



Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 4 August 2016

Subject: APPLICATION 16/01753/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) and pitched roofed dormer windows to the front and rear at 6 Grange Terrace, Chapeltown, Leeds, LS7 4EF.

APPLICANT

Mr P Wenham

DATE VALID

16 March 2016

TARGET DATE

20 May 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: REFUSE PERMISSION for the below reason:

The Local Planning Authority considers that the proposal, would make a significant contribution, when considered cumulatively, to the existing high concentration of houses in multiple occupation and other similar forms of housing in this part of the City, to the existing housing imbalance within the area. As such the proposal would be contrary to the Council's objectives to avoid high concentrations of houses in multiple occupation and to avoid the local housing and population imbalance and to achieve sustainable communities. Therefore the proposals fail to accord with the aims of Leeds Core Strategy Policy H6 and the advice contained within the National Planning Policy Framework (2012).

1.0 INTRODUCTION

- 1.1 This application seeks planning permission for the conversion of 6 Grange Terrace from a four bedroom family home to use as a six bedroom House in Multiple Occupation (HMO) the C4 use Class.

- 1.2 This has previously been considered by Panel on the 2 June 2016 and was deferred with the Panel minute recording the resolution as:

“That this item be deferred whilst clarification on Core Strategy H6 was sought.”

Initially this application was put to Members advising that there was not a concentration of HMO's on Grange Terrace however when measured against a wider geographical area Officers are now of the view that the numbers of HMO's within the area set out below can be regarded as a high concentration and therefore the application fails to accord with requirements of Policy H6. Officers now have access to a mapping tool that is linked to council tax records (based on council tax records and the HMO register) which they did not have during the earlier assessment of the application.

- 1.3 This wider scope of assessment shows a far greater expanse of HMO's than was detailed using planning records, information issued by Council Tax for Grange Terrace alone and the findings of the site visit to Grange Terrace. HMOs have been identified in the following streets:

- Cowper Street x 8 HMO's
- Grange Terrace x 4
- Grange Avenue x 12
- Grange View x 4
- Hamilton Avenue x 3
- Francis Street x 3
- Nassu Place x 1

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). External alterations to the building are proposed with the addition of two pitched roofed dormers to the front and rear.

The layout would be over three floors and comprise of:

Ground Floor

Entrance hall
Communal kitchen and dining/living areas
One bedroom with en-suite

First floor

Three bedrooms with en-suites
Communal bathroom

Second floor

Two bedrooms with en-suites

3.0 SITE AND SURROUNDINGS

- 3.1 The wider area is residential in character and is located within a well established residential settlement close to public transport routes and local amenities and is therefore located within a sustainable location. The prevailing character of the area is high density red brick terracing with later 20th century development as well as larger Victorian Villas that address Chapeltown Road.

3.2 The application relates to No.6 Grange Terrace, the property is a terraced property constructed in red brick under a tiled pitched roof. Yards are located to the front and rear.

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 the 15 April 2016. In response one letters of objection has been received with all three Ward Members also raise objections. The issues raised are summarised below:

- Concerns regarding numbers of HMO applications within the Chapeltown area.
- The same approach the Council has applied in Headingley should be followed in Chapeltown.
- No details of parking and bin facilities
- Increased noise and disturbance
- Transient residence,
- The proposal will result in a badly maintained property
- Loss of family housing.

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 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.

Householder Design Guide - The guide gives advice on how to achieve high quality design for extensions and additions to existing properties, in a sympathetic manner that respects the spatial context. Advice within this document states that dormers to the front should be small, well designed additions which retain the original roof form; constructed of appropriate materials and reflect the proportions and positions of existing windows. Dormer windows to the rear which do not face a public highway or other public area may be marginally larger to provide extra accommodation within the roof. However, they should still seek to be set down from the roof ridge, up from the eaves level, and in from the sides. Matching materials should also be used. The impact upon neighbours through overlooking should also be considered.

Policy HDG1 – Design and appearance

Policy HDG2 - Protection of neighbours amenity

Supplementary Planning Guidance 13 - Neighbourhoods for Living.

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. Whilst this application is not for a new build it can be used as a reasonable tool of calibration.

