



Leeds
CITY COUNCIL

Originator: J Thomas

Tel: 0113 2224409

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 11th August 2011

Subject: 11/01683/FU Removal of condition 6 of previous approval 31/204/97/FU and alterations to garage to form habitable room; two storey and first floor side/front extension; detached double garage and enlarged vehicle access at Hartmoor House, 3 Freely Fields, Bramham, LS23 6WB.

APPLICANT

Mr and Mrs J Dyer

DATE VALID

31st May 2011

TARGET DATE

26th July 2011

Electoral Wards Affected: Wetherby

Yes

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. The development permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.
3. The external walling and roofing materials shall match the existing.
4. The planting to the front and side of the dwelling indicated on the revised site plan (02A) shall be implemented in the first available planting season and retained thereafter as such.
5. The detached garage shall not be altered or converted in such a way as to prevent its use by motor vehicles.
6. No insertion of windows to the west side gable.

Reasons for approval: The proposed development is considered to be acceptable as it's had regard to Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan Review and all other material considerations. On balance, the Council considers the development's

impact on the streetscene and upon neighbouring residential amenity is acceptable and will not give rise to any undue harm.

1.0 INTRODUCTION:

1.1 This application is brought to Panel with a request for a site visit at the request of Councillor J Procter who raises concerns regarding “the siting of the garage in front of a neighbouring property and on the over-development of the site.”

2.0 PROPOSAL:

2.1 The applicant seeks permission to construct a two storey and single storey side and front extension. Permission is also sought to vary a restrictive condition to convert the integral garage and to build a detached garage.

2.2 The extension to the front and side effectively squares off the existing dwelling, building up an existing one and a half storey section of the dwelling to run flush with the main dwelling. The existing garage to the ground floor is to be converted to living accommodation and extended with a small monopitched front addition which ties into an existing front canopy.

2.3 The detached garage is set to the north-east section of the site and will largely align with an existing garage at 4 Freely Fields and will be set 3.0m from the common boundary with 7 Crag Gardens. The garage will measure 6.4m in width, 6.5m in length and its gabled roof will be 2.7m and 4.8m to eaves and ridge respectively.

3.0 SITE AND SURROUNDINGS:

3.1 The application relates to a detached, two storey dwelling located toward the head of a small residential cul-de-sac within Bramham’s Conservation Area. The property is a modern dwelling, is constructed of stone with a concrete tile roof and has a simple, gabled form which makes some reference to the vernacular of the village’s historic core. The dwelling is largely gabled and has a small transverse front gable. The property also has a one and a half storey section to the side which incorporates a wall dormer with a catslide roof. The surrounding streetscene is somewhat mixed, with dwellings displaying a unity of materials and styles, though with a variety of shapes and forms.

3.2 The property is set on a slight angle to the highway and thus has an oblique relationship with its immediate neighbour to the south. The slightly older properties of Crag Gardens adjoin the site to the rear, with 7 Crag Gardens facing out across the garden of the application site, though it is angled away from the main bulk of the dwelling.

3.3 The main amenity space of the dwelling is set to the rear and side of the property where a generous domestic garden is enclosed by 2.0m fencing and vegetation.

4.0 RELEVANT PLANNING HISTORY:

4.1	31/204/97/FU	Laying out of access and erection of two 4 bedroom and nine 5 bedroom houses	Approved
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5.0 HISTORY OF NEGOTIATIONS:

- 5.1 As originally submitted the application included a second, larger transverse gable to the front of the dwelling which has been removed following officer concerns regarding design and character.
- 5.2 The proposed detached garage has also been reduced in size and scale and has been sited an additional 1.0m away from the common boundary with 7 Crag Gardens. A planting scheme including native, evergreen hedging has been included along this boundary for the width of the garage in order to provide a permanent, verdant screen to the boundary.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by site notices posted on 10 June 2011 and in the Boston Spa and Wetherby News on 22 June 2011 as affecting the character of a conservation area.
- 6.2 **Bramham Parish Council** expresses concerns regarding the impact of the garage upon neighbours and overdevelopment of the site and the conversion of the garage.
- 6.3 The occupants of 'Seatons' express concerns regarding design and character and drainage. A second letter from 'Seatons' following reconsultation reiterates these concerns and also raises concerns regarding overlooking.
- 6.4 The occupants of 5 Freely Fields express concern regarding the hardstanding to the front and the loss of planting.
- 6.5 The occupants of 1 Crag Gardens raise concerns regarding an unpleasant view, overlooking and loss of trees.
- 6.6 The occupants of 7 Crag Gardens express concern regarding overdominance and overdevelopment. Following reconsultation a second letter has been received which states that the revised plans have not overcome concerns and thus the initial objections are sustained.
- 6.7 One letter raising concerns regarding overdevelopment and overlooking has been received. No address has been provided.

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

PPS 5: Planning for the Historic Environment

Unitary Development Plan (Review 2006) Policies:

- Policy GP5: General planning considerations
Policy BD6: General planning considerations
Policy N19: Provides detailed guidance regarding development in conservation areas

Supplementary Planning Guidance/Documents:

Bramham Conservation Area Appraisal – adopted as a material consideration 17th May 2010

9.0 MAIN ISSUES

1. Impact on Conservation Area
2. Residential Amenity
3. Parking
4. Representations

10.0 APPRAISAL

Impact on Conservation Area

- 10.1. Conservation area policies seek to ensure that development proposals preserve or enhance the character or appearance of the conservation area. Planning Policy Statement One: Sustainable Development states that “design which is inappropriate in its context, or which fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including design” and should seek to avoid “loss of amenity. Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. Bramham Conservation Area Appraisal contains a character assessment of the 20th century housing developments and notes that a gabled form predominates and that dormers are not a typical feature.
- 10.2. The design of the existing dwelling makes some attempt to respect the simple, rural vernacular style of the historic core of the village. The general style and form of dwellings within the cul-de-sac is of gabled properties with, simple, clean lines, many of which are augmented by a transverse front gable. As initially proposed the alterations to the main dwelling caused some concerns as a second transverse gable was proposed. This gable would have been larger than the existing gable, and thus the extension dominated the principle elevation of the dwelling, and also ran contrary to the prevailing character of the cul-de-sac where single transverse gables are characteristic. As revised the first floor element of the extension now sits flush with the front elevation of the dwelling and thus simply continues its existing shape and form, meaning it is entirely respectful of the character of the dwelling. It is noted that the occupants of ‘Seatons’ have raised concerns regarding this first floor infill, noting that this significantly increases the visual scale and mass of the dwelling. Although it undoubtedly does increase the mass of the building the eaves and ridge are only to be increased by 0.9m, which in relation to a two storey dwelling, is not considered to be a significant increase. Although it is acknowledged that the Authority often asks for a set back in relation to two storey side extensions this is usually in an attempt to retain gaps between buildings and to prevent a poor materials match when trying to tie a new extension into the front wall of an older

building. Given the angled relationship between the application dwelling and 2 Freely Fields there are no concerns regarding the erosion of gaps, and the comparatively recent age of the dwelling means that materials match is also not a concern.

