

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 7th June 2012

Subject: 11/05251/FU – Double garage to side with room over and single storey link extension to main house; first floor extension with portico to front; two dormer windows to front; enlarged area of hardstanding to front at ‘Pine Lodge’, 18 Bracken Park, Scarcroft, LS14 3HZ

APPLICANT

Mr E And Mrs M Saccoccio

DATE VALID

31st January 2012

TARGET DATE

27th March 2012

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 following conditions:

1. Time limit on full permission
2. Approved plans
3. Matching materials
4. No further insertion of windows to the side
5. Restriction of garage and hardstanding
6. Method statement for construction
7. Retention of hedge

Reasons for approval: It is considered that the proposed extensions respect the character of the application dwelling and the wider estate, and it is not considered that there will be any significant harm in respect of neighbour amenity, highway safety or protected species. As such the proposal complies with policies GP5, BD6 and LD1 of the Unitary Development Plan Review (2006) and HDG1 and HDG2 of the Householder Design Guide SPD.

1.0 INTRODUCTION

- 1.1 This application above was discussed at the previous Panel meeting on 19th April. The main issues which emerged from the discussion related to character and neighbour amenity. The Panel resolved:

That the application be deferred to enable further negotiations and consultation with neighbours and Ward Members on the proposals and particularly the removal of the dormers within the scheme and a reduction of the development to address concerns about the impact of the proposals on the overall character of the area, with the Chief Planning Officer being asked to submit a further report in due course for the Panel's determination

- 1.2 Following discussions with Councillor R Procter, Chair and officers the following suggestion was made to the applicant:

- The dormers be omitted from the scheme;
- The garage be altered to a flat roofed structure with parapet detailing that ties into the neoclassical detail on the proposed portico to the front.

The applicants were amenable to the omission of the dormers but did not feel that a flat roofed garage would be a positive addition to the dwelling or the streetscene.

- 1.3 The applicants base-line position is therefore that they are prepared to omit the dormers but that other amendments are not possible. The application is thus brought back to Panel and Members are asked to consider whether the omission of the dormers is sufficient to overcome concerns.

- 1.4 The application has not yet been altered or amended and all works initially proposed are included on the plans. This is to allow the applicant's to present their preferred scheme to the Inspectorate should planning permission be refused. If Members are minded to grant planning permission, subject to the omission of the dormers, then it is requested that the application be delegated back to officers for revised plans to be received and the application approved in line with the conditions above.

- 1.5 As no revised plans have been received further consultation with neighbours has not been undertaken.

- 1.6 It is noted that concern was raised at Panel regarding the use of the existing garage as ancillary accommodation. The conversion of the garage would not have required planning permission and the alterations proposed are also outside planning control. As such this element forms no part of the application and will not be further discussed.

2.0 PROPOSAL

- 2.1 Permission is therefore sought to construct a link detached garage to the side with an enlarged area of hardstanding to the front, and a two storey extension to the front.

- 2.2 The link detached garage is a double garage which measures 7.8m in length and 6.2m in width, with a gabled roof which runs transverse to the dwelling to a height of 3.3m and 6.8m to eaves and ridge respectively, as measured from the highest point of the adjacent ground level. This is linked to the dwelling by a single storey, pitched roof element which is set back from the front wall of the garage by 2.0m; its eaves align with the garage and its ridge will be 5.5m in height.

- 2.3 The two storey front extension is set to the centre of the principal elevation and projects approximately 2.5m from the front wall and will be 4.0m in width and incorporates an open portico to the ground floor. Its transverse gabled roof will align with the eaves of the dwelling and its ridge will be 7.8m in height. Matching materials are proposed.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a detached, stone built dwelling with a gabled, slate roof. It is set within Bracken Park, an estate of reasonably substantial detached dwellings with no consistent style or character. The houses are set back from the highway edge and within generous plots and the estate is low density with an open feel. The application site is located on a corner plot and is angled toward the junction, thus meaning its front elevation as well as both side elevations are visible from public points of view. There is a gradient within the street with the land falling away to the south and west. The neighbour to the west (49 Bracken Park) is therefore set a little lower than the application site.
- 3.2 The dwelling has been previously extended to the side and rear and the full history of applications is detailed below. Consent has also been refused for additional development to the existing garage.
- 3.3 The main amenity space is set to the rear where a domestic garden is largely enclosed by vegetation.

