



Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 2 June 2016

Subject: APPLICATION 16/01391/FU – Application for a change of use of a dwelling house (C3 use class) to a six bedroom House in Multiple Occupation (C4 use class) at 3 Grange View, Chapeltown, Leeds, LS7 4EP.

APPLICANT

A P Dwellings Ltd

DATE VALID

2 March 2016

TARGET DATE

27 April 2016

Electoral Wards Affected:

Chapel Allerton

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 specified conditions:

1. Three year time limit
2. Development carried out in accordance with approved plans
3. Details of bin store
4. Cycle parking

1.0 INTRODUCTION

- 1.1 This application seeks planning permission for the conversion of 3 Grange View from a four bedroom family home to use as a six bedroom HMO within Class C4 and is brought before Panel at the request of all three Ward Member who are of the view that there is already a high concentration of flats and Houses in Multiple Occupation in the Chapel Allerton Ward and that larger family homes are needed. To continue to introduce HMO's into Chapel Allerton, will, in their opinion, undermine the balance and health of communities in the Ward. Members have also raised a point that Chapel Allerton has high levels of unemployment. They also feel the proposal fails to provide sufficient parking and will put a strain on an already busy area and that this application does not accord with Core Strategy Policy H6 (part A).

2.0 PROPOSAL

- 2.1 The proposed development seeks planning permission for the conversion of a dwelling house in the C3 use class to a six bedroom House in Multiple Occupation (HMO). No external alterations to the building are proposed.

The layout would be over three floors and comprise of:

Ground Floor

Entrance hall
Communal kitchen and living areas
One bedroom

First floor

Three bedrooms
Two communal bathroom
One w.c.

Second Floor

Two bedrooms
One communal bathroom

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located within a well-established residential settlement close to public transport routes and local amenities and can be regarded as a sustainable location. The site also sits adjacent to the Chapeltown Conservation Area.
- 3.2 The property is a four storey (including basement level) end terraced dwelling (late Victorian) constructed in red brick. The front garden is hard-standing and set behind a brick wall with stone arched copings and a close boarded timber fence. To the rear is an open yard and access to the basement level.
- 3.3 Many of the properties on Grange View have been converted into flats with planning records showing No.55 as converted into bedsits and No.3 as a five bedroom care home. The character of the area is residential with shopping, non-retail and community buildings to the west of Grange View located on Chapeltown Road.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 THE HISTORY OF NEGOTIATIONS

- 5.1 None

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notice dated 24 March 2015. One letter of representation has been received from a local resident (No. 35 Cowper Street) and the concerns raised are summarised below:
- General Amenity issues
 - Transience
 - Waste generation

- Increased noise and disturbance
- Erosion of community cohesion as the property will no longer be in family occupation.
- The area should be restricted in respect of conversions to HMO's in a similar way other parts of the City are.

6.2 Ward Members have stated that in their view there is already a high concentration of flats and HMO's in the Chapel Allerton area and that larger family homes are needed. To continue to introduce HMO's into Chapel Allerton, will, in their view undermine the balance and health of communities in the ward. Furthermore, Chapel Allerton has high levels of unemployment. They also note this proposal does not provide any off-street parking which will put a strain on an already busy area.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways: No objections raised subject to conditions regarding cycle parking, and details of bins and bin storage.

7.2 Drainage: No objections raised.

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:

- (i) The Leeds Core Strategy (Adopted November 2014). This is the main document of the Local Development Framework (LDF).
- (ii) Saved UDP Policies (2006) – Appendix 1 of the Core Strategy.
- (iii) The Natural Resources and Waste Local Plan (2013).

8.2 The plans aim is to guide development and investment decisions and to provide a framework for Development Plan Documents. Following the adoption of the Core Strategy and the Natural Resources and Waste Local Plan, a number of UDP Policies have been deleted which are also identified in Appendix 1 of the Core Strategy. In addition to the saved UDP Policies a number of site specific policies are also saved until they are superseded by the Site Allocations Plan, Aire Valley Area Action Plan or future Development Plan Documents once adopted.

8.3 The below Core strategy and saved UDP (2006) policies, supplementary development documents and national guidance are considered to be relevant to this application.

Core Strategy

General Policy – Sets out the presumption in favour of sustainable development

Policy SP1: Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.

