



**Report of the Chief Planning Officer**

**PLANS PANEL EAST**

**Date: 22<sup>nd</sup> October 2009**

**Subject: APPLICATION 09/02818/FU- Amendment to previously approved application 09/01034/FU for single storey extension to side and rear of existing garage with new pitched roof over and canopy to front (Conversion of existing garage to habitable room is permitted development). 9 The Paddock, Thorner, Leeds, LS14 3JB**

| <b>APPLICANT</b>  | <b>DATE VALID</b> | <b>TARGET DATE</b> |
|-------------------|-------------------|--------------------|
| Mr. Michael Spong | 11.8.2009         | 6.10.2009          |

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|---|
| <p><b>Electoral Wards Affected:</b></p> <p><b>Thorner</b></p><br><br><p><input type="checkbox"/> Ward Members consulted (referred to in report)</p> |
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|--|
| <p><b>Specific Implications For:</b></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 specified conditions:**

Conditions

1. Time limit
2. External walling and roofing materials to match
3. No insertion of windows in the side elevation facing no. 10 The Paddock
4. Implementation of Trees
5. Protection of Beech hedge on the south west boundary/Hedge preservation and protection

**Reasons for approval:** The application is considered to comply with Policies GP5, BD6, N19 and LD1 of the Unitary Development Plan Review, not cause harm to the character or appearance of the Conservation Area, nor to residential amenity and, having regard to all other material considerations, it is considered that the proposal is acceptable.

## **1.0 INTRODUCTION:**

1.1 This application is brought to Panel at the request of Councillor Rachael Procter and because a previous scheme for the property has been considered by Panel and subject of an appeal. (33/189/04/FU )

## **2.0 PROPOSAL:**

2.1 The proposal is to amend a previously approved application 09/01034/FU for a single storey extension to side and rear of the existing garage with new pitched roof over and canopy to front (Conversion of existing garage to habitable room is permitted development).

2.2 The current proposal is to increase the height of the approved roof by 1.0m whilst infilling the valley in the side elevation. The rest of the work has been given approval in a previously approved application.

## **3.0 SITE AND SURROUNDINGS:**

3.1 The application site is located in the Thorner Conservation Area and is a 1970's detached chalet style property constructed of stone with a tiled pitched roof. The property is set slightly forward of the neighbour at 10 The Paddock and is located at the rear of Main Street in a small cul-de-sac of similar aged properties. The dwellings situated on The Paddock vary in terms of size, types design and style. In the immediate vicinity of the site are a number of terraced properties that back onto The Paddock. These are predominantly of coursed stone and timber cladding construction with concrete tiled roofs and most have garages that back onto The Paddock. The adjacent neighbour No. 10 The Paddock is of a similar design to the host property. A 2.0m high hedge is present along the side party boundary with no. 10 The Paddock and a 1.8m high fence is present along the rear boundary of the property. Vegetation approximately 2.0m high forms the rear boundary treatment. To the side there is an attached garage along the side party boundary with the application site and dormer windows on the north-eastern pitch of the roof. The windows in the dormer are obscured glazed. The area is residential in character. To the side of the host there is a flat roof garage and a car port.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 H33/125/83/ - Alterations and enlarged chimney stack to detached house. Approved 27/6/1983.  
33/1/04/FU - Two storey side extension. Refused 18/2/2004. Appeal subsequently dismissed.  
33/189/04/FU - Two storey side extension. Appeal against non determination. Panel indicated that they would have refused the application. Subsequent appeal was dismissed.  
09/01034/FU – Single storey side and rear extension. Approved 1/5/2009.

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 None

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

Parish/Town Council:  
Press Advert:

Thorner Parish Council –11/8/2009  
Boston Spa and Wetherby News – 21/8/2009

Site Notice: Posted –21/8/2009  
Date of letters sent out: 11/8/2009  
Expiry Date of Notification: 11/9/12009

6.1 One letter supporting the application has been received. Three objection letters have been received including one from Cllr Rachael Procter, a six signature petition and one further letter. Thorner Parish Council also object to the application.

