



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 8th April, 2010

Subject: APPLICATION 09/01694/FU – Amendment to previously approved application 07/05636/FU for alterations including new roof to existing two storey side extension, canopy and porch to front, enlarged single storey rear extension, enlarged bay window to rear and attached garage to side at Amaracre, Wetherby Road, Roundhay, Leeds 17.

APPLICANT
Mr R S Riyat

DATE VALID
29.04.2009

TARGET DATE
15.06.2009

Electoral Wards Affected:
Harewood

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity
Community Cohesion
Narrowing the Gap

RECOMMENDATION:
GRANT PERMISSION subject to the specified conditions:

1. Materials to match existing
2. Trees planted on the northern boundary of the site for screening.
3. Removal of Permitted Development rights.
4. Works to be carried out within agreed timescale.

Details of conditions to be deferred and delegated to officers.

Reasons for Approval: The application is considered to comply with policies GP5 and BD6 of the UDP Review 2006, having regard to all other material considerations. The site is situated in the green belt and would constitute inappropriate development, however, there are considered sufficient circumstances in this case to support the development and as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 The application is being presented to Panel for determination as it exceeds the amount of development usually appropriate within the Green Belt. The site has a long history of negotiations and this application aims to regularise a breach of planning permission that is currently subject to enforcement proceedings. The resulting scheme presented here will be larger than that approved but is reduced in scale from the building as constructed.

2.0 PROPOSAL:

- 2.1 The application is for an amendment to a previously approved scheme that involved adding a pitched roof to the existing two storey side and single storey rear extension, as well as the addition of an attached garage. The original dwelling had a large flat roof extension and the changes were made in order to improve the appearance of the dwelling.
- 2.2 The works that were subsequently carried out conflicted with the original planning permission and this scheme aims to regularise the breaches that have occurred. The main breach is at the rear, instead of simply re-roofing the original extension a further floor has been added and two north facing dormer windows put in place. Following negotiations these will now be removed as part of the enforcement notice and the roof lowered. Once complete the extension will still be 1m higher than the original but the pitched roof will be changed to a hip to lessen its impact and improve the design.
- 2.3 As well as the breach at the rear the roof has been built 400mm higher than on plan and now includes a large overhang at the front. Also there is a new rear extension not on the original plan that projects 2m, is 6.3m in width and 3.6m in height. At the front a new curved porch is proposed measuring 3.3m in height and projecting 2.2m, this fits between the main house and the extension. The garage roof has also been increased in height by 300mm.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site relates to a detached property set within the Green Belt. The house has undergone renovation and is now completely clad in artificial stone. The property can be separated into two distinct parts, the original building and a large two storey side and single storey rear extension. A new roof has been added to the whole house using concrete tiles, the roof now overhangs the extension at the front. More glazing has been added to the front elevation and the gable feature now incorporates a new window rather than the original mock Tudor detailing. A new central porch plus an attached garage to the southern side of the house complete the front elevation. To the rear is a single storey extension which currently has two side dormers in place facing north.
- 3.2 The house is the last property on this section of Wetherby Road and borders open fields to the north and at either side. It has a good sized garden which is gravelled before steps lead onto a further lawned area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 07/00492/FU - Two storey side extension and alterations (withdrawn).

4.2 07/03364/FU - Part two storey part single storey side extension with balcony to rear, single storey extension and balcony over to other side (withdrawn).

4.3 07/05636/FU - Attached garage to side and new pitched roof to existing two storey side extension and existing single storey rear extension (approved).

5.0 HISTORY OF NEGOTIATIONS:

5.1 The site is set in the Green Belt, given this it is unusual for extensions to be granted that increase the volume of the original property by over 50%. The existing flat roof extension already used up this allocation and therefore when two applications for large schemes were submitted in 2007 they were later withdrawn because they were inappropriate development within the Green Belt.

5.2 Following these applications the Local Authority did proceed to grant permission to re-roof the existing extensions and add an attached garage (as a replacement for the removal of a detached garage). Whilst the changes increased the mass of the extensions even more, now to 112% above the original they were granted purely to improve the visual appearance of the dwelling and would not result in more living accommodation. On balance a case was made that the Green Belt would not be harmed by these necessary changes.

