



## Report of the Chief Planning Officer

### PLANS PANEL SOUTH & WEST

Date: 16<sup>th</sup> February 2017

Subject: 16/07926/FU - Conversion of integral garage to habitable room at 14 Stubley Farm Mews, Morley, LS27 9ND.

#### APPLICANT

Mr & Mrs Allen

#### DATE VALID

20.12.2016

#### TARGET DATE

14.02.2017

#### Electoral Wards Affected:

Morley North

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION: GRANT PERMISSION subject to conditions specified below:

1. Standard time limit of 3 years to implement
2. Plans to be approved
3. The parking space to the rear of the house shall be retained for the purpose of vehicle parking in association with the dwelling house.

## 1 INTRODUCTION

- 1.1 The application is submitted as permitted development rights for garage conversions and boundary treatments have been previously removed. The application is brought before Plans Panel at the request of Cllr Finnigan who raises concerns regarding parking issues within this small development and potential impact on highway safety. These being matters that give rise to concerns affecting more than neighbouring properties.

## 2 PROPOSAL

- 2.1 Conversion of existing integral garage into a habitable room, the garage would be subdivided to form a utility/store area to the front, and a kitchen to the rear. No external alterations are proposed. Gates are shown on the submitted plans,

however a different form of gate has been erected, the applicant is aware that these require planning permission however does not wish these to form part of this particular planning application.

### **3 SITE AND SURROUNDINGS**

- 3.1 Stubble Farm Mews is a small cul-de-sac development located off the A643 Victoria Road close to Morley Bottoms and directly adjacent to Morley Victoria Primary School. The site is a rectangular area of land between the school to the west and housing to the east and in total houses 13 properties. 6 properties are arranged fronting onto Victoria Road, a further three sit behind but almost parallel to the frontage properties, whilst the remaining 4 are at right angles to the frontage properties. All parking takes place within Stubble Farm Mews with parking areas laid out either in the front gardens, or the rear gardens. The cul-de-sac is Y shaped and laid out in red brick pavements. There is a bus stop and marked bus area directly outside the frontage houses on Victoria Road, whilst to the south of the access point are the markings for the pedestrian crossing outside the school (zigzag lines).
- 3.2 The application site relates to number 14 which is the inner end terrace of the run that is located at right angles to the frontage properties. The building line of this terrace is staggered so that number 14 sits forward of the other properties, consequently, and due to its end location, it has a short driveway at the front, a small landscaped corner area and a strip of grass that runs down the side of the property which is a blank gable end. The rear garden therefore has a side boundary with the access road and is overlooked by the rear of the houses fronting Victoria Road.
- 3.3 Due to level changes the rear garden is terraced, and there is a high retaining wall along the rear boundary. Works have been undertaken at the application site to create a driveway/patio area to the rear of the house, along with slight re-alignment of levels within the garden area (all works carried out under permitted development rights), and a high, solid, sliding gate has been put across the access into the rear. Previously there was a low wall with brick pillars and infill fencing.

### **4 RELEVANT PLANNING HISTORY**

- 4.1 16/06279/FU – Conversion of integral garage. Refused 01/12/16 (see appraisal section).
- 4.2 16/01929/FU – Conversion of integral garage. Withdrawn.
- 4.3 08/02946/FU – Erection of 13 four bedroom terrace houses. Approved 22/10/08.

### **5 HISTORY OF NEGOTIATIONS**

- 5.1 This particular property has made several attempts to gain approval for the conversion of the integral garage, the first application was withdrawn following concerns raised by officers regarding parking, the second one was refused on the grounds of the loss of a parking space. Following this refusal additional information regarding the use of the area to the rear of the house for parking, and the original size of the garage, came to light which called into question the decision reached. Consequently the third application was invited in so that the matter could be considered in light of the new information.

