



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 11th July 2013

Subject: 13/00432/FU – Detached single storey building to rear to form ancillary accommodation/home office at 14 Morritt Avenue, Leeds, LS15 7EP

APPLICANT
Mr J Coupar

DATE VALID
5 February 2013

TARGET DATE
2 April 2013

Electoral Wards Affected:

Temple Newsam

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. Commencement of development.
2. Compliance with submitted plans.
3. The residential occupation shall be restricted to members of the family who occupy the main dwelling.
4. The home office shall only be used by those who occupy the main dwelling, family members and/or one other person employed by that business and by no more than 5 persons at any one time.
5. No building materials, plant or equipment shall be stored on the site.
6. The building shall be laid and used as living room/home office, kitchenette, shower/wc and bedroom/store as shown on plan No. WO JCo01.02a.
7. The office use shall be for a period of 24 months from the date of the permission.
8. Details of external materials to be submitted for approval.
9. Details of existing ground levels and finished floor levels to be submitted and approved.
10. Office use in dwelling to cease upon the first office use of the building hereby permitted.

1.0 INTRODUCTION

- 1.1 This application is brought to Panel as the applicant is Mr J Coupar the husband of Councilor Debra Coupar.

2.0 PROPOSAL

- 2.1 The applicant seeks permission to create erect a single storey detached building to the rear of the dwelling. The applicant has explained that it is initially intended that the building will be a home office to be used in connection with the applicant's building company. This office currently occupies the dining room of the main house that will return to domestic use. In later years it is intended that the building will provide living accommodation for an elderly relative. The applicant has explained that the office use will then either move back into the dwelling or to commercial premises depending on the needs of the business and the economic circumstances at that time.
- 2.2 Three people currently employed by the business live in the house. One other family member and one other person work in the business attend the house during office hours. The applicant has set out that no company operatives attend the house nor are building materials or equipment stored or delivered to the house. The office is used purely for the administration of the business.
- 2.3 The building is of a traditional design constructed from a smooth red brick and concrete tile roof. The building is shown to have a footprint of 5.6m by 8.4m. When the building measured from the front is shown to have an overall height of 4.5m (from ground level to ridge).
- 2.2 The building is proposed to be sited 3m beyond the rear elevation of the house at the end of the existing drive that runs to the side of the house. It will be sited adjacent to the common boundary with no.12 Morritt Avenue (and adjacent to their detached garage) and is shown to be set 0.5m away from that boundary. It will replace the existing single storey detached garage.
- 2.3 Access to the building is provided by a door to the front elevation. This elevation also has a single window that will serve the living room/home office. The side elevation that faces into to garden has two windows and the rear elevation includes a window that serves the bedroom/store.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site comprises a large semi-detached Edwardian house with mature gardens to front and rear. The large rear garden is enclosed by a mixture of mature planting and boundary fencing. The level of the rear garden drops down from that of the house.
- 3.2 Morritt Avenue consists of a residential cul-de-sac similar properties. Many of which have detached outbuildings sets to the rear and side of the house

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Enforcement investigation concerning the office use of part of the existing property. This investigation is pending the outcome of the consideration of this planning application.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Discussions have taken place with the applicant's agent concerning any conditions that would be imposed if planning permission were granted. It is the applicant's

contention that use is low key and that planning permission is not required for the office use.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by neighbour notification letter.

6.2 Seven letters of objection from residents of Morritt Avenue have been received. These may be summarized as follows:

- The existing business causes inconvenience to other residents by parking associated with that use.
- Noise and disturbance generated by the use.
- Over recent months there has been an increase in commercial traffic associated with the use.
- The use is harmful to the quiet residential character of the street.
- Children play on the street and their safety is compromised by a commercial use.
- The proposal will lead to an intensification of the commercial use.

7.0 CONSULTATIONS RESPONSES:

7.1 None.

8.0 PLANNING POLICIES:

Local Planning Policies

8.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006) (UDP).

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 future examination.

8.4 UDP Policies:

GP5: Refers to proposals resolving detailed planning considerations (access, landscaping, design etc.), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

BD6: All alterations and extensions should respect the scale, form, detailing and

materials of the original building.

- 8.5 Leeds City Council Householder Design Guide was adopted on 1st 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, over dominance or overlooking will be strongly resisted.

