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**Report of the Chief Planning Officer**

**PLANS PANEL (SOUTH & WEST)**

**Date: 17<sup>th</sup> May 2016**

**Subject:**

**APPLICATION 16/00184/FU: DORMER WINDOWS TO FRONT AND REAR AND NEW WINDOW OPENING – 37 Woolin Crescent, Tingley, WF3 1ET**

**APPLICANT**

Mrs H Wilson

**DATE VALID**

14<sup>th</sup> January 2016

**TARGET DATE**

10<sup>th</sup> March 2016

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**Electoral Wards Affected:**

**Ardley & Robin Hood**

No

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION**

**REFUSE for the following reason:**

1. The Local Planning Authority consider that the front and rear dormer windows by reasons of their size, scale, massing and stark materials would form a visually intrusive and incongruous addition to the roofscape of the dwelling that would result in a significant harm to the character and appearance of the host dwelling which in turn would unbalance the paired appearance of the semi-detached dwellings and also be harmful to the immediate streetscene. The proposal is therefore considered contrary to Core Strategy Policies P10 (2014), saved policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), policy HDG1 of the Leeds Householder Design Guide (2012) as well as guidance within the National Planning Policy Framework (2012).

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to South and West Plans Panel at the request of Cllr Karen Renshaw who is in support of the application. Cllr Karen Renshaw has requested the application to be heard at South and West Panel on behalf of her constituent.
- 1.2 This application was previously heard at Panel on the 21<sup>st</sup> April but was deferred for a site visit to take place.

## **2.0 PROPOSAL:**

- 2.1 The applicant has submitted an application relating to No. 37 Woollin Crescent, Tingley, WF3 1ET. The applicant seeks planning consent for dormer windows to front and rear and new window opening to first floor side. The proposal will create 3 additional bedrooms at first floor level.

- The front dormer window will measure 6.28m in width, 1.83m in height with a depth of 3.13m.
- The front dormer window will be set up from the eaves by 0.92cm and set down very slightly from the main roof ridge.
- The rear dormer will measure 6.32m in width, 2.52m in height with a depth of 4.46m
- The rear dormer will be set up from the eaves by 0.26m and set down very slightly from the main roof ridge
- The new window opening is a single window located on the south west elevation.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site relates to a relatively plain and simple semi-detached, brick built bungalow with concrete tiled pitched roof. The property is set back and set down from the highway with a modest driveway to the side which runs down to meet a single garage. There is a noticeable gradient on the site, as such the rear garden area is on a significantly lower level to that of the host and is accessed via an area of timber decking. The rear garden area has a total length of approximately 28m which is bounded by a 1.8m high timber fence. Land to the rear of the property is undeveloped greenfield land.
- 3.2 The area is residential in nature with the majority of dwellings in the immediate streetscene and surrounding area semi-detached bungalows. It is noted that two styles of bungalow can be viewed on Woollin Crescent. The host property forms one of a group of four semi-detached pitched roofed bungalows however a number of gable fronted bungalows can be viewed from the host property. It is acknowledged that the adjacent neighbouring property at No.35 Woollin Crescent has a large box dormer window in the roofscape the front and rear of their property which is constructed out of white UPVC. Furthermore, the gable fronted bungalow at No.31 Woollin Crescent has a large box dormer window in the roofscape to the side of their property constructed out of white UPVC. The adjoining neighbouring property at No.39 Woollin Crescent has a large box dormer window to the rear roofscape constructed out of white UPVC.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 None

## **5.0 CONSULTATION RESPONSES:**

5.1 None

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

6.1 The application has been advertised by Site Notice and Neighbour Notification Letter. The neighbour notification letters were posted out on 19<sup>th</sup> January 2016 and the site notice was posted on 29<sup>th</sup> January 2016. The publicity period expired on 19<sup>th</sup> February 2016.

