



**Report of the Chief Planning Officer**

**PLANS PANEL EAST**

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

**Subject: 11/03877FU - Increase height of existing boundary wall and gates front and side, Grange Cottage, Newfield Lane, Ledsham, Leeds LS25 5LW**

**APPLICANT**

Mr B Hughes

**DATE VALID**

14/09/2011

**TARGET DATE**

09/11/2011

**Electoral Wards Affected:**

**Kippax and Methley**

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 hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.
2. The wall alterations hereby approved shall be complete within 3 months of the date of this decision.
3. The proposed entrance gates shall be constructed of timber and finished in dark stain and shall be erected within 3 months of this decision. They shall not be subsequently altered or removed without prior written consent of the Local Planning Authority.

Reason for approval: The proposed development is considered to be acceptable having had regard to Policies GP5, BD6, BC7, N19 and N25 of the Leeds Unitary Development Plan Review, policy HDG1 of the Householder Design Guide, and National advise in PPS1 and PPS 5. The proposal by reason of its form, height and materials is considered acceptable in the streetscene and the conservation area.

## **1.0 INTRODUCTION**

- 1.1 The application is brought to Plans Panel at the request of Councillor James Lewis. Councillor Lewis has objected on the grounds that the wall is out of character for the village and in terms of height and scale.

## **2.0 PROPOSAL**

- 2.1 This is a part retrospective application for a boundary wall and gates to the front and side boundary of a detached dwelling. The wall follows the slope of the site and as such the maximum height of the wall where it adjoins Grange Farm Cottage is to be 2018mm, with the average height (mid) being 1.7m.
- 2.2 At the entrance to the driveway 1.8m high timber gates supported by 2m high stone piers are proposed.
- 2.3 The proposal has been revised twice since submission. The original proposal was for a wall which was a maximum of 3.85m in height (adjoining the cottage) then curved slightly with the height reduced to 2.7m. The proposal also included ball sculptures above a 3m high stone gate piers.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The property is a large detached house set in substantial gardens located within a Conservation Area. It is of random stone construction under a red pantile covered roof. There are single storey link extensions to the rear of this detached house extending to the south eastern corner of the site. There are various styles and types of properties surrounding the site. Vehicular access to the site is taken from Newfield Lane where a substantial stone wall (between 1.8m and 2.2m) with random stone piers (2.7m) forms the boundary treatment facing Newfield Lane. (A new wall has been constructed above the original which is evident due to the change in the colour of the stones). Temporary raffia type screening is present in between the pillars in place of the proposed gates. There is a private access drive adjacent to the southern boundary of the site, serving other residential properties. The boundary wall facing Newfield Lane is the subject of this application.
- 3.2 The frontages of the neighbouring dwellings are generally screened by low stone walls some with planting behind. However, the dwelling opposite the application site (Grange Farm) is screened by a 1.6m high stone wall.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 08/03898/FU - Single storey side extension, single storey extension to existing outbuildings to form garage, conversion of existing garages to habitable rooms. Approved September 2008. Since the granting of planning permission a number of enforcement queries have arisen as the planning permission has been implemented as follows:

10/00287/NCP2 – Enforcement Enquiry - Non Compliance to approved plans (Condition 2 –materials and design) No Breach - Decision 31 March 2010.

10/00380/NCP3 – Enforcement Enquiry- Non compliance with approved plans: re boundary wall. No Breach - Decision 17 August 2010.

10/00643/NCP3 – Enforcement Enquiry - Non-compliance with approved plans (insertion of 5 additional windows) in rear of new building – Retrospective application requested but not submitted. Decision - Not expedient to pursue enforcement action. The windows replaced an old wooden door , were obscure glazed and posed no overlooking.

11/00994/UHD3 – Enforcement Enquiry - Erection of wall exceeding 1 metre in height adjacent to a highway. Retrospective application submitted now consideration.

11/01276/NCP3 – Enforcement Enquiry – Insertion of round and square windows in gable of host property, erection of chimney, insulation of CCTV camera and height of garage. Decision - Insertion of window – part of approved plans (0803898/FU). Erection of chimney - asked for a new application - not submitted – Decision - Not expedient to pursue enforcement action as the chimney replaced a previous chimney on the cottage. CCTV camera – Permitted development (No breach). Garage height – recently confirmed that height of eaves and ridge of garage increased from that approved. Requesting new planning application for consideration. .

