



Leeds
CITY COUNCIL

Originator: Amanda Stone

Tel: 0113 2478000

Report of the Chief Planning Officer

PLANS PANEL (EAST)

Date: 17th May 2012

Subject: APPLICATION 12/01372/FU – Change of use and alterations to house to form 2 flats at 4 Belvedere Mount, Beeston, Leeds, LS11 7ED

APPLICANT

Mr Eric Foster

DATE VALID

26 March 2012

TARGET DATE

21 May 2012

Electoral Wards Affected:

City and Hunslet

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

1. Commencement of development
2. Development to be carried out in accordance with the approved plans
3. Cycle/motorcycle parking details to be submitted for approval prior to occupation.
4. Sound insulation details to be submitted for approval.
5. Heat insulation details in roof space to be provided for approval.
6. Removal of grill on the ground floor front elevation window and a fire escape window fitted to building regulations standards.

Details of conditions to be deferred and delegated to officers.

Reasons for approval: The application is considered to comply with the relevant UDP policies H18, GP5, BD5 and T2 as well as guidance contained in National Planning Policy Framework (2012) and the (un-adopted) Core Strategy policy H6 (part C). In addition the application accords with the following Leeds City Council Supplementary Planning Guidance and Documents, SPG 6 – development of self contained flats, SPG13 – Neighbourhoods for living Residential Design Guide. Having regard to the above and all other material considerations, as such the application is recommended for approval.

The proposed flats are considered to afford an acceptable standard of accommodation for future occupants, subject to conditions and would pose no significant threat to the amenities of the occupants of neighbouring properties. No external alterations are proposed therefore the proposal does not harm the visual amenity of the area nor does it compromise highway safety.

With regard to the issue of the loss of a 'family house' it is considered that the proposed development satisfies the criteria of the relevant policies.

1.0 INTRODUCTION:

1.1 The application is brought to East Plans Panel at the request of local ward Members Councillor Nash and Councillor Iqbal. Councillor concerns relate to the loss of a 'family house' in an area which is considered to have an insufficient amount of 'family housing' in the City and Hunslet Ward. A Panel site visit is also requested for Panel Members to assess the impact of the development within the street.

2.0 PROPOSAL:

2.1 The application proposes the change of use and alterations of a mid terrace house to 2 self contained flats.

2.2 The proposed accommodation is as follows:

Flat 1 – ground floor self contained flat which will consist of a living/kitchen room (3.9m x 2.3m), a separated bedroom (2.6m x 3.6m) and bathroom (2.5m x 1.4m). The living/kitchen will be served by an existing window on the (front) south west side elevation of the property and the bedroom by an existing window at the rear.

Flat 2 – first floor self contained flat which will consist of kitchen (3.0m x 1.8m), bathroom (1.4m x 2.3m), living area (3.6m x 3.7m) and two bedrooms in the loft (each approx 3.0m x 3.6m in floor space). All rooms will be served by existing windows albeit the bathrooms.

2.3 No external alterations are proposed, internal alterations consist of:

- minor alterations to the layout at ground floor – blocking up of kitchen door and the construction of two partition walls, one to create an internal corridor which will provide access to the first floor flat from the existing rear entrance and the other to facilitate a bathroom in the existing kitchen. A new access will be introduced behind the stairs to gain access to the front bedroom.
- New kitchen installed in existing first floor bedroom.

Bin storage and cycle storage facilities are to be catered for at the rear within the existing yard.

3.0 SITE AND SURROUNDINGS:

3.1 The application site consists of a mid terrace, 4 bedroom property, which is located in the Hunslet area of Leeds. The site consists of a two storey red brick built property with pitched roof over which fronts onto the public footpath of Belvedere Mount, close to the junction Harlech Road. The property is served by a small hard surfaced yard at the rear which is bound by a low level brick wall.

3.2 The site lies in an established residential area of high density housing bordering Cross Flatts Park. Gated access to the park is provided at the end of the street. The site is level and its front faces southwest.

4.0 RELEVANT PLANNING HISTORY:

4.1 There is no relevant planning history for the site.

5.0 HISTORY OF NEGOTIATIONS

5.1 None

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by neighbour notification letters posted on 29 March 2012.

6.2 Ward Councillor Nash and Councillor Iqbal have objected to the application on grounds that the development would result in the loss of a family house in a ward which has a shortage of family housing accommodation.

