

TP/6027/01(24May23)App-letter

Planning Services
Leeds City Council
Merrion House
110 Merrion Centre
Leeds
LS2 8BB



24 May 2023

Dear Sir or Madam,

PROPOSED DEMOLITION OF EXISTING GROUND FLOOR EXTENSION AND ERECTION OF A REPLACEMENT GROUND FLOOR EXTENSION AT GLEN HOUSE, HAREWOOD ROAD, LS17 9HG

I am instructed by our client, Mr D. Varley, to prepare and submit a planning application for a ground floor extension at Glen House, Haredwood Road, LS17 9HG (PP-12179149). The planning application is accompanied by:

- The application fee of £206 has been paid through the Planning Portal;
- Planning Application Form;
- Site Location Plan (Dwg No. 248548);
- Block Plan (Dwg No. 5127 B);
- Existing Floor Plans and Elevations (Dwg No. 5127 B);
- Existing and Proposed Site Sections (Dwg No. 5127 B); and,
- Proposed Floor Plans and Elevations (Dwg No. 5127 B).

The Site

Glen House is located to the north of Harewood Road, west of Collingham, with the total land ownership measuring c.1.1Ha. The house is positioned to the rear of the dwelling plot and the site area for the domestic garden and house measure c. 0.30 Ha. A paddock associated with the house is located to the rear and side of the dwelling. The house fronts Harewood Road and comprises two gables and a separate detached garage, however, the property is not visible from Harewood Road.

The house is washed over by the Leeds Green Belt, two other residential dwellings are visible from the site, and an older residential dwelling is located to the west of Glen House, accessed from Harewood Road. A newer dwelling that was converted from a stable block and barn is situated to the southeast and uses the same access from Harewood Road as Glen House.

The host property was originally constructed in 1953 and has a formal front elevation set on a plinth, in landscaped surroundings. The house is constructed from stone with a slate roof. The house features glazing with stone heads and cills.

The front elevation of the house which forms part of the original house provides the south elevation. A stone porch with a pitched roof has been added to the elevation, providing a covered entrance into the house. Windows to the south are small in scale.

On the eastern side of the dwelling, a wide rear gable extends northwards. The rear gable comprises a pitched roof, the ridge of which sits below the main house ridge.

Glazing on the east elevation is small in scale replicating the windows to the south elevation. The north elevation features larger picture windows alongside several smaller more traditional-scale windows, all of which feature stone heads and cills.

An orangery is located on the western side of the north elevation, infilling the area to the rear of the main gable. The orangery comprises a 600mm high stone base with aluminium glazing to the elevations with doors on the northern elevation leading out to the patio area. The roof comprises a flat roof perimeter with an aluminium Edwardian central-pitched roof lantern. One of the dwelling's original external chimneys rises above the ridge of the roof lantern.

The west elevation shows the gable of the original house with a bay window. The rear extension replicates the rural vernacular character with smaller windows to the first floor and larger areas of glazing to the ground. The ground-floor windows feature stone cills and heads, the first-floor windows also feature stone cills.

Planning History

The relevant planning history of this application for public access is summarised below:

- 07/02859/FU: Change of use and alterations to outbuildings and part of stable to 3-bedroom dwelling house with balcony to rear - Approved 26.06.2007
- 07/9/00136/MOD: Change of use and extension of barn and part of stable to two-bedroom dwelling house - 1st floor balcony with slate sides, roofs added, change to window positions, large room reopened up, fitted with window, glazed roof amended, living area combined on ground floor, main bedroom moved to first floor - Non-Material Amendment Approved 24.04.2007
- 10/01361/FU: Two storey rear extension - Approved 12.05.2010
- 11/00175/FU: Two storey rear extension - Approved 18.03.2011
- 18/05345/CLE: Certificate of Existing Lawful Development for a conservatory to side - Refused 16.01.2019
- 19/02355/FU: Retrospective application for alterations to approved rear extension roof profile and fenestration, orangery to rear; porch to front - Approved 17.06.2019
- 22/06897/CLE: Certificate of Existing Lawful Development for a garage to side –Granted 05.12.2022

- 22/06890/CLE: Certificate of Existing Lawful Development for change of use of part of a paddock to domestic garden –Granted 05.12.2022

Pre-Application Advice

The pre-application advice was received by email dated 08.02.2023, it is summarised as follows:

The proposal is policy compliant in design and character terms and would not cause harm to residential amenities. However, the proposal would represent inappropriate development in the Green Belt which is harmful by definition and must be given significant weight. No very special circumstances have been put forward that could outweigh this harm at present. As such the Council would be unlikely to support an application submitted on this basis.

