



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 26th September 2019

Subject: 19/04085/FU – Single storey side and rear extension at 14 Morritt Avenue, Halton, LS15 7EP

APPLICANT

Mr Jeff Coupar

DATE VALID

3rd July 2019

TARGET DATE

30th September 2019

Electoral Wards Affected:

Temple Newsam

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time Limit;
2. Plans to be approved;
3. Materials;
4. Fence to be retained
5. No windows to the northern side elevation

1.0 INTRODUCTION:

1.1 The application has been brought to Plans Panel as the applicant is the spouse of a Leeds City Council councillor and in accordance with the terms of the Officer Delegation Scheme it is considered appropriate to report the application to Plans Panel for determination.

1.3 As will be outlined below it is considered that the proposal accords with the relevant policies and guidance and thus is recommended for approval.

2.0 PROPOSAL:

- 2.1 The applicant seeks planning permission for a single storey side and rear extension to number 14 Morrill Avenue, Halton.
- 2.2 The side extension would be set back 11.1m from the front elevation, measuring 1.2m in width x 4m in length. The rear extension adjoins into the side element, measuring to a total depth of 6m which would be along the shared side boundary of number 16 Morrill Drive. The side extension would measure 3m to eaves and 3.8m to ridge height, with the rear extension measuring 4m to eaves and 4.8m to ridge height.
- 2.3 Materials to the external walls are to match existing – brick, UPVC window frames and doors with slate roof tiles.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a brick built, large semi-detached Edwardian house. The dwelling features bay windows to both the front and side elevations, with a driveway to the side which runs to meet a large outbuilding. The dwelling features mature gardens to front and rear. The large rear garden is enclosed by a mixture of mature planting and boundary fencing. The level of the rear garden drops down from that of the house. The rear of the dwelling currently features a single storey UPVC conservatory which leads to a raised patio area, with steps down that lead to a large rear garden.
- 3.2 The application property stands amongst similarly aged semi-detached properties which forms a regular patterning within the wider street scene which consists of a residential cul-de-sac with many feature existing single storey rear extensions. The whole area is residential in character and nature.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/04868/COND - Consent, agreement or approval required by condition 8 of Planning Application 13/00432/FU – Approved - 23.12.2013
- 4.2 13/00432/FU – Detached single storey building to rear to form ancillary accommodation/home office – Approved - 12.07.2013

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The current scheme has been the subject of negotiations after concerns were raised by officers. Briefly, the revisions comprised of:
 - Side extension reduced in depth with separation given between proposal and existing bay window feature
 - Boundary fence provided to the shared side boundary with number 12 Morrill Avenue.
 - Rear extension reduced in depth and reduced in height

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Neighbours were notified of the receipt of the planning application by letters sent out on 08.07.2019. The letters invited any comments to be submitted by 02.08.2019. No comments received to date

7.0 CONSULTATION RESPONSES:

- 7.1 None

8.0 PLANNING POLICIES:

- 8.1 Section 38 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.

Development Plan

- 8.2 The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP), the Aire Valley Leeds Area Action Plan (2017), the Natural Resources and Waste Local Plan, the Site Allocations Plan (July 2019), the Core Strategy Selective Review and any made Neighbourhood plan.

- 8.3 Relevant Policies from the Core Strategy are:

Policy P10 Design
Policy T2 Accessibility requirements and new development

- 8.4 Relevant Saved Policies from the UDP are:

Policy GP5: General planning considerations.
Policy BD6: Alterations and extensions
Policy BD5: Seeks to ensure new development protects amenity.

- 8.5 Relevant DPD Policies are:

GENERAL POLICY1 – Presumption in favour of sustainable development.
LAND2 – Development should conserve trees and introduce new tree planting.

Core Strategy Selective Review:

- 8.6 The Core Strategy Selective Review was adopted on 11th September 2019 and can be afforded full weight.

There are no policies within the CSSR relevant to this proposal

Site Allocations Plan (SAP)

- 8.7 The SAP was adopted by full Council on 10th July 2019 and as such is now a material consideration with full weight.

There are no policies within the SAP relevant to this proposal

Supplementary Planning Guidance and Documents

8.8 The following SPGs and SPDs are relevant:

Householder Design Guide (2012)

National Planning Policy

8.9 The revised National Planning Policy Framework (NPPF), published in February 2019, 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.

9.0 MAIN ISSUES

- Impact upon Design and Character
- Impact upon Privacy, Overshadowing & Dominance
- Highway safety

10.0 APPRAISAL

Impact upon Design and Character

- 10.1 Policies within the Leeds development plan and the advice contained within the NPPF seek to promote new development that responds to local character, reflects the identity of local surroundings, and reinforce local distinctiveness. The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is therefore fundamental that new development should generate good design and respond to the local character. The NPPF goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.2 Policy P10 of the Leeds Core Strategy (LCS) deals with design and states that *inter alia* alterations to existing, 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. This ethos is also reflected in saved UDP policies GP5, BD5, BD6 and policy HDG1 of the Householder Design Guide (HHDG).
- 10.3 Since the original submission the application has been revised due to concerns that the original proposed side extension would have eliminated the existing feature of the side bay window, and in turn would have harmed the overall appearance of this attractive dwelling.
- 10.4 The revised scheme in regard to the side extension, when viewed from the front elevation would be largely screened by the existing front bay window. The design of

this proposed element mirrors the existing design of this original feature, which is considered to provide an appropriate design which would respect the character and appearance of this dwelling and would be considered appropriate given the physical break between the existing bay window and the proposed bay window.

