



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 25th November 2010

Subject: APPLICATION 10/02946/FU - REPLACEMENT DETACHED 4 BEDROOM DWELLING HOUSE, 9 LINTON ROAD, WETHERBY, LS22 6SD.

APPLICANT	DATE VALID	TARGET DATE
N Wain	07/07/10	01/09/10

Electoral Wards Affected: Wetherby

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:
GRANT PLANNING PERMISSION subject to the following conditions**

1. Standard time limit.
2. Plans approved.
3. All walling and roofing materials to be approved prior to commencement.
4. All door and window materials to be approved prior to installation.
5. Land contamination potential to be investigated prior to commencement and any required works carried out.
6. Vehicle areas to be drained, surfaced and sealed, use of loose material not acceptable.
7. Retention and protection of hedging to front boundary.
8. Protection of existing and retained trees.
9. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development

- d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e. wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works
10. Prior to the commencement of development, a condition survey of the unadopted part of Linton Road leading up to and around the development site (to include any part to be utilised by construction traffic for passage or turning) shall be undertaken, details of which shall be submitted to and agreed in writing by the Local Planning Authority.
 11. Prior to the commencement of development, a scheme to make good any damage to Linton Road caused by the construction of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The repairs shall be carried out in accordance with the approved details.
 12. Details of hard surfacing of front area to be approved prior to installation.
 13. Details of boundary treatments including gates to be approved prior to installation.

Reasons for approval: The application is considered to comply with policies GP5, N12, N13, H4, T2, T24, BD5 of the UDP Review, as well as guidance contained within SPG Neighbourhoods for Living, PPS1 and PPS3. The proposal is considered acceptable in principle and the scale, massing and appearance are acceptable for the area. No harm is caused with regard to visual or residential amenity arise, and there are no highway safety issues resulting from the proposal and, having regard to all other material considerations the proposal is considered acceptable.

1. INTRODUCTION:

- 1.1. This application is brought to panel at the request of Ward Councillor John Procter, due to the scale, massing and design of the building and its impact upon the streetscene. Cllr Procter also requests that Panel Members carry out a site visit.
- 1.2. The application is out of time, and the applicant could consider an appeal against non-determination.

2. PROPOSAL:

- 2.1. The application seeks approval to demolish the existing house on the site and to replace it with a new four bedroom detached dwelling. The proposed house measures 8.9 m to the ridge at the front, 11.3 m to the ridge at the rear and will be 16m wide (5m wider than existing). The house will be three storeys, each being 2.4m high with the exception of the ground floor at 2.6m height. The roof space provides a further 2.4m height allowing for utilisation of this as storage space within the hipped structure.
- 2.2. The house is proposed to be built in Yorkshire Stone with white render on the rear elevation, a stone string course at first floor level and slate roof. Windows will have aluminium frames whilst the door and garage door will be in hardwood. All windows to bathrooms and en-suites will be obscure glazed.
- 2.3. The house has been designed to make use of the extreme slope of the site and as such to the rear the property is divided over three levels including a basement providing a games room and gym, ground floor with double garage, kitchen, lounge and diner and a first floor with four bedrooms, all en-suite. The master bedroom at the rear has a balcony that sits above the kitchen and gym which are housed within the rear gable extension. The basement has a much reduced footprint compared with the other two floors.
- 2.4. An area of timber decking extends out at the rear from the gym with a sunken garden adjacent. Above the gym is a timber terrace accessed from the kitchen. This timber

terrace is at approximately the level of ground level. Steps lead down to the rear garden which is intended to remain substantially the same as it exists already. To the front hard surfacing will be laid to allow vehicle turning, the hedge to the front is proposed to be retained with new gates being installed.