Policy H4 – Housing Mix

Policy H6 Part A – Conversions to HMO's

Policy T2 – Accessibility requirements and new development

Saved UDP (2006)

Policy GP5 - Development should not cause loss of amenity and resolve detailed considerations.

Policy BD5 - Seeks to ensure new development protects amenity.

Supplementary Planning Guidance 13 - Neighbourhoods for Living.
Supplementary Planning Guidance 6 – Self Contained Flats
Street Design Guide
Parking

National Policy

8.3 National Planning Policy Framework (2012):

- This document promotes sustainable development (economic, social and environmental). Section 6 – Creating a wide choice of homes, of the National Planning Policy Framework (NPPF) is relevant to the consideration of this application.
- Guidance on conditions is provided within the Planning Policy Guidance.

8.4 DCLG - Technical Housing Standards 2015:

The above document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a Local Planning Authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the City Council is currently developing the Leeds Standard. However, as the Leeds Standard is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this stage.

The standard only applies to new build development and not conversions. But by way of giving guidance as to the level of accommodation provided an evaluation of this development against the standard has been carried out.

In this instance the proposal consists of six bedrooms with communal facilities therefore the housing standards require at the highest minimum internal floor area and storage 138 sq/m for four bedrooms, 8 bed-spaces over 3 storeys (The maximum has been used as some rooms could reasonably accommodate double beds). The internal floor area of the bedrooms would be:

Bedroom 1: 20.3 sq/m
Bedroom 2: 19.74 sq/m
Bedroom 3: 20.3 sq/m
Bedroom 4: 7.7 sq/m
Bedroom 5: 19.11 sq/m
Bedroom 6: 10.85 sq/m

The total internal floor-space including bathrooms, living, dining and kitchen areas as well as a storage/utility room equates to some 158.4 sq/m.

As such the proposal exceeds the standards set out above.

9.0 MAIN ISSUES

- Principle of Development and amenity
- Highway matters
- Character and appearance
- Other matters
- Conclusion

10.0 APPRAISAL

Principle of Development and amenity

- 10.1 Sustainable Development is a key aspect of the current planning policy framework at both national and a local level. Spatial Policy 1 of the Leeds Core Strategy (LCS) seeks to ensure that new development is concentrated in the main urban areas in order to ensure that shops, services and public transport are easily accessible. The application site is located within a wider established area of a residential settlement and is in current residential use as an unauthorized HMO and has historically being used for residential purposes. The site comprising a semi-detached property with associated off-street parking and gardens. The site is close to local facilities and good public transport routes and as such is considered to be in a sustainable location.
- 10.2 HMO's often present an array of issues and the government has recognised that high concentrations of HMOs in an area can lead to negative issues of:
- Increased anti-social behaviour, noise and nuisance
 - Imbalanced and unsustainable communities
 - Negative Impacts on the physical environment and streetscapes
 - Pressures upon parking provision
 - Increased crime
 - Growth in the private sector at the expense of owner-occupation
 - Pressure on local community facilities
 - Restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population.
- 10.3 However, it is recognised that HMOs, in a controlled environment, can make a valuable contribution to meeting some housing needs.
- 10.4 Policy H6 of the Leeds Core Strategy deals with *inter alia* conversions of existing dwellings for use as HMO's. Development proposals for new HMOs, within the area of Leeds covered by the Article 4 Direction for HMOs proposals for new HMOs, will be determined against the below points:
- (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,
 - (v) To avoid the loss of existing housing suitable for family occupation in areas of

existing high concentrations of HMOs.

