



**Leeds**  
CITY COUNCIL

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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 18 March 2021**

**Subject: 20/07613/FU– Single storey front extension and single storey rear extension with patio area at 141 Alwoodley Lane, Alwoodley, Leeds, LS17 7PG**

**APPLICANT**

Mr N Dunning

**DATE VALID**

27 November 2020

**TARGET DATE**

22 January 2021

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**Electoral Wards Affected:**

**Alwoodley**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:**

1. Time limit on full permission
2. Development in line with approved plans
3. Materials to match the existing
4. Existing planting to be protected with fencing during construction
5. Landscaping to boundary

**INTRODUCTION**

1. This application is brought to Plans Panel at the request of Councillor Buckley who has raised concerns that the proposal is an overdevelopment of the site, that it is not in keeping with the street-scene and that there will be a potential loss of vegetation. As some of these matters raised by the ward Councillor are material planning considerations that give rise to concerns affecting more than neighbouring properties the exceptions set out in the Officer Delegation Scheme are met and it is appropriate to report the application to Plans Panel for determination.

## **PROPOSAL**

2. The application seeks full planning permission for the construction of a single storey front extension, which will form a new entranceway, and for a single storey rear extension with patio area.
3. The front extension will infill a gap between two front projecting gables. The extension will be a flat roof structure that will project out a maximum of 2.8m from the front elevation of the dwelling.
4. The proposed single storey rear extension will be a flat roof structure that will have a maximum depth (projection from the rear of the house) of 5.3m. The side elevations of the extension, which run parallel to the common boundaries with the dwellings on either side of the site, will measure approximately 4.4m in depth. The extension is shown to be sited approximately 3m from the common boundary with No.139 Alwoodley Lane and 2m from the common boundary with No. 165 Alwoodley Lane.
5. It is noted that the garden is set at a lower level than that of the ground floor of the existing house. Therefore, to ensure that the finished floor level of the extension is set at a similar level as the proposed patio area there will be some localised increase in ground levels, of approximately 0.6m. Beyond the edge of the proposed patio ground levels will be re-graded down to suit the contours of the existing garden.
6. As part of the scheme some shrubs and ornamental conifer trees located close to the side common boundary with No. 139 and 165 will be removed. The hedges that mark the boundary are shown to be retained.

## **SITE AND SURROUNDINGS**

7. The application site features a large detached stone built dwelling that is set in a generous plot situated in a part of Alwoodley Lane that is characterised by plots of similar dimensions. It lies to the north of Alwoodley Lane itself. Beyond the application site further to the north and immediately abutting the northern boundary of the application site is Sand Moor Golf Club. To the immediate west of the site is 139 Alwoodley Lane and to the immediate east of the site is 165 Alwoodley Lane.
8. The site features a good size garden to the rear which is enclosed by hedging and shrubs. There is a large attached garage to the front and a conservatory to the rear. To the rear there is a change in levels with steps down from the rear of the house to the garden.

## **RELEVANT PLANNING HISTORY**

9. None.

## **HISTORY OF NEGOTIATIONS**

10. Following concerns raised by the occupants of the dwellings on either side, the applicant has submitted revised plans that have moved the rear extension away from the common side boundaries of the site and has omitted the proposal to construct a balcony on the roof of the rear extension.

11. Informal discussions have been held with the Landscape Officer, who suggested that the extension be moved approximately 1 metre away from the common boundary with No. 165 to protect the hedges that are located within the garden of No.165. The applicant has submitted revised plans that meets this advice.