4.0 RELEVANT PLANNING HISTORY:

- | | | |
|-----|--------------|---|
| 4.1 | 33/218/99/FU | Single storey side extension
Approved |
| | 33/121/00/FU | First floor side extension and conservatory to rear
Approved |
| | 33/163/02/FU | Single storey rear extension
Approved |
| | 33/170/04/FU | Detached double garage to side and alterations to integral garage to form habitable room
Approved |
| | 33/482/05/FU | First floor extension to front with portico to front entrance and replace existing rear conservatory with orangery
Approved |
| | 06/01436/FU | Single storey extension to rear and dormer window to side to existing detached studio to side of dwelling house
Refused |
| | 06/07559/FU | Single storey extension with room in roofspace to rear of detached studio
Refused |

5.0 HISTORY OF NEGOTIATIONS:

5.1 Pre-application advice was sought in October 2011 which sought to establish officer's initial impressions regarding a front extension to the dwelling and a link-detached garage to the side. Following a site visit officers were broadly supportive of the scheme and this application was therefore submitted.

5.2 Following the 19th April Panel meeting discussions were held with Councillor R Procter, Chair and officers. These have been outlined above (para 1.2).

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by neighbour notification letter. Eight letters of objection have been received. Four from residents immediately adjacent to the site and four from the wider estate.

6.2 Of the four in close proximity:

- the occupants of 49 Bracken Park raise concerns regarding design and character, overlooking, overshadowing, overdominance, the use of the existing garage, consistency of decision making and the impact upon house prices;
- the occupants of 20 Bracken Park raise concerns regarding overlooking, design and character and the use of the existing garage, the potential for future development at the site and subsequent enforcement issues;
- the occupants of 11 Bracken Park raise concerns regarding overlooking and parking provision;
- the occupants of 9 Bracken Park raise concern regarding design and character, parking provision, overlooking, the use of the existing garage, breach of covenants and the publicity of the application.

Of the four from the wider estate:

- the occupants of 47 Bracken Park raise concerns breach of covenants;
- the occupants of 21 Bracken Park raise concerns regarding the use of the existing garage, image, breach of covenants and the publicity of the application;
- the occupants of 41 Bracken Park offer support for the comments of 49 Bracken Park and note specific concerns regarding design and character and the use of the existing garage;
- The occupants of 23 Bracken Park (chairman of the residents association) offer support to the comments of 49, 21 and 49 Bracken Park and note specific concerns regarding parking, the use of the existing garage, precedent.

7.0 CONSULTATIONS RESPONSES:

7.1 None

8.0 PLANNING POLICIES:

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

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following

consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 UDP Policies:

GP5 Refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

BD6 All alterations and extensions should respect the scale, form, detailing and materials of the original building.

LD1 Any landscape scheme should normally:

- i. Reflect the scale and form of adjacent development and the character of the area;
- ii. Complement and avoid detract from views, skylines and landmarks;
- iii. Provide suitable access for people with disabilities;
- iv. Provide visual interest at street level and as seen from surrounding buildings;
- v. Protect existing vegetation, including shrubs, hedges and trees. Sufficient space is to be allowed around buildings to enable existing trees to be retained in a healthy condition and both existing and new trees to grow to maturity without significant adverse effect on the amenity or structural stability of the buildings;
- vi. Complement existing beneficial landscape, ecological or architectural features and help integrate them as part of the development;
- vii. Be protected, until sufficiently established, by fencing of a type appropriate to the prominence of the location, around all those parts of the landscaping susceptible to damage.

8.4 Householder Design Guide SPD: Leeds City Council Householder Design Guide 2011: This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seeks to protect and enhance the residential environment throughout the city.

HDG1 All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality/ Particular attention should be paid to:

- i) The roof form and roof line;
- ii) Window detail;
- iii) Architectural features;

- iv) Boundary treatments;
- v) Materials.