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

Bedroom 1: 16.32 sq/m
Bedroom 2: 16.32 sq/m
Bedroom 3: 19.0 sq/m
Bedroom 4: 18.0 sq/m
Bedroom 5: 16.5 sq/m
Bedroom 6: 16.5 sq/m

The total internal floor-space including bathrooms, living, dining and kitchen areas as well as a storage/utility room and hallways equates to some 150.6 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

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. The site comprises a terraced property with yards to the front and rear. 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 the LPA recognise 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:
- To ensure that a sufficient supply of HMOs is maintained in Leeds,
 - To ensure that HMOs are distributed in areas well connected to employment and educational destinations associated with HMO occupants,
 - To avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities,
 - To ensure that proposals for new HMOs address relevant amenity and parking concerns,
 - 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. Records show that within the street and nearby streets as set out in the introduction of this report, indicate that there are a number of HMO's which are considered to represent a high concentration of HMO's within the immediate area and Officers are now of the view, using the new data source (the mapping system linked to council tax) that there would be cumulative harm from the granting of permission for this application adding to the already high concentration of HMO's. This identified harm is the potential for proposals for HMOs to lead to an increase in anti-social behaviour, an imbalanced and unsustainable community, negative impacts on the physical environment, increased crime, a growth in the private sector at the expense of owner-occupation and pressure on local community facilities. These are all recognised impacts set out within the preamble to Policy H6 of Core Strategy which are considered relate to the current proposals.
- 10.6 In addition to exacerbating the existing HMO numbers; the proposal would likely 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. Six independent adults are likely to result in more comings and goings, be of different character to the way a family home operates, at different times of the day compared to what may be regarded as a normal family occupation.
- 10.7 The living conditions within the HMO for future occupants is considered acceptable in terms of bedroom sizes, communal areas and the number of bathrooms. It is noted that a second floor bedrooms are smaller than the others. The city council's Advisory Standards for HMO's prepared by the Housing Regulations Team – Housing Services (January 2012) which sets advice to assist landlords, managing agents and developers to design, improve and maintain houses in multiple

occupation (HMOs) 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. The smallest bedrooms proposed at second floor meet with this advice. It is considered that the proposal offers good levels of internal space, good opportunities for natural light and outlooks. Bedroom 5 appears from the submitted plans to be of restricted usable space and it appears as though a single bed would have to be located within the dormer space due to the shape of the room. The amount of headroom would seem to be compromised to some degree by the roof slope, however there are good levels of communal space and in union with all other internal private and communal areas it is considered that future occupants living conditions would be acceptable.

- 10.8 As part of this assessment Officers have engaged with LCC's Council Tax Service and they have also provided data in union with the mapping data source now made available to Officers, which confirms that on Grange Terrace there are 23 flats and 1 other HMO. Members should note that the flat numbers also include a block of purpose built flats (x12) that sit on the street.
- 10.9 Whilst the provision of the shared house could provide a greater choice of housing and accords with the LCS 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, it is considered high concentration as set out above that now leads Officers to the view the proposal fails to meet the aims of LCS Policy H6 (part A).

Highways matters

- 10.10 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 regarding cycle parking provision.

Character and Appearance

- 10.11 The application proposes dormer windows to the front and rear. These would be well designed and small and be seen within a context where dormer windows of varying scale exist and are an assimilated part of the local character. Materials can be secured by condition. 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.

Other matters

- 10.12 This application has attracted one letter of objection from residents of 35 Cowper Street and objections from all three Ward Members. The local resident raises 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.

- 10.13 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 ward, will, in their view undermine the balance and health of communities in the ward. Furthermore, the 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.
- 10.14 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 fall 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.

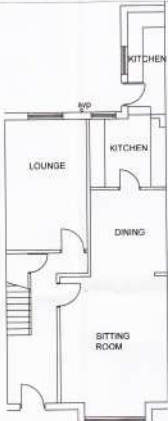
11.0 CONCLUSION

- 11.1 In light of the above, the principle of the HMO on this site within the immediate location is not considered to be acceptable in terms of adding to the already numerous HMOs within the immediate vicinity which Officers consider to represent a high concentration. It is considered that this would, when considered cumulatively, make a significant contribution, to the existing high concentration of houses in multiple occupation and other similar forms of housing in this part of the City, adding to the existing housing imbalance within the area. As such the proposal would be contrary to the Council's objectives to avoid high concentrations of houses in multiple occupation and to avoid the local housing and population imbalance and to achieve sustainable communities. Additionally the impact from disturbance from six individuals on the residential amenity of neighbours are considered to be greater than what would occur if the property was in family occupation and would result in undue harm. All other material planning considerations have been covered and refusal of planning permission is recommended for the reason set out at the head of this report

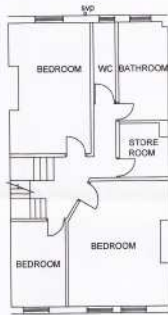
Background Papers:

Application file

Certificate of ownership: Certificate A signed by the agent 14 March 2016.



