
Report of the Chief Planning Officer

PLANS PANEL NORTH AND EAST

Date: 5th February, 2015

Subject: Application 14/02832/FU – change of use of doctors surgery to 8 bedroom House in Multiple Occupation (HMO) at 1 East Park Parade, Leeds LS9 9NQ

APPLICANT

Mrs A Meadows

DATE VALID

13 May, 2014

TARGET DATE

8 July, 2014

Electoral Wards Affected:

Burmantofts & Richmond Hill

☐ 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. Time limit on permission
2. Plans schedule
3. Use restrictions
4. Retention of storage / cycle storage / waste storage facilities

1.0 INTRODUCTION:

- 1.1 Members may recall this application was previously presented to Panel on the 27th November 2014 with an officer recommendation to approve.
- 1.2 The application was discussed at length but a number of Members expressed concerns about the provision of shared toilet facilities, the general acceptability of this type of shared accommodation, that it was over-intensive and also its potential adverse impact on the local area and neighbours. Some reference was also made to there not being a demand for this type of accommodation in the area.

- 1.3 In the light of the above concerns but noting the building was both large and unoccupied, Members resolved that determination of the application be deferred to allow for further negotiations to take place with the strong desire to provide self-contained flats. A further report was therefore to be brought back to the Panel once these negotiations were completed.

2.0 UPDATE SINCE THE NOVEMBER MEETING:

- 2.1 Following deferral of the application, officers have met with the applicant and her agent to discuss Members concerns and this has resulted in the submission of a revised internal layout which excludes the use of communal toilet facilities. As such, the 8 main bed/living rooms originally proposed would be retained but have their own separate wash room with wc, shower and wash basin rather than the more limited, in-room shower enclosure and wash basin arrangement previously shown. No overall reduction in the number of rooms is proposed as the applicant has indicated it would not be viable to do so since the total number has already been reduced during consideration of the application. A switch to more traditional flats is also reported to be unviable due to the increased costs associated with having to comply with enhanced building regulation requirements relative to the income likely to be generated from renting out flats.
- 2.2 In terms of the implications of each room having access to its own wash room, in essence each could now be occupied on a self contained basis albeit a separate lounge, kitchen and dining area would still be available on the ground floor for communal use. In this respect the property is still to be considered a HMO but occupants would also have the option of living more independently if they so chose. Physically, each of the main individual units would be slightly reduced to allow for the formation of the wash room but overall a reasonable living/sleeping space would still remain due to the generous proportions of the building. The Councils Private Sector Housing Team has also confirmed the revised room sizes still represent a reasonable standard of accommodation for the future occupants.
- 2.3 In terms of responding to the need for the type of accommodation being proposed, the applicant considers the development would deliver a high standard of modern, low cost accommodation for young employed local people or those working in Leeds. In particular reference is made to some of the employment opportunities coming on-line in connection with the Aire Valley.
- 2.4 In addition, the applicant has sought further guidance from a major residential letting agent confirming that there is a robust market for key workers looking for good quality studio/micro type flats at affordable rent levels that include such facilities as individual showers and kitchens. The letting agent also indicates a recent approach by the NHS Trust with a view to providing housing for a significant number of nurses moving to the area. In this respect the applicant highlights that the site is well served by public transport, and more specifically there is a bus straight to St. James's Hospital taking just 8 minutes.

3.0 SUMMARY:

- 3.1 Following consideration of the application at the November Panel meeting, further revisions to the internal layout have been undertaken to ensure each of the 8 main rooms proposed has access to a separate wash room that now includes both washing and toilet facilities. No further alterations are proposed with the applicant indicating it

would not be viable to reduce the total number of rooms proposed or to convert the property into a more traditional flat arrangement.

- 3.2 Having considered the acceptability of the revisions undertaken, although they are relatively minor and potentially do not go as far as some Members had hoped, officers consider the living conditions associated with the 8 main rooms in conjunction with the retention of the ground floor communal facilities to remain acceptable. For this reason and those stated in the original report concerning the options for bringing this building back into use the application remains recommended for approval.
- 3.3 For completeness a copy of the original officer report is appended and because the alterations proposed are internal only it is not considered necessary to have undertaken further public consultation as the overall impact of the development has not altered.