Proposed Development

As part of the planning application, the proposed extension has been carefully designed considering different, but relevant approaches to determining these types of applications; allowing for the proposed development to be considered and discussed.

The proposed description of development is as follows:

Demolition of existing conservatory and erection of replacement single-storey extension.

The Development Plan and National Planning Policy

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) requires decisions on planning applications to be made in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

Leeds City Council's Development Plan currently comprises:

- Leeds Core Strategy (latest revision adopted September 2019);
- Leeds Site Allocations Plan (SAP) (adopted July 2019);
- Saved Policies of the Leeds Unitary Development Plan (UDP) (latest revision adopted 2006);

Local Development Framework - Core Strategy

- *Policy P10 (Design) –Seeks to ensure that new development is well designed and respect its context.*
- *Policy T2 (Accessibility Requirments and New Development) –Seeks to ensure new development does not harm highway safety.*
- *Spatial Policy 1 (Location of Development)- Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.*

- *Spatial Policy 6 (The Housing Requirement and Allocation of Housing Land) - Sets out the housing requirement and allocation of housing land.*
- *Spatial Policy 7 (Distribution of Housing Land and Allocations) - Sets out the distribution of housing land and allocations.*

Saved UDPR Policies

- *Policy GP5 - Seeks to ensure that development proposals resolve detailed planning considerations, including amenity*
- *Policy BD6 - All alterations and extensions should respect the scale, form, detailing and materials of the original building.*
- *Policy N24 - Seeks to ensure that development assimilates into the landscape.*
- *Policy N25 - Refers to boundaries around sites.*
- *Policy N32 - The proposals map shows designated green belt areas.*
- *Policy N33 - Seeks to restrict inappropriate development in the Green Belt.*

Supplementary Planning Guidance/Documents

Household Design Guide:

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:

- The roof form and roofline;*
- Window details;*
- Architectural features;*
- Boundary treatments and;*
- Materials.*

Extensions or alterations which harm the character and appearance of the main dwelling and the locality will be resisted.

HDG2 –All development proposals should protect the amenity of neighbours. Proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

HDG3 - All extensions, additions and alterations to dwellings within the Green Belt should represent limited development and should not harm the character, appearance and openness of the Green Belt. In order to be considered as limited development all existing and proposed extensions should not exceed a thirty percent increase over and above the original house volume. Development proposals

which exceed thirty percent or which harm the character, appearance or openness of the Green Belt are considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and will be resisted unless very special circumstances can be demonstrated.

In respect of national planning policy, this is contained in the July 2021 version of the National Planning Policy Framework (NPPF).

Paragraph 147 states:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 states that:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm result from the proposal is clearly outweighed by other considerations.’”

Paragraph 149 is most relevant and notes that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this include *inter alia*:

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Crucially, the NPPF does not contain a definition or figure as to what constitutes a disproportionate extension, and this is therefore down to the decision maker’s professional judgement. If the extension or alteration of a building is disproportionate, then very special circumstances must exist to be compliant with Green Belt policy.

Planning Analysis

As the dwelling is located within the Green Belt, the starting point is to determine if the application proposals would result in disproportionate additions over and above the size of the ‘original dwelling’. The ‘original dwelling’ means a house as originally built or as existing in 1947, whichever is the later.

Saved Policy N33 of the Leeds City Council Unitary Development Plan (UDP) also sets out exceptions for development in the Green Belt including ‘limited extension’ to existing dwellings. Therefore, there is some synergy between this policy and the Framework albeit more weight should be attached to the more recent wording of the Framework. The NPPF also does not contain a definition or figure as to what constitutes a disproportionate addition. Policy HDG3 of the Householder Design Guide (2012) provides a figure of 30%. It is further advised in the accompanying policy text that this figure is not definitive.

