



**Report of the Chief Planning Officer**

**PLANS PANEL EAST**

**Date: 11<sup>th</sup> August 2011**

**Subject: 11/01477/FU Two storey and single storey side/rear extension (and dormer window to rear which is permitted development) at 41a Stainburn Crescent, Moortown, LS17 6NE.**

**APPLICANT**

Mr S Yousaf

**DATE VALID**

11<sup>th</sup> April 2011

**TARGET DATE**

06 June 2011

**Electoral Wards Affected:**

**Moortown**

YES

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**REFUSE PERMISSION for the following reasons:**

1. The Local Planning Authority considers that the proposed development by reason of its scale, size, design and siting results in inappropriate, overly large and dominant feature that will harm the existing dwelling, its relationship between the house and the adjoining property and in turn the living conditions of the neighbouring residents by reason of over dominance and overshadowing. As such it is contrary to Policies GP5 & BD6 of the Leeds Unitary Development Plan (Review 2006) as well as guidance contained in Planning Policy Statement 1 - Delivering Sustainable Development.

**1.0 INTRODUCTION:**

1.1 This application is brought to Panel with a request for a site visit by Councillor S Hamilton who has had both the applicant and objectors asking for her support. There has been a previous application at this site 10/02814/FU, for a part two storey part single storey front side and rear extension (Dormer window to rear is Permitted Development) which was reported to Panel on the 30<sup>th</sup> September 2010 and refused by Panel following a Members site visit. Permission was refused for reasons relating to the design and scale of the extension and the impact upon the living conditions of

neighbours. The scheme is essentially the same as the refused application save for the removal of the front porch with the side extension being set back by 400mm, and the reduction in the depth of part of the rear extension.

## **2.0 PROPOSAL:**

- 2.1 The application is for a part lower ground, part ground floor extension at the side and rear. This includes a side extension which has a lean to roof that measures 4.3m at its highest point. At the rear, the lower ground section projects 4.5m and is 0.2m away from the shared boundary. The extension is 8.1m in width with the ground floor section sitting above this. The height to the ridge line is 6.2m with the eaves height 5.2m. Nearest the side boundary with the adjoining property the ground floor section (living room) projects 2m. This increases to 4.5m after it is set 4.7m away from the boundary to create a new kitchen. The height to the ridge of this element of the rear extension is 6.5m and the height to the eaves is 5.2m
- 2.2 From the previous refusal the front porch has been removed from this proposal and the single storey side extension has been set back from the existing front elevation by 400mm. Towards the rear, the living room extension has been set back a further 1.0m than the previous application.
- 2.3 The rear dormer window can be constructed under Permitted Development and does not form part of the application.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site relates to a semi-detached property set on a street of similar houses in terms of size, style and design. Built using brick and concrete tiles the house has a simple form with few features. The site is set near the Gledhow valley and consequently it slopes sharply downwards towards the rear and the front of the property is higher than the rear elevation. When viewed in the garden a lower ground floor is visible and this leads to a raised patio area. To the side of this is a 1.8m high fence separated the property with the adjoining house. On the opposite side steps lead to a raised area set at the end of the driveway, a neighbouring garage adjoins this.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 10/02814/FU Part two storey part single storey front side and rear extension (Dormer window to rear is permitted development) Refused 05-OCT-10. The reason for refusal was as follows:

*The Local Planning Authority considers that the proposed development by reason of its scale, size, design and siting results in inappropriate, overly large and dominant feature that will harm the host dwelling, relationship between the house and adjoining property and in turn the amenity of the neighbouring residents. As such it is contrary to Policies GP5 & BD6 of the Leeds Unitary Development Plan (Review 2006) as well as guidance contained in Planning Policy Statement 1 - Delivering Sustainable Development.*

- 4.2 09/02485/FU Part three storey, part single storey front, side and rear extension Dormer window is Permitted Development Withdrawn 26-AUG-09

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 Meeting held with agent on 7th June 2011. Failed to agree reduced scheme as applicant requires level of floorspace proposed.

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

6.1 The application has been advertised through individual letters to neighbours.

6.2 Objections have been received from four local residents, the main concerns are summarised below:

- Size and design of extension have been barely altered since previous refusal.
- Unsympathetic to the period of the property.
- Noise during works.
- Loss of privacy.
- Overbearing mass and out of character to the neighbouring property and those on Stainburn Crescent.
- Scale and bulk would be out of keeping.
- Set a precedent for further applications.
- When viewed from the rear, it would convey impression of a four storey building.
- Increase use of drainage/sewer system

6.3 Further objections were made to the proposed dormer window but as this does not require planning permission these will therefore not be considered in this report.

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None

## **8.0 PLANNING POLICIES:**

8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. 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.