- 10.5 In regard to the proposed rear extension, this would replace an existing UPVC conservatory for an extension which is considered to be more in keeping with the existing dwelling in regard to design and materials proposed. Given the location of the rear extension this would not be visible from Morrith Drive and would only be visible from neighbouring gardens, in which a number feature existing single storey rear extensions.
- 10.6 Subject to a condition for materials to match existing the extension is considered to comply with Policies P10 of the Core Strategy & GP5, BD5 and BD6 of the UDP and from further guidance contained within HHDG (2012).

Impact upon Privacy, Overshadowing & Dominance

- 10.7 Policy GP5 (UDPR) notes that extensions should protect amenity and this advice expanded further in policy HDG2 which notes that “all development proposal should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive over dominance, overshadowing or overlooking will be strongly resisted”.
- 10.8 Consideration has been given to the impact the extension will have on the privacy of neighbouring properties. In regard to the above, windows are proposed to the side and rear elevations only.
- 10.9 The proposed side window would serve an enlarged kitchen area. In accordance with the HHDG (2012) a distance of 7.5m should be retained from this window to the side boundary of number 12 Morrith Drive. The purpose of this requirement is to protect the privacy of neighbouring residents. In this case, this window would retain 3.1m to the shared side boundary of number 12 Morrith Drive. Given this relatively short distance the applicant has proposed to erect a solid timber fence which would measure 2m in height and run for the width of the window (3.6m). This proposed boundary treatment is considered to mitigate any impact in terms of direct overlooking from this window to the rear garden area of number 12 Morrith Drive.
- 10.10 The window and bi-fold doors to the rear elevation would serve a kitchen and dining area, offering a view over the applicant’s garden area and would not be dissimilar to the views currently offered from the rear elevation. As such, no harm in regard to overlooking is considered to be created by the proposal. Given the closeness of the extension to the side boundary of number 16 Morrith Drive, it is considered reasonable to condition that planning permission is obtained before any further windows are inserted to this elevation of the rear extension, in order to preserve current residential amenity.
- 10.11 In regard to overshadowing, the single storey rear extension is located to the south of the nearest dwelling, number 16 Morrith Avenue. As a result of this orientation the extension would have the potential to cast shadows over the garden area of number 16. However, this impact would be similar to what the existing dense vegetation to the shared side boundary of these dwellings, already casts. Furthermore, it is proposed that this boundary treatment would be retained despite the proposal, as this falls outside of the applicant’s ownership.

- 10.12 The single storey side extension is not considered to result in any shadows given its relative size and distance retained to the side boundary.
- 10.13 Although the proposed extension does add a degree of additional massing to the side and rear of the existing dwelling, it will widely follow the design of the dwelling. A way in which the impact of over dominance can be determined is by drawing a 45 degree line from the closest windows of numbers 12 and 16 Morritt Avenue and seeing where this intersects on the applicants land. A line has been drawn from the closest window of number 12 and the extension wouldn't breach this line given that any impact is mitigated by the existing large outbuilding, which falls in front of the extension.
- 10.14 In regard to number 16 Morritt Avenue it is acknowledged that the 45 degree line is breached from the closest windows of this dwelling. However, this single storey rear extension alone would comply with government's prior notification scheme, which has now been made permanent and allows a neighbour to construct a single storey rear extension 6m in depth to the side boundary, which must not exceed 4m in height. This process necessitates consultation with direct neighbours and if no objections are received the application is considered to be permitted development. In this case, if the applicant was to submit prior notification scheme, given that the direct neighbours have not objected to the proposal and therefore under the prior notification scheme this would element would be considered permitted development. As such, even though the extension would not comply with guidance within the HDDG (2012) it is considered that it would be difficult to justify a refusal of the application on these grounds given that a similar single storey rear extension as proposed could be constructed under permitted development rights.
- 10.15 On balance, it is not considered that the extension would have any unreasonable harm upon the residential amenity of numbers 6 & 10 Grange Grove. As such, it is considered that the proposal represents an appropriate addition to the host property and is considered to be in keeping with the wider aims of UDPR Policy GP5 and Householder Design Guide Policy HDG2.

Highway Safety

- 10.16 The development would not impact upon current parking provision and parking would remain the same as present.

11.0 CONCLUSION

- 11.1 In conclusion, it is considered that the proposal would be an in keeping addition that will not harm the character of the dwelling nor the wider area, and will not have an unreasonably harmful impact upon near neighbours. As such it is considered that the proposal complies with policy P10 of the Core Strategy, Policies GP5, BD6 and BD5 of the UDP Review (2006) and HDG1 and HDG2 of the Householder Design Guide.
- 11.2 For the reasons outlined in the above report and taking into account all other material considerations. Officers recommend that planning permission is granted for the proposal, subject to the conditions set out at the start of this report.

Background Papers:

Application files 19/04085/FU
Certificate of ownership: Certificate A signed by the agent



NORTH AND EAST PLANS PANEL

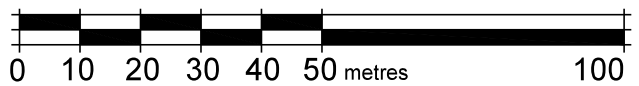
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SCALE : 1/1000



larger scale drawings where available.



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EXTENSION

Drawing Title / Description
LOCATION PLAN

| Proj. Ref. | Originat. | Volume | Level | Type | Role | Number | Suit. | Rev |
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