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 During the application process, officers concerns regarding the height of the original wall, (maximum height 3.85mm), piers and gates and its impact on the streetscene and the conservation area have been expressed to both the agent and the applicant and both were made aware that the proposal would not be supported in that form.
- 5.2 Following discussions, the applicant sent in further revised schemes which lowered the wall and gate piers and removed the decorative balls. Additional supporting information which included photographs of other walls within the village which the applicant believed were comparable to his proposal were also submitted. Upon receipt of the additional supporting information and a plan indicating the reductions in height requested a second site visit was carried out to evaluate the additional information and the conservation area officer was reconsulted.

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

- 6.1 Neighbour notification letters posted 15.9.11 , 24.1.12 and 30.1.12. Advertised as affecting the character of conservation Area on 15.9.11 and advertised in Leeds Weekly News on 13.10.11.

### Comments on the original submitted plans:

- 6.2 Ledsham Parish Council and 8 neighbours objected and 3 letters supporting the proposal were received.

Ledsham Parish Council: The wall has been partially erected before retrospective permission has been applied for. The height of the wall when completed will not be in keeping with the surrounding area or the village.

The finished height of the wall is not noted on the plans.

The Council made additional comments on 4.10.12: that they consider the application should be approved but still expressed concerns regarding the probable height and visual impact on the surrounding area.

### 6.3 Neighbour objections:

- The wall is visually intrusive in a Conservation area.
- The wall is too high.
- The house boundary walls in the village are normally 1.2 – 1.6m maximum.
- The wall would set a precedent.
- The wall would change the authentic visual character of the village.
- The wall would be in keeping with the village if the finished height was no more than 1.8m.
- Question regarding removal of trees /hedges on the application form is incorrectly filled. This has been ticked as 'No' when it should be 'Yes'.
- The previous boundary wall at the site was 1.2m high and in keeping with the character of the area and the original wall should be restored.
- The outlook from living room windows of 11 Manor Garth is compromised.
- The property is being turned into fiefdom at the heart of the historic village and is highly inappropriate and is very offensive and detrimental to other adjacent properties.
- A new boundary wall has been built above 2m height to the north east of the property not covered by this application.
- It would be more in keeping to stay with the height of the original wall and plant a hedge along the roadside.

#### Supports:

The wall has been well constructed in random stone and offers the applicant security/privacy.

#### Comments on the Revised plans

- 6.4 Councillor James Lewis considers that the wall is out of character for the village and in terms of height and scale.
- 6.5 Ledsham Parish Council reported that a site meeting was held and responses from 6 Members were included in the Parish Councils response: Some had no objections but one Member wanted to see the visual impact softened by growing vegetation on the side facing Newfield Lane.
- 6.6 Neighbour objections:

A further letter of objection has been received which repeat previous objections raised and also include details of heights and descriptions of other walls within the village.

The application is far from planning policy and guidance.

The tree removed was not diseased but was removed to construct the wall.

There is not a single wall in Ledsham identified by the applicant as comparable to the applicants proposal.

Object to the wall being built at a height shown on any plans.

The applicant has attempted to justify the height of the wall by comparing examples of other walls around the village. The other walls are not comparable as most of them are historic retaining walls

The materials used to the top of the wall are visibly different in appearance and style to existing. The gate posts are also, not of random effect stone.

If the walls of every house in the village were this height the character of the village would not be conserved.

There have been several violations of the previously approved application. Five windows have been inserted in the building overlooking White Gables.

New windows have been installed which are out of character with the Conservation area. A chimney has been added and CCTV camera has been installed.

- 6.7 Supports:  
One letter in support has been received following the receipt of revised plans.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 Comments on the original submitted plans.

Conservation Officer: Objection: The wall is considered to be over-dominant, suburbanised and impacts the special character and appearance of the Ledsham conservation area by restricting views through the site and not being sympathetic to its immediate surroundings, or the village as a whole. The gates need to be changed to allow views through to reflect the rural character and the gate piers are too high and obtrusive.

