of windows.
- Building is already in use as flats, and is considered as such to be part of character of area.
- Some concerns have been raised that the proposed building would be an eyesore – existing building is an eyesore and proposed redevelopment would improve this and make it sit more comfortably alongside neighbouring properties.
- Revised scheme is not similar to previously-withdrawn scheme, which included single storey extension to rear, whereas this revised scheme only proposes dormers to roof.
- Some concern has been raised that building is dominant in streetscene. This
 is only as a result of natural slope of Primley Park Crescent. Ridge of roof is
 actually below that of the neighbouring property to the west, no. 16.
- Developer is a local businessman who lives and works in the area. He has
 recently completed a number of schemes in the local area, including
 improvement works at 25 Primley Park Crescent nearby. Works are
 considered to be of benefit to local community in enhancing the appearance
 of the building, however without the provision of the two additional flats in the
 roofspace as proposed, will be unable to secure sufficient income to carry out
 the works to improve the rest of the building.

7.0 CONSULTATION RESPONSES:

Statutory

7.1 None.

Non-statutory

7.2 None.

8.0 PLANNING POLICIES:

Development Plan

8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP). 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. In view of the relatively small scale of this proposal, it is not considered that there are any particular policies which are relevant to the assessment of this application.

The site is unallocated in the UDP. The following UDP policies are relevant to the consideration of the application:

GP5 - General planning considerations

H4 - New housing

N12 - Design

BD6 – Extensions and alterations to existing buildings

N25 – Site boundaries

T2 - Highways

T24 - Parking

LD1 – Landscaping

Relevant supplementary guidance

8.3 SPG6 – Development of Self-Contained Flats

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds Street Design Guide SPD

Government Planning Policy Guidance/Statements

8.4 PPS1 – Delivering Sustainable Development

PPS3 - Housing

PPG13 - Transport

9.0 MAIN ISSUES

- 9.1 A number of local residents have raised concerns regarding the principle of introducing further flats into an area of 'family housing' and the impact that this would have on the character of the area. Concerns have also been raised that the proposed increase in the number of flats would result in increased traffic and onstreet parking on a street with existing on-street parking problems at present. These issues were considered as part of the previous application to change the building from 4 to 6 flats, which was approved earlier this year, and the principle of a development of this scale and nature has thus been established. Matters relating to the principle of the development and the external alterations which have already been approved are therefore not re-considered as part of this application. The assessment of this revised scheme is based solely on the changes to the approved scheme, namely the dormers to the rear and the increase in the size of the second floor flats as a result, the rearrangement of the internal accommodation to these flats, and the slight increase in the width of the walls to the dormers which previously approved to the front. The main issues to consider are:
 - 1. Visual amenity
 - 2. Residential amenity
 - 3. Highway safety
 - 4. Other issues

10.0 APPRAISAL

Visual amenity

10.1 Local residents' concerns regarding the size and appearance of the proposed dormers to the rear of the building and the increased size of the dormers to the front are noted. Whilst the nature of the development and the building's use mean that these dormers fall within the control of the local planning authority in this instance, it is noted that the proposed dormers to the rear would be permitted development if

the application building was in use as a single dwelling or a pair of semi-detached houses in common with other surrounding dwellings.

