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**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 2<sup>nd</sup> February 2017**

**Subject: Planning Application reference 16/01801/FU for conversion of offices to form either 13 serviced apartments (sui generis) or 13 flats (C3) including internal and external alterations, and Listed Building Consent Application reference 16/01802/LI for internal and external alterations to form 13 flats or serviced apartments, at Claremont, 23 Clarendon Road, Woodhouse, Leeds LS2 9NZ**

<b>Applicant</b>	<b>Date Valid</b>	<b>Target Date</b>
Ideas Property Trading Ltd.	25.04.2016	03.02.2017 (extended)

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**Electoral Wards Affected:**

**Hyde Park and Woodhouse**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION:**

**16/01801/FU DEFER and DELEGATE to the Chief Planning Officer for approval in principle, subject to the specified conditions (and any others which he might consider appropriate) subject to the expiry of the application publicity on 2<sup>nd</sup> February 2017.**

**16/01802/LI DEFER and DELEGATE to the Chief Planning Officer for approval in principle, subject to the specified conditions (and any others which he might consider appropriate) subject to the expiry of the application publicity on 2<sup>nd</sup> February 2017.**

**Conditions for planning application ref. 16/01801/FU**

Listed in Appendix 1

**Conditions for listed building consent application 16/01802/LI**

Listed in Appendix 2

**1.0 Introduction:**

- 1.1 These applications are brought to Plans Panel because they are a major planning application with an associated listed building consent application. This is a joint report covering both the planning application and the listed building consent application.

## **2.0 Proposal:**

- 2.1 The application proposal is for the conversion of the existing Yorkshire Archaeological Society (YAS) and Thoresby Society offices to 13 serviced apartments (sui generis) or 13 flats (C3 residential). The YAS currently own the building but are in the process of relocation and wish to sell it. There has been no interest in retaining an office use at the site since they commenced marketing in August 2014. This scheme is brought forward by a second applicant to seek planning and listed building consent under the current applications. The first applicant's scheme was not considered acceptable due to the harm caused to the amenities of future residents and the special character of the building by the over-intensive subdivision of the building into flats. The new applicant has revised the scheme to take account of officer concerns regarding the impact of the design on the internal character of the listed building, and the amenities of future residents, and amended the nature of the proposed use. Subject to planning and listed building consent the applicant intends to manage the proposed flats as serviced apartments, however they would like the flexibility to operate the scheme as non-serviced residential dwellings in the future. The General Permitted Development Order Schedule 2 Part 3 Class V allows an applicant to apply for a flexible use of the property for an alternative acceptable use. If approved, the applicant could switch to a specified alternative acceptable use within 10 years from the grant of any planning permission, with the last use within the 10 years remaining as its permanent use, unless otherwise applied for. Therefore, in this case the applicant is seeking approval for either serviced apartments (sui generis i.e. falling outside a defined use class), or residential use (C3 use class). Under the serviced apartment proposal a housekeeper would visit most days, and all rooms and communal areas would be cleaned on a weekly basis. Bedding and towels would be changed on a weekly basis. Some food and drink items would also be provided in the flats for residents' convenience. The site manager would move bins onto the street on collection days and return them after collection to the designated bin stores. There would be limitations on duration of stay, which would be a minimum of three nights, and restrictions on the occupancy of rooms to named persons only. Guests would be advised that there shall be no parties, including hen or stag parties and there would be strict terms and conditions of stay, which would include not damaging the property, and not causing noise nuisance. The management company would be on-call 24 hours a day 365 days a year, as part of the management of their portfolio of serviced properties in the region.
- 2.2 The revised proposal consists of 2 two-bed flats, 7 one-bed flats and 4 studio flats or serviced apartments, arranged in a configuration that would preserve the existing room layout of the building. The scheme would operate for either use without further works to the building being necessary.

### **Basement level**

No internal works are proposed. The basement would be used for storage and cycle storage.

### **Ground floor**

Unit 1 – Studio 47sqm

Unit 2 – Studio 57.5sqm

Unit 3 – Studio 37.4sqm

Unit 4 - One-bed 50.2sqm  
Unit 5 – One-bed 67.4sqm  
Unit 6 – Studio 35.4sqm  
Unit 7 – Two-bed 70sqm

#### First floor

Unit 8 – One-bed 58.3sqm  
Unit 9 – One-bed 53.1sqm  
Unit 10 – One-bed 72.2sqm  
Unit 11 – One-bed (duplex flat into 2<sup>nd</sup> floor attic) 42.9sqm  
Unit 12 – One-bed 75.3sqm  
Unit 13 – Two-bed 60.4sqm

- 2.3 Externally the elevations would largely remain as existing, with 5 new windows reopened to previously blocked-up voids, and the removal of an unsightly external timber staircase to the northern range. One previously blocked-up window would be re-opened to the north-east corner. Three windows would be re-opened on the south elevation of the brewhouse/stable wing at the north-west part of the site, and the render would be removed. One window and door would be re-opened on the north elevation facing Kendal Lane. All new windows and doors would be timber to match the existing.
- 2.4 There would be 6 car parking spaces accessed from the existing driveway off Clarendon Road. There would also be 13 secure cycle spaces in the basement. The bins would also be located within a secure timber enclosure in the rear yard to the west of the building. There would be some minor alterations to the rear yard to create a private terrace for Unit 7 next to the stable/brewhouse wing, and a slight alteration to the drive to create a passing bay by removing a small amount of the front garden.

