



Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 4TH March 2021

Subject: 20/06034/FU – Retention of single storey extension to rear of 49 Colwyn Road, Beeston, Leeds, LS11 6LQ.

| APPLICANT | DATE VALID | TARGET DATE |
|------------------|---------------------------------|--------------------------------|
| Mr M Tanweer | 22 nd September 2020 | 17 th November 2020 |

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| <p>Electoral Wards Affected:</p> <p>Hunslet & Riverside</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> |
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RECOMMENDATION: REFUSAL

The Local Planning Authority considers that the proposed extension would, by virtue of its scale and prominent siting, and relationship with the footpath, appear as an overly dominant feature that is out of proportion and character with the existing dwelling and this part of the street scene. Therefore, the proposal is contrary to policies GP5 and BD6 of the Leeds Unitary Development Plan (Review) 2006, policy P10 of Leeds Core Strategy, and policy HDG1 of the Supplementary Planning Document Householder Design Guide as well as design advice set out in the National Planning Policy Framework.

INTRODUCTION:

- 1 The application is brought to South and West Plans Panel at the request of Councillor Mohammed Iqbal. The reasons for the request are as follows:-
 - The location of the house is on a street slope and therefore the construction is not dominant in the street and does not have any visual impact on the neighbouring properties.
 - The construction is a bit more than a shed size which is and will only be used for parking a motorcycle for its security to avoid damage and theft. Recently there

has been an increased number of motor vehicle thefts and the applicant wanted security of the motor bike.

- There are already make shift unsightly sheds in the neighbouring properties, whereas this is properly constructed.
- To my knowledge there are no complaints from the neighbouring residents.

PROPOSAL:

- 2 This application seeks to retain an extension that is reported to have replaced a timber shed.
- 3 The proposal therefore seeks retrospective permission for a single storey extension with a garage type appearance that has been constructed on top of a parking space accessed from Tempest Road. The extension is physically attached to the main house and has a rectangular footprint of 4.5m in width and 2.8m in depth with a roller shutter style garage door within the western elevation and a window within the side (north) elevation. It is currently breeze block but the applicant is intending to render the walls if permission is granted.
- 4 Although described by the applicant as a garage, the building falls short of the dimensions required for such structure and does therefore appear more likely to be used for storage.

SITE AND SURROUNDINGS:

- 5 The site involves a semi-detached white rendered property under a hipped roof which lies in-between Tempest Road to the west, considered by the applicant to be the rear of the property, and Colwyn Road to the east, considered to be the front of the property by virtue of the postal address etc. It is however considered that the Colwyn Road elevation reads more like a rear elevation and the Tempest Road elevation more like a front elevation as it also provides for vehicular access and off street parking, although with the existing structure in place this is not possible. It is noted there are several timber outbuilding/structures at neighbouring properties along the Tempest Road elevation.
- 6 The boundary treatment to the Colwyn Road elevation consists of an approx. 1.5m high red brick wall, and a lower metal gate, also painted red. There is a modest extension at the side of the property. The boundary treatment to the Tempest Road elevation consists of a low brick wall with railings above (approx. 1.2m high) and forms part of wider environmental improvements that have been undertaken within the area.
- 7 To the opposite sides of the dwelling lie red brick terraced streets of an older age. The property has small paved hardstanding yards to both frontages.
- 8 The Council's OS maps and UPRN addresses suggest that these semis were originally back to back properties at one time, however they are clearly a through property now. This likely explains the front / back address issue.

RELEVANT PLANNING HISTORY:

- 9 20/00716/UHD3 – Single storey outbuilding to rear (pending action).

HISTORY OF NEGOTIATIONS:

- 10 The applicant has been advised that officers cannot support retention of the outbuilding and so it should be removed.

PUBLIC/LOCAL RESPONSE:

- 11 The application was originally advertised by Neighbour Notification Letters that were issued on 30th September 2020. No letters of representations have been received in respect of this application. Ward Councillor Iqbal is in support and has commented as reported in para. 1.

CONSULTATIONS RESPONSES:

- 12 None.

PLANNING POLICIES:

- 13 Development Plan
Section 38(6) of the Planning and Compulsory Purchase Act 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. The development plan currently comprises the adopted Local Development Framework Core Strategy (amended 2019), 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) and any made Neighbourhood Plan.
- 14 The Site Allocations Plan was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight.

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

P10: Seeks to ensure that new development is well designed and respect its context.
T2: Accessibility requirements and new development

- 16 Saved UDP policies:
The following saved policies are of relevance

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

BD6: All alterations and extensions should respect the scale, form, detailing and materials of the original building.

- 17 Relevant Supplementary Planning Guidance includes:
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.

- 18 National Planning Policy (NPPF)
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.

