



PLANNING BY DESIGN

FROM CONCEPT TO COMPLETION

Design and Access Statement

Proposal: Retrospective Application for Alterations to Dwellinghouse

Site: 2 Greystones Close, Aberford, Leeds, LS25 3AR

Local Authority: Leeds City Council

Client: Written and prepared by Planning by Design, on behalf of Celestina Obasuyi

1.0 Introduction and Background

- 1.1 Planning by Design (the agent) has been instructed to act on behalf of Celestina Obasuyi (the applicant) to submit a retrospective planning application to Leeds City Council (the Local Planning Authority) for alterations to existing dwellinghouse. The application also includes the retrospective erection of a garden playhouse for children, and internal reconfigurations to regularise all development within the site. The property in question is at 2 Greystones Close, Aberford, Leeds, LS25 3AR (the site).
- 1.2 The client is in receipt of correspondence from the Enforcement Team and Council Tax Department, which state that an application is required for the sub-division of the property to form 3no. flats. One of the flats is said to comprise the converted garage, WC and utility area on the ground floor, with the remainder of the ground floor used as another independent dwelling. The third flat is said to comprise the upper level. Each area has its own main door, kitchen, bathroom, living and sleeping area.
- 1.3 However, our client has advised that whilst they have undertaken alterations to the property and subsequently rented out rooms to another individual/lodgers on occasion, the property itself has not been segregated internally to form 3no. independent living spaces (please see Proposed – As Built – Floor Plans for reference). As such, our client advises that the dwellinghouse continues to operate as one residential unit under Class C3, with free internal movement between all rooms.
- 1.4 Our client advises that alterations to the property have evolved over the years, in a gradual attempt to provide adequate living space for the growing and changing needs of their family. The upstairs kitchen, for example, is said to have been installed to provide a more independent space for their eldest children and grandchildren, who have since moved out. The alterations to the garage and utility area were installed to provide an efficient living space for an elderly relative who needed to live with them for care, but who also required an area for privacy. Alterations to the ground floor, were made to provide accessible solutions for the disabled spouse of our client. Now living alone, our client occasionally rents out rooms within the property to lodgers to supplement household income.
- 1.5 Upon instruction, the following Design and Access Statement has been produced in support of an application to demonstrate that the dwellinghouse remains as one unit and has not been sub-divided to form 3no. flats. This document sets out to demonstrated accordance with the applicable national and local planning policies and any relevant supplementary design guidance.

2.0 Application Site

- 2.1 The application site is located within the developed boundary of Aberford, which is located approximately 4 miles east of Leeds. It is not a Listed Building and is not

situated within a conservation area. The site does not appear to be designated by the Local Plan for any specific use.

- 2.2 The site forms a detached dwellinghouse with accommodation across two levels, set within a residential cul-de-sac. Numbers 1 and 3 Greystones Close are situated immediately to the west and east of the curtilage, respectively. There is also an adjacent property immediately north of the site, which fronts Main Street.
- 2.3 The dwellinghouse, as approved, benefits from a surrounding curtilage. This comprises a private driveway with off-street parking accessed from the south-east of the site. The approved plans show a ramped access to the entrance on the principal elevation and a modest rear garden, laid with concrete slabs and a raised planting area running along the northern boundary.
- 2.4 Internally, the site (as approved) had 4no. bedrooms (2no. en-suites), a family bathroom, lounge, kitchen, utility room and an integral single car garage. Please see Figure 1 below.



Figure 1 – Existing Floor Plans

3.0 Proposed Development (As Built)

3.1 Alterations to the property which deviate from the approved plans are as follows:

3.2 Ground Floor -

- Master bedroom sub-divided to form 2 bedrooms
- Access to downstairs bathroom relocated from original master bedroom to hallway
- Hallway subdivided to provide additional door leading to hall, segregating new stairwell from it

- Garage converted to form additional bedroom.

3.3 First floor -

- En-suite removed from bedroom 4
- Kitchen formed adjacent to bathroom and within 'as built' bedroom 6

3.4 External -

- Erection of children's playhouse in north-west corner of garden (L2960 x W2860 x H2500)
- Erection of ramp and stairwell to principal elevation
- Erection of garden gates to either side of (and behind) principal elevation (H1.8m)
- Change to size and design of GF window on principal elevation (bedroom 1)
- Removal of 2no. rooflights from principal elevation
- Alterations to external wall finishes on principal elevation to include 2no. additional quoins
- Alteration to size and design of lounge window on principal elevation
- Removal of garage door to form additional window to match new window of bedroom 1
- Change to window design on west elevation
- Removal of kitchen skylight from rear (north elevation)
- Installation of third window on north elevation
- Removal of skylight from GF of east (side) elevation
- Installation of 2no. new windows on GF east elevation
- Formation of additional dropped kerb and tarmacadam driveway access in south-west corner of site