### **6 PUBLIC/LOCAL RESPONSE**

- 6.1 Neighbour notification letters were sent out on 20/12/16 to all properties that border the application site.
- 6.2 Ward Member Cllr Finnigan has asked that the application be heard by panel due to the strength of feeling of local residents, and the retrospective nature of the development (relating to the new gates – although it should be noted that this doesn't form part of this application).
- 6.3 Morley Town Council has no objection in principle but asks that a condition be applied for no on-street parking to take place as a result.
- 6.4 Three objection letters have been received from residents at three properties within Stubble Farm Mews raising the following concerns:
- Conversion of the garage will further reduce allocated parking on the estate.
  - Parking space in the rear is not adequate as it is a patio area and is unlikely to be used. Parking of a car in that location will cause pollution and noise issues for next door neighbour.
  - Gardens are small and were not designed to be used for parking.
  - Alterations to the boundary treatment make the site look out of place.
  - An additional driveway causes highway safety concerns.
  - Works have been carried out without planning permission.
- 6.5 It is noted that the previous refused application had the same objections raised.

## **7 CONSULTATIONS RESPONSES**

- 7.1 Highways – raise no objections. The site is accessible and the proposal provides for two parking spaces within the curtilage which is acceptable. The new driveway raises no highway or road safety concerns.

## **8 PLANNING POLICIES**

### Development Plan

- 8.1 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 development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.
- 8.2 The site is unallocated in the Development Plan.
- 8.3 The following Core Strategy policies are relevant:
- P10 – High quality design
  - T2 – Highways Safety
- 8.4 The following saved UDP policies are relevant:
- GP5 – General planning considerations

### Natural Resources and Waste Local Plan

- 8.5 Due to the nature of the application no policies from this document are of direct relevance.

#### Householder Design Guide

- 8.6 HDG1 & HDG2 seek to ensure that extensions and alterations are sympathetic to the original property.

#### National Planning Policy

- 8.7 The National Planning Policy Framework (NPPF) and accompanying National Planning Policy Guidance (NPPG) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The following parts of the NPPF have been considered in on the consideration of this application.
7. Requiring good design

### **9 MAIN ISSUES**

- Highway Safety
- Impact on Visual Amenity

### **10 APPRAISAL**

#### Highway Safety

- 10.1 Generally the conversion of an integral garage to living accommodation would be permitted development, especially where, as in this case, there are no external alterations planned. When the estate was developed it was recognized that the parking provision was marginal and consequently permitted development rights to convert the garages were removed so that the Planning Authority could consider each request to convert on its merits.
- 10.2 The design of the overall estate is recognized as being of its era, and would perhaps not be considered acceptable by today's standards, especially in terms of its parking provision and layout. For example, the drive to the front of the garage is limited in length, the garage itself is substandard in size (by current standards), and the resident has no ability to convert the rest of their front garden area due to the tapering nature of it resulting from its corner location.
- 10.3 The applicant therefore has a substandard provision of parking to start with and is more constrained than some of the other plots who have longer, wider, front garden areas.
- 10.4 When considering the conversion of garages it is important to ensure that where feasible we retain two parking spaces on site, but there are often cases where this is not achievable, but that recognition can be given to the fact that the existing situation would not provide two car parking spaces, i.e. we are not making the existing situation any worse.
- 10.5 With regard to this site, the applicant has sought to address the initial concerns raised on the first application, by creating a new parking space within their rear garden area. The location of this is dictated by the land levels at the rear which slope up away from the house, so it was not possible to create a new space at the bottom end of the garden, instead the space has been provided to the immediate rear of the house, and has been constructed to the standards required by highways officers for a driveway.

- 10.6 On the previous application officers had concerns that this would not be used, due to its location. Following the refusal however the applicant has provided numerous photographs showing the new parking space being used by the family car, and they have stated that they are very happy with this new provision. It has also come to light that the existing garage space is of a sub-standard nature, measuring 5m long x 2.5m wide with a door opening of 2.26m width. This would not be considered adequate for the purposes of providing a parking space under today's guidance.
- 10.7 Given that there are no concerns with the design and layout of the rear driveway, and it raises no objections from a highway safety point of view then it is considered that it provides a suitable replacement to the existing garage provision and consequently policy T2 is complied with.

