



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 18th July 2013

Subject: 13/01654/FU: Single storey, two storey and first floor side extension to dwelling at 56 Eden Crescent, Kirkstall LS4 2TW

APPLICANT

Mr M Zaffer

DATE VALID

11th April 2013

TARGET DATE

6th June 2013

Electoral Wards Affected:

Kirkstall

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Approval, subject to the below conditions:

- 1. Standard 3 year time limit.**
- 2. Build in accordance with the approved plans.**
- 3. Materials to match existing.**
- 4. Obscure glazing to rear bedroom window.**

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Councillors Bernard Atha and John Illingworth who concur with the concerns put forward by a local objector that this proposal would represent an over development of the site leading to an unacceptable impact on amenity and Highway Safety.

2.0 PROPOSAL:

- 2.1 The proposal seeks consent for a part first-floor part two-storey extension to the side of this semi-detached house. The extension will effectively subsume a pre-existing single storey side extension replacing it with a significantly larger two storey addition. The ground floor element to be added to the front of the existing side extension will measure approximately 3.15m wide x 3.1m in length and will retain a set-back of 1.4m from the front corner of the dwelling. The first floor element will measure the same width of approximately 3.15m but will measure approximately 5.7m in length and is set back 2m from the front corner of the dwelling. The difference in set-back produces a staggered appearance to the front elevation with a mono-pitched roof to the projecting ground floor. The first floor will have a matching eaves line and subordinate roof form set below the apex of the main roof.
- 2.2 Consent has been previously granted for a first floor extension to be added above the existing single storey extension and this permission is still extant. Consent for a previous larger two storey side extension was recently refused by Officers under delegated powers. This scheme is considered by Officers to have effectively addressed the previous reasons for refusal which related to design, amenity and highways.

3.0 SITE AND SURROUNDINGS:

- 3.1 The property is a semi-detached dwelling dating from the mid-20th century. It occupies a corner plot position which narrows to the rear. The dwelling is orientated at an approximate angle of 90 degrees to the unattached neighbouring dwelling. The property is elevated relative to the highway with conifers providing screening above the brick wall. The rear garden is quite small and fairly well screened by boundary treatments. The side garden is also relatively private although this is being reduced by on-going removal of conifers. There is an existing small flat roofed single storey extension to the side of the dwelling and to the front of this the driveway which may just be capable of accommodating two vehicles as presently laid out.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/00524/FU: Two storey and single storey and first floor side extension (Refused).
- 4.2 12/04972/FU: First floor side extension (Approved).
- 4.3 ENQ/12/00779: Side and rear dormer, single storey rear extension (Permitted Development)

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 This proposed scheme accurately reflects the guidance given by Officers to overcome the previous reasons for refusal.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by notification letters posted to neighbouring residents on 18th April 2013.

6.2 Two letters of objection were received from local residents. One of the objectors copied in the local ward members to their response and subsequently both Cllr Atha and Cllr Illingworth expressed agreement with the concerns of that objector.

7.0 CONSULTATIONS RESPONSES:

7.1 No external or internal consultations were required due to the minor nature of the proposed development.

8.0 PLANNING POLICIES:

8.1 Following revocation of the Regional Spatial Strategy the development plan is the adopted Leeds Unitary Development Plan (Review 2006).

8.2 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.

8.3 As the Council has submitted the Publication Draft Core Strategy for 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 Relevant UDP Policies:

GP5: Development proposals should resolve detailed planning considerations.

BD6: Alterations and extensions should respect the scale, form, detailing and materials of the original dwelling

T2: Development proposals should not add to or create issues of highway safety.