### 3.0 Site and Surroundings:

- 3.1 The application site is Claremont (No. 23 Clarendon Road), a Grade II listed building, within the Woodhouse-Hanover Square-Woodhouse Square Conservation Area, and adjacent to the Woodhouse-Clarendon Road Conservation Area. The garden wall to Clarendon Road and Kendal Lane is also Grade II listed. The site lies on the south-western side of Clarendon Road, between Kendal Lane and Claremont Grove. The site is within the designated City Centre, but unallocated in the Saved UDPR site allocations and the emerging Site Allocations Plan (SAP). The existing use of the building is offices, however the current occupiers and owners are in the process of vacating the premises. Adjacent to the listed building is a tarmac car park, and grassed front garden with mature planting. Claremont is built of red brick, with stone details, and a slate roof. It features two storeys with a basement and attic. The north wing facing Kendal Lane is a former stable, brewhouse and service range. The building has an impressive interior, in particular the oval dome above the main staircase, and the principal rooms, the Sir Charles Clay Room to the east of the entrance hall, and the Lecture Room to the west, are of significant interest. Also of interest is The Octagon Room which features an original Georgian safe. Surviving fixtures and fittings of special character include the 'front' and 'back' staircases, numerous fireplaces, tiled and stone flagged floors, panelled doors and architraves, windows including their surrounds and shutters, cornices, skirtings, decorative wall niches and archways. Whilst being of interest as part of the building's history as an archive facility, the numerous glass fronted storage shelves are furniture, and are not considered to be part of the special character of the listed building.

- 3.2 The original Georgian house was built in the 1770s by John Elam, a merchant. Its grounds were divided in 1786 to allow the construction of Denison Hall, and again throughout the 1800s until 1897 when the grounds had shrunk to their current size with the construction of Clarendon Road, Woodhouse Square and the streets to the south and west of Claremont. The house was significantly altered in 1856 by architect George Corson for Dr. John Deakin Heaton, a physician at Leeds General Infirmary who was a key figure in developing education in the city at the time, as a member of the Yorkshire Education Board, and as the first Chairman of the Yorkshire College of Science, which later became Leeds University.
- 3.3 The surrounding area consists of large Victorian villas and grand terraced properties. Clarendon Road is a wide street lined by high walls and mature trees. Uses in the area are a mixture of educational, health, office or residential uses. A number of nearby former villas on Clarendon Road and Hyde Terrace have recently been converted into flats, or have permission to convert. Larger scale buildings are to the east, with the modern concrete Dental Institute, Leeds General Infirmary complex and university campuses.

#### **4.0 Relevant Planning History:**

- 4.1 None

#### **5.0 History of Negotiations**

- 5.1 One pre-application meeting took place with officers in January 2016 prior to the submission of planning and listed building consent applications (PREAPP/15/00897). However this first applicant did not follow the pre-application advice offered in relation to the impact on the special character of the listed building and the amenities of future occupiers. In December 2016, a new applicant took over the applications, and discussions took place on-site with officers regarding a revised scheme. The second applicant undertook their own community consultation in December 2016 in relation to the revised proposal, and revised plans were formally submitted and publicised.

#### **6.0 Public/Local Response:**

- 6.1 Planning application publicity for both applications consisted of:

- 6.1.1 Site Notices posted 15.04.2016, 06.05.2016, 16.12.2016 and 19.01.2017
- 6.1.2 Press Notices published 15.04.2016 and 29.04.2016
- 6.1.3 Hyde Park and Woodhouse Ward Councillors consulted by email 26.04.2016, 14.12.2016 and 19.01.17
- 6.1.4 Ward Members and all previous objectors were notified of revised plans and description on 14.12.2016 and 19.01.17. Although the applicant consulted with the local community on the revised proposals including the change to serviced apartments, it is considered necessary in the interests of robust decision making to formally re-advertise on this basis. This further period of publicity expires on 2<sup>nd</sup> February 2017.
- 6.2 Objections were received from Leeds Civic Trust, the Victorian Society, Little Woodhouse Neighbourhood Planning Forum, Little Woodhouse Community Association, a resident of Holts Crest Way (Otter Island), Leeds and a resident of

Dewsbury Road, Leeds. The comments on the revised proposal can be summarised as follows:

- The building is very important to local residents because of its historic and architectural significance
- The proposal has too many small units and does not offer a balanced mix of housing stock to be attractive to families and different age ranges
- The proposal will only encourage more transient young people to live in the area
- The flats could be used by students and the area is already swamped by students
- There is no detail on how the apartments are going to be serviced
- There is no detail on how the car parking would operate
- The application does not sufficiently explain how all the features will be retained during the conversion and protected in the future. A higher turnover of tenants will lead to more wear and tear.
- the house is worthy of more than splitting up into small units for short term accommodation.
- A single use should be retained so that public access can be maintained.

6.3 In response to the revised scheme, Leeds Civic Trust have withdrawn their earlier objection in view of the reduction in the number of apartments, the servicing management structure, and the detailed changes proposed in the new scheme.

## **7.0 Consultations Responses:**

### **7.1 Statutory:**

#### 7.1.1 LCC Transport Development Services

No objection in principle, subject to conditions regarding:

- 1 cycle space per flat
- Confirmation of refuse collection arrangements
- A direction stating that future residents would not be eligible for on-street parking permits.

