



Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 9th May 2024

Subject: 23/07535/FU – Part two storey part single storey side and rear extension; single storey extension to existing outbuilding to rear; amendments to fenestration and associated landscape works at 5 Farrer Lane, Oulton, Leeds, LS26 8JP

APPLICANT

Pickering and Golton

DATE VALID

18.12.2023

TARGET DATE

05.04.2024

Electoral Wards Affected:

ROTHWN - Rothwell

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to specified conditions

1. Time limit
2. Plans to be approved
3. Materials
4. Retention of northern boundary (in front of two-storey extension) and eastern boundary to rear garden (between the dwelling and outbuilding)

INTRODUCTION:

1. This application has been brought to Plans Panel as it is submitted in a personal capacity on behalf of Cllr Stewart Golton (Rothwell Ward).
2. The applicant seeks permission for part two storey part single storey side and rear extension; single storey extension to existing outbuilding to rear; amendments to fenestration and associated landscape works.
3. As will be outlined below, the proposal is considered to be acceptable in principle, will preserve the character and appearance of the Conservation Area, will not give rise to

residential amenity harm, nor will it have a negative impact on public or highway safety. For this reason, the Local Planning Authority recommend this application for approval.

PROPOSAL:

4. This application seeks permission for the following:
 - 1) Replacing the existing side conservatory with a new single storey extension which would project by 1.3m from the side elevation and would measure 6.3m in width with a maximum height of 3.4m.
 - 2) Two storey rear extension which would extend the existing rear two storey gable by 1.4m and would maintain the existing height of the roof ridges.
 - 3) Side extension of the existing outbuilding would project by 1.5m to the side and would be 3.4m in depth with a maximum height of 3.1m from the lower garden level to the top of the proposed gable roof, with a 2.2m eaves height.
 - 4) The insertion of a further living room window to the south side elevation, replacement of the rear elevation sliding doors with outward opening French doors and the removal replacement of existing steps to the rear elevation with a platform (0.8m high) and steps down into the garden.

SITE AND SURROUNDINGS:

5. The proposal is located on Farrer Lane within the Oulton Conservation Area. The proposal relates to an attractive semi-detached property, which is constructed in an 'arts and crafts' style. The property is two-storey in height, constructed in red brick, and has render and mock Tudor cladding to the first-floor level at the front, with an over-hanging roof. The property lies within mature gardens which extend to three sides.
6. Generally, the ground levels are flat, with a slight gradient falling from front to back resulting in approximately 600mm change in level. The private garden is located to the west and rear of the property and has established vegetation.
7. To the north-west of the site is an area of amenity space serving the flat above the neighbouring public house, The New Mason's Arms. The space is fenced and gated and is separated from the pub premises by a customer car park and beer garden. Additionally, a narrow watercourse is located beyond the northernmost boundary of the application site, running through adjacent land (including the garden of No. 30 Aberford Road) before flowing into Oulton Beck. The garden area to No. 30 Aberford Road is extensive, bisected by Oulton Beck, with a significant wooded area existing between the beck and the application site.

RELEVANT PLANNING HISTORY:

8. No relevant planning history.

CONSULTATION RESPONSES:

9. None

PUBLIC/LOCAL RESPONSE:

10. The application was advertised by means of neighbour notification letters, site notice dated 10.01.24 and in the Yorkshire Evening Post on 09.01.24 (development in a Conservation Area). No representations have been received.

PLANNING POLICIES:

The Development Plan

11. 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 currently comprises the adopted Local Development Framework Core Strategy (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006), the Site Allocations Plan (as amended, 2024), the Natural Resources and Waste Development Plan Document (2013 and 2015) and the Oulton and Woodlesford Neighbourhood Plan.

12. The following policies from the Core Strategy are considered to be of most relevance to this development proposal:

P10: Design
P11: Historic Environment

13. The following saved policies from the Unitary Development Plan are considered to be of most relevance to this development proposal:

GP5: General policy
BD5: Amenity considerations
BD6: Extensions and alterations to be well designed
BC7: Building materials
N19: Development within Conservation Areas

14. The following policies from the made Oulton and Woodlesford Neighbourhood Plan are considered to be of most relevance to this development proposal:

DBE1: Design of the built environment

15. Conservation Area Appraisals and Management Plans
Oulton Conservation Area Appraisal and Management Plan (November 2009) identifies the property, and the adjoining neighbour as 'positive buildings' within the conservation area.

Relevant Local Supplementary Planning Guidance/Documents

16. The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:

Householder Design Guide SPD (April 2012)

National Planning Policy Framework

17. The National Planning Policy Framework (NPPF) 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 NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The NPPF also seeks to ensure development proposals are well designed and conserve/enhance the historic environment.

Relevant Legislation

18. Conservation area: Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.

CLIMATE EMERGENCY:

19. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
20. As part of the Council's Best City Ambition, the Council seeks to deliver a low-carbon and affordable transport network, as well as protecting nature and enhancing habitats for wildlife. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.