6.3 No neighbour representations have been received in response to the development

7.0 CONSULTATION RESPONSES:

Statutory:

7.1 Highways: No objections raised, subject to condition for cycle provision details being submitted.

Non Statutory Consultations:

7.2 Neighbourhoods and Housing - The Environment Protection Officer advised that proposed change of a house into two flats should not result in a significant loss of amenity to nearby occupants.

7.3 Housing Regulation Team – Raised no adverse comments to the proposed development subject to conditions for details of sound insulation and the removal of a grill over the ground floor front window in order to facilitate a fire escape window.

In addition to the above conditions further conditions were also requested for the provision of heat insulation in the roof and the installation of central heating through out the property. However, the provision of such facilities are not deemed relevant planning considerations in this instance and are covered through other legislation.

8.0 PLANNING POLICIES:

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

8.2 The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft

stage. The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage.

8.3 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.4 Core Strategy

H6 (Part C): Development proposals for conversions of existing houses into flats.

8.5 Unitary Development Plan Review (adopted July 2006)

GP5: General planning considerations.

T2: Transport infrastructure.

BD5: General amenity issues.

H18 - Residential Properties – Houses in multiple occupation.

8.6 Leeds City Council Supplementary Planning Guidance/Documents

SPG 6 – development of self contained flats

SPG13 – Neighbourhoods for living Residential Design Guide

Street Design Guide SPD

8.7 Government Guidance

National Planning Policy Framework (NPPF) (March 2012)

9.0 **MAIN ISSUES**

9.1 The current application seeks approval for the change of use and alterations of a house to 2 self contained flats. The main issues, therefore, are:

- Principle of Development
- Level of Amenity Offered to Future Occupiers
- Impact posed to neighbouring residential amenity
- Visual Amenity
- Highway Safety

10.0 **APPRAISAL**

Principle

10.1 Policy H18 of the adopted Leeds UDP, policy H6 of Core Strategy (un-adopted) and SPG 6 state that the conversion of existing dwellings within residential areas will normally only be accepted if the following criteria is met.

- The dwelling is not a back-to-back
 - the proposal meets this criteria.
- The dwelling is of sufficient size (minimum 100m sq)
 - the proposal meets this criteria.

- Appropriate off and on-street parking is incorporated
 - The property lies within an area of low car ownership and it is considered that the parking demand for both the existing house and the proposed flats would be very similar, therefore a highway objection on the grounds of parking would be difficult to justify.
- The impact on neighbouring dwellings is not likely to be detrimental to the amenity of their occupants by virtue of the conversion alone or cumulatively with a concentration of converted dwellings, HMO's or residential institutions:
 - Advice received from the Environmental Protection Officer concluded that the proposal would result in no significant loss of amenity to nearby occupants.
 - Furthermore planning records indicate that there are no other properties within the street that have received planning permission for conversions to flats, the nearest property benefiting from planning permission for change of use is an end terrace property at 33 Belvedere Avenue for change of use into 3 one bedroom flats, approved on 29/04/2008. As such it is unlikely that the proposal would result in detriment to amenity from cumulative concentration of such converted dwellings at this time. Furthermore the site falls within the catchment area of Article 4 direction which prevents creation of HMO's without the prior approval of the local planning authority. This means a concentration of HMO's is unlikely without the benefit of planning permission.
- It is sufficiently accessible with appropriate off street parking and cycle facilities provided:
 - The site is situated in a sustainable location within an existing residential area close to a busy bus route; no off street parking facilities are provided, however, as discussed above, the property is situated in an area of low car ownership and given the modest nature of the development, highways officers have concluded that proposed development poses little threat to highway safety from on street parking. Cycle provision can be accommodated within the rear yard.
- Where there is a demand for family sized accommodation and the property has (or has the potential for provision of) good access to suitable space for private recreation, provision is normally made for at least one family sized unit in the proposed mixed use of flats:
 - The property has no meaningful usable private recreation provision therefore the loss of family sized accommodation on this basis would be hard to justify as a reason for refusal.
- The proposal provides satisfactory internal living accommodations in terms of daylight, outlook and juxtaposition of living rooms and bedrooms:
 - The Housing Regulations Officer has expressed no concerns in relation to the internal living accommodation proposed for future occupants, subject to conditions as discussed earlier in the report and as such it is concluded that proposed accommodation is acceptable;
- It provides safe and secure access:
 - The property remains unchanged albeit the access arrangements are proposed to serve two flats apposed to a single dwelling. The Housing regulation officer has raised no objection to the access arrangements, subject to the installation of a fire escape window on the front elevation of the property at ground floor and the removal of the existing grill.

