



**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 20<sup>th</sup> December 2012**

**Subject: APPLICATION 12/04103/FU – for new first and second floor with dormers to existing bungalow to form house; porch to front and new ground floor window to each side; two storey extension and conservatories to rear; front boundary wall and gates at 29 Primley Park Crescent, Alwoodley, LS17 7HY**

**APPLICANT**

Mr R Bhambra

**DATE VALID**

26<sup>th</sup> September 2012

**TARGET DATE**

21<sup>st</sup> November 2012

**Electoral Wards Affected:**

**Alwoodley**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: GRANT planning permission subject to the following conditions:**

1. Three year time limit
2. Development to be in accordance with the approved plans
3. Materials to match those existing
4. First floor windows to west side and second floor rooflights to both sides to be obscure glazed
5. No further insertion of windows to either side at first or second floor level
6. Retention of proposed hedge for the lifetime of the proposal
7. Retention of driveway
8. Tree protection during construction

**Reason for approval:**

The proposal is considered to be an appropriately designed and scaled extension which, on balance, does not cause harm to the character and appearance of the dwelling or the wider streetscene and would not unreasonably impact upon neighbours. The proposed development is considered to comply with local and national planning policies.

## **1.0 INTRODUCTION**

- 1.1 The application is brought to Plans Panel at the request of Councillor Peter Harrand, who objects to the proposal for the reasons set out in paragraph 6.2 below

## **2.0 PROPOSAL**

- 2.1 Permission is sought to construct a new first and second floor including dormer windows to an existing bungalow to form a house. The proposal includes a proposed two storey side extension, porch to front, new ground floor windows to both sides, a ground extension and conservatories to rear, and a new front boundary wall and gates. The proposal is considered to be an acceptable form of development and as such is recommended for approval.
- 2.2 The proposed extended dwelling will build up over the existing footprint of the bungalow and measure a total of 13m in width and 8.1m in depth. The hipped roof proposed will measure 5.3m and 9m to the eaves and ridge respectively. The proposed dormer windows will measure 2.4m in height, 2.5m in width and have flat roofs. They will be set down from the ridge by 650mm and up from the eaves by 800mm. The conservatories will measure 4.3m in length, 4.35m in width and have pitched roofs measuring approximately 2.4m and 3.75 to eaves and ridge respectively. The porch will measure 1.4m in depth, 2.3m in width and have a pitched roof which measures 2.2m and 3.5m to eaves and ridge respectively. Due to the sloping nature of the site the proposed front boundary wall and gates will measure between 1m and 1.3m. It is also noted that part of the existing garage will be removed.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a red brick, detached bungalow with a grey tiled hipped roof. The bungalow is located within a generous plot with garden areas to the front and side, and a particularly large garden area to the rear. Located to the west side of the bungalow is a narrow driveway which connects to a detached garage. The dwelling has been previously extended with a single storey side extension. The application site is bounded to the front with low level walling including pillars and iron gates measuring a maximum height of approximately 1m. The side and rear boundaries are treated with timber fencing measuring approximately 1.8m in height. A large, mature beech tree is situated to the south west of the site and adds considerable amenity value to the character of the area. This tree is protected by a Tree Preservation Order. This tree overhangs part of the rear garden of the application site but the canopy does not encroach above the footprint of the existing property. It is noted that beyond the rear boundary there are also a number of mature trees which are not protected but are considered to have some amenity value.
- 3.2 The surrounding streetscene is mixed, with both two storey and single storey dwellings in evidence. The two storey dwellings are largely pairs of semi-detached red brick hipped roof properties with bay and bow windows to their front elevations. Some detached properties are also present, as are some gabled dwellings. There is a reasonably regular spatial rhythm to the streetscene with the dwellings separated by domestic driveways to their sides. The near ubiquitous use of brick and red pantiles, the shape and scale of the properties as well as the gaps between the houses all contribute to the character and appearance of the area. It is noted that beyond the southern boundary of the site there are a number of larger detached houses set in generous plots. Houses within the street are set back from the pavement edge

behind open front gardens which are separated from public space by low walls and hedging.

- 3.3 Like surrounding properties the main amenity space is set to the rear where a domestic garden is enclosed by a 1.8m close boarded fence. Parking is to the western side of the dwelling where a domestic driveway and a garage allow two cars to be parked off-street.

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

None

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

- 5.1 During the course of the application, a number of concerns have been raised from local neighbours which have reflected the concerns of officers. Discussions have been held with the applicant and the agent to address these concerns and this has resulted in the following changes to the scheme:

- the gabled roof has been replaced with a hipped roof;
- the front gable features above the bay windows have been removed;
- the existing side extension now includes a set back at first floor level;
- the depth of the conservatories have been reduced to 4m;
- the proposed double garage has been removed from the proposal;
- the dormer windows have been reduced in size;
- the front boundary treatment has been reduced in height;
- the scheme now includes some boundary hedging and planting to the front.

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

- 6.1 The application was advertised by neighbour notification letter on 28<sup>th</sup> September 2012. Later revisions to the scheme were re-advertised on 15<sup>th</sup> November 2012. Further revisions were received on 6<sup>th</sup> December which included change looking to address the concerns of officers. It was not considered necessary to write to neighbours a third time given that the changes did not add massing and looked to overcome the objections raised. The plans were made available on the Council's Public Access website for public viewing and copies were sent to all objectors and the ward members.
- 6.2 Councillor Harrand objects to the proposal due to the overbearing size and excessive proportions of the proposed development in terms of its impact on the streetscene of Primley Park Crescent, and the potential for the overlooking of adjacent houses. A copy of the revised plan has been forwarded to Councillor Harrand. No further correspondence has been received.
- 6.3 Alwoodley Parish Council have objected to the proposal. The neighbours at numbers 20, 22, 23, 24, 26, 28 and 65 Primley Park Crescent and 28 Nursery Lane have also objected to the proposal. Concerns raised include:
- That the proposed house is of an overbearing size and scale which detracts from the character of the wider streetscene;
  - That the proposal would lead to potential for overlooking of neighbouring properties;
  - That the side elevations of the property are excessive in size and overbearing;

- That there is a lack of clarity over what the existing garage would be used for following alterations;
- That there will be a significant increase in vehicle movements at the property which could also lead to excessive noise and disturbance;
- That there is a lack of clarity about surface water drainage;
- That the applicant has removed vegetation and trees previously at the site;
- That the proposed front boundary treatment is inappropriate in terms of size and scale;
- That the proposal will lead to a reduction in daylight to neighbouring properties;
- That the proposal may add to parking congestion on the street;
- That the proposal is out of character with the rest of the street in terms of design and proposed materials;
- That there will be considerable disturbance during construction;
- That the property may attract a number of visitors, particularly due to the presence of a prayer room;
- That the proposal is ecologically unsound.