### **National Policy:**

PPS 1: Delivering Sustainable Development

### **Unitary Development Plan (Review 2006) Policies:**

Policy GP5: General planning considerations

Policy BD6: General planning considerations

## **9.0 MAIN ISSUES**

1. Townscape / Design and Character
2. Privacy
3. Overshadowing / over dominance
4. Highway

## 5. Representations

### 10.0 APPRAISAL

#### Townscape / Design and Character

- 10.1 The dwelling is surrounded by similar houses and some uniformity exists along the street, though the houses do differ in terms of having either hipped or gabled roofs. The side extension is the only part of the development visible from the highway with the larger sections hidden from view at the rear. The side extension due to its overall massing along the side elevation facing the adjacent property is considered to harm and affect the character of the existing dwelling.
- 10.2 At the rear the design of the extension also causes concern. The property is set on a steep slope and this has resulted in the basement area being level with the garden. This 'lower ground floor' means that any single storey extension like the one proposed here has the mass of a full two storey proposal. When viewed at the rear the extension appears dominant and the different sections appear to contrast with the simple form of the original dwelling. The fenestration also becomes unbalanced as the new side extension has resulted in the windows moving across towards the driveway. It is clear that the alterations are designed to maximise internal space and this has led to the external frame being disproportionate and incongruous with the existing dwelling.

#### Privacy

- 10.3 The two side facing windows are for a utility room and w.c. and consequently could be conditioned to be obscure glazed to protect neighbouring privacy. The other windows face on to the applicant's front and rear garden area, and the positioning of these windows provides no greater views of the neighbouring garden than already exists on site.

#### Overshadowing / Over dominance

- 10.4 As discussed above the extension consists of a 'lower ground' and 'ground' floor. When viewed from the rear this is a two storey extension and needs to be considered as such in terms of its impact. It is clear that the mass of this addition so close to the shared boundary with 41 Stainburn Crescent will have a serious impact in terms of dominance and overshadowing. The impact is made even more harmful due to the siting of the site, the adjoining property is set directly to the North meaning any development will result in high levels of overshadowing throughout the day and both the garden area and rear facing windows will be affected. First floor extensions are usually refused with a projection over 1m and the 2m proposed here will clearly cause harm to neighbouring amenity.
- 10.5 On the opposite side the ground level is already raised for the driveway and due to this as well as to the position of the neighbouring garage the projection on this side is not considered to harm residential amenity. Also, 43 Stainburn Crescent is set to south preventing any overshadowing.
- 10.6 It is noted that the plans have been altered along the rear elevation the projection of the lounge extension is now 2m from the existing dwelling rather than 3m from the previous refusal. A 2m projection would still impact on the adjoining neighbours private amenity space in terms of it being a over dominant addition along the boundary line.

### Highways

- 10.7 The side extension will reduce to amount of parking available on site as the drive will no longer be wide enough for cars. However, the front garden has been paved for additional parking and this can accommodate at least two cars. On balance the parking provision on site is acceptable for a domestic dwelling.

### Local Objections

- 10.8 The objections relate mainly to the size of the extensions, as well as the impact it will have on the surrounding properties including highway safety and these issues have been discussed in this appraisal. Noise and disturbance during works is an issue with all development, drainage issues on domestic properties is a civil issue between neighbours and not a reason in itself to refuse planning permission.

## **11.0 CONCLUSION**

- 11.1 The extension is considered to be a disproportionate addition to the dwelling that will harm the streetscene, the dwelling and the living conditions of neighbours. Consequently, it is recommended that that planning permission is refused.

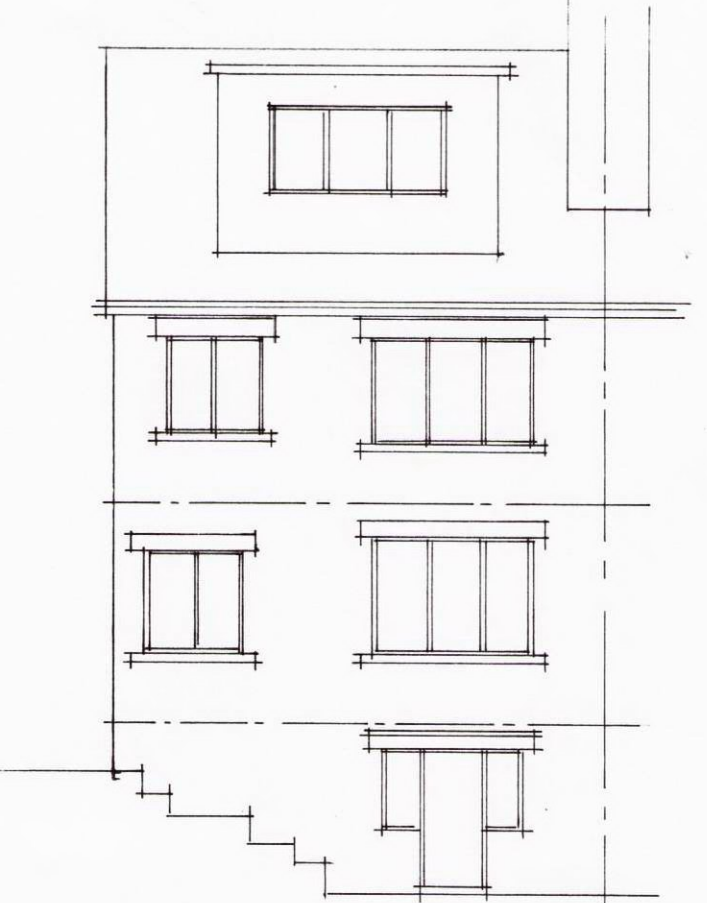
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Application and history files.