MAIN ISSUES

- 19 The following main issues are identified for assessment and Panel Members are advised this planning application has been submitted following an enforcement enquiry (ref: 20/00716/UHD3). The need for formal Enforcement action or not is obviously dependent on this application.
1. Character and Appearance
 2. Residential Amenity
 3. Parking
 4. Representations

APPRAISAL

Character and Appearance

- 20 The proposal is understood to replace a much smaller timber structure that was situated on the off-street parking space. The applicant has stated the structure is to the rear of the property however it appears to have been two houses originally and accordingly two principal elevations exist. As such, there is no permitted development (PD) fallback for Panel Members to consider.

- 21 The extension is currently of a breeze block construction with a flat roof. It is situated in a highly visible location and projects from the main house the almost full depth towards the public pavement. As such, the extension is well forward of what is a strong and clear building line and appears as an incongruous and visually intrusive structure, both to the character and appearance of host dwelling and also within the wider street scene.
- 22 Whilst the applicant considers the primary frontage of the property to be Colwyn Road, but given the original back to back nature of the properties (now one house) the Tempest Road frontage is equally important. This, combined with the uniform building line and the environmental improvements works that have been undertaken for all the properties in along this part of Tempest Road means that any front extension needs to be sensitively designed.
- 23 The extension does not achieve these requirements and not only is in a highly prominent location but also projects nearly to the back edge of the footpath. Therefore despite being slightly set down relative to the house, it still appears as an overly dominant and incongruous feature in the street scene that is out of proportion with the host property. The applicant's offer to render the extension is acknowledged would not mitigate this identified harm.
- 24 It is noted there are several other outbuildings/structures at neighbouring properties along the Tempest Road frontage and these are sited as justification to support the current application. However these are all much smaller in scale, detached and temporary structures. More generally, they also have a poor external appearance and are certainly not examples of good design to be repeated. Importantly, they are also not permanent structures unlike the proposal under consideration here. Therefore, it is considered that a solid structure of this nature in such a prominent location is visually harmful and if supported would set a dangerous precedent for similar development which in turn leads to wider harm. As such the proposal is contrary to policies GP5, and BD6 of the Leeds Unitary Development Plan (Review) 2006, to policy P10 of Leeds Core Strategy, to policy HDG1 of the Supplementary Planning Document Householder Design Guide and to national policy guidance contained in the National Planning Policy Framework.

Residential Amenity

- 25 The extension is single storey in nature and although it adds a degree of additional bulk, it is located north of the most affected property (no. 47 Colwyn Road); therefore no direct overshadowing occurs. Any additional overshadowing that does take place largely falls across the neighbour's driveway in any event. As such the development is not considered to present harm to residential amenity in terms of overshadowing or loss of light.
- 26 With regard to privacy, the window within the side (north) elevation faces towards the applicant's own front garden area, which is already open to wider public view, and as such, it is not considered that this proposal will significantly impact on the neighbour's privacy.

Parking

- 27 The extension is positioned on a parking space and is understood to replace a timber shed that had been present before. Clearly the ability to park one vehicle safely off street has been removed and this is far from ideal. However, off street parking is not generally available to most residents in the area and so on-street parking is the norm.

28. In terms of on street parking, the carriageway width of Tempest Road is such that parking takes place on both sides of the road and still allows for two way passing. This, combined with the fact the application property now faces onto two streets does mean the applicant has good on-street parking options. There is also no real need to keep the space in front of the extension clear despite the roller shutter door design as vehicle access is not required. Even motorbike access would be relatively small. For these combined reasons, on balance officers have not formally promoted a highway safety reason for refusal on this occasion.

Representations

29. No letters of representation have been received from neighbours but Ward Councillor Iqbal is supportive of the application. The comments made regarding the appearance of the extension have been addressed in the above appraisal. In terms of its use, the desire to secure a motorbike is not objected to by officers, only the way that that is currently being achieved. Taken quite simply, if the scale of the extension sought was reduced to a size more akin to a motorbike, other options in terms of its general siting would be available. A much more sympathetic and discrete structure could therefore have been proposed however the retrospective nature of the application is such that the option to pursue more appropriate solutions has effectively been removed.
30. Regarding Councillor Iqbal's last point, the lack of formal complaints about the application is no reason to go against adopted policy/guidance and support a form of development that officers have assessed as being unacceptable. The officer recommendation to refuse therefore remains and in this particular case the potential for similar proposals to follow were permission to be granted is also potentially strong judging by the existence of other temporary structures in neighbouring plots.