6.2 Cllr R Procter considers that the increase in roof height will be harmful.

6.3 Thorner Parish Council objects to the application and made the following comments:

In 2004 similar application to the current application was refused and the dismissed at appeal. The main reason for refusing the application was loss of visual amenity in particular the way in which the roof structure would obscure views and sightlines.

The recent approval (09/01034/FU) proposed two differently pitched roofs with the large front facing The Paddock. The two pitched roofs would be lower than current proposal for a single pitched roof. The approved design beaks up the building mass and obscures little views through Conservation Area.

The current proposal is significantly higher than the approved application. Although not as high as the 2004 application, the height will obscure views and dominate streetscene. The domination is exaggerated by the increase in the footprint area. The new roof is wider.

The proposal is too large for the site and the scale of the bungalow and its conservation area setting. The increased height will be overbearing and result in loss of visual amenity to the streetscene.

The proposal will eliminate many sight gaps between buildings and views.

The Parish Council disagrees with the submitted Design and Access Statement that the proposal will not impinge on the vistas noted within the Conservation Area Management Plan. The Parish Council also object to the statement that in the Design and Access statement that local residents have been consulted and have no objections.

6.4 A petition of 6 signatures and a further single objection letter setting out the following objections has been received.

The previous owners have had two appeals dismissed. The current proposal resembles the dismissed appeals. The proposal would create an incongruous feature in the streetscene and damage the Conservation Area and Policies N19, BD5, BD6 and planning PPG15.

The amendments reduce the impression of spaciousness and does not preserve or enhance the character of the Conservation Area and the streetscene.

The overall visual mass of the roofscape remains a challenge to the scale and form of the original building and will dominate the streetscene.

Other objections received in the petition have been raised by the Parish Council.

The change in the roof design adds substantially to the massing to the original building and the approved scheme.  
The amendment will be dominant.

It is hoped that the approved Thorner Conservation Area Appraisal and Management plan and recent submission of Thorner Village Design Statement will be taken in to account during the assessment of the application.

## **7.0 CONSULTATIONS RESPONSES:**

None

## **8.0 PLANNING POLICIES:**

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal.

8.2 Unitary Development Plan (Review 2006) Policies:  
Policy GP5: General planning considerations  
Policy BD6: General planning considerations  
Policy N19: Development in conservation areas  
Policy LD1: Landscape proposals

8.3 Thorner Conservation Area Appraisal and Management Plan (Approved January 2009). The application site is located within Character area 1 "Main Street and back lanes". The Paddock is not a road that is identified on the list of back lanes. The building itself is identified as being a neutral structure. The predominant characteristics of the area identified include:

- Variation in building types
- Buildings are consistently two stories
- 2 or 3 bayed properties
- Variation in windows
- Predominant material is local sandstone and slate, pan-tile and stone slate tiles
- Main Street has little space between structures with the identified back lanes having a more spacious layout.

## **9.0 MAIN ISSUES**

9.1 The key issues for consideration are:

Conservation Area  
Design and Character  
Differences with previously approved and refused schemes  
Over dominance / Overshadowing  
Representations

## 10.0 APPRAISAL

### Conservation Area

- 10.1. The property is located within the Thorner Conservation Area. Policy N19 states that all buildings and extensions within a Conservation Area should preserve or enhance the appearance of that area by means of siting, scale, detailing and materials. Thorner Conservation Area is characterised by modest 18<sup>th</sup> and 19<sup>th</sup> coursed stone dwellings with slate roof and of a simple design. The dwellings in The Paddock including number 9 and 10 are modern built in the 1970's and the style and materials do not particularly complement the character and appearance of the wider Conservation Area. The materials proposed for the extension will match the existing and are considered to preserve the existing character in this location and are appropriate in their context.
- 10.2. The proposal involves raising the height of the roof on the extension to the side by 1m over the height approved in the previous application. This will increase its prominence within the streetscene. However the roof proposed will still be visually subservient and set well down from the ridge height of the host by 1.3m. It does not incorporate living accommodation. Some reduction in views over the garage will occur but this is not considered so significant so as to justify refusing planning permission as such viewpoints are limited and it is considered that a sense of space between buildings will be maintained. Accordingly the character of the conservation area is considered to be preserved.
- 10.3. The proposed development does not conflict with the guidance set out in the Conservation Area Appraisal. Neither the building itself, or its immediate setting, contribute to those characteristics that are identified as being important in the Appraisal.