5.3 During construction it became clear that what was being built was over and above what had been given permission. Most noticeably the roof was higher and protruded at the front, another floor was added to the rear extension as well as two dormer windows. The whole of the property was in the process of being clad in stone (now completed) and a new rear extension was created where a bay window used to be, also a front porch was added. Following an enforcement case and some discussion with the applicants this application was submitted.

5.4 The proposal as built was not considered acceptable as it would harm the openness of the Green Belt and was inappropriate development. After negotiations the new first floor of the rear extension has been removed from the plans and mature trees have been proposed along the northern boundary to help shield the main parts of the extensions from view. The cladding and new windows, whilst being less than ideal have been constructed under permitted development and are not considered as part of this application.

5.5 The final change negotiated has occurred after the property had been fully cladded in stone (under Permitted Development rights). This has been to change the glazed gable feature of the original house back to what was there originally, removing the window and replace it with mock Tudor detailing.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Thorner Parish Council – No objections to the principle, but a request is made for landscaping along the northern boundary.

7.0 CONSULTATIONS RESPONSES:

7.1 None.

8.0 PLANNING POLICIES:

- 8.1 PPG2: Outlines the history and extent of Green Belts and explains their purposes. There is a general presumption against inappropriate development within the Green Belt. Limited extensions may be inappropriate development within the Green Belt provided that they do not result in disproportionate additions over and above the size of the original building. The visual amenity of the Green Belt should not be harmed by proposals within or noticeable from the Green Belt.
- 8.2 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. As the RSS is a strategic document, it is considered that there are no specific policies which are relevant to this application.
- 8.3 Local – Leeds Unitary Development Plan (Review 2006) Policies:
GP5: Gives advice in relation to new development stating that all new development should not have a detrimental impact on amenity.
BD6: Gives advice in relation to extensions to residential properties which states that extensions should respect the scale, form, detailing and materials of the original building.

9.0 MAIN ISSUES

- Impact on the Green Belt / Design and Character.
- Privacy.
- Overshadowing/Over dominance.

10.0 APPRAISAL

Impact on the Green Belt / Design and Character

- 10.1 As the extensions increase the volume of the property by over 50% they are over and above what is normally acceptable within the Green Belt. In order to justify inappropriate development permission should only be granted if very special circumstances are demonstrated.
- 10.2 The previous approval also included additional volume that increased the mass of the building by a total of 112%. The reason permission was granted in this case was due to the extensions improving the visual appearance of the dwelling, which appeared incongruous in streetscene due to a large two storey flat roofed extension. No additional floorspace was created and this meant that the changes were purely designed to create a more attractive property that would have a positive impact on its surroundings.
- 10.3 What has been built on site increases the volume by an additional 38%. This is considered to be excessive and the scheme does not demonstrate further special circumstances to warrant this. The main increase lies at the rear where the roof has been raised and dormers added. This also increases the amount of floorspace and living accommodation in the property and goes beyond simply improving the visual appearance of the house. Consequently this harms the openness of the Green Belt and is contrary to the reasons for the original approval. To overcome this revisions have been sought that reduce the height of the extension by 700mm, removing the first floor and dormers to alleviate this concern. The extra height is not ideal but this

is compensated by changing the roof form to a hip and thereby reducing its mass. An enforcement notice will ensure that these alterations are carried out in an appropriate timescale. The applicant has agreed to these changes and the works will be carried out within a period of nine months.

- 10.4 The roof overhang at the front and the increase in height of the roof does make this element more imposing when viewed from Wetherby Road. However, the roof is finished to a high standard and considering it is set lower than the ridge on the main part of the house it does still appear somewhat subservient. The fall back position granted approval previously is a similar style of roof but set 400mm lower down.
- 10.5 The whole of the property has been clad in stone, a material that differs from the other houses on this section of Wetherby Road. Whilst the exposed brickwork is considered more sympathetic with the area, in this instance recladding a property can be done without the need for formal planning permission. This is also true for the alterations to the gable feature at the front which now looks incongruous in the street as a large glazed window has been fitted. Despite this not requiring permission the applicant has agreed to return this feature to its original state in order that it matches the other properties on this section of Wetherby Road. This alteration will make the property less incongruous in the street and in turn will reduce its impact when viewed from Wetherby Road. The new front porch and small rear extension do require permission but are modest additions that judged on their own do not result in any real harm to the openness of the Green Belt and are only just outside the limits for Permitted Development. For these reasons they have not been removed from the amended plans.
- 10.6 The total volume increase over the original building now stands at 126%, this is still 14% more than the application approved in 2007, mainly due to the higher roof and front overhang. However, as the first floor rear extension and two dormer windows are now being removed the remaining breaches are not considered enough to warrant the refusal of this application.