CONCLUSION

31. It is considered that by virtue of the extension's general scale, prominent siting and inappropriate design that its retention cannot be supported due to its adverse impact on the character and appearance of both the host dwelling and the wider street scene. Whilst some concern regarding the loss of a parking space exists, in the circumstances it is not considered to be so serious as to warrant a formal reason for refusal in its own right. Nevertheless, the application remains contrary to policies GP5 and BD6 of the Leeds Unitary Development Plan (Review) 2006, policy P10 of Leeds Core Strategy, policy HDG1 of the Supplementary Planning Document Householder Design Guide and to national policy guidance contained in the National Planning Policy Framework. As such it is recommended that planning permission be refused.

Background Papers:

Application file: 20/06034/FU



SOUTH AND WEST PLANS PANEL

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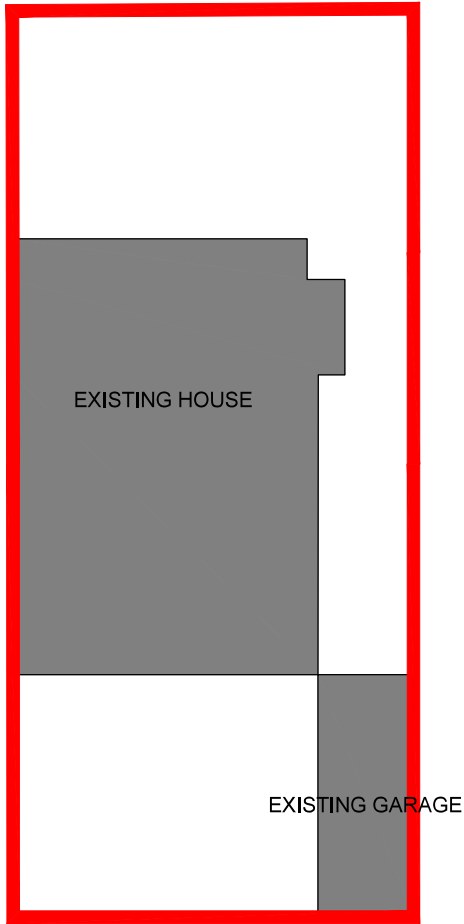
PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500





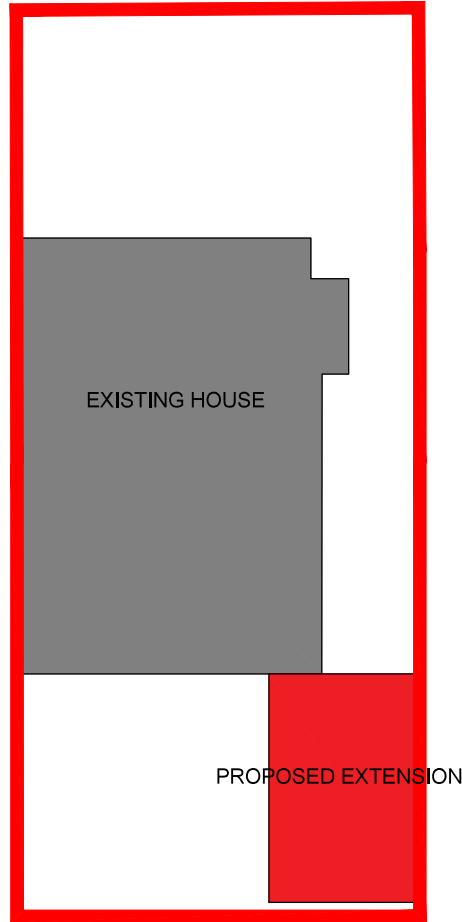
FRONT



REAR

EXISTING BLOCK PLAN 1:100

FRONT



REAR

PROPOSED BLOCK PLAN 1:50

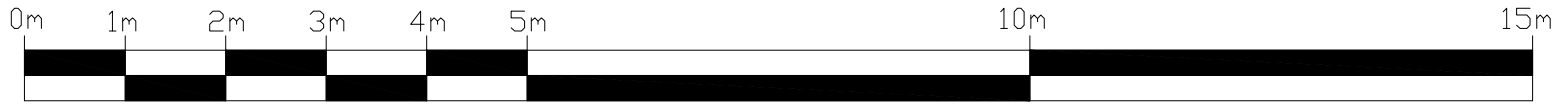
Project
49 COLWYN ROAD, BEESTON,
LEEDS, LS11 6LQ

Drawing Title
REAR GARAGE -
EXTG & PROP BLOCK PLANS

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| CAD Ref. | Drawn |
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| Date 18.09.2020 | Scale 1:100 @ A3 |
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EXISTING REAR ELEVATION 1:50