### Residential Amenity

- 10.8 The conversion of the garage internally raises no concerns as the use would still remain residential. The main concern is the relationship of the new driveway to the neighbouring rear garden and the potential for noise and exhaust fumes to harm the neighbours amenity.
- 10.9 The use of a rear garden space for car parking is not unusual in residential areas, and it is not unusual for cars to be parked on driveways that are adjacent to residential doors and windows. It is recognized that this does however introduce a change for the neighbour over the existing situation. The neighbours house is set further back than the application site, and is at a slightly higher land level. The new driveway area is surrounded by a metre high retaining wall, on top of which is a fence on the shared boundary.
- 10.10 The set back and levels change is considered sufficient to help mitigate against any new noise and fumes that may result from use of the drive, and whilst not wholly ideal in terms of its placement outside the kitchen area it is not so different to situations that exist across all residential area.
- 10.11 The creation of the drive does result in a small decrease in the amount of usable garden space, however it is not considered to result in a significant loss of garden area, and it is recognized that the driveway can still be used when not in use for car parking. It is further noted that the use of the rear garden area for parking does not require planning permission, consequently the proposal is not considered to be contrary to policy GP5.

### Other Representations

- 10.12 The objectors raise concerns about highway safety with the creation of a new access onto the street. The properties across the way access onto this street and the street has been designed to allow for reversing vehicles. Highways officers have reviewed the proposal and raise no concerns about the safety of the driveway. It must also be noted that the actual creation of this driveway does not require planning permission.
- 10.13 Objectors also raise concerns regarding the visual appearance of the new boundary treatment and gate. These concerns are noted however the applicant has asked that this application does not consider the new boundary treatment that has been erected, they do however understand the need to apply for planning permission. When erected it was on the understanding that permission was not required, however a condition on the original permission for the estate requires all boundary treatments to be retained as the same.

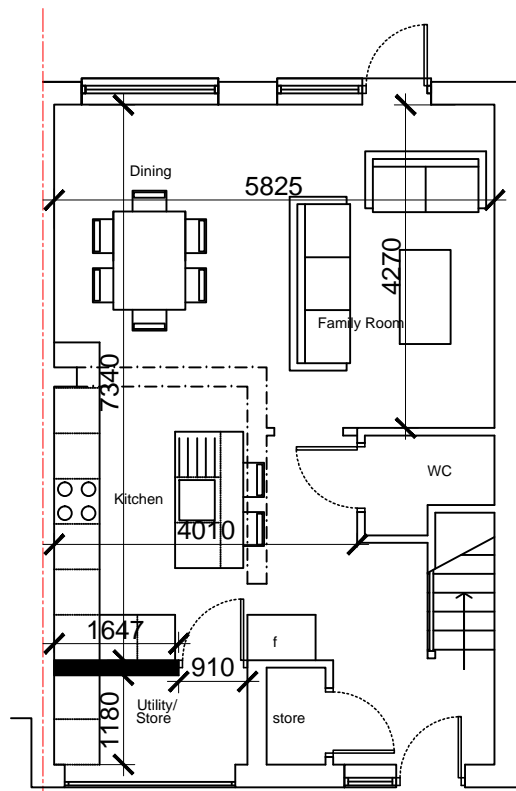
## **11 CONCLUSION**

- 11.1 The proposal has no impact on visual amenity, and leads to no issues with regard to highway safety or residential amenity. As such the proposal is considered to comply with policies T2 and GP5 and the aims and objectives of the development plan when read as a whole. It is therefore recommended that the application be approved subject to the conditions attached.

