



## Report of the Chief Planning Officer

### PLANS PANEL EAST

Date: 22<sup>nd</sup> March 2012

**Subject: APPLICATION 11/05293/FU, Dormer windows to front and rear, 13 Baldovan Terrace, Chapeltown, Leeds LS8 4JQ**

#### APPLICANT

Mr M Nisar

#### DATE VALID

19/12/2011

#### TARGET DATE

13/02/2011

#### Electoral Wards Affected:

**Gipton and Harehills**

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 reason:

The Local Authority considers that the proposed front and rear dormer windows by reason of their inappropriate and unsympathetic scale and form will result in the introduction of a prominent and discordant feature to an unspoilt terrace, to the detriment of the character and appearance of the existing property and the present street-scene. The proposal is therefore contrary to Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review) 2006, Policy HDG1 of the Draft Householder Design Guide and advice contained within PPS1 - Delivering Sustainable Development.

## 1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel at the request of Councillor Arif Hussain. Councillor Hussain does not agree with the reason for refusal and considers that the dormers will not impact and detract from the immediate street scene. He further considers that the dormer windows would help the family's specific need for additional space.

## **2.0 PROPOSAL**

- 2.1 The application is for dormer windows to the front and rear of a red brick terraced property. The front dormer window is approx 4.6m in width; the height is approx 1.7 with a projection of approx 3m. The rear dormer window is approx 4.7m in width; the height is approx 1.7m and the projection is approx 3.3m. The dormer windows are proposed to be constructed from tiles and white uPVC cladding.
- 2.2 A rear dormer window in terms of its overall size could be constructed under Permitted Development. However the proposed materials of white UPVC cladding are such that it cannot be classed as permitted development. Class B states that the materials should match the existing roof which is grey slate.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a terraced red brick property located on a street largely comprising of other terraced and semi detached properties. Within the row of terraced properties there is one property which has dormer windows at the front and rear. There is no planning history for these dormer windows and they appear to have been constructed for some years.

## **4.0 RELEVANT PLANNING HISTORY:**

### **Planning Applications**

- 4.1 None

### **Pre application**

- 4.2 None

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 During the application process, officer concerns regarding materials and location of the front dormer window and the impact this will have on the street scene have been expressed to the agent of the application. The agent was advised to remove the front dormer window and that if the rear dormer window materials were altered to match the existing roof and it would be deemed to be Permitted Development. The agent has so far not agreed to amend the application to reflect this .

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

- 6.1 No letters of representation have been received.

## **7.0 CONSULTATIONS RESPONSES:**

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). 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. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this application. The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.2 The following UDP policies are relevant:

Policy GP5 - Refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

Policy BD6 - All alterations and extensions should respect the scale, form, detailing and materials of the original building.

8.3 SPG 13 – ‘Neighbourhoods for Living’: Supplementary planning guidance related to residential design in Leeds.

8.4 Householder Design Guide (SPD): Leeds City Council Householder Design Guide 2012: This guide provides help for people who wish to extend or alter their property. It aims to give advice on how to design sympathetic, high quality extensions which respect their surroundings. This guide helps to put into practice the policies from the Leeds Unitary Development Plan which seeks to protect and enhance the residential environment throughout the city. It has been through a public consultation exercise and with amendments has been approved by Planning Board. It is due to be adopted as a supplementary planning document on 1 April 2012.

HDG1: All alterations and extensions should respect the scale, form, proportions, character and appearance of the main dwelling and the locality/ Particular attention should be paid to:

- i) The roof form and roof line;
- ii) Window detail;
- iii) Architectural features;
- iv) Boundary treatments
- v) Materials;

8.5 Planning Policy Statement 1: Delivering Sustainable Development: This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. PPS1 states:

Planning policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.

Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.