Privacy

- 10.7 The dwelling is the last one before open fields on this section of Wetherby Road. This makes it quite isolated with only one close neighbour who is set to the South. No windows are proposed on this side elevation facing the neighbour that could invade privacy in this case.

Overshadowing / Over dominance

- 10.8 The increase in mass from the original approval, both the larger roof and higher rear extension are both set away from the shared boundary with the neighbour. These alterations are not considered to cause any more harm to the nearby occupants than the original approved scheme.

11.0 CONCLUSION

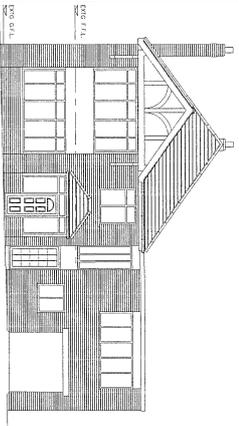
- 11.1 The proposal succeeds in altering the current form of the dwelling to make it more acceptable given its Green Belt status. Whilst being slightly larger than what was originally granted permission it reduces the bulk of the rear extension which is the main breach of planning permission. A simultaneous enforcement notice will be issued if permission is granted to ensure the works are carried out.

12.0 Background Papers:

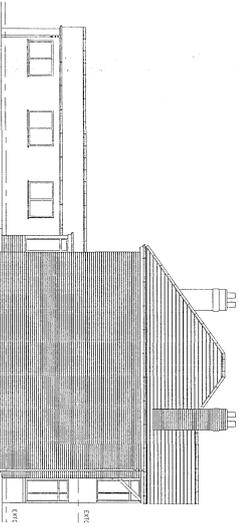
12.1 Application and history files.

Certificate A signed by the applicant declaring that all land is owned by applicant.

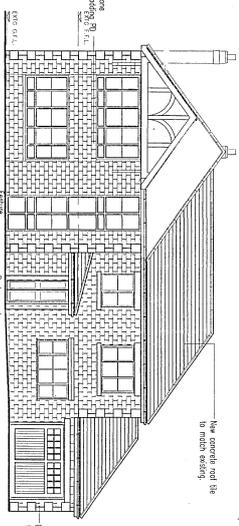
LEEDS CITY COUNCIL
Please refer to Decision Notice
17 MAR 2010
REVISED