- No letters of objection have been received in relation to the application

6.2 Ward Member Comments:

Request to take item Panel

6.3 Objection Comments:

None

## **7.0 PLANNING POLICIES:**

### **Development Plan**

The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

7.1 Core Strategy Policies

P10 - Design and Amenity

P12 - Landscape

T1&T2 Accessibility and transport provision for development.

7.2 Relevant Saved UDP Policies

GP5 – General planning considerations

BD5 – General amenity issues.

BD6 requires all alterations and extensions to respect the scale, form, detailing and materials of the original building

7.3 Supplementary Design Guide

Neighbourhoods for Living SPG

Householder Design Guide Supplementary Planning Document

The guide gives advice on how to achieve high quality design for extensions and additions to existing properties, in a sympathetic manner that respects the spatial context. The following policies are relevant to this application.

HDG1: all alterations and extensions to respect the scale, form, proportions and the 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 details,
- iii. architectural features,
- iv. boundary treatments
- v. materials

## 7.5 National Planning Policy

The National Planning Policy Framework (NPPF), published on 27<sup>th</sup> March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The following parts of the NPPF have been considered in the consideration of this application:

### 7. Requiring good design

## 8.0 **MAIN ISSUES:**

- Design and Character
- Fallback Position and Negotiations
- Residential Amenity
- Highway Safety/Accessibility
- Representations

## 9.0 **APPRAISAL:**

### 9.1 Design & Character

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 improving the character and quality of an area and the way it functions, should not be accepted". Saved Leeds Unitary Development Plan Policy GP5 states that "development proposals should seek to resolve detailed planning considerations including design"; furthermore saved UDP Policy BD6 states that "all alterations and extensions should respect the form and detailing of the original building". Guidance contained within the Householder Design Guide SPD (adopted 2012) (p33) states that the dormer windows to the front will not normally be considered acceptable.

- 9.2 When considering dormer windows, great importance is given to roofscapes of properties as they define the character of a house and an area, therefore particular care is needed when deciding siting and design. The applicant is seeking consent to introduce a large box style dormer window into the front and rear roofscapes. Guidance contained within the Householder Design Guide states that dormer windows to the front will not normally be considered acceptable particularly in prominent locations and on unbroken roof slopes.
- 9.3 In this instance, the front and rear dormer windows proposed have a bulky appearance and are of such generous proportions that it would consume almost the entire front and rear roofscape. The dormer windows are not located centrally within the roofscape and the new massing fails to provide enough relief between the edges of the roof and the adjoining semi-detached property. The dormer windows are not set down adequately from the main roof ridge and the applicant is proposing to construct the dormer windows out of prominent and stark white UPVC cladding. The proposed front and rear dormer windows are not considered subservient or sympathetic additions and would harm the character and appearance of the host property and immediate streetscene.
- 9.4 It is acknowledged that two dormer windows of similar size and appearance can be viewed from the host property, (one of which is immediately adjacent to the host property at No.35 Woollin Crescent), however these structures were approved some time ago (1990s) and the Council's policy position has changed significantly since then. The neighbouring dormer windows are not considered positive features and clearly stand out in the streetscene in terms of their bulky appearance, prominent siting and stark materials. Introducing a front dormer window would form a visually intrusive and incongruous addition to the roofscape of the dwelling that would result in significant harm to the character and appearance of the host dwelling and the immediate streetscene.
- 9.5 It is acknowledged that there are two historic examples of dormer windows within the immediate streetscene; when assessing the proposal in this context it is worth highlighting that the Council has received a recent planning appeal decision in 2013 (reference APP/N4720/D/13/2200038). The decision relates to a large front dormer window at No.115 Cardigan Road and is helpful as it provides further guidance on the weight to be given to the presence of other examples of development already present in the area. The Inspector dismissed the appeal stating:
- "I give considerable weight in this case to the existing roofscape and its impact on the street-scene, and accept that the scheme would have some similarities with the designs of the dormers at nos 109 and 113. However, while I agree that these existing features provide a strong context against which the appeal scheme should be judged, I do not think that the view that they should be the determining factor; to do so would be to suggest that the point has now been reached where adopted policies no longer serve any purpose in this location. It remains in the wider public interest to continue to require additions of this kind to relate satisfactorily to the predominant character of the terrace"*
- 9.6 Overall, the proposed dormer windows would materially change the appearance of the host dwelling and are unacceptable alterations, contrary to Core Strategy Policies P10, saved policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), and policy HDG1 of the Leeds Householder Design Guide as well as guidance contained within the National Planning Policy Framework. In the interests of consistency in decision making across the city, the officer recommendation is to refuse this planning application.