National Planning Policy Framework

- 8.6 The National Planning Policy Framework (NPPF) states that “good design is indivisible from good planning” and authorities are encouraged to refuse “development of poor design”, and that which “fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted”. The NPPF states that significant weight should be placed on the need to support economic growth through the planning system.

9.0 MAIN ISSUES

- Impact on character
- Impact on residential amenity
- Economic benefits

10.0 APPRAISAL

Impact on character

- 10.1 This manifests itself in two ways. First, in terms of the design of building and its impact upon the spatial characteristics of the area. Secondly, through the proposed uses of the building.
- 10.2 The building has a traditional form and is shown to be built from materials that match those of the main house. The building is of a scale that is subservient to the main dwelling. It is sited to the rear of the house within a large garden. It replaces an existing but smaller outbuilding. This form of development (detached outbuilding) is common to this and many other residential streets. For these reasons the proposal

raises no significant concerns in respect of its design and impact upon the character of the locality. As such it complies with the advice of the Householder Design Guide and is considered to be an in-keeping addition.

- 10.3 It is not uncommon for outbuildings to be used as residential annexes. As such this use will not appear out of place within this residential area. The level of accommodation is relatively modest and its occupation by a family member means that it will retain its character as a family house. It is proposed that this position will be safeguarded by the attachment of planning conditions to any planning permission granted.
- 10.4 Turning to the issue of the use and its impact on the character of the area it is clear from the representations received that some local residents have concerns about the impact that a commercial use has on the character of the area. Some of these representations point to harm that is caused by the existing level of commercial activity. However, the applicant contests the accuracy of some of the statements made. In this case the size of the proposed office is modest and with the use of conditions it is anticipated that such a use can operate without detriment to the residential character of the locality. The suggested conditions control the nature of the use and tie its use to the occupation of the house. However, as a safeguard it is proposed that a temporary planning permission (24 months) for the use as home office is granted to enable the impact of the use to be monitored and assessed.

Impact on residential amenity

- 10.5 The proposal is also considered acceptable in respect of overshadowing and dominance. The proposed building is set to the north of the most affected neighbour and thus direct overshadowing is significantly unlikely. The building is also sited adjacent to the garage of No.12 although it will project beyond the rear of that garage. This will serve to mitigate the impact of the garage when viewed from no.12. With regard to overlooking the windows either look out onto the driveway or the applicant's garden. The boundaries to the garden have a mixture of planting and fencing and this should help prevent any significant loss of privacy for neighbouring residents.
- 10.6 Clearly a commercial use has the potential to impact upon on the amenities of other residents by virtue of activity generated by that use. As set out previously the size of the proposed office is relatively modest and the proposal is to use the space for administrative purposes only. That use being, in the main, carried out by occupants of the house. As described at paragraph 10.4 it is proposed to add conditions to the planning permission and these should safeguard the amenities of local residents. A temporary planning permission for the use will allow the effectiveness and the acceptability of the use to be re-assess at a later date.

Economic benefits

- 10.7 The NPPF places significant weight on the economic benefits that flow from development and sets out that this should be an important consideration in reaching decisions on planning applications. It is pertinent to note that a number of businesses do operate from homes and with advancements in technology, and changes to working practice, this is likely to become more common in the future.
- 10.8 In this case this proposal will facilitate the continuation of a small family business that makes a contribution to the local economy. This is a matter that has to be balanced against other considerations. In this instance it is considered that an office use should be able operate without causing undue harm to the character and amenities of the

area.

