



## Report of the Chief Planning Officer

### PLANS PANEL EAST

Date: 6<sup>th</sup> September 2012

**Subject: APPLICATION 12/02838/FU – Variation of condition 1 (approved plans) of approval 11/00343/RM (Three detached houses to garden) for MINOR MATERIAL AMENDMENT relating to replacement of triple garage to plot 3 with attached two storey pool/gym and double garage, at Little Acres, Linton Lane, Linton LS22.**

#### APPLICANT

Yorpark

#### DATE VALID

28<sup>rd</sup> June 2012

#### TARGET DATE

23 August 2012

#### Electoral Wards Affected:

Harewood

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 following conditions:

1. Time limit
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.
3. Sample of walling and roofing materials to be submitted.
4. Construction of stonework shall not be commenced until a sample panel of the stonework to be used has been approved in writing by the Local Planning Authority.
5. Areas used by vehicles to be laid out, surfaced and drained.
6. Existing trees on site shall be protected during the construction period.
7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.
8. Hard and soft landscaping works shall be carried out in accordance with the approved details.
9. If, within a period of five years any trees or plants planted in replacement for them is removed, uprooted, destroyed or dies or becomes, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place.

10. Prior to the commencement of any development, a qualified Arboriculturalist should be employed throughout the construction process to ensure the Arboricultural Method Statement is adhered to.
11. The Local Planning Authority Officer or Tree Officer to be notified of the intention to start works so that all relevant tree, vegetation and ground protection measures can be checked on site and if necessary amended.
12. Details of potential contaminants used within the building to be submitted.
13. Planning permission to be obtained before any extensions, garages, or windows (not shown on the approved plans) are erected or installed.
14. Development shall be carried out in accordance with the recommendations made in the Bat Survey Report by Quants Environmental Ltd dated February 2011.
15. Detailed drainage scheme for surface and foul drainage, including sustainable drainage methods for the site shall be submitted to and approved in writing by the local planning authority.
16. Retention of garage for parking.

**Reasons for approval:** This application has been considered in accordance with the requirements of the RSS and UDPR 2006 and policy guidance within the National Planning Policy Framework and it is considered that the proposal will provide a good quality residential scheme. The proposal offers an acceptable level of amenity to future occupiers and will have no detrimental impact on the amenity of other nearby occupiers or to the visual amenity of the Conservation Area. The application is considered to comply with policies GP5, N12, N13, N18, N19, N23, BD5, LD1, as well as guidance contained within Linton Conservation Area Appraisal and Management Plan and with the Linton Village Design Statement and having regard to all other material considerations, as such the application is recommended for approval.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to the Plans Panel at the request of Councillor Rachael Procter who objects to the application on the grounds that the proposed extension represents a significant increase in the scale of the proposed dwelling on Plot 3 from that originally approved under the 2008 Outline Application and the subsequent 2011 Reserve Matters Application.
- 1.2 In October 2010 Government issued new planning procedures under a document entitled Greater Flexibility for Planning Permissions. One of these procedures included the provision to apply for a minor material amendment to modify or change existing approved plans through an application process. Where a minor modification is granted however this will have the effect of granting a new planning permission.
- 1.3 This application relates to a Reserved Matters approval for the construction of three detached dwellings within this garden site 11/00343/RM. This application is seeking to vary Condition 1 of the application, which relates to the proposal being constructed in accordance with the approved plans. The variation proposed is to enable material alterations to be made to the plans. The proposal is to construct a two storey linked extension between the main dwelling and a detached double garage to plot 3. The original permission included a house with a triple garage.

## **2.0 PROPOSAL:**

- 2.1 Permission is sought for the variation of condition 1 of 11/00343/RM approved on the 20<sup>th</sup> June 2011. The condition relates to the proposal being constructed in accordance with the approved plans. The variation of this condition is proposed to enable material changes to the design of dwelling on Plot 3.

2.2 The application proposes to construct a two storey linked extension in between the front elevation of the dwelling and the previously detached garage. To provide additional space for this amendment, the approved triple detached garage will be scaled down to a double garage. The structure will measure 10.5m in length, 7m in depth and 6.2m in height. The extension will accommodate a swimming pool at ground level with a gym and changing room in the roof space.