APPENDIX 1



Originator: Chris Marlow

Tel: 0113 222 4409

Report of the Chief Planning Officer

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RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

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4. Retention of storage / cycle storage / waste storage facilities

1.0 INTRODUCTION:

- 1.1 The application is presented to Plans Panel at the request of Councillor Ron Grahame and Councillor Asghar Khan supporting residents concerns in general, and on grounds of encouraging further anti-social behaviour in the area and the control of refuse bins and waste.

2.0 PROPOSAL:

- 2.1 The proposal is to convert a former doctors surgery into an 8 bedroom HMO. No external alterations are proposed with the accommodation comprising of the following:

Ground Floor: Entrance porch / hallway / shared lounge / shared combined kitchen dining room including and stairs to cellar area / 2 HMO bedrooms.

First Floor: landing / two shared toilets / 4 MHO bedrooms.

Second Floor (within roof void): landing / shared toilet / 2 HMO bedrooms

Each HMO room comprises cooking and dining facilities / sofa / bed / shower

In support of the application the applicant has outlined the wish to provide a high standard of accommodation with a view to targeting young professional working people close by or in the City.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is situated to the west side of East Park Parade at the junction with East Park Road and Back Garton Road and comprises a mature detached brick built 2 / 2 and-half storey vacant Victorian property. The front of the property includes an imposing attractive gable feature partly finished in white painted render. The elevation facing East Park Road includes a double height bay window. The majority of ground floor windows and the main entrance door have security bars with a black painted finish.
- 3.2 The internal layout of rooms reflects its former use as a doctors surgery. The property includes a tandem double garage attached to the north side elevation with the garage entrance door facing East Park Parade where there is a dropped kerb. Outside the property are hard surfaced yard like garden areas to three sides. The site is bounded by low to mid-height brick walling with stone copings atop. The boundary facing East Park Parade also includes a low wooden fence sited behind the boundary wall. The site is level.
- 3.3 The area is residential characterised largely by high density Victorian housing. The East End Park recreation area lies immediately to the north east of the site.

4.0 PLANNING NEGOTIATIONS:

- 4.1 In 2013 the applicant submitted a previous proposal for an 11 bedroom HMO. Officer's advised the applicant that the proposal was over intensive, as a consequence the applicant withdrew the application. Negotiations continued during the current proposal resulting in the revised scheme being considered here for an 8 bedroom HMO.

5.0 RELEVANT PLANNING HISTORY:

Application Ref: 13/03861/FU – change of use of former doctors surgery to 11 bedroom house in multiple occupation. Officers unable to support on grounds of over intensive use, consequently the application was withdrawn by the applicant November, 2013.

6.0 PUBLIC/LOCAL RESPONSES:

- 6.1 The application was advertised by site notices posted adjacent to the site dated 30 May, 2014. 6 letters of representation have been received in response to the public notification process objecting on the following grounds:

- Concerns over noise / promoting anti-social behaviour
- Increase in traffic with no parking / highway officers lack of support
- Loss of privacy from overlooking
- Prevalence of HMOs in the area with incumbent problems including transient tenants / absentee landlords / profit motivation not the community / burden on local services / removal of family housing stock.

7.0 CONSULTATIONS RESPONSES:

Non-statutory:

7.1 Highways:

In view of the former use as a doctors surgery it is considered that an objection on grounds of highway safety would be difficult to justify. However, details relating to bin/waste storage should be provided.

7.2 Private Sector Housing Team:

Highlighted issues relating to room sizes; fire detection systems; natural light and ventilation. No objection subject to the requirements of the Housing Act 2004 being achieved.

8.0 PLANNING POLICIES:

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

As of 12 November 2014 the development plan comprises the following:

The Leeds Core Strategy (Adopted November 2014)
 Saved UDPR Policies (2006) included as Appendix 1 of the Core Strategy
 The Natural Resources and Waste Plan NRWLP (adopted January 2013).
 Any Neighbourhood Plan (once adopted).

