



Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 16th November 2023

Subject: 23/05615/FU – Single storey side extension; alterations to the rear including replacement of rear window with patio doors and associated steps; extension of existing patio area to rear with new balustrade, retaining wall and boundary treatment to side; demolition of the existing storage annex and detached garage to rear at 277 Lidgett Lane Gledhow Leeds LS17 6PD

APPLICANT

Ms J Lennox

DATE VALID

14th September 2023

TARGET DATE

20th November 2023

Electoral Wards Affected:

Moortown

No

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

1. Time limit on full permission
2. Development to be carried out in line with approved plans
3. Walling and roofing materials of extension to match the existing
4. Privacy screen to be erected prior to the first use of raised patio

INTRODUCTION

1. This application is brought to Plans Panel due to the applicant being an Elected Member (Councillor). The Council's Officer Delegation Scheme (Council (non-executive functions)) sets out that the Chief Planning Officer is not authorised to determine applications under delegated powers where an application has been submitted in a personal capacity by or on behalf of a Member (Exception 1(h)). It is on this basis that the application is brought to Plans Panel for consideration and determination.

PROPOSAL:

2. The application seeks full planning permission to (1) construct a single storey side extension, (2) undertake alterations to the rear of the property including replacing a rear window with patio doors and associated steps, (3) extend an existing patio area to the rear with new balustrade, retaining wall and boundary treatment to the side, and (4) demolish the existing storage annex to rear and a detached rear garage.
3. The proposed single storey side extension will measure 8.47m in length, 2.23m in width, under a pitched roof with an overall height of 3.47m. The extension will be set 0.5m from the main frontage of the dwellinghouse, and 0.8m from the western side boundary facing 279 Lidgett Lane. The construction materials proposed are red brick walls, slate roofing, and white uPVC openings which all match with those in the existing dwellinghouse. The extension will accommodate a shower room, a utility room, and a garden storage room.
4. An obscure glazed window is proposed to the front elevation of the extension, serving the new shower room. On the western side elevation, a window and a new side entrance are proposed to serve the utility room. A roller shutter door is proposed to the rear elevation of the extension, serving the garden storage room. Two roof lights are proposed on the pitched roof of the extension.
5. The alterations to the rear of the property include replacing the rear-facing (centre) opening of the existing bay window to allow for a set of double-leaf patio doors, offering a direct access to the rear patio from the house.
6. A flight of steps is proposed to overcome the level difference between the ground-floor level and rear patio. The steps would measure 1.5m in projection, 2.0m in width, and 0.5m in height. A balustrade is proposed on the outer edge of the steps.
7. The existing rear patio will be extended and is to have a projection of 3.0m (near eastern side boundary sharing with 275 Lidgett Lane), and gradually increase to 5.0m (near western side boundary sharing 279 Lidgett Lane). The patio will measure the same width as the plot, and same height as existing, which is raised 1.07m from the rear garden level.
8. At the end of the raised patio, a retaining wall and balustrade are proposed. A flight of steps is proposed near the western end of the extended patio, linking the patio to the rear garden area. A new timber privacy fence of 1.8m in height is proposed along the eastern edge of the raised patio, which sits close to the eastern side boundary which is shared with 275 Lidgett Lane.
9. The existing storage annex to rear of the dwellinghouse, and the detached garage at the end of driveway to the side, will both be demolished as part of the proposal.

SITE AND SURROUNDINGS

10. The application site comprises a semi-detached dwellinghouse set within a rectangular plot, located at 277 Lidgett Lane. The two-storey dwellinghouse is constructed with red bricks and under a slated gable roof form. This site is located within a residential area where the nearby properties on the southern side of Lidgett Lane are of similar style of semi-detached dwellinghouses.
11. The application site also includes a partially hard-surfaced front yard area, a detached garage to the side and rear which is accessed from a driveway. The rear garden area is approximately 1.0m lower than the main house. It is bordered by timber fencing on

the sides, and mature planting at the rear that provides good screening. The application site shares its eastern and western side boundaries with 275 and 279 Lidgett Lane respectively, while the southern rear boundary is shared with 14 Nunroyd Lawn.

