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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 9<sup>th</sup> August 2018**

**Subject: 18/03697/FU – Garden room to rear of 53 Burnham Road, Garforth, Leeds, LS25 1LA**

**APPLICANT**

Ms L Peyton

**DATE VALID**

11<sup>th</sup> June 2018

**TARGET DATE**

20th August 2018

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**Electoral Wards Affected:**

**CROSSGATES AND WHINMOOR**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

1. Time limit on full permission;
2. To be built in accordance with the submitted plans;
3. Materials to match;
4. Boundary treatment between application site and 51 to remain.

**1.0 INTRODUCTION**

1.1 This application seeks planning permission for the construction of a single storey garden room to rear. The application has been brought to Plans Panel as the applicant is an employee of Leeds City Council who works closely with the Development Management service.

1.2 As will be outlined below it is considered that the proposal accords with the relevant policies and guidance and thus is recommended for approval.

**2.0 PROPOSAL:**

- 2.1 As noted above the application seeks permission to construct a single storey garden room to the rear of 53 Burnham Road, Garforth.
- 2.2 The outbuilding would measure 4.2m x 3m and 2.9m in height with a flat roof. It would be of a brick construction with a flat GRP (Glass Reinforced Plastic) roof and set 5.3m from the rear boundary, 0.2m from the eastern side boundary, and 7.2m from the western side boundary. Bi-folding doors are proposed within the western side elevation.
- 2.3 Full dimensions and details are shown on revised plans (Drawing No.400-02(A)) received on July 2018.

### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application relates to a brick built semi-detached bungalow with a tiled pitched roof and forward projecting gable feature located within a residential estate comprising of a relatively uniform arrangement of similarly designed semi-detached bungalows of the same era. There are modest gardens to the front and rear. The front garden is bound by a low wall and vegetation, with a hardstanding driveway to the side leading to a detached garage at the rear. The rear boundary is bound by a 2m high mature hedge. The neighbouring dwelling (no.51) has a conservatory extension at the rear, and is separated at the side by an approx. 1.8m high arched timber fence, and mature hedges/trees. The adjoining semi (no. 55) has a flat roofed rear extension, and is separated at the side by an approx. 1.8m high stepped fence, and 2m high hedge, and trees in the neighbouring garden. The rear garden of the neighbouring property (no.29 Wharfedale Crescent) to the south-west abuts the side boundary of the application site.

### **4.0 RELEVANT PLANNING HISTORY**

- 4.1 None

### **5.0 HISTORY OF NEGOTIATIONS**

- 5.1 As originally submitted the plans included a single storey rear extension which was noted to be built under permitted development. As planning permission is not sought for this additional development it has been omitted from the current plans for the garden room.

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

- 6.1 The application was advertised by neighbour notification letter on 25<sup>th</sup> June 2018. No letters of representation have been received regarding this application.

### **7.0 CONSULTATIONS RESPONSES:**

- 7.1 None

### **8.0 PLANNING POLICIES**

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013), The Aire Valley Area Action Plan and any made Neighbourhood Development Plan.

#### Local Planning Policy

8.2 The following Core Strategy policy is relevant to the proposal:

P10 Seeks to ensure that new development is well designed and respect its context.

The following saved UDPR policies are also relevant:

GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD6: Seeks to ensure that development proposals respect the scale, form and detail of the original building.

BD5: Seeks to ensure new development protects amenity.

8.3 The following SPD's/SPG's are also relevant:

Householder Design Guide – policies HDG1 and HDG2. The following guidance is also set out at page 36 under the heading 'Outbuildings':

Outbuildings will normally be acceptable where:

- they are sited at the side or rear of a property;
- they are sympathetically related to their context in terms of materials, style and proportions;
- they will not have a significantly negative impact on neighbouring gardens or windows;
- they allow sufficient private garden space at the property;
- they can reasonably be considered to be ancillary to the main dwelling.

#### National Planning Policy

8.4 The National Planning Policy Framework (2018) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.5 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned

above are consistent with the wider aims of the NPPF. Draft revisions to the NPPF are currently being consulted upon; at the present time these carry little weight.