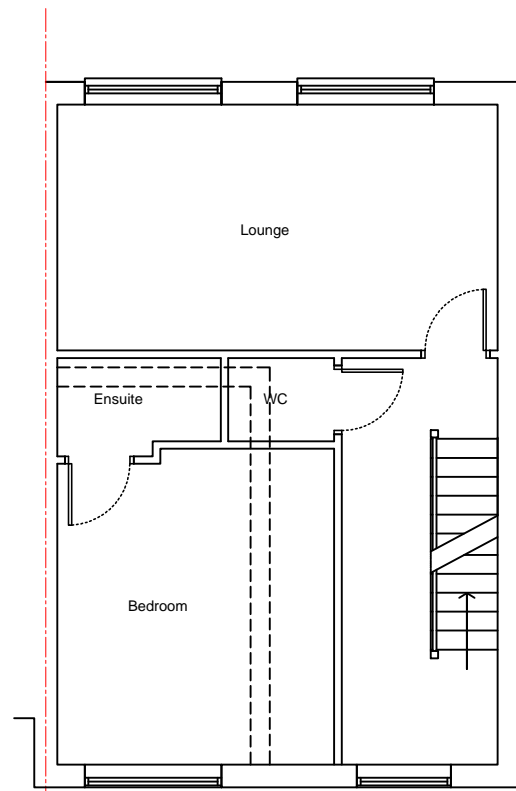
### **Background papers:**

Application file: 16/07926/FU

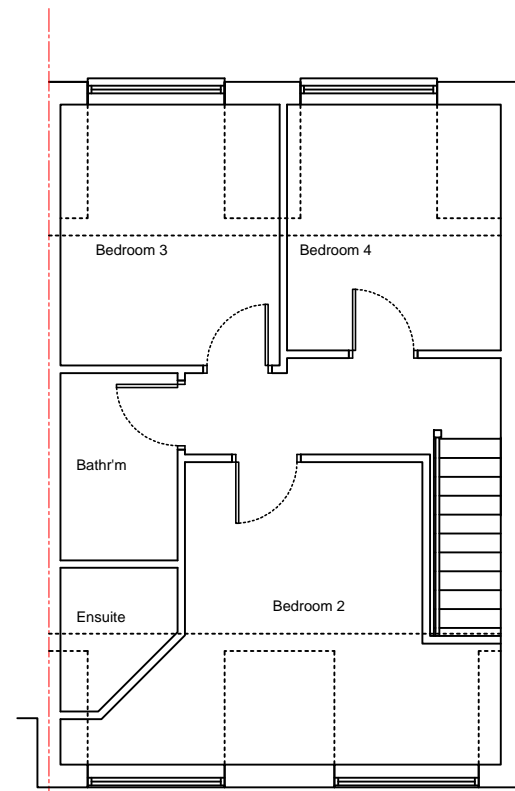
Certificate of Ownership: Signed by applicant.