PUBLIC SECTOR EQUALITY DUTY:

21. The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.

MAIN ISSUES:

1. Townscape/design and character (including Impact on the Conservation Area)
2. Residential Amenity
3. Highway/parking considerations

APPRAISAL:

Townscape/design and character (including Conservation Area Impact)

22. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.
23. The Framework requires that the impact of development upon a heritage asset be accurately assessed, and if harm is identified that there are public benefits to outweigh that harm, whilst policies P10 and P11 of the Core Strategy and N19 of the UDP seek to protect heritage assets and visual amenity. Additionally, policy HDG1 found within the Householder Design Guide SPD is relevant here and states that:
“All extensions, additions and alterations and 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.”*
24. The application property is identified as a positive building within the Oulton Conservation Area Appraisal and Management Plan. As the extensions are situated to the side and rear and are largely screened by tall trees and vegetation, the proposals will have a very limited impact on the character of the streetscene. Moreover, as noted above in the Site and Surroundings, the design features of these properties differ from one another. The application site is one of pair of semi-detached houses, set within a street of relatively large detached and semi-detached properties and this is part of the character of this part of the Conservation Area, together with a pallet of materials including brick, render and stone. The proposed design would reflect this, with walling materials using brick to match the existing house.
25. The side extension replaces the existing conservatory and will utilise matching brick to the front and rear elevations, as well as glazing to the side elevation. It is considered that this element of the proposal offers a contemporary and appropriate design. The two-storey rear extension is effectively a very modest continuation of the existing rear gable and is again to be finished in matching walling and roofing materials. The extension to the side of the outbuilding is also of a relatively modest scale, occupying a small part of the existing patio and allowing the creation of a small home office.
26. The insertion of a further living room window to the south side elevation is such that the scale, design and siting of the window is proportionate and considered to be acceptable. Similarly, the replacement of the sliding doors to the rear elevation with a pair of outward opening French doors is considered to be appropriate, as is the creation of a platform with steps down into the garden area.
27. Given the scale, size and design of the proposed side, rear extensions and extended outbuilding, the extensions and alterations are considered to appear subservient and respect the scale of the host dwelling and importantly utilise sympathetic matching materials. Therefore, the proposals are considered to preserve the character and appearance of the Conservation Area and are compliant with Core Strategy policies P10 and P11, Saved UDP policies GP5, N19, BD6 and BC7, the Householder design

guide, the NPPF and the Oulton Conservation Area Appraisal and Management Plan (November 2009). As such, the proposal is acceptable in design and character terms.

Residential Amenity

28. Policy HDG2 found within the Householder Design Guide SPD is relevant here and states that:
“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.”
29. As the proposed extensions are either modest in size and/or replace existing structures, a significant proportion of the private garden area is retained. The proposed two-storey rear extension only projects 1.4m and retains a distance of approximately 3.6m from the shared boundary with No. 7, well within the parameters advised in the Householder Design Guide. While the proposed extension is closer to the remote amenity space serving the flat to the pub, it is only marginally closer than the existing gable and therefore not considered to give rise to any significant increase in overshadowing or over-dominance than currently exists. The proposed side extension replaces the conservatory and only has a modest projection into the private garden area, retaining a distance of between 8m and 12m to the side boundary (much greater than the existing conservatory). The extension to the outbuilding is also modest in scale and set away from the boundary with the amenity space serving the flat above the pub. Overall, it is considered that the proposed extensions would not have an overbearing or overshadowing impact to the neighbouring properties.
30. In regard to overlooking, the windows to the side elevation at ground-floor level would be screened by the existing mature planting and boundaries, such that no significant increase in overlooking is anticipated.
31. The proposed windows to the rear of the two-storey extension face part of the applicant's rear garden, but also remote amenity space serving the flat above the neighbouring pub, as well as the extensive woodland grounds of No. 30 Aberford Road. The proposed windows would be 1.5m from the rear boundary at its narrowest point. Whilst the required distance to boundaries should normally be 7.5m, it should be noted that the existing rear window at the first floor is just 2.5m from rear boundary. The context of the amenity space is also important, noting it serves a flat above the pub, but is separated from the building by a car park and beer garden. A condition can be imposed to retain the boundary treatment in front of the ground floor window, serving a kitchen. As such, officers consider that this element of the proposal will not have a significantly greater material impact than the existing situation in terms of overlooking. It is also important to note that the wooded area to No. 30 Aberford Road is also currently overlooked to some degree, but is well away from what are likely to be the most frequently used garden areas of that dwelling, closer to the main house. Again, it is considered that the proposal will not give rise to any significant increase in overlooking.
32. The French doors to the rear replace the existing sliding doors and continue to overlook the applicant's private garden area. However, the French doors are to open outwards onto a modest raised platform, 0.8m high and 1m deep, with steps down to the existing lower patio area. Given the presence of the existing wall and boundary treatment separating the application site from the adjacent semi-detached property, together with the modest projection of the platform, it is considered that any potential for overlooking can be mitigated by retention of the existing boundary

33. The proposed window serving the office is to face the applicant's own property.
34. In light of the above, the proposal is considered to be acceptable in respect of residential amenity impacts.

Highway/parking considerations

35. The application site includes a minimum of two off-street car parking spaces which will remain unaffected by the proposed extension and as such, the proposal raises no issues in respect of highway safety.

CONCLUSION:

36. The proposal would not harm the design and character of the applicant dwelling, nor harmfully impact on neighbour amenity or highway safety. The proposals would preserve the character and appearance of the Oulton Conservation Area. As such, the application is considered to be compliant with the relevant policies, the householder design guide and the guidance within the NPPF and it is recommended that permission is granted.

