



**Leeds**  
CITY COUNCIL

Originator: U Dadhiwala

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**Report of the Chief Planning Officer**

***PLANS PANEL NORTH & EAST***

**Date: 31<sup>th</sup> October 2013**

**Subject: 13/02206/FU- Detached two storey annexe accommodation with attached garage and car port to side of Applegarth, Orchard Drive, Linton, LS22 4HP.**

**APPLICANT**  
K Geddes

**DATE VALID**  
14 May 2013

**TARGET DATE**  
09 July 2013

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**Electoral Wards Affected:**

Harewood

Yes Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

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**RECOMMENDATION:**

**GRANT PERMISSION subject to the following conditions:**

1. Development permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.
3. The external walling and roofing materials shall match those of the existing dwelling
4. The proposed rear facing bathroom and kitchen window shall be glazed with obscure glass and maintained thereafter as such.
5. Planning permission shall be obtained before any further windows are inserted in the rear elevation of the proposed annexe.
6. The building shall be occupied as an extension to the existing dwelling only, and shall not form a separate dwelling unit.

7. The garage shall not be altered or otherwise converted in such a way as to prevent its use as a parking space.

## **1.0 INTRODUCTION:**

- 1.0 The application has been brought to Plans Panel at the request of Cllr Rachael Procter, given the level of local concerns and as the previous 2010 planning application (ref: 10/04232/FU) was determined at Plans Panel.

## **2.0 PROPOSAL:**

- 2.1 In 2010 permission was granted for a detached garage with a two storey annexe. The development has commenced and it has transpired that the first floor element of the building is 220mm larger in depth and 100mm wider than the approved 2010 scheme. This has also led to the width and depth of the basement increasing. The sitting of the garage has also changed and is now set approximately 0.5m further in to the site. The height of the structure remains unchanged.
- 2.2 The layout of the proposal is dictated by the level difference on site and from the north the garage is single storey measuring 3.4m in width, 6.2m in length and 4.2m in height. The annexe attached at the rear of the garage is 5.6m in width. The structure measures a total of 9m in length and 6.2 in length. The annexe is split on two levels. Windows face to the south and east, some of which are obscure glazed.

## **2.0 SITE AND SURROUNDINGS:**

- 3.1 The application site consists of a detached dwelling set in good sized grounds with a detached garage / shed in the northern corner. There is a significant level change within the site with the ground falling from north to south. This results in the proposed garage (under construction) being single storey on the northern side but when viewed from the south the it is set considerably lower, almost two storeys in height. Boundary treatment around the site consists of fencing and hedging though due to the level difference the neighbouring properties can still be viewed from certain sections of the site. The properties on Orchard Drive are widely spaced and varied in design.
- 3.2 The site abuts but is not within the Linton Conservation Area.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 13/01325/FU - Variation of condition 5 of application 10/04232/FU (withdrawn)
- 4.2 10/04232/FU - Detached two storey annexe accommodation with attached garage and car port to side. (Approved by Plans Panel)
- 4.3 09/05442/FU - Detached double garage and two storey annexe accommodation to side with first floor veranda with 1.050m - 1.8m timber screen to side and rear (withdrawn).

4.4 13/00413/NCP2- On 1<sup>st</sup> May 2013 enforcement case was opened for the structure approved under the 2010 application not complaining with the approved plans. The enforcement case is still pending consideration.

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 None

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

6.1 Neighbour Notification Letters were posted 04.06.2013

6.2 Collingham & Linton Parish Council- comments that the structure should be constructed in accordance with the approved plans.

6.3 Ten letters of objection have been received from neighbouring residents. The main concerns include:

- Could lead to a separate dwelling
- Windows on south elevation overlook
- The proposed render and pantiles are unacceptable.
- The building appears over-dominant and will overshadow neighbouring dwellings.
- Design not in keeping with the Conservation Area
- Impact on drainage

## **7.0 CONSULTATIONS RESPONSES:**

7.1 None

## **8.0 PLANNING POLICIES:**

8.1 The development plan includes the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Waste Development Plan Document.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. 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. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.3 As the Council has resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached

may be limited by outstanding representations which have been made which will be considered at the CURRENT examination.

Local – Leeds Unitary Development Plan (UDP, Review 2006) Policies:

8.4 The following UDP Policies are relevant;

- **GP5:** Gives advice in relation to new development stating that all new development should not have a detrimental impact on amenity.
- **BD6:** Gives advice in relation to extensions to residential properties which states that extensions should respect the scale, form, detailing and materials of the original building.

Collingham with Linton Village Design Statement (approved as a material planning consideration April 2010)

8.5 This document provides information regarding the historical development of the village, analyses its character areas and sets out the aspirations for future development. The site is located in an area identified at the 'Linton Village Heart'. There is no text within the document that is directly relevant to this site or proposal. However, with regard to new building the design guidance section sets out that extensions including garages should not dominate the original building and should be set back from the original frontage.

Householder Design Guide SPD:

8.6 Leeds City Council Householder Design Guide was adopted on 1<sup>st</sup> April and carries significant weight. 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;

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.

