

**Report of the Chief Planning Officer**

***PLANS PANEL EAST***

**Date: 7<sup>th</sup> June 2012**

**Subject: 12/00547/FU – Part two storey, part single storey side and rear extension; new first floor window to other side, at 42 Nunroyd Road, Leeds, LS17 6PF**

**APPLICANT**

Mr N Esler

**DATE VALID**

14<sup>th</sup> February 2012

**TARGET DATE**

11<sup>th</sup> April 2012

**Electoral Wards Affected:**

**Moortown**

☐ Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

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

The Local Planning Authority considers that the proposed two storey side and rear extension, due to its design, results in an incongruous form of development that is out of character with the host property and the neighbouring properties. As such the proposal will be harmful to the character of the host property and the immediate street scene contrary to policies BD6 and GP5 of the Leeds Unitary Development Plan (Review) 2006, with policy HDG1 of the Householder Design Guide as well as guidance contained within the National Planning Policy Framework.

**1.0 INTRODUCTION**

- 1.1 The application is brought to Plans Panel at the request of Councillor Sharon Hamilton on the basis the applicant has submitted revised drawings that shows the depth of the extension reduced by 250mm and thereby reducing its impact on neighbouring dwellings and the streetscene.
- 1.2 The application under consideration is in effect is a revision to a previous scheme for a very similar form of development which was refused for the following reasons:

The Local Planning Authority considers that the proposed two storey side and rear extension results in an incongruous form of development that is out of character with the host property and the neighbouring properties. As such the proposal adversely impacts upon the visual amenity of the host property and surrounding properties and is harmful to the character of the host and the immediate street scene which Planning Policy Statement One and Leeds Unitary Development Plan (Review) 2006 Policies BD6 and GP5 seek to protect.

The Local Planning Authority consider that the proposed development would result in insufficient off street car parking spaces being available which would lead to an increase of on street car parking on Nunroyd Road. This on street car parking would impact on the free and safe flow of both vehicular and pedestrian traffic and would therefore be detrimental to highway safety and contrary to Leeds UDP Policies GP5 and T2.

- 1.3 The application was also dismissed at appeal. The Inspector raised concerns regarding the design of the extension and its relationship to the existing dwelling noting that “a greater measure of design consistency is required”. The Inspector did not consider that the application would reduce car parking.
- 1.4 The application which has been submitted has marginally amended the design of the extension, however the changes which have been made are not considered to be sufficient to overcome the concerns of Officers and the Inspector.

## **2.0 PROPOSAL**

- 2.1 The applicant seeks planning permission for a part two storey, part single storey side and rear extension. This has a contrasting, contemporary design and is in essence series of flat roofed boxes which are part rendered, part brick. The roof of the extension will be set above the eaves of the dwelling.
- 2.2 The proposed extension to the side is two storey and will be approximately 1.5m in width, is set 0.7m back from the front wall and extends 12.0m back into the site, a depth which includes a 4.0m projection beyond the existing rear wall. This 4.0m projection drops down to a single storey element.
- 2.3 The rear element of the proposal extends the full width of the rear elevation and has a staggered form. The element to the right hand side (east) is 4.0m deep where as that to the left (west) is 3.25m.
- 2.4 The glazing pattern of the extension includes porthole windows, and a mixture of windows with a horizontal and vertical emphasis. A new first floor window is to be inserted into the side elevation of the existing dwelling.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a detached two storey brick built dwelling with a hipped, pantile roof. The property has two sheds at the rear, canopy to front, patio the rear and a car port to the side. The property appears to date from the inter-war years and retains architectural features typical of the era such as deep soffits and the two storey front bay. The property is located within a residential area which has a mixed character, including semi-detached and detached dwellings with hipped and gabled roofs. Although there are a mix of property styles and some differences in palate the

majority of dwellings appear to date from the interwar years and there is a consistent character created through the age, style and scale of the properties.

