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**Report of the Chief Planning Officer**

**NORTH AND EAST PLANS PANEL**

**Date: 30<sup>th</sup> June 2016**

**Subject: 16/01124/FU – Demolition of existing outbuilding; conversion of existing buildings to two dwellings with associated parking and landscaping at 29 Gledhow Lane, Gledhow, Leeds, LS8 1RT**

**APPLICANT**

Mr S Binks

**DATE VALID**

22<sup>nd</sup> February 2016

**TARGET DATE**

6<sup>th</sup> July 2016 (Ext of time)

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**Electoral Wards Affected:**

**Roundhay**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: GRANT PERMISSION subject to specified conditions.**

1. Commencement of development within 3 years
2. Development to accord with the approved plans
3. Materials to be approved on site before the commencement of work
4. Permission shall be obtained before any openings or vents are inserted in the rear elevation of the proposed conversion
5. Details shall be provided of the window and door joinery, the glazed screen to the cart door entry, heads and cills to new openings, rainwater goods, external flues, roof lights and repointing and repairs to stonework
6. All areas to be used by vehicles have to be fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway.
7. A scheme detailing surface water drainage works to be submitted to and approved in writing by the Local Planning Authority
8. No additional windows or other openings to be inserted in any elevation.
9. Standard Land Contamination Conditions
10. Removal of PD rights relating to alterations to the roof

## **1.0 INTRODUCTION**

1.1 The application is to demolish existing outbuildings and the conversion of existing commercial properties to create two residential dwellings.

1.2 The application has previously been reported to Plans Panel on the 1<sup>st</sup> October 2015 and was overturned and refused by Members. That scheme was for three units.

1.3 The reason for refusal was:

The proposal constitutes an overdevelopment of that site that will fail to provide an adequate level of amenity for the prospective occupiers of the accommodation by reason of the sizes of some of the rooms, inadequate parking and amenity space provision, as such the proposal is contrary to Policy P10 of the Leeds Core Strategy, Saved Policies GP5 and BD5 of the Leeds Unitary Development Plan Review 2006, Supplementary Planning Guidance Neighbourhoods for Living, and the National Planning Policy Framework.

1.4 The applicant resubmitted following discussions with Officers who advised that they should reduce the number of dwellings from three to two.

## **2.0 PROPOSAL:**

2.1 The outbuildings to the front of the site are proposed to be demolished to accommodate off-street parking for the proposed conversion to two dwellings and a small amenity space. The existing stone wall and entrance will remain as existing. The commercial properties will be converted into 2no. two bedroomed dwellings with off street parking to the front.

2.2 Located within the roof at the rear will be two 'sun tunnels' that will provide natural daylight to the proposed staircase.

## **3.0 SITE AND SURROUNDINGS:**

3.1 The application site relates to commercial property located within Roundhay Conservation Area and is classed as a positive building within the Conservation Area Appraisal. The character of the immediate area is predominately residential ranging from semi-detached to detached dwellings. The site is in close proximity to Roundhay Park.