## **PUBLIC/LOCAL RESPONSE**

12. The application has been publicised by means of site notice on 16.12.2020 and by way of Neighbour Notification Letters (NNL) that were posted 03.12.2020. Following revised plans being submitted further NNLs were posted on 12.01.2021 and on 02.02.2021.
13. Alwoodley Parish Council objects to the scheme on the basis that the proposal will represent an overdevelopment of the site and that it would lead to harm being caused to vegetation and wildlife.
14. As noted above, Councillor Buckley has raised concerns that the proposal is an overdevelopment of the site, that it is not in keeping with the street-scene and that there will be a potential loss of vegetation.
15. Letters of objection have been received from the occupants of the dwellings on either side of the site. The following planning concerns have been raised;
- The proposal would harm vegetation along the boundary.
  - The proposal conflicts with the Alwoodley Neighbourhood Plan
  - The proposal conflicts with the document 'Guideline Distances for Developments to Trees'
  - Impact on wildlife
  - The plans do not clearly identify which trees and shrubs are to be retained and removed.

## **PLANNING POLICIES**

16. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

17. For the purposes of decision-making in relation to this application, the development plan for Leeds is comprised of the adopted Core Strategy as amended (2019), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP), Site Allocations Plan (2019) (SAP), the Aire Valley Leeds Area Action Plan (2017) (AVLAAP) and the Natural Resources and Waste Local Plan (2013) (NR&WLP) and the Alwoodley Neighbourhood Plans (NP). There are no policies relevant to this proposal in the SAP or AVLAAP.
18. 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 most relevant local planning policies from the Core Strategy (as amended) are:
- Policy P10 – Design

- Policy P12- Landscape quality, character and biodiversity
- Policy T2 – Accessibility requirements and new development

19. Relevant Saved Policies from the UDP are:

- GP5 - Development proposal should resolve detailed planning considerations
- BD6 - Alterations and extensions

Alwoodley Neighbourhood Plan (Published 2019)

20. Alwoodley Parish Council decided in July 2013 to explore the possibility of developing a Plan for Alwoodley Parish and began work on it in 2014. The Plan aims to protect the character of and improve the Parish for current and future generations. The Plan also seeks to protect the environment and green spaces within the Parish for the benefit of residents and the population of Leeds as a whole. Following a positive referendum result on Thursday 28th June 2018, Leeds City Council publicised its decision to make the Alwoodley Neighbourhood Development Plan part of the Leeds Development Plan.

21. The design policies in the Neighbourhood Plan generally not refer to householder extensions of the kind that are proposed under this application but the general aims of the Plan are noted and a similar to those enshrined within the Core Strategy Policies

Relevant Policies within the Neighbourhood Plan:

- Policy BE2: Local character and design
- Policy BE3: Reducing on-street congestion
- Policy CNE2: Protection of trees fronting the highway

Natural Resources and Waste Management Plan

22. General Policy 1 – Support for Sustainable developments  
Land 2 – Trees should be conserved wherever possible and where trees are removed, suitable replacement should be made as part of an overall landscape scheme

The following SPGs and SPDs are relevant:

23. Householder Design Guide (April 2012). The following policies are relevant:

- Policy HDG1 – Extensions should respect the scale, form, proportions, character and appearance of the dwelling.
- Policy HDG2 – Extensions should not harm residential amenity.

24. Street Design Guide SPD – Sets out parking requirements for residential development.

25. Guideline Distances from Development to Trees (2011)

National Planning Policy

26. The National Planning Policy Framework (NPPF) sets out the Government's overarching planning policies and how they should be applied to ensure the delivery of sustainable development through the planning system and strongly promotes good design. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Relevant guidance in the NPPF includes:

- Paragraph 12 Presumption in favour of sustainable development
- Paragraph 91 Planning decisions should aim to achieve healthy, inclusive and safe places
- Paragraph 127 Need for Good design which is sympathetic to local character and history
- Paragraph 130 Planning permission should be refused for poor design
- Paragraph 170 Planning decisions should contribute to and enhance the natural and local environment

## **MAIN ISSUES**

27. The following main issues have been identified:

- Design and Character;
- Boundary Vegetation;
- Privacy;
- Overshadowing and Dominance;
- Parking and Highway Safety;
- Private Garden Space;
- Public Representation

## **APPRAISAL**

### Design and Character

28. The Core Strategy Policy P10 outlines a number of key principles which fall under the wider objective of ensuring new development delivers high quality inclusive design. Saved UDP policies GP5 and BD6 are also relevant, in their seeking to protect amenity and highway safety and to encourage good design. The Council's Householder Design Guide includes a number of policies and detailed guidance for domestic extensions which are relevant to the proposal, serving to reiterate and reinforce the over-arching aims of the aforementioned Core Strategy and Saved UDP policies.