- 7.2 Comments on revised plans:

Conservation Officer: Happy with the revised heights subject to confirmation of the maximum height and average height of the proposal. The gate piers are not ideal but are improved by being lower. Revised gate detail can be supported.

Highways: Gates follow the line existing wall which is set back. Two grass verges provide some visibility for the access. No objections to the proposal .

## **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.

- 8.2 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.

- 8.3 UDP Policies:

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.

Policy N19 - All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area by ensuring that:

- The materials used are appropriate to the environment area and sympathetic to adjoining buildings. Where a local materials policy exists, this should be complied with;
- Careful attention is given to the design and quality of boundary and landscape treatment.

Policy BC7 – Development within the conservation areas will normally be required to be in traditional local materials.

Policy N25 - states that boundaries should be designed in a positive manner, using walls, hedges, or railings where appropriate to the character of the area.

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

8.5 Householder Design Guide SPD: Leeds City Council Householder Design Guide 2011: 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.

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;

The Householder Design Guide has been through public consultation and is scheduled to be adopted on April 1<sup>st</sup> 2012.

8.6 There is no Conservation Area appraisal for this Conservation Area at the current time.

8.7 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.

## 8.8 Planning Policy Statement 5: Planning for the Historic Environment.

### 9.0 MAIN ISSUES

- Conservation Area/Streetscene
- Visual amenity
- Highway Safety
- Representations

### 10.0 APPRAISAL

#### Conservation area/Streetscene

- 10.1 Boundary treatments are considered to be of particular importance and their design should have regard to the character of an area. Policy N25 of the Leeds Unitary Development Plan (Review 2006) states that boundaries should be designed in a positive manner, using walls, hedges, or railings where appropriate to the character of the area. The design of boundary treatments should be regarded as an integral part of the character and appearance of an area. Well designed boundary treatments can provide various benefits that include the setting for buildings, screening of unattractive areas, the visual assimilation of dwellings into the wider landscape, and a contribution to the general visual amenity of the locality. .
- 10.2 As noted above the site lies within a Conservation Area. Unitary Development Plan Policy BC7 requires that within such an area, traditional local materials are used. In addition, Policy N19 states that all buildings and extensions within a Conservation Area should preserve or enhance the character or appearance of that area by means of siting, scale, detailing and materials. In this instance the wall has been constructed in matching natural materials and over time the new stone work for the wall will match the existing as it weathers. It is noted that the stone work for the piers is different to that used in the wall. However, the piers have also been reduced in height and therefore over the time they will not appear significantly at odds with the wall as a whole.
- 10.3 Newfield Lane is characterised by a mixture of farm houses and large stone built detached dwellings, some of which are located along the highways edge, including the application site. There are high structures present on the entrance to Newfield Lane, (Manor House Farm) and the boundary wall to the dwelling directly opposite to the application site (Grange Farm) also has a 1.6m high boundary wall. It is acknowledged that the existing wall is very high and as noted above extensive negotiations have resulted in a revised scheme which will mean that the height of the wall will be reduced with a maximum height of the wall being 2.18m, with an average height (due to the change in land levels from north to south) being 1.7m. Furthermore, the walls which are lower are typically attached to the more modern properties in the village, including those at Manor Garth. It is therefore considered that the development will not detract from either the character or appearance of either the property, the Conservation Area or the village. The design and character of the revised boundary wall and gates (dated 21.12.2011) is considered to be acceptable in this respect.
- 10.4 Planning Policy Statement 1 states that “design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted”. In light of the

above it is considered that the aims of local and national policy in terms of policies GP5, BD6, BC7, N19 and N25 of the Leeds UDP (2006), Policy HDG1 (Draft) Householder Design Guide and guidance contained within PPS1, it is concluded that the development meets the relevant policies and guidelines and is acceptable in planning terms.

### Highways

- 10.5 The gates follow the line of the existing wall which is set back. Two grass verges exist and therefore provide some visibility for the access. This situation has not significantly altered as part of the application and as such no undue adverse impact on highway safety is foreseen.