PROPOSED REAR ELEVATION PLAN 1:50

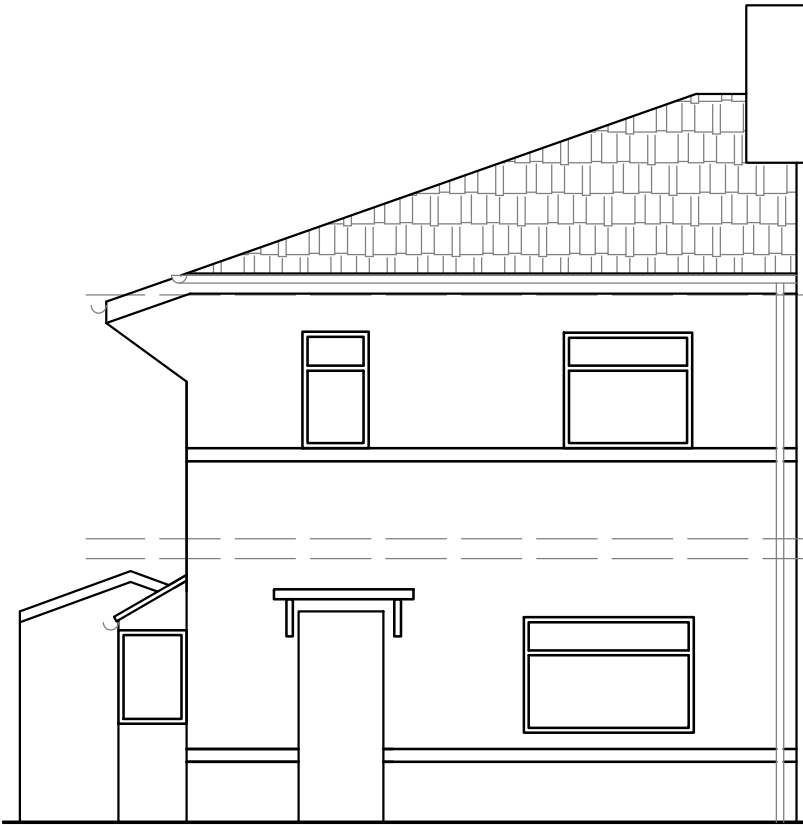
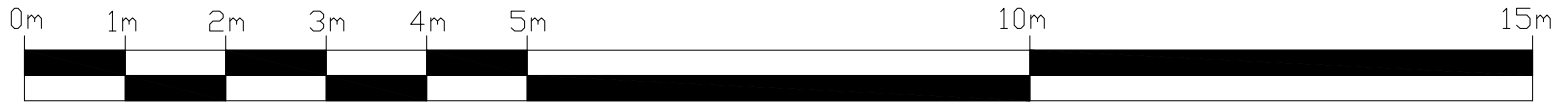
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Drawing Title
REAR GARAGE -
EXTG & PROP REAR ELEVATIONS

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EXISTING FRONT ELEVATION 1:50



PROPOSED FRONT ELEVATION 1:50

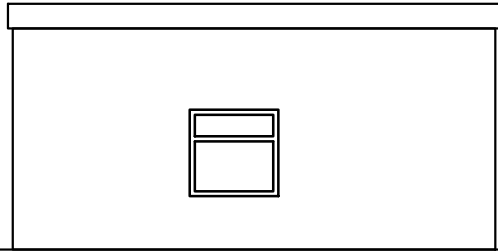
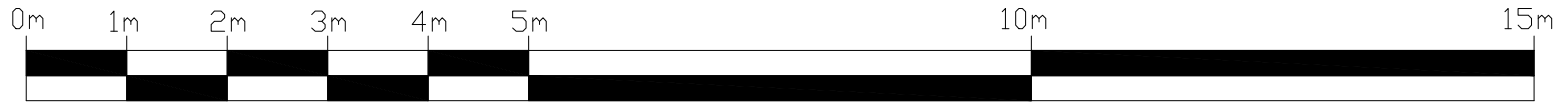
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LEEDS, LS11 6LQ

Drawing Title
REAR GARAGE - EXTG & PROPOSED
FRONT ELEVATIONS

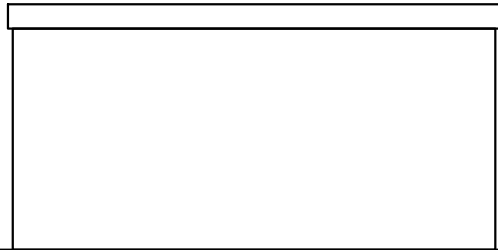
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| Project No. | DRWG. No. B004 | Revision - |
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PROPOSED SIDE ELEVATION 1:50
FACING IN TOWARDS 49 COLWYN ROAD



PROPOSED SIDE ELEVATION 1:50
FACING TOWARDS 47 COLWYN ROAD

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| Project 49 COLWYN ROAD, BEESTON, LEEDS, LS11 6LQ |
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