3.2 The neighbouring property, No 11 Gledhow Lane is a Grade II listed building.

3.3 Presently car parking is located to the front of the existing properties and the access is onto Gledhow Lane.

## **4.0 RELEVANT PLANNING HISTORY:**

4.1 15/03847/FU - Demolition of existing outbuilding; conversion of existing buildings to three dwellings with associated parking and landscaping – Refused at Plans Panel 1<sup>st</sup> October 2015.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 An initial pre-application enquiry was submitted (PREAPP/15/00289) for the conversion of existing commercial premises into residential units. Officers advised that a residential conversion was in principle acceptable providing concerns can be overcome with Conservation, Highways and Residential amenity.
- 5.2 The original application was for three dwellings, roof lights, private amenity space and off street parking. The agent revised the internal layout in terms of relocating the staircase to the rear and bedroom 2 to the front of the properties. The number of roof lights had been reduced from 19 down to only 3. Roof lights were to be located in the rear part of the roof only.
- 5.4 The application was recommended for approval however members considered the development to represent an over development of the site and overturned that recommendation on the 1<sup>st</sup> October 2015 and refused on the grounds of overdevelopment of the site that would not provide an adequate level of amenity for the occupiers in terms of the size of the rooms, lack of private amenity space and inadequate parking.
- 5.5 The applicant resubmitted an application which was originally for three dwellings so Officers met with the agent and applicant and explained that in their opinion there needed to be some material alteration to the proposal otherwise it would likely meet the same fate as the earlier scheme. It was during these discussions that it was suggested to them that they reduce the number of units from 3 down to 2 as this would alleviate the pressure of the development on the remainder of the site given that the provision of amenity space and car parking was limited. Other advice on making the scheme acceptable within the Conservation Area was also given such as the use of materials and retention of the chimney.
- 5.6 The applicant and agent also clarified that No 33 Gledhow Lane has never had any right to parking on the site.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been advertised by site notices and a notice within the Yorkshire Evening Post as affect the setting of a listed building and character of a conservation area. Letters were also sent to occupiers of neighbouring properties.
- 6.2 There has been 20 objection letters from members of the public. The points of concerns are:
- Proposal does not address previous concerns.
  - Proposal is identical to previous refusal
  - Overdevelopment
  - Fail to provide adequate level of amenity
  - Traffic hazard and concerns over pedestrian accidents
  - Loss of local businesses
  - Flood risk
  - Properties are small
  - Historic value of building
  - Impact upon Conservation Area and Listed Building
  - Loss of privacy
  - No provisions for ventilation/boiler
  - Lack of parking

## 7.0 CONSULTATIONS RESPONSES:

- 7.1 Highways - No objections. The proposal for three 2 bedroom dwellings represents a reduction on the existing five tenanted commercial uses. Each dwelling will have a single parking space and as such is considered that the intensity of use of the access onto Gledhow Lane would be reduced. The applicant must demonstrate the current off street car parking arrangements for No 33 Gledhow Lane and how these will be affected by the development.
- 7.2 Conservation - The impact is now less than the previous scheme and will help to preserve the character of the property. Retention and exposing of features such as the trusses internally would also help, and some traditional external surface treatments, otherwise the character of the conservation area and setting of the listed buildings will be preserved.
- 7.3 Mains Drainage - The developer has taken on board all the comments made by FRM in their Pre-planning enquiry about drainage requirements for the site. Hence the overall proposal as indicated in the Design & Access Statement prepared by The Architects' Bureau Ltd, February 2016 is acceptable. The proposed development would not result in changes the existing surface water drainage of the building however there would be opportunities to introduce appropriate drainage to any additional landscaped areas resulting from the removal of the outbuilding and general site improvements. These matters can all be dealt with by the Building Inspector as part of the requirements of the Building Regulations.

## 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 the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

### Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

H2	Housing on unallocated sites.
<u>P10</u>	Seeks to ensure that new development is well designed, respects its context and does not harm amenity.
<u>P11</u>	Seeks to ensure that Leeds' heritage assets are protected and enhanced.
<u>T2</u>	Seeks to ensure that new development does not harm highway safety.

Spatial Policy 6 Identifies that 500 dwellings per year are anticipated to be delivered on small and unidentified sites known as windfall sites.

The following saved UDP policies are also relevant:

<u>GP5:</u>	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
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BD6: Seeks to ensure all alterations respect the scale form and detailing of the original building.

N19 Development proposals within conservation areas.

8.3 The Neighbourhoods for Living SPG lays down guidance as to the suitable level of amenity space that should ordinarily be provided for residential developments. As a general rule this level of provision is indicated at a minimum of two thirds the gross internal floor space of the dwellings. However this guidance needs to be tempered against other material considerations when appropriate and in this instance the preservation and enhancement of a heritage asset that is an identified positive building in the Conservation Area, (see below), weighs in the schemes favour more than the lack of amenity space weighs against it.

8.4 Roundhay Conservation Area Appraisal identifies the application site as lying in Character Area 5 of the Conservation Area and is identified as a Positive Building in the Conservation Area.

8.5 Roundhay Ward Neighbourhood Design Statement identifies the application site as falling within CA6 Oakwood West Map. This document makes no specific reference to the application site but identifies that the area between Gledhow Lane and Gledhow Wood Road is characterised by attractive 1930's demi-detached housing of a uniform style. What isn't identified is that the part of Gledhow Lane where the application site lies is an anomaly to this pattern with large detached dwellings and an aspect to the park creating a junction with Ryder Gardens and Old Park Road with arguably its own distinct character.