- 10.3. The existing one and a half storey element of the building with its wall dormer is not considered to be a particularly attractive section of the property, with its walling appearing paltry and with the cill of the first floor window crammed against the roof of the single storey element. Its proportions do not particularly respect either the proportions of the existing dwelling nor others within the streetscene, and, as the Conservation Area Appraisal notes dormers are not a typical feature of this section of the village. As such the loss of this section of the property and the creation of a simple, gable dwelling is considered to be of benefit to the appearance of the host dwelling and the streetscene. The small monopitched front extension is acceptable as this ties into the existing canopy and there are a mix of other small front projects within the cul-de-sac. It is also noted that the occupants of 1 Crag Gardens have raised concerns regarding the design of the extension, noting that it is visually unsightly. The main change to the rear of the dwelling is the 0.9m increase in ridge height which removes a staggered ridge and produces a single ridge line, a matter which is not considered to harm the character host dwelling nor the wider area. Rooflights are also to be included which are discussed below.
- 10.4. The occupants of 'Seatons' have also raised concerns regarding the rooflights to the rear of the dwelling noting that rooflights are not a part of Bramham's vernacular and thus are out of character additions. Whilst this is indeed true, the LPA does not have control over the installation of rooflights within the roofspace of existing dwellings. Although the proposed rooflights do rely upon the extended roofspace, and thus these must be assessed as part of the planning application, were these to be dropped by 100mm the LPA would have no control. The rooflights which are proposed are located to reflect both the position of existing first floor windows and the existing rooflights. Dropping the rooflights within the roofslope would mean that they no longer reflected the position of the existing rooflights and thus would be offset from the existing and thereby appear more out of character than those which are proposed. As such granting permission for the rooflights as indicated on the rear elevation is considered to be the least harmful proposition.
- 10.5. The garage is also considered to be acceptable in terms of design and character as this is a simple, gabled structure which lies alongside a similarly scaled garage at number 4 Freely Fields. It is noted that several local residents and the Parish Council have raised concerns regarding the loss of the landscaping to the front garden area and its replacement with hardstanding. Conditions placed upon the initial approval for the estate stated that any landscaping must remain in place for five years, and this time period has now expired. No permitted development restrictions were placed upon the estate and thus the significant majority of the hardstanding to the front is permitted development, with all potentially being permitted development provided that the restrictions and conditions are complied with. Although the loss of the vegetation and grassed areas is regrettable it is difficult to maintain a significant objection to the new hardstanding as the majority of it can be constructed without any reference to the Authority.
- 10.6. The submitted details of the hardstanding over which the Authority potentially does have control (the 2.1m to the west of the current driveway) do not include sufficient information to assess whether or not the works are Permitted Development. As such it is assumed that the Authority does have partial control over some of the hardstanding works and it is therefore considered that granting planning permission

for these elements and conditioning the replacement planting shown on the revised block plan is a reasonable course of action as this will allow the Authority to ensure some replacement planting is provided, and in some way alleviate the harm caused by the loss of the existing green areas.

- 10.7. Neighbours and the Parish Council have also raised concerns regarding overdevelopment. Judgements regarding overdevelopment must take into account not only the size and scale of buildings but the space around them and the space within the plot as a whole. Given the reasonably generous nature of the plot and the remaining garden space it is not thought that, in this instance, the garage results in overdevelopment. It is also noted that, as with the hardstanding, no permitted development restrictions were imposed upon the original permission. As such detached outbuildings can be constructed without the need for planning permission, subject to certain criteria and restrictions. One of the restrictions is the need to retain fifty percent of the useable garden space, which the application quite clearly does. Using this as a benchmark for the question of whether extensions constitute overdevelopment the proposal is considered acceptable in this regard, particularly when the potential to construct 300m² of floor area is compared to the garage's 41m².

Residential Amenity

- 10.8 Policy GP5 of the Leeds UDPR states that development proposals should avoid a loss of amenity, which includes harm caused through overlooking, overshadowing and overdominance, and each of these matters will be discussed in turn.
- 10.9 In respect of overlooking the only real change to the windows within the main dwelling is the inclusion of a ground floor window which serves the utility area and the slight forward projection of the existing first floor bedroom window. These face out onto the highway and do not affect neighbouring rear garden areas and retain a sufficient distance to the dwellings opposite.
- 10.10 Rooflights are to be inserted into the rear roofslope of the extended dwelling and the occupants of 1 Crag Gardens as well as the objection letter with no address raise concerns regarding these rooflights. As discussed above within paragraph 10.3, because these windows rely upon the extended part the roof the Authority does have control, however a 100mm reduction in their height would mean that they would be unrestricted. Given this consideration, coupled with the fact that these lie adjacent to other existing rooflights, no significant additional harm is anticipated, although the concerns of neighbours are understood.
- 10.11 The new garage has a side facing door and window which face into the applicant's garden. Given the non-habitable nature of this space no impact upon neighbours is anticipated and thus the application is acceptable in this regard.
- 10.12 In respect of overdominance both the new first floor extension and the garage has the potential to impact upon neighbours. The new first floor extension does add a degree of additional bulk and massing close to the common boundary with 2 Freely Fields, however this lies adjacent to the near blank side gable of the neighbouring dwelling and will not impact upon the main amenity space nor the main windows of the dwelling.
- 10.13 The garage which is proposed is set to the north-east of the site and thus lies close to the southern corner of 7 Crag Gardens. The occupants of this dwelling as well as the Parish Council have raised concerns in respect of this element of the

