



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 16th November 2017

Subject: 17/04161/FU – Two storey detached outbuilding to rear at 2A Allerton Park, Chapel Allerton, Leeds, LS7 4ND

| APPLICANT | DATE VALID | TARGET DATE |
|----------------------|-------------------|--------------------|
| Mr Alex Bauman-Lyons | 26.06.2017 | 21 August 2017 |

Electoral Wards Affected:

Chapel Allerton

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 following conditions:

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Tree protection
4. Tree replacement scheme/ landscaping
5. The use of the building ancillary to the main building, and not as a separate dwelling.
6. Planning permission will be obtained before the first floor area is extended or altered.

1.0 INTRODUCTION

- 1.1 This application seeks permission to erect a two storey outbuilding to the rear of the site. This application has been brought to Plans Panel at the request of the local Ward Members, due to their concerns that the proposal constitutes an overdevelopment of the site and the consequent impact of the development upon the character of the Gledhow Conservation Area.

2.0 PROPOSAL

- 2.1 The proposal to construct a largely two storey wooden clad outbuilding measuring 7.2m in width and 4.3m in depth. The proposal will be 6.5m in height. The proposal has a rectilinear footprint and is of contemporary design, incorporating a sloping eaves line resulting in an unusual roof form. The internal layout includes a toilet facility and lounge area to the ground floor with a mezzanine floor above. A small patio area will be erected around building. The 'garden house' is shown to be sited to the rear of the dwelling; known as the White House.

3.0 SITE AND SURROUNDINGS

- 3.1 The application relates to a detached white rendered dwelling located on fairly large plot which is well landscaped with mature trees and shrubs. The existing dwelling is located within the Allerton Park section of the Gledhow Valley Conservation Area. The property has a contemporary form including large areas of glazing and a striking mono-pitched roof. It appears to have received planning permission in the mid 1990's, and the site appears to have been part of the larger nursing home which also included the neighbouring dwelling No.2 Allerton Park. Although the boundary of the application site is marked with trees and shrubs, the garden of the site is not particularly well screened from the garden of No.2.
- 3.2 Allerton Park is a tear-shaped and fairly secluded enclave of residential development. The Conservation Area Appraisal highlights that the streets looped shape is reminiscent of the road layout of Roundhay Park designed by George Corson. The houses on the street date mainly from the early 20th century when the land was sold off for individual villas. They are set well back from the road in generous plots. The architecture in the locality is varied comprising traditional and contemporary forms. Planted trees within the deep gardens and within the verge of Allerton Park provide a dominant feature of the area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 34/73/95/OT- Outline application to erect detached dwelling and ancillary studio. Approved
- 4.2 34/116/96/FU- 3 bedroom detached house. Approved
- 4.3 34/74/95/FU- 5 bedroom detached dwelling house incorporating granny flat. Approved
- 4.4 34/385/92 - Outline planning permission for residential development. Approved.
- 4.5 34/383/92 Outline planning permission for residential development granted. Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Discussions have taken place in respect of the impact of the proposal on trees.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was originally advertised by Neighbour Notification Letters that were sent 05 July 2017. Site notices were posted on 21 July 2017 and was advertised in the Yorkshire Evening Post on 21 July 2017.

6.2 13 objection letters have been received. The following concerns have been raised:

- Overdevelopment of site and loss of garden area.
- The Conservation Area characterised by deep gardens, which this building will encroach upon.
- The building could potentially be used as a separate dwelling, as the building is large, and features a separate access, parking and bin storage.
- The proposal will raise issues of overshadowing, dominance and overlooking.
- The proposal is of poor design and will harm the character of the Conservation Area.
- Harm to trees
- Increase traffic.
- Noise and light pollution
- Impact upon wildlife
- Block light
- The drainage scheme is not feasible
- The revised plans do not overcome the concerns relating to trees
- The proposal will not allow for materials to be brought into the site

7.0 CONSULTATIONS RESPONSES:

7.1 Landscape

No objection, subject to appropriate conditions.

7.2 Conservation Officer

No significant concerns raised and comments that the proposal will not harm the character of the Conservation Area.