RELEVANT PLANNING HISTORY:

12. There is no planning history for this property.

HISTORY OF NEGOTIATIONS:

13. The proposal has been amended since the original submission in response to concerns raised by officers in respect of privacy impacts on the neighbour at 275 Lidgett Lane and off-site parking provision. The amendments now provide for a privacy screen along the boundary with the neighbouring site and a hardstanding area to the front capable of accommodating two off-street car parking spaces.

CONSULTATION RESPONSES:

14. None.

PUBLIC/LOCAL RESPONSE:

15. The application was publicised by means of Neighbour Notification Letters (NNL) that were posted 21st September 2023. The publicity period expired on 14th October 2023. No responses have been received.

PLANNING POLICIES:

The Development Plan

16. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of decision-making in relation to this application, the Development Plan for Leeds currently comprises the adopted Core Strategy (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006), the Site Allocations Plan (2019), the Natural Resources and Waste Local Plan (2013 and 2015) and any made Neighbourhood Plan, if applicable.
17. 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. The following policies from the Core Strategy are considered to be of most relevance to this development proposal:

General Policy – Sustainable Development and the NPPF

P10 – Design

P12 – Landscapes and townscapes

T2 – Accessibility requirements and new development

18. The following saved policies from the Unitary Development Plan are considered to be of most relevance to this development proposal:

GP5 – Development proposal should resolve detailed planning considerations

BD6 – Alterations and extensions

LD1 – Landscaping
N25 – Site boundaries

Relevant Local Supplementary Planning Guidance/Documents

19. The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:
20. Householder Design Guide SPD (April 2012). The following policies are relevant:
 - Policy HDG1 – Extension should respect the scale, form, proportions, character and appearance of the dwelling.
 - Policy HDG2 – Extensions should not harm residential amenity.
21. Moortown Neighbourhood Design Statement SPD (2016)
 - Area 4: Nunroyds, Stainburns and Allerton Granges
22. Transport SPD (February 2023). Sets out parking requirements for residential development.

National Planning Policy Framework

23. The National Planning Policy Framework (NPPF) 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 NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
24. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004). The National Planning Policy Framework is an important material consideration in planning decisions.
25. The following sections of the NPPF are most relevant for the purposes of determining this application:

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 92: Planning decisions should aim to achieve healthy, inclusive and safe places.

Paragraph 130: Need for good design which is sympathetic to local character and history.

Paragraph 134: Planning permission should be refused for poor design.

Paragraph 174: Planning decisions should contribute to and enhance the natural and local environment.

National Planning Practice Guidance

26. The Planning Practice Guidance (PPG) provides commentary 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.

CLIMATE EMERGENCY:

27. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.
28. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
29. As part of the Council's Best City Ambition, the Council seeks to deliver a low-carbon and affordable transport network, as well as protecting nature and enhancing habitats for wildlife. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
30. The proposal put forward for consideration does not trigger any of the relevant climate change policies included within the Core Strategy.

PUBLIC SECTOR EQUALITY DUTY:

31. The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.
32. In this instance it is considered that the proposals do not raise any specific implications in these respects and therefore it is not considered that a full Equality, Diversity, Cohesion and Integration Impact Assessment (EDCI) is required.

MAIN ISSUES:

33. The following main issues have been identified:

1. Design and Character
2. Residential Amenity
3. Parking and Highway Safety

APPRAISAL:

1. Design and Character

34. Core Strategy policy P10 outlines a number of key principles which fall under the wider objective of ensuring new development delivers high quality inclusive design. Core Strategy policy P12 seeks to conserve and enhance the character and quality of Leeds' townscapes and landscapes. Saved Unitary Development Plan (UDP) policies GP5 and BD6 are also relevant, in that they seek to protect amenity and highway safety and to encourage good design. The Council's Householder Design Guide includes several policies and detailed guidance for domestic extensions which are relevant to the proposal, serving to reiterate and reinforce the over-arching aims of the aforementioned Core Strategy and Saved UDP policies.