6.4 A number of neighbours have also questioned why site notices were not displayed to advertise the planning application. In response to this point the Council wrote to surrounding neighbours as is standard practice for householder planning applications, in line with statutory requirements.

6.5 The neighbours at number 31 Primley Park Crescent support the proposal.

## **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 and the consultation period closed on 12th April 2012. 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. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.3 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

## 8.4 Unitary Development Plan Policies:

- 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 detracting 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.
- 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.
- N25 Boundaries of sites should be designed in a positive manner, using walls, hedges, or railings where appropriate to the character of the area. All paving materials should accord with the character of adjacent buildings and surrounding areas.

## 8.5 Householder Design Guide Supplementary Planning Document:

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;

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

## 8.6 National Planning Policy Framework

The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

## 9.0 MAIN ISSUES

- 1) Design and Character
- 2) Neighbour Amenity
- 3) Impact on Trees
- 4) Additional Considerations raised by Objectors

## 10.0 APPRAISAL

### Design and character

10.1 The National Planning Policy Framework (NPPF) states that "good design is indivisible from good planning". The NPPF goes on to state that design 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". Unitary Development Plan policies GP5 and BD6 encourage design which is appropriate for its setting. Householder Design Guide policy HDG1 gives further advice in relation to design, noting the importance of respecting scale, form, proportions, character and appearance.

10.2 The proposal is made up of a number of extensions and alterations. The combined impact of these extensions and alterations will be a significant alteration of the character and appearance of the original, modest sized bungalow property. Therefore it cannot be said that the proposal complies with the aims of UDP policy BD6 which states that "all alterations and extensions should respect the scale, form, detailing and materials of the original building". It is noted that in some circumstances, as is well established in Leeds, extensions and alterations may be acceptable where these do not respect the scale, form and detailing of the original building where a proposal would fit in with its wider setting. This is also subject to a proposal meeting the aims of other relevant planning policies such as UDP policy GP5 and Householder Design Guide policy HDG1 which look to prevent harm being created within the wider context of a site and surrounding streetscene. With the above in mind, this appraisal will consider whether the aforementioned policies have been met.

- 10.3 When considering whether an extension to a dwelling is acceptable there are two main considerations; firstly whether the extension respects the scale, form and detail of the existing dwelling and secondly whether it is in keeping with the character of the surrounding area. The application seeks to turn a bungalow into a two storey dwelling, and thus its size, scale and mass cannot reasonably be said to respect the existing dwelling. However, extensions which alter the character and scale of a dwelling can be considered appropriate if they respect the character of the streetscene and the wider area.
- 10.4 As outlined above the character of the streetscene is created by the near ubiquitous use of brick and red pantiles, the shape and scale of the properties as well as the gaps between the houses. In its revised form the application has been amended so that the dwelling resembles other two storey hipped roof properties within the area. Its front elevation is balanced and resembles the pairs of semi-detached dwellings with flat roofed bay windows which lie to the east of the site. The existing area of extension to the side of the dwelling has been amended so that it includes a set back at first floor and thus now appears as a subordinate, in scale hipped roof extension appended to a standard two storey dwelling. The dormer windows to the rear of the dwelling have been reduced in size and are now similar in scale to others within the area, such as those to the rear of the adjacent pair of semi-detached dwellings at 31/33 Primley Park Crescent. As such the extended dwelling now resembles a two storey, hipped roof property which has been extended to the side at two storey height, and with dormers and in scale conservatories to its rear. Such extensions to a dwelling are reasonable and must be expected within residential contexts. As such the scale, form and design of the extended dwelling are therefore considered to be acceptable.
- 10.5 The extended house is also considered to respect the spatial character of the streetscene. The existing bungalow sits within a plot which is wide in comparison to others along the street, and it is not unreasonable to assume that a pair of semi-detached dwellings was originally planned, however a single bungalow was instead constructed. In its extended form the dwelling will sit no nearer to the side boundaries than the existing property, retaining a generous 6m to its eastern boundary and 4m to its western boundary. This western side elevation includes the driveway of the dwelling and the gap here appears to be fairly standard along the streetscene, where houses are separated by the width of a domestic driveway. As such the dwelling will respect the spatial rhythm of the street and will not harm the character of gaps within the area.
- 10.6 The alterations to the front boundary are also considered to be acceptable. As noted above the front boundary treatments within the area are low and the majority are formed or augmented by planting and hedging. This creates a soft, open feel to the street which is important to its character. Policy N25 of the UDP notes that boundaries of site should be designed in a positive manner using walls, hedges, or railings where appropriate to the character of the area. At present there is an existing wall and gates which are supported by brick piers which are slightly taller than the wall. It is proposed that railings be added above the wall which section of the boundary being increased to 1.5m in height. Although railings are not a particularly common feature within the area and officers are a little uncomfortable with the principle of raising the boundary to a height over 1.0m, the soft landscaping which has been included behind the wall should sufficiently soften the frontage to prevent it appearing as a hard, dominant and oppressive frontage which harms the streetscene. In order to ensure that this softness is retained in perpetuity a retention condition will be imposed.

