



Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 18th July 2013

Subject: APPLICATION 13/02417/FU – Part two storey, part single storey extension to semi-detached house at 24 Vesper Rise, Leeds. LS5 3NJ.

APPLICANT
Mr & Mrs Martin Bate

DATE VALID
5th June 2013

TARGET DATE
31st July 2013

Electoral Wards Affected:

Kirkstall

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 reasons:

1. The Local Planning Authority considers that the proposed extension would, as a result of its overall scale, design, form and massing, result in an unacceptable impact on visual amenity and the appearance and setting of the host property within the wider streetscene. As such, the proposal fails to comply with Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), is contrary to Policy HDG:1 of the Adopted SPD 'Householder Design Guide' and also fails to comply with guidance set out in the National Planning Policy Framework.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Panel at the request of Councillor John Illingworth and Councillor Bernard Atha.

2.0 PROPOSAL:

2.1 The proposal is to erect a part two-storey, part single-storey side and rear extension to a semi-detached house. The ground floor would be used as kitchen dining room and a garage. The first floor would be used as a bedroom with ensuite bathroom.

2.2 The extension has a splayed design incorporating a single garage. The ground floor element measures 10.3m at its widest point, with the first floor element measuring 10.2m at its widest point.

3.0 SITE AND SURROUNDINGS:

3.1 The site comprises a semi-detached house of post-war construction which has a hipped roof with a full-height bay window to the front elevation, with a single storey extension to the rear. The site is in a cul-de-sac position with a splayed side garden which increases in width towards the rear. There is a detached garage to the outer rear side. The rear garden is more spacious, extending to a depth of over 20 metres.

3.2 The site is in a wholly residential location, with adjacent properties being largely unaltered.

4.0 RELEVANT PLANNING HISTORY:

4.1 24/258/02/FU – Two storey side extension and detached garage to rear of 24 Vesper gate Drive. Refused, 16/09/2002.

4.2 11/04788/FU – Two storey side extension to 8 Vesper Gate Crescent. The applicant has requested that reference be made to this proposal, which was approved in 2011.

4.3 07/06690/FU – Two storey side and rear extension to 39 Vesper Walk. The applicant has requested that reference be made to this proposal, which was approved in 2007.

5.0 HISTORY OF NEGOTIATIONS:

5.1 There have been no pre-application discussions or negotiations prior to the submission of this proposal.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by means of Neighbour Notification letters to 7 adjacent properties.

6.2 Three letters of representation has been received. Two letters are from Ward Councillors Bernard Atha and John Illingworth, which are to request that this application be referred to the Plans Panel for determination by Members. The other letter is from the neighbouring property at Number 23, indicating that the proposal is considered acceptable subject to the use of obscured glazing facing that property.

7.0 CONSULTATION RESPONSES:

7.1 No consultations have been carried out for this application.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2 UDP Policies:

GP5: Proposals should resolve detailed planning criteria (access, landscaping, design etc), should seek to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and should maximise highway safety.

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

Householder Design Guide SPD:

8.3 Leeds City Council Householder Design Guide was adopted on 1st 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. It incorporates the following policies:

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.

Relevant supplementary guidance:

8.4 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development

Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Neighbourhoods for Living SPG

DRAFT CORE STRATEGY

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 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.

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.

8.5 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development.

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Design and character
- Impact on visual amenity and the streetscene
- Neighbouring residential amenity
- Evidence submitted by the applicant
- Representations

10.0 APPRAISAL:

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”. This advice is elucidated and expanded within the Householder Design Guide.

- 10.2 The proposed extension raises significant concerns with regard to design and appearance in the street scene. The existing property is 6.7m wide whereas the proposal would result in a dwelling with an overall width of 16.2m including the integral garage, which would be almost two and half times greater than the existing width. The overall width is therefore considered excessive, being significantly greater than the recommended maximum two-thirds of the original dwelling as set out in Policy HDG1 of the approved Householder Design Guide SPD. As such, it is considered disproportionate to the original house. The rear element is also considered disproportionate, being 15.9m wide, which is almost two and three quarters times the existing 5.8m width, resulting in an overly elongated form which bears little resemblance to the existing simple design of the dwelling. The proposed roof form is also considered to be overly complex and out of keeping with the existing simple roof form of the host property and also those within the street. The overall design of the proposal is therefore considered out of scale and therefore indicative of overdevelopment.
- 10.3 The proposed extension is considered to be out of keeping with the existing unspoilt appearance of the host dwelling due to its extended length and splayed form. Although the extension has a set-down form, its overall length is such as to appear discordant and out of place within the relatively unspoilt streetscene. Policy HDG1 of the Householder Design Guide SPD states that “an extension which is well designed should be of a design and shape which is in keeping with the building” and that “particular care should be taken when designing two storey extensions to ensure that the proportions of the extension (including the roof) respect those of the main house”. . It is considered that the proposed extension fails significantly to meet these requirements. Furthermore, the overall length of the extension relative to the boundary is such as to effectively fill in the gap between the host property and the boundary. The Householder Design Guide refers to this issue, stating that “the main difficulty in relation to side extensions is in maintaining adequate spaces between buildings”. The proposal is thus considered significantly out of place within the streetscene, resulting in unacceptable harm to visual amenity and therefore fails to comply with Saved Policies GP5 and BD6 as well as being contrary to the requirements of the Householder Design SPD.
- 10.4 The proposed extension incorporates an upper level window to the outer side elevation. Although this raises concerns relating to potential loss of privacy to the neighbouring dwelling at Number 23, this is an issue which could readily be controlled by conditions requiring obscure glazing should approval be subsequently granted. The varied window designs in the proposed extension further exacerbate the concerns with the design and appearance of the extension. In all other respects including overbearing or overshadowing, the position and form of the extensions is considered to offer no undue harm to neighbouring residential amenity.
- 10.5 The applicants have submitted a supporting statement which states that the extension is so scaled and positioned as to be the minimum necessary for the needs of their growing family. The applicant refers to other development in the wider vicinity which he regards as being of similar scale and appearance, which is considered to add weight to the current proposal, including an extension at 8 Vesper Gate Crescent (approved 2011) and an extension at 39 Vesper Walk (approved 2007). In both cases, the aforementioned extensions were approved prior to the adoption of the Householder Design Guide SPD, a primary requirement of which is that extensions should not exceed two-thirds the original width of the original dwelling. Furthermore, although the design of the extension at