### **7.2 Non-statutory:**

#### 7.1.1 Historic England

The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

#### 7.1.2 LCC Conservation Team

No objection. The building has been marketed for a long period of time, and there has been no other interest in it, other than the previous unacceptable residential conversion scheme. On balance, the scheme would represent the optimum viable use for the listed building, and the public benefit achieved by keeping it in a viable use would outweigh the minor harm caused by its conversion. Details of the following works should be controlled by condition:

- internal doors and their surrounds
- architraves
- cornices
- picture rails
- stone flags
- skirting boards
- new internal partitions including bathroom pods
- sound insulation and fire proofing
- fireplaces

- window shutters
- wall arches and niches
- internal pipework and service ducts
- staircases
- attic bedroom ceiling
- flooring
- ironmongery to doors
- where new openings are to be formed in walls, details of the retention of the cornice and downstand
- details of the kitchen units in the converted Lecture Room
- details of removal of render

### 7.2.3 LCC Flood Risk Management

No objection. The proposed development should not result in any major changes to the surface water drainage arrangements at the site and there are the site is not shown to be at risk of flooding from surface water runoff.

### 7.2.4 West Yorkshire Combined Authority

Future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus stop number 26530 at a cost of approximately £10,000 (including 10 years maintenance) to the developer. The display is connected to the West Yorkshire 'real time' system and gives accurate times of when the next bus is due, even if it is delayed. Good pedestrian access to/from the site to/from bus stops should be provided taking into consideration the needs of the elderly and mobility impaired.

## 8.0 Planning Policies:

### 8.1.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. Now that the Core Strategy has been adopted, this can now be given full weight as part of the statutory Development Plan for Leeds. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted. A Neighbourhood Planning Forum has been formed for Little Woodhouse, and there has been early engagement, however a draft plan has not been prepared to date.

These development plan policies are supplemented by supplementary planning guidance and documents.

### 8.1.2 Leeds Core Strategy 2014

The adopted Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant policies include:

Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritises the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 promotes the City Centre's role as the regional capital for major new retail, leisure, hotel, culture and office development, Spatial Policy 8 states that a competitive economy will be supported through developing the City Centre as the core location for town centre uses Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10, 200 new dwellings. Part (b) of Policy CC1 encourages residential development, providing that it provides a reasonable level of amenity for occupiers. Part (iv) states that the City Centre will accommodate supporting services  
Policy H2 Housing development.  
Policy H3 Housing development  
Policy P10 Design  
Policy P11 Conservation  
Policy P12 Landscape  
Policies T1 and T2 identify transport management and accessibility requirements for new development.

### 8.1.3 **Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

Relevant policies include:

GP5 all relevant planning considerations

BD2 design and siting of new buildings

BD4 all mechanical plant

BD5 Residential amenity

LD1 landscaping

N15 reuse of listed buildings favourably considered where use maintains special architectural or historic value

N17 internal and external features of listed buildings

### 8.1.4 **Leeds Natural Resources and Waste DPD 2013**

The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding sustainable drainage and air quality are relevant to this proposal.

### 8.2 **Relevant Supplementary Planning Documents/Guidance includes:**

Neighbourhoods for Living

Parking SPD

Little Woodhouse Neighbourhood Design Statement (LWNDS)

The LWNDS acknowledges the historic importance of Claremont, one of the first large houses built in Little Woodhouse in the 18th century.

### 8.3 **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure, and thriving places
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23).

Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49).

Paragraph 131 states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability

Paragraph 132 state that 'great weight' should be given to the conservation of heritage assets, and that any harm to designated heritage assets requires clear and convincing justification.

Minor physical harm to a listed building can be justified on the grounds of public benefits that outweigh that harm taking account of the 'great weight' to be given to conservation and provided the justification is clear and convincing (paragraph 134).

## **8.4 Other material considerations**

### **8.4.1 The Leeds Standard and the Nationally Described Space Standard**

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents have been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

## **9.0 Main Issues**

9.1 Principle of use

9.2 Impact on the special character of the Listed Building and the character and appearance of the Conservation Area (Planning (Listed Buildings and Conservation Areas) Act 1990)

9.3 Amenity of future residents

9.4 Highways and transportation

9.5 Other considerations

## **10.0 Appraisal**

### **10.1 Principle of use**

10.1.1 The National Planning Policy Framework, the Leeds Core Strategy and the Saved policies of the Leeds Unitary Development Plan Review, would all support the principle of C3 residential dwellings or serviced apartments in this City Centre location. The location is highly sustainable for within walking distance to both universities, the teaching hospital, dental institute, City Centre employment, retail and leisure facilities, and public transport links. The provision of different types of visitor accommodation is important to support the economy of the City's tourism, entertainment, business and conferencing facilities. Hotels, which the serviced apartment use closely resembles in some respects, are a defined town centre use in

the Core Strategy and the NPPF, and are best located in a sustainable city centre location such as this.

10.1.2 The consideration of the principle of serviced apartments, including objector concerns, can be addressed by assessing the nature of the proposed use. Whilst this is considered to be a sui generis use (i.e. not falling within a defined use class), it features some characteristics of hotel or short-term let visitor accommodation including the following:

- short term duration of stay
- 24-hour building management
- cleaning of apartments and communal areas
- provision of bedding, towels, some items of food and drink
- short-term contract tenure with no provision of units for sale, long leasehold or assured shorthold tenancy
- no personal utility bills or council tax
- operator would pay business rates on the property rather than council tax
- building would be managed as a single planning unit

It is therefore likely to be attractive to customers visiting the City for business and leisure purposes, and is most sustainably located with the City Centre area for ease of access to the employment and leisure uses in the City.

