



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 24th October 2019

Subject: 19/03390/FU – Two storey extension to rear at 9 The Laurels, Gledhow, Leeds, LS8 1PD

APPLICANT	DATE VALID	TARGET DATE
Mr Tran	24 th June 2019	31 st October 2019

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

Conditions

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Materials to match the existing;
4. Removal of permitted development rights for insertion of first floor side windows;

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel at the request of Councillor Wenham, a Ward Member for Roundhay Ward. Her reasons are the overbearing nature of the extension being out of character for the street, loss of privacy for occupiers of adjacent properties, parking, loss of light for adjacent property, sets a precedent for further out of character two storey extensions in a small development, and The Laurels backing on to the Gledhow Conservation Area.
- 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 Wenham raises objections to the impact of the development to adjacent properties, 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 the erection of a two storey extension to the rear of the property. This shall allow for a dining room on the ground floor, and enlarged bedroom on the first floor.
- 2.2 The two storey extension is to project from the rear of the property by 3.50 metres, having a length of 4.50 metres although with the ground floor extending a further 0.40 metres to the southern side. The two storey element is to have a pitched roof with a maximum height of 6.40 metres, with eaves of 5.00 metres. The roof ridge is to be set 1.15 metres below the main roof ridge, with matching eaves of the existing property. The single storey element is to have a lean-to roof with a maximum height of 2.80 metres and eaves of 2.40 metres.
- 2.3 Furthermore, bi-folding doors are proposed on the rear elevation to the ground floor with two small windows on the first floor serving the bedroom. The existing kitchen door on the southern side elevation is also proposed to be replaced with a window. To note, matching stone and roofing tiles are proposed throughout, with stone head and cill window detailing.

3.0 SITE AND SURROUNDINGS:

- 3.1 Number 9 The Laurels is a link-detached dwelling located in a cul-de-sac residential development in Gledhow, Leeds. The property is constructed in natural regular coursed stone, with a front facing gabled roof and a pitched attached garage to the side. The property consists of a front driveway and small paved garden to the front, with a larger garden to the rear. There is no boundary treatment to the front of the property, and low walling and shrubbery to the side and taller fencing to the rear of the rear garden.
- 3.2 The site is situated within a small cul-de-sac residential development of twelve detached dwellings, constructed in the 1980s. There is strong similarity in the design and style of the properties in the area. This predominant style is of detached dwellings with pitched roofs, constructed in identical materials. To note, numerous properties in the cul-de-sac benefit from single storey rear extensions.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 No relevant planning history for this site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Amendments were sought in response to the strong level of initial objection to the proposal. The height of the two storey extension was reduced by 1.15 metres, and the rear projection reduced by 0.30 metres. The extension was also set further away from the southern side boundary; the two storey extension set away by 1.20 metres in total, and by 0.80 metres at the ground floor. This, it is considered, addresses concerns regarding over dominance and overbearingness, overshadowing and dominance on the host property.

5.2 Furthermore, the Juliette balcony was omitted from the plans to address concerns on potential overlooking and loss of privacy.

5.3 A daylight study was also submitted with the amended drawings, in order to fully assess the impacts on light and overshadowing of neighbouring properties.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was originally advertised by Neighbour Notification Letters that were issued on 08/07/2019.

6.2 A total of 23 letters of objection were initially received, being received from 14 neighbouring properties and 2 out of locality contributors. The concerns, as summarised, are:

- Loss of light
- Overshadowing and overdominance
- Overlooking and loss of privacy to properties to the side and rear, in particular to the first floor Juliette balcony and window, and ground floor side window
- Overbearing
- Increase levels of noise
- Large scale of development that would dominate the area, with an increased depth of 40%
- Impact on setting of adjacent Conservation Area
- Out of keeping in scale and design of the area, disrupting the distinctive character of the closely grouped properties and homogeneous design
- Sets a precedent for further development
- Windows and glazing out of keeping
- Parking and highway safety concerns
- No Neighbourhood Consultation Scheme
- Principle of 10 year (now expired) Covenant to control extensions not being respected
- Not complying with Householder Design Guide SPD
- Property is bounded by deciduous shrubs that means limited boundary treatment in winter months
- Deep foundations would affect the garage of no. 11
- Property values in the area would decline
- Concerns on the architects used
- Concerns on the builders and associated construction works
- Sewage and drainage concerns

6.3 The application was further advertised by Neighbour Reconsultation Letters in regards to the amended plans, issued on 27/08/2019.