### Design and Character

- 10.3 The current proposal is not fundamentally different from the previously approved application (09/01034/FU). The only change being a modest increase in ridge height of 1m. The proposed extension is considered to be in keeping with the character and style of the host property. It is single storey and set down from the ridge of the host. As such it is considered to be in keeping with the wider streetscene. The materials and detailing are proposed to match the host and as such it is considered acceptable.

### Differences between approved and refused schemes

- 10.4 The proposal is different in design to the previously refused applications. These applications incorporated a higher ridge line with dormers to front and rear incorporating additional living accommodation. Their massing was significant in relation to the wider area. The 33/001/04 FU application was set in line with the front main wall of the dwelling with a width of approximately 6m. A pitched roof to a height of 4.2m to the eaves and 6.2m to the ridge was proposed. The 33/189/04/FU application was revised and set back a distance of 2.8m from the existing main front elevation of the dwelling with a width of 5.0m. A pitched roof proposed was at a height of 2.3m to the eaves and 6.0m to the ridge. The current amendment is reduced in scale, the roof is at least 1.0m below and fundamentally different from the two 2004 applications as it does not involve first floor living accommodation. This small increase in height, 1m above the approved application, is not considered to compromise the design and character of the host or wider streetscene. The side

elevation of the proposal will have a simpler design than the previously approved double gable feature.

#### Overdominance /overshadowing

- 10.5 The modest increase in roof height is not considered to appear unreasonably dominant. The proposal is off set approximately 0.3m from the party boundary and set 1.0m below the existing ridge reducing any possible dominance impact on the adjacent property. It is acknowledged that there will be some increase in overshadowing to the adjacent neighbor during the early morning. However, given that the would be over the garage/drive of the neighboring property it is not considered to result in any significant loss of residential amenity of the occupiers of this neighbouring property. Furthermore it should be noted that the appeal inspector in her decision stated that the 2004 applications (with a higher roof and more massing) would not have an overbearing effect on the living conditions of No. 10 The Paddock, given the separation distance and the slightly forward positioning of the host property. The inspector further stated that there would be no adverse affect on loss of daylight/sunlight to the occupiers of No. 10. The current proposal is of a lesser mass than these appealed applications.

#### Representations

- 10.6 In relation to specific objections raised the proposal is not considered to be similar to the 2004 applications dismissed at appeal. It is reduced in scale and massing and does not incorporate first floor accommodation. On the other hand , the approved application was of a lesser mass because of its double gabled roof design which kept the overall roof height lower. The roof now proposed is simpler , being single gabled but as a result sits higher.
- 10.7 The slightly increased roof height will impact on the views through the site to some degree however the roof tops of the building at the rear will still be visible and it is considered that a sense of space between buildings will be maintained.
- 10.8 The proposal is not considered to be too large for the site as there is adequate amount of garden space surrounding the host dwelling. The increase is not considered to be overbearing and result in loss of visual amenity as the increase in roof height is considered to be modest.
- 10.9 The appeal Inspectors' comments are noted. The current proposal differs significantly from the 33/01/04 and 33/189/04 applications. The overall scale and massing is reduced. The Inspector noted in her decision that that the main dwelling of No. 10 The Paddock is set behind a high party boundary and is separated by its single storey garage and although there are two windows in the side elevation of No. 10 facing the host property, the windows are obscured glazed and that the proposal then would not have an overbearing effect on the living conditions of No. 10. The Inspector further stated that although the host dwelling is slightly set forward of No. 10 the 2004 applications would not have had an overbearing effect on the front garden of No. 10.
- 10.10 The advice in Conservation Area Appraisal has been considered in assessing the application. The application is not contrary to the advice in the appraisal as it is considered to maintain the sense of space between buildings in this part of the conservation area. It is noted that loss of views through the conservation area has been raised as an objection. However, the amendment is not considered to be

significantly greater than the approved scheme and some views and space will remain.