10.1.3 Support for the principle of the proposed residential use is provided by the NPPF which promotes the benefits of the change of use to housing in town or City Centres as a way of delivering sustainable development. The NPPF states that such applications should normally be approved with reference particularly drawn to commercial buildings where housing need is apparent and provided there are not strong economic reasons why such development would be inappropriate. It is noted the Leeds Strategic Housing Market Assessment Update (2012) suggests that there is a requirement for all forms of residential property types across the Leeds district, particularly single person households.

10.1.4 As such, the principle of the development is considered acceptable subject to the planning and heritage considerations outlined in the remainder of this appraisal.

## **10.2 Impact on the special architectural and historic interest of the Listed Building and the character and appearance of the Conservation Area (Planning (Listed Buildings and Conservation Areas) Act 1990)**

10.2.1 Core Strategy Policy P11 and Saved UDPR Policy N15 support the change of use of listed buildings where the special qualities of listed buildings are preserved. The Council's Conservation team consider that this proposal is acceptable (subject to conditions) and will bring much needed investment to this listed building. The proposal would help to secure the long-term maintenance and active use of the property.

10.2.2 The building is listed because of its historic and architectural significance. The internal works to the listed building would retain the integrity of the original room layouts, and the character of the spaces would be retained in the converted flats or serviced apartments by the careful siting of bathroom pods and other new fittings to avoid windows and other important features. The bathroom pods would not be full height, so that the cornice detailing would be visible over it. This is particularly important when assessing the impact of the proposal on the principal rooms, the Sir Charles Clay Room, the Lecture Room, and the Octagon Room. In the proposed flats

or serviced apartments, the existing doors and door surrounds, skirtings, cornices and fireplaces would be retained in the proposed scheme. The Georgian safe would be retained in the Octagon Room. Where new partitions are proposed, they would be shaped to fit around existing coving, architrave or skirting details. Skirting and architrave features would be replicated on new wall features such as the bathroom pods. On balance the proposed scheme enables a conversion to residential or serviced apartment use in a sensitive manner, in particular to its principal rooms. There are a number of similar changes across the scheme, where additions or alterations are necessary to enable the conversion, such as new bathroom partitions or blocking up an existing door, and these would retain original features and would be reversible. Conditions are recommended to ensure the retention of features which are of significance, and to assess the appropriateness of any new or replacement features, for example, windows and doors, internal partitions including en-suite bathroom pods, cornices, architraves, skirting boards, door surrounds, works to the staircase handrails, and, to ensure that features of interest are not altered or features cut across in an insensitive manner.

10.2.3 Externally, the new windows would be timber framed, with profiles and glazing bars to match the existing on that particular elevation. The windows would be in keeping with the character of the host building and are considered acceptable. The two-bedroom apartment in the former brewhouse/stable wing at unit 7 would be accessed through a new large glazed entrance opening, which would reflect the historic arched opening to the building, traces of which are visible through the existing render. The existing poor timber staircase is not original and would be removed, with access to the first floor flat or serviced apartment in this range provided by a new enclosed red-brick staircase with timber windows and slate roof on the south elevation. These external alterations are considered to preserve the special character of the host building, the listed wall, and the character and appearance of the Woodhouse-Hanover Square-Woodhouse Square Conservation Area, and the adjacent Woodhouse-Clarendon Road Conservation Area.

10.2.4 The application property features a mature landscaped garden. As a whole it provides significant visual amenity value. It forms part of the wider character of this area of Leeds, with built forms set amongst the softening presence of established trees, shrubs and lawns. The applicant has stated that the management company would maintain the grounds as part of the general management of the scheme. The proposals to create a new terrace for unit 7 would enhance the setting of the listed building at the rear. The minor alterations to slightly widen the driveway are not considered to be significant and would preserve the landscaped setting of the listed building.

10.2.5 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings. Whilst minor harm would be caused by the proposed works such as the insertion of bathroom pods, they have been located sensitively, and the proposal would respect the existing layout of the building and the important features that contribute to its special historic and architectural interest. In this case, the proposals would secure the future viable use of a Grade II Listed Building, and it is considered that this public benefit would outweigh the minor harm caused by the works. The proposals are therefore considered on balance to preserve the special character of the host building, the listed wall, and the character and appearance of the Woodhouse-Hanover Square-Woodhouse Square Conservation Area, and the adjacent Woodhouse-Clarendon Road Conservation Area.