11.0 CONCLUSION

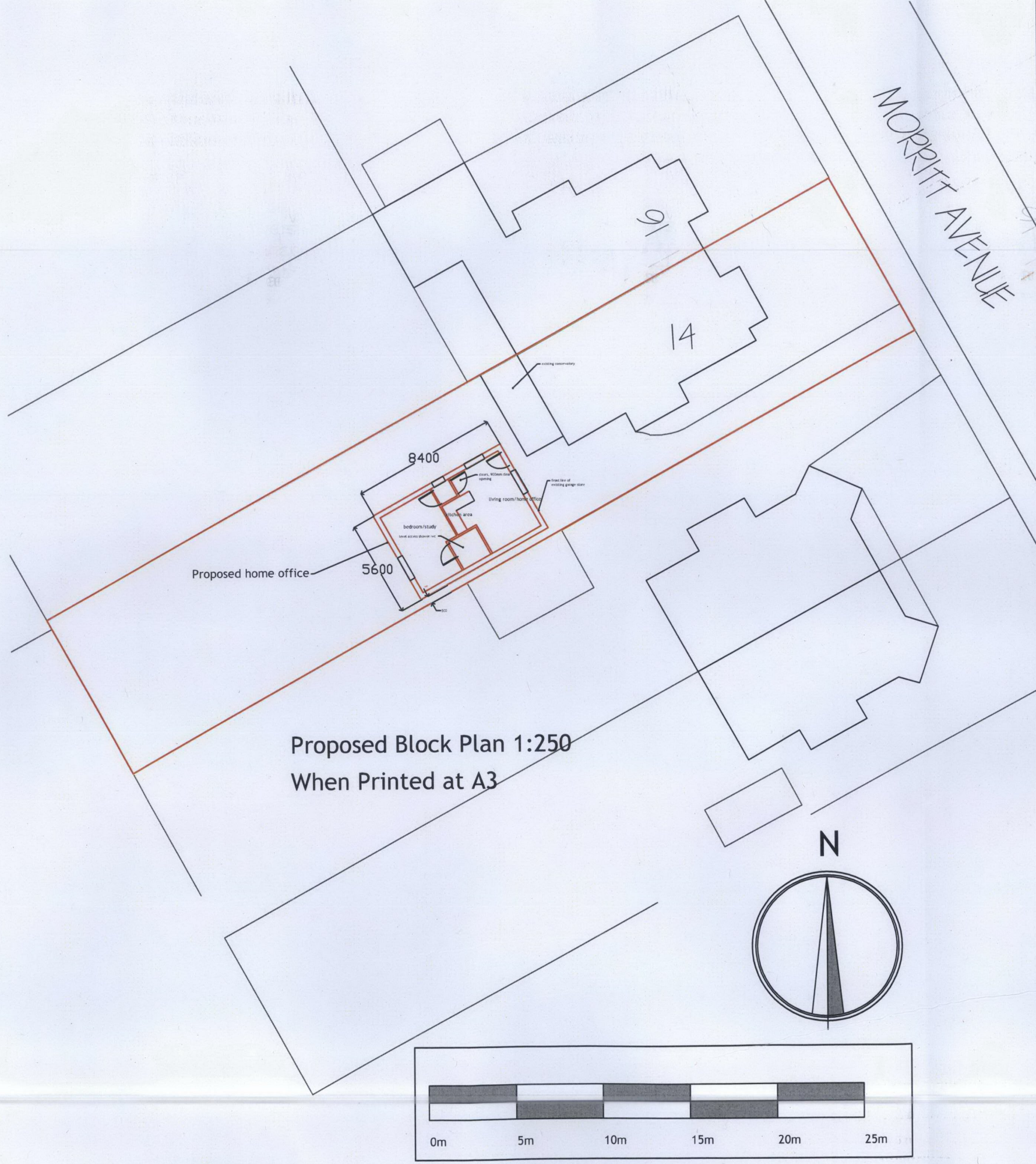
- 11.1 The application is therefore considered to be acceptable subject to conditions controlling the nature of the uses and the appearance of the building. It is considered that the outbuilding is well designed and will not harm the amenity of neighbours and will sit comfortably with the established character of the area. The proposal also has the benefit of facilitating the needs of an established small business and the economic benefits associated with it. Accordingly it is recommended that planning permission be granted subject to the conditions set out above.

Background Papers:

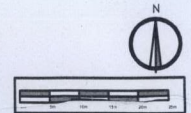
Application files 13/00432/FU

Certificate of ownership: Certificate A signed by agent.