### **3.0 SITE AND SURROUNDINGS:**

3.1 Little Acres is a large residential plot located within the Linton Conservation Area. The site has a low beech hedge to the road frontage and the land then slopes steeply upwards to the house so that only the top portions of the house are actually visible. The existing access point is shared with the neighbouring property Grey Gables, and the drive forks off and then snakes up the hill, utilising a series of stone retaining walls, in front of which is soft landscaping which hides the driveway effectively. There are a number of mature trees to the side and rear boundaries, as well as a line of trees across the site. Gardens surround the house to all sides. The site has extant planning permission to construct three new dwellings on the site, and to carry out extensions to the existing dwelling.

### **4.0 RELEVANT PLANNING HISTORY:**

4.4 Outline permission for 3 detached houses was originally granted in 1984 (H31/249/83/), this permission was subsequently renewed in 1987, 1990, 1993, 1996, 1999, 2002 and 2005. In 2008 a fresh outline application was submitted for 3 detached dwelling houses on the site and was approved in 2008 (08/02240/OT).

4.5 Reserved Matters application for the access was approved in 2010 (10/01891/RM) and the appearance, landscaping, layout and scale of the dwellings were approved in 2011 (11/00343/RM)

4.6 In 2011 permission was granted to increase the scale of the dwelling on Plot 4 (11/03316/FU), and in 2012 minor material amendment to the proposed garage on Plot1 was approved via a Section 73 application to vary the condition relating to the development being constructed in accordance with the approved plans (12/00199/FU).

4.7 Various demolitions works and extensions to the existing dwelling on the site have been approved under the following applications;

- 11/00340/CA- Conservation Area Application for partial demolition of front entrance, gables and canopy to rear, bay window to side.
- 11/00341/FU- Two storey and single storey extensions to front, side and rear
- 12/01466/FU- Detached double garage to front; conversion of existing detached double garage to habitable room with link extension to main house.

### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 N/A

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

6.1 Site Notice posted 13<sup>th</sup> July 2012 as affecting the character of a Conservation Area. The application was also advertised in the Boston Spa and Wetherby News 02<sup>nd</sup> August 2012 as affecting the character of a Conservation Area. Neighbour Notification Letters were posted on 13<sup>th</sup> June 2012. The publicity expiry date is 23<sup>rd</sup> August 2012. To date, no representations have been received.

6.2 **Ward Members:** *Councillor Rachael Procter objects to the application on the grounds that the alterations proposed represents a significant increase in the scale*

*of the proposed dwelling on Plot 4 from that originally approval under the 2008 Outline Application.*

## **7.0 CONSULTATIONS RESPONSES:**

### **Non-statutory:**

7.1 None

### **Statutory:**

7.2 None

## **8.0 PLANNING POLICIES:**

8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS), the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and Supplementary documents. 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 development. In view of the relatively small scale of this proposal, it is not considered that there are any particular policies which are relevant to the assessment of this application. The Local Development Framework will eventually replace the Leeds UDP (2006) but at the moment this is still undergoing production with the Core Strategy still being at the draft stage.

8.2 The following Leeds UDP policies are relevant to the consideration of the application.

Policy GP5 - refers to development proposals should seek to avoid loss of amenity.

Policy BD6 – refers scale, form and detailing

Policy H4 - refers to housing on other sites not identified in the UDP.

Policy N12 - refers to urban design

Policy N13 - refers to the design of buildings having regard to the character and appearance of their surroundings

Policy N19 – states that all new buildings or extensions in Conservation Area should preserve or enhance the character or appearance of the area.

Policy BD5 – refers to amenity issues.

Policy BD6 – refers to extensions and alterations.

Policy LD1 – refers to landscape provisions

8.3 Supplementary Planning Documents: Neighbourhoods for Living: A guide for residential design in Leeds (Dec 2003)

8.4 Linton Conservation Area Appraisal and Management Plan – Feb 2010. Site is at the edge of the CA and the road here forms an important gateway into Linton. The house itself is identified as a positive building and there should be a presumption in favour of the retention of positive structures.

8.5 Linton & Collingham Village Design Statement May 2010. Identifies that the site is within the Conservation Area but classes the site not as being within the central Linton character area, but in the Linton Lane character area where houses are typically large and stone built, set in large gardens.

8.6 National Guidance

From 27 March 2010 The National Planning Policy Framework (NPPF) took the place of the PPS's and PPG's and is now a material consideration when making planning decisions. The NPPF sets out the range of the Government's planning policies and sets out the requirements for the planning system but only to the extent

that it is relevant, proportionate and necessary to do so. In particular there is an emphasis on decision making at a local level where communities and their accountable Councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of communities through up to date development plans to achieve the economic, environmental and social aspects of sustainable development.