- 8.2 The application site has no specific allocation within the Core Strategy Plan Area.

An Article 4 Direction has been in force since 2012 requiring changes to the occupation of houses from dwelling-house (Class C3 of the Use Classes Order) to a shared house (Class C4 – between 3-6 occupants) to require planning permission. In this instance however, a HMO in excess of 6 occupants is a sui generis use.

The following policies are considered to be of relevance:

Policy H6 – which relates Houses in Multiple Occupation (A), Student Accommodation (B), Flat Conversions (C).

For the purposes of this application H6A is relevant: Within the area of Leeds covered by the Article IV Direction for Houses in Multiple Occupation (HMOs) Development proposals for new HMOs will be determined:

- (i) To ensure that a sufficient supply of HMOs is maintained in Leeds;
- (ii) To ensure that HMOs are distributed in areas well connected to employment and educational destinations associated with HMO occupants;
- (iii) To avoid detrimental impacts through high concentrations of HMOs, which would

- undermine the balance and health of communities;
- (iv) To ensure that proposals for new HMOs address relevant amenity and parking concerns; and
- (v) To avoid the loss of existing housing suitable for family occupation in areas of existing high concentrations of HMOs.

Policy T2 Accessibility Requirements and New Developments

Saved Policies (Appendix 1 Core Strategy)

Policy GP5 – relates to general amenity considerations including environmental intrusion and highway safety.

Policy BD5 – relates to consideration of the impact of a development on its surroundings.

Leeds City Council: Supplementary Planning Guidance / Documents:

- 8.3 SPG13 Neighbourhoods for Living
- SPD Street Design Guide
- Supplementary guidance No. 6 – Development of Self Contained

National Planning Policy

- 8.4 National Planning Policy Framework (NPPF, March 2012) gives a presumption in favour of sustainable development and the reuse of existing building stock.

9.0 MAIN ISSUES

1. Principle of development / Use
2. Impact on residential amenity
3. Highway implications
4. Others

10.0 APPRAISAL

Principle of development

- 10.1 The Core Strategy identifies that Houses in Multiple Occupation (HMOs) are an increasingly popular part of the housing market within Leeds. As rooms can be rented individually they provide affordable accommodation used primarily by students, young people and those on lower incomes. The Strategic Housing Market Assessment (SHMA) anticipates growth of HMOs to accommodate young people reliant upon housing benefit. This could affect all areas of Leeds but is likely to be focussed on inner areas for rented property.
- 10.2 The applicant has suggested that there is a demand for this type of housing in the area thereby contributing towards the districts housing stock, whilst providing a high standard of living accommodation for future occupants of the HMO.
- 10.3 In policy terms the proposal is assessed against the first four of the five criteria of H6 A. (Criteria (v) is not applicable here as the proposal does not involve the loss of an existing dwelling.
- 10.4 The proposal will contribute toward a sufficient supply of HMOs (i) and is well connected to employment and educational destinations, in particular that the site is

accessible to the City Centre and other areas such as the Aire Valley for job opportunities (ii). The issues of amenity and parking concerns (iv) are assessed in more detail below.

- 10.5 In terms of Criteria (iii) Officers have obtained evidence where properties are solely occupied by students, and properties where the owner is liable for Council tax rather than the tenants (the Council Tax definition of a HMO). The evidence identifies 3 other HMOs within a 100m radius of the site; a further two within a 200m radius; and 7 within a 500m radius, plus 4 student style HMOs. In view of the high residential density of the area it is considered that the proposed development would not result in a high concentration of HMOs thereby avoiding an adverse impact on the area in undermining the balance and health of the local community.
- 10.6 In addition to the above policy position, a practical reuse for what is a very large property in the area needs to be found to avoid the building not becoming derelict and attracting anti-social behaviour. A residential use for the building is therefore the most likely and appropriate use bearing in mind the character of the surrounding area and the building's size makes it unattractive as a single family house. Accordingly the multiple occupation of the building is the most likely outcome and officers have sought to ensure the intensity and matters of detail are appropriate rather than to resist the principle.