29. It is noted that the street features dwellings of various scales and designs and, as such, front extensions to dwellings on the street are not as problematic from a visual amenity perspective as might be the case if the property was located on a street with dwellings that are uniformly designed with a consistent building line and closer to the edge of pavement.

30. The proposed single storey front extension will be an infill between two gable elements of the property. The proposal will sit comfortably on this large detached dwelling and will not come forward of its building line. The scale and proportions of the extension are considered to respect those of the main house. The use of matching materials will ensure that the proposal will tie in with the house. Given the

appropriate design and scale of the extension, it is considered that the proposal will not harm the character of the area.

31. The single storey extension to the rear will be of a simple rectangular shape and form and will tie in well with the form and proportions of the house. The extension will be seen in context with this large detached dwelling set within a large garden area, and therefore will not appear as an overdevelopment of the site. The use of matching materials will again ensure that the proposal will tie in with the house.
32. Patios are commonly found within residential gardens and this will not raise visual amenity concerns.
33. As such, it is considered that the proposed extensions represent an acceptable addition which will respect the character of the existing property and wider streetscene, the proposal will meet the wider aims of Core Strategy policies P10, saved UDP policies GP5 and BD6, policy HDG1 of the Householder Design Guide, and the guidance contained within the NPPF in these respects.

#### Boundary Vegetation

34. Concerns have been raised by the occupants of the neighbouring dwellings, the Parish Council and Ward Councillor Buckley, that the proposal will result in harm being caused to the trees and shrubs located along the side boundaries of the site.
35. The occupant of No.165 has significant concerns with regards to the impact of the development on the vegetation located along the common boundary between the properties. The submitted plans indicate that it is proposed to retain the most substantial trees located along this common boundary. This includes a number of Leyland Cypress trees that are shown to be located in the garden of No.165 and a lilac that is within the rear garden of No.141. The plans also are annotated that the existing hornbeam hedge located along a section of the common boundary that runs roughly parallel to the side of the proposed rear extension and patio will be removed and replaced with a new hedge.
36. Accordingly, the plans indicate that the vegetation within the garden of No.165 itself, will be retained and only the vegetation within the applicant's own garden will be removed. Since the application was received, the applicant has provided revised plans showing the extension moved away from the common boundary with No.165. The extension will now be set approximately 2m away from the boundary, which is considered sufficient to protect planting located within No.165 itself. Conditions are suggested to require that protective fencing is erected before works commences on site. Informal discussions have been held with the Landscape Officer, who suggested that the extension be moved approximately 1 metre away from the common boundary with No. 165 to protect the hedges that are located within the garden of No.165. The applicant has submitted revised plans that meet this advice.
37. The occupant of No.139 has also objected to the scheme. The primary concern raised by No.139 is again the removal of conifer trees and impact on hedges. The conifer trees in question are not protected by a Tree Protection Order and hold little visual public amenity value. These trees can therefore be removed at any time and refusing the scheme on this basis would be difficult to justify. The extension is proposed at 3.3m away from the boundary and conditions can be attached to ensure the hedges along the boundary are protected by protective fencing during the construction period.

38. The objection comments raised also state that the proposed loss of trees and vegetation will conflict with the Alwoodley Neighbourhood Plan. Policy CNE2 of the neighbourhood plan is the relevant policy and primarily aims to ensure trees that front the highway and those that hold significant visual amenity value are protected. As discussed above the vegetation that is proposed to be removed is not particularly visible from public view and holds little amenity value. Therefore, it is considered that the proposal will not conflict with Policy CNE2 of the Alwoodley Neighbourhood Plan.