- 3.2 Neighbouring dwellings lie to both sides. Number 44 to the east is set down a little from the application site and has constructed white uPVC dormers to the rear and side. To the west number 42 is set a little behind the application dwelling with a detached garage lying close to the common boundary.
- 3.3 The main amenity space is set to the rear where a domestic garden is enclosed by a mix of fencing and vegetation. There is a gradient within the site with the land falling away to the rear and the garden contains a step to accommodate this change.

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

- 4.1 10/01329/FU Two storey side and rear extension, with windows at first floor level to side  
**Refused**  
**Appeal dismissed**

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Discussions with the agent have been held during both the previous application and at pre-application stage, prior to the submission of this second application. Following the appeal the main issue is the way in which the extension relates to the character of the dwelling and the area. Officers, including the Design Team, are of the opinion that an in-keeping side extension constructed of brick and with a pitched roof, with a more contemporary style to the rear, would likely address the concerns of the Council and the Inspectorate.
- 5.2 The application which has been submitted retains a contemporary, flat roofed, part brick, part render side and rear extension.

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

- 6.1 The application was advertised by neighbour notification letter. One letter of objection has been received.

The occupants of 40 Nunroyd Road raise concerns regarding overlooking and overdominance.

#### **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 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> 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.

### 8.4 Householder Design Guide SPD:

Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> April and carries significant weight. 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;

### 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. Townscape/design and character
2. Neighbour Amenity
3. Parking
4. Representations

## 10.0 APPRAISAL

### Townscape/design and character

- 10.1 As noted above this application is a resubmission following an application which was refused for concerns regarding design and character. A subsequent appeal was also dismissed. The main issue in relation to the scheme is the way in which the

contemporary designed extension relates to the character of the existing dwelling and the wider streetscene. The Inspector noted that whilst PPS1 (as was) promoted good design and advised that innovation and originality should not be stifled, it was also proper to seek to promote and reinforce local distinctiveness, which council policies, in particular BD6, promoted. He went on to say:

“the design [of the extension], and in particular the combination of the flat roof with the wholly rendered finish, is so modern that it would sit uncomfortably with the dawning of the extension house. This conflicting design treatment between the old and the new would...be magnified by the “wrap-around” nature of the proposal. Having regard to the design of the existing house and the similar styles within the surrounding housing area, I consider on balance that a greater measure of design consistency is required.”

The question which needs to be considered is whether the revised design does result in a greater measure of design consistency sufficient to overcome the Inspector's concerns.

- 10.2 The proposal is not considered to achieve this aim. The changes which have been made to the design are as follows:
- the roof of the extension has been raised so that it now sits above the house eaves line;
  - the external finish is now a mix of brick and render rather than wholly render;
  - an element to the east side has been reduced from two to single storey.

The implications of each of these changes in respect of design will be discussed in turn.

- 10.3 The increased height of the extension roof is considered to be a backward step in making the extension have a greater measure of design consistency. It is usually expected that extensions will respect the scale of existing dwelling and that the various elements of an extension will not overdominate or overwhelm the house. To have changed the extension from one in which the height overall height did give a degree of subordination, to one in which the extension sits above the eaves line of the house is not considered to be a positive change. The degree of discord between the existing house and the extension is increased, rather than decreased by this change. As such this does not address the comments of the Inspector nor the concerns of officers.
- 10.4 The reduction of the amount of render is some benefit as the introduction of bricked elements does mean that some of the materials of the extension match those of the house. However, that said, the extension does still include large areas of render and this means that is not consistent with the character of the existing property. In his decision the Inspector noted that the extension would be visible from the streetscene and also raised concerns regarding the impact of the extension upon the character of the wider area. The use of visible areas of render to the front and side of the property is therefore not considered to be acceptable.
- 10.5 The removal of a small area of first floor massing is also not considered to result in a greater measure of design consistency. The extension still has a wrap-around form (a matter the Inspector considered added to the conflicting design) and in fact the removal of this element introduces a further step into the extension and further complicates its shape and design. This means that it fails to reflect the simple, clean lines of the existing property and is therefore considered to be an out of character addition.