Impact on residential amenity

- 10.7 The property is a relatively large building when viewed in context with the other HMOs in the area that are generally contained within back-to-back and terraced properties. The proposed internal layout presents a logical juxtaposition to avoid unnecessary transference of noise between individual floors and rooms. Notwithstanding this appropriate noise insulation measures would be implemented in accord with the building regulations. Similarly, the applicant is informed of the need to comply with the relevant provisions of the Housing Act 2004 in terms of room sizes, light penetration and ventilation. Whilst the outdoor space is more modest in scale, the site benefits in its close proximity to East End Park as an amenity facility. In addition, the area is well served by public transport with links to local town centres and the City itself. It is considered therefore that the future occupants of the site will benefit from a high standard of living accommodation on both a shared and personal basis and avoid any adverse impact on the interests of residential amenity in general.
- 10.8 In terms of the impact on residents living in close proximity to the site only one of the four elevations has windows facing neighbouring houses. This is the north west elevation overlooking Back Garton Road and the rear elevations to semi-detached houses at Nos. 2, 4 and 6 Garton Road.
- 10.9 The ground floor elevation facing Back Garton Road includes the shared kitchen/dining room and lounge accommodation in the property, effectively traditional rooms found on the ground floor of a normal residential dwelling. There are a further two windows in this elevation to the first floor serving two HMO style rooms. Whilst the separation distances between these windows from the houses on Back Garton / Garton Road are below the minimum threshold in the Council's residential design guide (Neighbourhoods for Living) the distances are typical of streets such as these and the character of the area in general. Officers are also mindful of the former use of the site as a doctors surgery in terms of its level of activity, as such, it is considered that the proposed development is likely to be less intrusive in terms of the potential loss of privacy from overlooking.
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Highway implications

- 10.10 In the absence of any off-street car parking facilities local residents' have expressed concerns that the proposal could generate 8 vehicles parking on street around the site potentially prejudicing the free flow traffic in the area and the interests of highway safety for pedestrians and other road uses alike.
- 10.11 Officers are mindful that comments from the Highways Authority consider that the proposed use in terms of potential traffic generation would be no more intensive than when operating under its former use as a doctor's surgery. In addition, the site is in an area of relatively low car ownership, is well served by public transport, and the development makes satisfactory provision for secure cycle storage. It is considered therefore that the proposed development would not prejudice the interests of highway safety. The site's frontage also provides opportunities for some on-street parking to take place in the same way it does for other properties in the area.

Others

- 10.12 The concern of residents relating to motivation for profit is not a material consideration in the determination of a planning application.