3. SITE AND SURROUNDINGS:

- 3.1. The application site is located on the edge of the residential area of Wetherby, with King George's recreation ground to the south leading down to the River Wharfe, and with residential development to the North.
- 3.2. The site is accessed off a private road which comes off as a spur from Linton Road. This private road is single width and un-metalled with a steep bank up to the road on the north side and dropping down to front gardens on the south side. It is covered with loose gravel and overhanging tree branches and it serves approximately 9 properties.
- 3.3. Number nine is a square pyramid-roofed house of some character. It has white rendered external walls, a slate roof and timber sash windows. Number 9 and the neighbouring property number 11 are of the same design. The properties along the road are however all quite individual with varying designs and materials.
- 3.4. The plot is long and rectangular with the existing house sited towards the front but set back from the road with a hedge and garden. To the rear of the property the levels drop steeply down toward the recreation ground which requires steps to enable access to the rear garden. The garden is landscaped with a variety of shrubs, plants and trees. High hedges provide boundaries between the houses.
- 3.5. The houses up to number 11 are all detached and form a building line that angles away from Linton Road. After number 11 the layout becomes less rigid. There are residential areas to the north which are more suburban in character consisting of terraces, semi-detached and detached properties, but the area as a whole is quite low density with spacious gardens and a lot of tree cover. The majority of houses in the area are two storeys, although there are dormer bungalows close to the application site. Raintree Lodge, no. 3 Linton Road, is a two storey property with three storey height at rear incorporating basement level. Hillside to the west, adjacent to number 11 is single storey to the main road side, but 2 storeys to the south elevation. Many of the properties therefore seek to utilise the slopes and levels to maximise their space on the southern elevation.

4. RELEVANT PLANNING HISTORY:

- 4.1. There is no planning history for the application site. Both neighbouring houses have had approvals for extensions to either side or rear and at 3 Linton Rd. There was approval in 2007 for two four bedroom detached houses and a three storey block of 3 apartments approved on 13/11/07 (07/04999/FU).

5. HISTORY OF NEGOTIATIONS

- 5.1. Prior to submission of this application the applicant undertook pre-application enquiries with a member of the Householder team with a view to submitting a planning application for extensions to the side and rear of the existing house. Subsequent surveys revealed that the foundations would not support further works; a planning officer was therefore approached with an enquiry regarding a replacement, the principle of which was considered acceptable.
- 5.2. During the application itself the applicant has sought to provide additional plans to clarify the scheme, and has provided amendments including removal of rooflights, amendment to the roof form, retention of hedge to front boundary, and small alterations to the rear elevational treatment.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by means of neighbour notification letters which were sent out on the 8th July 2010.
- 6.2 Ward Councillor John Procter requests that the application is submitted to Plans Panel East with a site visit due to the scale, massing, and design of the building and its impact on street scene.
- 6.3 Wetherby Town Council raised no objections to the scheme.
- 6.4 Five letters of objection have been received which raise the following issues;
- The scale of the roof will be out of keeping. *The scheme has now been amended with a reduction in ridge height and hipped roof rather than a gable end.*
 - Security gates and fencing on the frontage is out of keeping. *The scheme has been amended so that the hedging is retained to the frontage although security gates are still proposed.*
 - Impact on the neighbours of demolition and construction phases on the private road, on gas mains and sewers, and on foundations. *See appraisal.*
 - Concern was raised at the height of the proposed building to be three storeys. *See appraisal.*
 - Dominance and overshadowing to the site boundaries. *See appraisal.*
 - Issues of drainage, as sewers are very old and would struggle to cope with additional, especially given the amount of hard landscaping proposed. *See appraisal.*
- 6.5 Neighbours have been met with to discuss the issues they raise and to keep them up to date with revisions to the proposed scheme. Concerns are still raised regarding the impact on foundations the road, foundations, gas pipes and sewers as a result of the demolition of construction phases.

7. CONSULTATIONS RESPONSES:

Statutory:

- 7.1. None required.

Non-statutory:

- 7.2. Highways - no objections subject to conditions.
- 7.3. Contaminated Land - require historical review.
- 7.4. Mains Drainage - replacement structure will be outside of the one in 100 year flood extent. Drainage to the public sewer would be preferred as seepage from soakaways may adversely impact the steep slope or surrounding lower lying area. Drainage can be adequately dealt with under building regulations.

8. PLANNING POLICIES:

Development Plan –

- 8.1. The statutory Development Plan is made up of the Regional Spatial Strategy and the Unitary Development Plan Review, along with relevant Supplementary Planning Guidance/Documents. The RSS was adopted in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development.
- 8.2. Unitary Development Plan (Review) (UDPR)
- GP5 – general planning considerations.
 - N12 - urban design principles.