- 10.6 As such the extension is still considered to be a harmful addition. It remains a contrasting, contemporary flat roofed addition, which with its contrasting materials and feature glazing does not adequately reflect the traditional character of the existing house and surrounding properties. It will therefore have an adverse impact upon the character and appearance of both the house and its surroundings. The application has therefore not adequately overcome the previous reasons for refusal and the comments of the Inspector. It fails to comply with policies GP5 and BD6 of the UDP Review (2006) and also with the guidance contained within policy HDG1 of the Householder Design Guide.

#### Neighbour Amenity

- 10.7 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”.
- 10.8 As noted above the neighbour to the west of the site (40 Nunroyd Road) have raised concerns regarding overdominance and overlooking. These will each be discussed in turn. The two storey extension does add a degree of additional massing to the rear and side of the site, and this is therefore likely to have some impact upon the neighbours who lie to each side. However most extensions do have an impact upon neighbours and planning permission can only be refused where there is clear and demonstrable harm. The extension is considered to retain sufficient space to both side boundaries to prevent an unreasonable level of overdominance. In relation to number 40 it is particularly noted that the neighbouring dwelling projects beyond the rear elevation of the application site, and thus the bulk of the extension will affect the side driveway of the property with its impact mitigated by the neighbouring garage. From the main rear facing windows the extension will be largely invisible, and from the garden areas there is sufficient distance to prevent an unreasonable level of overdominance. The application is also considered to be acceptable in relation to overshadowing as whilst number 40 may experience some slight loss of direct sunlight during the early morning, and number 44 toward the end of the day, the rear gardens face south and thus there is unlikely to be a significant impact.
- 10.9 The proposal is also considered acceptable in relation to overlooking. The bulk of the new glazing faces to the rear and thus down the applicant's garden. Whilst these windows will allow some oblique overlooking this does not significantly change the existing situation, and some level of oblique overlooking within suburban contexts must be expected. There are ground floor side facing windows which look toward 44 Nunroyd Road, however these could be screened by a fence or other boundary treatment. Were permission being granted this could be ensured through a condition. A condition preventing further insertion to the sides of the extension could also be imposed.
- 10.10 The occupants of 40 Nunroyd Road have raised concerns regarding loss of privacy. The only new window within the west side elevation is the new side facing bathroom window which is to be inserted into the existing property. As this serves a bathroom area this can be conditioned to be obscure glazed and top-opening only. This would prevent any harmful views toward this property and as such the application raises no significant concerns in this regard.

### Parking

- 10.11 In order to be considered acceptable in respect of parking development proposals must not prevent two cars being parked within the curtilage of the site. Although the Council were concerned about the loss of the driveway, the Inspector considered that there was sufficient space to the front of the dwelling to provide two car parking spaces. As such whilst it remains unclear how these spaces can be easily accommodated, concerns regarding parking can no longer form a reason for refusal.

### Representations

- 10.12 All material considerations raised through representations have been discussed above.