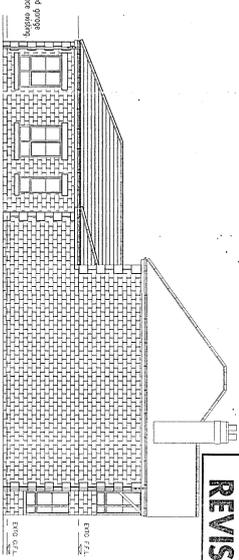
EXISTING FRONT ELEVATION



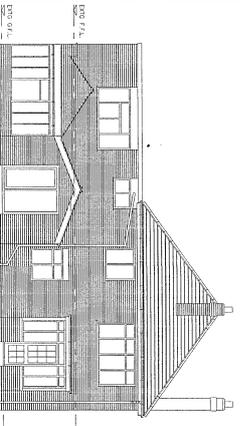
EXISTING SIDE ELEVATION



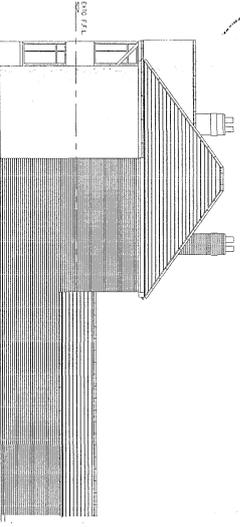
PROPOSED FRONT ELEVATION



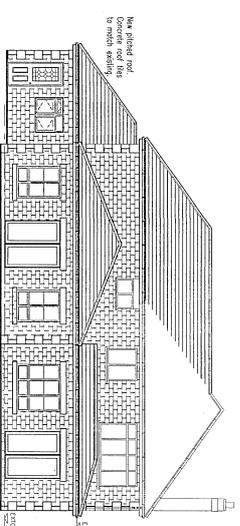
PROPOSED SIDE ELEVATION



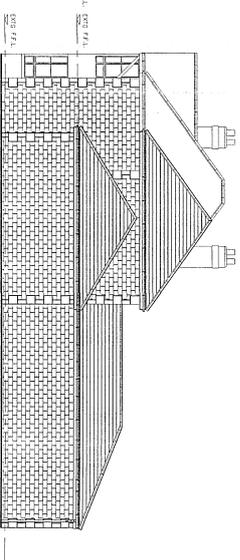
EXISTING REAR ELEVATION



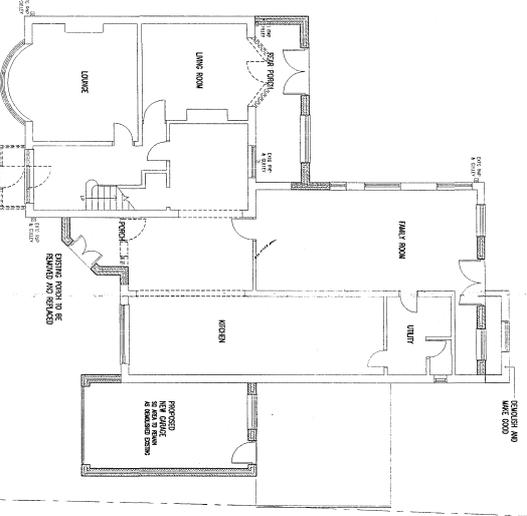
EXISTING SIDE ELEVATION



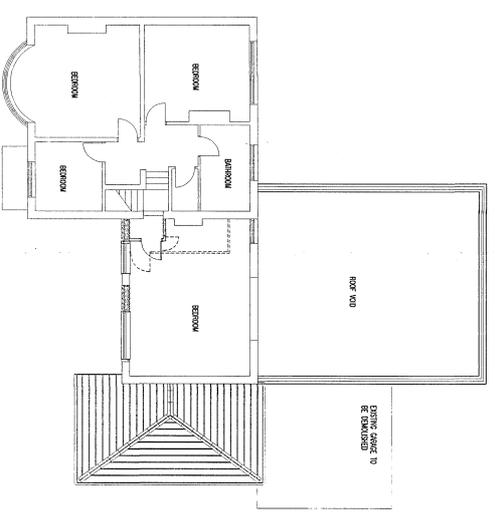
PROPOSED REAR ELEVATION



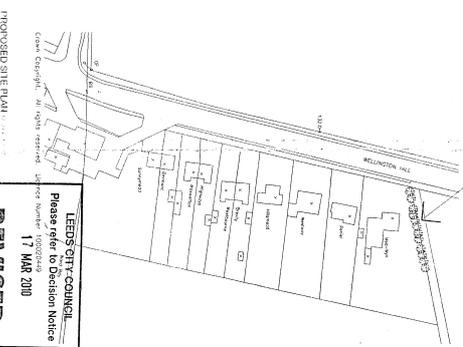
PROPOSED SIDE ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SITE PLAN

1. NOTED AND NOTED:
1. The proposed works are a thorough working of all of the above areas noted.
2. Any additional work which is required to be carried out by the contractor in order to complete the works is to be carried out by the contractor at their own cost.
3. The proposed works are to be carried out in accordance with the specifications and drawings provided.
4. The contractor is to ensure that the works are completed in accordance with the programme of works provided.
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NOTE:
The contractor is to check out early of building and site dimensions, levels and sewer level levels at connection points before works commence.

NO.	DESCRIPTION	DATE
1	ISSUED FOR TENDER	28/03/09
2	ISSUED FOR TENDER	28/03/09
3	ISSUED FOR TENDER	28/03/09
4	ISSUED FOR TENDER	28/03/09
5	ISSUED FOR TENDER	28/03/09
6	ISSUED FOR TENDER	28/03/09
7	ISSUED FOR TENDER	28/03/09
8	ISSUED FOR TENDER	28/03/09
9	ISSUED FOR TENDER	28/03/09
10	ISSUED FOR TENDER	28/03/09

