



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 17 August 2017

Subject: Application 17/01922/FU Single storey side extension, Pine Chase Syke Lane, Scarcroft, Leeds LS14 3JA

APPLICANT

Mr T Douglas

DATE VALID

23.03.2017

TARGET DATE

18.05.2017

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions.

Conditions

1. Standard time.
2. Plans to be approved.

1.0 INTRODUCTION:

1.1 The application proposes the construction of a single storey side extension to an existing detached dwelling in Scarcroft, Leeds. The application is reported to the North and East Plans Panel at the request of Ward Councillor Rachael Procter due to the Green Belt location of the site, and concerns over the interpretation and application of policy that could result in disproportionate additions to the existing building creating harm to the Green Belt. Given that this case raises wider concerns over the interpretation and application of Green Belt policy, it is therefore considered that the application ought to be determined by the Panel.

2.0 PROPOSAL:

2.1 The application proposes a single storey extension; 4.65 metres in projection from the western elevation of the dwelling, 12.05 metres in width with a sloping roof 2.3 metres to the eaves, and measuring 2.544 metres to the ridge. The extension would

essentially take the form of a lean to conservatory that would serve the ground floor games room and lounge.

3.0 SITE AND SURROUNDINGS:

3.1 The application relates to a detached property located within the designated Green Belt and Special Landscape Area at the corner of the junction of Syke Lane with Blackmoor Lane in Scarcroft. The existing property is a two storey stone built and slate roofed dwelling, of simple symmetrical form and design and set within mature gardens. In 2014 planning permission was granted for a detached double garage to the side and rear of the property and an area of hardstanding has been created between the site's eastern entrance and the eastern elevation of the dwelling.

3.2 The application dwelling sits almost centrally within the curtilage atop an approximately 9 courses high stone slab. The house sits within verdant surroundings with expansive lawns surrounding the property and boundaries being defined by mature trees to the northern, eastern and western edges of the site. A stone wall interspersed with fencing defines the southern site boundary. Beyond the northern boundary are the mature gardens of a larger scale dwelling 'Bracken Park Lodge' and dwellings on Fern Way are situated opposite on the southern side of Syke Lane. To the west is Moor Allerton Golf Club.

4.0 RELEVANT PLANNING HISTORY:

4.1 08/01796/FU: Part two storey, part single storey side and front extension, with two dormer windows to side and three dormer windows to other side and replacement dormer window, porch and feature window to front. Application refused under delegated powers 21.05.2008.

4.2 08/05035/FU: Part two storey part single storey rear extension. Application refused under delegated powers 27.01.2009.

4.3 09/03271/FU: Part two storey part single storey rear extension. Application approved under delegated powers 07.09.2009

4.4 10/02565/FU: Replacement five bedroom dwelling house. Application refused under delegated powers 20.09.2010.

4.5 10/04566/FU: Replacement five bedroom dwelling house. Application approved under delegated powers 28.01.2011.

4.6 11/01263/COND: Consent, agreement or approval required by conditions 7, 11 and 13 of Planning Application 10/04566/FU. Approved 25.05.11.

4.7 14/02699/FU: Detached double garage to side/rear. Application approved under delegated powers 19.08.2014.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Following submission discussions took place with the applicant to clarify how the replacement dwelling was constructed in practice.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by site notice on 13.04.2017 and immediate neighbours of the site were notified in writing. No public comments were received in response to this publicity.
- 6.2 Ward Councillor Rachael Procter has been briefed on the proposals and has requested that the application be considered at Plans Panel because of the Green Belt location of the site and the impact of the new extension in Green Belt policy terms. The Ward Cllr is of the view that the house has not been rebuilt and has instead been previously altered and extended, and in which case the extension cumulatively with earlier extensions would be disproportionate and therefore inappropriate development.