- 10.5 Saved UDP Policy GP5 also requires development proposals to avoid loss of amenity. There are records of planning permissions for other HMOs within the immediate vicinity of the application site however the bulk of the housing is family housing or conversions to flats, and it is therefore not considered that there would be a cumulative harm from the granting of permission for this application through creation of a concentration of HMO's. The proposal may increase the level of activity at the property over and above that associated with occupation of the dwelling by a single family in respect of coming and goings of tenants and visitors and the manoeuvring of any vehicles associated with tenants and visitors. In principle a four bedroom home as existing occupied by a large family could bring the similar issues where music, vehicle manoeuvres, visitors and general noise of occupation could occur. The proposed layout is very much akin to that of a dwelling in family occupation and in the main the property would function in a similar manner, especially if a family with grown children was to occupy the property i.e. car ownership and comings and goings. On balance, it is not considered that the six bedroom HMO would be significantly more intrusive to the living conditions of the neighbouring properties than if occupied as a single unit.
- 10.6 The living conditions within the HMO for current and future occupants is considered acceptable in terms of bedroom sizes, communal areas and the number of bathrooms. It is noted that a first floor bedroom is much smaller than the others at 7.7sq/m. The city council's Advisory Standards for HMO's prepared by the Housing Regulations Team – Housing Services (January 2012) sets advice to assist landlords, managing agents and developers to design, improve and maintain houses in multiple occupation to a reasonable standard. This is not a planning policy document and should be afforded limited weight. However, it does provide some helpful guidance. The standards cover both licensed and non-licensable HMOs. These standards relate to Category A – bedsit and Category B – shared houses only. Separate advice is available for Category C – hostels. In this instance the conversion relates to a Category B HMO. This document sets out space standards and states that bedrooms should be 10sq/m except where a separate communal living room is provided in which case the bedroom may be 6.5sq/m. As such the smallest bedroom proposed is 1.2sq/m above this advice. It is considered that the proposal offers good levels of internal space, good opportunities for natural light and outlooks. Furthermore, the site is located close to Chapeltown Road and close to commercial and shopping functions; the level of noise that may occur above that which could reasonably be expected from activities associated to a family home would be within an area where ambient noise is relatively constant throughout the day and into the night. Therefore, on balance, it is not considered that neighbours living conditions would be unduly harmed by the resulting use of the property as a HMO.
- 10.7 In light of the above and whilst the street and immediately surrounding streets are family occupied or flats with sporadic HMO conversion it is not considered that a concentration of HMO's exist. As part of this assessment Officers have engaged with LCC's Council Tax Service and they have provided data which confirms that on Grange View there are 15 flats and only one other HMO. The site lies within the built up area it is considered that there is no fundamental objection to the principle of the development. The provision of the shared house would provide a greater choice of housing and accords with the Core Strategy in that the Cities Strategic Housing Market Assessment - 2011 anticipates growth in the need for HMOs in the early years of the Development Plan to accommodate for young people and because of strong demand for private rented accommodation from working people unable to

buy. The LCS recognises that this could affect all areas of Leeds, but is likely to be focused on the inner areas popular for rented property.

Highways matters

- 10.8 Leeds Core Strategy Policy T2 seeks to ensure that all developments achieve safe and secure access and are located in accessible locations and part (iv) of Policy H6 deals with parking concerns. As part of this application a technical view was sought from Highways who have raised no objection subject to conditions as set out at the head of this report.

Character and Appearance

- 10.9 The change of use application does not propose any alterations to the property and in terms of the buildings appearance it would remain as existing. The building would also remain in residential use within a residential context and whilst not a family home it would not alter the appearance of the street or immediate area. Conditions can be imposed for details bin storage to cater for the increased intensification.

Other matters

- 10.10 This application has attracted one letter of objection from residents of 35 Cowper Street and objections from all three Ward Members. The local resident raise concerns regarding numbers of HMO applications within the Chapeltown area of the City and that the same approach the council has applied in Headingley should be followed in Chapeltown. Other comments are in regard of parking and bin facilities, noise and disturbance, transient residence, a badly maintained property and loss of family housing.
- 10.11 Ward Members have stated that in their view there is already a high concentration of flats and HMO's in the Chapel Allerton area and that larger family homes are needed. To continue to introduce HMO's into the Chapel Allerton Ward, will, in their view undermine the balance and health of communities in the ward. Furthermore, Chapel Allerton area has high levels of unemployment. They also note this proposal does not provide any off-street parking which will put a strain on an already busy area. As a result the members are of the opinion that the application fails to accord with Policy H6 (part A) of the LCS.
- 10.12 In the main the matters raised above have been covered within this report. The fact that the property would be a HMO does not necessarily means that its state of repair would suffer and this would fall to the owner to manage. Properties in rental or private use is not an absolute indicator of a property that is well maintained. A high level of unemployment within the Ward acts to support this type of housing option as cost would be lower and thus makes a more realistic and achievable housing option. Policy H6 (A) does not identify what numbers are considered to constitute a concentration but in Officers view the prevailing housing on the street and on those streets within close proximity would remain family housing and flat conversions.