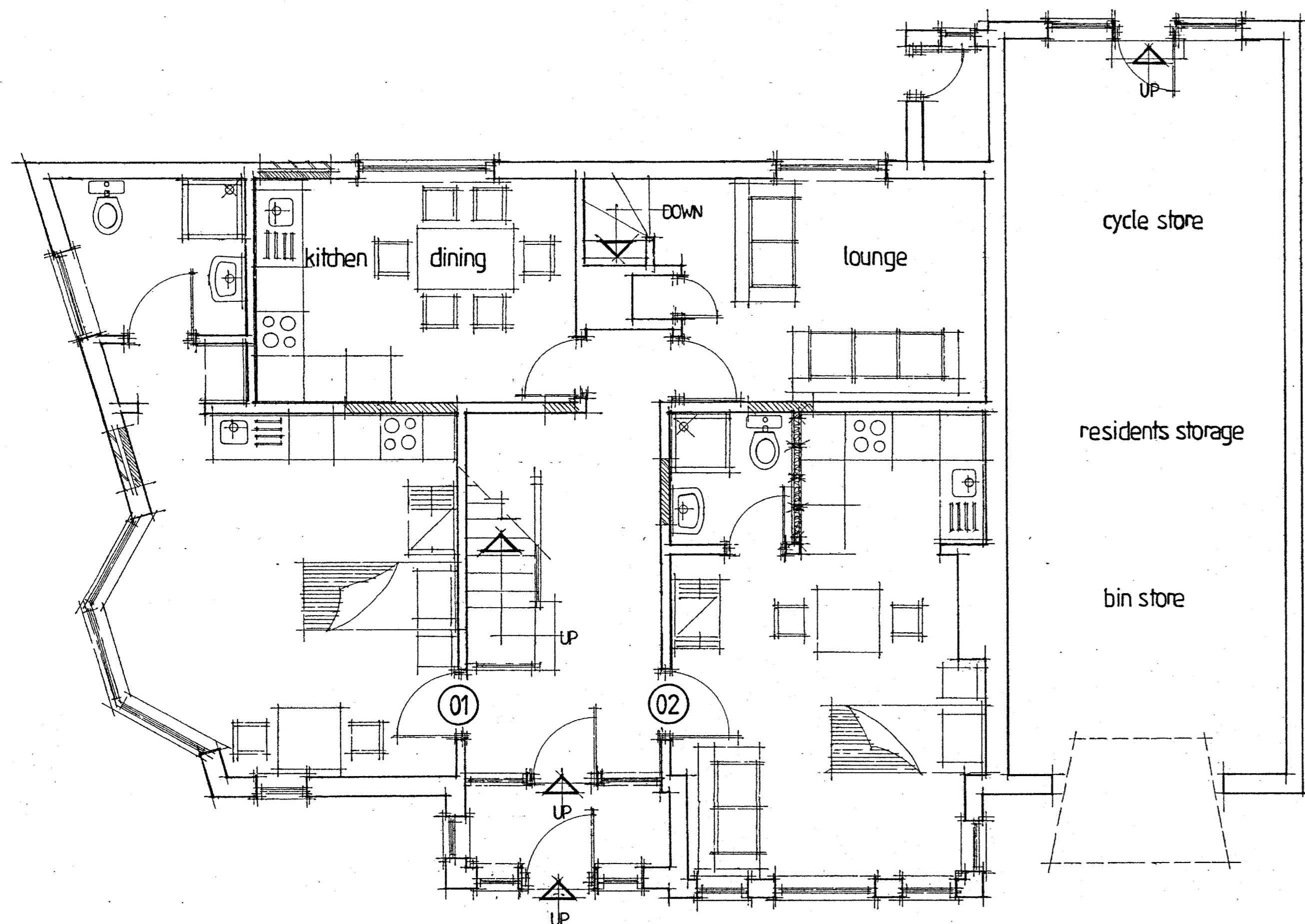
11.0 CONCLUSION

- 11.1 Officers are mindful of the applicant's motivation to provide a high standard of accommodation for the future occupants of the site and the need to bring a substantial property back into use. It is considered that the proposed development will make a positive contribution to the Council's housing stock and accords with the City Council's relevant Core Strategy policies and would not undermine the balance or health of the local community. As a consequence the application is recommended for approval.