8 Vesper Gate Crescent was such as to exceed two-thirds the original width of the property, it was of a much simpler design with a far greater inset from the primary elevation and a smaller first floor element. The aforementioned extensions were also approved prior to the adoption of the National Planning Policy Framework, which places significant emphasis on design. Re-iterating the former Planning Policy Statements, the NPPF states that “good design is indivisible from good planning” and adds that Local Planning Authorities are encouraged to refuse “development of poor design”, and development 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”. It is considered, therefore, that although the needs of the current occupant may be such as to require a significant increase in living accommodation, this should not be achieved by granting approval for a proposal which fails to comply with adopted Design standards.

10.6 Three letters of representation have been received. As discussed in paragraph 6.2 above, two of these are requests from Ward Councillors, requesting that this application be referred to the Plans Panel for determination by Members.

10.7 The other letter is from the neighbouring property at Number 23, which raises issues relating to the need for obscure glazing to the proposed upper side window. This matter is addressed in paragraph 10.4 above.

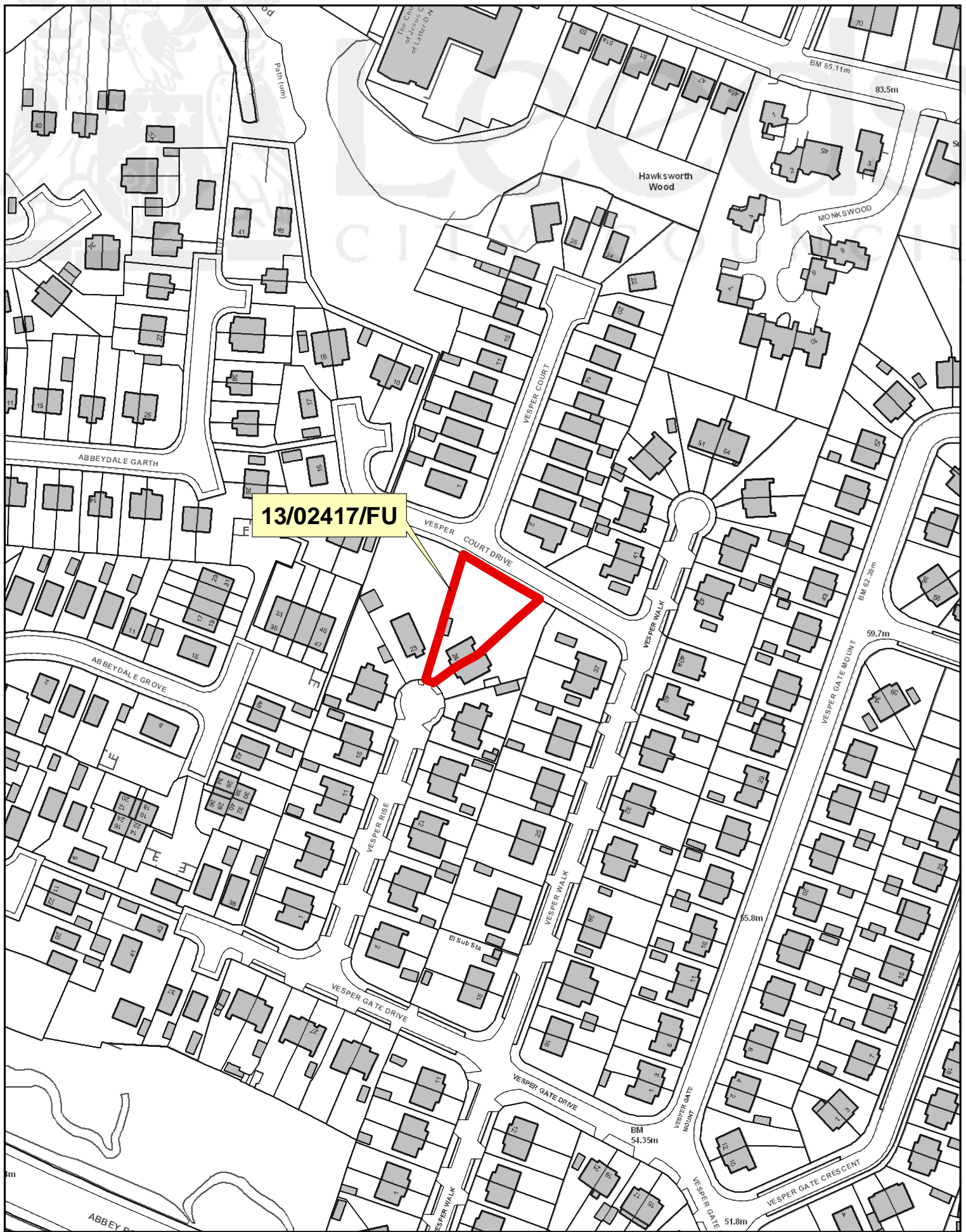
11.0 CONCLUSION:

11.1 After careful consideration of all relevant planning matters it is considered that the proposed development should be refused.

Background Papers:

Application file;

Certificate of Ownership.



SOUTH AND WEST PLANS PANEL