6.4 A total of 22 letters of objection were received for this reconsultation period, being received from 13 neighbouring properties and 3 out of locality contributors. The amended comments were still in objection, reinforcing the same as the above concerns. Additional concern was raised in regards to:

- Extension is only to be minimally different, being only marginally smaller than previously proposed
- Roof pitch is to be different to existing
- Parking and highway issues

- The extension being intended for use by in-laws of the applicant

6.5 These concerns shall be addressed in detail later in this report, as part of the appraisal of the proposal.

7.0 CONSULTATIONS RESPONSES:

7.1 Leeds City Council Transport Development Services were consulted on 05/09/2019, in response to objections regarding parking and highway safety from public consultation.

7.2 Transport Development Services responded on 26/09/2019, raising no objection to the proposal as the extension does not generate the need for additional parking, and the proposal does not affect current parking arrangements.

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

8.2 The Development Plan for Leeds currently comprises of the Core Strategy (2014), as amended by the Core Strategy Selective Review (2019), saved policies of the UDP (2006), the Site Allocations Plan (2019), the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Plan.

Local Core Strategy (as amended by the Core Strategy Selective Review):

8.3 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The Core Strategy (as amended by the CSSR) sets a revised housing requirement for the period 2017 – 2033, amends policies on affordable housing, green space and sustainable construction and introduces new policies on housing space standards, accessible homes and electric vehicle charging points.

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

Policy T2 Seeks to ensure new development does not harm highway safety.

Saved UDPR Policies:

8.4 Policy PG5 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.

Supplementary Planning Guidance/Documents:

8.5 The Leeds City Council Householder Design Guide (2012) includes guidance that informs the design and layout of new extensions, and that they should have regard to the character of the local area and the impact on neighbouring properties.

Policy 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 and the locality will be resisted.

Policy 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 Framework:

8.6 The revised National Planning Policy Framework (2019) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

8.7 Chapter 12 of the National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities, and that Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

9.0 MAIN ISSUES:

- Character and Appearance
- Residential Amenity
- Parking and Highway Safety
- Other matters

10.0 APPRAISAL:

10.1 The proposal is for the erection of a two storey rear extension, having a rear projection of 3.50 metres and length of 4.50 metres although with the ground floor extending a further 0.40 metres to the southern side. The roof is to be pitched, being set 1.15 metres below the main roof ridge.

Character and Appearance

10.2 The extension is to be located to the rear of the property, having little public visibility from the highway ensuring it would not be a prominent addition in the wider

street scene. Whilst two storey extensions are not common in the cul-de-sac, it is considered that this would not be of harm to the character of the area given this lack of prominence and visibility.

- 10.3 However, although the extension would not be impacting the character of the wider street scene, it still has potential to harm the character of the application property. The extension is to be set 1.15 metres below the main roof ridge, which ensures the extension remains subservient to the main dwelling. The pitched roof form would be in keeping with the pitched roofs in the cul-de-sac. A 3.5 metre rear projection is proposed which is considered to be acceptable in this instance, given the detached nature of the property, the single storey extension reducing some of the massing of the proposal and the garden allowing for adequate space. Therefore, it is considered that the rear extension is to be of an appropriate scale to the application property that does not over dominate or harm the spatial character of the area, complying with local and national policies and guidance contained within the Householder Design Guide.
- 10.4 Furthermore, matching stone and roof tiles are proposed, ensuring the extension is to be in keeping with the host property and the surrounding properties. Stone cills are also proposed that further retains the character of the application property. It is noted that the first floor windows are to be of a larger size than existing, although this increase in size is marginal and would not be of harm to the visual amenity of the area given the lack of visibility. The window detailing is also to be slightly different, although this would be of no harm considering the variety in window detailing in properties in the area. Sliding doors are proposed on the ground floor, although this would also not be of any harm to the wider street scene given the lack of visibility or prominence.
- 10.5 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 SPD 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

- 10.6 Policy GP5 of the Unitary Development Plan notes that proposals should protect amenity and this advice is further expanded 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 overshadowing, overdominance or overlooking will be strongly resisted”.