## Neighbour Amenity

- 10.7 Unitary Development Plan policy GP5 and Householder Design Guide policy HDG2 aim to protect the amenity of neighbours. Neighbouring amenity can be impacted upon in a number of ways. Policy HDG2 states that significant harm can be created through the “excessive overshadowing, overdominance or overlooking of neighbouring properties and gardens”.
- 10.8 As noted above, the proposal sits within a generous plot with considerable distances retained to neighbouring boundaries. Further to this, the proposal represents only a modest increase on the footprint of the existing bungalow and so in this respect the existing spatial relationships between properties will be largely unaltered. This being said, it is clear that the proposal will result in a property which is significantly greater in height when compared to the existing bungalow. This will inevitably lead to an increase in the overshadowing, overdominance and overlooking impacts which exist at present.
- 10.9 In terms of overshadowing and overdominance the proposal retains sufficient distances to neighbouring properties and, in combination with the revisions made to the scheme to reduce roof massing in particular, is considered to prevent a significant impact on neighbouring properties and well used garden areas. It is also noted that the gaps between the side elevations of neighbouring properties and the shared boundary with the host site are less than those proposed as part of this application.
- 10.10 In terms of overlooking, the proposed first floor windows to the west side will both serve en-suite bathrooms and as such will be conditioned to be obscure glazed for the lifetime of the proposal. The proposed rooflights to both sides at second floor level will also be conditioned to be obscure glazed for the lifetime of the proposal. A further condition will be attached stating that no new windows are to be inserted at first and second floor level to either side of the property in the future. The remainder of the new windows proposed at all levels, including the two dormer windows proposed to the rear, are considered to be of sufficient distance to neighbouring properties to prevent a significant impact on neighbouring privacy.
- 10.11 Parking

In order to be considered acceptable in respect of parking provision development proposals must not prevent two cars parking within the site in order to ensure that on-street parking is not encouraged. As part of the proposal the existing garage is to be curtailed to its front and extended to its rear, which in essence relocates the existing structure 1.0m deeper within the plot. The existing side driveway is to be retained as well as additional block paving included to the front of the building. The existing garage is not of a size and scale which would normally be considered to provide a parking space, being a little too narrow and thus conditioning its retention as a parking space is not particularly appropriate. The hardstanding which is proposed is more than sufficient to allow two cars to be parked off-street and thus the retention of the garage is not critical. A condition will be imposed to ensure that the side driveway be retained as a parking area.

## Impact on Trees



- 10.12 As is noted in paragraph 3.1 a large beech tree, located to the south west of the site, is protected by a Tree Preservation Order (Reference 2002/92). This tree is more than double the height of the properties it surrounds and appears to be in good health. However, given the considerable distance to the trunk of the tree it is not considered that the proposal is likely to significantly impact on its root system or canopy through construction or through future pressure for pruning and lopping. It is further noted that the proposals do not create a significantly enlarged footprint over that which exists at present and a number of existing structures, including garages, are situated between the host property and the tree which would have further discouraged root spread towards the host property in the past. The new conservatories proposed to the rear are also lightweight structures unlikely to have a significant impact on any root structures which do exist in this area.

#### Additional Concerns raised by Objectors

- 10.13 A number of additional concerns have been raised by objectors. These are outlined in paragraph 6.3. Taking into consideration those concerns which form material planning considerations relevant to the determination of this application, it is not considered that any matters raised would lead to significant harm being created which would justify the refusal of planning permission.
- 10.14 Particular points raised (with comments in response) include:

Highways and parking – the proposal is for a single dwelling and includes sufficient off-street car parking to meet the requirements of the Unitary Development Plan and guidance contained within the Householder Design Guide. It is not considered that the proposal will lead to an increase in traffic movements to and from the property which could be considered unreasonable in a residential setting or which would be likely to lead to a significant impact in terms of local parking congestion.

Planting and Drainage – the proposal will retain large amounts of soft landscaped areas within the site and as such it is not considered that the development would lead to a significant increase in surface water at the site. Although neighbours have noted that the site has been previously cleared of vegetation this is not a relevant material planning consideration for the determination of this application. It is also noted that this clearance would not have required planning consent.

Disturbance during construction – it is not unreasonable to expect noise and disturbance during the construction stages of a development proposal. This would not form a material planning consideration which would justify a planning refusal in this instance.

## **11.0 CONCLUSION**

- 11.1 Taking the above into consideration, it is noted that the proposal, when considered in its entirety, is considered to sit relatively comfortably within its plot, be broadly in character with the shape and form of neighbouring properties and leaves sufficient gaps to neighbouring properties, complementing those gaps between other properties in the street. It is also noted that, following concerns raised by planning officers and neighbours, the scheme has been significantly altered in an attempt to reduce massing, remove inappropriate design features and reduce the size of the proposed boundary treatments. It is thus considered that the proposal is in keeping with the aims of the NPPF, UDP policies GP5 and LD1 and Householder Design Guide policy HDG1. Although the proposal is contrary to UDP policy BD6 this is not considered to be reason to refuse the application given the wider planning merits of the proposal.

- 11.2 The proposal is not considered to be introducing a significantly harmful overshadowing, overdominating or overlooking impact due to the sufficient distances retained to neighbouring boundaries and the conditions proposed by officers. Therefore it is considered that the proposal is in keeping with the aims of the NPPF, UDP policy GP5 and Householder Design Guide policy HDG2.
- 11.3 The proposal is not considered to be having a significantly harmful impact on the large beech tree to the south west due to the sufficient distances involved. As such it is considered that the proposal is in keeping with the aims of the NPPF, UDP policy LD1 and the Householder Design Guide.
- 11.4 It is not considered that any of the additional concerns raised by objectors would form material planning considerations which would outweigh the reasons to approve the proposal. It is therefore considered that the application should be approved with the conditions suggested at the beginning of this report.