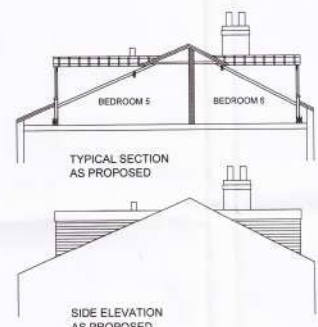
GROUND FLOOR AS EXISTING



FIRST FLOOR AS EXISTING



ATTIC FLOOR AS EXISTING



Typical Section AS PROPOSED
SIDE ELEVATION AS PROPOSED
Note: other side elevation of dormers is mirror image



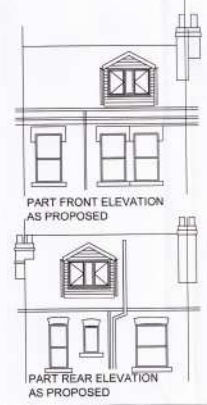
GROUND FLOOR AS PROPOSED



FIRST FLOOR AS PROPOSED

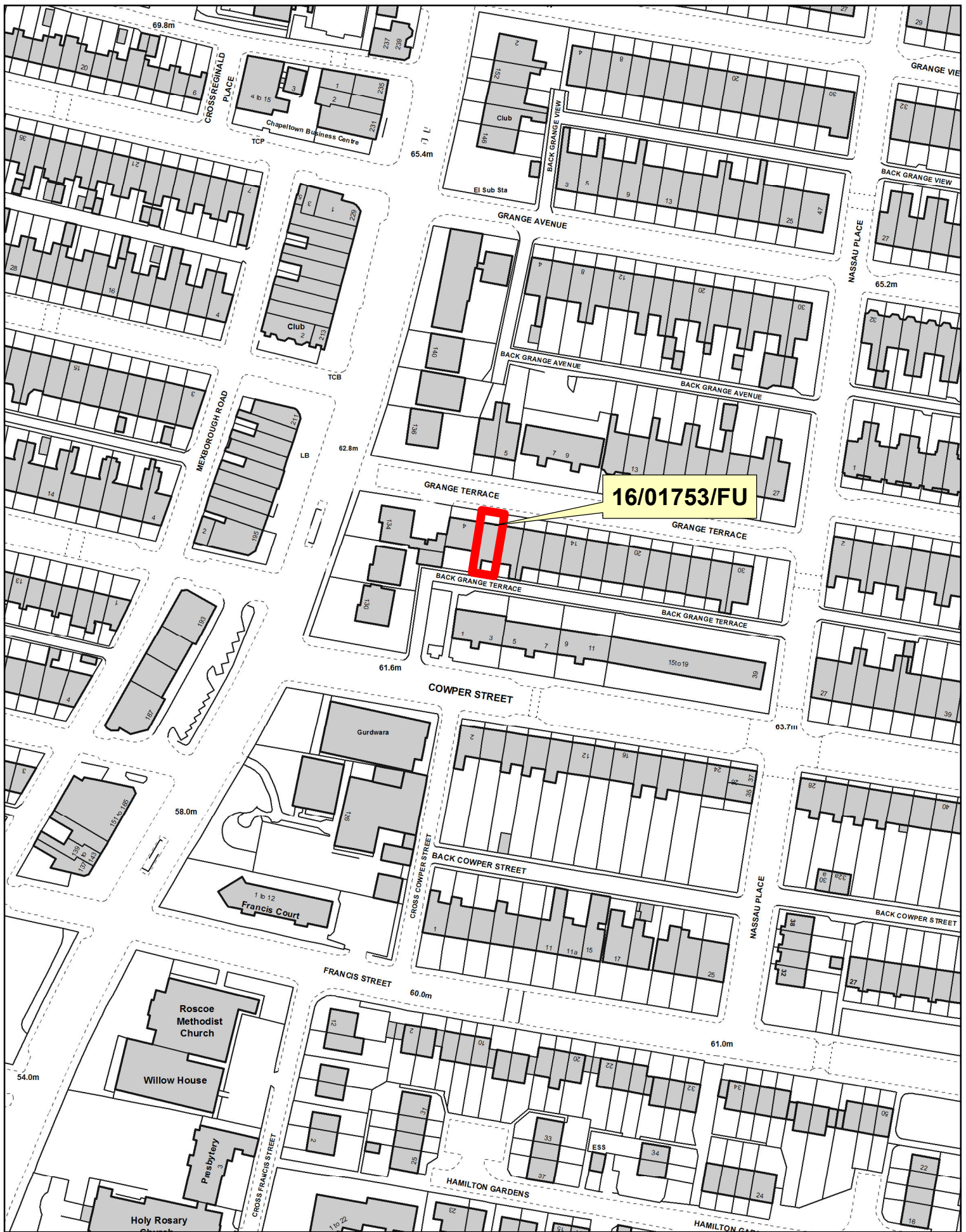


ATTIC FLOOR AS PROPOSED



PART FRONT ELEVATION AS PROPOSED
PART REAR ELEVATION AS PROPOSED

A :		000000
PROPOSED CONVERSION TO H.M.O.	AT	8 GRANGE TERRACE, LEEDS, LS7 4EP
EXISTING / PROPOSED PLANS		
Scale	1:100	
Date	11/03/16	Drawn: JG000000
Rev	R 01-02	Checked: 001



NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