## 9.0 MAIN ISSUES

1. Streetscene/design and character
2. Other issues

## 10.0 APPRAISAL

### Streetscene / Design and Character

- 10.1 The Householder Design Guide states that dormer windows to the front will not normally be considered acceptable on unbroken roof slopes or prominent locations. Where they are acceptable they should be clad in tiles or slate to match the existing roof and not timber or upvc cladding.
- 10.2 Consideration has been given to the impact of the dormer windows will have on the design and character of the existing property and the wider street scene. The street scene in which the application site is located is characterised by terraced properties. Within the immediate street scene there are unbroken and uncluttered roof lines. This is relevant to both the front and the rear elevations of the dwelling. The dormer windows proposed will be prominent and will detract from this simple unspoilt appearance.
- 10.3 It is acknowledged that there are a set of front and rear dormer windows in one of the neighbouring properties at No 1 Baldovan Terrace. Having looked in to the planning history of this property the existing dormers do not have planning permission although it is evident they have been in existence for some years and were probably constructed at a time when planning permission was not required for such development. As such , in this instance the proposed scheme cannot be assessed against the existing dormer windows. In any case, the existing row of terraced properties are largely unspoilt and retain the unique character of the existing dwelling and roof. The proposed dormers would almost fill the width of the roof and be prominent with a white UPVC clad frontage against the existing dark slate roof. The dormers would become the dominant feature within the roofscape to the detriment of the visual amenity of the row of houses and overall streetscene. As such the proposal is considered to be contrary to policies BD6 and GP5 of the Revised Draft Unitary Development Plan (2006), policy HDG1 of the draft Householder Design Guide and advice contained within PPS1 Delivering Sustainable Development.

### Other issues – Personal Circumstances

- 10.5 Planning Policy Statement 1 'Delivering Sustainable Development' (PPS1), which is a national policy, states at paragraph 16 that:

*"Development plans should promote development that creates socially inclusive communities including suitable mixes of housing. Plan policies should:....take into account the needs of all the community, including particular requirements relating to age, sex, ethnic background, religion, disability or income."*

In the accompanying guide to PPS1 (The Planning System: General Principles) it states at paragraph 21 that:

*“The personal circumstances of an occupier, personal hardship, or the difficulties of businesses which are of value to the welfare of the local community, may be material to the consideration of a planning application.....Such arguments will seldom outweigh the more general planning considerations, however.”*

It is therefore clear that although personal circumstances can be taken into account in the determination of a planning application, the more general planning considerations, such as consistency with the relevant adopted planning policy of the city council and the impact of the dormer window on the street scene, are still the principal considerations by which the planning application should be judged. Officers are aware that the dormer windows would provide additional accommodation for the family. Suggestions have been made to the applicant in relation to having a rear dormer only and a smaller loft room to the front (without a dormer). With suitable materials this could be done under permitted development. The applicant is unwilling to accept this compromise solution. As such , the need for the small amount of additional accommodation (over and above permitted development ) that could be achieved with the addition of a front dormer is not considered as justification to approve dormer windows in this location given the unspoilt character of the street scene. In any case the proposed materials are considered unacceptable.