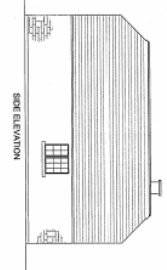
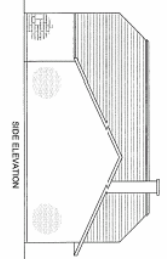
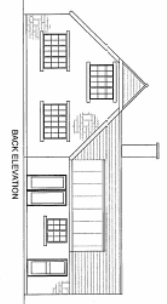
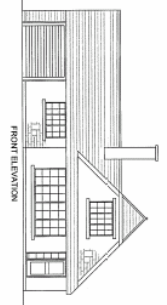
- 10.11 The application has been advertised in accordance with the requirement of planning legislation. This has involved notifying neighbours, newspaper advert and the posting of a site notice given the conservation area location.

## **11.0 CONCLUSION**

- 11.1 The proposal is considered to be a modest increase over the approved application and is of a much reduced scale and mass compared to the previous refusals which sought to incorporate living accommodation in the roof space through the use of dormers and increased roof height. It is not considered to be harmful to the host dwelling or the character of the conservation area or wider streetscene. Therefore on balance approval is recommended.

## **12.0 Background Papers:**

- 12.1 Application and history files.  
Certificate A signed by the applicant declaring that all land is owned by applicant.



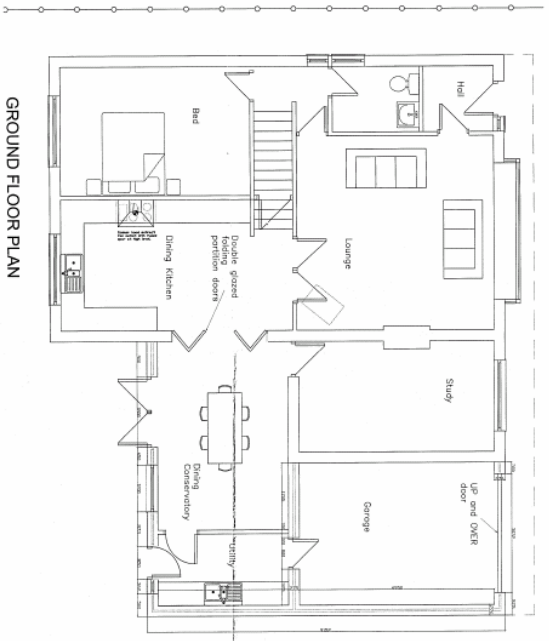
FRONT ELEVATION

BACK ELEVATION

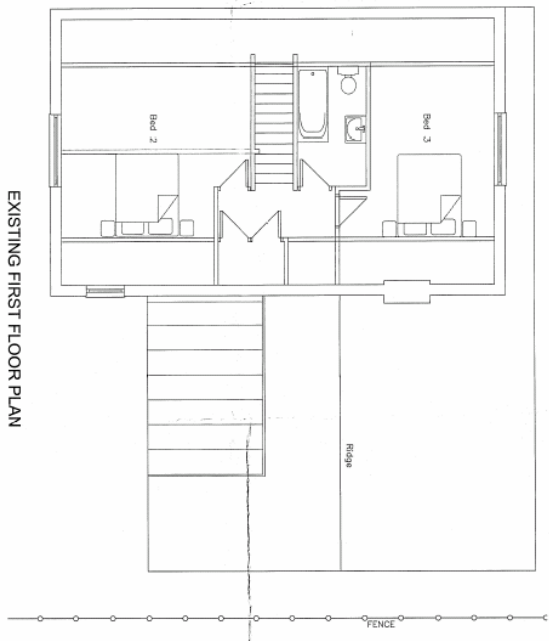
SIDE ELEVATION

SIDE ELEVATION

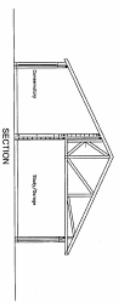
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GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