**Background Papers:**

Application files 12/04103/FU

Certificate of ownership: Certificate A (site owned by applicant) signed by agent



FRONT ELEVATION PROPOSED



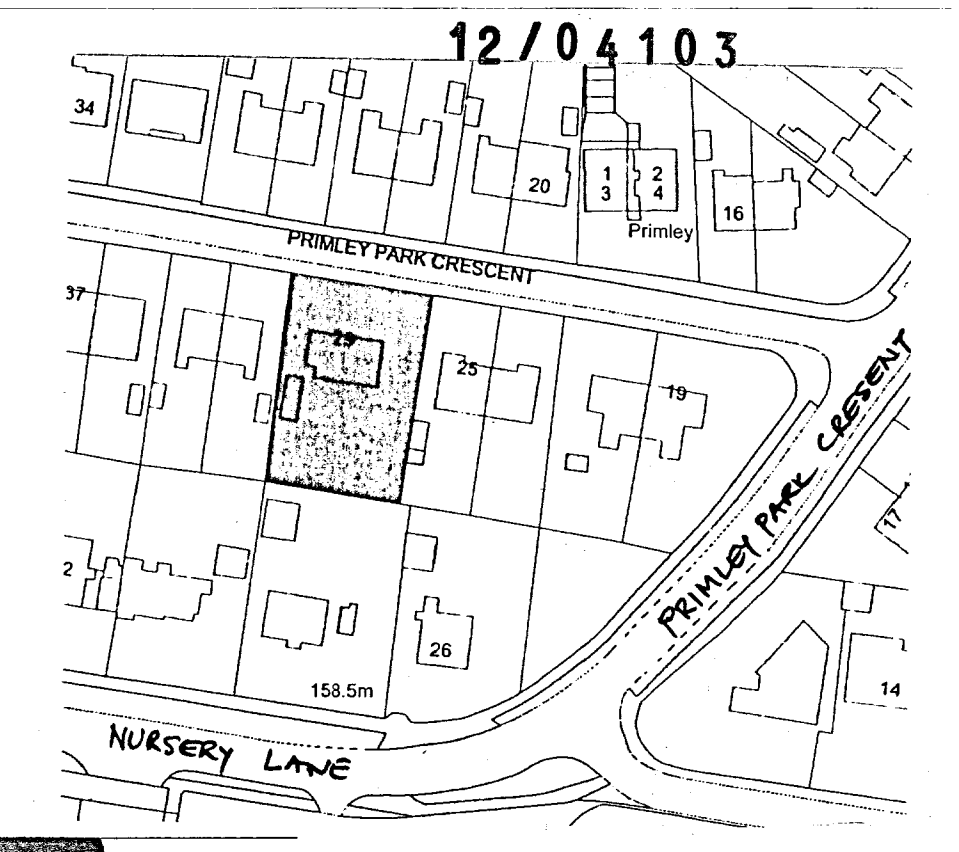
SIDE ELEVATION



REAR ELEVATION

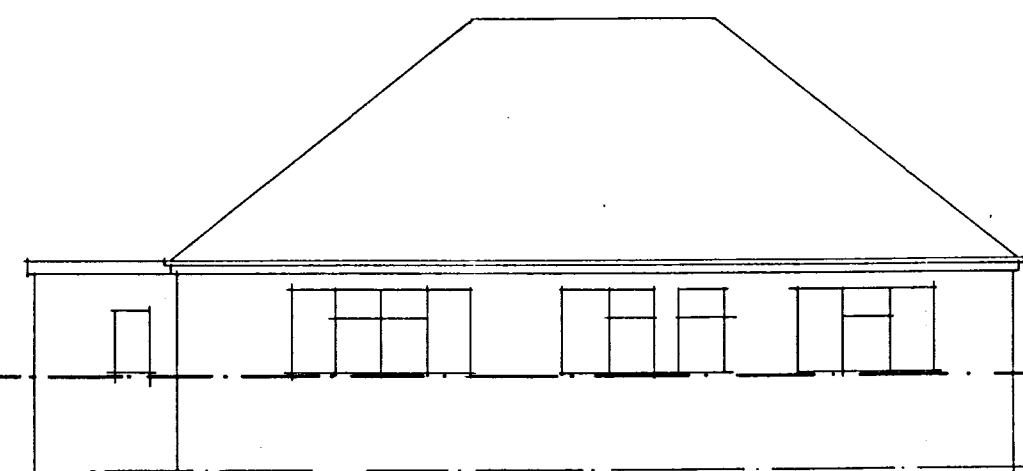


SIDE ELEVATION

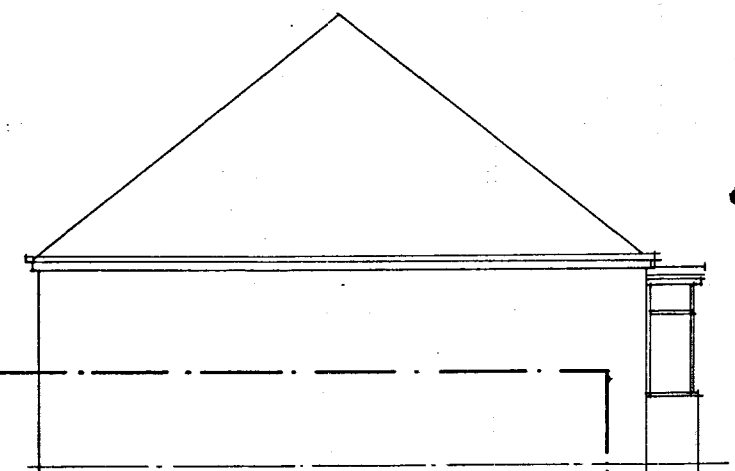


The changes shown on this plan do not need further public comment

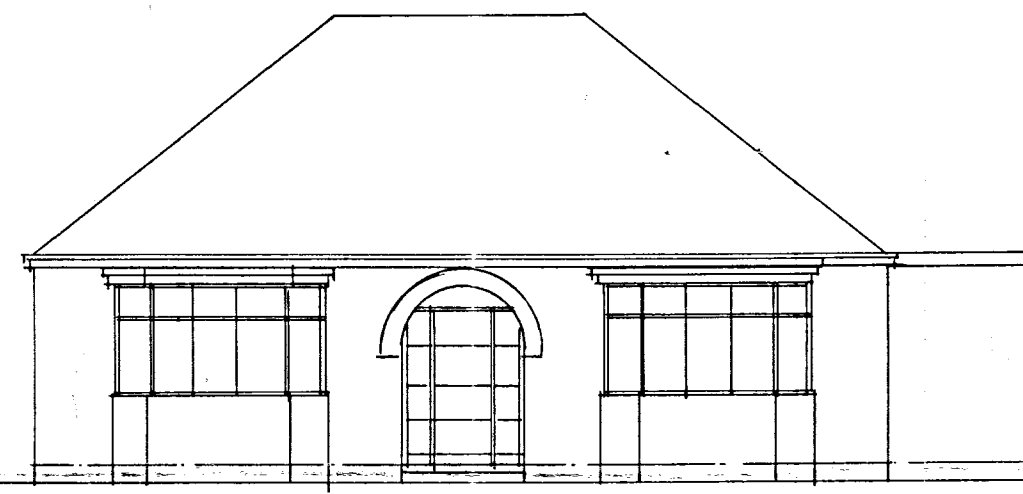
LEEDS CITY COUNCIL  
- 4 DEC 2012  
**REVISED**