- The economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
  
- The social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;
  
- The environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

## **9.0 MAIN ISSUES**

- Principle of development
- Impact of proposal on the character of the Conservation Area.
- Impact of proposal on residential amenity.
- Landscaping.
- Public representations

## **10.0 APPRAISAL**

### Principle of development

10.1 The principle of constructing 3 dwellings on this garden site was established through the granting of an outline approval in 2008. The appearance, layout, scale and landscaping was approved under a subsequent approval for reserved matters in 2011. The permission has been implemented, and all of three houses are presently under construction. In relation to plot 3, permission was granted for a two storey dwelling with a detached triple garage which provided a total floor area of 526.6m<sup>2</sup>. In comparison, the proposed amended scheme now represents a floor area of 627.1, an increase of approximately 19%. It is considered however, given the size of the plot and the scale of the original dwelling, that this additional development can be satisfactorily accommodated without causing any planning harm. The principle of development is therefore considered to be acceptable.

### Impact of proposal on the character of the Conservation Area.

10.2 This application seeks approval for the construction of a two storey linked extension between the front elevation of the dwelling on Plot 3 and the previously approved detached garage. The extension will accommodate a swimming pool and ground floor level and a gym in the roof-space.

10.3 Plot 3 is located to the south-western corner of the site, which is generally hidden from public view. The design change, in comparison with the original approval, is modest and is acceptable in terms of its scale and appearance. The proposed amendment will follow the contemporary design theme of the main building and will also now feature a linked double garage. The proposed amendment would be

constructed from matching materials. The development represents a sympathetic addition and a suitable planning solution. The amendment will not have an adverse impact on the character of the Conservation Area.

Impact of proposal on residential amenity.

10.4 The dwellings of Muddy Lane namely Keldholme Heights and Tree Tops The Ridge (located beyond the western boundary) are the closest to the subject dwelling. It is considered that the 10m separation distance between the proposed link extension and the western boundary is adequate to ensure that the proposal will not unreasonably overshadow or appear over-dominant the dwellings on Muddy Lane. Furthermore, the trees and shrubs present along the boundary will screen the extension from the dwellings to the west.

10.5 Due to the separation distance that will be maintained between the subject dwelling and the neighbouring properties and the vegetation that is present along the boundary line, it is considered that the windows proposed will not detrimentally affect the privacy of the neighbouring dwellings.

Landscaping

10.6 A landscape scheme was agreed when the original permission was granted. It is considered that the amendment proposed to the approved dwelling will not prevent the agreed landscape scheme being implemented.

Public representations

10.7 Concern raised by Councillor Procter that the application results in a significant increase in the scale of the dwelling is noted. However, the extension is considered to be of a reasonable scale and height and will appear subordinate to the main building.

**11.0 CONCLUSION**

11.1 The application seeks to amend the dwelling on Plot 3 of the approved application 11/00343/RM. The amendment includes the addition of a link extension between the detached garage and the approved dwelling. The extension comprises of a swimming pool and gym in the roof space. The application is considered acceptable in planning terms as the amendments proposed will not have an adverse impact on the character of the Conservation Area, design of the building or on neighbouring residential amenity. Therefore, this application is recommended for approval.

