



## Report of the Chief Planning Officer

### NORTH AND EAST PLANS PANEL

Date: 16<sup>th</sup> May 2019

**Subject: 19/00835/FU- Alterations including raised roof height to form habitable rooms; two storey part first floor side/rear extension at 22 Park Lane Mews, Shadwell, Leeds, LS17 8SN**

APPLICANT	DATE VALID	TARGET DATE
Mr A Jonisz	25 February 2019	20 <sup>th</sup> May 2019

<b>Electoral Wards Affected:</b>  Chapel Allerton  <input type="checkbox"/> Yes Ward Members consulted (referred to in report)	<b>Specific Implications For:</b>  Equality and Diversity <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Narrowing the Gap <input type="checkbox"/>
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**RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:**

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Roofing and walling materials to match the existing
4. No insertion of windows
5. The proposed ensuite window in the rear elevation of the dwelling shall be obscure glazed.

## 1.0 INTRODUCTION

1.1 The application is brought to North and East Plans Panel at the request of Councillor Harrand. His reasons are loss of light or overshadowing will directly impact upon several neighbouring properties by blocking light. The heightening of the roof and bringing out the rear elevation by 4m is clearly going to have a material impact on the overbearing, overshadowing and overlooking of the garden and property at No 24. Overlooking/loss of privacy will reduce privacy to house opposite, particularly the new gable ended 2<sup>nd</sup> floor which will look directly into No 24's upper floor and ground floor windows. Visual amenity (but not loss of private view) due to the position of No 22 in the Mews it is the most visually dominant house already. The design and scale of the proposal would cause it to appear as an incongruous addition and the wider

visual harm would be significant. Adequacy of parking/loading/turning parking is an existing issue within this small infill development and any habitation of this size would create further long term additional parking and access problems. Parking on the Mews is currently an issue, to the extent that the Council have written to homeowners regarding difficulties surrounding refuse collection due to the amount of cars parked along the road.

- 1.2 The Officer Delegation Scheme sets out that a Ward Member can request that an application in their ward be referred to the relevant Plans Panel. The Scheme sets out that *“The request must set out the reason(s) for the referral based on material planning consideration(s) and must give rise to concerns affecting more than neighbouring properties...”*. Whilst Councillor Harrand raises objections to the impact of the development on neighbours wider character and highway safety concerns are also raised. In light of this it is considered that the terms of the Scheme are met and it is appropriate to refer the application to Plans Panel for determination.

## **2.0 PROPOSAL**

- 2.1 The proposal is for alterations including raised roof height to form habitable rooms and a two storey part first floor side/rear extension. The increased ridge height will be approx. 500mm from the existing ridge line, changing the roof design at the front and rear from a hipped roof to a gable roof. At ground level the extension will project out 3m beyond the rear wall of the dwelling.
- 2.2 The first and second floor area of the extension will project from the rear elevation approx. 4m therefore being in line with the ground floor. The two storey side/rear element of the extension will be set 6.8m behind the existing front elevation of the main dwelling. The side element of the extension will be set below the ridge line by approx. 1.3m.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The proposal relates to a detached property constructed in red brick and features a pitched roof. The site is located within a predominantly residential area and the surrounding dwellings are similar in terms of the type, form, materiality and character. To the front of the property is garden space consisting predominantly of a small grassed area. To the side, lies a driveway leading to an attached garage which is to be retained. To the rear is 13m deep garden area.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 15/01640/FU - First floor side/rear extension – Withdrawn - 22.07.2015
- 4.2 30/13/97/FU - Two storey rear extension – Withdrawn - 04.04.1997

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 None

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

- 6.1 The application was originally advertised by Neighbour Notification Letters that were issued on 25<sup>th</sup> February 2019.

6.2 15 letters of objection were received from neighbouring properties. The concerns raised are:

- Out of character/out of keeping
- Extension far too big for the plot
- Overlooking
- Overshadowing/loss of light
- Negative impact on the character of the estate
- More parked cars
- Increase in roof height will stand out
- Impact on the value of properties
- Impact upon the right to light

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None received

## **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.

### Development Plan

8.2 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.

### Adopted Core Strategy

8.3 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.

### Saved UDP policies:

8.4 Policy GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.  
Policy BD6: All alterations and extensions should respect the scale, form, detailing and materials of the original building.