application, noting that the garage will have a potentially dominant impact upon the windows and garden area of 7 Crag Gardens.

- 10.14 The garage which is proposed is set 3.0m from the common boundary and will be 2.7m to eaves and 4.7m to ridge. The gables of the garage are set to its sides and thus where it lies closest to the boundary (albeit 3.0m away) the garage is 2.7m in height, with the height rising as the roof falls away from the boundary. The dwelling at 7 Crag Gardens is angled away from the common boundary and its front windows face directly toward the rear garden of the host dwelling and not in the direction of the proposed garage. The windows which would be affected are a front facing lounge window (an area also served by side and rear windows) a staircase window and a study window. A rear conservatory has also been constructed which does have side facing windows. Although glimpses of the garage will be possible from these areas of glazing, planning permission can only be refused where the impact of a structure is considered to be unreasonable. A garage of the size and scale which is proposed is not considered to have an unreasonable impact, particularly because the maximum height of the wall is 2.7m and this element is sited 3.0m from the boundary with the maximum height of the roof rising to 4.7m and this is set 6.4m from the boundary. The overall height is not considered to be unreasonable and the distances to the common boundary with the neighbouring dwelling help to further mitigate the impact of the structure. It is also noted that the windows of the neighbouring dwelling which would be affected do include first floor windows which it is difficult to overdominate with a single storey structure.
- 10.15 The occupants of 7 Crag Gardens have also raised concerns regarding overshadowing, noting that the garage is set to the south of their dwelling and garden area. As with overdominance, although it is acknowledged that the garage will have an impact upon the neighbouring dwelling, permission can only be refused where the impact is considered to be unreasonable. Given the size and scale of the garage which is now proposed and the offset from the boundary, the proposal is not considered to be unreasonable. It is also noted that following the concerns of neighbours the garage has been reduced in scale and an area of evergreen planting has also been proposed which will help to soften and alleviate what impact there is.

As such the proposal is, on balance, considered acceptable.

Parking

- 10.16 In order to be considered acceptable in terms of parking provision development proposals must not prevent two cars parking within the curtilage of the dwelling. Bramham Parish Council have raised concerns regarding the conversion of the garage, noting that it was restricted under the first permission and should remain a garage. The imposition of a condition restricting garages does not suggest that garages can never be converted to living accommodation, but is instead imposed to allow the LPA to control their conversion and thus retain a sufficient number of off-street parking spaces. The principle of converting the garage is therefore acceptable, provided that sufficient replacement parking is provided on site. The garage which is proposed is of a sufficient size to allow two off-street parking spaces, with additional capacity along the new driveway.

As such the proposal is acceptable in this regard.

Representations

10.17 All material planning considerations raised through representations have been discussed above. It is noted that the occupants of 'Seatons' have raised concerns regarding the impact upon mains drainage and sewers, which is a matter controlled through the building regulations process.