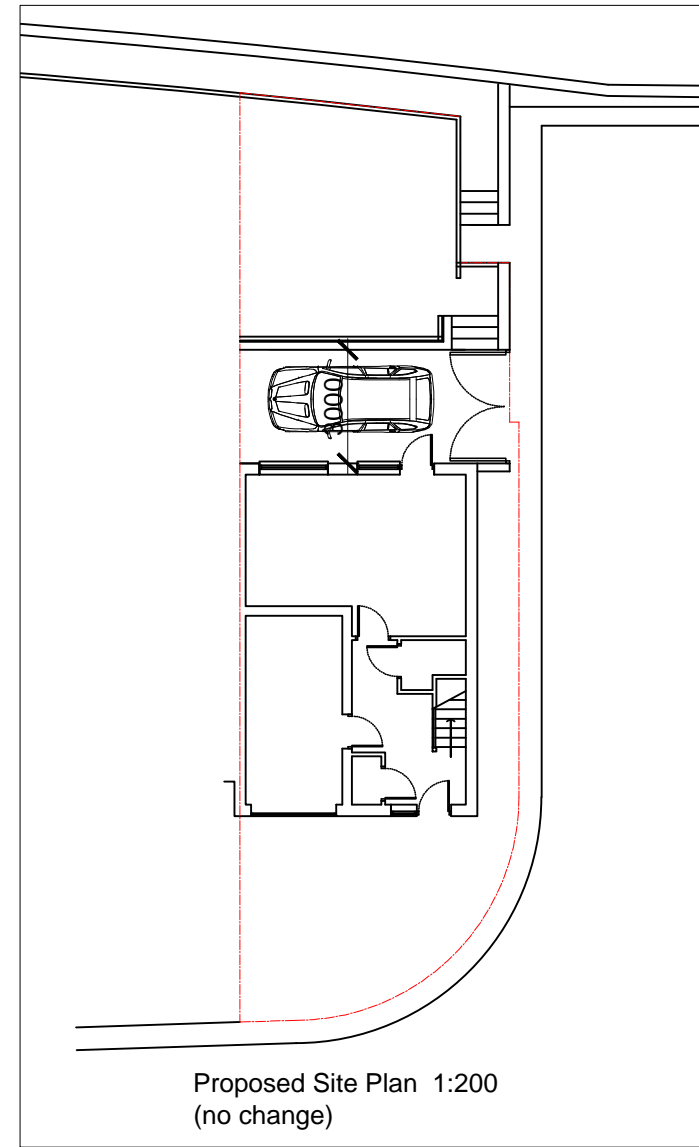
Proposed Ground Floor Plan



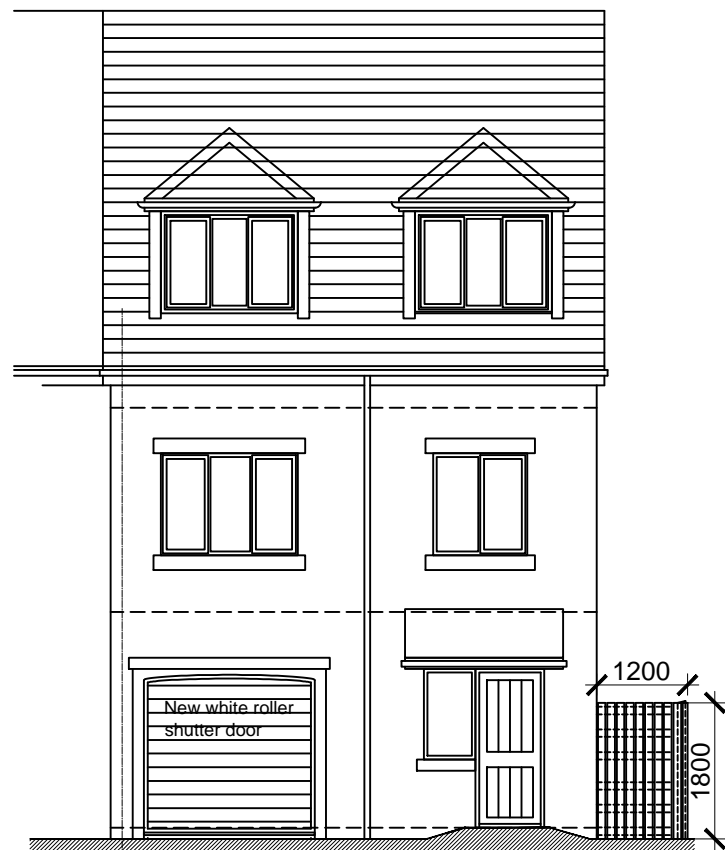
Proposed First Floor Plan (Not altered)