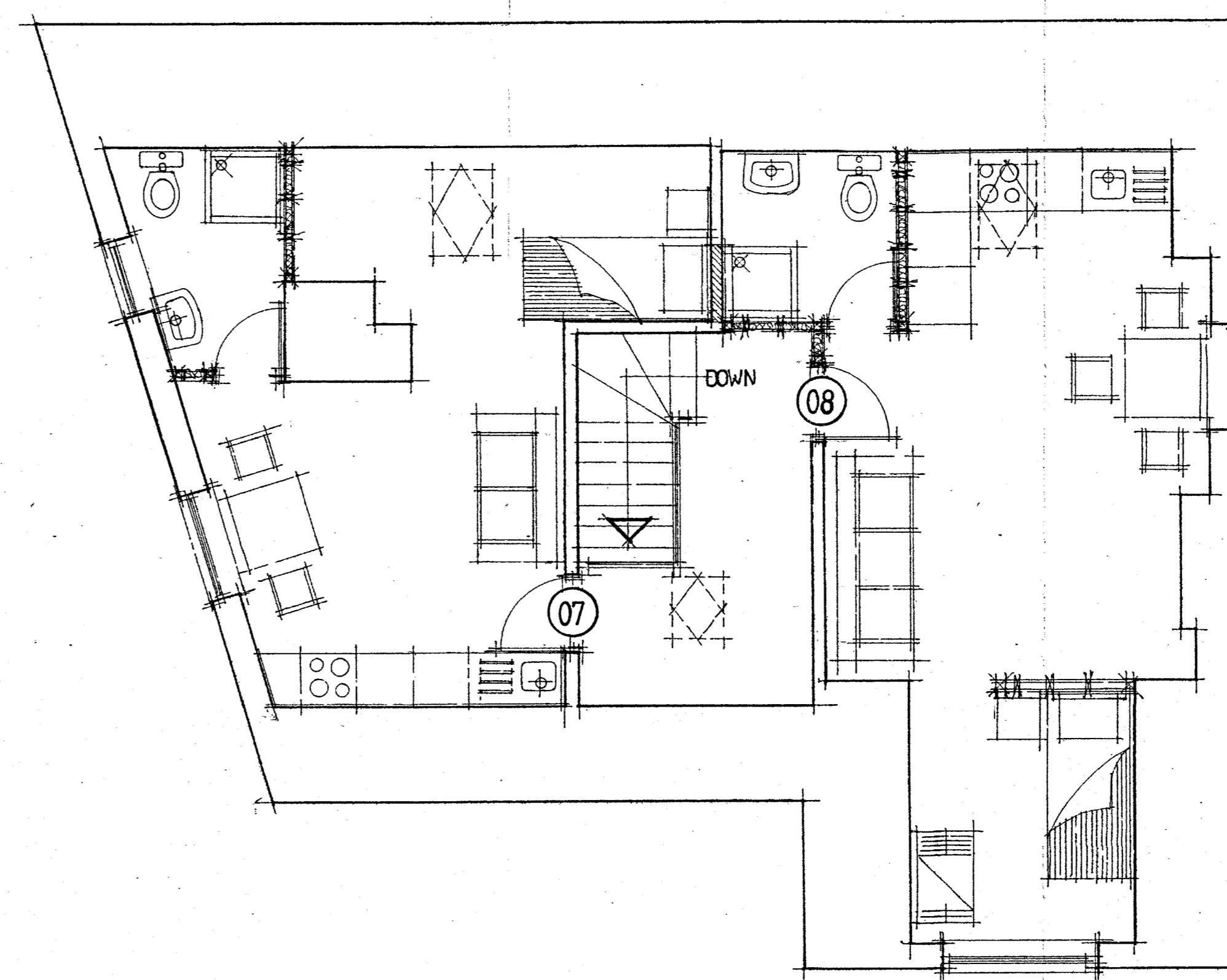
Background Papers:

Application file: 14/02832/FU.