**Background Papers:**

Planning application file: 12/02838/FU

Certificate of Ownership: Signed by Agent Wildblood MacDonald





SOUTH ELEVATION



NORTH ELEVATION

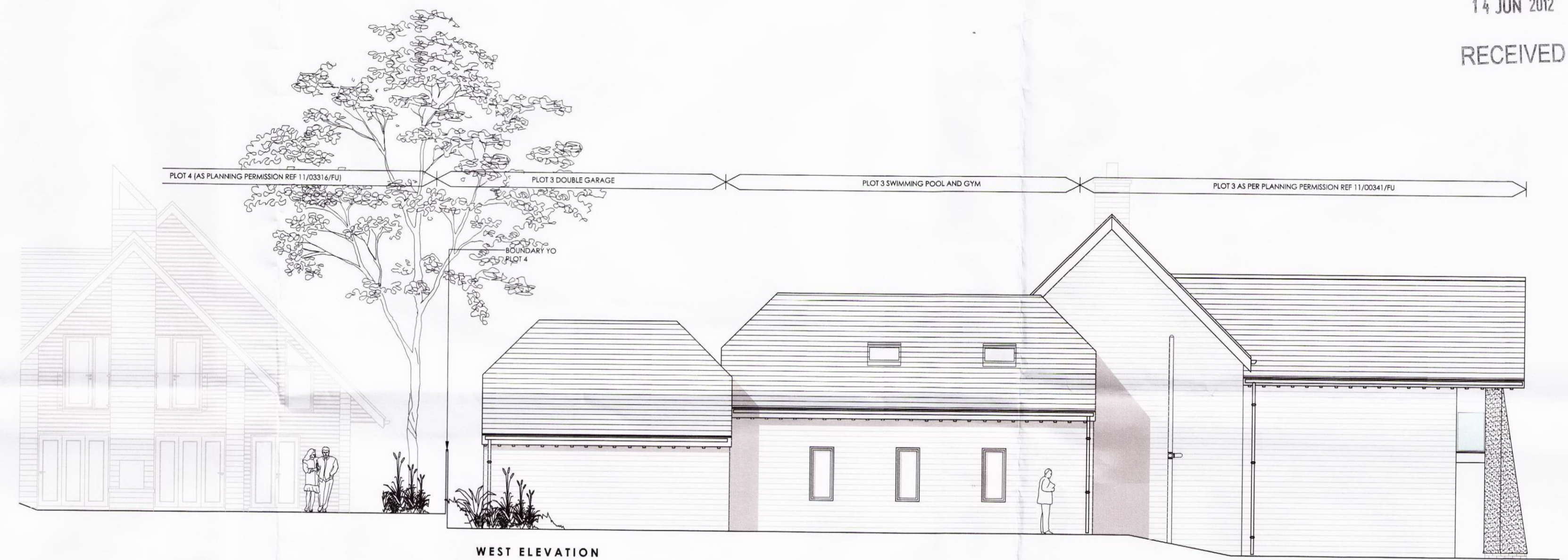
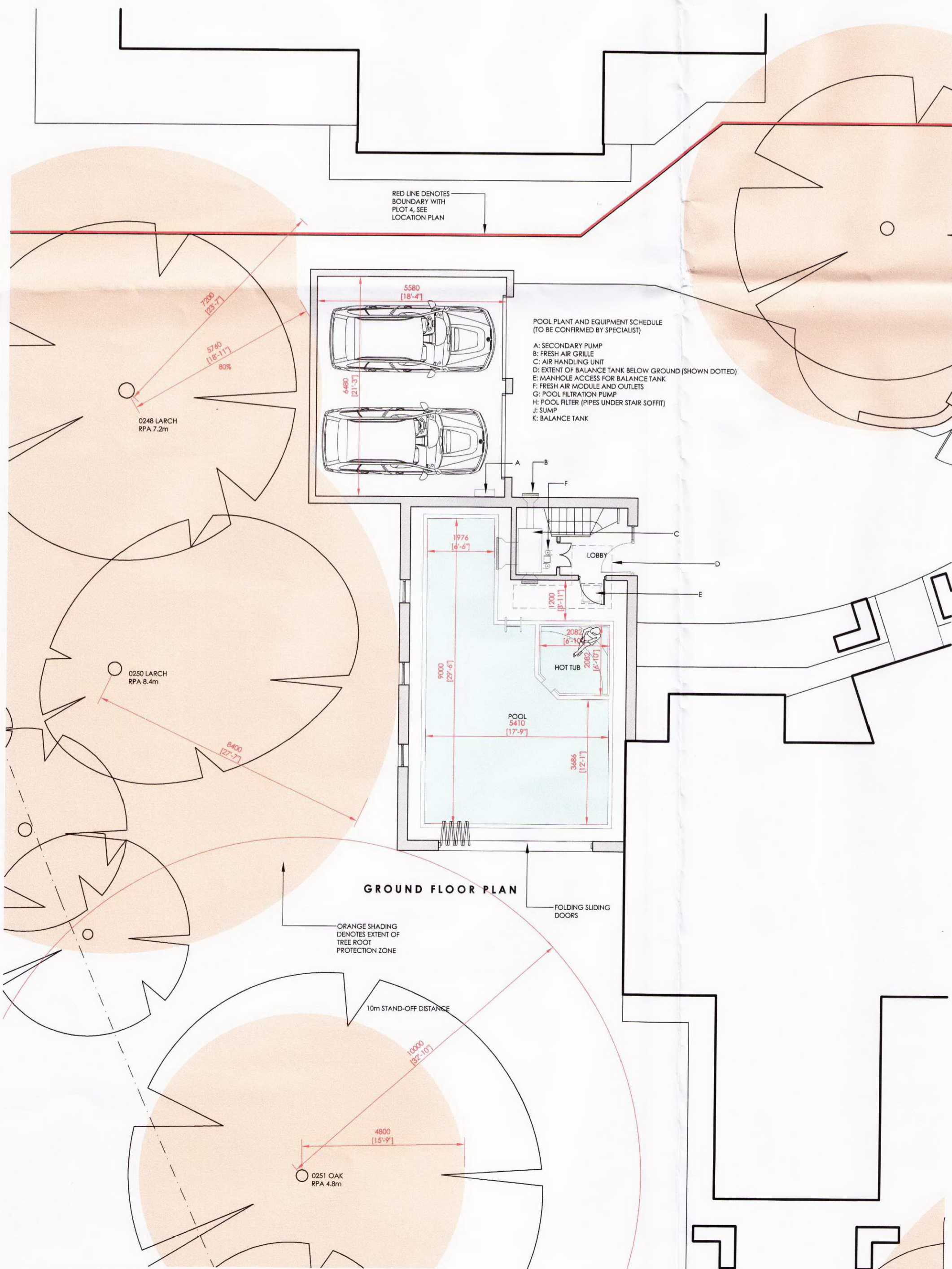