### 10.3 Amenity of existing and future residents

- 10.3.1 The proposal for serviced apartments could be occupied by residents for several weeks or months at a time due to their self-contained nature and the target market of business visitors to the City. The proposal for flats (use class C3) would also need to provide an acceptable level of internal amenity. Therefore it is considered important that the serviced apartments or flats should provide satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms. The majority of the ground floor flats and all of the first floor flats would have a useable arrangement of living rooms and bedrooms, with clear outlook from each living room and bedroom, however, there are three flats at the ground floor which are slightly compromised. Unit 5 would be formed by the Octagon Room as a living room, with a clear outlook onto the front garden, and a bedroom facing into the courtyard accessed from Kendal Lane. Because this courtyard would provide the outlook to Unit 6, and the lower panes of the two bedroom windows to unit 5 would need to be obscured with film. On balance this would be acceptable because the living room to unit 5 would benefit from a good outlook, and outlook and views of the sky would still be possible from windows to this bedroom without compromising the privacy of unit 6. Unit 6 would have restricted outlook to the north, with the new window to Kendal Lane being obscure glazed to the lower panes to ensure privacy from the street. Outlook from unit 6 would also be into the small courtyard to the east from two existing windows. Although the outlook would be limited by relatively high walls, it is considered on balance that would still allow some outlook and views of the sky. The courtyard would be locked and not accessed from any flat or apartment, and a condition is recommended to control this in the event of the scheme converting from managed serviced apartments to flats. Given the location of the flat within the overall layout of the ground floor of the listed building, and the difficulty in incorporating it into a neighbouring unit without causing harm to the layout, on balance this is considered acceptable in this case. Unit 7 would be a two-bedroom unit, with a living room and two bedrooms featuring windows to the north overlooking Kendal Lane, and new windows and a glazed door to the south formed in the stable/brewhouse wing. Because of the rise in levels to the north, the windows along Kendal Lane would not offer adequate privacy to this dwelling, so therefore the applicant proposes to add obscure film to these windows to the kitchen, living room, both bedrooms and the bathroom. This would mean they would still offer light but not outlook. Outlook to this dwelling would be south over the rear yard area, through the proposed large window and glazed doors, and a further new window to the south elevation which would provide light and outlook to the corridor that would run almost the length of the flat. The bedrooms would feature obscure glazed walls and doors facing south, which would allow additional borrowed light from the window on the other side of the corridor into the bedrooms. On the basis that the large glazed doors and surround and the window would allow outlook to the living room, unit 7 is considered on balance to be acceptable in terms of outlook and privacy. Overall, it is considered that the proposed flats or serviced apartments would benefit from an appropriate level of privacy, daylight, sunlight, outlook, and shared outdoor amenity space.
- 10.3.2 In terms of assessing the flats in relation to the nationally described housing standard and the Leeds standard, Unit 6 has a 1.6sqm shortfall for a one-bed/studio flat, and unit 13 has a 0.6sqm shortfall for a two-bed flat. These would be marginally lower than the national and Leeds standard minimum size for these types of dwelling, however the proposed layouts are considered to offer reasonable living arrangements for the various functions of sleeping, working, eating, cooking and relaxing. The flats would also benefit from a higher ceiling than standard new build flats. The layout of the proposal must preserve the character of the current historic room arrangements in the listed building, and therefore on balance this is considered acceptable, weighing

up the wider benefits of the overall scheme. All the other proposed flats would meet the Government's Nationally Described Space Standard and the Leeds Standard dwelling size guidance, and are considered to be acceptable.

10.3.3 The proposal is for the conversion of an existing building, and it is considered the proposal for either use would not result in any significant over-looking of or loss of privacy to nearby residential properties. It is therefore considered the proposal would not have any additional significant adverse impact on the amenities of other residential properties nearby.

10.3.4 The proposal for serviced apartments has the potential to create additional noise and general disturbance to neighbouring properties, due to the potentially transient nature of the occupiers as shorter term visitors to the city, and the regular attendance of cleaners or laundry deliveries. The management of the serviced accommodation is important to ensure the likelihood of disturbance to existing residents is minimised. The applicant proposes the following measures, which would be secured by planning condition:

- minimum of three nights stay
- strict "no parties" rule including hen or stag parties
- limit on the occupancy of each room to two named adults per one-bedroom unit and four named adults per two-bedroom unit to deter groups
- occupiers to be advised in their terms of stay they shall not cause noise disturbance and maintain quiet during the hours of 11pm-7am
- management company on-call 24 hours a day 365 days a year
- restrictions to servicing and delivery hours with vehicles servicing from within the site only
- management of bins/recycling and movement to/from the bin enclosure immediately before and after collection

It is considered that due to these management arrangements, in conjunction with local on-street parking controls, and in the context of the busy mixed-use character of the surrounding area, the proposal for serviced apartments would be acceptable.

10.3.5 Whilst the planning application is for the flexible use of the building as either flats or serviced apartments, any change of use within the first ten years would need to apply to the whole building, rather than a piecemeal mix of the two, which may lead to amenity concerns for permanent residents within the building. A planning condition is recommended to control this.

## **10.4 Highways and transportation**

10.4.1 Highways Officers have advised that subject to the provision of cycle and motorcycle parking, and demonstration of appropriate bin storage and collection, the proposal is unlikely to result in adverse road safety issues or adverse impact on amenities for local residents. 6 car parking spaces, secure cycle storage, motorcycle storage and bin storage is identified on-site on the plans. Servicing and deliveries for the serviced apartments proposal are able to take place within the site. On-street parking is controlled by a parking scheme in the local area. Many properties have limited or no car parking on-site without causing highways problems in the area, because parking regulation and enforcement takes place. The site is also well located in terms of access on foot or by cycle to the universities, the hospital, public transport links and city centre services are within easy walking distance.