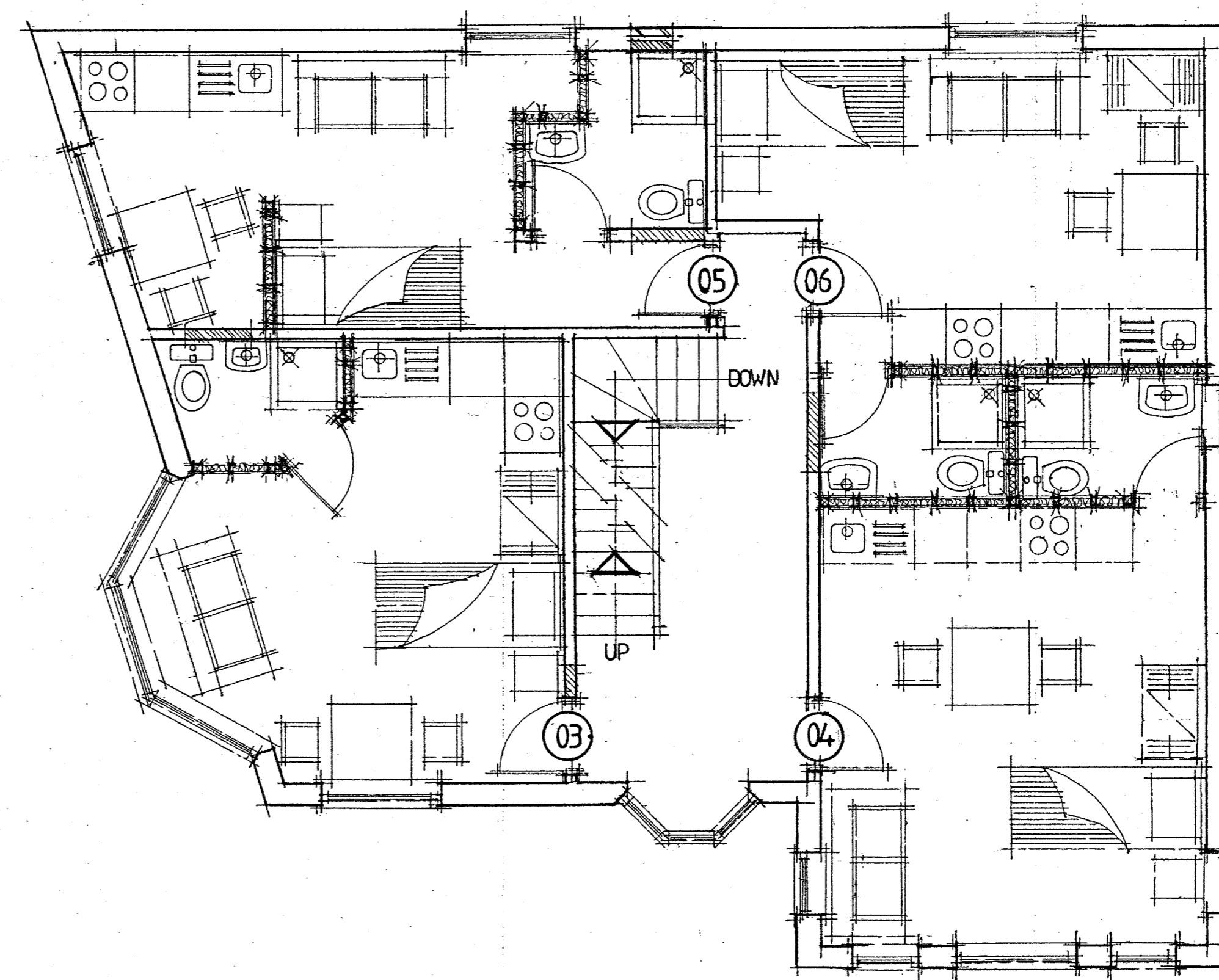
Certificate of Ownership A completed.



PROPOSED GROUND FLOOR LAYOUT



PROPOSED SECOND FLOOR LAYOUT



PROPOSED FIRST FLOOR LAYOUT

LEEDS CITY COUNCIL

13 DEC 2014

REVISED

The changes shown
on this plan do not need
further public comment

DO NOT SCALE OFF DRAWING

ALL DIMENSIONS TO BE CHECKED ON SITE

| MK | DATE | REVISION |
|----|------|----------|
| | | |
| | | |
| | | |

JOB DESCRIPTION
CHANGE OF USE OF DOCTORS SURGERY TO 8 BEDROOM
HOUSE IN MULTIPLE OCCUPATION AT 1 EAST PARK PARADE,
EAST END PARK, LEEDS, LS9 9NQ.