EAST ELEVATION

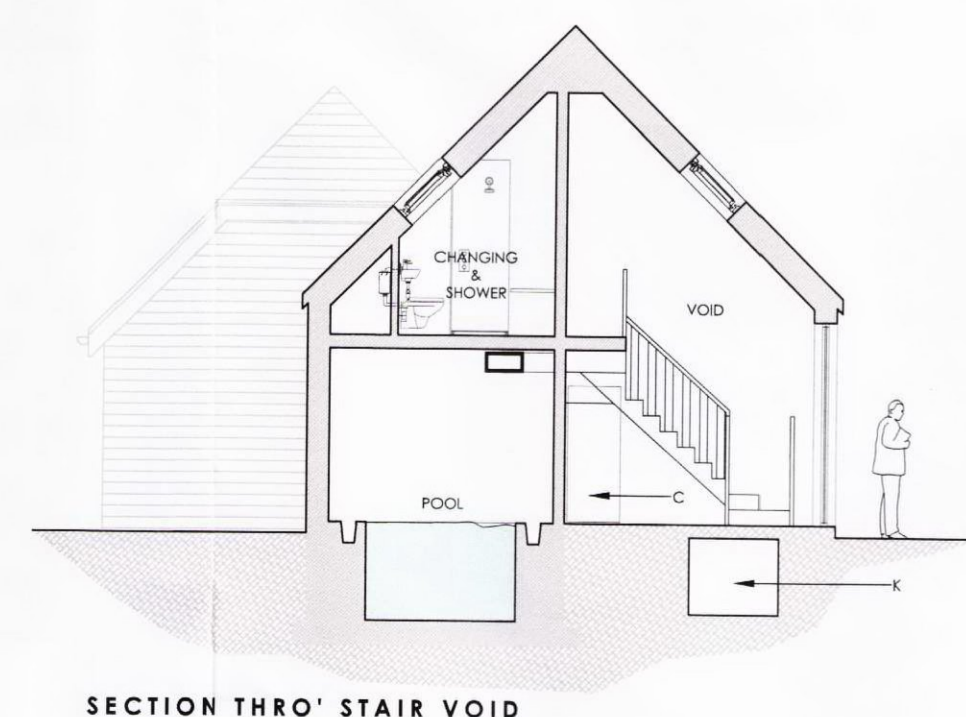