10.4.2 West Yorkshire Combined Authority has commented that future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus

stop number 26530 serving the Leeds City Bus at a cost of approximately £10,000 (including 10 years maintenance) to the developer. However there would be little reason for the proposed residents to use this bus stop, as the majority of their journeys are expected to be a short walk to the City Centre, or nearby educational, research or medical establishments. As such, it is considered that a bus stop improvement contribution is not fairly related to the scale of development proposed or justifiable in planning terms in this case.

## **10.5 Other considerations**

10.5.1 Core Strategy Policy H4 requires residential development to provide a mix of unit types including one, two and three-bed accommodation to meet housing needs over the long term. In this case it requires no more than 50% of the units to be one bedroom units, including studio flats, and 20% of dwellings to be 3-bedroom. The application proposal is for 11 large one-bedroom or studio flats, 2 two-bed flats, and does not propose any three bedroom units (total 13 flats). However in the context of this city centre location and the layout of the listed building, it is not considered on balance that this shortfall against policy H4 would be significant enough to warrant refusal of the application.

10.1.5 With regard to objector concerns regarding the provision of additional smaller flat housing to this area, it is considered on balance that the relatively small increase in this type of dwelling would not result in harm to the surrounding area. It is also not necessarily the case that only younger people would live in this type of accommodation, for example down-sizing households. The area is characterised by a mixture of uses including a range of dwelling sizes and types, which contribute to a busy edge of City Centre environment and it is considered that the proposal in itself would not unduly affect this existing character.

## **11.0 Conclusion**

11.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings. Whilst minor harm would be caused by the proposed works such as the insertion of the bathroom pods, they have been located sensitively, and the proposal would respect the existing layout of the building and the important features that contribute to its special historic and architectural interest. Despite the considerable weight attached to the harm caused, in this case, the proposals would secure the future viable use of a Grade II Listed Building, and it is considered that this public benefit would outweigh the minor harm caused by the works. The proposals are therefore considered on balance to preserve the special character of the host building, the listed wall, and the character and appearance of the Woodhouse-Hanover Square-Woodhouse Square Conservation Area, and the adjacent Woodhouse-Clarendon Road Conservation Area. It is also considered on balance that the proposal for either flats or serviced apartments would give an appropriate level of amenities for future occupiers, and not give rise to significant adverse amenity or highways problems in the local area. The planning and listed building consent applications are therefore recommended for approval in accordance with the Development Plan namely Leeds Core Strategy Policies SP1, SP3, SP8, H2, H3, CC1, P10, P11, P12, and T2, Leeds Saved UDPR policies GP5, BD5, N15, and N17, and the Parking SPD, subject to the recommended conditions for both applications.

### **Background Papers:**

Application files 16/01801/FU and 16/01802/LI

**Appendix 1**

Conditions for planning application 16/01801/FU

**Appendix 2**

Conditions for listed building consent application 16/01802/LI

## **16/01801/FU Conditions**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) No construction of new external walling, glazing and roofing shall take place until details and samples of all new external walling, glazing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on-site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The external cladding, glazing and roofing materials shall be constructed in strict accordance with the sample(s).

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 4) The serviced apartment use hereby approved shall be managed and operated in accordance with the approved management plan.

In the interests of residential amenity, and vehicular and pedestrian safety.

- 5) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of amenity, the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 6) No building operation shall take place before 08.00 hours on weekdays and 09.00 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays, with no works on Sundays or Bank Holidays, unless agreed in writing with the Planning Local Authority.

In the interests of residential amenity.

- 7) No works shall begin until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) location of site compound and plant equipment/storage
- b) details and location of contractor and sub-contractor parking

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The

Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of residential amenity.

- 8) Prior to the installation of bin stores, full details (including siting, materials and means of enclosure) of the proposed residential bin store(s) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the bin store(s) thereby approved have been provided. The bin store(s) shall thereafter be retained and maintained as such in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 9) Prior to the installation of cycle/motorcycle facilities, full details of long and short stay cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to promote means of travel, and in the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 10) The external courtyard located between units 5 and 6 shall not be used except as a means of escape in the event of an emergency.

In the interests of residential amenity of the future occupier of unit 6.

- 11) External surfacing or landscaping works shall not commence until full details of both hard and soft landscape works including an implementation programme for the works have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:
- (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,
  - (c) car parking layouts,
  - (d) other vehicle and pedestrian access and circulation areas,
  - (e) hard surfacing areas,
  - (f) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.),
  - (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- (h) planting plans
- (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- (j) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS

4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape, and in the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 12) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, and in the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 13) No surfacing works shall take place until details and samples of all surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved and completed prior to the occupation of the building.

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 14) The implementation of the approved use of the building as 13 residential dwellings (C3 use class) or 13 serviced apartments (sui generis) shall apply to the whole of the building at any one time.

In the interests of the residential amenity of future occupiers.

## **16/01802/LI Conditions**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) No construction of new external walling, glazing and roofing shall take place until details and a sample panel of all new external walling, glazing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on-site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The external cladding, glazing and roofing materials shall be constructed in strict accordance with the sample(s).

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 4) Notwithstanding the details shown on the plans hereby approved, prior to the commencement of building works, full details including a survey relating to the proposed repair/replacement of existing external doors and windows, a method statement for any repairs, section drawings, glazing details, lintel details, joinery details and details of materials, treatment and/or colour, and any obscure treatment, of all existing and proposed windows rooflights and doors, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter as such.

In the interests of the special architectural and historic character of the listed building.