As such the principle of conversion to flats is considered acceptable subject to an assessment against the following normal development management considerations.

Level of Amenity Offered to the Future Occupiers

- 10.2 The development is concerned with a four bedroom mid terraced property. The property abuts the pavement at the front and has a small rear yard. The site is located in area which is predominantly characterized by back-to-back and terraced properties which like the host property are afforded no off street parking provision and very little or no private outdoor amenity provision. This provision whilst public is catered for on Cross Flatts Park which borders the end of the street where gated access is provided for the residents. It is therefore considered that adequate provision of outdoor amenity is provided locally for the flats albeit public rather than private.
- 10.3 With regard to the juxtaposition of the rooms the first floor bathroom and kitchen are positioned directly over the ground floor kitchen and bathroom. Furthermore a sound insulation scheme the details of which have been conditioned for approval would further mitigate the threat posed to occupants amenity from noise.
- 10.4 Living areas, kitchens and bedrooms are to be served by existing windows therefore the level outlook and light remains as is. The size of the flats and rooms are also considered acceptable and meet housing legislation regulations.

Residential amenity

- 10.5 In considering the proposal it is also necessary to consider the impact on the amenity of neighbouring residents. The main impact on residents comes from noise and disturbance due to the juxtaposition of living areas and sleeping areas and also noise and disturbance that may be caused by comings and goings particularly by private vehicles.
- 10.6 When assessing the proposed internal alterations it is considered unlikely that proposal would create any significant additional harm than that of its existing use. The property is not to be extended therefore the amount of people likely to live in the property be it as 2 flats or as a house would be very similar and maybe even less than that of a family house, therefore it is unlikely that the proposal would pose a threat to residential amenity from the comings and goings of future occupants either on foot or by car.
- 10.7 With reference to the juxtaposition of the rooms the most noticeable change would be the introduction of a kitchen and lounge at first floor. Whilst it is acknowledge that there would be some increase in noise given the nature of the rooms apposed to bedrooms it is not considered that this increase would unduly compromise residents amenity in the adjoining properties.
- 10.8 On balance, it is therefore considered that the proposal for 2 self contained flats complies with policies GP5 and BD5 and with guidance in Supplementary Planning Guidance.

Visual amenity

- 10.9 The minor interior alterations will have no impact on the external appearance of the property and therefore the proposal poses no threat to the visual amenity of the area.

Highways/ Parking

10.10 No technical highway objections are raised to the proposal for the reasons set out at 10.1 above. As such it is considered acceptable in highway safety terms, subject to a condition for cycle facilities details being submitted and agreed. Bin storage is shown to be provided at the rear.