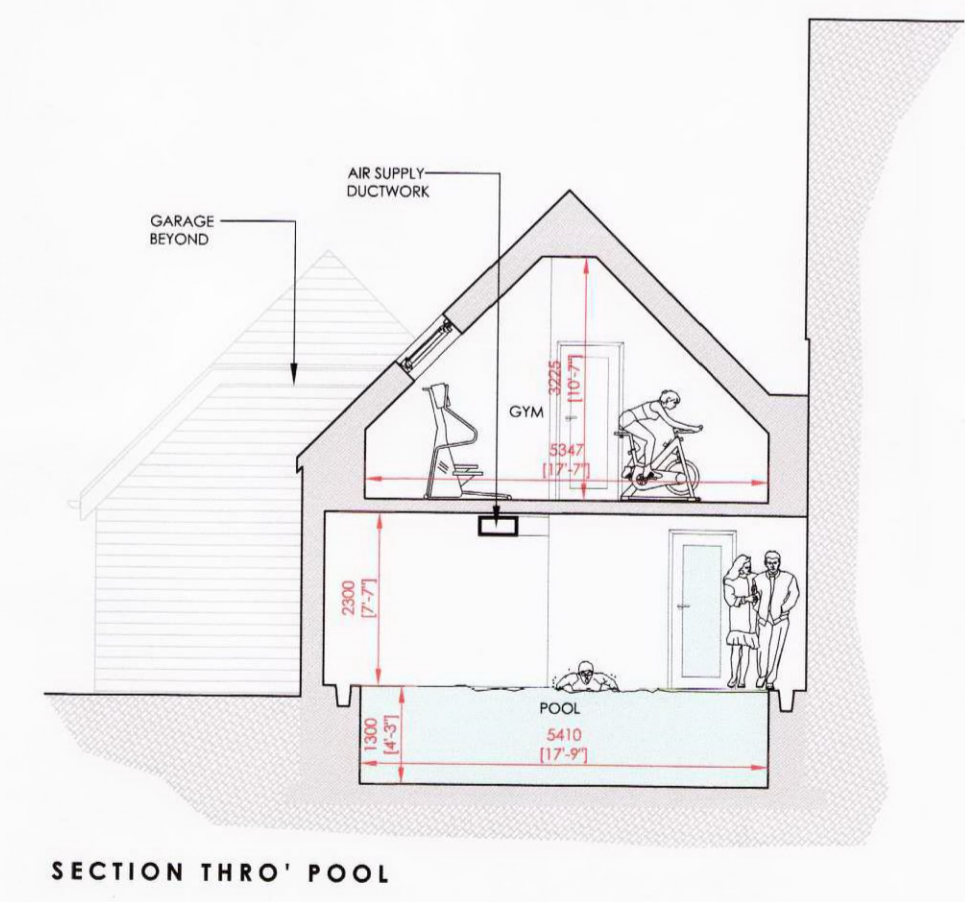
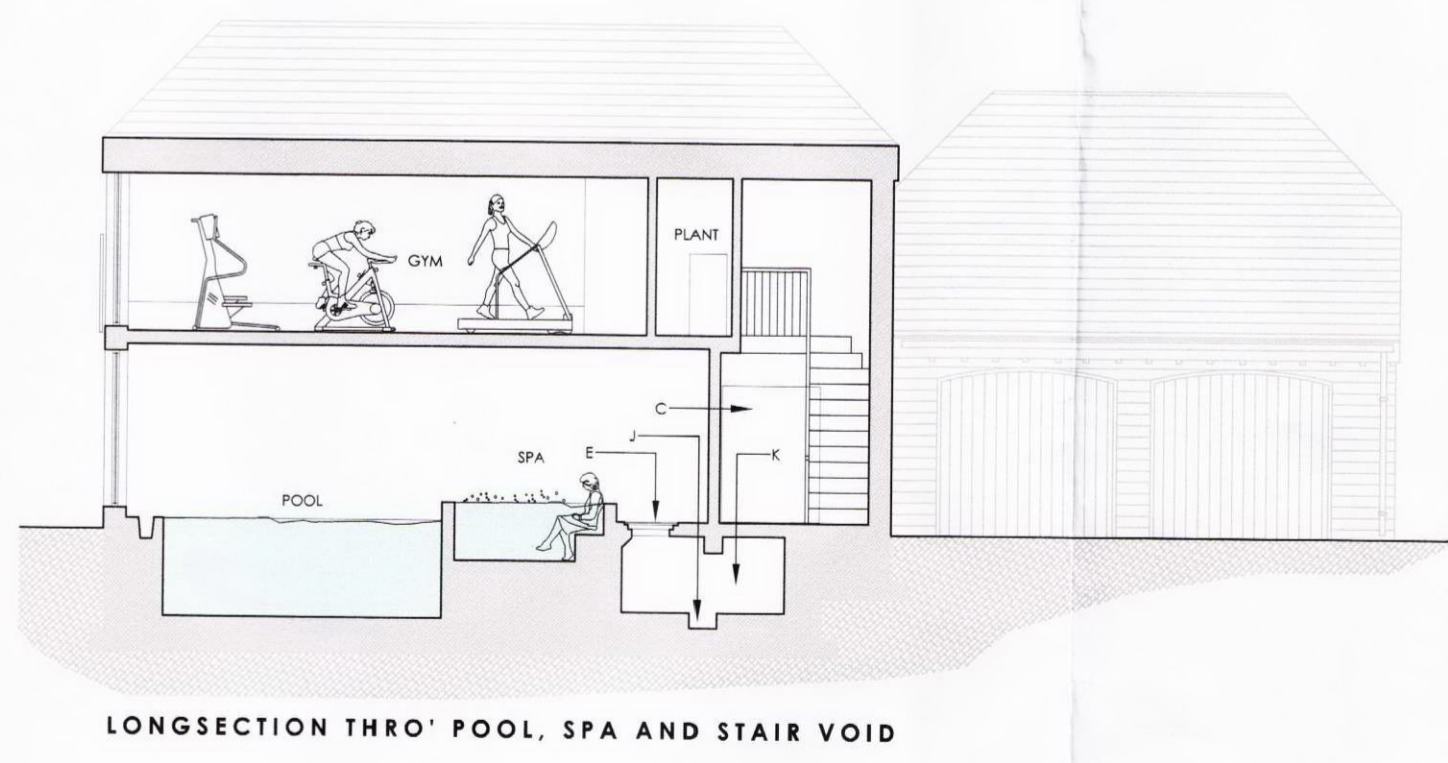