### Relevant Supplementary Planning Guidance includes:

8.5 Supplementary Planning Guidance "Householder Design Guide" (HDG) – 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, over dominance or overlooking will be strongly resisted.

### National Planning Policy (NPPF)

8.6 The National Planning Policy Framework (2019) 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. NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.7 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. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.

8.8 Section 12 of the NPPF – Requires good design.

8.9 The Planning Practice Guidance (PPG) provides comment on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary, relevant to planning and; to the development to be permitted; enforceable, precise and; reasonable in all other respects. The Neighbourhood Planning Act 2017 requires that for all applications determined after October 2018 any pre-commencement conditions are agreed in advance with applicants.

## **9.0 MAIN ISSUES**

- Character and Appearance
- Residential Amenity
- Parking

## **10.0 APPRAISAL**

### Character and Appearance

10.1 The proposal is for alterations including a raised roof height to form habitable rooms

in the roofspace and a two storey part first floor side/rear extension. The increased ridge height will be approximately 500mm over the existing ridge height. The existing hipped roof to the front and rear would be converted to a gabled finish to assist in the creation of two additional bedrooms within the roofspace. A number of roof lights are proposed in the roof slope. The side and rear extension will appear sufficiently subordinate and proportionate to the main building. The subordination will be achieved by the first floor area of the extension having a reasonable width and the ridge line of the two storey side extension being set below that of the revised main roof and the front wall at first floor level being set back from the front elevation of the main building by approximately 1.3m. The roof design of the existing porch will be altered to a mono-pitch roof and as such will be more in keeping within the immediate street scene; more so with the removal of the canopy to the front. The use of matching materials will ensure that the proposal will tie in with the main building and be policy compliant. The subordinate nature of the first floor side element area of the extension ensures that the proposal will not harm the spatial character of the area and that a terracing effect will be minimised should the occupiers of the adjacent dwelling seek to extend in a similar manner.

- 10.2 This property is at the entrance of this part of Park Lane Mews. The property is detached from the other properties. Given the relatively modest increased ridge height and the location of the property it is not considered that the proposal will negatively impact the character of the immediate street scene. There are a number of properties that have gabled roof finishes and gabled front porches within the immediate street scene. There is also some variation in ridge and eaves heights between properties. It is considered that the proposal complies with Policy P10 of the Core Strategy, which seeks to ensure that new development is designed taking into account its context, and it is considered that it complies with saved Policies GP5 and BD6 which seeks to ensure alterations to buildings are designed with consideration given to both their own amenity and the amenity of their surroundings. The proposal will also comply with policy HDG1 of the Householder Design Guide as the scale, form and proportions of the extensions proposed pay due regard to the character and appearance of the main dwelling and the area.

#### Residential Amenity

- 10.3 In relation to potential overlooking, the proposed windows in the front and side elevation will overlook the highway and will not offer views of the private area of the neighbouring dwellings. The views out from the ground floor windows of the rear elevation will be obstructed by the boundary treatment. The bedroom windows of the rear elevation will be located around 13m away from the rear boundary (which is in excess of the requirement set out in the HDG) and thus it is considered that the proposal will not unduly overlook the private amenity space of the dwellings located beyond the rear boundary. The proposed shower room will be obscure glazed due to the nature of the room. Within the roofscape there are a number of roof lights these will serve bedrooms 4 and 5, bathroom and a store area. The roof lights will face onto Park Lane Mews and would not adversely impact upon neighbouring properties private amenity space.
- 10.4 The extension at ground floor will have a modest 3m projection beyond the rear wall of the main dwelling, given the existing set back at first floor the projection will be 4m bringing this in line with the ground floor extension. The two storey rear/side extension will be set in line with, and not project beyond the rear of, No 20 Park Lane Mews and as such will not impact the neighbouring property in terms of dominance or overshadowing. Therefore, it is not considered that the extensions will have a negative impact on the garden area or the internal spaces of No 20 by way of

overshadowing or dominance. The proposal is considered to comply with policies GP5 and HDG2.

### Parking

10.5 Off street parking will not be altered by this proposal. Therefore, it is considered that the proposal will not raise on street parking issues.