- 8.6 The Planning Practice Guidance (PPG) provides comment on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary, relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. The Neighbourhood Planning Act 2017 requires that all pre-commencement conditions are agreed in advance with applicants.

## 9.0 MAIN ISSUES

- 1) Design and Character
- 2) Neighbour Amenity
- 3) Representations

## 10.0 APPRAISAL

### Design and Character

- 10.1 The National Planning Policy Framework states that “good design is a key aspect of sustainable development” and authorities are encouraged to refuse “development of poor design”, and that 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”. Policy P10 of the Core Strategy seeks to ensure that new development is of high quality and is appropriate to its context and this is also reflected in saved UDP policies GP5 and BD6 and policy HDG1 of the Householder Design.
- 10.2 The single storey outbuilding is considered to be of a modest scale, design and height that is appropriate and remains subordinate to the original dwelling and respects its overall appearance. The outbuilding is located to the rear of the property and will largely be hidden from wider public view by the applicant’s existing detached garage of a similar footprint and height and surrounding vegetation in neighbouring gardens which provides a degree of visual screening. As such it will not have a significant visual impact on the street scene or character of the area.
- 10.3 It will be constructed in materials (brickwork) to match the existing dwelling with a flat roof, and located to the rear of the dwelling behind an existing detached garage of a similar footprint and height means it will not be visible from public vantage points. Therefore, the character of the immediate street scene will not be harmed. As such it is considered that development is in keeping with the character of the dwelling and the wider area and will not cause harm to the visual amenity of the area. For these reasons it is considered that the proposal complies with policy P10 of the Core Strategy, Policies GP5, BD6 and BD5 of the UDP Review (2006) and HDG1 of the Householder Design Guide.

### Residential Amenity

- 10.4 Policies GP5 and BD5 (UDPR) note that extensions should protect amenity and this advice is expanded further in policy HDG2 which notes that “...all development proposals should protect the amenity of neighbours. Proposals which harm the

existing residential amenity of neighbours through excessive overdominance, overshadowing or overlooking will be strongly resisted”.