- N13 – the design of all new buildings should be of a high quality.
- N25 - boundaries of the site should be designed in a positive manner.
- H4 -housing on unallocated sites.
- T2 - highway issues.
- T24 - parking.
- BD5 - general amenity.
- LD1- landscaping.

Relevant supplementary guidance –

8.3. SPG 13 Neighbourhoods for Living provides advice on design principles.

Government Planning Policy Guidance/Statements

8.4. PPS1 - Sustainable Development + climate change appendices.

8.5. PPS3 Housing.

9. MAIN ISSUES

- Principle of development.
- Impact of development on character and visual amenity of street scene.
- Impact of the development on residential amenity.
- Highway issues.
- Impact of proposed development during demolition and construction phases.

10. APPRAISAL

Principle of development

- 10.1. The proposal is for a single replacement dwelling. There is no intensification or change of use of the site. The site lies within the main urban area and it is close to shops, schools, public transport and other services. The site therefore lies within a sustainable location.
- 10.2. The existing footprint of the house is approximately 100 square metres whilst the proposed footprint is 190 square metres. This additional footprint is achieved by extending out to both sides and to the rear. As far as possible, both front and rear building lines are to be respected and the footprint retains good distances to both side boundaries (approximately 4 m to each side).
- 10.3. Given the size of the site, retention of similar front and rear distances and good side distances it is not considered that the proposal results in a significant loss of greenfield garden land that would be detrimental to the spatial character of the area. The proposal is considered to comply with policies H4 and N12.

Impact of development on character and visual amenity of street scene

- 10.4. The existing house is considered to be an attractive property however evidence has been submitted which shows substantial problems with the stability of the foundations. The applicant had initially considered extending the house but the foundations which this would have required would have made such a project unviable. The proposal therefore is to build a new house on the site; deep foundations will still have to be provided however the new design will incorporate this as part of the design giving living accommodation at basement level at the rear of the site.
- 10.5. The resulting house is quite different to the existing but retains a similar siting and ridge height. Concerns have been raised by residents regarding the roof massing which

would have been substantially greater than existing. This roof has been amended to a hipped form with a lower ridgeline, this helps reduce the massing and picks up more on the existing form.

- 10.6. The proposed house will also be visibly widened from 9m to nearly 16m in width. This however compares with a width of 15m for number seven and 12m for number 11. The proposed house also allows for a 4m gap to each side boundary, which is similar to, if not more than, the neighbouring plots.
- 10.7. Given the similarities in siting, the amendments to roof design and the retained spaciousness within the plot it is not considered that the proposed house would be harmful to the character of the street scene.
- 10.8. In terms of elevation treatment, the new build will again be quite different. The frontage appears as a two-storey property with integral double garage and a full height gable porch. The building is proposed in Yorkshire stone with slate roof and will have a stone string course at first floor level.
- 10.9. The changes in level mean that only the first floor of the frontage will be visible above the hedge which together with the amended roof form gives a bungalow appearance. As a whole, though the frontage is relatively simple with contemporary elements.
- 10.10. The rear of the property is very different as the house will appear as a three-storey property due to the utilisation of the basement level. The rear elevation has large aluminium glazed windows and doors to maximise passive heating and natural light. The central third of the rear extends out within a gable providing a terraced area at ground floor and a balcony at first floor. This treatment will provide varying depths and help to break up the areas of glazing. The rear is proposed to be built partly with stone and partly in render which provides further variation in the overall massing.
- 10.11. Whilst it is acknowledged that the design is very different to the existing and neighbouring properties it is not considered that the design is inappropriate or detrimental visually. The site lies within an area of varying designs and styles, so there is little in the way of a consistent character to comply with. The design is relatively simple and has contemporary elements, but also uses traditional materials. It is therefore considered that the proposal is appropriate to its context and will not harm local character.
- 10.12. The slope of the land ensures that the property will be little viewed from Linton Road proper; however, the rear elevation will be considerably higher than land to the south which could raise concerns of its impact on longer distance views. The applicant has undertaken a photographic survey from vantage points along the River Wharfe and on Wetherby Road. From many viewpoints the new house will be well screened by mature trees, both within the garden area and on adjacent land. From Wetherby Road long-distance views will reveal part of the rear elevation. However, there is to be no increase in height and the rear elevation will use white render as the existing does. It is therefore not considered that the proposal would be harmful to visual amenity of these long distance views. Overall the proposal is considered to comply with GP5, N12, N13, H4 and guidance within Neighbourhoods for Living.