NJB
Associates

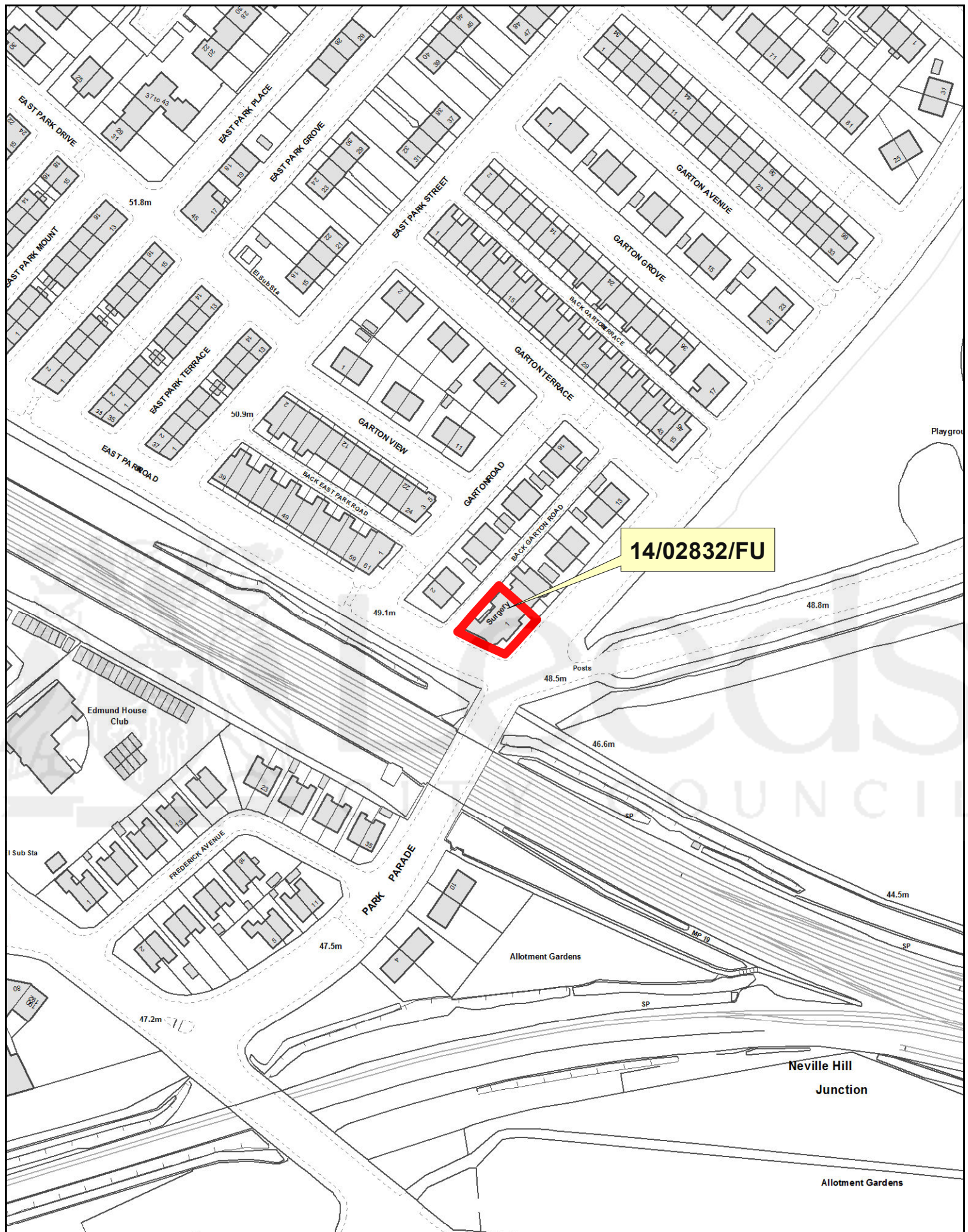
architecture design planning

Raydon House Common Lane East Ardsley Wakefield WF3 2EG
Telephone & Fax 0113 2528009

DRAWING
PROPOSED FLOOR LAYOUTS (REVISED)

CLIENT
MR & MRS MEADOWS.

| | | | |
|----------|-----------|------------|---------|
| DATE | DEC 2014 | DRAWING No | TWO B |
| SCALE | 1/50 @ A1 | PROJECT No | 2014029 |
| DRAWN BY | N.J.B. | CHECKED BY | S.M.B. |



NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