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires development, as a whole, to preserve or enhance the appearance or character of Conservation Areas.

Development Plan

8.3 The Development Plan for Leeds comprises the Adopted Core Strategy (November 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 plan.

The application site has no specific allocations or proposals other than being in the Conservation Area.

Adopted Core Strategy

8.4 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered most relevant:

Policy P10: Seeks to ensure that new development is well designed and respect its context

Policy P11: Seeks to ensure developments that affect designated and undesignated heritage assets conserve and enhance local character

Policy T2: Accessibility requirements and new development

Saved UDP policies:

8.5 Policy GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

Policy LD1: Seeks to ensure that development is adequately landscaped

Policy N23: Refers to open space and the retention of existing features which make a positive visual contribution.

Policy N25: Refers to boundaries around sites

Policy N19: Developments within conservation areas.

Relevant Supplementary Planning Guidance includes:

8.6 Supplementary Planning Guidance “Householder Design Guide” – that includes guidance that the design and layout of new extensions and that they should have regard to the character of the local area the impact on their neighbours.

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 details;
- iii) architectural features;
- iv) boundary treatments and;
- v) materials.

Extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.

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.

8.7 Gledhow Valley Conservation Area Appraisal- identifies this Allerton Park as being within Character Area 3. This document describes Allerton Park as a secluded enclave of residential development. The tear shape loop of the road and the early 20th century houses set back from the road on generous plots, are highlighted as being key features of this part of the Conservation Area.

National Planning Policy (NPPF)

8.8 The National Planning Policy Framework (2012) 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 and promotes sustainable (economic, social and environmental) development. NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.9 In relation to heritage assets The NPPF states that the Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Para's 132 and 138 of the NPPF with regards to Heritage Assets states that,

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

8.10 Guidance on conditions is provided within the Planning Policy Guidance (NPPG).

9.0 MAIN ISSUES

- 1) Principle of Development
- 2) Character and impact on Conservation Area
- 3) Residential amenity
- 4) Landscaping
- 5) Public Representations

10.0 APPRAISAL

Principle of Development

10.1 The most significant concern raised within the objection letters relates to the potential use of the building as a separate dwelling. The proposal is described as a garden room which will be used ancillary to the main building. The Local Planning Authority has no reason to believe that the building will be used other than as an ancillary structure to the main dwelling and a condition will be attached to ensure this. A full planning application will be required to be submitted should the applicant intend to use the building as a dwelling, and such a application will be judged on its merits.

Character and Impact on Conservation Area

10.2 The proposal is to construct a two storey out building within the rear garden area. Although, such structures are not common in the area, consideration has been given to how it relates to the main building and the impact it has on the character of the Gledhow Valley Conservation Area.

10.3 The NPPF 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". Core Strategy policy P10 and saved UDP policy GP5 seek to ensure that development is of high quality. The site is located

within the Conservation Area wherein national and local planning policy also requires new to preserve and, or enhance its character. Policy HDG1 of the Householder Design Guide states that all extensions, additions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and the locality.