8.5 Supplementary Planning Documents: Leeds Householder Design Guide (Adopted 2012).

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 and
- v) Materials;

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

8.6 National Planning Policy Framework

This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

9.0 MAIN ISSUES

- Design
- Amenity
- Highways
- Representations

10.0 APPRAISAL

Design

10.1 The extension is set down and subordinate to the main dwelling. This is achieved through its compliance with the standard guidance for this type of extension contained within the Householder Design Guide. It is set back the required 2m from the front corner of the dwelling and retains a 1m gap to the shared side boundary save for the very rear corner, but in mitigation for the most part the distance to the side boundary is well in excess of 1m due to the splayed nature of the boundary. The extension is also substantially less than 2/3rds the width of the host dwelling. It will therefore retain an adequate visual break to the adjacent dwelling and will not significantly impinge on the visual gaps between dwellings which form part of the character of the Crescent. It has a gabled roof form reflecting that of the host property where the roof has been altered through works that did not require the express consent of the Local Planning Authority. The significant setback has ensured a subordinate roof form with the apex of the extension roof being approximately 0.8m below that of the main roof. The materials have been proposed and conditioned to match the existing and the window detailing is considered appropriate and subordinate to the main windows of the original dwelling. The extension will effectively replace a single storey extension of limited quality but smaller dimensions with a larger extension of better design quality. As it occupies a wider than usual corner plot the extension will not set a significant precedent. The increased set back from the front elevation has addressed the specific issue which lead to the previous design based reason for refusal on the preceding application. The extension in design terms is therefore considered to accord with policies GP5 and BD6 of the UDP, policy HDG1 of the Householder Design Guide and the guidance on 'good' design appropriate to the local context contained within the NPPF.

Amenity

10.2 The extension is not considered to be intended for or currently occupation by students therefore policy H15 is not considered to apply. The layout of the scheme is consistent with family occupation. The extension is set well back from the properties on the other side of the highway and for the most part maintains good separation to the boundary and dwelling adjacent to it. The splayed boundary does create a pinch point towards the rear corner but the relative orientation of this dwelling and the adjacent neighbour and the general orientation of the site result in overshadowing being limited and falling on areas with limited amenity value for small proportion of the day. The effects in this regard are further mitigated by the subordinate nature of the design meaning that much of the extension will sit within the shadow cast by the existing dwelling. This subordinate design and generally good separation to the side boundary combined with the orientation of the dwelling opposite limits the effects of the proposal in terms of dominance and the extension is therefore not considered

overbearing in its relationship to neighbouring properties. The front windows overlook the public highway and are well separated from the dwellings opposite which have limited privacy as they face the public highway. No windows are proposed for the side elevation. The insertion of first floor windows to this elevation is adequately controlled to protect privacy by permitted development rights which would require them to be obscure glazed and non-opening unless more than 1.7m above the floor level. Future window insertion to the ground floor would be secondary in nature and would not lead to significant overlooking of private areas therefore a condition restricting window insertion is not considered necessary. The rear ground floor window serving the proposed kitchen is smaller than the window it replaces and will not significantly affect the neighbour's privacy. The rear first floor window was an issue which led to a reason for refusal on the preceding application. It previously would have been the only window serving a bedroom, but the reductions to the scheme now mean it will be a secondary window to the bedroom where the main aspect is to the front. A condition requiring obscure glazing has been attached to prevent harmful overlooking of the adjacent dwelling and its rear garden and a reasonable outlook for the bedroom will be retained to the front. The application is therefore considered to accord with policy GP5 of the UDP and policy HDG2 of the Householder Design Guide.

Highways

- 10.3 The parking area as laid out and shown on the block plan will provide capacity to park at least two standard sized domestic vehicles off the street. This is considered to represent adequate provision for the size of dwelling proposed given the suburban location which is well served by public transport. It also compares favourably with other off-street parking provision within the locality. No significant on-street parking issues were observed on this or previous site visits. This scheme has reduced the amount of bedrooms and includes a block plan showing space to park two standard sized vehicles off the street and this is considered to have addressed the previous highways related reason for refusal. The application is therefore considered to accord with policy T2 of the UDP.