#### National Planning Policy

8.6 The National Planning Policy Framework (2012) 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 National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.7 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given accordingly, it is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.

8.8 Section 7 (design) of the NPPF is relevant to the consideration of this application.

8.9 Section 131 (heritage assets) of the NPPF is relevant to the consideration of this application

#### DCLG - Technical Housing Standards 2015

8.10 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.

## 9.0 MAIN ISSUES

- Principle of development
- Neighbour Amenity
- Design and Character/Conservation Area
- Highway Safety
- Representations
- Community Infrastructure Levy
- Housing Standards

## 10.0 APPRAISAL

### Principle of development

- 10.1 Core Strategy Policy H2 notes that new development will be acceptable in principle on non-allocated land. In this instance the principle of this development is acceptable and furthermore the site is located within a sustainable location with accessible and regular transport services.

### Neighbour Amenity

- 10.2 Core Strategy Policy P10 notes that developments should “[protect] ... residential and general amenity...”. Saved policy GP5 notes that developments should protect amenity and policy BD6 notes that “all alterations.....should respect the scale, form, detailing and materials of the original building”.
- 10.3 The proposed development is to convert an existing commercial building to two dwellings along with the demolition of existing outbuildings. The overall footprint of the proposal will not be increased. The internal layout will be altered to accommodate the proposed habitable rooms for the two dwellings which will be two bedroomed. The property is set back off Gledhow Lane and screened by an existing stone wall which is to be retained.
- 10.4 Given that the proposal is a conversion of an existing building with no increase in size, there are no concerns of any additional overshadowing of or loss of light to neighbouring properties.
- 10.5 The original application indicated three roof lights to the rear, these have been removed from the development and replaced with two sun tunnels these will serve the proposed hallways. The sun tunnels will sit within the tiles of the existing roof and will be non-opening and will only serve to provide light to the hallway. By having sun tunnels there are no concerns with overlooking to the neighbouring No 11 Gledhow Lane. To prevent any additional concerns of overlooking to No 11 Gledhow Lane a further condition is recommended so that no additional openings are inserted in the rear elevation of the building.

### Design and Character/ Conservation Area

- 10.6 As noted above the application site is located within Roundhay Conservation Area and is identified positive building within the Conservation Area. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. That statutory framework is reinforced by the National Planning Policy Framework (the Framework) at Section 12. Core Strategy policy P11 reflects this special duty and seeks to ensure that development is appropriate to its context and preserves the city's heritage assets. This duty is also carried forward in Core Strategy policy P10 and saved UDP policy GP5 which seek to ensure that development is generally of high quality.
- 10.7 The conversion of the existing dwelling to two dwellings does not raise significant concerns regarding visual amenity. It is a building which is set back from Gledhow Lane and screened by a 1.8-2 metre high stone boundary wall. The existing external iron staircase will be removed improving the overall appearance and character of the building. The agent has retained the existing chimney, added two flues, and tile vents for the bathroom extraction. These will be located within the front elevation of the roof. The new openings and the closing of an existing entrance is recommended to be conditioned to match the materials of the existing property and retain the character of the buildings and will not detract or harm the character of the buildings themselves or the Conservation Area within which it lies should planning permission be granted. The detailing and materials will respect that of both the application and the neighbouring property No 33 Gledhow Lane. It is therefore concluded that the proposal would not harm the overall character and appearance of Roundhay Conservation Area or negatively impact on the visual amenities of the surrounding area.
- 10.8 As such the application is considered acceptable in this regard.