- 10.4 S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal lies within Gledhow Valley Conservation Area. In this area the character is that of detached dwellings and flats, set on large garden plots. The buildings are generally set back from the road with either stone wall and/or fences with mature planting defining the frontage. The garden plots are characterised by mature planting and large trees. The properties generally enjoy a generous spatial setting. As will be further assessed within the paragraphs below, these key characteristics of the Conservation Area will not be harmed as a result of the proposal. The application site will not be subdivided and a large part of the garden area will be retained. Therefore, from public view, the application site will continue to have a single dwelling set on a large plot. The outbuilding will appear as an ancillary structure from neighbouring dwellings and there will be limited views of it from the main highway. Therefore, in line with the guidance provided within the NPPF, it is considered that the proposal will conserve the local heritage assets and will not cause harm to its character of setting.
- 10.5 It is considered that the two storey structure, owing to its wooden cladding and glazing on the elevations as well as it being of a smaller scale when compared to the main building on the site, gives the proposal a lightweight subordinate appearance that will not appear to dominate the main building. Furthermore, these traits will allow the building to respect the scale, form, proportions, character and appearance of the main dwelling, and thus ensuring that the proposal will tie in well with the context of the site.
- 10.6 Given the unique contemporary design of the main building on the site, the proposal taking its own distinctive appearance allows the proposal to sit comfortably alongside the main building. Furthermore, the location of the building to the rear of the site (not particularly visible from public view), ensures that the proposal will not harm the character or the appearance of the Conservation Area. The Conservation Officer has assessed the scheme and as raised no concerns in relation to its impact upon the character the Conservation Area.
- 10.7 An objection received noted that the proposal will result in a substantial loss of garden, which the objector claim to be in conflict with the prevailing character of the area - that being defined by buildings sited on large plots. The application does not propose to sub-divide the plots and the existing garden area will be retained. Moreover despite the 7.2m by 4.3m footprint of the proposal, substantial garden space will be retained. The proposal will keep a distance of 10m from the boundary with the adjoining dwelling No.2 Allerton Park, around 7.5m from the rear boundary and 9.5m from northern boundary with the flat development. It is considered that the space retained between the boundaries of the site, is sufficient to ensure that the proposal will not appear as an over-development of the site nor will it harm the special character of the Conservation Area. Furthermore, the garden area that will be retained is sufficient to meet the needs of the occupants of the site and will comply with the guidance provided within the HDG in relation to garden sizes.

- 10.8 In light of the above, it is considered that the proposal will not harm the character and appearance of the Conservation Area (or the design main building) and therefore the proposal complies with P10 and P11 of the Core Strategy, with HDG1 of the Householder Design Guide, and with saved policy N19 and with the Conservation Area Appraisal. The proposal also complies with the guidance provided within the NPPF in particular those that relate to conserving heritage assets as outlined within Section 12 of the NPPF.

Residential Amenity

- 10.9 The proposal will retain a distance of 10m from the boundary with the adjoining dwelling No.2 Allerton Park, around 7.5m from the rear boundary and 9.5m from northern boundary with the flat development. It is considered that these separation distances are adequate to ensure that the proposal will not overshadow, over-dominate, block sunlight or overlook neighbouring dwellings.
- 10.10 There is a first floor window proposed that faces the adjacent dwelling No.2 Allerton Park. As this non habitable room window serves mainly to allow light at ground level. The internal mezzanine at first floor area is set away from the window in question and whilst also taking into account the separation distance of 10m that will be maintained, it is not considered that this window will harm the privacy of the adjacent dwelling No.2. The horizontal timber louvers on the window will also act to obscure some of the views from this window.
- 10.11 The windows facing the flat development to the north will be set 9.5m away from the common boundary. It is considered that the separation distance is adequate to ensure the proposal will not harm the privacy of the flats by way of overlooking. The window in the rear elevation serves a staircase (non-habitable room) and will be set approximately 8m away from the rear boundary. The nature of the window and the separation distance as well as taking in to account the trees that are present close to the rear boundary, it is considered that the proposed window in the rear elevation will not raise overlooking issues.

Landscaping

- 10.12 The trees within the site make a positive contribution to the character of the Conservation Area and therefore should be protected during the construction period by tree protection fencing, and by the use of appropriate construction methods that will protect tree roots. There are no trees to be removed to facilitate the development. The only tree proposed to be removed is tree T4, and this is due its poor relationship to the main building. The tree is said to be leaning heavily towards the existing building and has developed poorly. The applicant is in agreement that T4 should be re-placed to maintain amenity and screening in that area, and this will be achieved via a condition.
- 10.13 The closest point of the proposed building (north-eastern corner) to the nearest tree (T6) is approximately 8.7m, which is sufficient to ensure that the proposal will not harm the trees. The decking area will be suspended on raft foundations, which will be supported by one concrete pad positioned outside of all root protection areas of retained trees. The pad will measure 400mm x 400mm in width and will require excavations to a depth of 150mm (finished levels will be 300mm above ground level), and the use of raft foundations which will also be constructed above ground level, will ensure that the no root severance or ground compaction will occur. Furthermore, the plans show that the proposal will not significantly encroach within the root protection areas of the trees and will largely be placed outside the canopy of

the trees. The Landscape Officer has assessed the scheme and has raised no significant concerns with regard to the impact on trees, and has accepted the loss of T4 the removal of which is not directly linked to this development. A condition can be imposed to ensure the retained trees and hedges are fully protected during the construction period.