SECTION



NOT FORWARDED TO THE CLIENT  
 NOT FORWARDED TO THE CLIENT  
 NOT FORWARDED TO THE CLIENT  
 NOT FORWARDED TO THE CLIENT

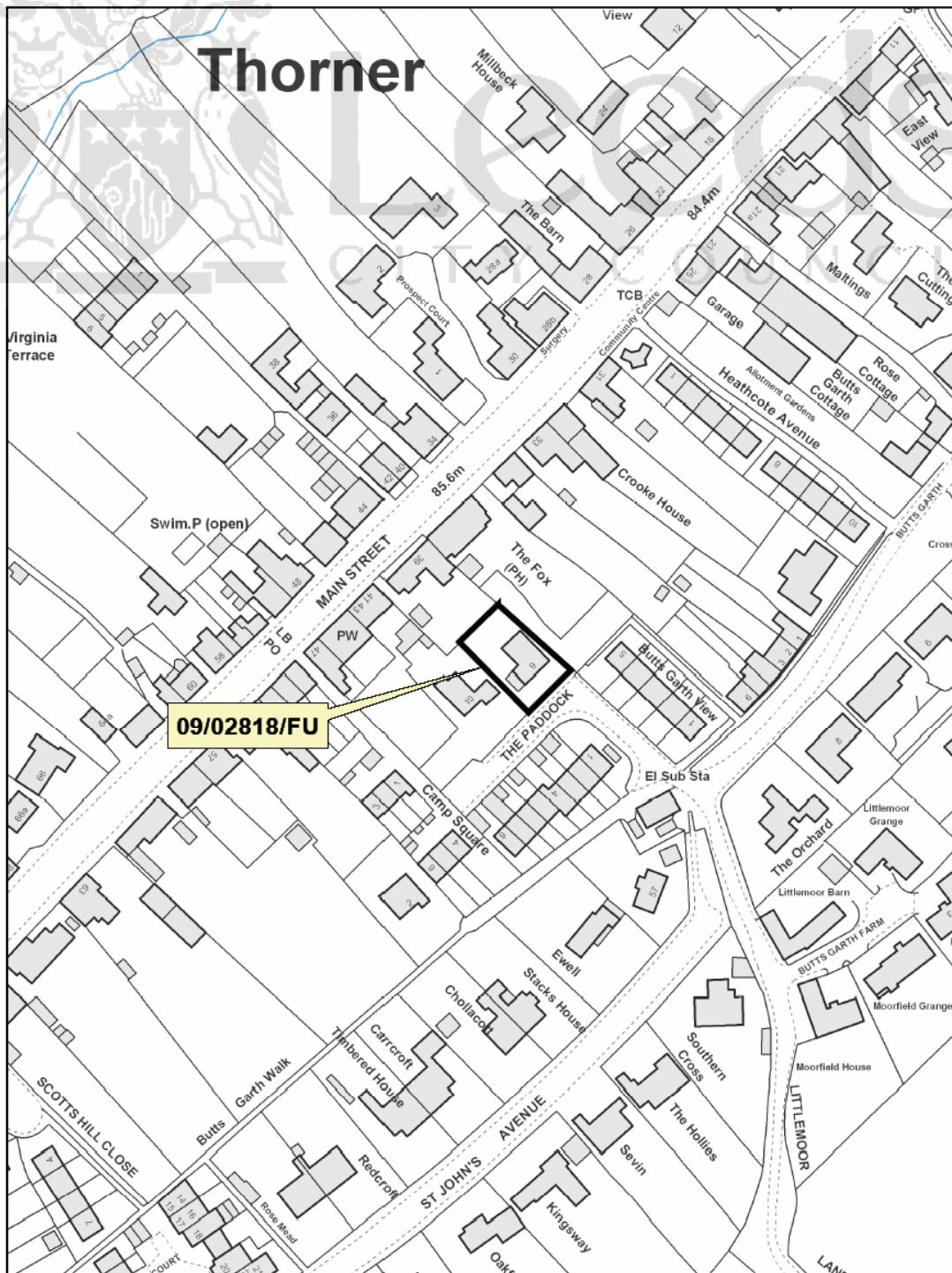
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Client: MR & MRS SPONG  
 Project: 9 THE PADDOCK, THORNER  
 Scheme: SCHEME A

Date: 04/02/08  
 Scale: 1/100  
 Draw No.: 001/05/010





# EAST PLANS PANEL

Scale 1/ 1500

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