The proposal would result in additional massing to the rear of the property, and therefore have potential to have harm on the residential amenity. The potential impacts for each neighbouring properties are to be discussed below:

- 10.7 *7 The Laurels:*
This property is located to the north of the proposal, with the proposed extension being located 4.40 metres from the shared boundary. The proposed extension has potential to overshadow throughout the day, given the orientation of the properties and the two storey nature of the property. However, the distance of 5.30 metres from the proposal to the playroom (that is noted provides light to the dining room) of

no. 7 ensures any overshadowing or sense of the extension being overbearing would be very minimal. Furthermore, a daylight study has been provided which supports this and demonstrates the proposed rear extension would not overshadow onto any habitable windows than currently happens. The proposal also complies with the 45° Rule to further ensure the proposal does not result in an overshadowing or over dominating effect on habitable windows of no. 7. It is noted that the lower end of the garden of no. 7 would be overshadowed although this would be of no significant harm given the amount of unaffected amenity space for this property.

Rear facing windows on the first floor are proposed, although this would not result in any additional overlooking or loss of privacy given the windows are not directly facing this property and would have the same level of outlook as existing. However, the existing side kitchen door is to be replaced for a dining room that would be orientated towards the blank wall of the single storey extension of no. 7 and would not overlook or lead to a loss of privacy.

10.8 *11 The Laurels:*

This property is located to the south of the proposal, with the extension being located 0.80 metres from the shared boundary and 4.80 metres from the side of no. 11. The proposed extension would not result in any overshadowing given the orientation and siting of the properties within the cul-de-sac and the distance between the properties. The extension would project close along the boundary, although this would not be overbearing considering the blank wall of no. 11 on this side elevation. It is noted that an overbearing and over dominating impact may occur on to the rear windows of the garage which are not habitable windows, and the side door although this is set within an overhanging canopy and faces toward the garage wall.

In terms of overlooking, the extension would be bringing the property closer toward this property. However, the first floor windows would only overlook the rear garden of this property from an oblique angle of which is already overlooked by the rear of properties along The Laurels and Lambert Avenue.

10.9 *Properties along Lambert Avenue:*

The extension would be projecting closer toward the properties along Lambert Avenue to the rear, in particular to nos. 47 and 49. The extension would not result in any overbearing or overshadowing impact given the distance retained between the properties. Furthermore, the distance of 13.00 metres between the extension and rear boundary and 27.00 metres from no. 47 and the extension are sufficient in terms of overlooking, complying with minimum guide distances contained within the Householder Design Guide SPD.

10.10 As such and in this regard the proposal as amended is considered to have no significant harm on the residential amenity in terms of over dominance, overshadowing and overlooking, and would therefore comply with Policy P10 of the Core Strategy, saved UDP Policy GP5 and guidance contained within the Householders Design Guide and the NPPF.

Highways

10.11 In order to be considered acceptable in terms of parking provision development proposals must not prevent two cars parking within the curtilage of the site, or, in circumstances where fewer spaces exist, must not reduce provision. The proposal does not result in the increase of any bedrooms and as such does not result in the

need for any additional parking. It is noted that the extension is to be used for extra occupiers in the property, although this cannot be materially considered given the number of bedrooms are to remain unchanged. Furthermore, while existing issues within the cul-de-sac are acknowledged, applications are not required to address existing issues and it is considered that the proposal will not materially add to on street parking issues on the wider street. LCC Transport Development Services were consulted which also had no objection to the proposal. Therefore, the proposal is considered to be acceptable in terms of highway safety and parking for the area.

Other matters

- 10.12 A total of 45 letters of objections were received for this application. Most of these comments have been addressed above in the appraisal, with the following also raised that have not been addressed:

Increased levels of noise

Comment: Given the nature of the extension and its use as habitable accommodation as with existing, the extension would not result in any significant increase of noise levels.