35. The proposed single storey side extension represents a modest addition with its width being less than two thirds of the width of the existing dwelling. This ensures the extension would represent a proportionate and subservient addition to the property and complies with guidance contained within the Householder Design Guide in relevant respects. The extension would sit comfortably between the gap of the semi-detached pairs and retain a gap to the side boundary with a minor set-back from the main frontage, whilst being of a sympathetic design and form. The extension is designed with red brick walls, slate roofing and white uPVC windows which would match the existing materials of the dwelling. It is proposed that the use of these materials, to match the existing, is secured by way of a condition. The above factors ensure the extension will be an acceptable addition to the main house in design and character terms.
36. The alteration to the rear bay window includes the replacement of rear-facing (central) opening to create a set of doors. Together with the associated steps beyond the patio door, this would lead to a change to the character of the bay window feature. However, the bay window is located to the rear and will not be visible from the public views. As such this element of the proposal is appropriate as an alteration to the house and will not lead to harm to local character within this context.
37. The extended raised patio, including the steps down to rear garden, balustrade and new side boundary treatment would not raise any design and character concerns. Large patios with such additions are a common feature of rear gardens and this would be appropriate here as a result. The existing rear garden area would retain sufficient soft landscaped areas and the proposal would not impact on any trees located in or around the rear garden area. The proposed privacy screen shall be constructed with timber which is considered as an appropriate material for its purpose and location.
38. The demolition of the existing storage annex and detached garage to rear would not raise any design and character concerns.
39. As such, it is considered that the proposal represents an acceptable form of development of appropriate design which will respect the character of the existing property and wider street scene. The proposal will meet the wider aims of Core Strategy policies P10 and P12, saved UDP policies GP5 and BD6, policy HDG1 of the Householder Design Guide SPD, and the guidance contained within the NPPF in these respects.

2. Residential Amenity

40. The proposed single storey side extension would predominantly sit between the house of the application site and the existing single storey side and rear extension of 279 Lidgett Lane to the west which includes no side facing windows. The proposed extension would project beyond the front wall of the neighbouring extension adjacent to a side facing window of the neighbouring property and more immediately its driveway. However, the single storey nature of the extension (alongside the gap retained at the side boundary) would be sufficient to prevent any unreasonable overshadowing impacts/loss of light or overdominance impacts/ loss of outlook from the neighbouring site. The extension would have no adverse amenity impacts in relation to the neighbouring site at No. 275 to the east as a result of its positioning away from the neighbouring site.
41. The proposed extension would include a side facing window and door on the western side elevation, but these would not lead to any overlooking towards the neighbouring site at No. 279, as these would look out on to the blank wall of the neighbour's side

and rear extension rather than affording views into any neighbouring windows or garden areas.

42. The alteration to the rear bay window would not lead to any significant amenity impact on the neighbouring properties to the rear or sides when compared to the existing situation. The associated steps to the rear are modest in nature and would not lead to any unreasonable overlooking towards the neighbouring site at No. 275 on the east, nor any other neighbouring sites.
43. The extended patio would sit close to both side boundaries. The proposal has been amended to include a proposed fence to act as a privacy screen of 1.8m in height along the eastern edge of the patio. This is to mitigate any potential overlooking towards No. 275 given the proximity of main rear facing windows and the rear garden area of the property. Whilst the installation of a privacy screen on top of a raised patio area can often lead to concerns in terms of its own impacts on neighbouring amenity, whether through overshadowing or a loss of outlook due to the overall height above neighbouring ground levels, the proposed screen (even at its highest point) would not lead to unreasonable impacts in this instance. This is as a result of the existing internal floor levels of the neighbouring property and the presence of a raised patio at the neighbouring site. The installation of privacy screen would be secured by way of planning condition to ensure its retention in future. The extended patio would include only a modest projection beyond the rear elevation of the side and rear extension of No. 279 to the west with the existing boundary consisting of a 2.0m high timber fence. It is not considered that a further privacy screen is necessary to be located alongside this boundary as a result.
44. There are no other neighbours impacted by the proposals in amenity terms. As previously noted, it is also the case that no comments have been received from neighbours as part of the consultation undertaken with regard to this application.
45. The proposal is therefore in keeping with the wider aims of Core Strategy policy P10, saved UDP policy GP5, and policy HDG2 of the Householder Design Guide.

3. Parking and Highway Safety

46. Core Strategy policy T2 and the policies and guidance contained within the Householder Design Guide SPD and Transport SPD aims to ensure two car parking spaces are retained at residential properties, where they exist at present, in order to prevent a significant increase in on-street car parking on residential streets which can lead to wider parking congestion, amenity, and highway safety concerns.
47. The proposal includes demolition of the existing detached garage, and the proposed extension will be positioned over part of the existing driveway to the side of the house. This will lead to loss of some of the existing off-street parking provision. However, the existing hard-surfaced area in the front garden of the application site is currently capable of offering two off-street car parking spaces which meet the relevant guidance. Such provision is considered appropriate to serve the end development.
48. The proposal includes a garden store which is located within the rear portion of the proposed side extension. The proposed storage area would provide sufficient space to store bicycles (alongside other garden equipment etc) and replace any such provision otherwise lost through the demolition of detached garage such that an acceptable level of secure cycle storage provision would be retained.