7.0 CONSULTATION RESPONSES:

Statutory:

- 7.1 None

Non-statutory:

- 7.2 Legal Services: Summary: Based upon the submitted information, chronology of the site history and explanation of the site photographs and drawings, which followed a detailed site inspection by planning officers, there is no reason to doubt that the house has been rebuilt rather than simply extended. The case history supports this view. The application therefore should be assessed in planning terms on the basis of it being a replacement dwelling that has not previously been extended, with any proposal for extension falling to be considered against the development plan and guidance under Household Design Guide policy HDG3, and in light of the planning policy guidance contained within Section 9 of the National Planning Policy Framework.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan Review (2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Development Plans. The following sections are most relevant:

Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds District. Some saved policies of the UDP Review also apply. The following policies within them are relevant:

Spatial Policy 1	Location of Development
Policy P10	Design

Saved Policies of the Leeds Unitary Development Plan Review (2006):

- | | | |
|-----|-----|---------------------------------|
| 8.3 | GP1 | Land use and the proposals map |
| | GP5 | General planning considerations |
| | BD6 | Extensions |

N33 Green Belt
N37 Special Landscape Area

Natural Resources and Waste Local Plan:

8.4 Water 7 Surface water run off

Relevant Supplementary Planning Guidance:

8.5 Neighbourhoods for Living SPD (adopted).

Householder Design Guide, policies HDG1 (Design) HDG2 (amenity) HDG3 (extension in the Green Belt)

National planning policy guidance:

8.6 The National Planning Policy Framework was published on 27th March 2012 and sets out the Government's planning policies for England and how these are expected to be applied alongside other national planning policies. In this case the following sections are most relevant:

Section 7 Requiring good design
Section 9 Protecting Green Belt land
Decision taking
Annex 1 Implementation

9.0 MAIN ISSUES:

- Principle: New build vs extended dwelling
- Green Belt
- Special Landscape Area
- Siting and Design
- Privacy and Amenity

10.0 APPRAISAL:

Principle: New build vs extended dwelling

10.1 The application raises the preliminary matter of whether or not, on the facts, the existing dwelling should be considered as a replacement dwelling that has not previously been extended, or if instead it should be considered as a previously extended and altered dwelling. This is significant because the upshot of this consideration is, were it considered to be a replacement dwelling that has not previously been extended it would benefit from a policy exception for extensions that are not disproportionate. Conversely were it considered as a previously extended dwelling the cumulative volume of existing and proposed extensions would take it beyond development plan policy allowances, and the proposal would thereby potentially be inappropriate development in the Green Belt and contrary to development plan policy.

10.2 In considering this preliminary matter it is clear from the planning history of the site that the Council granted planning permission under 10/04566/FU for a replacement dwelling that was larger than the original house. The dwelling on site has the massing, form, scale and detailed appearance of that replacement dwelling. It is noteworthy that

the application for the replacement dwelling was validated having regard to the amount of demolition and alteration proposed, and it was deemed then to constitute a proposal for a replacement dwelling, rather than the alteration and extension of an existing dwelling. It was described and publicised as a replacement dwelling and the higher planning fee for a replacement dwelling was paid. Details of boundary treatment, construction traffic management, and roofing slate of the replacement dwelling were all subsequently approved under application reference 11/01263/COND, for which the fee for a non householder discharge of condition application was also paid. The building which has been erected on site has been assessed and it is considered that it is in conformity with the approved plans for the replacement dwelling.

- 10.3 The current building is on the same footprint of the old dwelling with the applicant advising that in order to produce efficiencies in build cost (and by virtue of its good condition) the existing slab foundation was reused. It is also clear that some of the external walls and potentially the chimneys survive from the earlier dwelling. However, notwithstanding this, and irrespective of precisely how the current construction was arrived at, in view of the above considerations and the planning history it is considered that in substance and form the house is a new replacement dwelling. Consistent with Planning Inspectors' decisions in relation to appeals considering proposals for the extension of replacement dwellings, it thereby represents a new chapter in the planning history of the site. Provided therefore that the proposed extension of itself is not disproportionate, the application is therefore considered to be acceptable in principle.