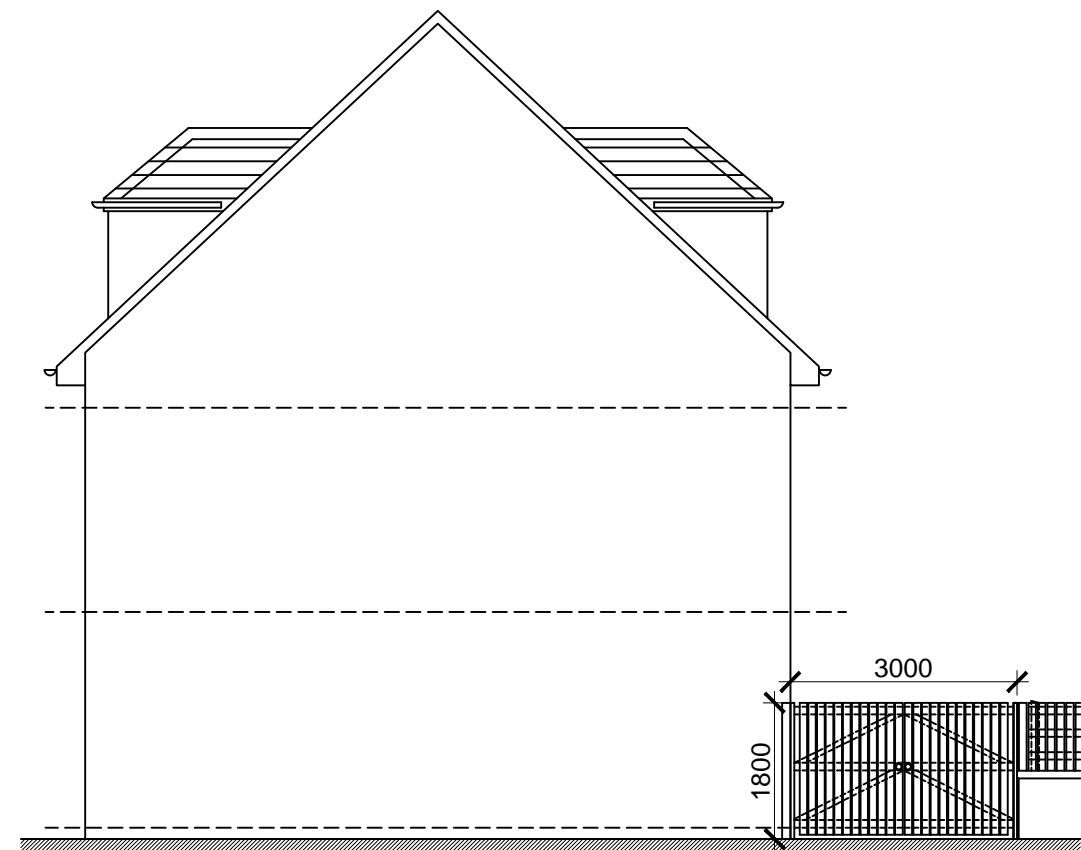
Proposed Second Floor Plan (Not altered)



Proposed Site Plan 1:200 (no change)



Proposed Front Elevation (no change)