Figure 2 - Proposed (As Built) Elevations

- 3.5 Given the dwellinghouse is not a listed building, internal alterations do not require an application for planning permission. Given the site is not within a conservation area, or taking access from a classified road, this application seeks retrospective permission for the following external alterations only:
- Erection of entrance stairs and ramp at the principal elevation
 - Alterations to the fenestration within the roof space
- 3.6 It is considered that all other alterations do not exceed the limitations of The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 3.6 The external materials and finishes were selected to be in keeping with the existing character of the dwellinghouse and with design progression in mind. These are as follows:
- White uPVC windows
 - Black uPVC rooflights
 - Black uPVC bi-folding doors
 - Black composite front door
 - Slate grey colour roof tiles
 - Off-white smooth render to walls with black painted quoins
 - Grey composite fences and gates
 - White and black uPVC rainwater goods
- 3.7 Services to the site remain as existing and unaltered by the proposals.

4.0 Planning History

- 4.1 A search of the Council's online planning portal detailed the following relevant site history:
- Raise roof height, dormer windows to front and rear; single storey side and rear extension, Ref. No: 14/04023/FU | Status: Application Refused (Ref. No: 102561 | Status: Appeal Allowed on 05 Dec 2014)
 - Alterations including raising roof height and side extension with dormer to rear and 3 dormer windows to front, Ref. No: 13/05807/FU | Status: Application Refused (Ref. No: 102423 | Status: Appeal Allowed on 19 May 2014)
 - Alterations including raising roof height; single storey side/ rear extension, dormer windows to front and rear, Ref. No: 13/04257/FU | Status: Application Refused

5.0 Relevant Policies

- 5.1 The following planning policy and guidance documents are recognised as material considerations for the assessment of this application:

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- Core Strategy (Amendments Adopted 11th September 2019)
- Leeds Unitary Development Plan (saved policies)

5.2 The following section will evaluate the proposals in accordance with the above to demonstrate the proposal is acceptable in principle and should be supported by the Planning Authority.

5.3 **National Planning Policy Framework 2021 (NPPF)**

5.4 Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has overarching objectives which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives:

i) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

ii) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

iii) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.5 The proposal represents sustainable development in line with the NPPF, in that it will provide social benefits to the applicant, in the form of versatility and adaptability of their living space and for the lifetime of the property. From an economic perspective, the proposal supports local contractors who were employed to complete the works. The proposal has had a negligible impact on the environment, given the lack of soft landscaping initially.

- 5.6 Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan, without delay. Where there are no relevant plan policies, or the policies which are most important for determining the application are out of date, the Authority is to grant permission unless:
- i) the application of policies in this Framework that protects areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.7 In accordance with the above, Planning by Design respectfully requests that the Planning Authority takes the opportunity to engage with us to resolve any issues which may arise and that a Decision is thereafter issued timeously.
- 5.8 Section 12 of the NPPF aims to achieve well-designed places. It states that “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”
- 5.9 The proposed development demonstrates compliance with the above, in that the design is contemporary and appropriate for the residential character of the area. The proposed materials and finishes are high quality and collectively amount to the visual enhancement of the site and wider streetscene, whilst encouraging design quality and progression. All materials were locally sourced where possible, for sustainability purposes.
- 5.10 As such, the proposed development accords with the following criteria outlined by Section 12 of the NPPF:
- a) Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
 - b) Visually attractive because of good architecture, layout and appropriate and effective landscaping.

- c) Sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit.
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.
- f) Create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.11 Paragraph 124 highlights that Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it
- b) Local market conditions and viability
- c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use
- d) The desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) The importance of securing well-designed, attractive and healthy places.

5.12 The National Planning Policy Framework states that planning should aim to ensure that developments function effectively and contribute to the overall quality of an area. Development must respond to local character and history, reflect the identity of local surroundings and materials and should be visually attractive as a result of good architecture and landscaping. The proposed alterations to the fenestration within the roof space are minimal in scale having negligible visual impact. The ramp and stairs to the principal elevation are modest and in keeping with the proportions of the dwellinghouse, whilst providing a necessary function for accessibility. The proposed alterations do not erode the character of the dwellinghouse or wider area and are therefore in the spirit of the NPPF.

5.13 **Leeds Local Plan (Amendments Adopted 11th September 2019)**

5.14 Policy P10: Design, states that new development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. New development will be expected to deliver high quality inclusive design that has evolved, where appropriate, through community consultation and thorough analysis and understanding of an area. Developments should respect and enhance existing landscapes, waterscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing.

5.15 Proposals will be supported where they accord with the following key principles:

- (i) The size, scale, design and layout of the development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.
- (ii) The development protects and enhances the district's existing, historic and natural assets, in particular, historic and natural site features and locally important buildings, spaces, skylines and views
- (iii) The development protects the visual, residential and general amenity of the area through high quality design that protects and enhances surrounding routes, useable space, privacy, air quality and satisfactory penetration of sunlight and daylight
- (iv) Car parking, cycle, waste and recycling storage should be designed in a positive manner and be integral to the development
- (v) The development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion,
- (vi) The development is accessible to all users.