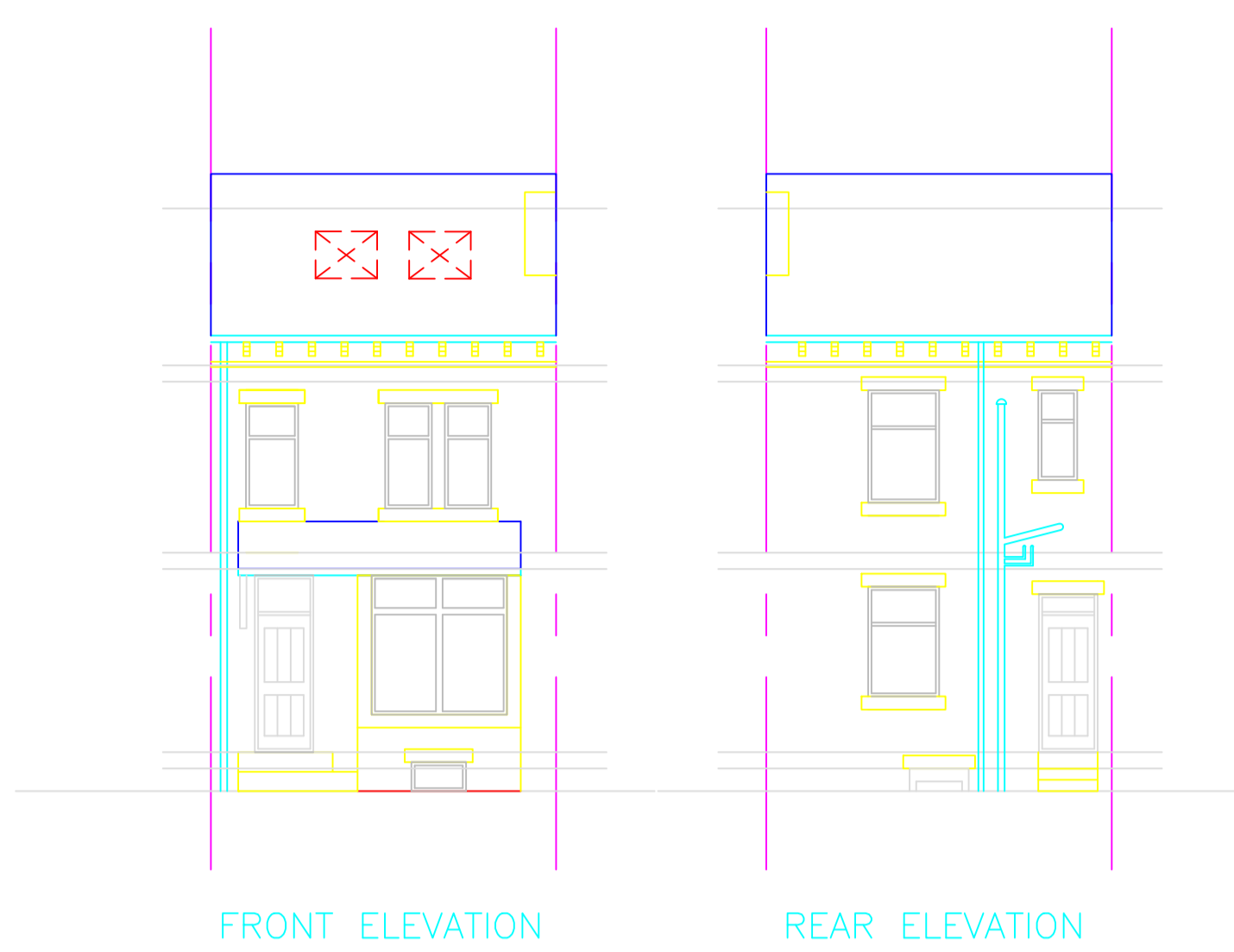
## **11.0 CONCLUSION**

- 11.1 For the reasons outlined in the above report and taking into account all other material considerations it is recommended that planning permission should be refused due to the detrimental impact the development will have on the character and appearance of the wider streetscene.