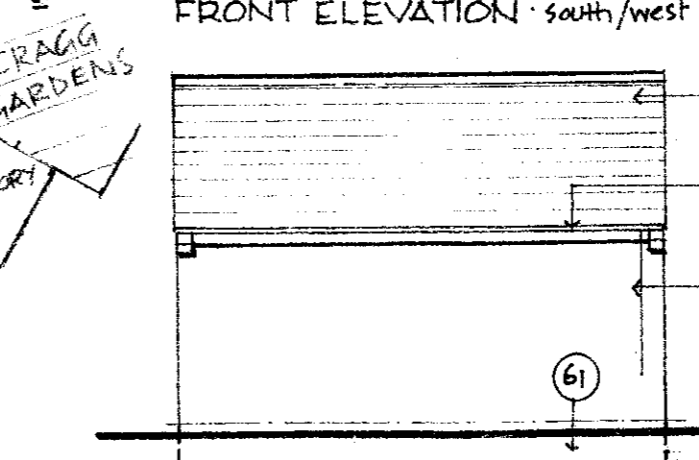
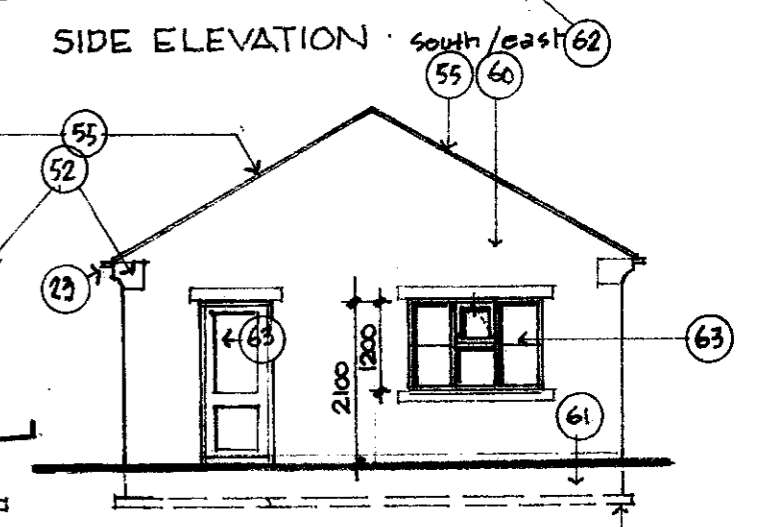