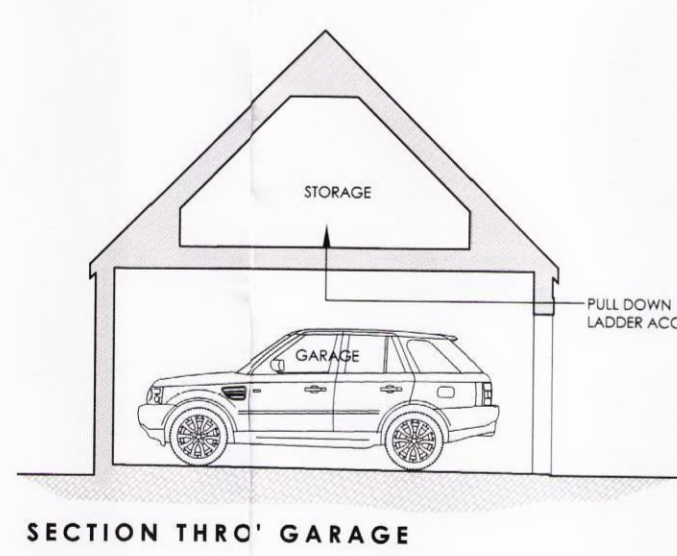
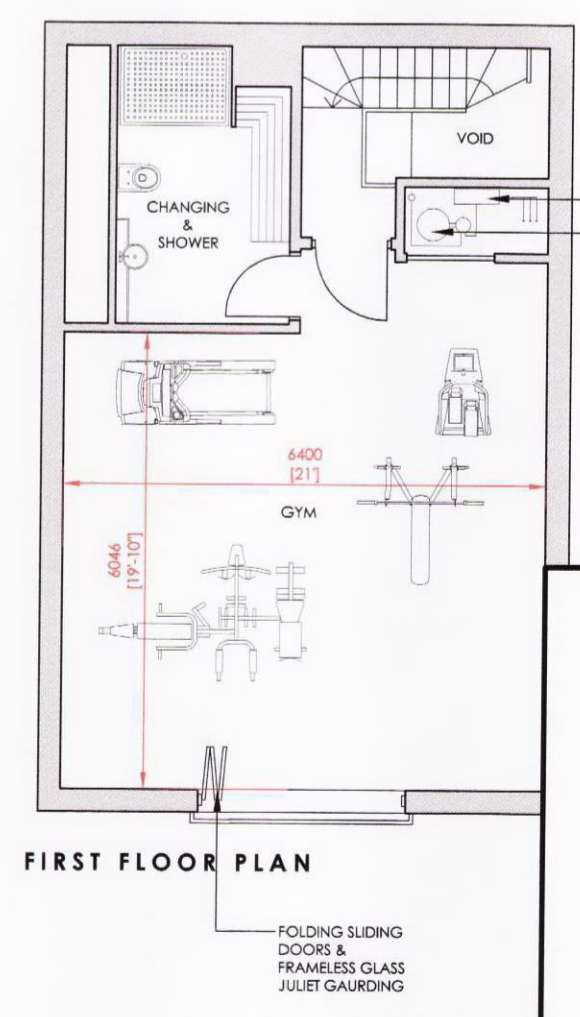
N.M.A.