### Representations

- 10.6 It is considered that all the relevant material planning considerations have been addressed in the above appraisal. Several other points are summarised below :
- 10.7 The boundary walls to dwellings in the village are normally 1.2 – 1.6m maximum. The application site would be read in context when approaching Newfield Lane and it is not considered that the wall will look out of character at the current height proposed .
- 10.8 The wall would set a precedent. Each application should be dealt with on its own merits in the context of its surroundings.
- 10.9 The tree removed was not diseased but was removed to construct the wall. Some trees have been removed including a large conifer tree and a Beech Tree . The applicant has confirmed in writing that an 80 foot conifer tree was felled as it was considered to be dangerous to neighboring properties and the highway and a Beech tree was removed as it was diseased. These matters are being investigated separately by tree officers who have the powers to ensure replacement planting is provided if necessary.
- 10.10 Removal of trees /hedges on the application form is incorrectly filled. This has been ticked as 'No' when it should be 'Yes'. This is noted.
- 10.11 The outlook from living room windows of 11 Manor Garth is compromised. This is noted however, a distance of 20m is maintained between the two properties as such it not considered to be significantly detrimental and is in accordance with distances in Neighbourhoods for Living.
- 10.12 There have been several violations of the previously approved application. Five windows have been inserted in the building overlooking White Gables. New windows have been installed which are out of character with the Conservation area. A chimney has been added and CCTV camera has been installed.
- 10.13 These matters have been investigated separately by the Councils Compliance team. The five windows inserted serve a gym area where the floor area inside is at a lower level . The windows are obscured glazed and do not result in overlooking. As such a decision was taken not to pursue the matter further.
- 10.14 In relation to the chimney historic photographs show there was originally a chimney in this position and as chimneys are often a common feature of older properties then the addition is not objected to and if anything will maintain the character and appearance



of this part of the Conservation Area. As such a decision was taken not to pursue the matter further. The CCTV is permitted development and a further planning application has been requested for the changes to the garage.

## **11.0 CONCLUSION**

- 11.1 The revised scheme is considered to have addressed the concerns regarding design and height and is considered respectful of its surroundings and the character of the Conservation Area. And as such is considered to be acceptable having regard to policies of the UDP and advice in the Householder Design Guide.

### **Background Papers:**

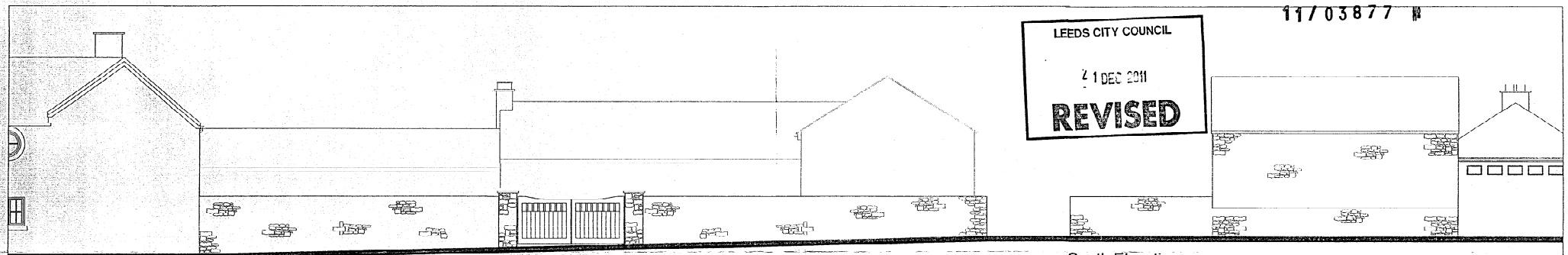
Application files 11/03877/FU

Certificate of ownership: Signed by agent – Mr B Hughes

Latest version  
12/21/12

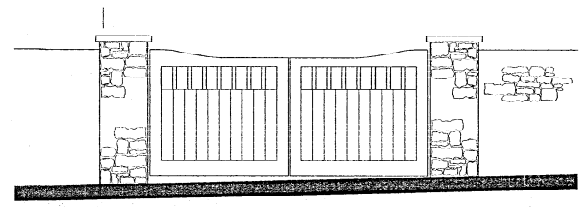
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LEEDS CITY COUNCIL  
21 DEC 2011  
**REVISED**