#### Privacy

39. The proposed new windows of the extension face the applicant's own private amenity space and will not offer significant views of the private areas of the neighbouring dwellings. The patio area will raise ground levels by approximately 0.6m. It is considered that the trees and planting that are proposed to be retained, plus the replacement hedge planting to the common boundary with No.165, will offer the occupants of the neighbouring dwellings on either side sufficient protection from being overlooked. As such, the proposal is considered not to cause significant harm to the neighbouring private amenity in terms of overlooking and is considered to be in-keeping with the wider aims of Core Strategy policy P10, saved UDP policy GP5, and HDG2 of the Householder Design Guide.

#### Overshadowing and Dominance

40. The proposed extension is a single storey structure that will be situated 2m (approximate) away from the boundary with No. 165 and approximately 3.3m away from No.139. It is also noted that the ground levels will be increased approximate 0.6m around the patio area and that No.165 is set at a lower level and that No.141 is set at a higher level from the application site.
41. Despite the increase in ground levels, the extension will still sit below the first floor level of the main dwelling and thereby appear as a single storey structure, and whilst also considering the fact that No.139 is located at a higher level compared to the application site and that the proposal will not project out a significant distance beyond the rear wall of No.165, it is considered that the proposal will not raise issues of overshadowing or dominance. Furthermore, the gardens are north facing therefore the levels of overshadowing is not likely to be significant through the day. The proposal is as such in keeping with the wider aims of Core Strategy policy P10, saved UDP policy GP5, and HDG2 of the Householder Design Guide.

#### Parking and Highway Safety

42. Core Strategy policy T2 and the policies and guidance contained within the Householder Design Guide and Street Design Guide SPD's aim to ensure two car parking spaces are retained at residential properties, where they exist at present, in order to prevent a significant increase in on-street car parking on residential streets which can lead to wider parking congestion and highway safety concerns.
43. The proposal will not impact on the existing car parking arrangements at the site which are considered appropriate to serve the end development. As such the proposal is considered to be in-keeping with the wider aims of Core Strategy policy T2, the guidance contained within the Householder Design Guide and the Street Design Guide. The proposal also complies with Policy BE3 of the Alwoodley Neighbourhood Plan, which aims to reduce on-street congestion.

### Private Garden Space

44. There will be adequate private garden space retained at the site for the enjoyment of the occupiers after the development takes place.

### Public Representation

45. The comments made that the proposal will harm vegetation along the boundary, adversely impact the street scene and with regards to the scale of the development, have been discussed and addressed within the report.
46. The Parish Council has commented that the proposal will be harmful to wildlife. There is no evidence of any protected species living or using the site, and therefore little weight is given to this concern.
47. Comments have been made that the plans do not clearly show which trees and shrubs are to be retained and removed. The plans do indicate the most prominent plants that area to be removed. However, it is noted that there is smaller ornamental vegetation that is likely to be removed but not indicated on the plans. However, as this vegetation is not protected under legislation nor does it hold significant visual amenity value, it is considered that plotting these on a plan is not necessary.