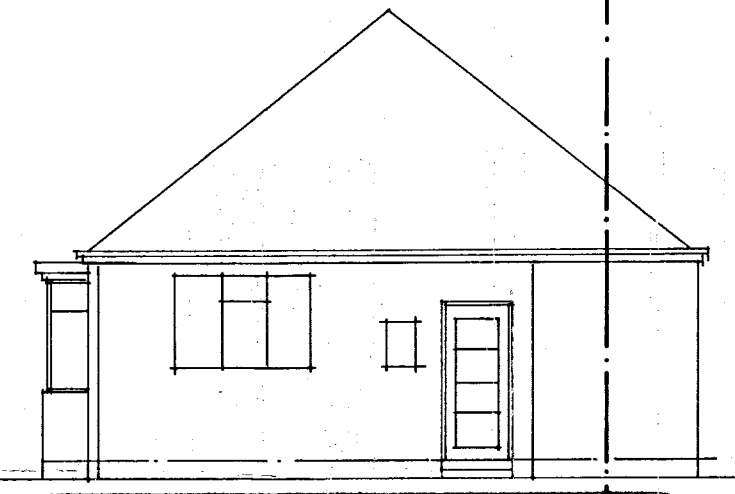
REAR ELEVATION



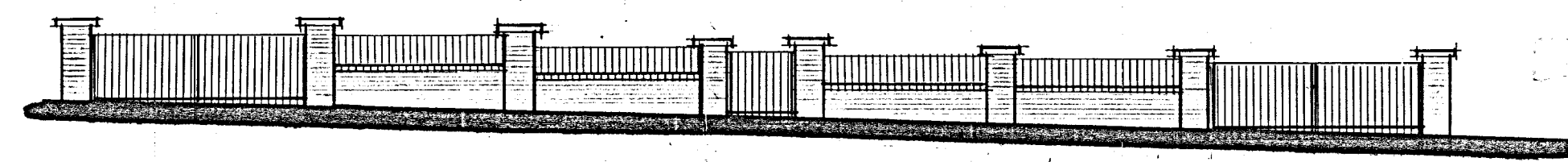
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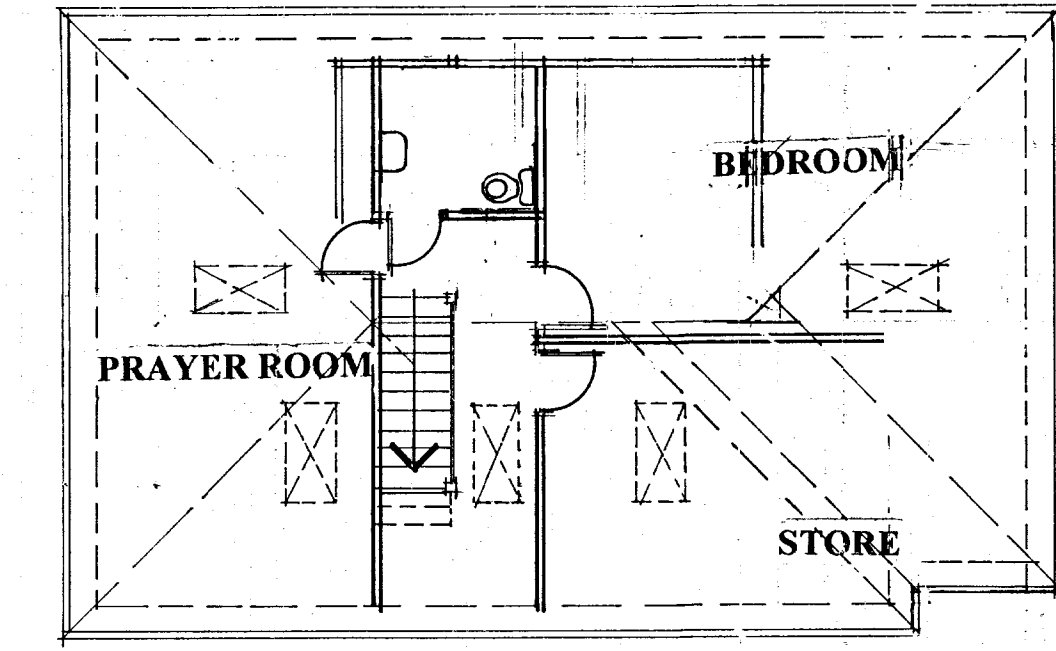
FRONT ELEVATION