Green Belt

- 10.4 Turning to the Green Belt policy considerations planning policy guidance set out at paragraph 80 of the NPPF sets out the five purposes the Green Belt serves:
- *to check the unrestricted sprawl of large built-up areas;*
 - *to prevent neighbouring towns merging into one another;*
 - *to assist in safeguarding the countryside from encroachment;*
 - *to preserve the setting and special character of historic towns; and*
 - *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 10.5 The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (Para 87). It sets out that that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations (Para 88).
- 10.6 Paragraph 89 of the NPPF advises that the erection of new buildings within the Green Belt should be regarded as inappropriate development, subject to a number of exceptions, one of which (third bullet) provides for:
- ***the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.***

10.7 Saved UDPR policy N33 advises that except in very special circumstances approval will only be given in the Leeds Green Belt for certain developments, one of which (second bullet) provides for:

- ***limited extension, alteration or replacement of existing dwellings.***

10.8 Supplementary guidance within the Householder Design Guide gives further advice with policy HDG3 setting a 30% volumetric limit over and above the building's original volume as a guideline figure as to whether or not extensions to dwellings within the Green Belt are to be considered disproportionate.

10.9 The proposed single storey extension represents less than 20% of the volume of the existing dwelling, and when assessed against policy HDG3 the application is therefore policy compliant. Notwithstanding the nuances over whether or not the existing dwelling is a replacement dwelling or not, in the context of the existing dwelling and having regard to the proposed, height, width and footprint, the proposal would not read as a disproportionate addition, or cause any material harm to Green Belt purposes. The proposed extension would not represent a disproportionate addition and therefore complies with the guidance in section 9 of the NPPF.

Special Landscape Area (SLA)

10.10 The application site is located within the Scarcroft Special Landscape Area (policies N37 and N37A afford protection in this regard). The UDPR advises the characteristics of the SLA as follows:

"This part of the SLA is typified by a series of ridges and valleys running eastwards into the Scarcroft/Bardsey/East Keswick becks which in turn feed into a tributary of the Wharfe. The series of rolling ridges allow attractive middle- and long-distance views along the valleys and northeast out of the Leeds area. The scattered villages are located mainly on the higher ground though Thorner, Bardsey and Collingham descend into the valley bottoms. The field structure is largely intact, and small woodlands are located on the steeper valley sides. The southern part of the area includes several golf courses, some of which complement and enhance the local landscape character and some of which include inappropriate planting. Towards the west there are only small hamlets and farms, and the landscape is more open in character."

"Positive factors: strong structure and visual unity, interesting topography, high scenic quality, attractive groups of buildings, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none."

10.11 With regard to the impact on the SLA the application relates to the relatively minor extension of an existing dwelling. The extension would not become a visual feature in the landscape by virtue of the generous level of enclosure within the verdant boundaries of the application site, which sits behind Bracken Park Lodge to the north (beyond which the land level then falls away towards Blackmoor Lane and Spear Fir). On this basis the proposed extension is not considered to be harmful to the Special Landscape Area and is therefore policy compliant in this regard.

Siting and design

10.12 Policy P10 of the Core Strategy addresses design considerations and states that inter alia alterations to existing buildings should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function.

Developments should respect and enhance, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing. Proposals will be supported where they accord with the principles of the size, scale, design and layout of the development and that development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality. Saved UDP policy BD6 seeks to ensure that development is of high quality design, as policy HDG1 of the Householder Design Guide and guidance contained within Section 7 of the NPPF also do.

- 10.13 In these regards it is considered that the extension proposed would read as a lightweight subordinate and not disproportionate addition to the existing dwelling. Substantially enclosed within the application site and of a design and appearance not uncommon with minor domestic extensions it would respect the overall character of the host building without causing harm to the visual amenity of the locality. The application is therefore considered to be policy compliant in these regards.

Privacy and Amenity

- 10.14 No privacy or amenity objections have been received in response to publicity given to the application. Given the single storey nature of the proposal and the generous garden ground in which the application dwelling is located, and the separation distances between neighbouring dwellings involved which far exceed policy requirements, the proposed extension is not considered to be harmful to neighbouring amenity or privacy and is thereby policy compliant in these regards.