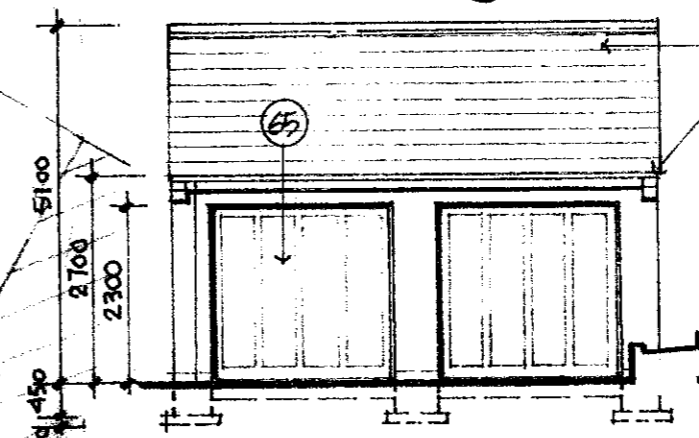
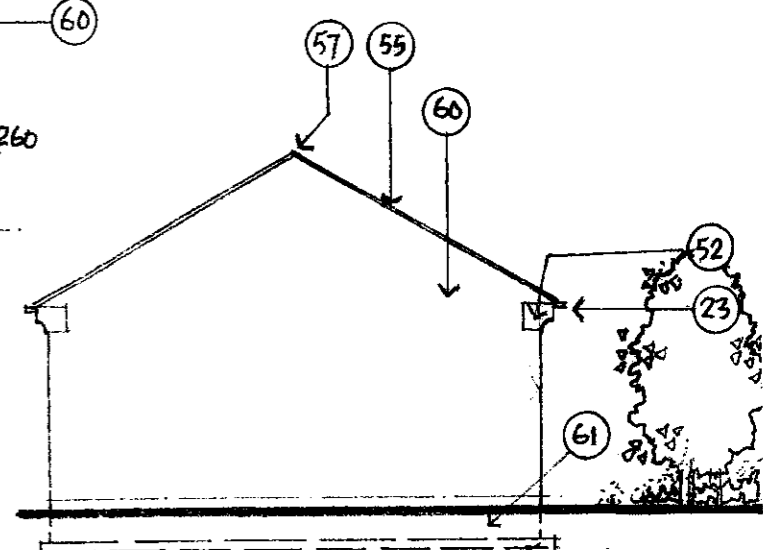