### **Background Papers:**

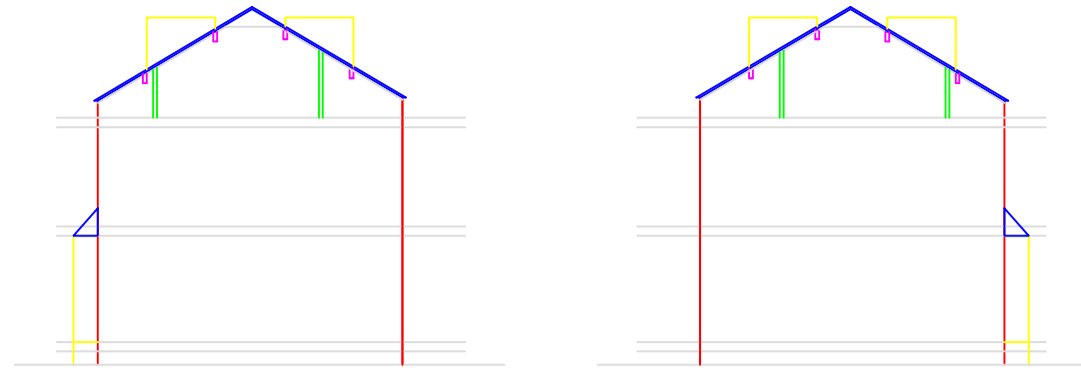
Application files 11/05293/FU

Certificate of ownership: M. Nisar

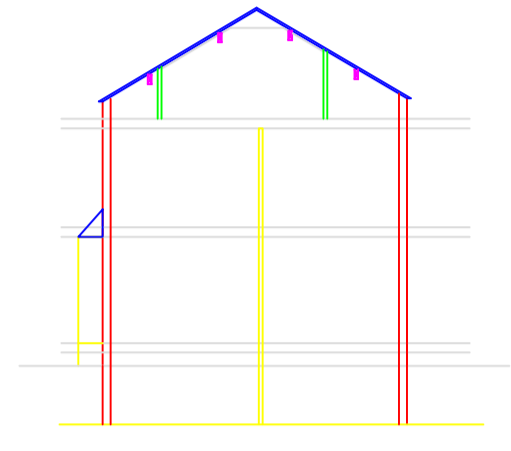


FRONT ELEVATION

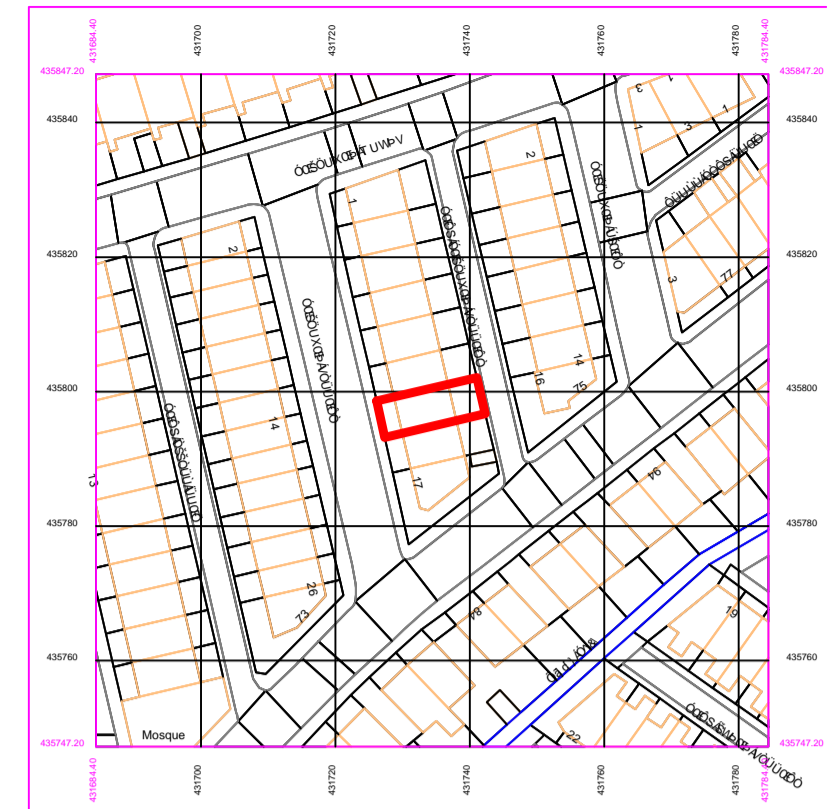
REAR ELEVATION



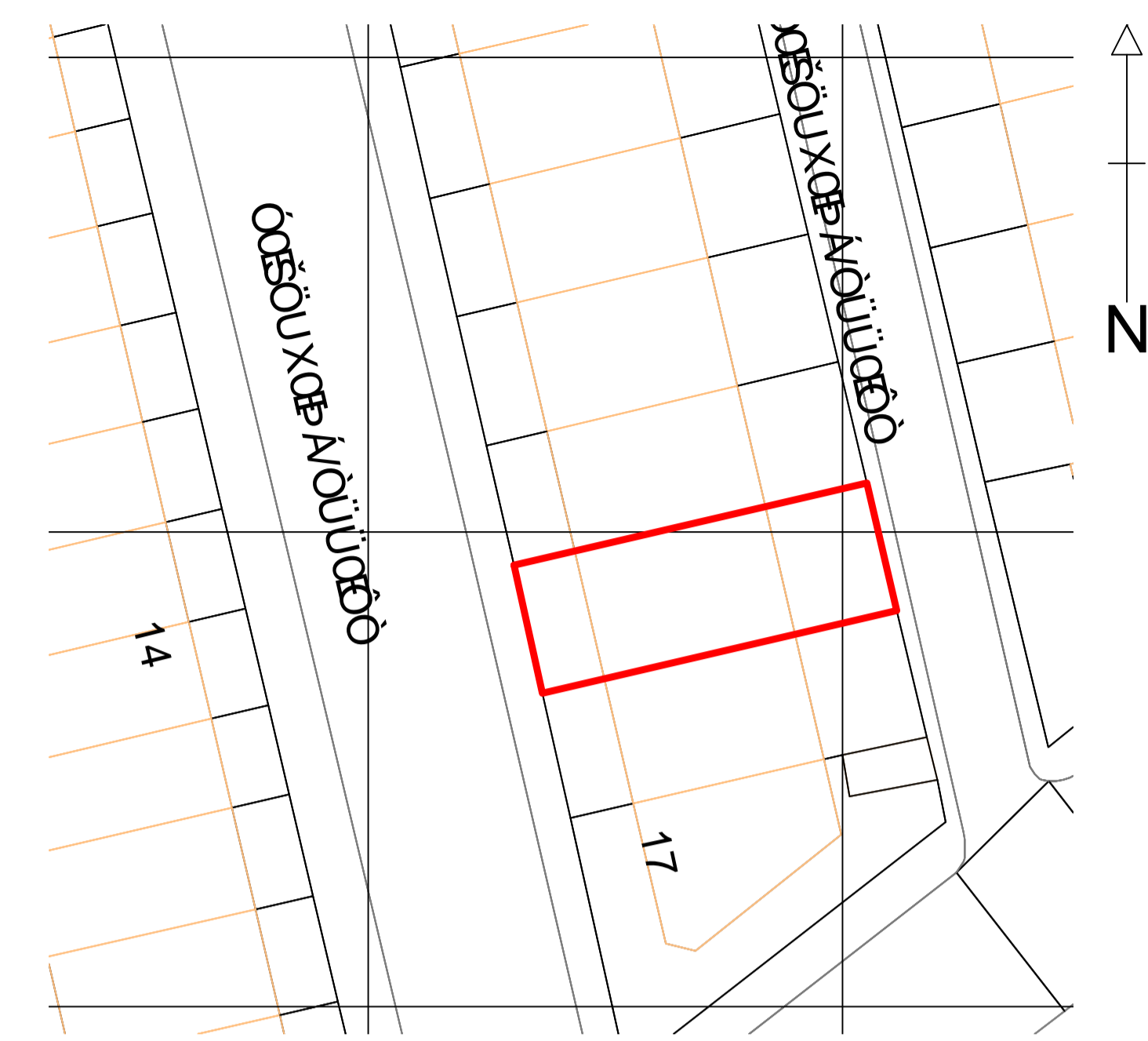