49. As such the proposal is considered to be in-keeping with the wider aims of Core Strategy policy T2, the guidance contained within the Householder Design Guide, the Transport SPD and the NPPF in these respects.

CONCLUSION:

50. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal has been assessed against the adopted Development Plan and considered against all relevant material considerations.
51. The proposal will provide for additional and improved living and garden spaces for the benefit of the occupiers of the property.
52. The proposal is acceptable in design and character terms, would not lead to any unreasonable amenity impacts for occupiers of neighbouring properties and will be served by sufficient car parking provision so as to prevent any harmful impacts in relevant respects.
53. The proposal is considered to be in-keeping with the relevant policies from the Development Plan and there are no material planning considerations which would weigh against the proposals. The proposal can therefore be considered acceptable in planning terms.
54. In conclusion, taking the above into account, the application is recommended for approval of planning permission subject to the conditions as set out at the beginning of this report.

BACKGROUND PAPERS:

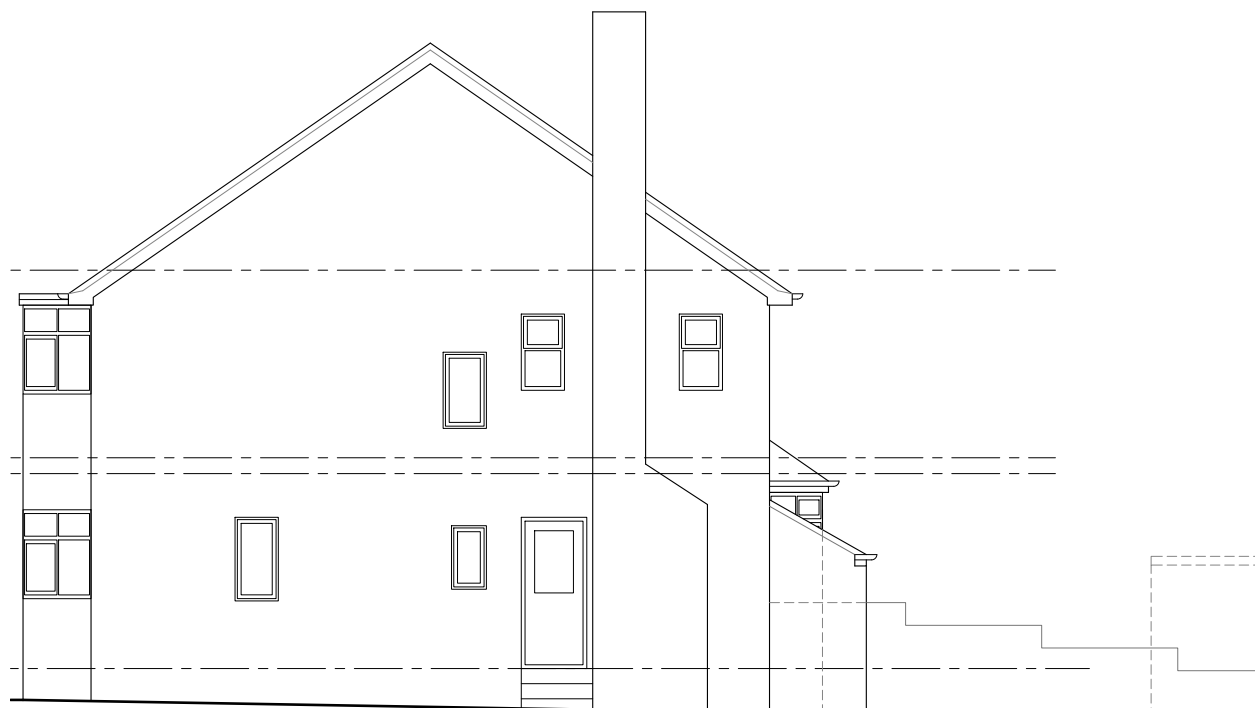
Application file reference: 23/05615/FU

Certificate of ownership: Certificate A signed by the Agent Mr. Chris Aitchison

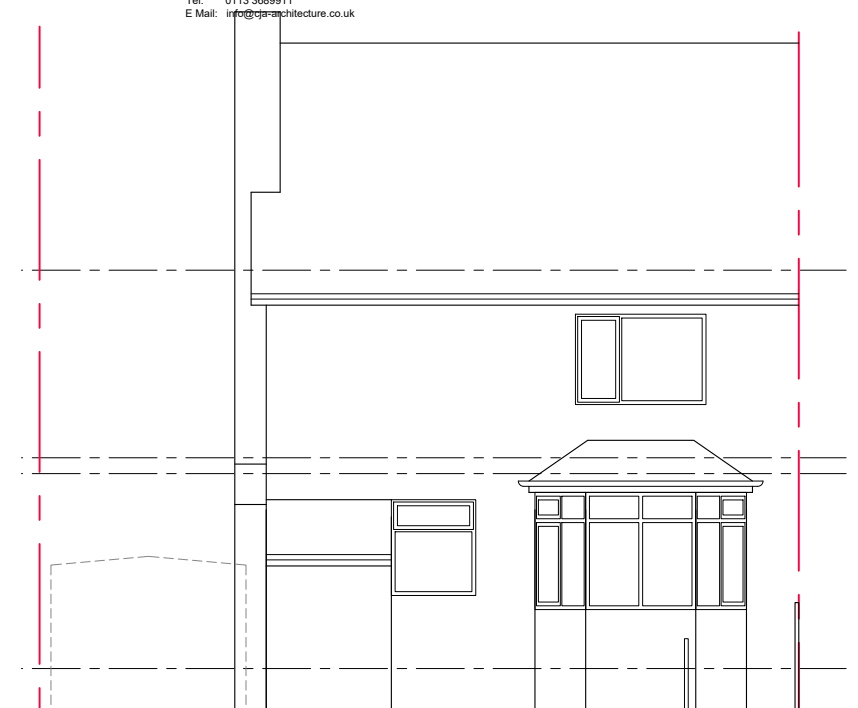
Contractor must verify all dimensions on site before commencing any work or shop drawings.
 If this drawing exceeds the quantities taken in any way the Architects are to be informed before the work is initiated.
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Existing North (front) Elevation
1:100