## National Planning Policy Framework

- 8.7 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

### **9.0 MAIN ISSUES**

1. Townscape / Design and Character.
2. Privacy
3. Overshadowing / Dominance
4. Highway Safety
5. Representations

### **10.0 APPRAISAL**

#### Townscape / Design and Character

- 10.1 This application relates to a 2010 permission which was granted for a detached garage with a two storey annexe. The development has commenced and it has transpired that the first floor element building is 220mm larger in depth and 100mm wider and the building sits approximately 0.5m further away from the rear boundary. The height of the structure remains the same as that approved. As the 2010 permission is still extant, it represents a fall-back position that has to be given significant weight as a material consideration.
- 10.2 It is considered that the proposed increase in the scale of the garage/annexe is modest and does not result in the appearance of the structure significantly changing from that approved under the 2010 permission. Therefore, it is not considered that visual impact of the proposal will be any greater than would be the case if the scheme under the 2010 permission was implemented.
- 10.3 The applicant had initially proposed to render parts of the structure and use pantiles for the roof. However, revised drawings have been submitted that shows the proposal being constructed entirely of stone and slate used for the roofing. The materials are acceptable and will match the main dwelling.

#### Privacy

- 10.4 The annexe contains three windows in the rear elevation facing South. As the site is on a slope the building is higher than the neighbouring properties and gardens that adjoin the site. In order to minimise potential overlooking the first floor window is obscure glazed and will be conditioned to be top opening. A further roof light is also set high enough to have no impact on privacy. At ground floor the bathroom window is obscure glazed. The remaining side bedroom window is set in the corner of the room and is not considered to be in a position that affords a generous amount of views. It is over 14m away from the boundary, nearly double the 7.5m distance usually

required to alleviate overlooking. As it is positioned on the lower ground floor it is not anticipated to be detrimental on neighbouring amenity in this case.

#### Overshadowing / Dominance

- 10.5 Due to the orientation of the site, location of the applicant's property and the scale of the development, there will be no detrimental overshadowing. The building is set behind the neighbouring garage and this significantly reduces its impact on the closest site to the west. To the rear a distance of over 13m is left to the boundary and this distance is considered adequate despite the building being a full two storey structure when viewed from the rear.
- 10.6 Moreover, when compared to the 2010 extent scheme, the structure is only slightly larger and is set a 0.5m further in to the site. Therefore, it is not considered impact of the proposal by way of overshadowing and dominance will be greater than would be the case if the scheme under the 2010 permission was implemented.

#### Highway Safety

- 10.7 The application is for annexe accommodation described as a 'granny flat' on the submitted drawing. As the proposal is to be used as an extension to the existing dwelling by a member of the household/ family that occupies the main dwelling, it is not considered that the extension will generate additional vehicles to and from the site and a minimum of two parking spaces will be retained within the site. The scheme will retain the existing access point and the structure is positioned in a similar position to a garage that previously existed on the site. Therefore, it is considered that the access to the site and the position of the proposal raises no highway safety concerns. A condition will be imposed which ensures the annexe be occupied as an extension to the existing dwelling.
- 10.8 Furthermore, weight has also been given to the fact that the scheme is similar to the extant 2010 application where no highway objection was raised. Therefore, it is considered that the proposal cannot be refused on highways safety grounds.

#### Representations

- 10.9 The comments made by the Parish Council that the proposal should have been built in accordance with the approved plans, is noted. However, the proposed structure is considered to be acceptable in planning terms.
- 10.10 Nine letters have been received from neighbouring residents, the main concerns relating to size and amenity issues have been addressed in the report above.
- 10.11 Members of the public have raised concerns relating to proposal potentially forming a separate unit. This issue can be addressed by imposing a condition which restricts the use to an annexe.

10.12 Issues regarding drainage are matters that can be addressed via the Buildings Control application.

10.13 The concern raised with regards to the proposal to render part of the building and the use of pantiles, is no longer an issue. Revised plans have been submitted that shows the building will be constructed entirely of stone and the roof will be constructed of slate.

## **11.0 CONCLUSION**

11.1 Consideration has been given to all material planning considerations and it is considered that the annexe and garage is in scale with the application property, is of an appropriate design and no harm to residential amenity results. It is recommended that planning permission be granted.

## **12.0 Background Papers:**

Planning application file: 13/02206/FU

Certificate of Ownership: Signed by Agent on behalf of the applicant Mr K. Geddes



PROJECT TITLE		
<b>PROPOSED ANNEX ACCOMMODATION MR &amp; MRS K GEDDES APPLEGARTH, ORCHARD DRIVE, LINTON. LS22 4HP</b>		
DRAWING TITLE		<b>1:200 SITE PLAN</b>
SCALE: 1:200 @ A3	DRAWN: CAROL PETTIFAR	DRAWING NO:
OWNER :	DATE : 09/05/13	<b>G1313</b>

**CAROL PETTIFAR DESIGN**

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# NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