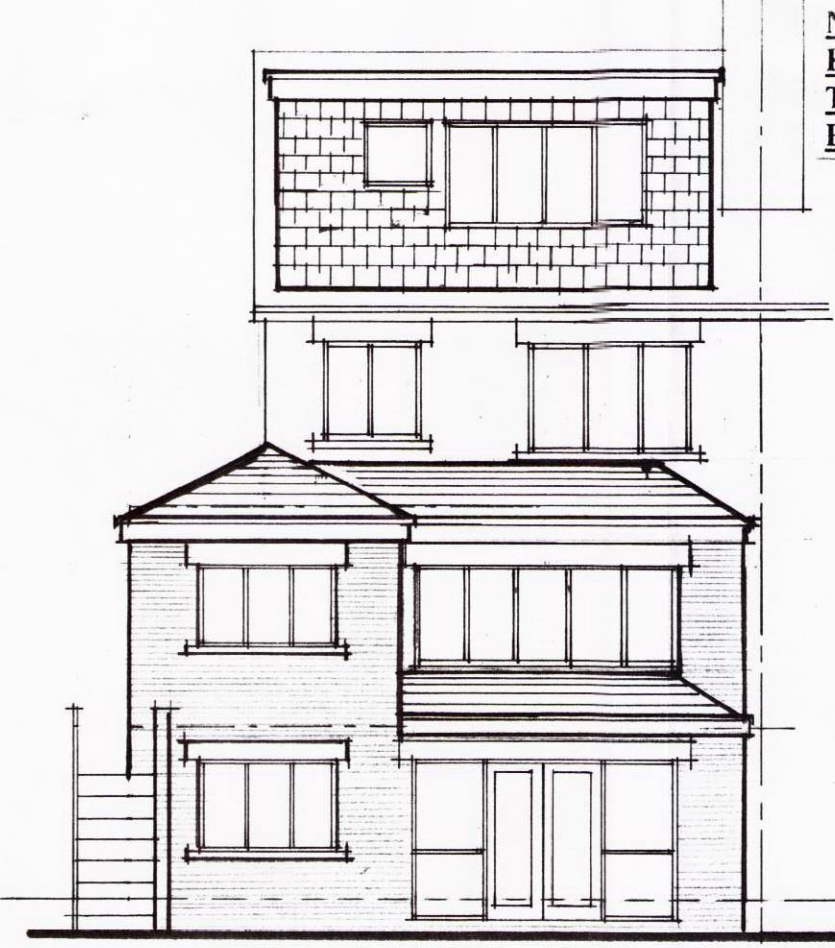
Certificate of Ownership: Certificate A signed by the agent

NOTE:  
REAR DORMER WINDOW  
TO BE BUILT UNDER  
PERMITTED DEVELOPMENT

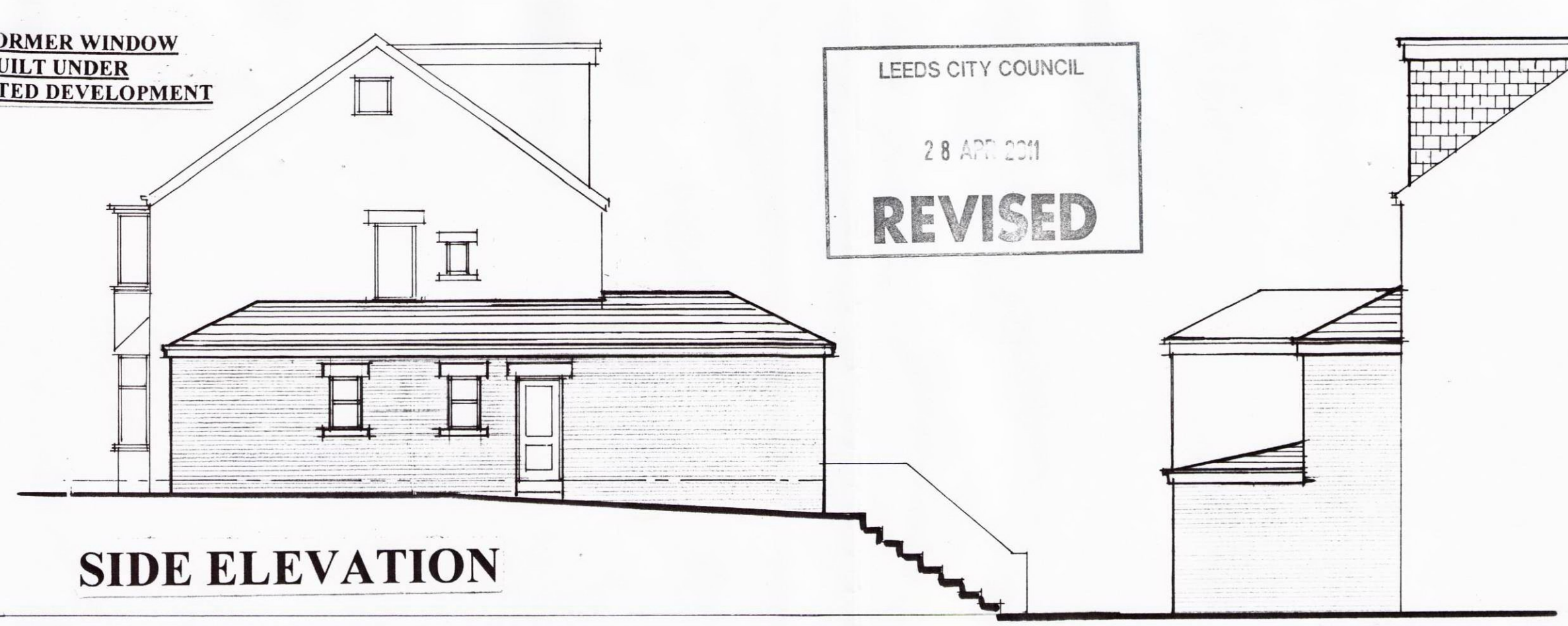
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28 APR 2011  
**REVISED**