14 JUN 2012

RECEIVED



WEST ELEVATION



**WILDBLOOD MACDONALD** Chartered Architects

PROPOSED REDEVELOPMENT, LITTLE ACRES, LINTON, LEEDS

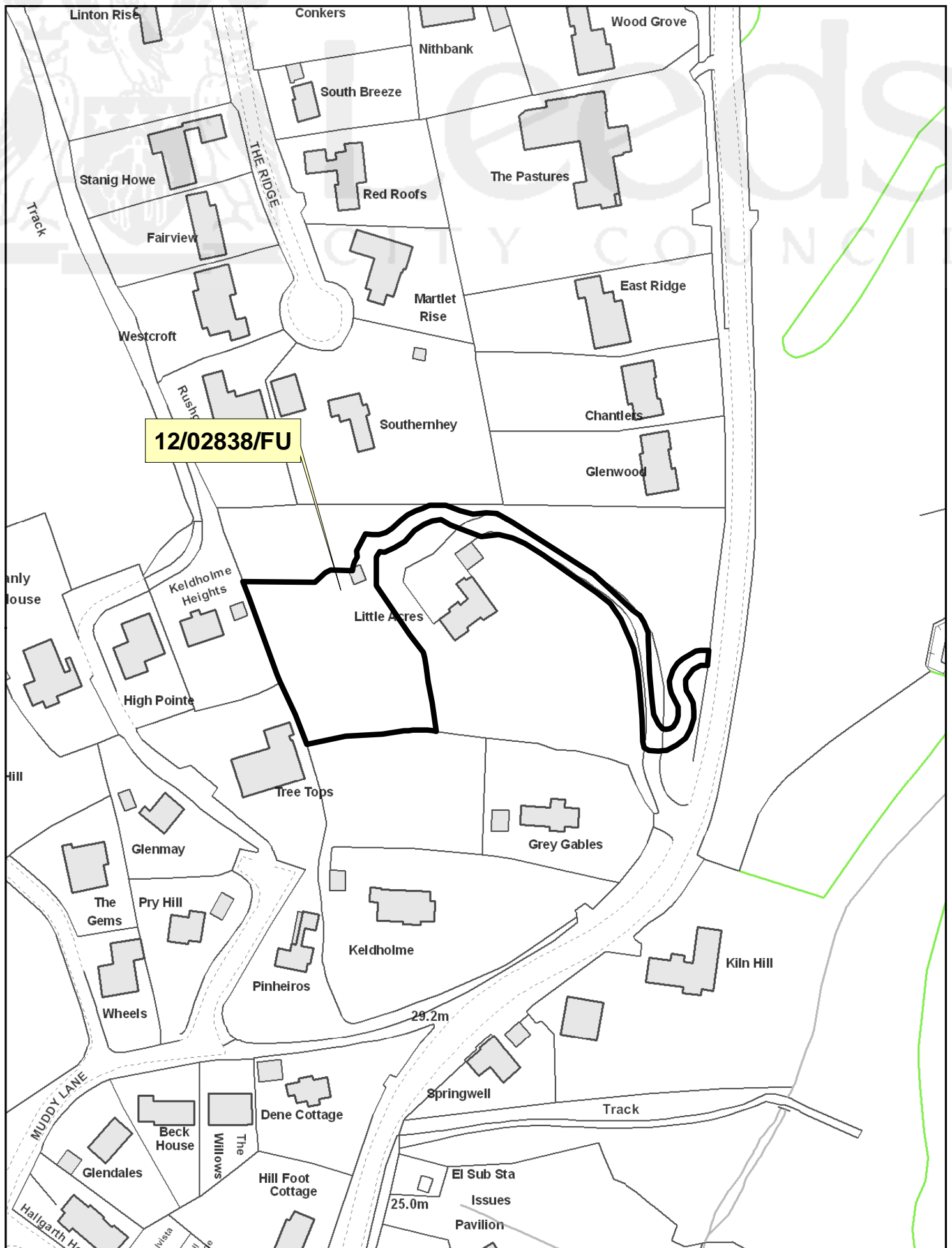
YORPARKS LTD

PLOT 3 SWIMMING POOL

Scale	1:100@A1	Date	MAR 2012	Drawn by	MB
Job no.	2026	Drawing no.	2026(PL) 60	Revision no.	

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# EAST PLANS PANEL