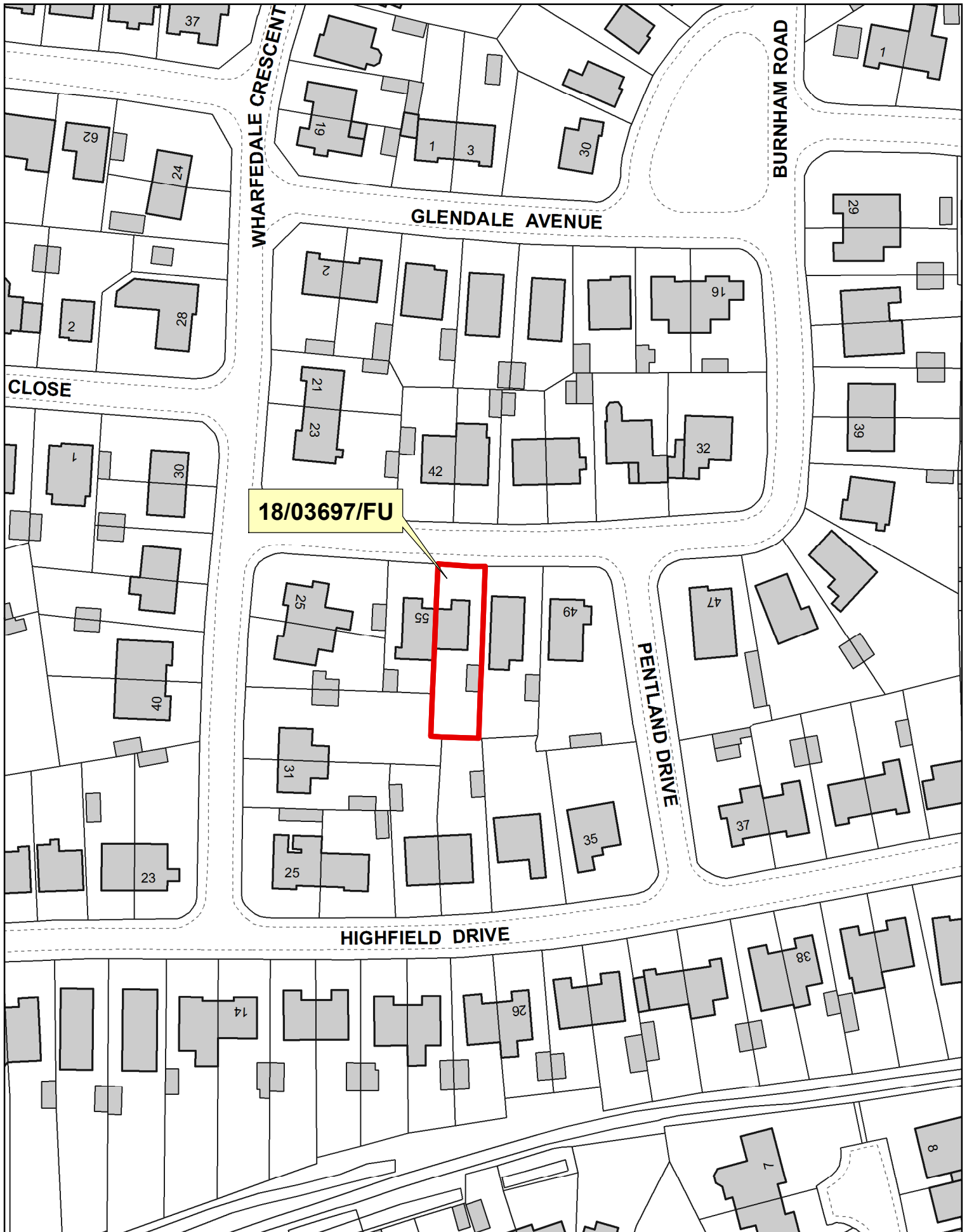
- 10.5 The outbuilding has bi-folding doors that open out into the applicant’s garden, facing towards the existing 1.8m high fence and mature hedge (conditioned to be retained) between the application site and no. 51 Burnham Road, and vegetation in neighbouring sites (29 Wharfdale Crescent). Furthermore the bi-folding doors will be located 7.2m from the common boundary with no. 51 Burnham Road. As such, given the distances and existing boundary treatment in place, no overlooking would arise from the bi-folding doors.
- 10.6 Due to the orientation of the site, location of the applicant’s property and the scale and siting of the development, there will be no significantly detrimental overshadowing or over dominance of adjacent dwellings or their garden areas.
- 10.7 The outbuilding would be located at the rear of the property behind the applicant’s existing detached garage which incidentally is of a similar footprint and height. It would be single storey in nature of a modest scale and height and set well away from the rear and side boundaries of the site, and whilst it would be close to the common boundary with no.55 Burnham Road the neighbouring property stands some distance away, therefore it will only affect the furthest part of neighbouring rear gardens which have limited amenity value, and the existing boundary treatment and the applicant’s existing garage would mitigate most of its impact, as such the proposal is acceptable.
- 10.8 As such the application is acceptable in this regard it is considered that the proposal complies with policies that seek to protect residential amenity, GP5, BD5 and HDG2.

## **11.0 CONCLUSION**

- 11.1 The extension is considered to be an in keeping addition that will not harm the character of the dwelling nor the wider area, and will not have an unreasonably harmful impact upon near neighbours. As such it is considered that the proposal complies with policy P10 of the Core Strategy, Policies GP5, BD6 and BD5 of the UDP Review (2006) and HDG1 and HDG2 of the Householder Design Guide (and the specific guidance on outbuildings contained in that document) thus is recommended for approval.