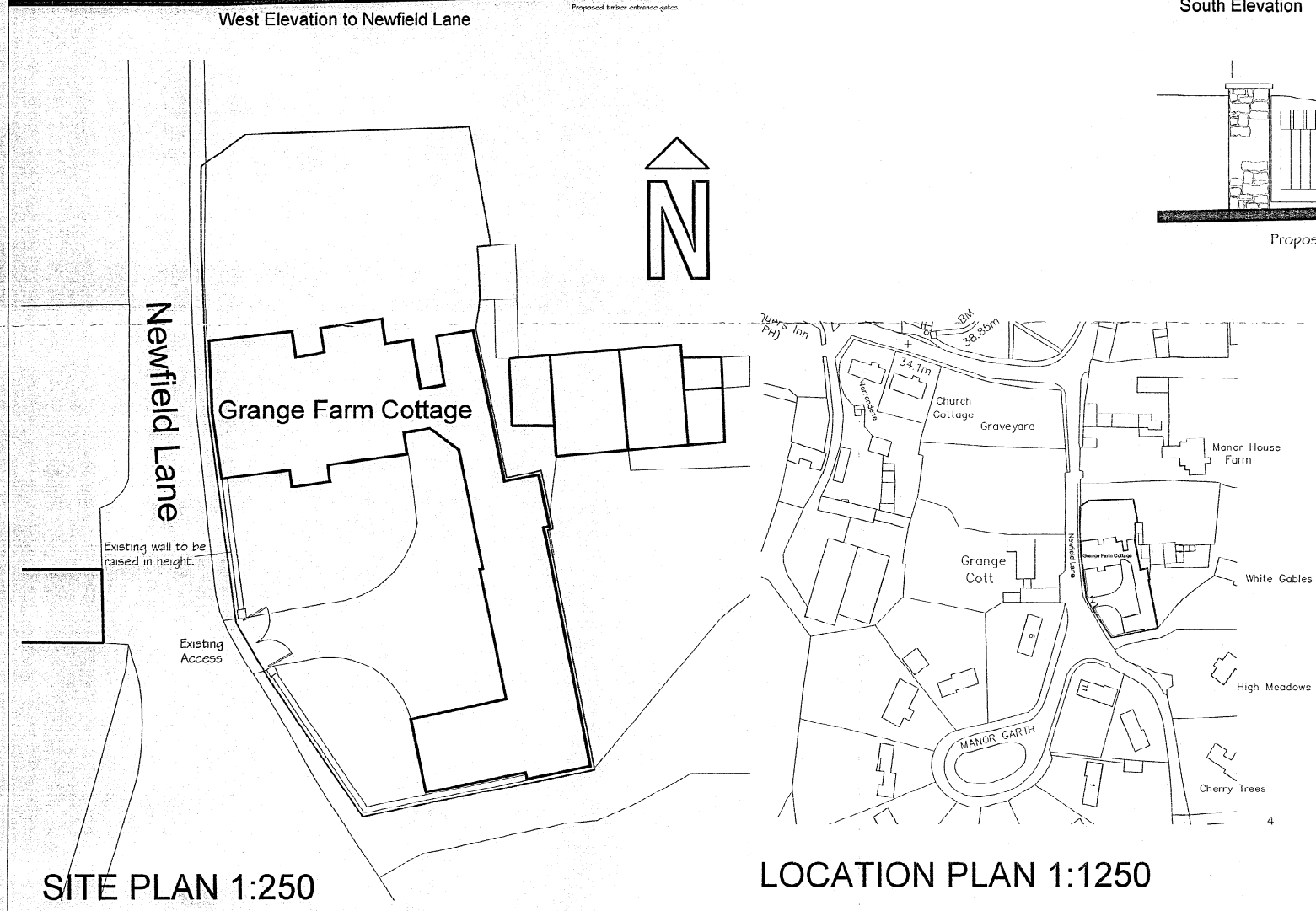


West Elevation to Newfield Lane

South Elevation



Proposed timber entrance gates.