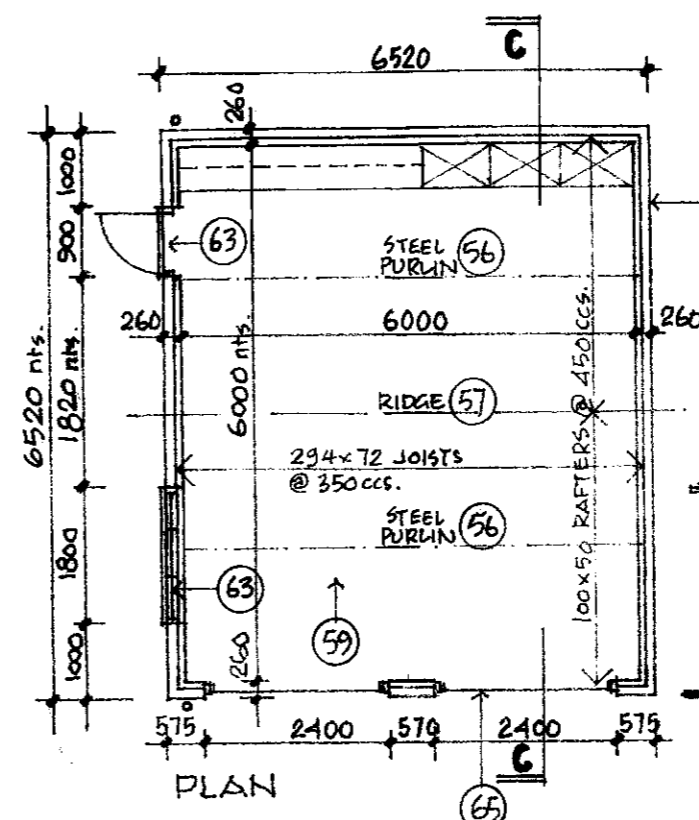
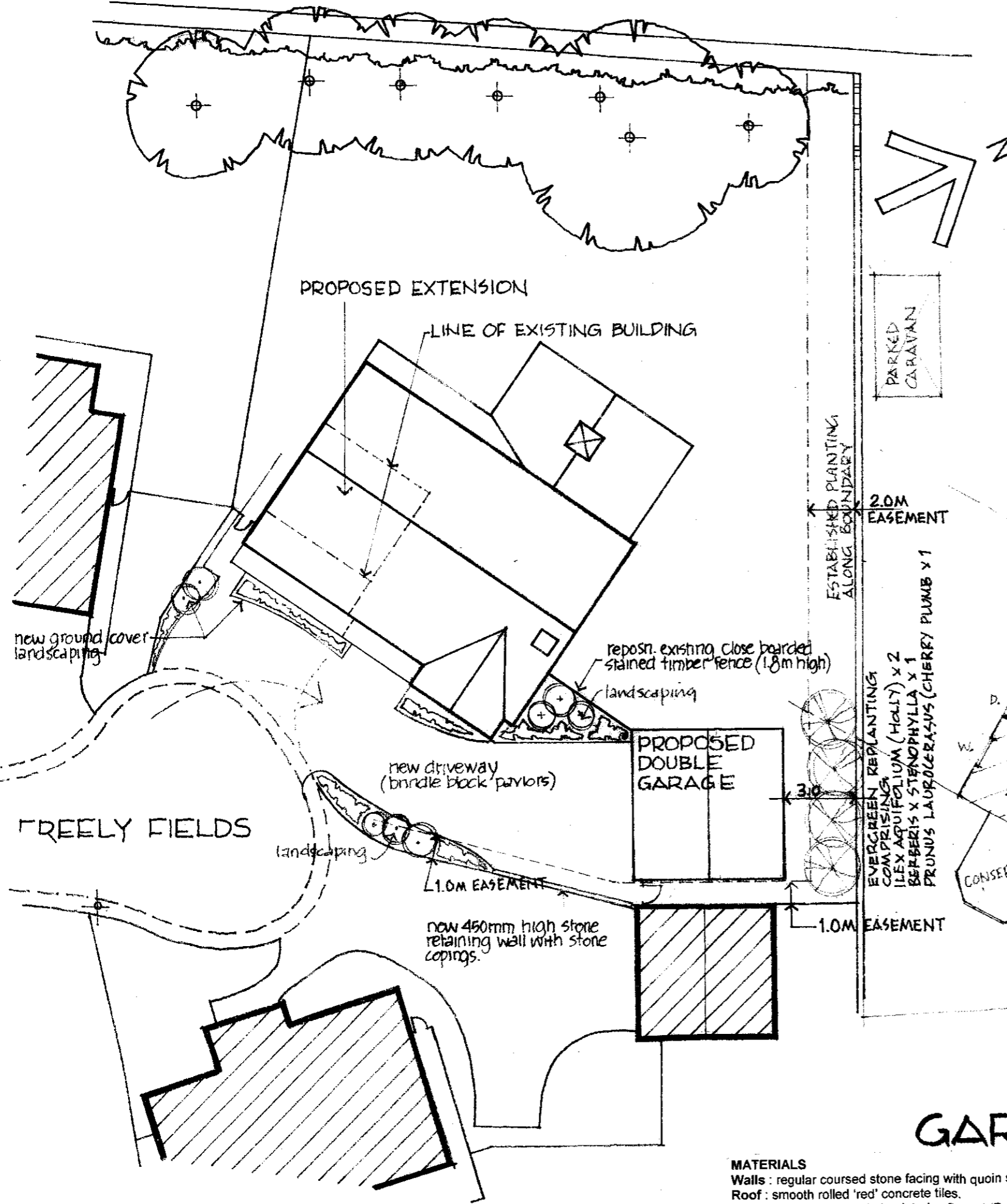
11.0 CONCLUSION