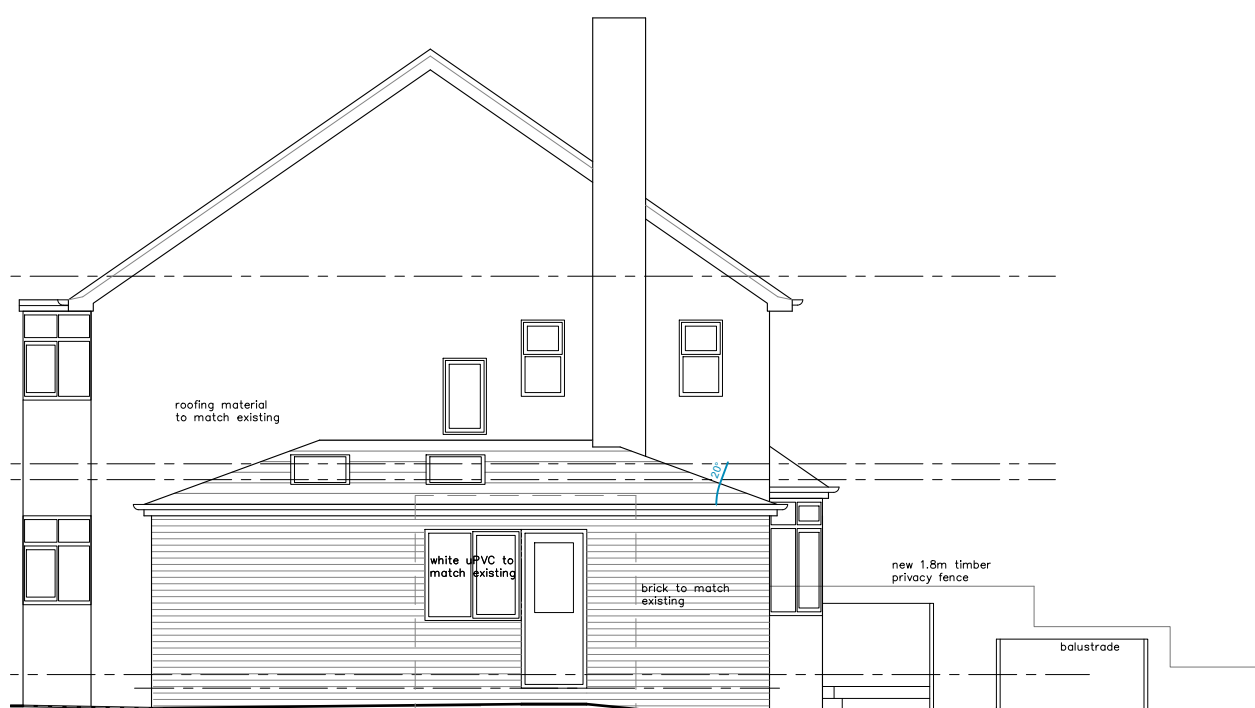
Existing West (side) Elevation
1:100



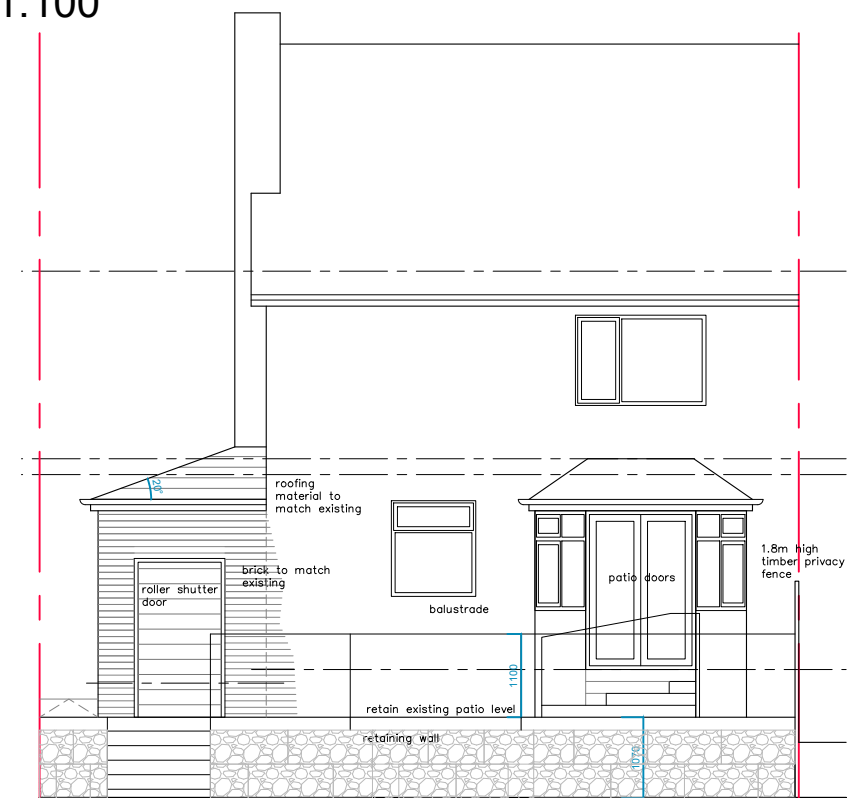
Existing South Elevation
1:100



Proposed North (front) Elevation
1:100



Proposed West (side) Elevation
1:100



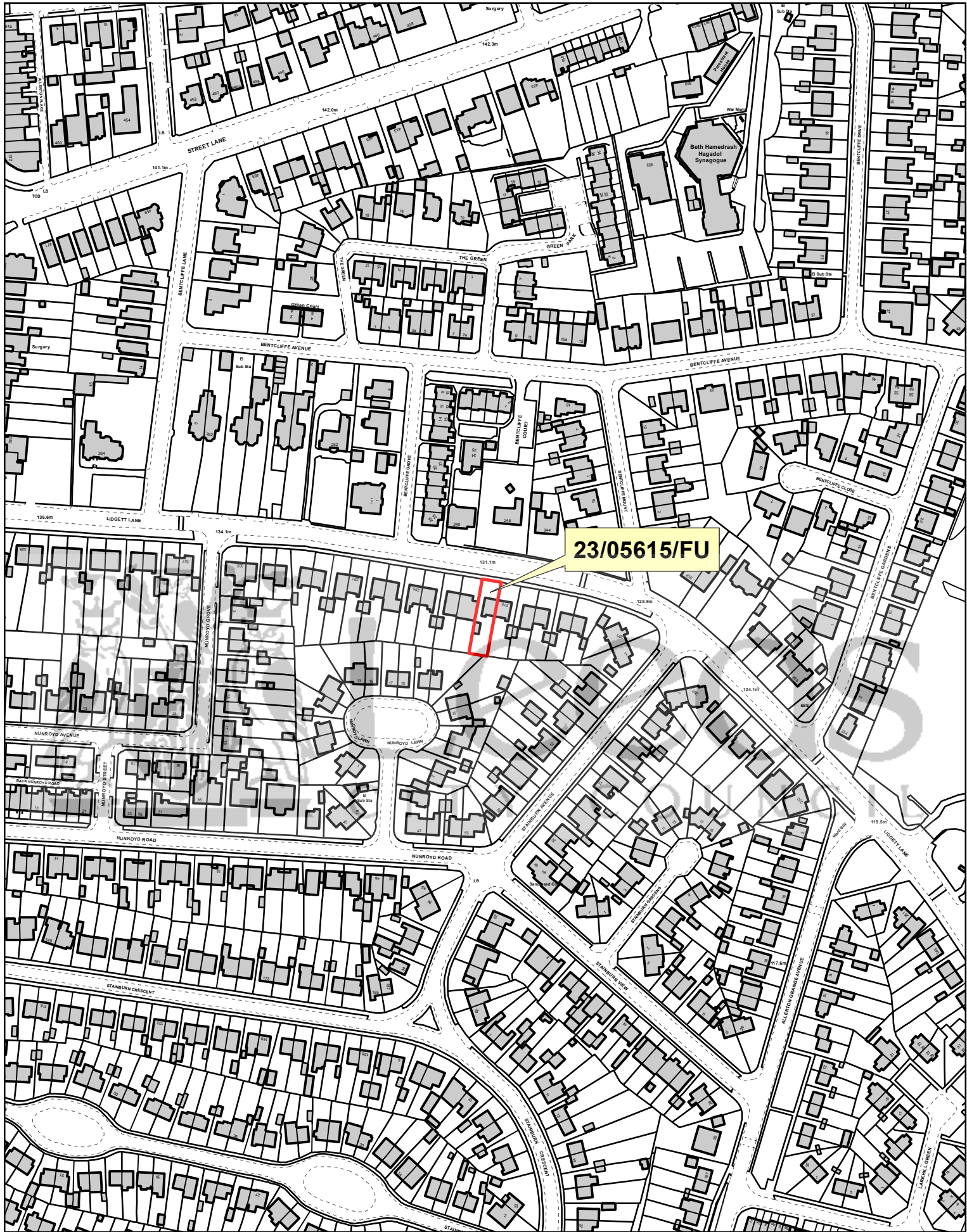
Proposed South Elevation
1:100

CJA ARCHITECTURE & DESIGN
architecture

Existing and Proposed Elevations

GENERAL NOTES:
 STRUCTURAL ALTERATIONS SUBJECT TO STRUCTURAL ENGINEERS COMMENTS AND DESIGN. CALCULATIONS SHALL BE OBTAINED BY THE APPOINTED BUILDING CONTRACTOR AND SUBMITTED FOR APPROVAL BEFORE WORKS COMMENCE ON SITE.
 ALL WORKS TO BE CARRIED OUT TO THE LATEST BUILDING REGULATIONS, BRITISH STANDARDS AND APPROVED CODES OF PRACTICE
 WHERE FURTHER CLARIFICATIONS, AMENDMENTS OR ADDITIONAL WORKS ARE REQUIRED CONTRACTORS SHALL REFER TO THE CLIENTS FOR FURTHER DETAILS AND INSTRUCTIONS.
 ALL MATERIALS AND DETAILS TO BE PROVIDED BY THE CONTRACTOR FOR CLIENT APPROVAL.