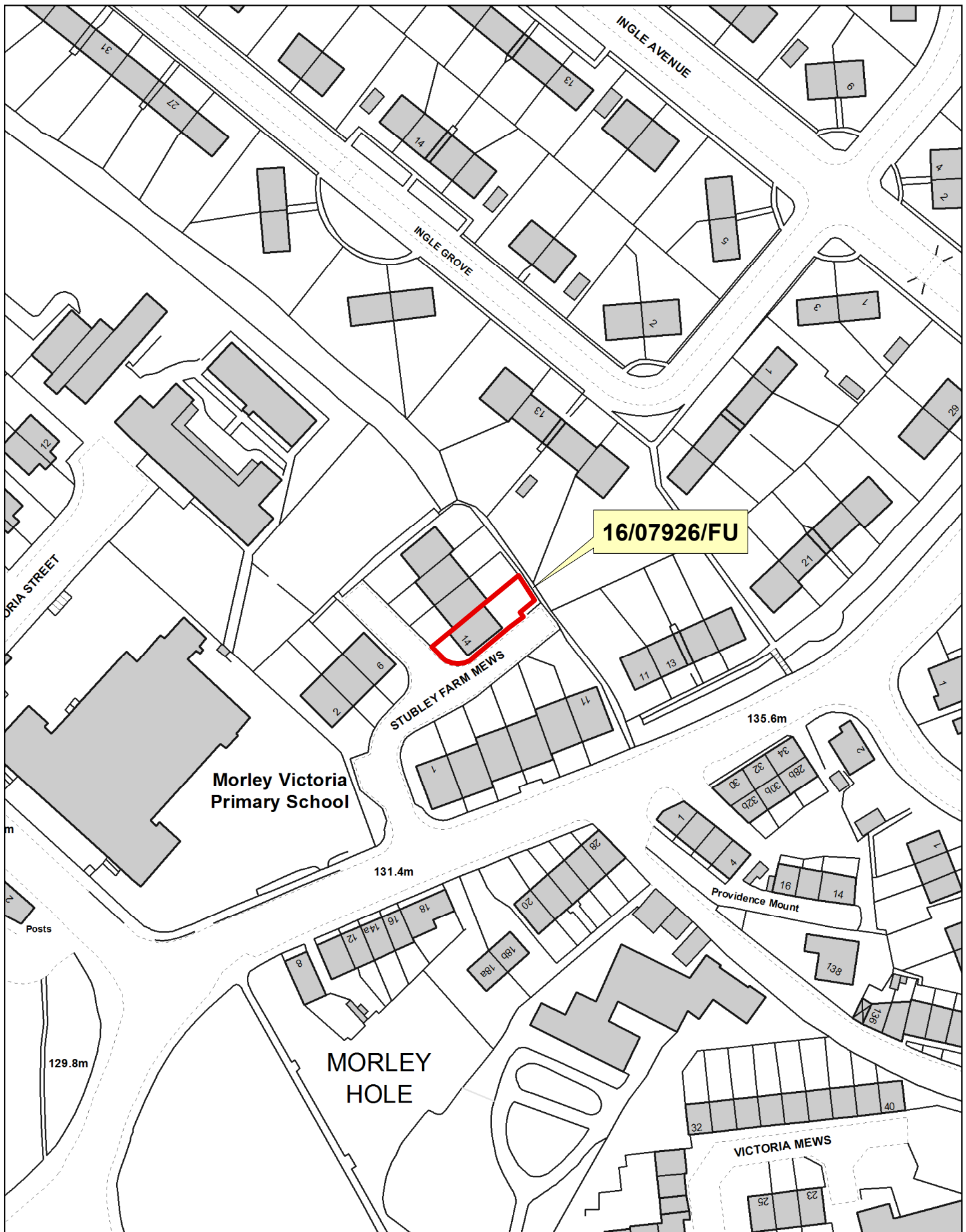


Proposed Side Elevation - (no change)



Proposed Rear Elevation (no change)

E	Elevations and site plan retained as existing for new application	10/16
D	Original garage & patio retained following planner comments	05/16
C	proposed rear driveway widened following planner comments	05/16
B	gates corrected to be opening inwards	04/16
A	Fence/gate details added. notes re bi-fold and garage doors added	04/16
<small>Revision</small> Project Alterations to 14 Stubley Farm Morley Leeds Mrs Allen Title Plans As Proposed Planning Application Scale: 1:100 & 1:200 @ A3 Date: 03/16 Drawing Number: PL 02 Revision: E All work to be in accordance with the Building Regulations and relevant codes of practice. The contractor is to check all dimensions on site and not to scale from this drawing. Any discrepancies are to be notified immediately. This drawing is copyright. Michaela Nash Architect 20, Radmission View Heritage Village Leeds West Yorkshire LS10 4LT Tel: 0113 2723022 michaelanash@talktalk.net		



# SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1000