REAR ELEVATION



REAR ELEVATION

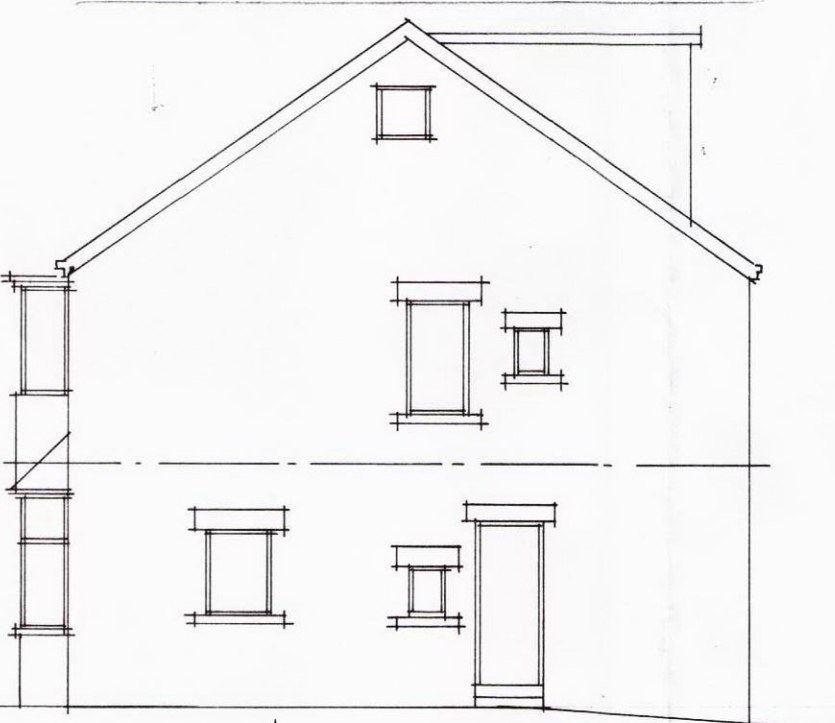


SIDE ELEVATION

SIDE ELEVATION



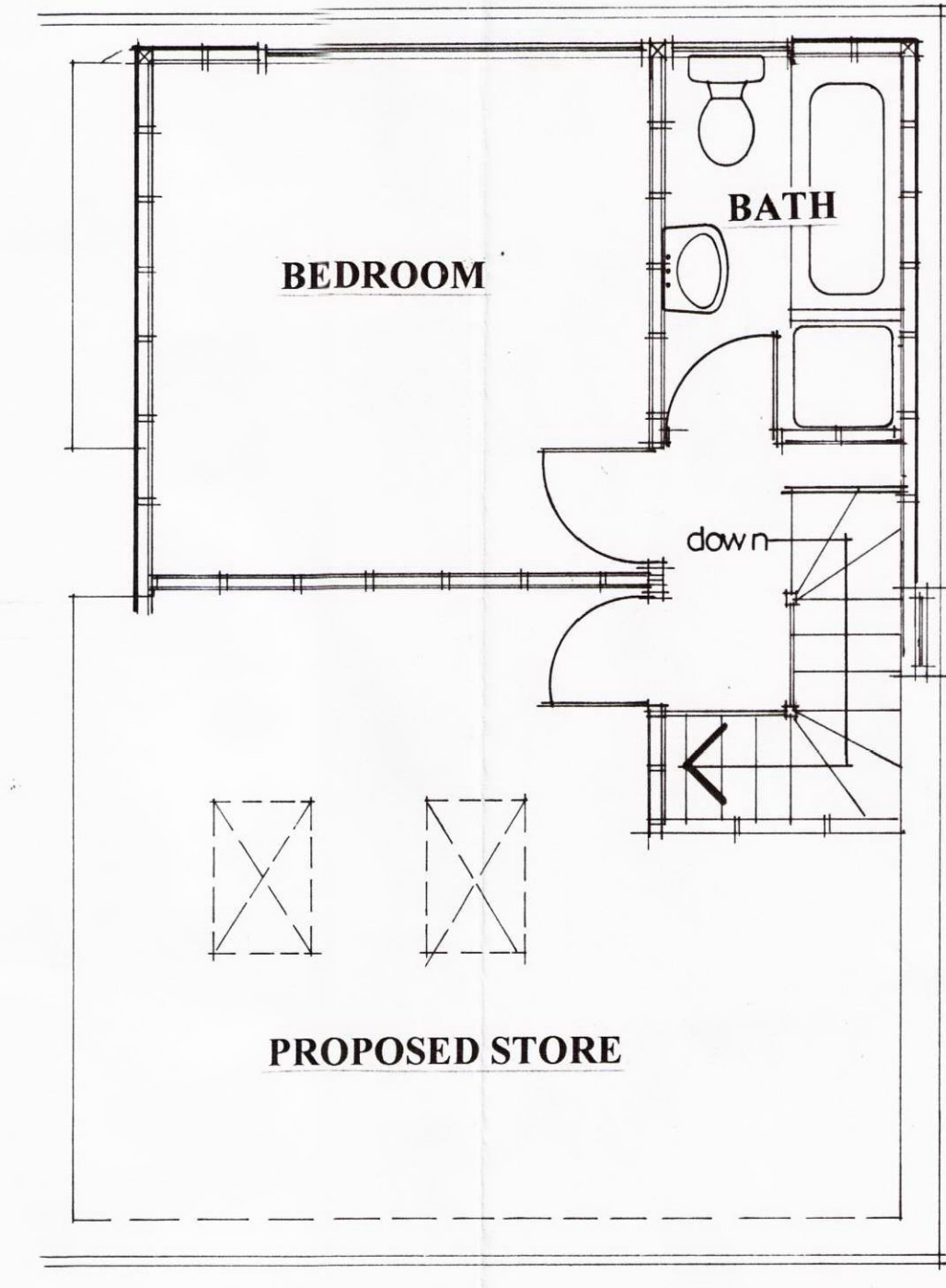
FRONT ELEVATION



SIDE ELEVATION



FRONT ELEVATION



LOFT PLAN

Please note these drawings are for Planning and Building Regulation purposes only.

NOTE:  
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before works commence.

All drawings must be read with and checked against any structural or other specialist drawings provided.  