Client Jess Lennox		Project Name single storey side extension	
Site address 277 Lidgett Lane, Leeds, LS17 6PD		Title Existing and proposed elevations	
Our Drawing Reference 23013 (PL) 004	Revision F	Size A3	Scale 1:100
Date Oct 2023	Drawn By OB	Checked By CJA	



NORTH AND EAST PLANS PANEL

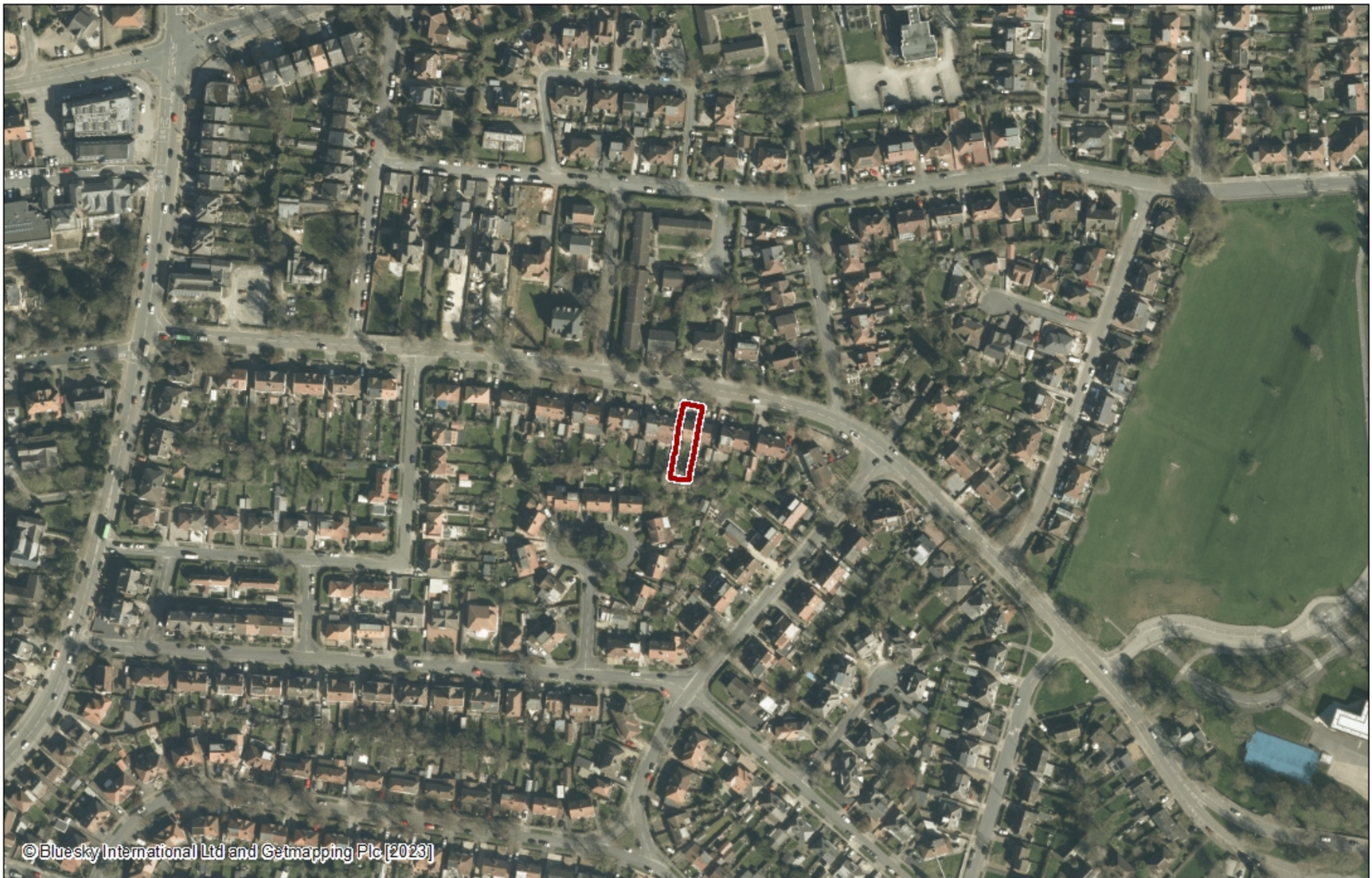
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SCALE : 1 / 2500

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PLANS PANEL PRESENTATION

SCALE 1:2500