11.0 CONCLUSION

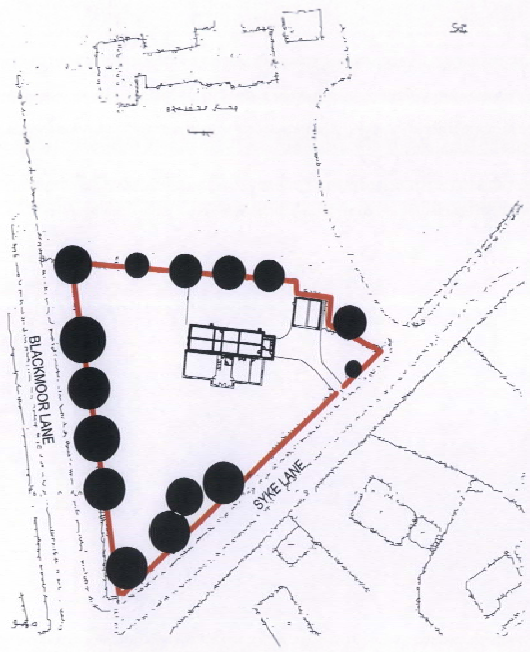
- 11.1 The existing dwelling is considered to be a replacement dwelling that has not previously been extended. The extension proposed is not a disproportionate addition to the dwelling and would not appear so, and accords fully with Saved UDPR policy N33, Householder Design Guide policy HDG3, and guidance contained within Section 9 of the NPPF. It is therefore considered to be appropriate development in the Green Belt. The extension is relatively minor and of an acceptable design, that would not harm the visual amenity of the locality or the integrity of the Special Landscape Area in which it is located. It would not harm neighbouring residential amenity or privacy and there are no third party objections in this regard. The application is therefore assessed as being in accordance with the development plan and from the appraisal is therefore recommended for approval.

Background files:

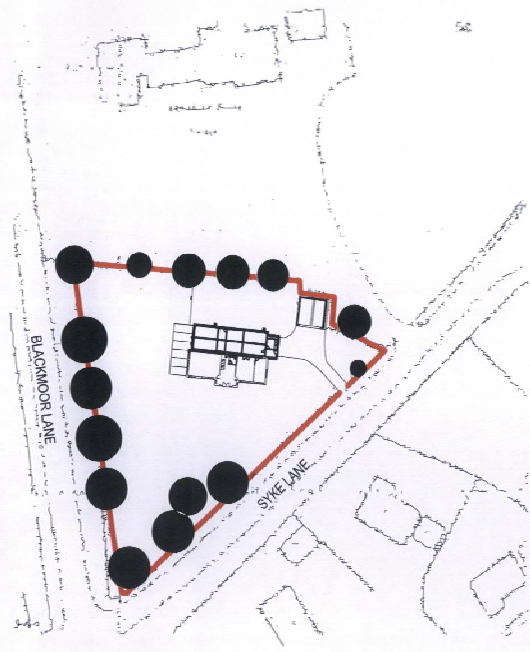
Application case files

Certificate of Ownership – Certificate A completed

17/01922/10



Existing Site Plan



Proposed Site Plan

General Notes:
This drawing is copyright of Quest Solutions (UK) Limited and must not be copied or reproduced in any way without written consent of Quest Solutions (UK) Limited

REVISIONS			
REV	DATE	AMENDMENTS	INT.

***** DESIGN STATUS *****

STATUS 'A'
DRAWING/DESIGN APPROVED WITH NO FURTHER COMMENTS
PROCEED WITH PROCESSING & MANUFACTURE

STATUS 'B'
DRAWING/DESIGN APPROVED SUBJECT TO COMMENTS
AMEND TO COMMENTS, PROCEED WITH PROCESSING &
MANUFACTURE

STATUS 'C'
DRAWING/DESIGN NOT APPROVED
AMEND TO COMMENTS, RESUBMIT FOR APPROVAL

Glass Box Specification

Roof Glass:
Outer 8mm Toughened Extreme Coolite 60/28
Cavity 16mm Argon Filled Cavity with Warm
Edge Spacer
Inner 13.8mm Heat Strengthened Clear Laminate

Vertical Wall Glass:
Outer 8mm Toughened Extreme Coolite 60/28
Cavity 16mm Argon Filled Cavity with Warm
Edge Spacer
Inner 13.8mm Heat Strengthened Clear Laminate

Glass Fins and Glass Beams:
31.5mm Heat Strengthened Clear Laminate

Black Structural Silicone between Joints (10mm)

Overall U-Value is 1.0W/m2K

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CLIENT NAME:
Mr & Mrs T. Douglas