11.0 CONCLUSION

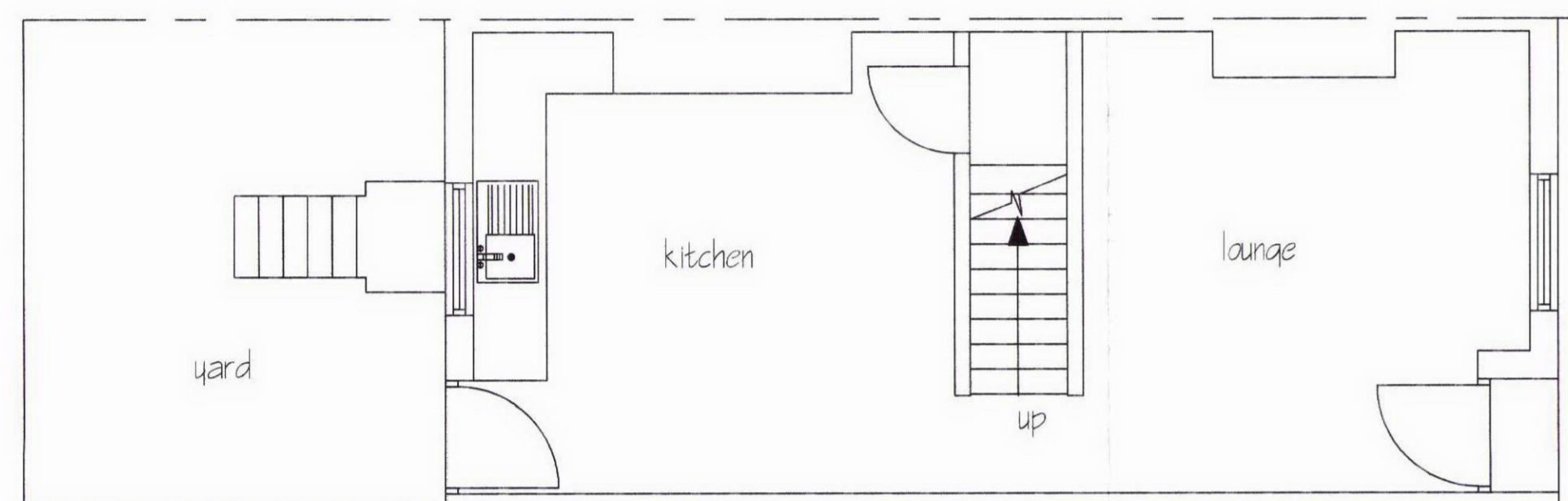
11.1 It is considered that the proposal provides a satisfactory level of accommodation and amenity for future occupiers, will not result in harm to highway safety and will not harm the amenities of local residents or the character or visual amenities of the area. As such the proposal is considered to comply with all the relevant policies and is recommended for approval, subject to conditions.

Background Papers:

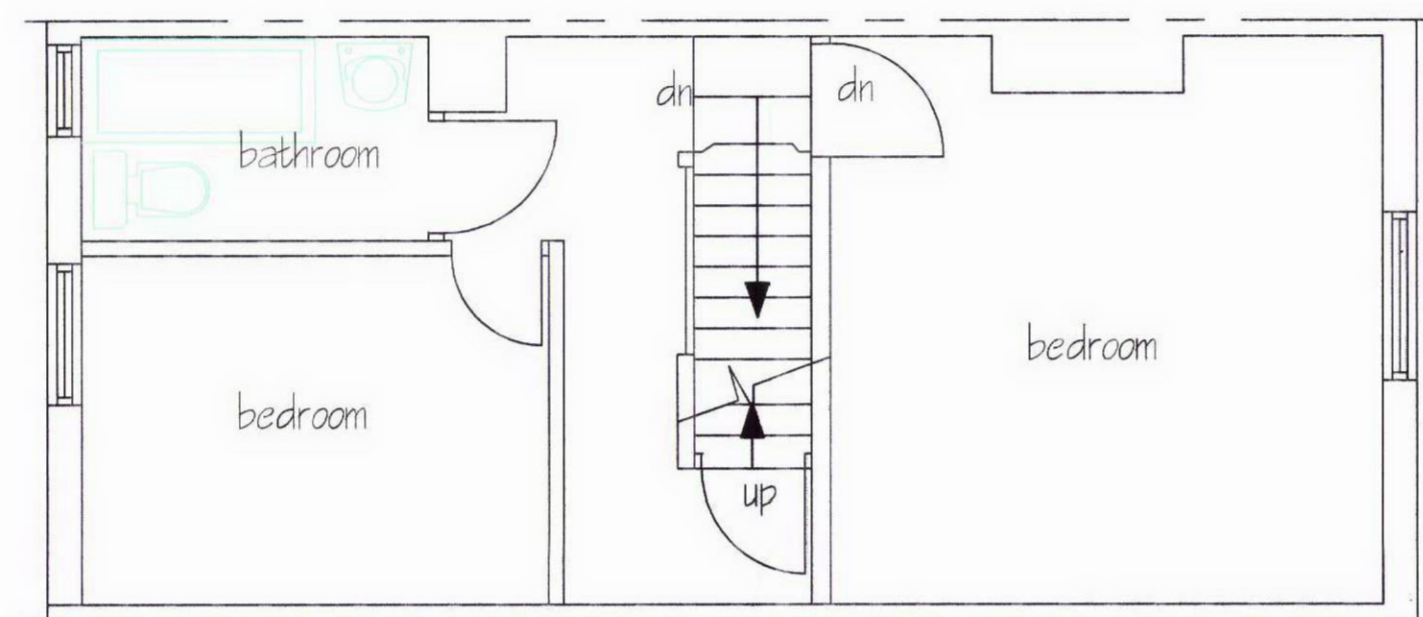
Application file: 12/01372/FU

Certificate of ownership: signed by agent Mr Eyles

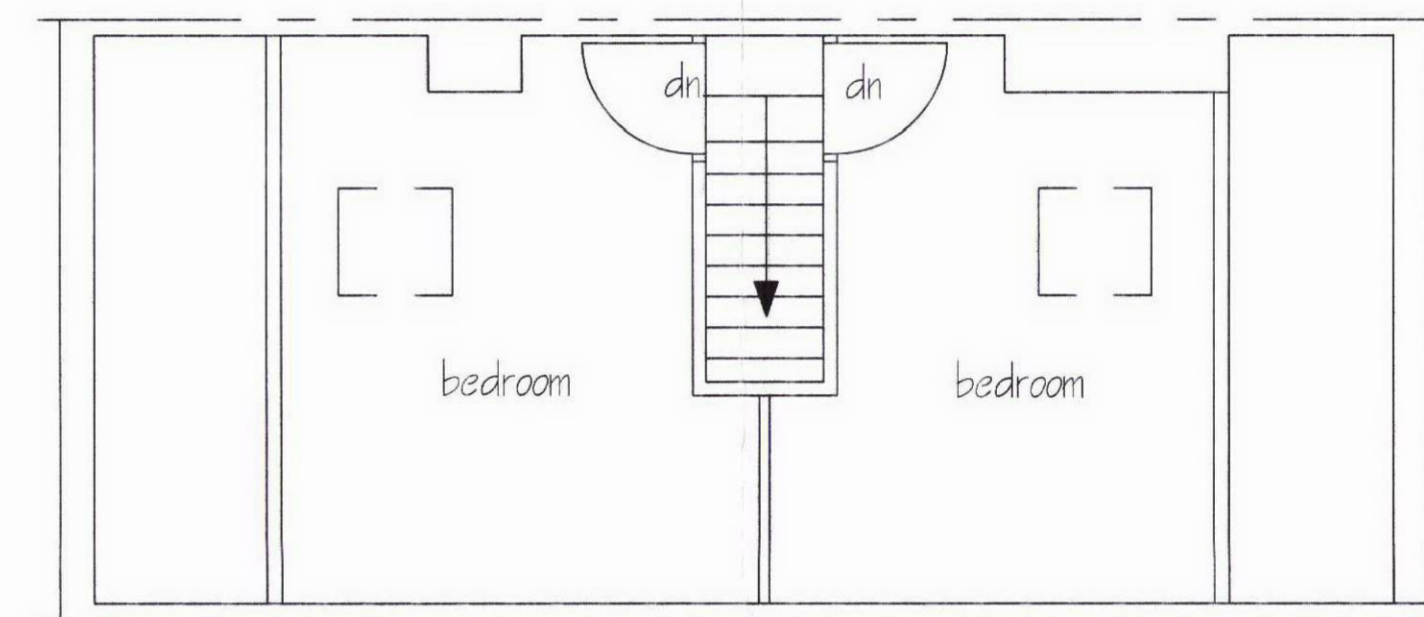
Note to contractor
Contractor to check all dimensions on site. Do not scale from this drawing. All materials and works to comply with BS EN standards as appropriate and to meet Building Control approvals. Services to comply with L8 water regulations, current gas and electricity supply regulations. All materials are to be new, unless otherwise described. This drawing is to be read in conjunction with all other contract drawings and documents and also in conjunction where relevant with Mechanical & Electrical details and drawings.
All works are to be carried out in compliance with HASW Act 1974 and all other Health and Safety legislation.



