



**Report of the Chief Planning Officer**

***PLANS PANEL WEST***

**Date: 18 August, 2011**

**Subject: APPLICATION NUMBER 11/02420/FU – TWO DORMER WINDOWS TO REAR AND LIGHTWELL TO FRONT AT 53 ASH GROVE, HEADINGLEY, LEEDS. LS6 1AX**

**APPLICANT**

Lingard Bell

**DATE VALID**

10 June 2011

**TARGET DATE**

05 August 2011

**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

**RECOMMENDATION:**

**Grant permission subject to the following conditions.**

1. Standard 3 year time limit.
2. Details of approved plans
3. Materials to be submitted for approval – dormer cheeks to be slate hung
4. There shall be a maximum of six bedrooms in the property

**1.0 INTRODUCTION:**

- 1.1 This application is brought before Members at the request of Ward Councillor Gerry Harper due to the high level of local interest which the proposal has generated.

**2.0 PROPOSAL:**

- 2.1 The proposal seeks to erect 2 dormer windows to the rear and form a new lightwell to the front of a House in Multiple Occupation (HMO).

**3.0 SITE AND SURROUNDINGS:**

- 3.1 The property is a red brick house in a long terrace, currently occupied as a 6 bedroom HMO, forming part of a terrace of similar properties in a residential street.
- 3.2 The property has a central dormer window to the front with an unaltered roof to the rear and has gardens to front and rear.
- 3.3 The site is in Headingley Conservation Area and is within the Area of Housing Mix.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 Following a review of the Council's records the following planning history on the site is considered relevant:-

- 11/01928/FU - Change of use of 6 bed HMO to 8 bed HMO including extensions to form 2 rear dormer windows and new lightwell to front. Refused, 07/07/2011 on grounds that: -
  - 1) The Local Planning Authority considers that the proposed change of use to an 8 bedroom House in Multiple Occupation would lead to an unacceptable intensification of use of the site resulting in a significant reduction in amenity to local residents through increased noise and disturbance, comings and goings and on-street parking. The proposal is therefore contrary to Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing, Policies GP5, T2 and H15 of the Leeds Unitary Development Plan (Review 2006) and the Adopted Supplementary Planning Guidance documents 'Neighbourhoods for Living' and 'Headingley and Hyde Park Neighbourhood Design Statement'.
  - 2) The Local Planning Authority considers that the proposal to convert the property into an 8 bedroom House in Multiple Occupation is unacceptable in that it would result in the loss of a substantial family house in an area of Leeds which is over-dominated by flats and student housing, with a consequent impact on the vibrancy and sustainability of the community. As such it considered contrary to Planning Policy Statement 1: Delivering Sustainable Development, Policy H15 of the Leeds Unitary Development Plan (Review 2006) and Supplementary Planning Guidance 'Neighbourhoods for Living' and 'Headingley and Hyde Park Neighbourhood Design Statement'.

This application included the dormer windows and light well which are the subject of the current application,

- 26/713/04/FU – 55 Ash Grove – Dormer windows to front and rear. Approved 28/01/2005.

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 This application was submitted concurrent to a recent proposal to change the use of the property from a C4 HMO (up to 6 beds) to a sui generis HMO (8 beds), which has been refused for the reasons set out above.

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

6.1 This application was advertised by site notices. 11 letters of representation have been received, including one letter from Ward Councillor Gerry Harper. The letter from Councillor Gerry Harper is a request that this application be brought to Panel.

The remaining letters are all letters of objection, on the grounds that the proposed alterations are inappropriate and out of keeping with the character and setting of the Conservation Area and that the proposal is likely to increase the potential for the subsequent conversion of the property into a sui generis HMO.

## **7.0 CONSULTATION RESPONSES:**

7.1 None.

## **8.0 PLANNING POLICIES:**

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

### **Development Plan:**

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

- Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.
- Policy N19 seeks to preserve and enhance areas designated as Conservation Areas, in order to ensure that not only does no detriment result from any form of built development but also that such development should seek to improve and enhance its setting wherever possible.
- Policy H15 seeks to avoid any undue loss of family housing.