All works to comply with British Standards, Codes of Practice, current Building Regulations and carried out to the satisfaction of Building Inspector. All materials to comply with the relevant British Standards

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E-Mail: riyat@btinternet.com

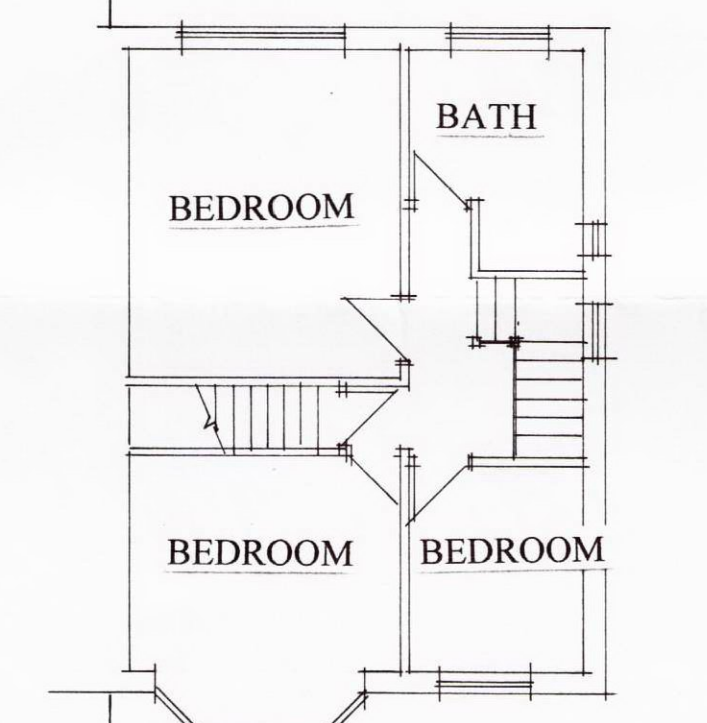
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MR S YOUSAF

Project:  
PROPOSED ALTERATIONS & EXTENSION AT  
41A STAINBURN CRESCENT LEEDS LS17  
5AT

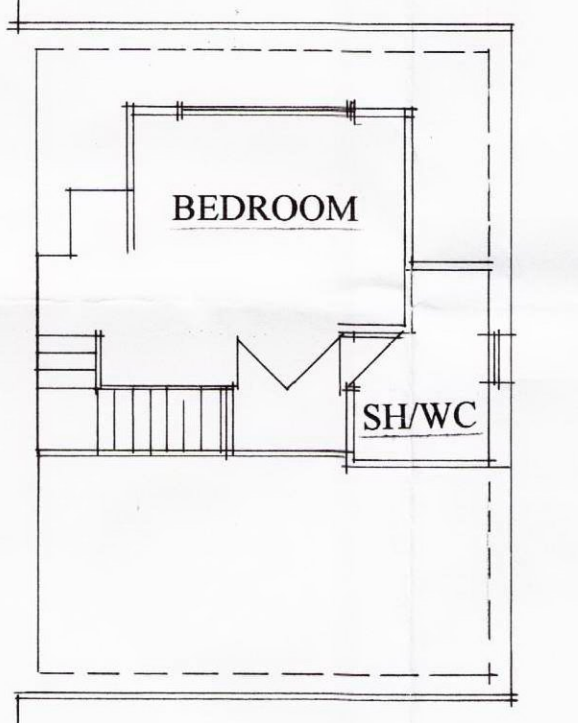
Drawing:  
EXISTING & PROPOSED FLOOR PLANS AND  
ELEVATIONS