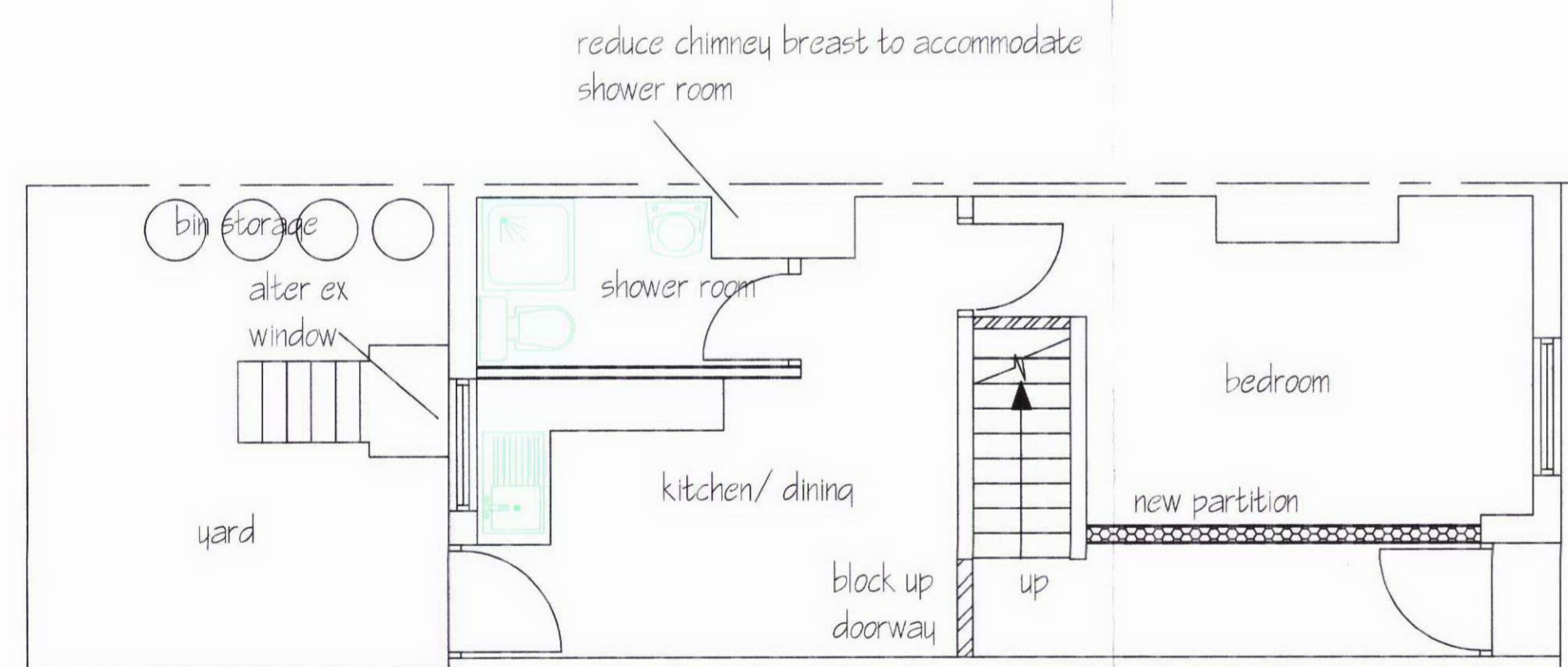
EXISTING GROUND FLOOR PLAN



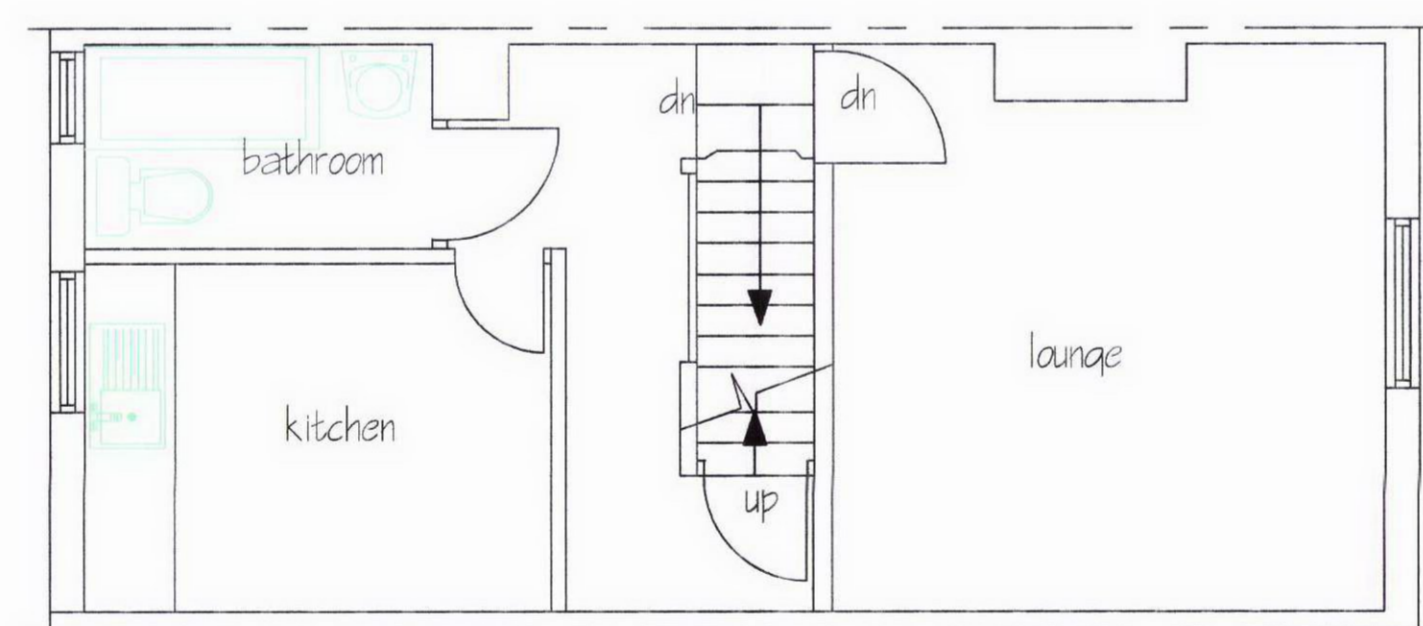
EXISTING FIRST FLOOR PLAN