### **Supplementary Planning Guidance**

Neighbourhoods for Living 2003

Headingley and Hyde Park Neighbourhood Design Statement 2010

### **National Guidance/Statements:**

8.3 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be relevant, including;

- PPS1 – Delivering Sustainable Development This PPG sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- Planning Policy Statement 3 Housing aims to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live.
- Planning Policy Statement 5 'Planning for the Historic Environment' sets out the Government's policy with regard to heritage assets.

## **9.0 MAIN ISSUES:**

9.1 It is considered that the main issues is:

- Visual amenity and the character of the Headingley Conservation Area.
- Residential amenity.
- Area of housing mix.

## **10.0 APPRAISAL:**

### **Visual amenity:**

- 10.1 The application site lies within the Headingley Conservation Area. Conservation areas are areas of 'special architectural or historic interest, the character of which it is desirable to preserve or enhance'. As such any proposals for development need to preserve or enhance the character and appearance of such areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities to formulate and publish proposals for the preservation and enhancement of conservation areas
- 10.2 In this case, the application property is a mid terrace property in a row of attractive traditional brick built terraced houses.
- 10.3 In this instance, there are several properties in the immediate vicinity which incorporate front lightwells, including those on each side which have smaller lightwells and the lightwell proposed under this proposal would in any case have very limited visual impact in the street scene. A number of houses in the terrace also feature rear dormers including a large box dormer immediately adjoining which was granted planning permission in 2005. The proposed rear dormers are of fairly modest dimensions and are not considered harmful to the street scene or the wider Headingley Conservation Area.

### **Residential amenity:**

- 10.4 A number of concerns have been raised by objectors that the proposal will result in a loss of residential amenity due to increased comings and goings due to an intensification of the use of the property. As the proposal does not increase the number of lettable bedrooms however, it is not considered that this is a likely impact of the development. A condition is recommended however, requiring that there shall be no more than six bedrooms.

### **Parking provision:**

- 10.5 The property does not have any dedicated off-street parking provision. However, given that the number of lettable rooms does not increase there are no implications for increased on-street car parking.

### **Area of Housing Mix:**

- 10.6 The site is in the H15 area; therefore the proposal must meet the criteria of that policy. These criteria state that.
- The quantity and variety of housing stock should not be reduced;
  - There should be no unacceptable impact on neighbouring amenity;
  - The scale of the development should be compatible with the area;
  - There should be adequate provision for car parking; and
  - The proposal should improve the quality or variety of student housing.
- 10.7 In this case, the proposal does not result in any increase in useable bedspaces, and in fact relates to an existing HMO as defined by Use Class C4. The proposal does not therefore result in the loss of a house suitable for single family occupation, as the dwelling remains within the same category and may therefore be so altered

without the need for formal planning approval. The stock of family housing will therefore not be affected.