Impact on residential amenity

- 10.13. The main areas of concern would be dominance and overlooking of the neighbours due to the increased width and depth of the proposed house. As previously stated, the increased width still allows for distances of 4m to each side boundary which more than covers the guidelines in Neighbourhoods for Living. The overall height has not been altered and the hipped roof form further reduces the massing.
- 10.14. The extension at the rear steps in from both sides and also steps down the slope. As a result, it is not considered that the property will be overly dominant to either

neighbour. The eastern elevation has toilet windows in which will be obscure glazed, whilst the western elevation has two windows to the garage so that there is no risk of overlooking from these.

- 10.15. At the rear, there will be a balcony at first floor level set in 8m from either side. This is set considerably behind the rear elevation of number seven, but roughly level with the rear elevation of number 11. There is some potential for overlooking of number 11, however this property has a covered veranda to the rear and sitting out area to the western side, which are both quite private and well screened areas. The nature of the slope and the substantial growth along both side boundaries will assure very limited overlooking and little risk of loss of privacy. The proposal is therefore not considered to be detrimental to residential amenity and complies with GP5, BD5 and guidance in Neighbourhoods for Living.

Highway Issues

- 10.16. As stated above, the proposal does not result in an intensification of use of the site as there will still only be one dwelling on the site. A garage for two cars is provided within the scheme and the proposal also provides a vehicle turning area within the site so that vehicles do not have to reverse onto the private road. This provision of a turning area does unfortunately increase the amount of hardstanding at the front of the property. However, it is considered that a turning area is required on grounds of highway safety, and so it is accepted that part of the soft landscaping within the front garden will have to be lost. A condition could require that permeable materials are used to minimise the impact of surface water run-off.
- 10.17. Overall the proposal provides adequate parking facilities in compliance with guidelines and raises no concerns for highway safety. The proposal complies with both T2 and T24.

Impact of Proposed Development During Demolition and Construction Phases

- 10.18. Many of the concerns raised by neighbours relate to the construction and demolition phases of the proposed development if allowed. It is accepted that the site is extremely tight and there are large changes in level which will make working with large vehicles and storage of materials are very difficult. Such issues may be material considerations where they impact negatively on amenity but they do not determine the acceptability of a particular proposal and it would be unreasonable to refuse permission on these grounds, especially if conditions can be used to mitigate the issues. It is therefore considered appropriate to impose a condition requiring a construction management scheme, which would show how vehicles will access the site, where parking will be etc. and this should help to ensure that all construction vehicles are adequately contained within the site and how occasional blockages of the road will be dealt with.
- 10.19. The access road itself is single width and is not adopted. It is considered likely that the movements of construction vehicles will cause some damage to the road surface. It is considered that a condition which required the making good of the road surface from damage caused by construction traffic would help to ensure that the development does not impact detrimentally on all residents. Such a condition could require for surveys of the road state to be carried out before and after construction takes place.
- 10.20. The road however is not within the sole ownership of the applicant and a condition could not require works to be carried out if the applicant has no control over it. It is recommended therefore that a negatively worded condition, which requires information prior to commencement or occupation, could be used to ensure that agreement is reached on the current state of the proposed road and that provision is made for repair of damaged that it is caused by construction vehicles.
- 10.21. With regard to the impact on foundations of possible works again these are dealt with under separate legislation through the Party Wall Act and cannot be considered as

material planning considerations. The same goes for the impact on gas sewers and water pipes which run under or adjacent to the site. The appropriate utilities authorities will maintain control over these.

11. CONCLUSION

11.1 The proposed redevelopment utilises an existing residential development and achieves a similar level of impact. Whilst the proposed new house will significantly increase the size of the property it is accepted that the design aims to minimise the impact this will have, whilst providing a modern, contemporary home that can incorporate sustainable design elements. It is not considered that the proposal results in harm to character, visual amenity, residential amenity or highway safety. The concerns of neighbours are noted and where feasible the scheme has been amended to address these concerns, or conditions can be used to ensure that harm is minimised. On balance the proposal is recommended for approval subject to conditions.

12. Background Papers:

Application and history files. – see history above.

Certificate of Ownership: signed as applicant.