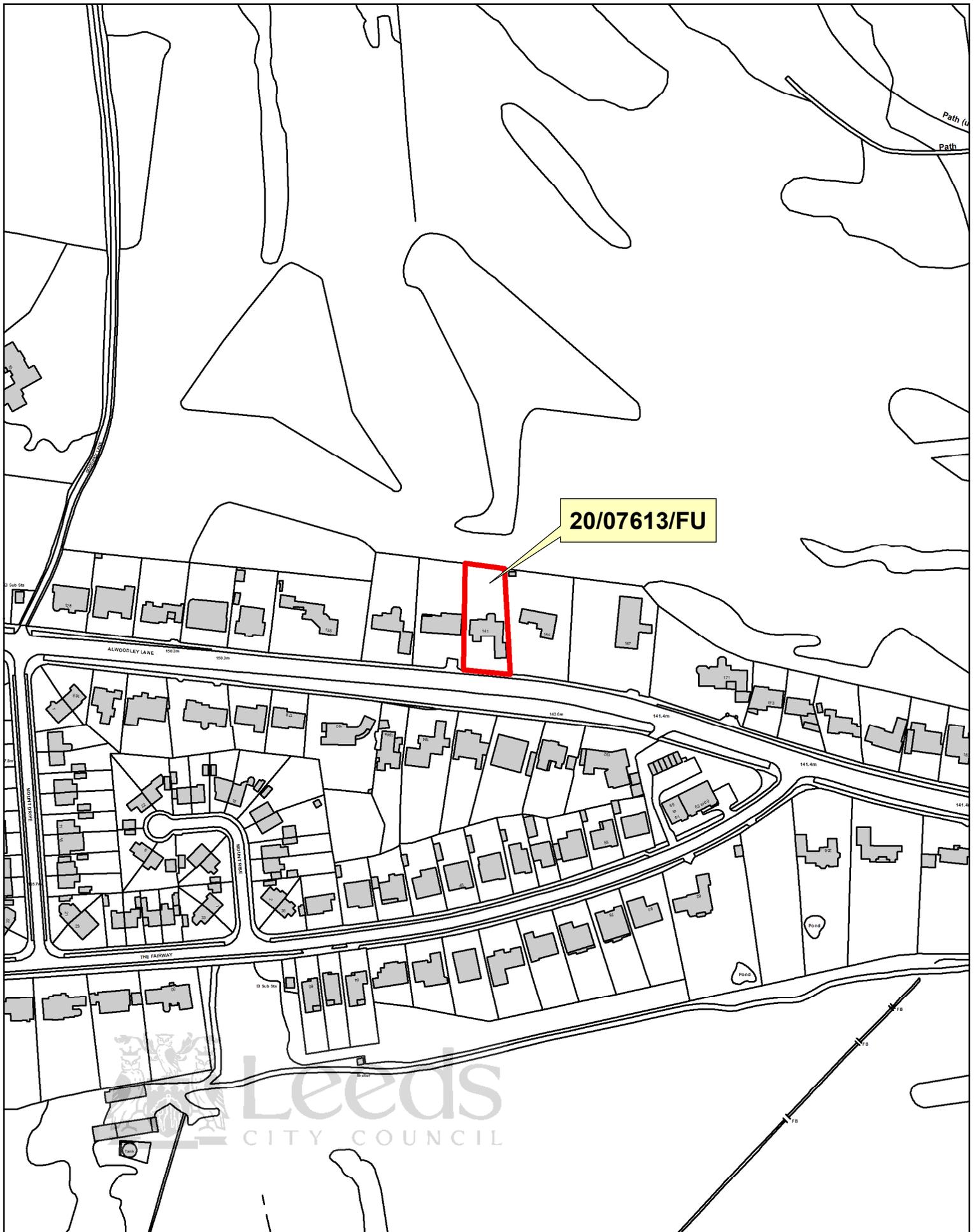
### **CONCLUSIONS**

48. It is considered that the proposal is of a sympathetic design; that it will not lead to a significantly harmful impact in relation to neighbouring amenity; and that the planting located along the common boundaries are sufficiently protected with the recommended conditions. Furthermore, the proposal will allow for sufficient outdoor amenity and car parking provision to be retained. Subject to the conditions outlined at the beginning of this report, and taking into account all the relevant planning policy and material considerations, the proposal is recommended for approval.

#### **Background Papers:**

Application file 20/07613/FU

Ownership certificate: Signed by Agent Mr Newby



# NORTH AND EAST PLANS PANEL

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SCALE : 1/2500