Impact on setting of adjacent Conservation Area

Comment: The Roundhay Conservation Area is located to the east and west of the The Laurels, although 9 The Laurels is not located directly adjacent to the Conservation Area or within the 25m Conservation Area boundary. In light of the modest scale of the proposal and the factors set out above it is considered that the proposal would not be of any impact upon the setting of the Conservation Area.

No Neighbourhood Consultation Scheme

Comment: Although the Local Planning Authority encourages developers to engage positively with neighbours prior to submitting an application, this is not a formal requirement. There is a statutory requirement to publicise planning applications which allows for formal comments to be made by neighbouring properties, which has been complied with by sending out Neighbour Notification Letters to all adjoining properties.

Principle of 10 year (now expired) Covenant to control extensions not being respected

Comment: This is not a material planning consideration.

Deep foundations would affect the garage of no. 11

Comment: This is not a material planning consideration, and is a matter for Building Control.

Property values in the area would decline

Comment: This is not a material planning consideration.

Concerns on the architects used

Comment: This is not a material planning consideration, the plans that have been received and submitted have been validated and have enough information to inform the decision-making process.

Concerns on the builders and associated construction works

Comment: This is not a material planning consideration and is out of planning control.

Sewage and drainage concerns

Comment: The extension would not increase the need of sewerage or drainage capacity.

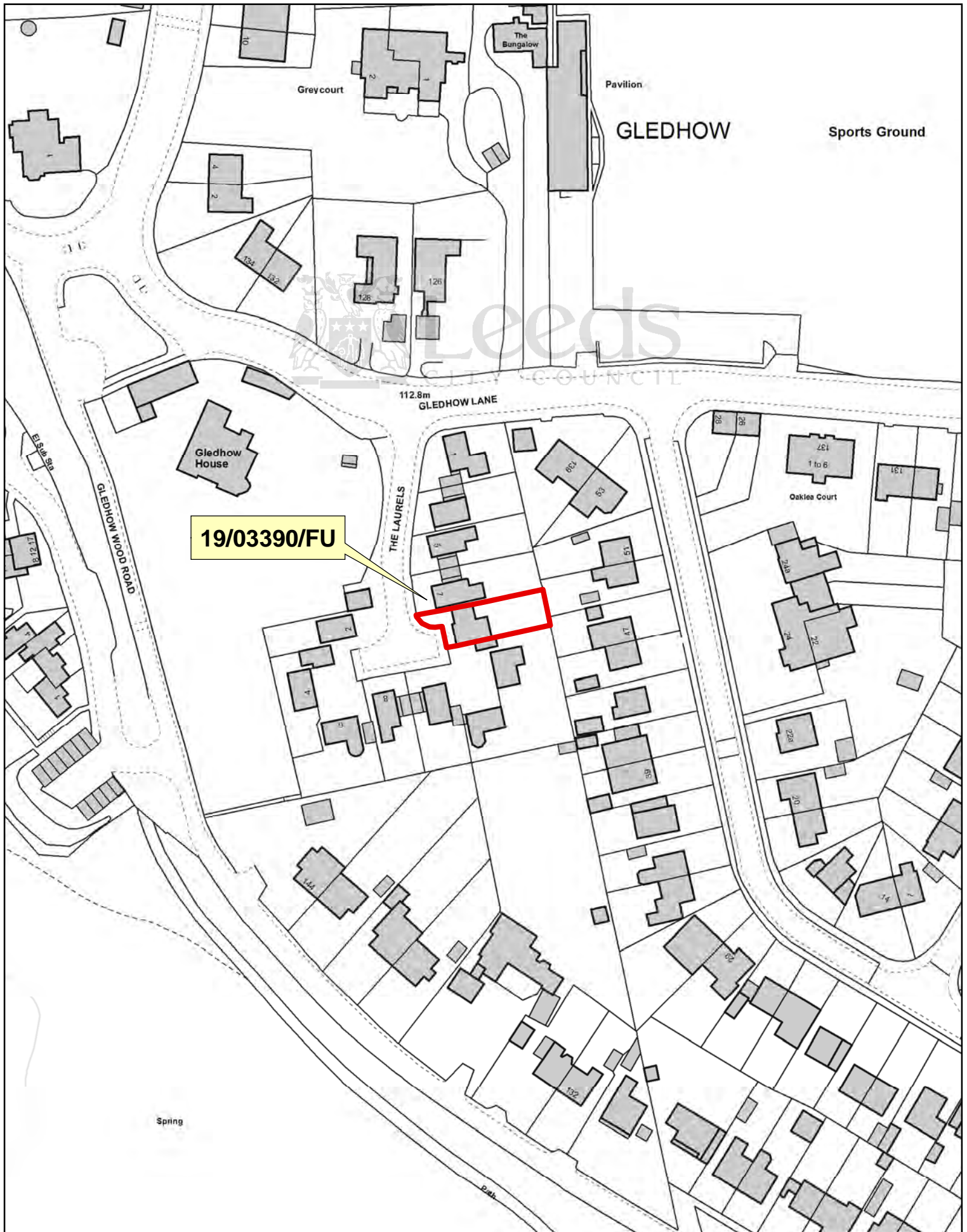
11.0 CONCLUSION:

- 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, it is considered the proposal will not result in any significant harm on the residential amenity nor exacerbate or result in unacceptable 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 files: 19/03390/FU

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



NORTH AND EAST PLANS PANEL

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SCALE : 1/1250

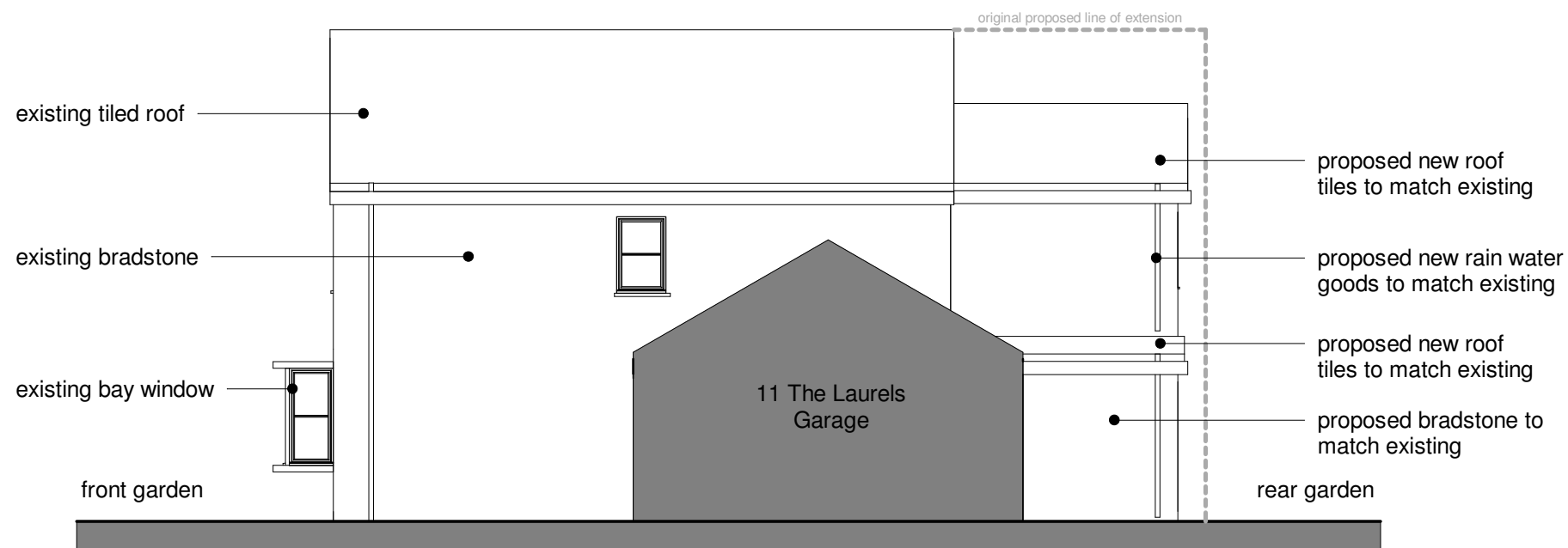




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 ALL PROPRIETARY MATERIALS TO BE FIXED/INSTALLED IN ACCORDANCE WITH MANUFACTURERS INSTRUCTION.
 THE PROPOSALS WHICH THIS DRAWING RELATE ARE SUBJECT TO FULL CONSULTATION WITH APPROVAL BY THE LOCAL AUTHORITY (PLANNING, BUILDING REGULATIONS, HIGHWAYS ECT)