Accompanying the pre-application submission are two appeal decisions, which both consider the issue of disproportionate extensions and set out clearly at what point (by way of a percentage increase) an extension may be classed as disproportionate. However, it is important to note that both Inspectors

clearly agree that there is no need to assess the effect of development on the openness of the Green Belt, as previous case law has determined that where development is found to be ‘not inappropriate’ it should not be regarded as harmful to the openness or purposes of the Green Belt.

In the first appeal decision dated 12 April 2019 (Seale), the Inspector at paragraph 11 noted:

“ ... Whilst the cumulative additions would be sizeable, amounting to an undisputed increase of some 72% in the size of the original dwelling, there is nothing before me that leads me to conclude that, overall, this would be disproportionate.”

In the second appeal decision dated 11 March 2020 (Hoveringham) the Inspector at paragraphs 7 and 8 noted:

“ The Council has stated that the proposed single-story extension, when taken cumulatively with previous additions, would increase the floor space of the original dwelling by 59% and the footprint by 58%..... Whilst based on these purely statistical measurements the proposed and existing extensions would lead to a sizeable increase in the footprint and floorspace of the original dwelling, it is important to consider this issue in terms of the scale, bulk, massing and built form that would result from the changes sought. ...The extension itself would be very modest in terms of its volume and even when combined with the volume of the existing extension, it would represent an increase of less than 50% of the original building. Given the modest scale and position of the development in relation to the dwelling, and its clear separation from the previous, larger T-shaped addition to the rear, the extension would not significantly alter the scale or shape of the original building. Thus, the effect of the development on the host dwelling would be limited and even when taken cumulatively with the previous extension would not, in visual terms, result in a disproportionate addition over and above the size of the original building.”

From the above (and attached), it is clear that extensions up to a figure of 72% of the size of the ‘original dwelling’ can in certain instances be considered to be of an appropriate scale, not disproportionate and therefore compliant with Green Belt Policy.

Therefore, in summarising the above decisions, the numerical approach clearly needs to be considered against other planning considerations, therefore, as size is a three-dimensional concept it is clearly necessary as part of planning judgement to consider the scale, bulk, massing and built form that would result from the changes sought in accordance with the Hoveringham appeal decision (APP/B3030/D/19/3241277). This approach is further referenced in the following recent appeal decision¹ in Harrogate where the Inspector found that “*when considering what constitutes a disproportionate addition it is also necessary to consider the scale, bulk, massing and built form that would result from the changes sought.*”

It is important to note that the original property at the application site has similarly been subject to a number of extensions previously with the benefit of planning permission. This cumulative development has already increased the size of the original dwelling. Referring to the above appeal decision, while

¹ APP/E2734/D/21/3273631

some aspects of the proposals differ it is clear that the majority of the built form in the application site is already in situ.

The ground floor area (GFA) of the existing dwelling is approximately 183.5m² as it stands, the proposed increase to the GFA is 206 m² which represents a 12% increase in ground floor area. The proposed volume increase above the existing dwelling (1,057 m³) represents a 5% increase:

As part of the 2011 application² that was approved for a two-storey extension at the application site, the Council allowed an increase of 56% volume and subsequently allowed a further increase above the original dwelling to 59% volume in 2019.

Considering the above, it is considered the bulk, scale and massing of the proposed extension could be considered as wholly proportionate to that of the original dwelling, given the majority of the additional built form is already in situ, with only a 5% increase in volume proposed. The proposed extension would also be well-screened from public view and would not extend beyond areas of existing hardstanding.

The Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

It is considered that the proposed modest replacement extension, which will not extend beyond an area of existing hardstanding and will not harm or impact upon the purposes of the Green Belt should be not considered to be disproportionate when considering the above. The impact of the development on openness will not be any greater than the existing one in accordance with NPPF Paragraph 149(c). There is therefore no requirement to demonstrate 'very special circumstances' as it has been shown that the impact of the proposed development on the spatial and visual aspects of openness is minimal.

Summary

We trust that all of the above is helpful and self-explanatory. We look forward to discussing these proposals further in due course. If you have any queries then please contact Tom Procter at the number listed on page one.

Yours sincerely,



PEACOCK AND SMITH LTD

² 11/00175/FU