Scale: 1:50 & 1:100  
Date: APRIL 2009  
Drawing No: 1597/01A B2D  
A1

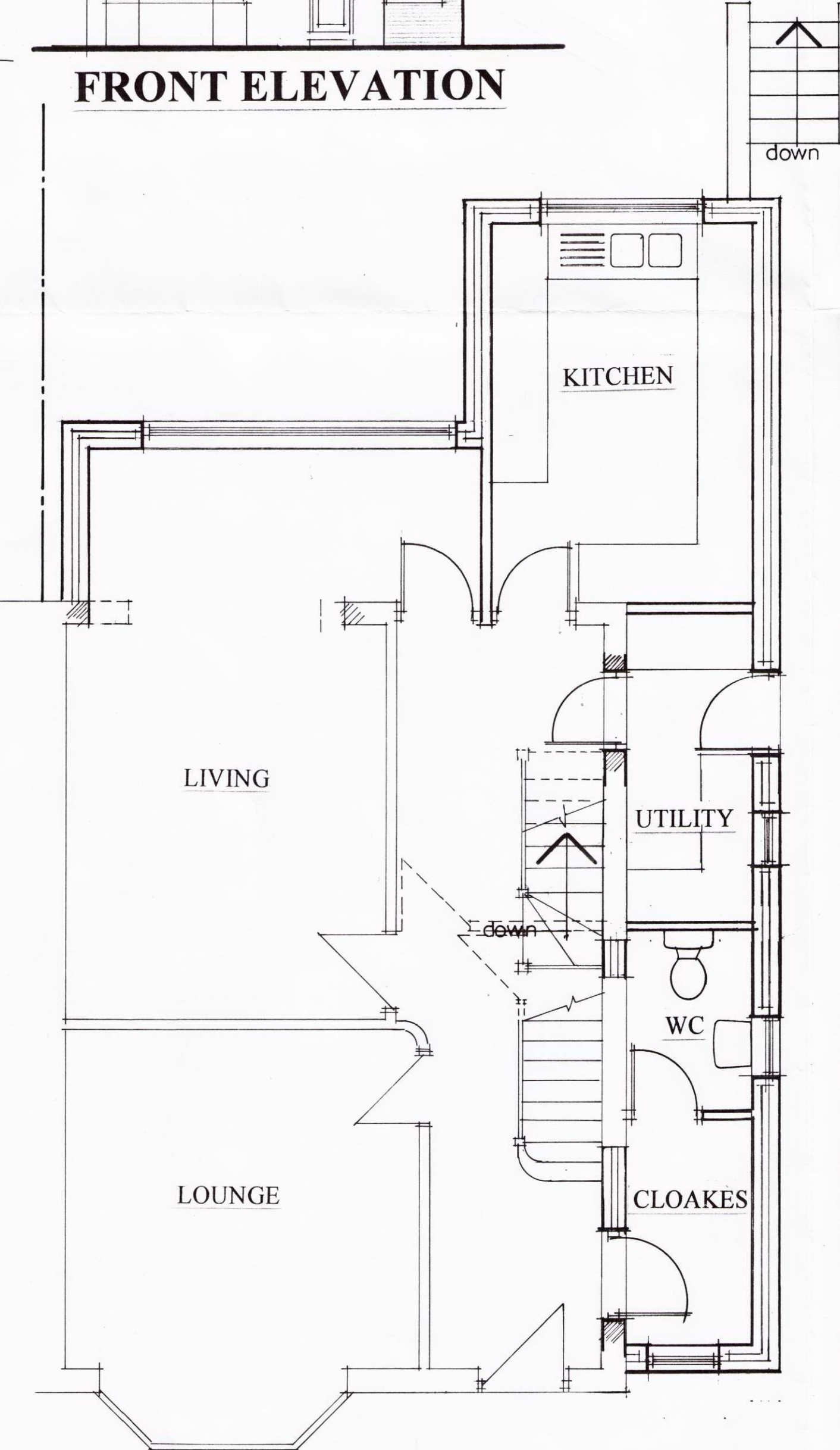
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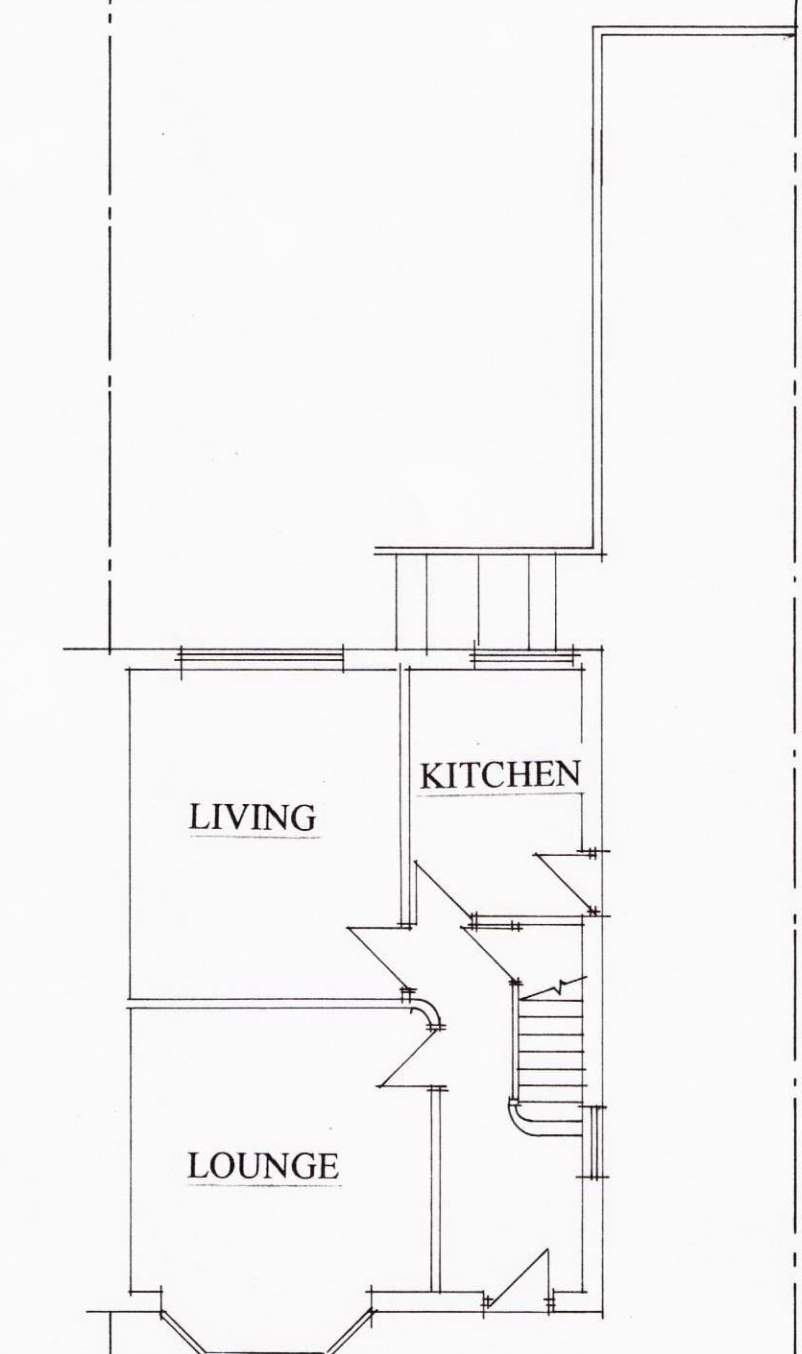
FIRST FLOOR PLAN