5.16 **Leeds Unitary Development Plan – saved policies**

5.17 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. It notes that extensions should protect amenity and this advice is expanded further by policy HDG2.

5.18 Policy HDG2 requires all development proposals to protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing will be strongly resisted. Impacts on residential amenity of neighbours as a result of excessive overdominance will also be strongly resisted.

5.19 Leeds Unitary Development Plan Policy BD6 states that “all alterations and extensions should respect the form and detailing of the original building”. Further information is provided within the Householder Design Guide (HDG) Supplementary Planning Document.

6.0 Assessment

6.1 Principle of Development

6.2 The design aspects of this application which require to be assessed include alterations to rooflights, and the erection of a replacement access ramp and stairs to the principal elevation. Both elements are alterations which are ancillary to the main use of the site as a dwellinghouse. This extends to the erection of the children's garden playhouse. Given the site is existing and located within a developed boundary, the proposal is in accordance with the definition of sustainable development and is therefore broadly acceptable in principle.

6.3 In terms of the use of the site, and contrary to correspondence from the Council, our client advises that the property has not been sub-divided to form 3no. independent units and remains in use as a single dwellinghouse. Whilst individual rooms have been intermittently let to lodgers, there remains to be free-flow of movement between all of the rooms internally. This can be seen on the 'Proposed As Built Floor Plans' submitted in support of the application.

6.4 Where the Council has concerns that the internal layout may amount to the informal sub-division of the site, or potential use as an HMO, we would welcome a condition appended to this permission which addresses the former and/or removes permitted development rights under Class L of the GPDO (2015), preventing any change of use to a small HMO without first obtaining planning permission.

6.5 Given there has been no change of use at the proposed site, and the retrospective alterations are minor in nature, we respectfully request that the Planning Authority consider the principle of development favourably, in accordance with local and national policy.

6.6 Character and Amenity

6.7 The proposed alterations are minor in scale and do not have a material impact upon the appearance of the site or wider streetscene. The proposed access ramp and stairs to the principal elevation is appropriate in design, colour palette, mass, and siting, and does not dominate the character of the principal elevation. The proposal therefore accords with Policy P10

6.8 The proposed fenestration alterations will not have a significant impact on the privacy or amenity of the property to the east, as there are already rooflights across this elevation. Notwithstanding, the proposal involves the removal of 2no. rooflights from the north-east and eastern elevations, which will reduce any perceived overlooking impacts in these directions. Furthermore, the site is on lower terrain than the adjacent property to the east and the plots are screened and segregated by 1.8m high fences and the neighbouring garage, respectively. As such, the impacts on neighbouring amenity due to overlooking are deemed negligible and the proposal does not conflict with Policy P10. Where there may be concerns with the installation of other windows

at first floor level, obscured glazing would be a reasonable solution. This can be secured by condition of the permission and would therefore negate any significant concerns regarding impacts on privacy of neighboring land. This would comply with Policies H6 and P10.

- 6.5 The proposed playhouse is to the rear of the property and therefore is not visually prominent from the roadside. In terms of its design, it is appropriate in scale in that it does not dominate the site. Similarly, it will not result in overshadowing or overbearing neighboring land by virtue of its appropriate height and the existing site boundaries, which is compliant with Policy P10. The structure complies with the advice on the HDG insofar that it is sited at the side or rear of the property; it relates sympathetically to their context in terms of materials, style and proportions; it does not have a significantly negative impact on neighbouring gardens or windows; its minor size allows sufficient remaining private garden space at the property; and finally, as determined above, it can reasonably be considered to be ancillary to the main dwelling.
- 6.6 The amenity of the existing and future occupants of the site is protected, in that the proposals meet the internal space standards set out in Policy H9 of the Core Strategy. The rooms are of sufficient size and the internal layout is shown to be suitable and adequate. The site demonstrates ease of access for all, with private off-street parking and an access ramp for those with disabilities. The internal living accommodation allows for adequate daylight, outlook and juxtaposition of living rooms and bedrooms. Externally, there is adequate space for refuse storage. The proposal is therefore in accordance with Policy P10, H6 and H9 of the Core Strategy.

7.0 Conclusion

- 7.1 Overall, the proposed development complies with the NPPF and the relevant policies of the Local Plan. The proposed development is appropriate for the site in that its layout, siting and design will not give rise to any significant impacts on the amenity or privacy of neighbouring land. Given its nature, it will not have a significant impact on the character or visual appearance of the site or streetscene. Any potential concerns in this regard can be addressed by condition of the permission. The site has not been sub-divided to form 3no. independent units, therefore the use of the site remains as Class C3 (dwellinghouse) and therefore unchanged. As such, the proposal does not conflict with the relevant Local Plan policies and there are no known material considerations which suggest that the application should not be supported. For these reasons, we request that the Planning Authority consider the proposal favourably, with a view to granting Full Planning Permission, subject to any relevant conditions.
- 7.2 Should the Planning Authority have any questions in relation to this proposal or require additional supporting information, please do not hesitate to contact Planning by Design to discuss.