Public Representation

- 10.14 The comments made with regards to the impact of the development upon the character of the Conservation Area, overdevelopment of site, loss of garden area, overlooking, over-dominance, loss of light and with regards to overshadowing have all been addressed within the report.
- 10.15 The concern raised with regards to the potential for the site to be used as a separate dwelling has also been discussed in the report. It is considered that this issue can be overcome by conditions restricting the use of the building.
- 10.16 The concern raised relating to the loss of the trees, has been evaluated by the Landscape Officer who has raised no concerns in relation to the impact on retained trees and the loss of tree T4.
- 10.17 The concerns raised relating to the potential increase in traffic, is noted. It is not considered that the ancillary outbuilding will cause an increase in traffic.
- 10.18 The objection letters also comments that the development could potentially cause undue noise and light pollution. The proposed building, due to it being used as an ancillary outbuilding by a single household, is not considered to harm neighbouring amenity by way of noise or light pollution.
- 10.19 The concerns have also been raised that the proposal will harm local wildlife and cause nature conservation issues. It is considered that that modest development, which will not result in significant loss of garden land or any trees will not harm any protected wildlife that may reside within the area. Therefore, it is not considered that the proposal will raise nature conservation issues.
- 10.20 The concerns raised in relation to the feasibility drainage system, is noted. Given that the proposal is for a modest ancillary building to the site, it is considered that the effectiveness of the drainage system can be adequately dealt with at the Building Regulations stage of the application.
- 10.21 Concerns have also been raised that the contractors will find it difficult to bring in materials to the rear of the site. It is considered that there will be sufficient space to allow for materials to be brought into the site, whilst there may be less space available when the tree protection fence is in place to bring in materials; it is considered that the fence line can be altered or space can be made to bring in materials.