11.0 CONCLUSION

- 11.1 In light of the above, the principle of the HMO on this site within the immediate location is considered to be acceptable in policy and planning terms and the impact on residential amenity is not considered to be, on balance unduly harmful. Whilst highways and all other material planning matters are considered to be, subject to conditions, acceptable. As such the proposed scheme is compliant with the relevant

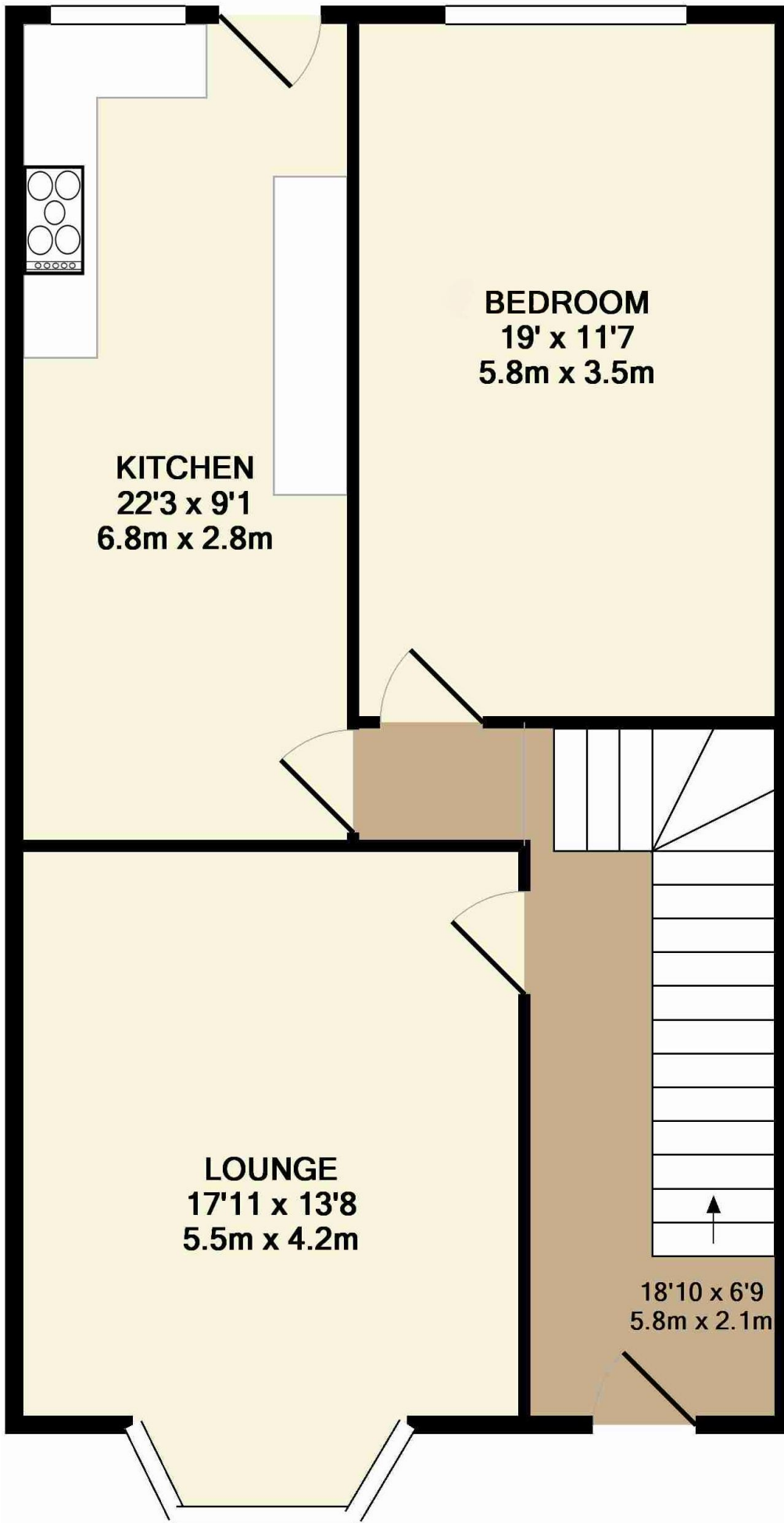
policies and guidance detailed within this report and subject to conditions approval is recommended.