- 10.2 Whilst larger than the proposed dormers to the front of the building, the position and orientation of the application building in relation to neighbouring properties, together with the screening provided by the trees along the rear boundary, means that they would not feature prominently or be readily visible in any public views of the site, particularly as their sides would be set in from the side elevation of the existing roof by around a metre. Whilst the dormers would be evident from neighbouring gardens, they would be set in from the sides of the roof, up from the eaves and down from the ridge, with a distance of almost 3.5m separating them from each other, and it is considered that they would still appear as subservient features rather than dominating the rear roof slope of the building. Their appearance has been designed to incorporate light grey cladding which, it is considered, would give the dormers a more lightweight appearance and serve to further reduce their visual impact and prominence. In the light of this, it is not considered that the proposed rear dormers would dominate or be out of scale with the host building, or that they would appear incongruous or unduly prominent in the streetscene, and it is not considered that refusal of the application on these grounds could be justified.
- 10.3 The slight increase in the width of the dormers to the front is proposed in order to allow for adequate levels of insulation to be provided within their side walls, as this was not incorporated within the approved design. In discussions with the agent consideration has been given to reducing the size of the windows, thereby allowing the width of the dormers to be reduced slightly, however in view of the relatively small increase in width proposed to the walls, it was considered on balance that this would not materially affect the appearance of the dormers and that it would be more appropriate to maintain the width of the windows as originally proposed, thereby allowing them to remain the same size and to align with the windows on the floors below. As part of the revised scheme, it is proposed to relocate the southernmost of the two front dormers to align it with the windows on the floors below, as this was off-set slightly as part of the approved scheme.
- 10.4 It is considered that the dormers proposed to the front and rear are well-designed and sympathetically set within the roofplanes of the building such that they would not appear unduly dominant or out of scale with the building or incongruous within the streetscene or the surrounding area. The proposals are therefore considered to be acceptable in this respect.
- On the whole, it is considered that the proposed external alterations to the building, including those approved as part of the previous permission, would take the opportunity to significantly enhance the appearance of a building which has fallen into a state of considerable disrepair, and to replace its mismatched materials and windows with a more consistent cladding and fenestration scheme, with features which would much better reflect the character and appearance of other properties surrounding the site. Whilst concerns have been raised regarding the visual appearance of the parking area to the front of the site, it is noted that this is a parking area at present, and it is considered that the proposals to resurface this area and provide planting along the site frontage would help to soften the appearance of this area and reduce its impact and prominence within the streetscene. It is therefore considered that the proposed development is acceptable in this respect, subject to conditions relating to materials and landscaping.

- 10.6 Concerns regarding additional overlooking from the proposed dormers are noted. The principal of dormers in the front elevation of the building was considered as part of the previous application and found to be acceptable, and whilst the front dormers now proposed would be slightly larger than was previously approved, the windows in the dormers would be no larger, and it is not considered that these would have any greater impact in terms of overlooking, particularly in view of the distance between the site and the nearest neighbouring properties on the opposite side of Primley Park Crescent.
- 10.7 Concerns have also been raised regarding the potential for overlooking from the two dormers which are now proposed to the rear of the building. At their closest point, the dormers would be 17m from the rear boundary of the site, and over 50m from the nearest neighbouring dwelling to the rear on Primley Park Avenue. Whilst the proposed dormers would serve living room areas, the distances between these windows and neighbouring properties to the rear are well in excess of the recommended separation distances in Neighbourhoods for Living, even allowing for their position on the second floor of the building. In the light of this separation, together with the substantial screening provided by the mature trees in the rear part of the application site, it is not considered that the proposals would result in a significant increase in the overlooking of these neighbouring properties or that refusal of the application on these grounds could be justified.
- Whilst parts of the garden areas of the neighbouring properties on either side of the application site would be visible from the proposed rear dormers, the position of the dormers set in from the edge of the roof and up from the eaves means that any oblique views from these windows into adjacent gardens would be partially obscured by the roof of the building itself. In addition, the dormers would be set back further from these neighbouring properties than the existing first floor windows in the building, and it is not considered that they would result in a significant increase in the overlooking of these neighbouring dwellings over and above that which presently exists from the building's first floor windows, or that refusal of the application on these grounds could be justified.
- 10.9 Concern has been raised that the proposed dormers would overshadow neighbouring dwellings. In view of the position of the proposed dormers, which would be set in from the edge of the existing building by around a metre, and their size and orientation in relation to neighbouring properties and their gardens, it is not considered that they would result in a significant increase in the level of overshadowing of any neighbouring properties or be sufficient to detract from the amenities of neighbouring residents or justify refusal of the application on these grounds.
- 10.10 The proposed rearrangement of the accommodation within the two flats in the roofspace of the building to locate the living areas in the rear of the building and the bedrooms in the front would result in the positioning of second floor living areas above the sleeping areas of the first floor flats below. It is noted that SPG6 advises against the juxtaposition of neighbouring living and bedroom areas in this way, however since SPG6 was adopted over 12 years ago, building regulations have been updated to require higher standards of external and internal acoustic insulation and on balance, and in the light of appeal decisions which have supported this view, it is not considered that refusal of the application on these grounds could be justified. A condition requiring details of a sound insulation scheme for the flats to ensure that this is adequately addressed in the implementation of the scheme is recommended.