SITE PLAN 1:250

LOCATION PLAN 1:1250

REV B Wall reduced in height and gate detailing revised following discussion with senior conservation officer. 02/12/11  
REV A Wall against house revised. 12/10/11

**CHARTLAND**

The Pavilion  
Murivance  
Shrewsbury  
Shropshire SY1 1JW

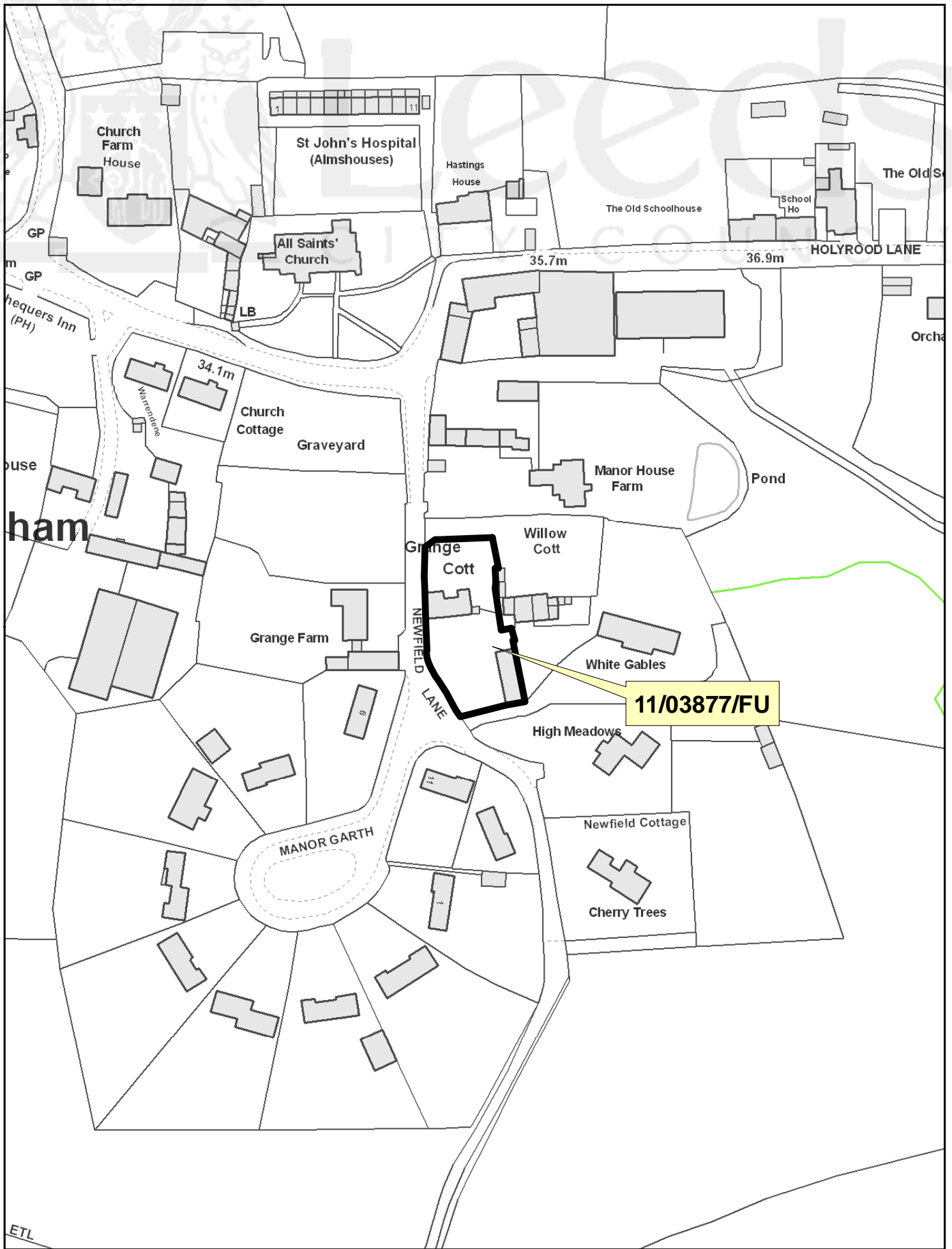
Tel: 01743 245000  
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www.chartland.co.uk

**Client** Mr B. Hughes

**Project** Alterations to boundary wall at Grange Farm Cottage, Ledsham, Leeds LS25 5LW.

<b>Drawing</b> As Proposed	<b>Scale</b> A2 - 1:100
	<b>Rev</b> B

<b>Drawing Number</b> LED/06	<b>Drawn by</b> AJ
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# EAST PLANS PANEL