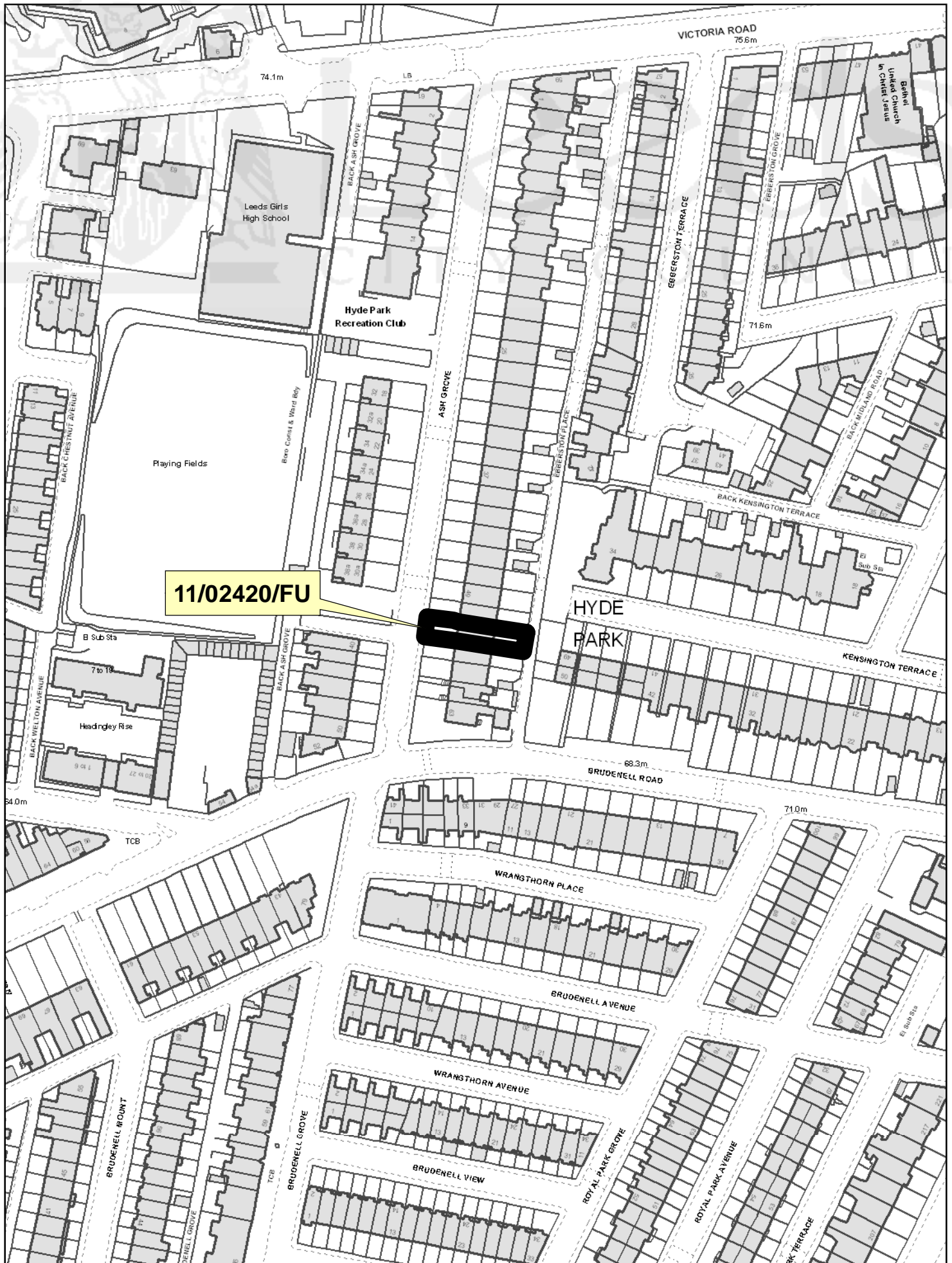
- 10.8 There is no increase in bedrooms, but the proposal does provide improved facilities for tenants with an increase in natural daylight to the upper bedrooms and basement area. As such, it is considered that the proposal will result in a modest improvement on existing levels of student accommodation. A condition is recommended which requires that there shall be no more than six bedrooms.
- 10.9 The proposal is therefore considered to comply with the requirements of paragraphs (i), (ii), (iii), (iv) and (v) of Policy H15 of the Adopted Unitary Development Plan.

#### **11.0 CONCLUSION:**

- 11.1 It is concluded that the proposed alterations and extensions to the property are acceptable in terms of their visual impact in the Conservation Area and would result in a modest improvement to the living standards of existing and/or future tenants. Approval is therefore recommended subject to the conditions outlined at the head of this report

#### **Background Papers:**

Application and history files.



# WEST PLANS PANEL