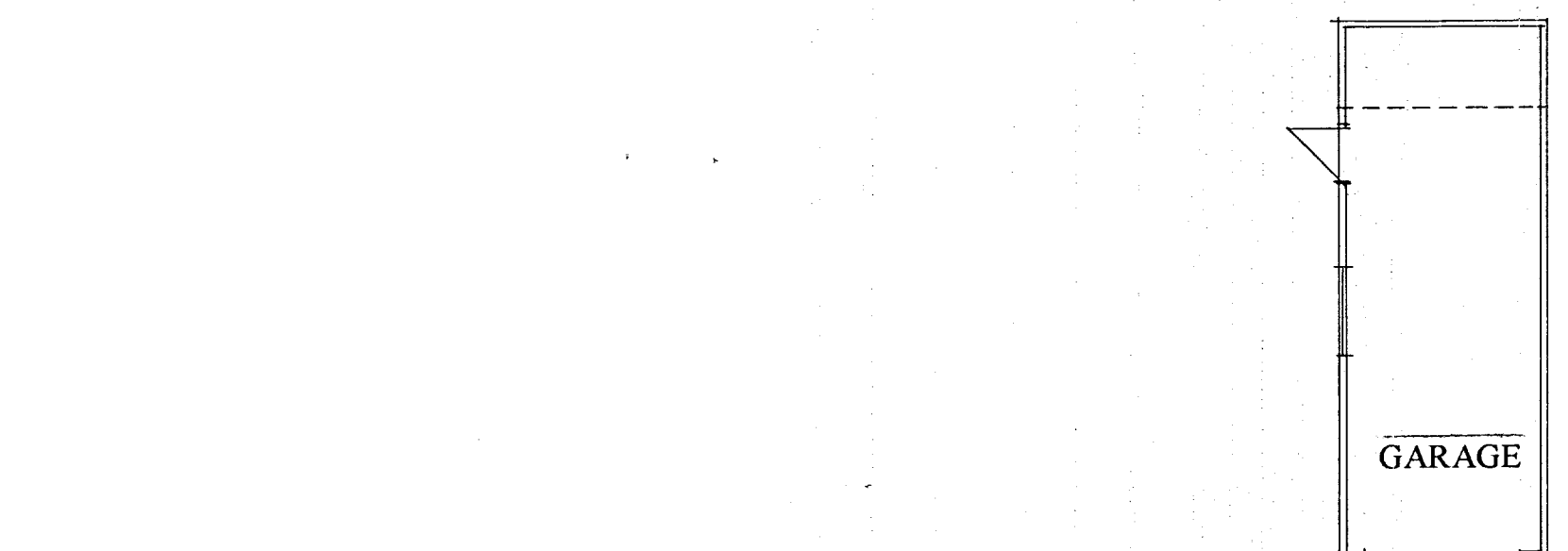
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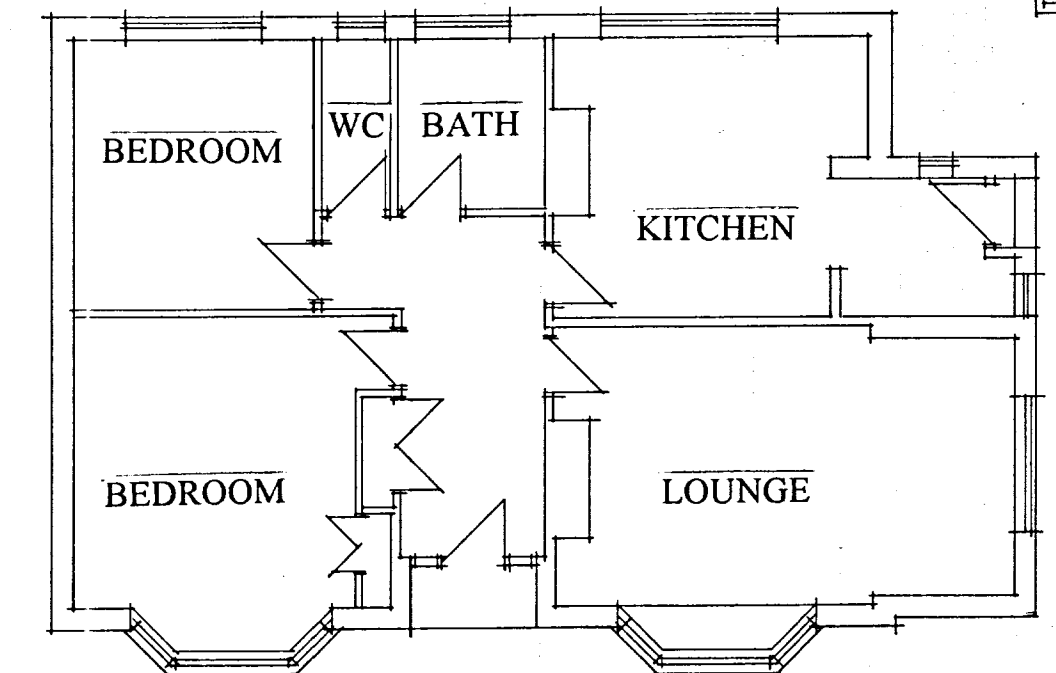