### **Background Papers:**

Application files 18/03697/FU  
Certificate of ownership: Certificate A signed by the agent



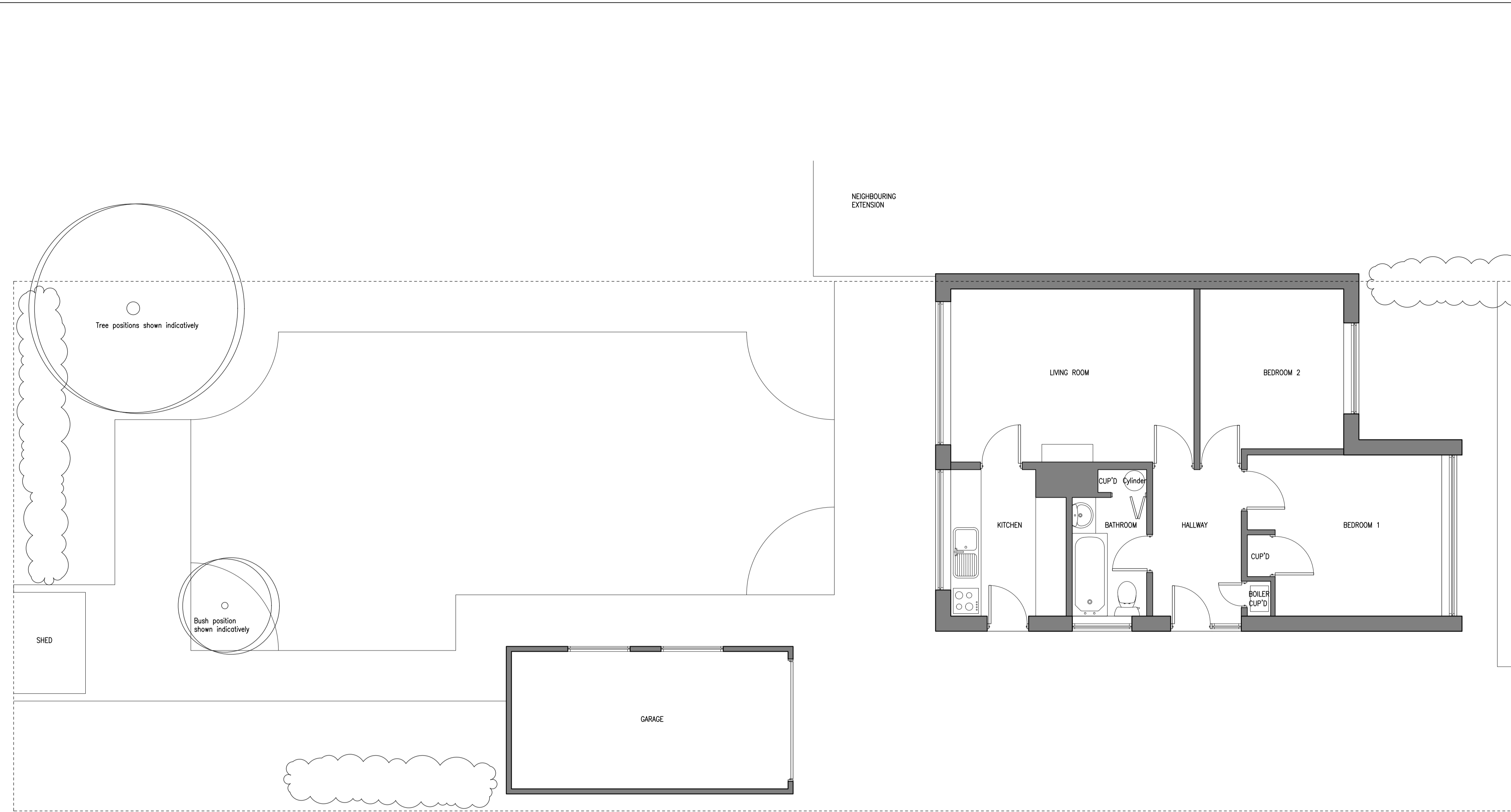
# NORTH AND EAST PLANS PANEL

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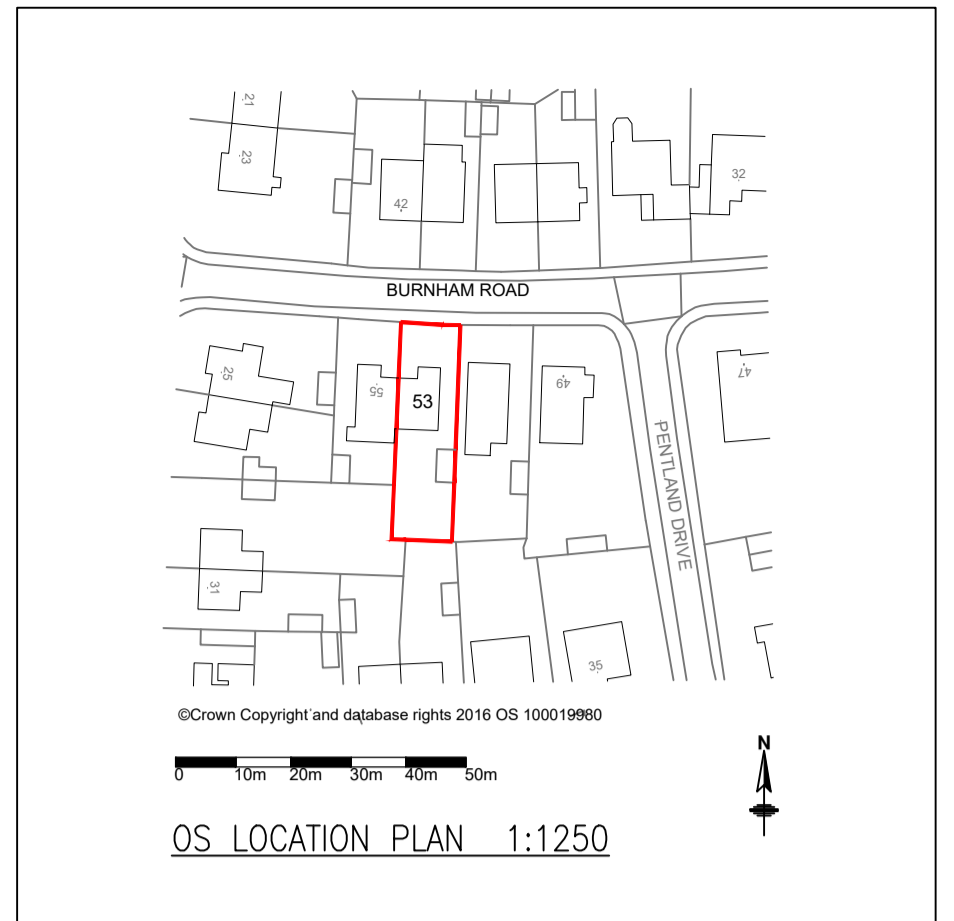
PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1000





EXISTING GROUND FLOOR PLAN 1:50



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**NOTES**

PLEASE DO NOT SCALE FROM THIS DRAWING

MAIN CONTRACTOR TO CHECK ALL MEASUREMENTS ON SITE PRIOR TO CONSTRUCTION.