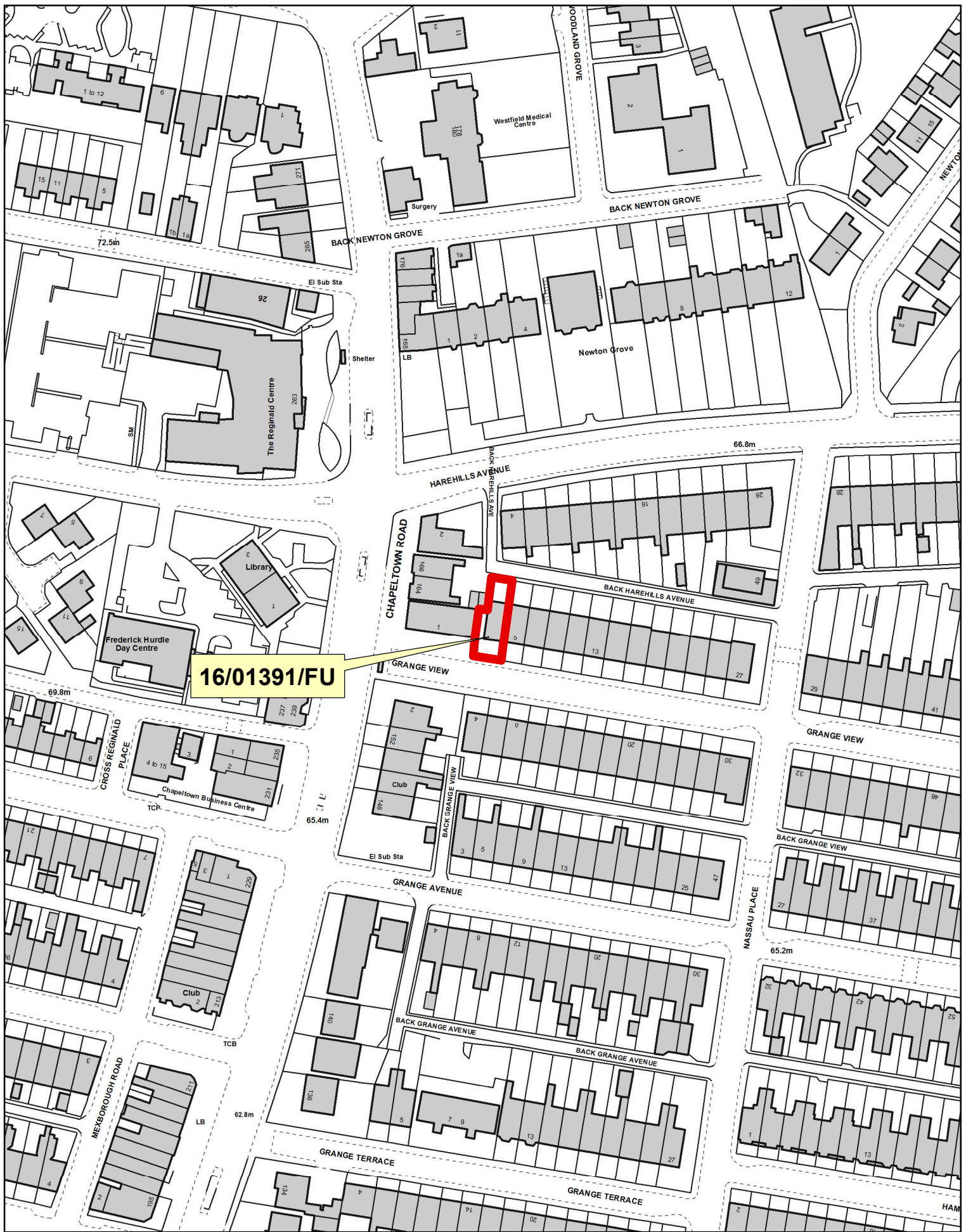
Background Papers:

Application file

Certificate of ownership: Miss Dos Santos.

Ground Floor Plan - Scale 1:50 on A4





16/01391/FU

NORTH AND EAST PLANS PANEL

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

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