HDG2 All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

8.5 National Planning Policy Framework

This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

9.0 MAIN ISSUES

- 1) Design and Character
- 2) Neighbour Amenity
- 3) Parking Provision
- 4) Ancillary Accommodation
- 5) Protected Species
- 6) Representations

10.0 APPRAISAL

Design and Character

- 10.1 The National Planning Policy Framework states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. It is considered that the proposal complies with the aims and intentions of these policies. This advice is elucidated and expanded within the Householder Design Guide.
- 10.2 As was noted in the previous report the extensions which are proposed are considered to comply with the aims and intentions of the above policies. The main concerns of Panel in relation to character was the inclusion of front dormers. The front dormers have also been raised as a concern by some local residents. It was considered that these created a three storey dwelling and the resultant appearance of the dwelling was contrary to the character of the wider estate. The applicant's are prepared to omit the dormers.
- 10.3 In relation to the scale of the side garage, the previous report contained the following assessment:
 - As proposed the garage is a link-detached structure with a gabled roof form which runs transverse to the ridge line of the application dwelling. The garage has a simple shape and form which mirrors the gabled form of the dwelling and in and of itself is well proportioned and its design reflects its function. It's overall scale in relation to the dwelling is a little uncomfortable, as the ridge line of the garage sits above the eaves line of the dwelling, however its link-detached nature means that it not read as an integral part of the dwelling, and

on balance it does not create a harmful addition. This link-detached nature also helps to ensure that the development does not create an overly large dwelling within its plot, with a degree of visual space retained between the house and the garage and additional space (over 5.0m) retained to the boundary. As such the overall balance of built development relative to the space around the property is considered to be acceptable.

Officers remain of the view that the impact of the garage upon the character of the dwelling and the estate is not significantly harmful.

- 10.4 Members are therefore asked to consider whether the omission of the dormers from the scheme is sufficient to overcome the concerns in relation to the application.

Neighbour Amenity

- 10.5 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposal should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance of overlooking with be strongly resisted”.
- 10.6 The occupants of 49 Bracken Park, supported by other neighbours, raise concerns regarding both loss of light and overdominance, noting in particular the presence of side facing windows within their north elevation which face onto the area where the garage is to be located. Concern was also expressed at Panel regarding the impact of the garage in respect of overdominance, with the overall height of the roof being of particular concern.
- 10.7 In relation to overdominance it is acknowledged that, for a single storey structure the garage is large, and that the level difference between the application site and 49 Bracken Park will exacerbate its impact. However, planning permission can only be refused where there is clear and demonstrable harm. The impact of the garage has been assessed from the neighbouring site, and whilst some portions of the structure will be visible, the overall massing of the garage is not considered to be unreasonable. There is a substantial evergreen hedge which lies on the common boundary and this then means that from the ground floor side facing windows there will be little impact upon outlook, with sections of the roof (which falls away from the boundary) being visible above the hedge, but with little other perceptible impact. The garage will be more visible from the first floor windows, and with the level changes and the scale of the garage these windows will face toward the roof of the garage, however whilst the introduction of additional built massing may not be welcome, the level of harm which will be created is not unreasonable. Not only is the roof of the garage falling away from the boundary, and thus its highest point is set over 6.5m from the windows, but this roof will be read against the more substantial two storey mass of the existing dwelling. Furthermore, the angled relationship between 49 Bracken Park and the distances between the two dwellings mean that there will be no significant harmful loss of outlook.

Neighbour Representations

- 10.8 Further consultation with neighbours has not been undertaken. As such no new representations have been received. Those comments which are relevant to the main issues identified by panel have been discussed above.

11.0 CONCLUSION

- 11.1 The application is therefore considered to be acceptable. The extensions which are proposed adequately respect the character of the application dwelling and the wider estate, and it is not considered that there will be any significant harm in respect of neighbour amenity, highway safety or protected species. As such the proposals are compliant with the relevant policies and guidance and approval is recommended.

Background Papers:

Application files 11/05251/FU
Certificate of ownership: Certificate A signed by agent