11.0 CONCLUSION

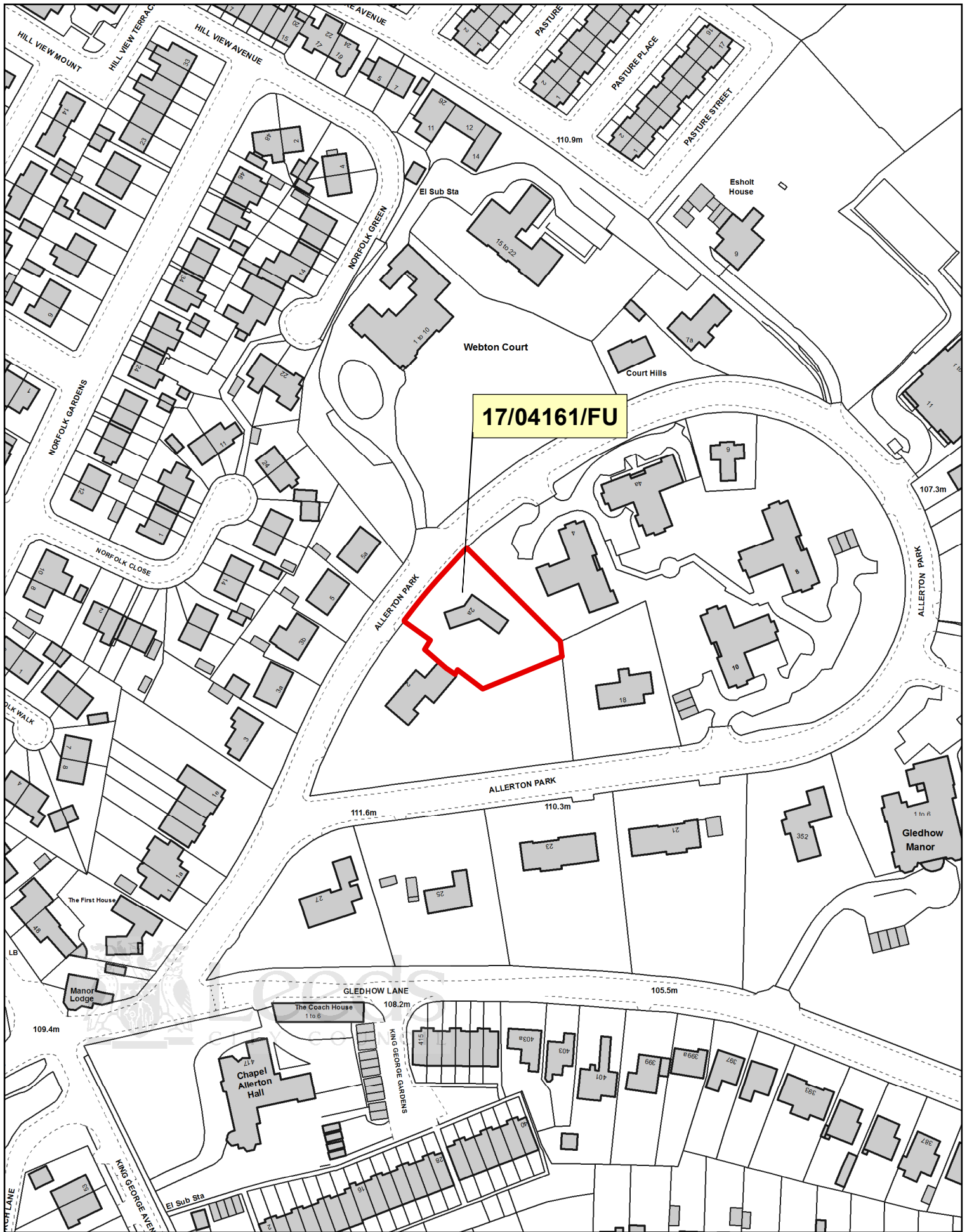
- 11.1 In light of the above, it is considered that the design, scale height and principle of the development are acceptable within the immediate context and will not harm the character or the appearance of the Conservation Area. Furthermore, the Landscape Officer has found that the proposal will not cause harm to the trees around the site. As such, the proposed scheme is compliant with the relevant policies and guidance

detailed within this report and subject to the conditions listed at the head of this report approval is recommended.

Background Papers:

Application file: 17/04161/FU

Certificate of ownership: Certificate 'A' signed by the Agent



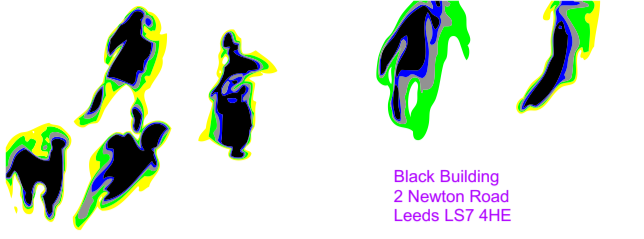
NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500





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Construction Risks Maintenance/Clearing Risks Demolition/Adaptation Risks
In addition to the hazards risks normally associated with the types of work detailed on this drawing take note of the above. It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an appropriate method statement.

Safety Health and Environmental Information Box
Notes
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| RevID | Issue Date | Description |
| C | 01.19.17 | Proposed garden house moved closer to the existing building |

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|--------------------------|---------------------|-------------|
| Scale | Issuing Office | Project No |
| 1:100 @ A1 1:200 @ A3 | Bauman Lyons | A048 |

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|----------------------------|--|
| Client Approval | |
| A - Approved | |
| B - Approved with Comments | |
| C - Do Not Use | |