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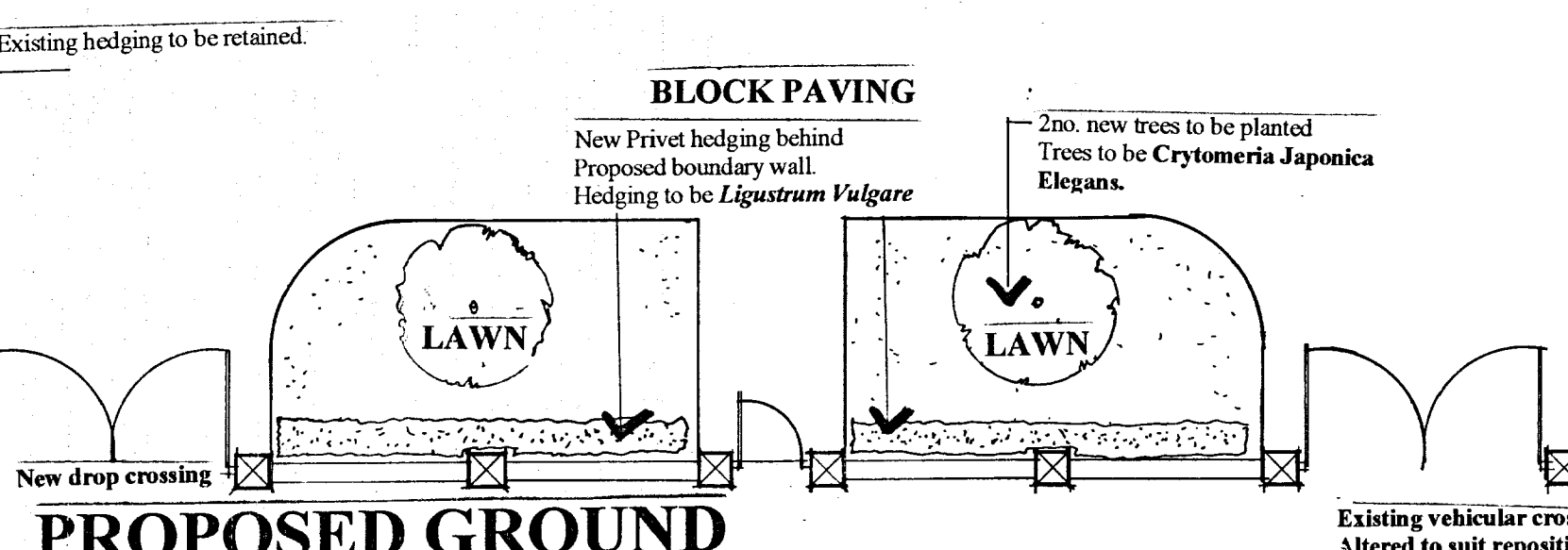
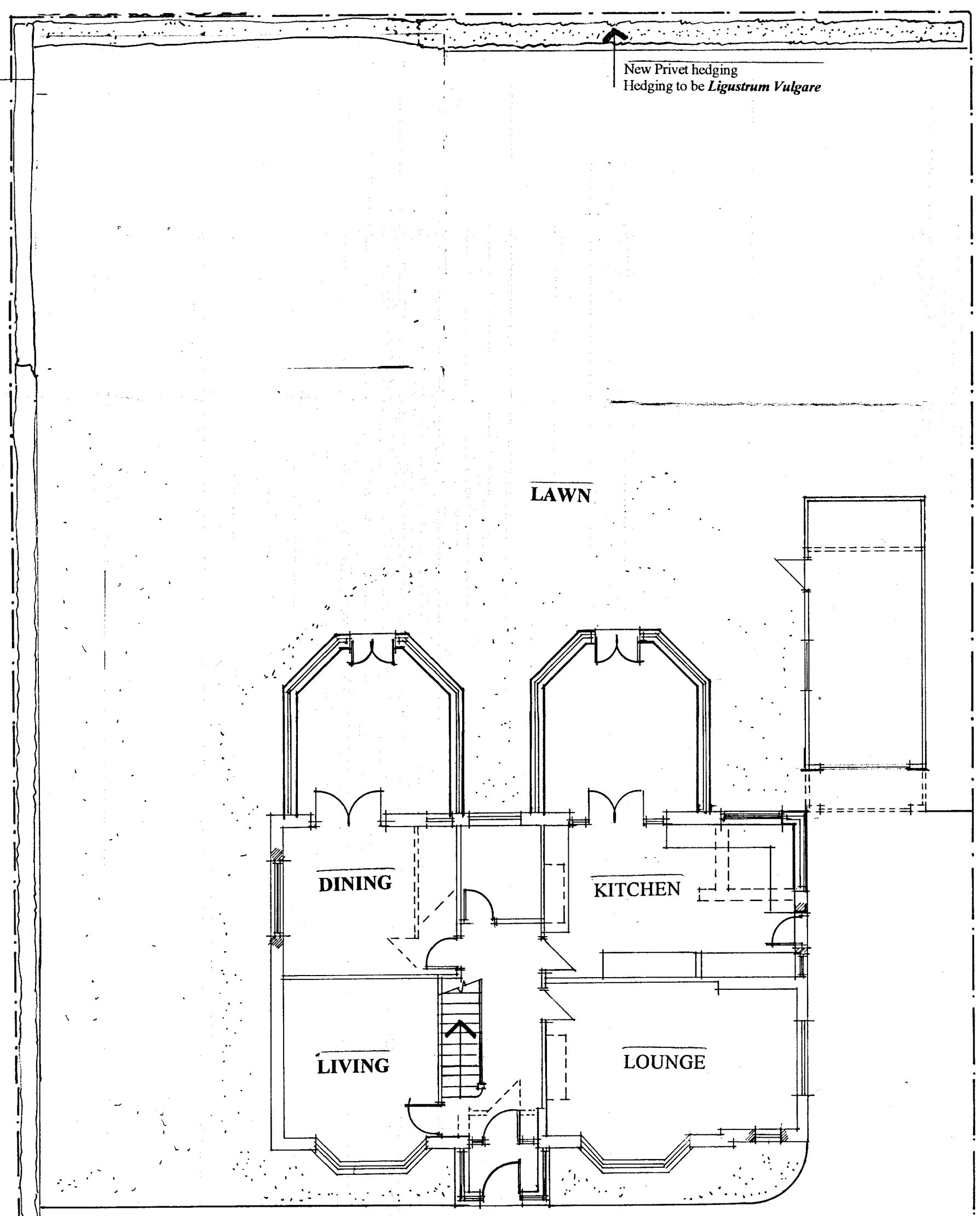
LOFT PLAN