## **11.0 CONCLUSION**

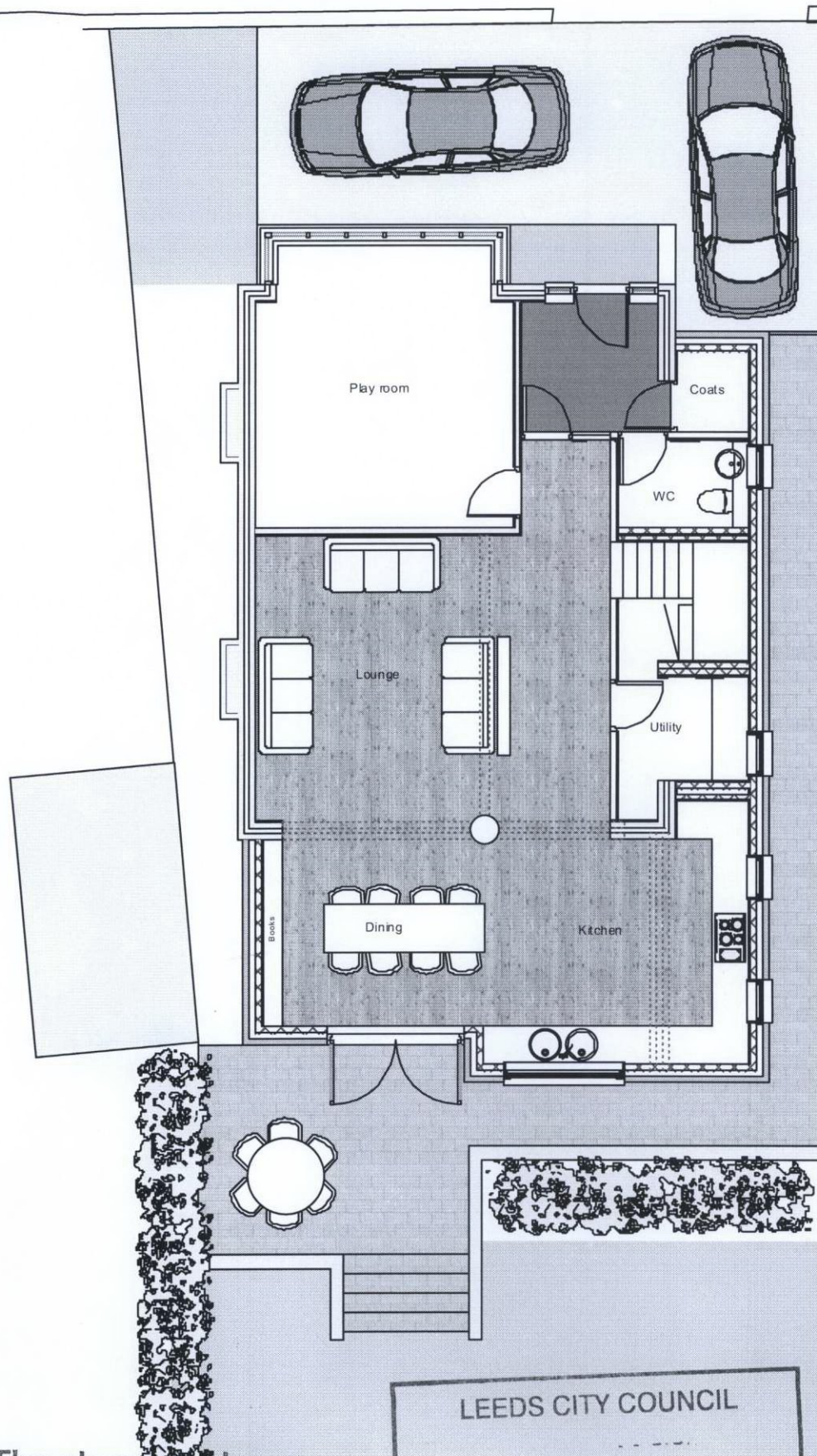
- 11.1 The proposed extension is therefore not considered to be acceptable. The alterations to its design are not sufficient to produce a greater measure of design consistency. It will therefore have an adverse impact upon the character and appearance of both the house and its surroundings. The application has therefore not adequately overcome the previous reasons for refusal and the comments of the Inspector. It fails to comply with policies GP5 and BD6 of the UDP Review (2006) and also with the guidance contained within policy HDG1 of the Householder Design Guide.

### **Background Papers:**

Application files: 12/00547/FU

Certificate of ownership: Certificate A signed by agent





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

LEEDS CITY COUNCIL

16 MAR 2012

**REVISED**

**Oblong Architecture**

The Coach House | St John's House  
Wetherby Road | Leeds | LS8 2LE  
oblong@oblongarchitecture.co.uk  
079 3533 9292 | Regulated by  
the Architects Registration Board