PROJECT NAME:
Glass Box Extension to Ground Floor at Pine Chase Syke Lane Scarcroft Leeds LS14 3JA

DRAWING TITLE:
EXISTING AND PROPOSED SITE PLAN

STATUS
 Preliminary Approval As-Built
 Construction As-Built

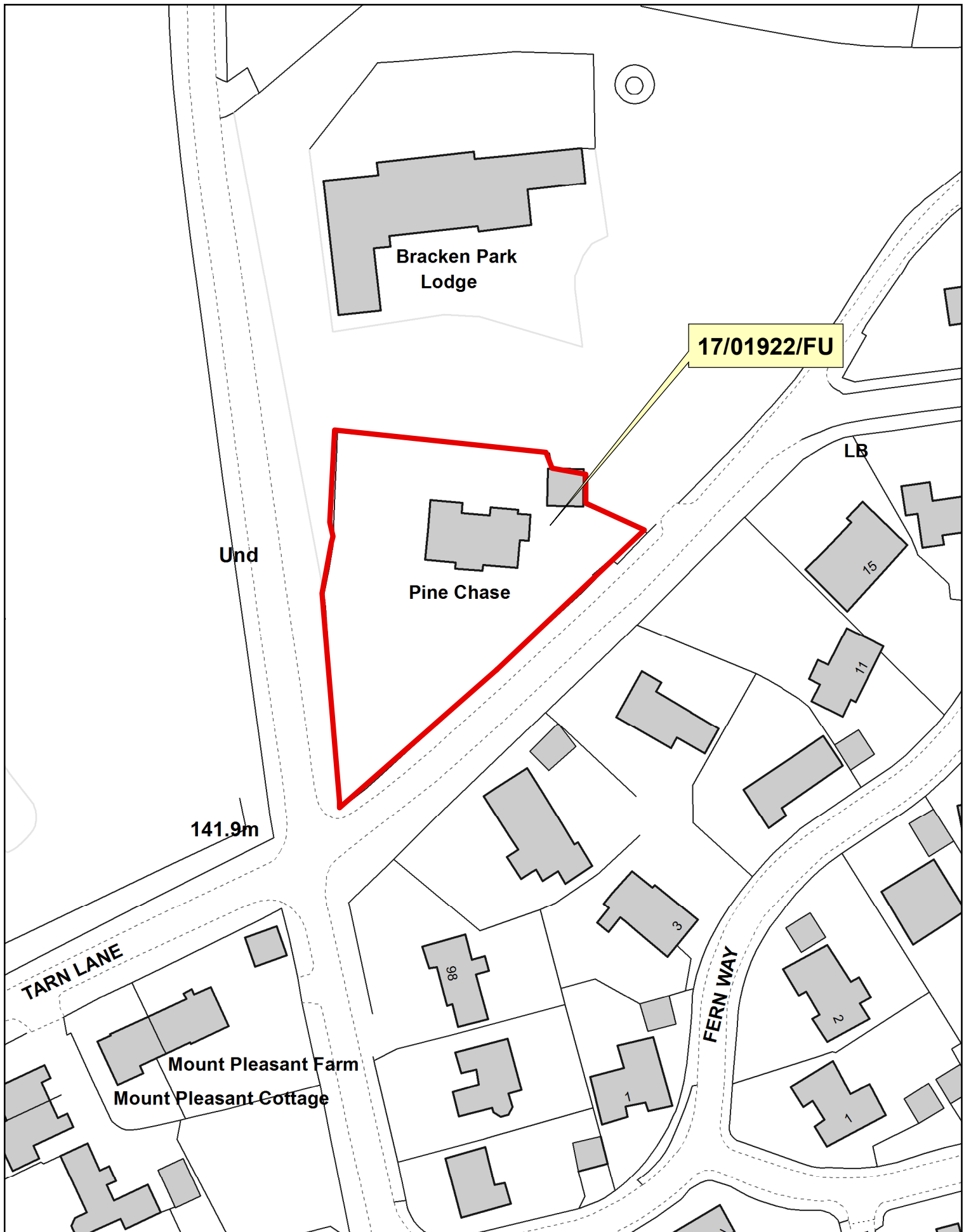
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NORTH AND EAST PLANS PANEL

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SCALE : 1/1000