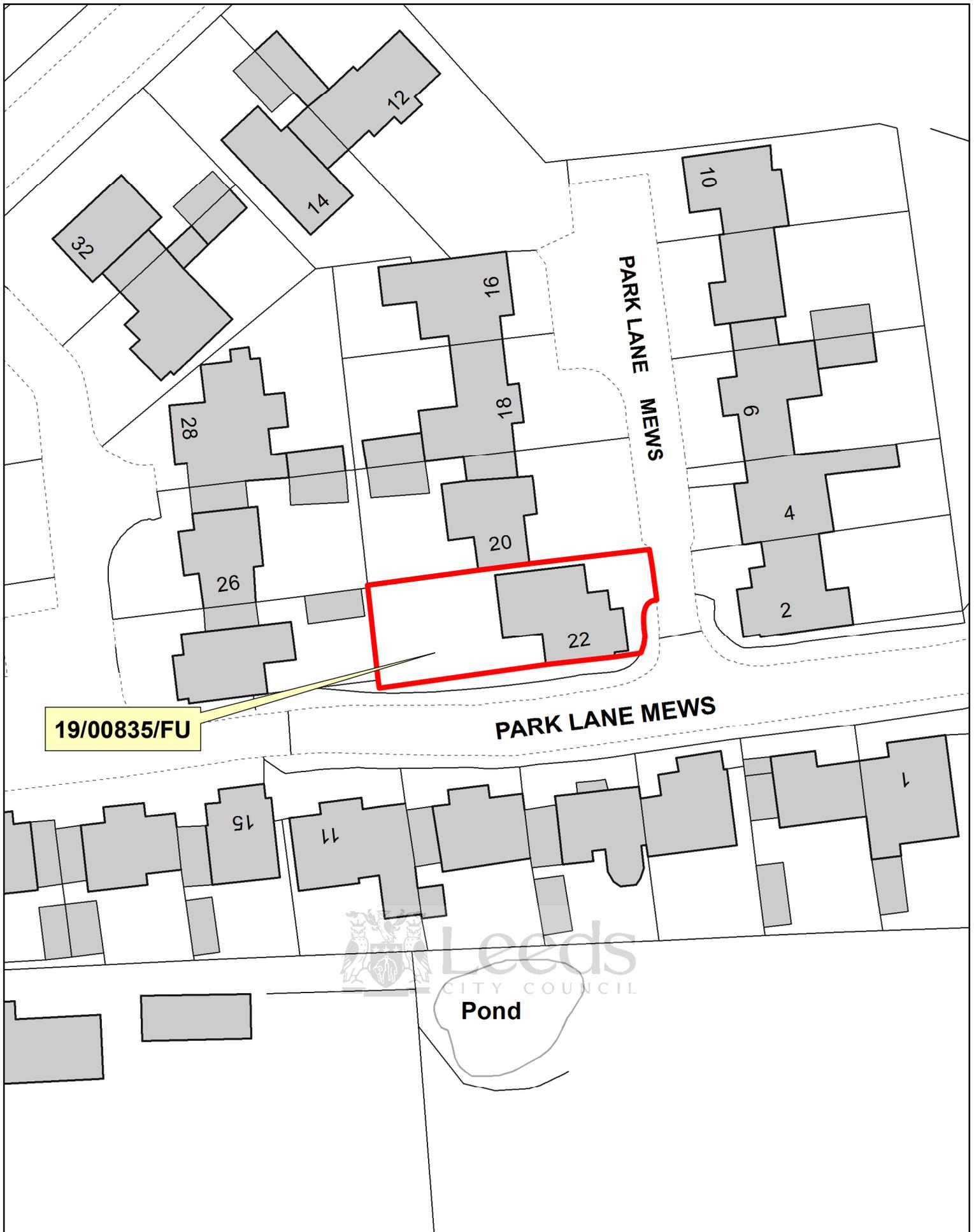
## **11.0 CONCLUSION**

11.1 In light of the above, it is considered that the design, scale and height of the development are acceptable within the immediate context and will not harm the character or the appearance of the area. Furthermore, the proposal will not result in any on street parking issues. As such, the proposed scheme is considered to be 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:**

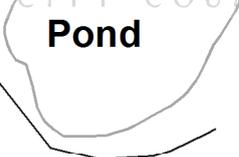
Application file: 19/00835/FU

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



19/00835/FU

PARK LANE MEWS



# NORTH AND EAST PLANS PANEL

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SCALE : 1/500