### Highway Safety

- 10.9 Core Strategy Policy T2 notes that developments be situated in accessible locations and should ensure that adequate parking provision is made. The normal standard for dwellings is 2 off street car parking spaces per dwelling however this development can only accommodate one per dwelling. Under normal circumstances and if this were a new build proposal, the scheme would be recommend for refusal due to the inadequate parking. However, Highway Officers raise no objections as the proposal represents reduction intensity as the number of vehicular movements to and from the existing five tenanted commercial uses will significantly exceed the vehicular movements from 2 No dwellings. These vehicular movements could occur anytime of the day and certainly throughout the day. However vehicular movements to and from the converted dwellings are likely to be more restricted and do not represent an increase in intensity. Taking into account the added heritage values of the renovation of these properties providing them a new lease of life and ensuring their preservation for the foreseeable future, the reduction in standards for off street car parking is justified in this instance.
- 10.10 In addition, Highways Officers also state that as each dwelling will have only a single parking space and as such it is considered that the use of the access onto Gledhow Lane would be reduced.

- 10.11 The applicant has clarified that the occupiers of No 33 Gledhow Lane have no right to parking on the site.
- 10.12 As such the application is considered to acceptable in this regard.

#### Representations

- 10.13 All material considerations raised through representations have been discussed above. Other matters raised which relate to loss of value to properties are not material planning considerations.

#### Community Infrastructure Levy

- 10.14 As there is no additional floorspace proposed (i.e. it is a conversion of an existing building with no extensions) and as the buildings are presently in a lawful use, then this development is not liable for a CIL payment.

#### Housing Standards

- 10.15 The Technical Housing Standards 2015 are generally taken not to apply to conversions of buildings to residential use as compromises sometimes have to be made to work within the fabric of an existing building. Nevertheless with this proposal two of the units would be in general conformity with the standards. However, the floor area of the smallest unit falls some 16m<sup>2</sup> short of the minimum gross floor area specified for 2 bed, 3 person, 2 storey units. However, as the standard carries limited weight, this does not apply to conversions and when balanced against other factors (such as securing the beneficial use of the historic building) it is not considered that the refusal of permission would be justified on this ground.

### **11.0 CONCLUSION**

- 11.1 Having considered all of the above the demolition of the outbuilding and the conversion of the existing building are considered appropriate development to the Roundhay Conservation Area. There will be no significant harm to highway safety as there will be an overall improvement in highway terms over and above the impact that the existing lawful use, and no material impact on residential amenity. As such the application is recommended for approval subject to conditions for the reasons outlined at the head of this report.

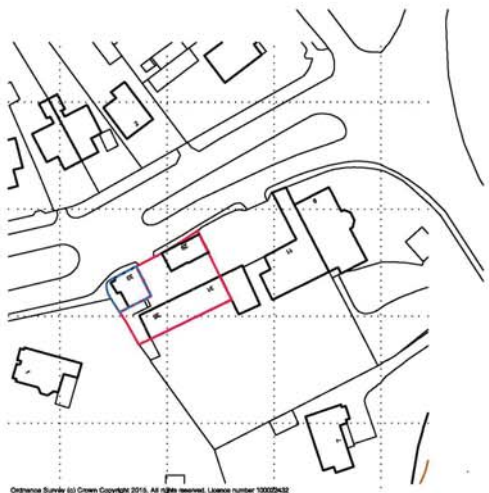
#### **Background Papers:**

Application files

16/01124/FU

Certificate of ownership: Certificate A signed by the agent





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**OS Location Plan**  
Scale 1:1250



**Existing site Plan**  
Scale 1:200



**Proposed site Plan**  
Scale 1:200

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 started.  
Only figured dimensions to be taken from this drawing.  
Drawings based on Ordnance Survey and / or existing record drawings - design and drawing content subject to this Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.  
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**GENERAL NOTES:**