- 10.11 Whilst the level of outdoor amenity space within the site would fall below the levels recommended in Neighbourhoods for Living, it is noted that the site is almost completely surfaced with hardstanding at present, and the previous application was considered, on balance, to be acceptable in this respect on the basis that the proposed refurbishment scheme would provide significant benefits in terms of improving the appearance of the building and its grounds. Whilst the two first floor flats would be enlarged as a result of the proposals, the increase in floorspace would be relatively marginal, and it is still considered that the benefits of the scheme in terms of enhancing the site's appearance are sufficient to outweigh the shortfall in amenity space in this instance.
- 10.12 Concerns regarding the potential for increased noise and disturbance from the proposed flats are noted. The intensification in the use of the site to provide two additional residential units was assessed as part of the previous application and was considered to be acceptable. It is considered that the addition of 2 one-bedroom flats to the site would be unlikely to result in a significant increase in the level of comings and goings of residents and visitors or detract from the amenities of neighbouring residents in this respect.
- 10.13 In the light of the above, it is considered that the proposed changes to the previously approved scheme would provide an appropriate level of internal space and amenity for future occupiers without detracting from the amenities of neighbouring residents. The proposals are therefore considered to be acceptable in this respect.

Highway safety

10.14 A number of residents have raised concerns regarding the impact of the development on highway safety. The implications of increasing the number of flats on the site from 4 to 6 were considered as part of the previous application, and following some changes to the layout at that stage, highways officers raised no objections to the proposals subject to a number of conditions. The parking and access layout for the revised scheme would be identical to that which was approved as part of the previous application. Whilst the revisions now proposed would increase the floorspace of the two flats within the roofspace of the building, there would be no increase in the number of rooms or bedrooms proposed, and these would remain relatively small one-bedroom flats. As such it is not considered that the changes proposed would result in an intensification in the occupancy of these flats or justify a requirement for increase parking over and above that which was approved as part of the previous application. On this basis, and subject to a condition requiring the parking spaces for the flats to be marked out on site in accordance with the submitted plans, it is not considered that the proposals would detract from highway safety in the locality.

Other issues

- 10.15 The nature of future tenants/occupiers of the proposed flats and the concern from neighbours that they may be rented rather than owner occupied can be given little weight in the consideration of this application. It is noted that PPS3 encourages a mix of dwelling types in residential areas, and the ongoing use of this building in an established residential area for residential purposes is considered to be acceptable.
- 10.16 Concerns that the building may have been allowed to fall into a state of disrepair as a means of justifying a redevelopment of the site are noted. Notwithstanding its current state of disrepair, it is considered that the building itself is of little architectural merit in view of the inconsistencies in its design in terms of fenestration and use of materials. As well as improving a run-down site therefore, the proposed refurbishment and alterations to the building would also take the opportunity to

significantly enhance its appearance and result in a building which would much better reflect the design, materials, features and character of neighbouring properties. On this basis the proposals are considered to be acceptable.

- 10.17 Concerns that the two dormers to the rear of the building were omitted from the development description on the site notice, and that this was therefore misleading, are noted. The description on the site notice referred to 'Amendment to approval 10/05736/FU...to increase size of flats in roofspace.' Whilst it is accepted that the description of the development could have been more specific in making reference to the exact alterations proposed in increasing in the size of these flats, the site notice does advise residents to view the plans for the development, and it is clear from the comments received that those who have made representations were aware of the proposal to add the two dormer windows to the rear of the building, and their comments in this respect have been considered as part of the foregoing appraisal. In the light of this, it is not considered that the ability of residents to comment on the proposals has been significantly prejudiced, and it was not considered necessary to readvertise the proposals in this instance. In the interests of clarity, the description of the development has now been changed to make specific reference to the dormers.
- 10.18 Concerns regarding the impact of the proposed development on property values and that the proposals contravene covenants/deeds on the land are not material planning considerations and can be given little weight in the determination of this application.

11.0 CONCLUSION

11.1 It is considered that the proposals would take the opportunity to improve the character and quality of a building which is unattractive and incongruous within the streetscene at present, providing a building whose design, materials and features would much more closely reflect those of other houses within the streetscene, and enhancing the external areas within the site. It is not considered that the revisions to the previously approved scheme would detract from the character and appearance of the area, the amenities of neighbouring residents, or from highway safety in the locality, and in the light of this it is considered that the proposals are acceptable. It is therefore recommended that the application is approved, subject to the conditions suggested above.

Background Papers:

Application file and history files 10/05736/FU and 10/04700/FU. Certificate of Ownership: Signed on behalf of applicant.