Representations

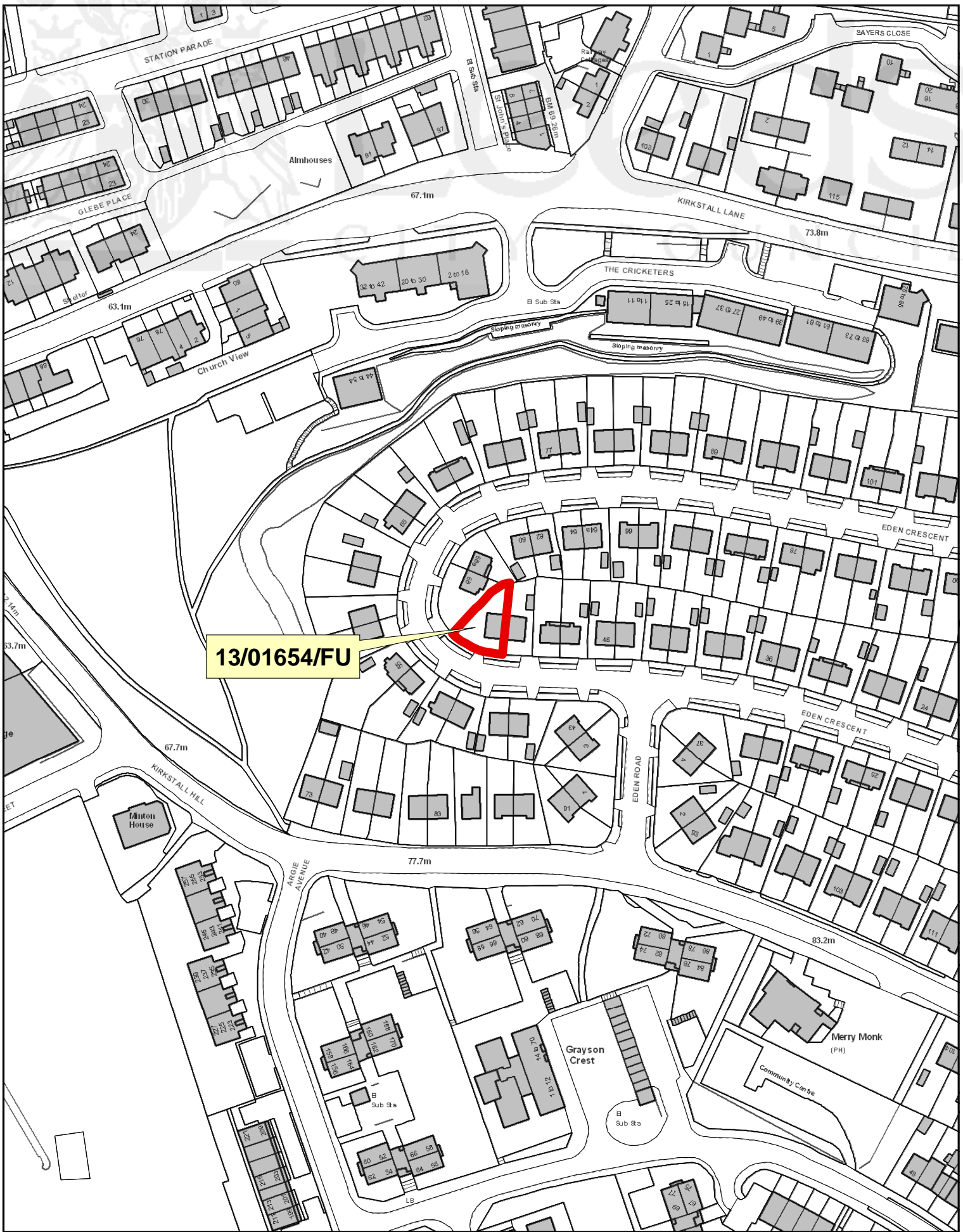
- 10.4 Two letters of objection have been received from local residents. One of which has garnered the support of the two ward members referred to in preceding sections. The objection submitted without the express support of the local Councillors, simply lists a number of issues without explanation of how this proposal relates to them. It also points out that work has commenced. This neighbour (number 64) is not directly adjacent to the application site. The other objection (number 55) supported by two local ward members expresses concerns supported by reference to UDP policies that the proposal represents an overdevelopment of the site, would be overbearing and detrimental to local character and that there would be insufficient parking causing issues of highway safety. They also express concern regarding the precedent that would be set. These issues are addressed in the preceding sections.

11.0 CONCLUSION

- 11.1 The proposal is considered by Officers to have satisfactorily addressed the previous reasons for refusal and is considered to accord with the relevant local and national planning policies and guidance. It is further considered that there are no other material considerations that would outweigh the above and therefore the Officer recommendation is that the application should be approved.

Background Papers:

File 13/01654/FU



13/01654/FU

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