- 5) Notwithstanding the details shown on the approved plans, prior to the commencement of works, a detailed schedule of existing and proposed fixtures and fittings is required, cross-referenced to a set of plans with photos of the following parts of the building shall be submitted to and approved in writing by the Local Planning Authority:
  - a) internal doors and their surrounds
  - b) architraves
  - c) cornices
  - d) picture rails
  - e) stone flags
  - f) skirting boards
  - g) new internal partitions including bathroom pods
  - h) sound insulation and fire proofing
  - i) fireplaces
  - j) window shutters
  - k) wall arches and niches
  - l) internal pipework and service ducts
  - m) staircases

- n) attic bedroom ceiling
- o) flooring
- p) ironmongery to doors
- q) where new openings are to be formed in walls, details of the retention of the cornice and downstand
- r) details of the kitchen units in the converted Lecture Room

Where any of the above features are proposed as new, or are to be repaired or replaced, exact details including typical 1:50 scale plan/elevation/section working drawings of how this would be carried out shall be submitted to and approved in writing by the Local Planning Authority, prior to the works taking place. The works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

- 6) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.

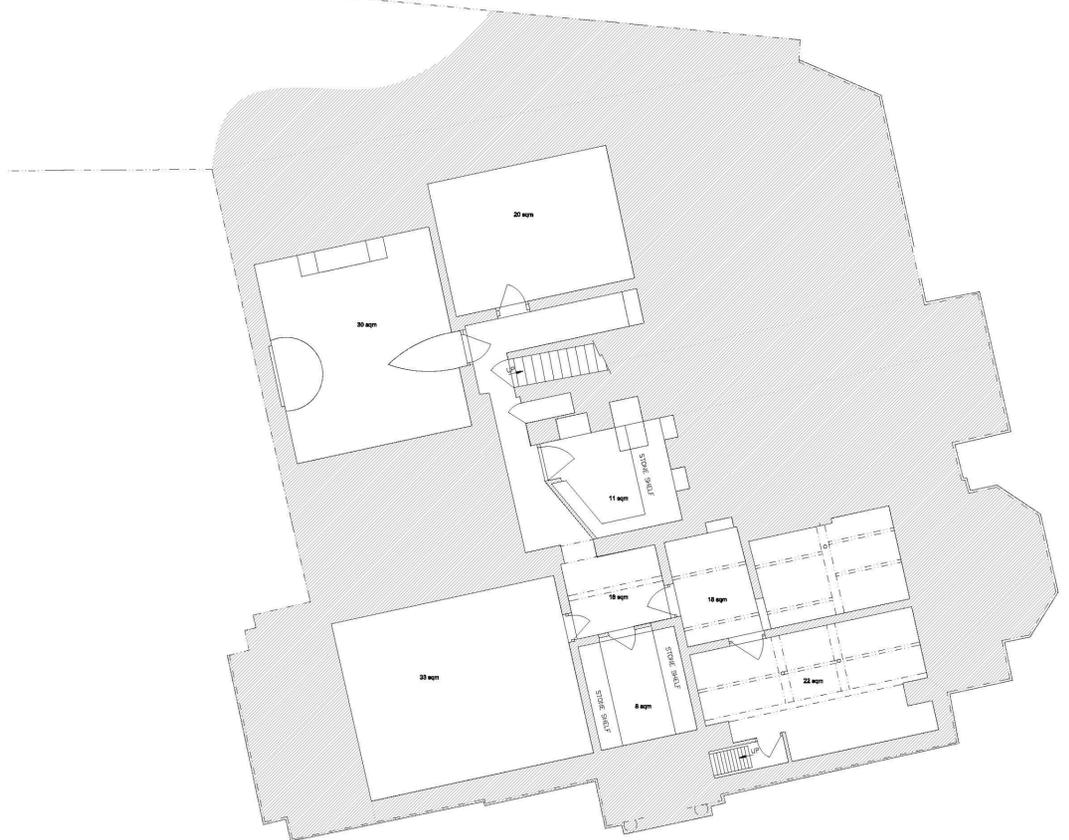
- 7) Notwithstanding the details shown on the approved plans, a method statement for the removal of the render on the stable/brewhouse wing shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the proposed new or re-opened windows, window lintels and any associated brickwork repairs. Works shall be carried out in accordance with the approved statement.

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building.



**NOTES**  
 Contractor must verify all dimensions on site before commencing any work or shop drawings.  
 Report any discrepancies before commencing work to the Architect. If this drawing exceeds the quantities taken in any way, the architects are to be informed before the work is initiated.  
 Only figured dimensions to be taken from this drawing. Do not scale off this drawing.  
 Drawings based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.  
 Work within the Construction (Design & Management) Regulations 2007 is not to start until a Health & Safety Plan has been produced.  
 This drawing is Copyright and must not be reproduced without consent of Nick Brown Architects Ltd.