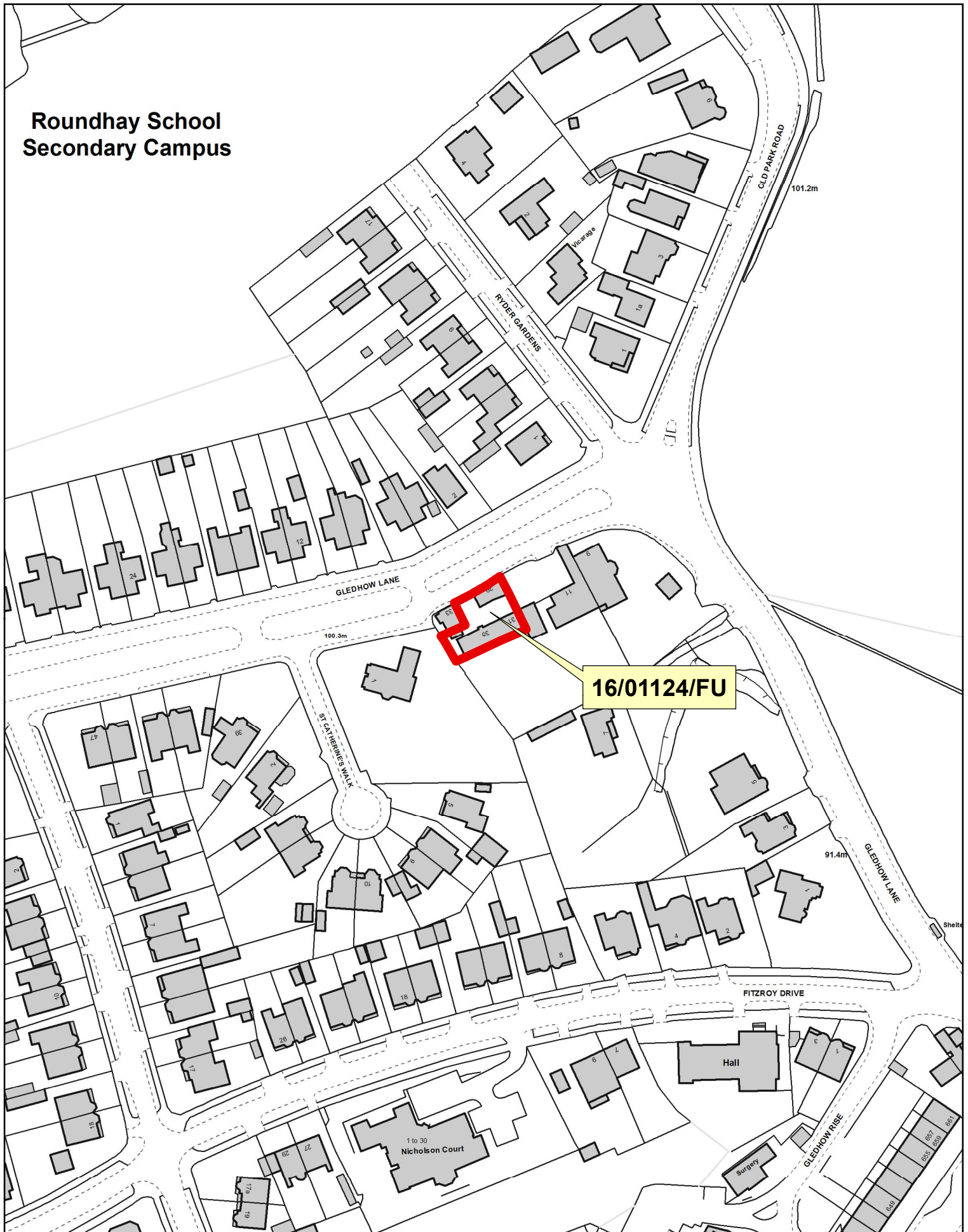
STRUCTURAL ALTERATIONS SUBJECT TO STRUCTURAL ENGINEERS COMMENTS AND DESIGN. CALCULATIONS SHALL BE OBTAINED BY THE APPOINTED BUILDING CONTRACTOR AND SUBMITTED FOR APPROVAL BEFORE WORKS COMMENCE ON SITE.  
ALL WORKS TO BE CARRIED OUT TO THE LATEST BUILDING REGULATIONS, BRITISH STANDARDS AND APPROVED CODES 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.

**THE ARCHITECTS' BUREAU**

Client <b>Steven Binks</b>		Project Name <b>Conversion to 2No. dwellings</b>	
Site Address <b>29 to 35 Gledhow Lane, Leeds</b>		The <b>OS Location and Site Plans</b>	
Our Drawing Reference <b>1511 (GA) 001</b>	Revision <b>E</b>	Size <b>A3</b>	Scale <b>1:100 @ A1 1:200 @ A3</b>
Date <b>March 2015</b>		By <b>CJA</b>	

**OS Location and Site Plans**

# Roundhay School Secondary Campus



# NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