Purpose of Issue
Planning

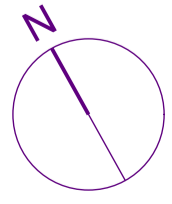
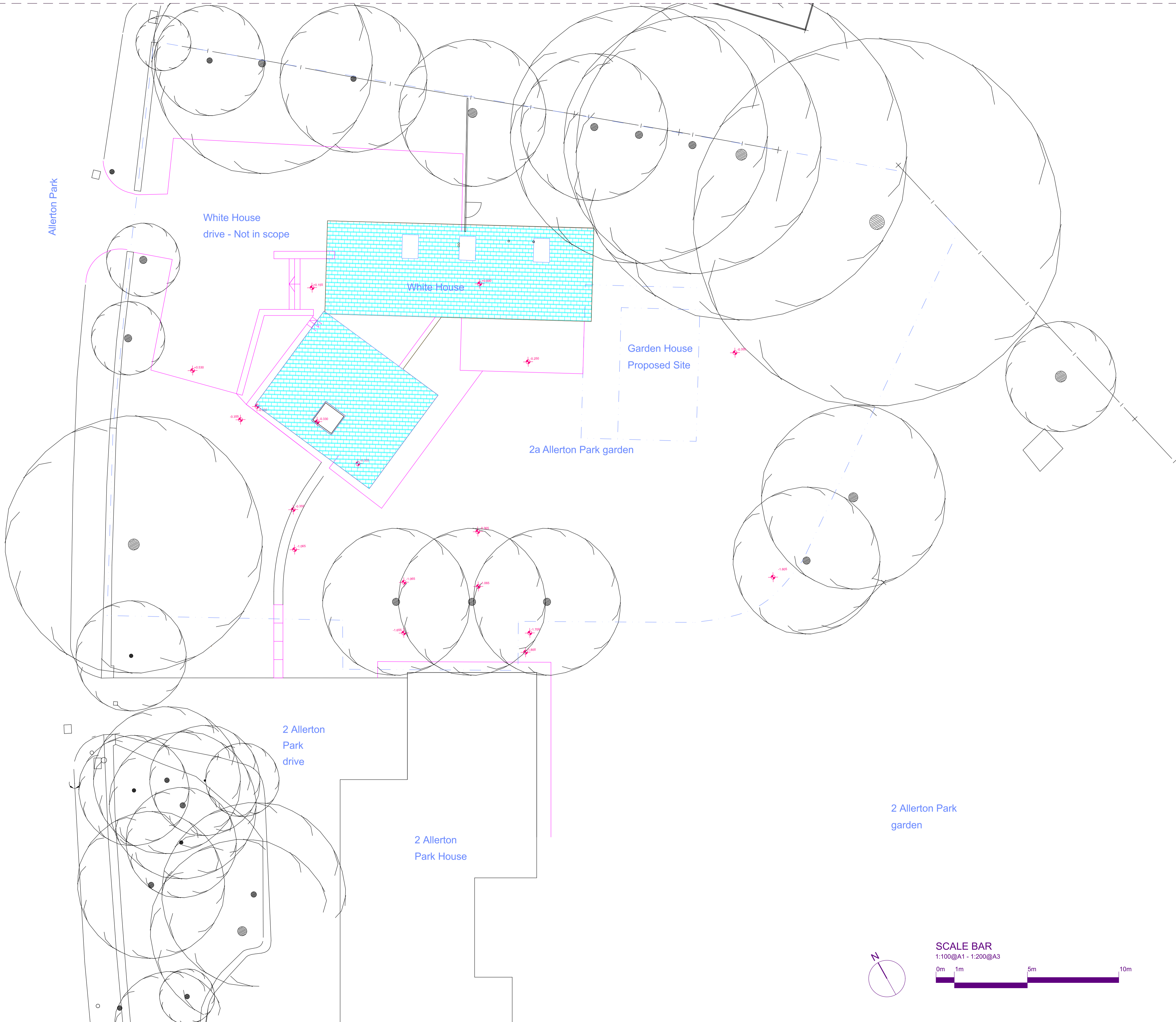
Originator
Bauman Lyons

Project
Garden House

Layout Title
Site Plan

Client

| | | | | | | | |
|----------------|------------|------|-------|------|-------|--------|-----|
| Drawing Number | | | | | | | |
| project | originator | zone | level | type | role | number | rev |
| A048 | A | | | (00) | P0002 | C | |



SCALE BAR
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