## 9.7 Fallback Position

It is noted that the applicant does have a permitted development fallback position; The applicant could build the rear dormer window without the need for planning permission under 'permitted development' provided that that the dormer window is constructed out of materials to match the existing roof as opposed to the white UPVC cladding proposed. As such, the principal of a tile hung dormer window to the rear is not disputed. Amending the materials in order to work towards a more positive outcome and enable the applicant to achieve additional extra bedroom has been put forward to the applicant during negotiations however revised plans were not forthcoming.

## 9.8 Residential Amenity

Leeds Core Strategy policy P10 aims to protect general and residential amenity. Saved UDP policy GP5 aims to protect amenity including the amenity of future occupants and policy BD5 states:

'All new buildings should be designed with consideration given to both their own amenity and that of their surroundings. This should include usable space, privacy and satisfactory penetration of daylight and sunlight.' Policy GP5 notes that "extensions should protect amenity and this includes the loss of privacy through overlooking, overdominance and overshadowing". The Council's Neighbourhoods for Living SPG looks to ensure development proposals provide a good level of amenity for future occupiers. Paragraph 17 of the NPPF requires local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

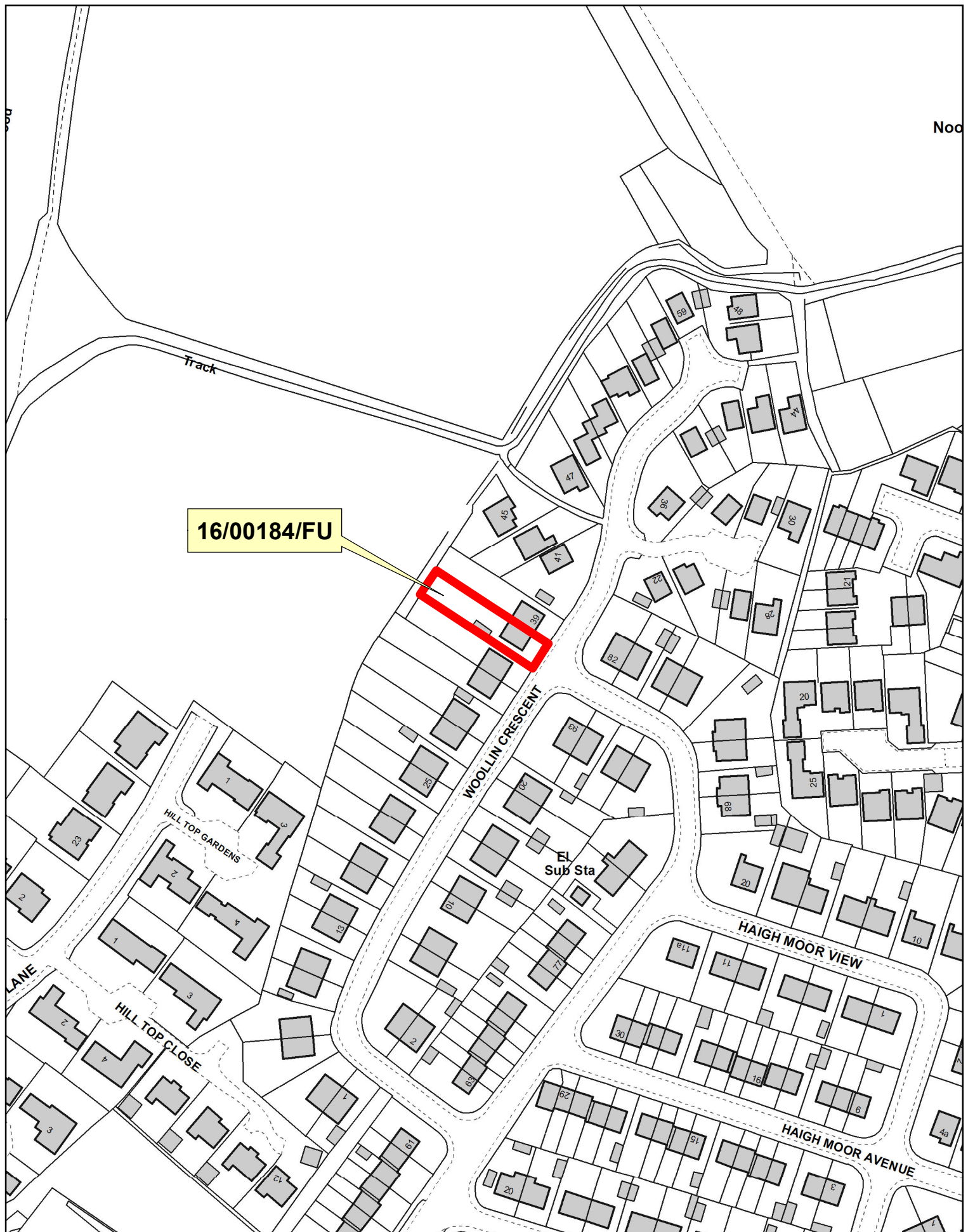
- 9.9 With regard to these considerations, the proposals are considered acceptable. It is acknowledged that dormer windows will add a degree of bulk and additional massing, however this is not considered harmful to neighbouring amenity space as due to the elevated position within the roofscape. The dormer windows are unlikely to lead to any unreasonable overshadowing or overdominance of neighbouring windows and private amenity space.
- 9.10 With regards to overlooking, the dormer windows in the front roofscape will look out in the direction of the highway rather than neighbouring amenity space. The windows in the rear dormer window will look out over the hosts own garden area rather than neighbouring private amenity space. The new first floor window opening in the south west elevation will serve an en-suite shared by bedrooms 3 and 4. If members are minded to approve the application, a condition should be attached requiring the use of obscure glazing.