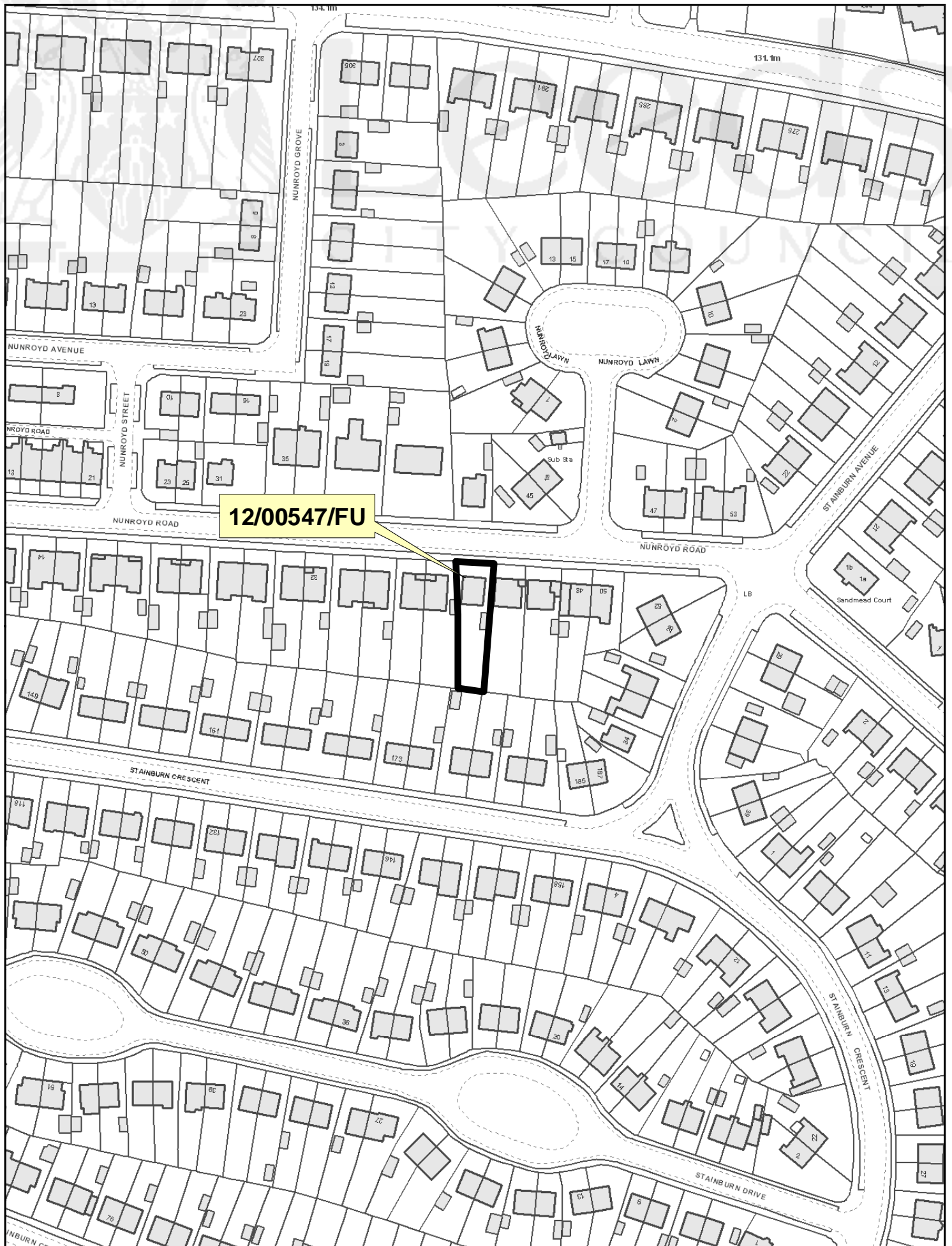
Nunroyd Road

**Ground floor - Proposed**

1:100 @ A4 | 09-11-13 | 09125/03 Rev G

Do not scale from this drawing. Contractors must  
verify dimensions at the site before setting out,  
commencing work or making any shop drawings.





12/00547/FU

# EAST PLANS PANEL