11.1 The proposed development is considered to be acceptable as its having had regard to Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan Review and all other material considerations. On balance, the Council considers the development's impact on the streetscene and upon neighbouring residential amenity is acceptable and will not give rise to any undue harm.

Background Papers:

Application file: 11/01683/FU

Certificate of Ownership: Certificate A signed by the agent



LEEDS CITY COUNCIL (62)

11 JUL 2011

REVISED

REV. A | 03/7/11 | GABLE EXTENSION OMITTED / GARAGE AMENDED

GARAGE DETAILS 1:100

MATERIALS
 Walls : regular coursed stone facing with quoin stones
 Roof : smooth rolled 'red' concrete tiles.
 Windows / Doors : 'white' painted softwood (Douglas fir) double glazed. Smooth stone heads, cills and mullions.
 Garage doors to match the design of the existing.
 RW Goods : 'white' upvc gutters and fallpipes on 'white' painted softwood fascias with smooth stone corbels at ends.
 Driveway : 'brindle' block paving laid herringbone pattern with butt jointed edging.
 Drainage : new drains to discharge into existing 'on site' separate foul and surface water drain runs.

SITE PLAN 1:200

whitaker PLANNING & DESIGN LTD
 17 Stirling Crescent Horsforth LS18 5SJ Tel: 0113 2590230/07714 677721

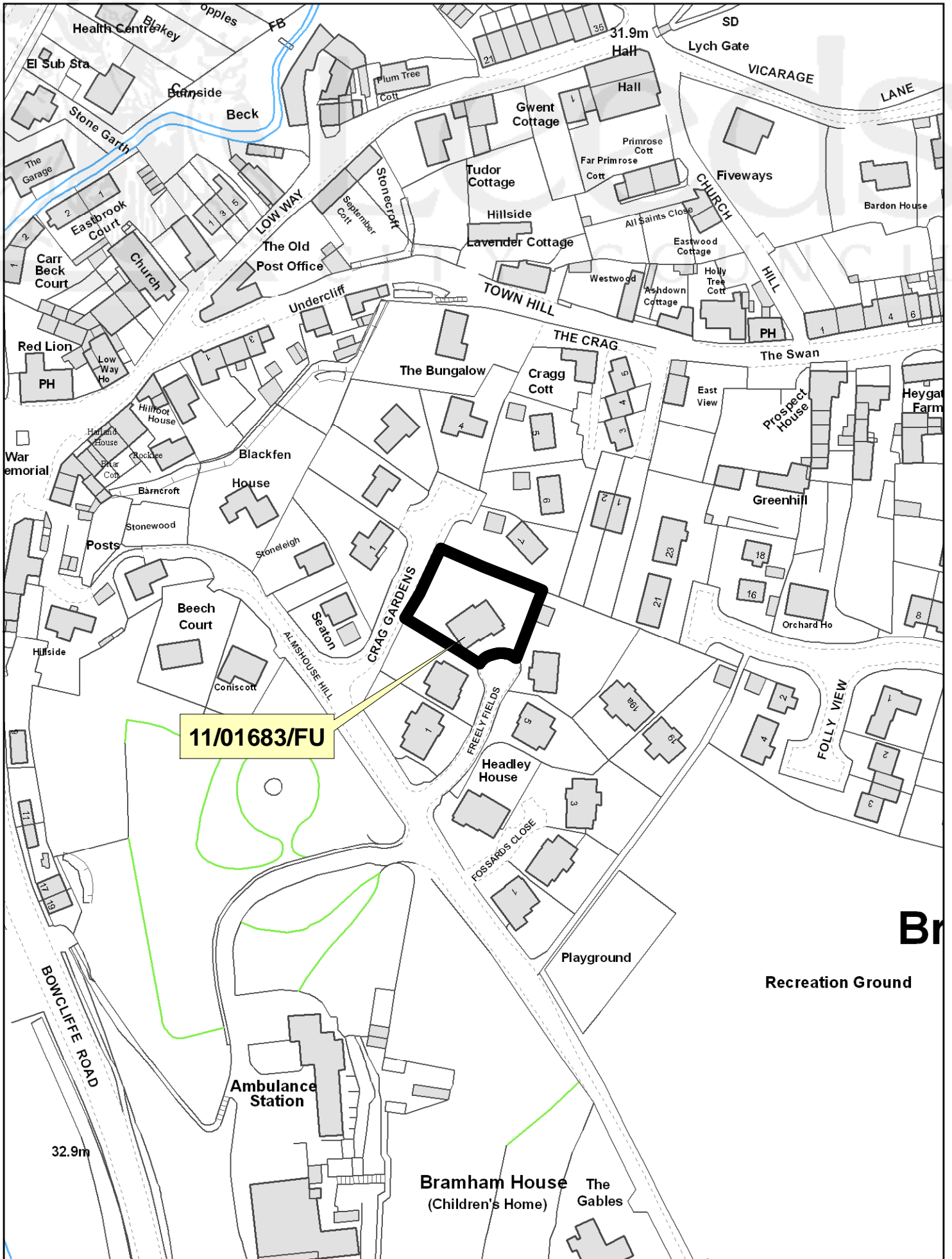
Project
 Proposed Extension and replacement Garage
 3 Freely Fields, Bramham, Leeds LS23 6WB

Client
 Jonathan and Kathryn Dyer

Dwg. Title
 Site Plan and Garage Details

Job. No. 11.3.01	Dwg. No. 02 A.	Scale 1:200/1:100	Date April '11
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Company Registered in England No. 5692952



EAST PLANS PANEL