LEEDS CITY COUNCIL
 27 MAY 2013
REVISED



SITE LOCATION 1:1250
 when printed at A3



©William Ossitt
 Contractor: DO NOT SCALE
 Check all site dimensions
 Use specified dimensions
 If in doubt ask

Revision	Date	Description
a	4.2.13	Separation from adjacent boundary added
b	24.5.13	Siting moved further to rear of plot to clear position of existing conservatory

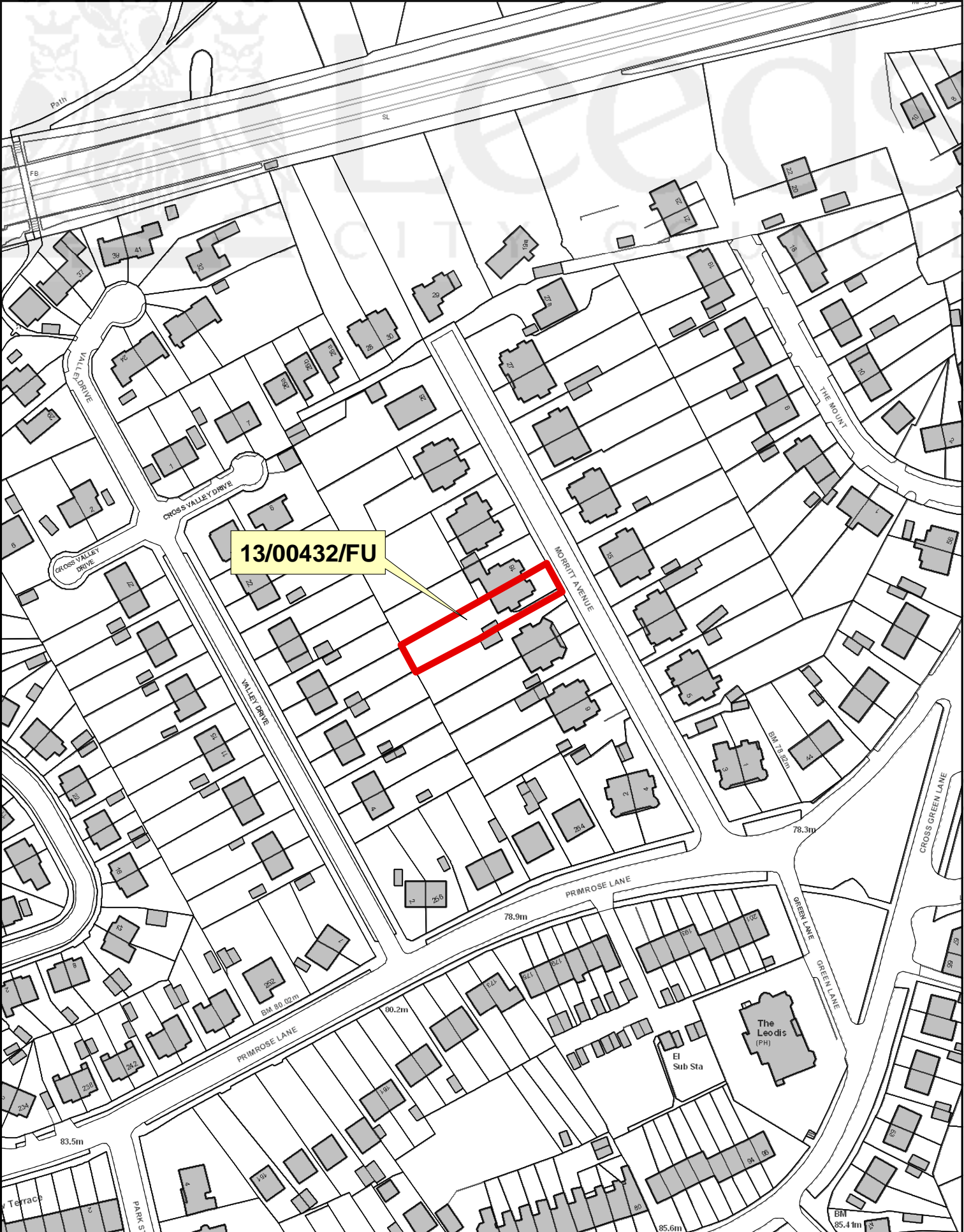
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Proposed Home Office
 Dependent Relative Accommodation
 14 Morritt Avenue
 Leeds
 LS15

**Block Plan &
 Site Location**

WO Dwg No WO_JCo01.01b
 Date: Jan '13 Scale: 1:see plan



NORTH AND EAST PLANS PANEL.