LOFT PLAN



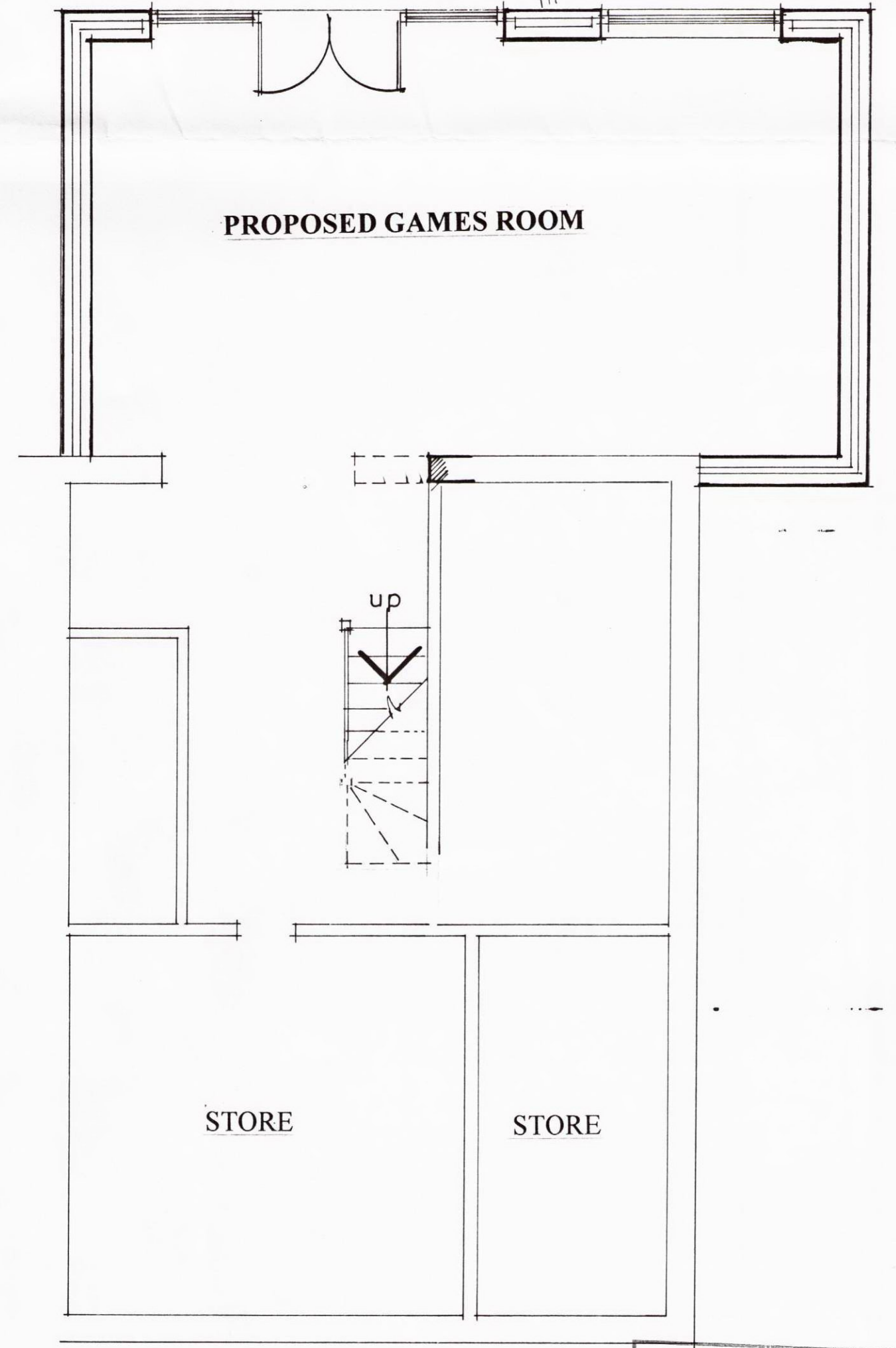
GROUND FLOOR PLAN  
PROPOSED



GROUND FLOOR PLAN  
EXISTING

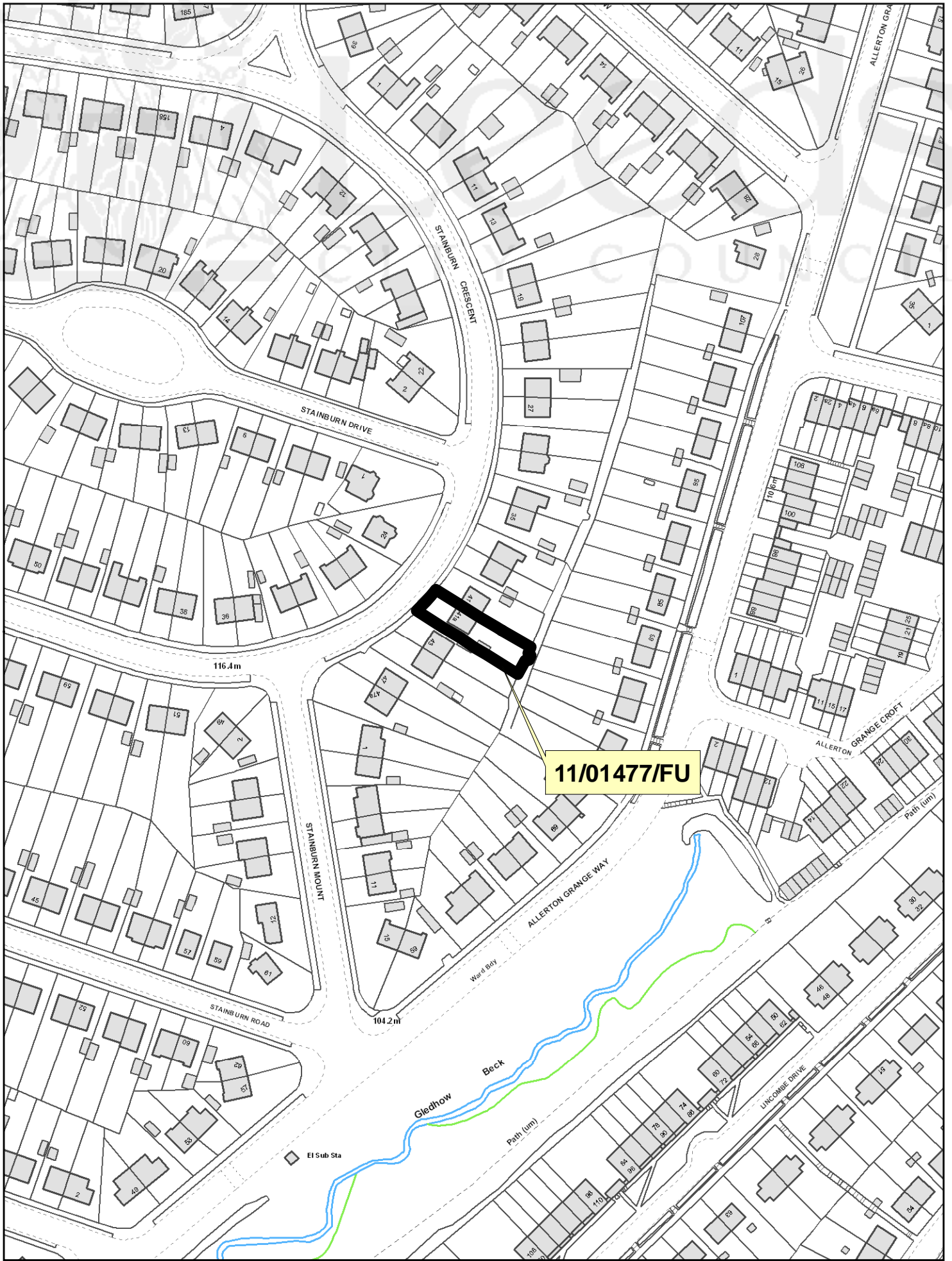


LOWER GROUND  
FLOOR



LOWER GROUND FLOOR

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28 APR 2011  
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# EAST PLANS PANEL

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