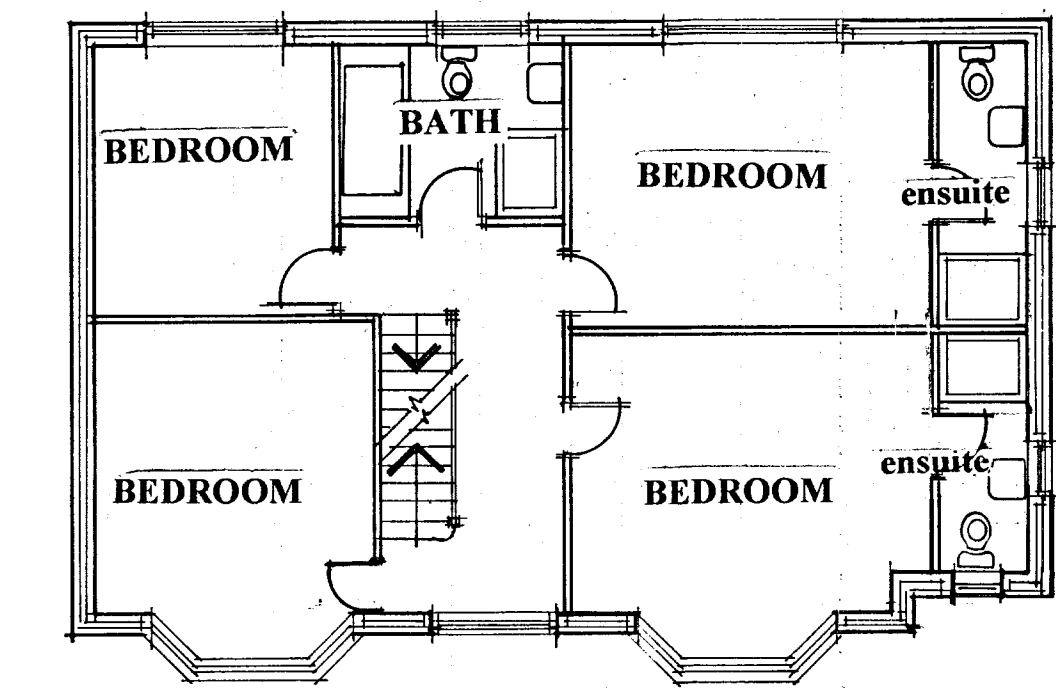
GARAGE



EXISTING FLOOR/SITE PLAN



PROPOSED GROUND FLOOR/SITE PLAN



FIRST FLOOR PLAN

Please note these drawings are for Planning and Building Regulation purposes only.

**NOTE:**  
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before works commence.  
All drawings must be read with and checked against any structural or other specialist drawings provided.  
All works to comply with British Standards, Codes of Practice, current Building Regulations and carried out to the satisfaction of Building Inspector. All materials to comply with the relevant British Standards

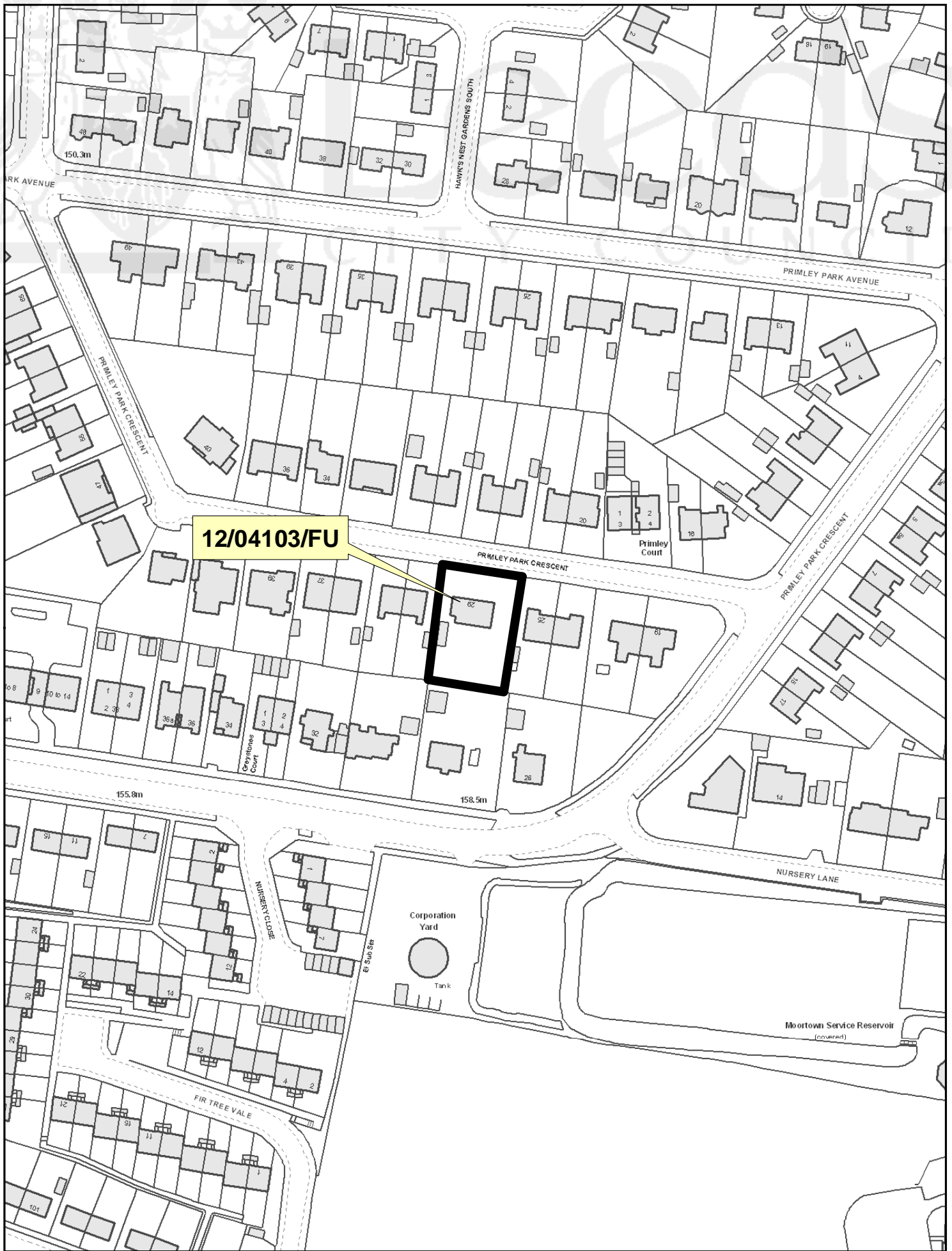
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Client:  
**MR R S BHAMBRA**

Project:  
**PROPOSED ALTERATIONS AND EXTENSION AT 29 PRIMLEY PARK CRESCENT LEEDS LS17 7HY**

Drawing:  
**EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS**

Scale: 1:50 & 1:100  
Date: SEPT 2012  
Drawing No: 1898/01A/BC



12/04103/FU

# NORTH AND EAST PLANS PANEL