EXISTING SIDE ELEVATIONS 1:200 @ A1



TYPICAL SECTION 1:200 @ A1



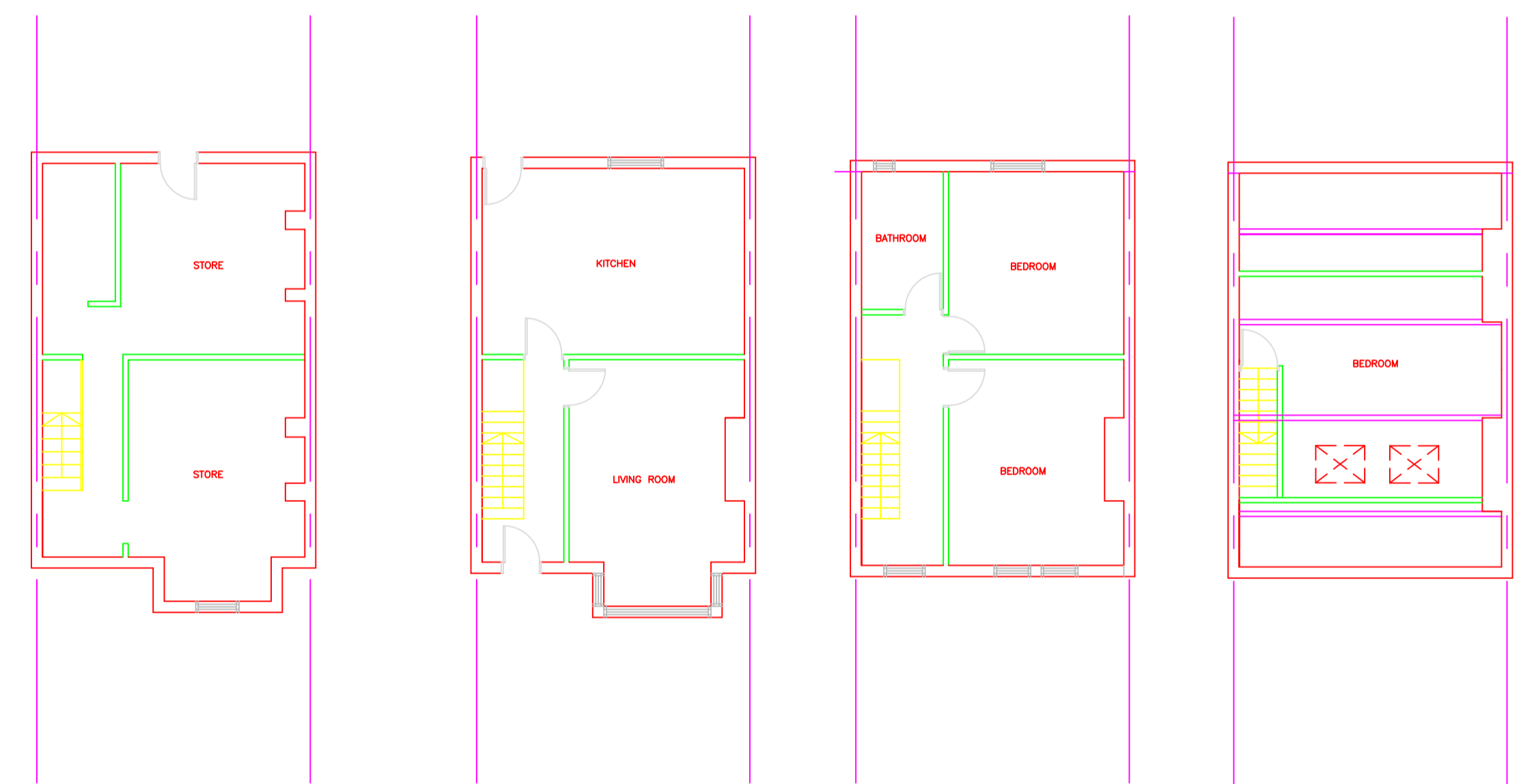
SITE LOCATION PLAN 1:1250 @ A1



BLOCK PLAN 1:250 @ A1

NOTES  
1. DO NOT SCALE THIS DRAWING

EXISTING ELEVATIONS 1:100 @ A1

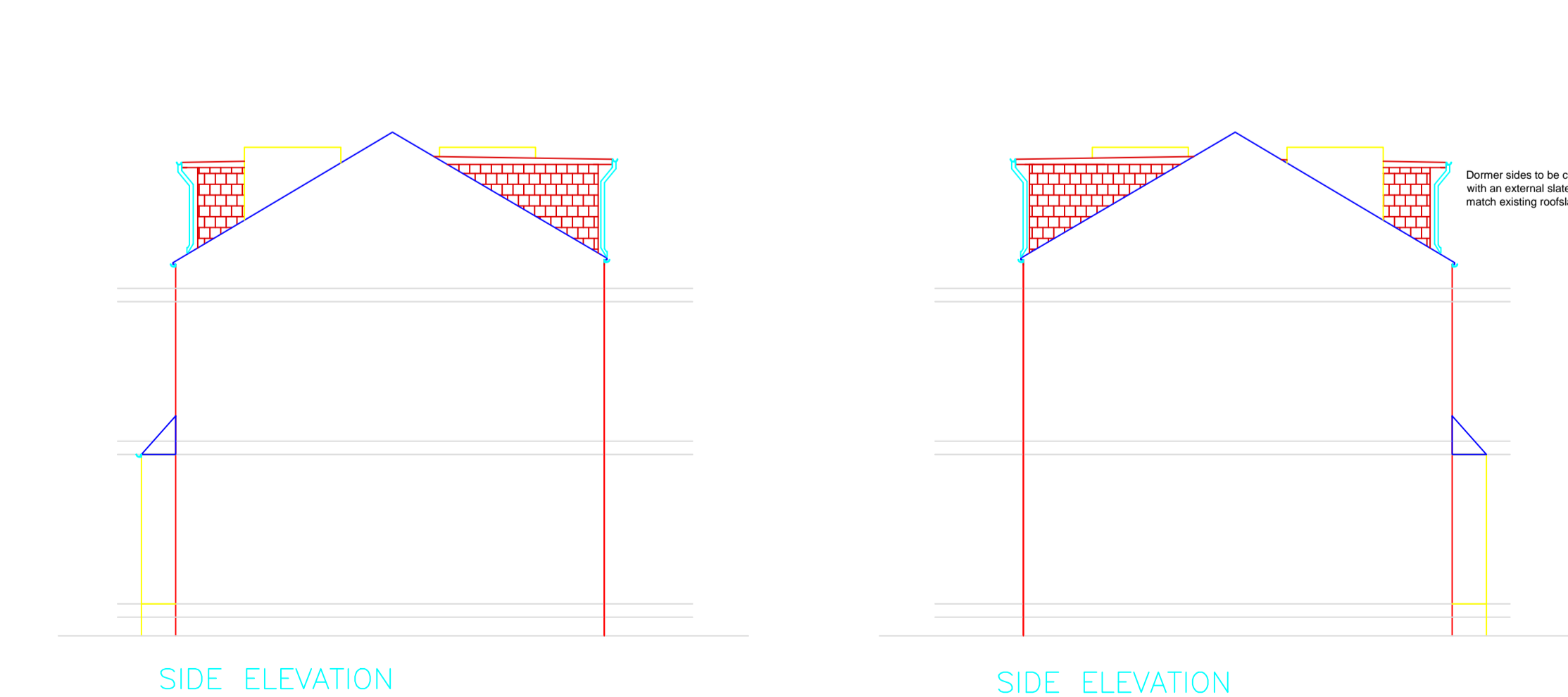


BASEMENT FLOOR PLAN GROUND FLOOR PLAN FIRST FLOOR PLAN SECOND FLOOR PLAN

EXISTING FLOOR PLANS 1:100 @ A1



TYPICAL SECTION 1:100 @ A1 PROPOSED ELEVATIONS 1:100 @ A1



PROPOSED SIDE ELEVATIONS 1:100 @ A1



PROPOSED FLOOR PLANS 1:100 @ A1

REVISION	DATE	DESCRIPTION	AMND BY	CHKD BY
STATUS:				
CLIENT:				
MOHAMMED NISAR				
PROJECT:				
DORMER WINDOWS				
TITLE:				
PROPOSED FRONT & REAR DORMERS TO 13 BALDOVAN TERRACE, LEEDS, LS8 4JQ				
DRAWN BY:	CHECKED BY:	APPROVED BY:		
FH	OS			
DATE:	SCALE:	SHEET SIZE:		
DEC 11	VARIOUS	A1		
PROJECT NO:	DRAWING NO:	REVISION:		
11	01	-		



11/05293/FU

# EAST PLANS PANEL