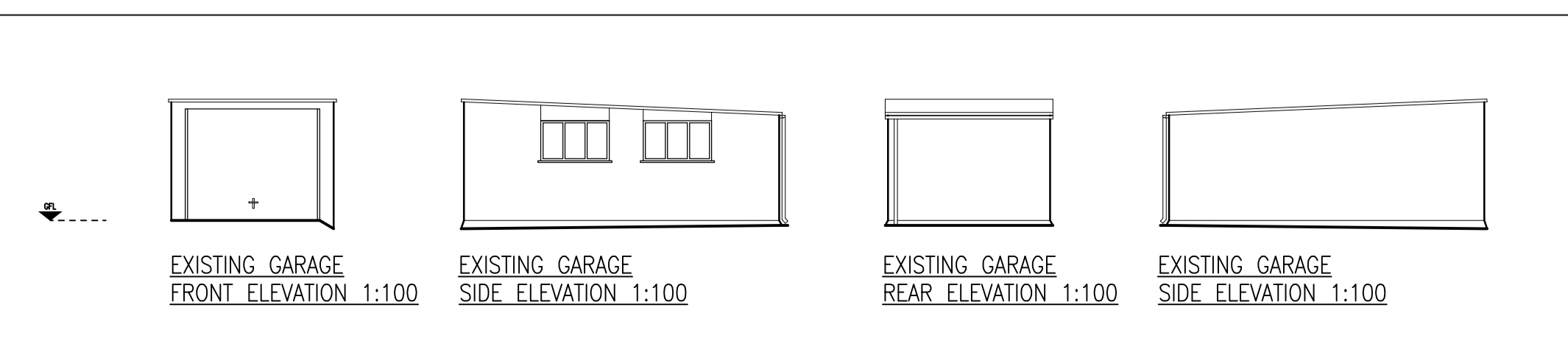
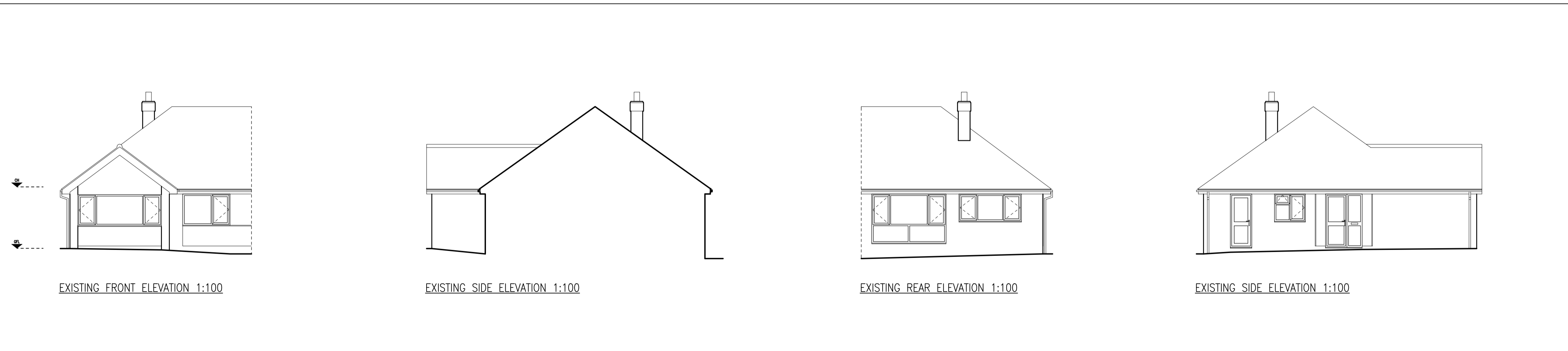
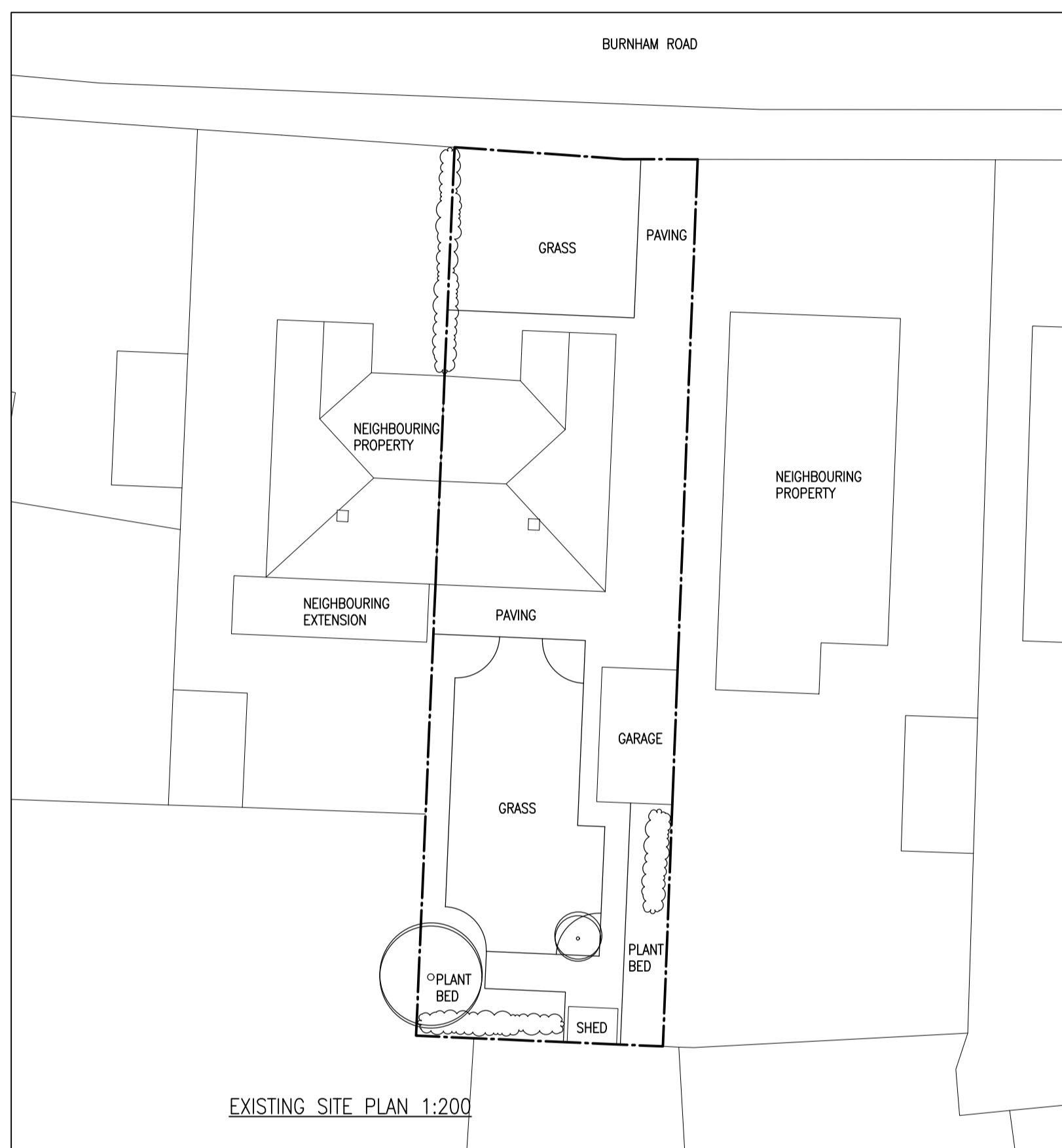
THE SITE PLAN IS BASED ON THE INFORMATION PROVIDED VIA THE ORDNANCE SURVEY PLAN AND SUBJECT TO A DETAILED SITE SURVEY.