Proposed East Elevation
 1 : 100



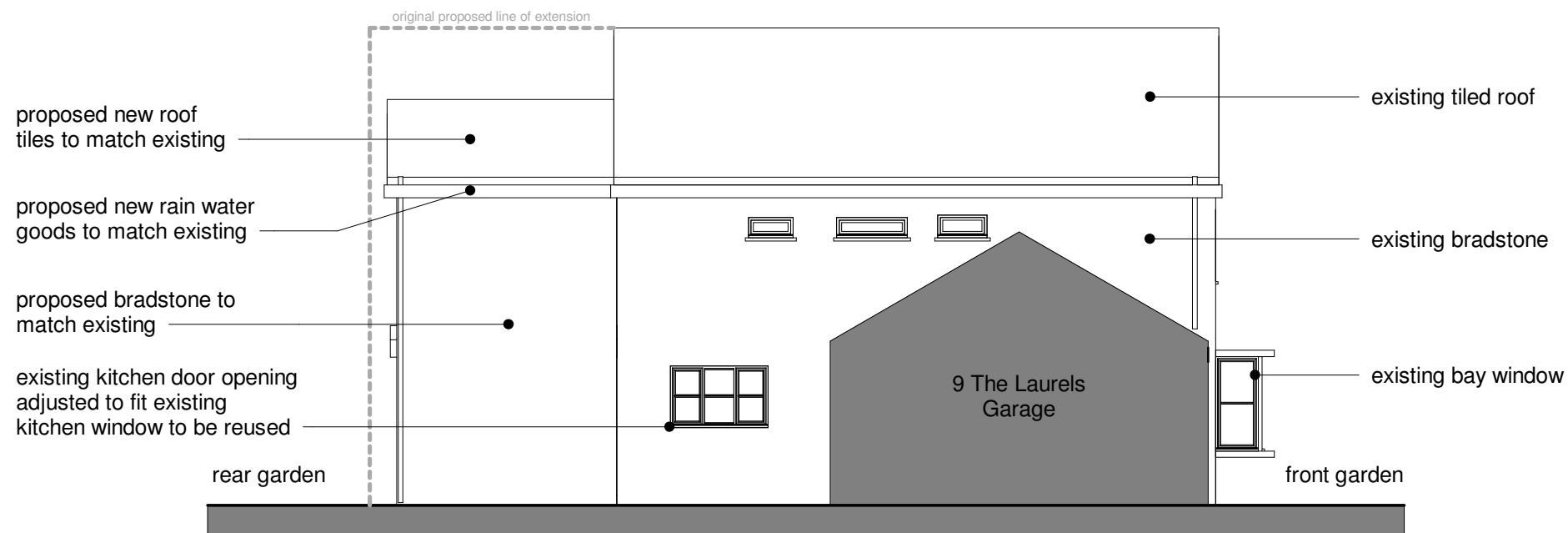
Proposed North Elevation
 1 : 100

Rev.	Notes	Date	By
01	Updated following LPA comments 12.08.19.	15.08.19	HT

PLANNING	
Project	9 The Laurels
Title	Proposed Elevations 1 of 2
Client	Channie
Date:	22.06.2019
Drawn by	HT
Scale @A3:	1 : 100
Drawing no.	P101
Rev	01



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Proposed South Elevation

1 : 100



Proposed West Elevation

1 : 100

01	Updated following LPA comments 12.08.19.	15.08.19	HT
Rev.	Notes	Date	By

PLANNING	
Project	9 The Laurels
Title	Proposed Elevations 2 of 2
Client	Channie
Date:	22.06.2019
Drawn by	HT
Scale @A3:	1 : 100
Drawing no.	P102
Rev	01