- 9.11 Overall, the proposals are not expected to create a harmful increase in overshadowing of neighbouring private amenity space or principal windows. As such, the application is considered to be acceptable in terms of privacy, loss of light and overshadowing and is considered to be in keeping with the wider aims of UDP policies GP5 and Householder Design Guide policy HDG2. However, for the reasons discussed above under 'Impact on visual amenity and streetscene' the application cannot be supported.
- 9.12 Highway Safety
- The proposal does not prevent two cars from parking off-street on site. As such, the proposal is considered to protect highway safety and is considered to be in keeping with the wider aims of adopted Core Strategy policy T2.
- 9.13 Representations
- No formal letters of representation have been received.

## **10. CONCLUSION**

- 10.1 It is acknowledged that the proposal would create additional living accommodation for an existing family dwelling and the development does not lead to harm to neighbouring amenity in terms of outlook, overdominance or create any significant highway safety concerns; these are considered to be the positives of the application.
- 10.2 However, negatives of the proposal include significant harm to the character and appearance of the host dwelling which in turn would unbalance the paired appearance of the semi-detached dwellings and also harm the immediate streetscene. Poor and harmful examples of historic neighbouring structures should not be used as a justification for development which is contrary to current policy and guidance, especially when there is a valid fallback position and substandard development could set a precedent in the area.
- 10.3 Overall, the negatives of the proposal significantly outweigh the positives of the scheme. The application is considered unacceptable in planning terms and would be contrary to the aims of the relevant local and national planning policy and as such is recommended for refusal.

### **Background Papers:**

Application files 16/00184/FU



# SOUTH AND WEST PLANS PANEL

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