THE LAYOUT OF THE GARDEN IS AN INDICATION ONLY. ALL MEASUREMENTS (POSITIONS OF WALLS, PATHS, MANHOLES) MUST BE CHECKED ON SITE AND NOT TAKEN FROM THIS DRAWING.

STRUCTURAL ENGINEER TO PROVIDE ALL STRUCTURAL DETAIL DESIGN AND CALCULATIONS, WHERE REQUIRED.

MAIN CONTRACTOR TO ENSURE ALL MECHANICAL AND ELECTRICAL SPECIFICATIONS ARE IN LINE WITH APPROVED DOCUMENTS PARTS B, L, F & P AND INSTALLED BY COMPETENT PERSONS.

ALL NEW LIGHTING TO USE ENERGY EFFICIENT BULBS (WITH APPROPRIATE IP RATINGS FOR BATHROOMS & EXTERNAL USE).



**FOR PLANNING**

REVISIONS

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**PROJECT**  
53 BURNHAM ROAD, LEEDS

**DRAWING TITLE**  
EXISTING PLANS AND ELEVATIONS

**DRAWING NO** 400 - 001      **SCALE** VARIES@A1  
**REV -**      **DATE** 25-05-18

**DRAWN BY**  
E. OSBORNE

Studio J Architects  
Duke Studios  
3 Sheaf Street  
Leeds  
LS10 1HD  
Tel: 0113 2449905  
www.studio-j.co.uk

**Studio J**  
Architects