LEEDS CITY COUNCIL
Please refer to Decision Notice
17 MAR 2010
REVISED

CLIENT
MR A S RYAT

PROJECT ALTERATIONS & EXTENSION TO
MANAGERY, WILKINSON HILL,
WETHERBY ROAD, LEEDS, LS17 8LY

DRAWING TITLE
EXISTING & PROPOSED
FLOOR PLANS & ELEVATIONS

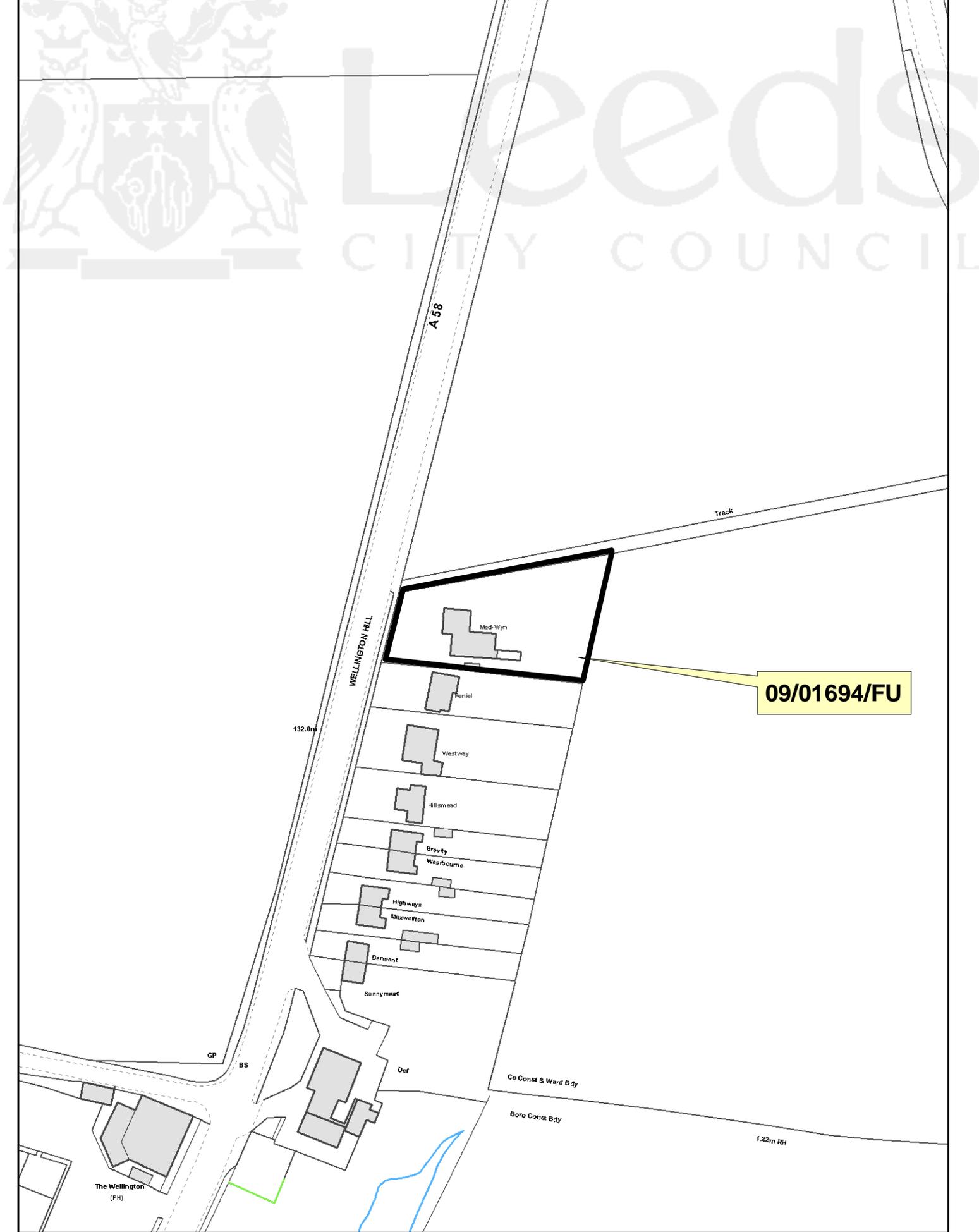
SCALE 1:100

DATE MARCH 2006

DRAWING No. A1

1289/02

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EAST PLANS PANEL

Scale 1/1500

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