Rev.	Description	Drawn	Date	Chk'd	Date
A	Planning Issue	YA	March 2016		
B	Updates - further to new developer / revised design proposals	DEC	2016		
C	Planning update		DEC 2016		



Basement Floor Plan



Ground Floor Plan



First Floor Plan

Existing  
 Proposed

- Unit 1 - Studio 47 sqm / 505 sqft
- Unit 2 - Studio 57.5 sqm / 618 sqft
- Unit 3 - Studio 37.4 sqm / 402 sqft
- Unit 4 - 1 Bed 50.2 sqm / 540 sqft
- Unit 5 - 1 Bed 67.4 sqm / 725 sqft
- Unit 6 - Studio 35.4 sqm / 381 sqft
- Unit 7 - 2 Bed 70 sqm / 753 sqft
- Unit 8 - 1 Bed 58.8 sqm / 632 sqft
- Unit 9 - 1 Bed 53.1 sqm / 571 sqft
- Unit 10 - 1 Bed 72.2 sqm / 777 sqft
- Unit 11 - 1 Bed(duplex) 42.9 sqm / 461 sqft
- Unit 12 - 1 Bed 75.3 sqm / 810 sqft
- Unit 13 - 2 Bed 60.4 sqm / 650 sqft

Total 13 Units

- 2 x 2 Bed Apartments
- 8 x 1 Bed Apartments
- 3 x Studios

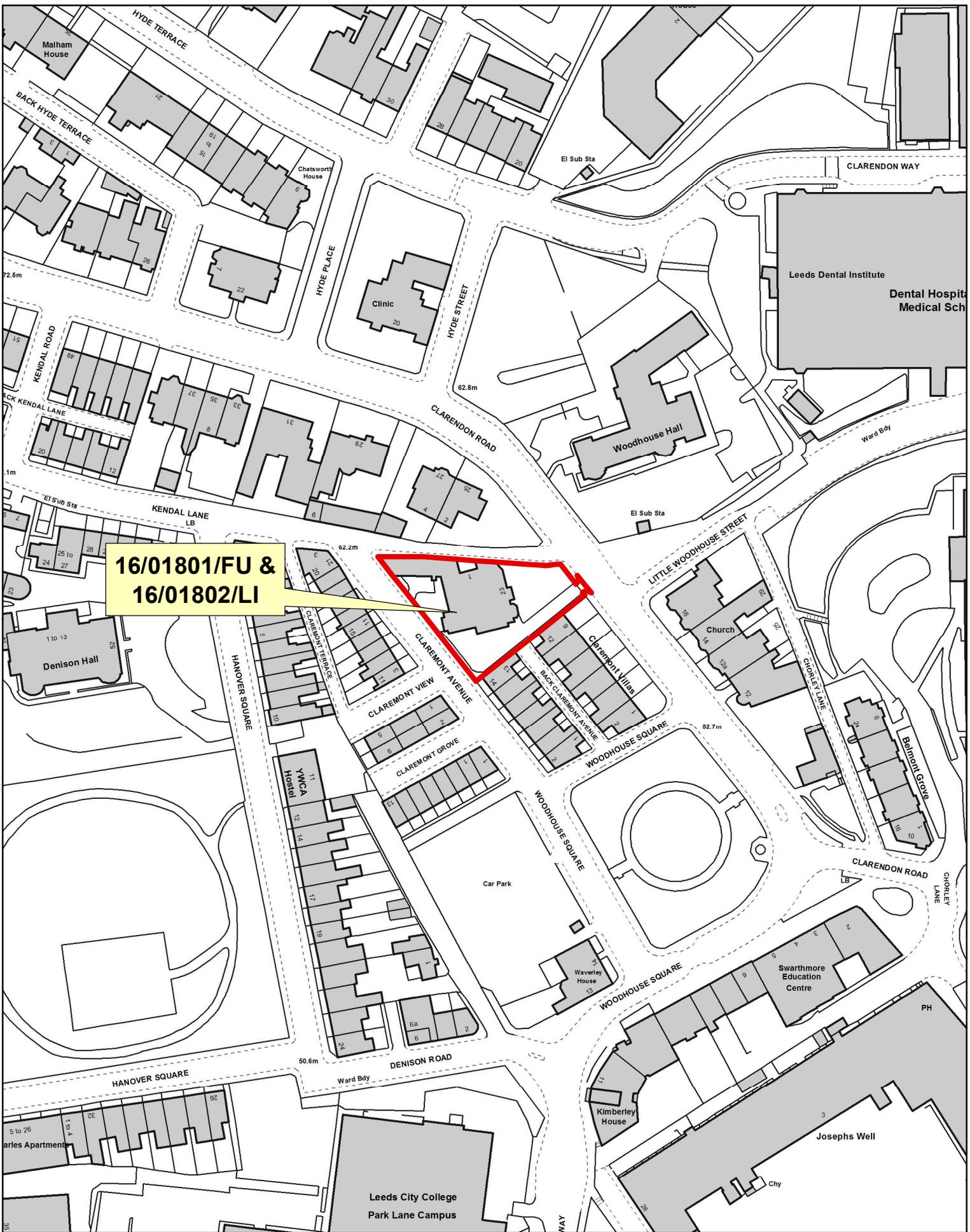
**NICK BROWN : ARCHITECTS**

Project  
**Proposed Refurbishment**  
 Claremont, Clarendon Road, Leeds

Drawing Title:  
**Proposed Floor Plans**

Scale:	Date:	Drawn:	Checked:
1:100 @ A1	26.11.2015	YA	
Drawing Number:	Revision:		
2015-097-P201	C		

5b Calls Landing  
 The Calls  
 Leeds  
 LS2 7EW  
 0113 3235733  
 www.nickbrownarchitects.com



**16/01801/FU &  
16/01802/LI**

# CITY PLANS PANEL