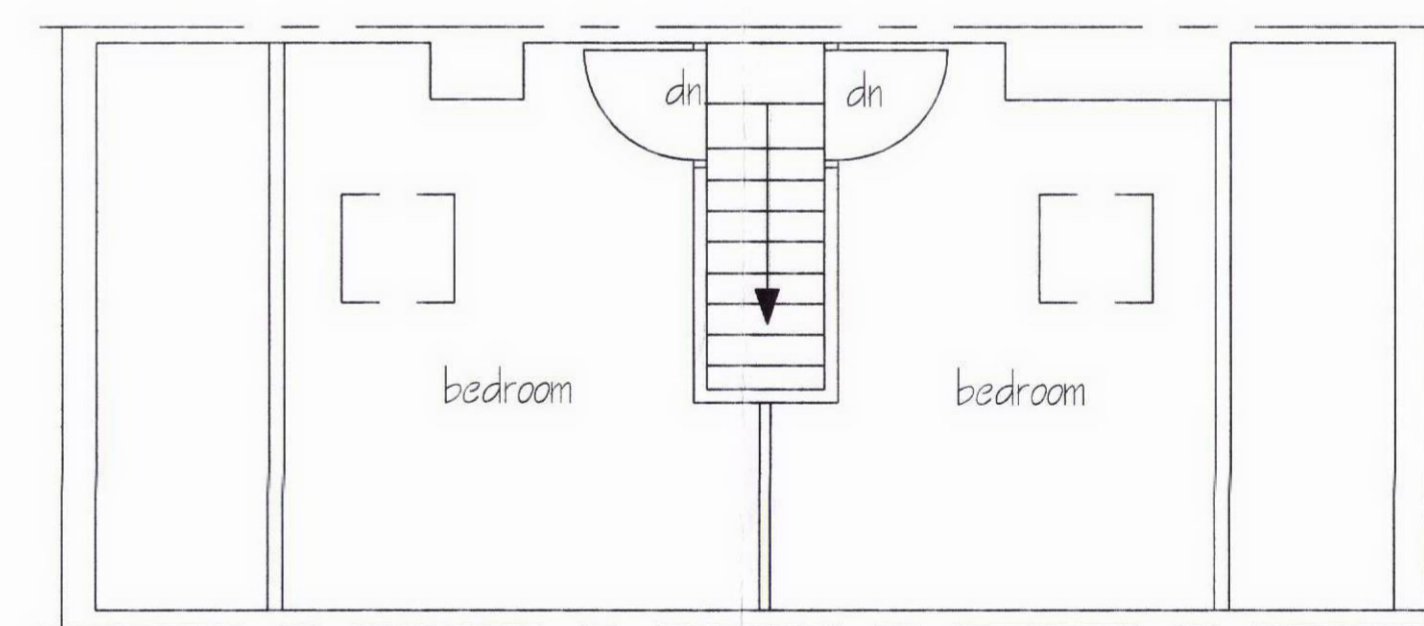
EXISTING SECOND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



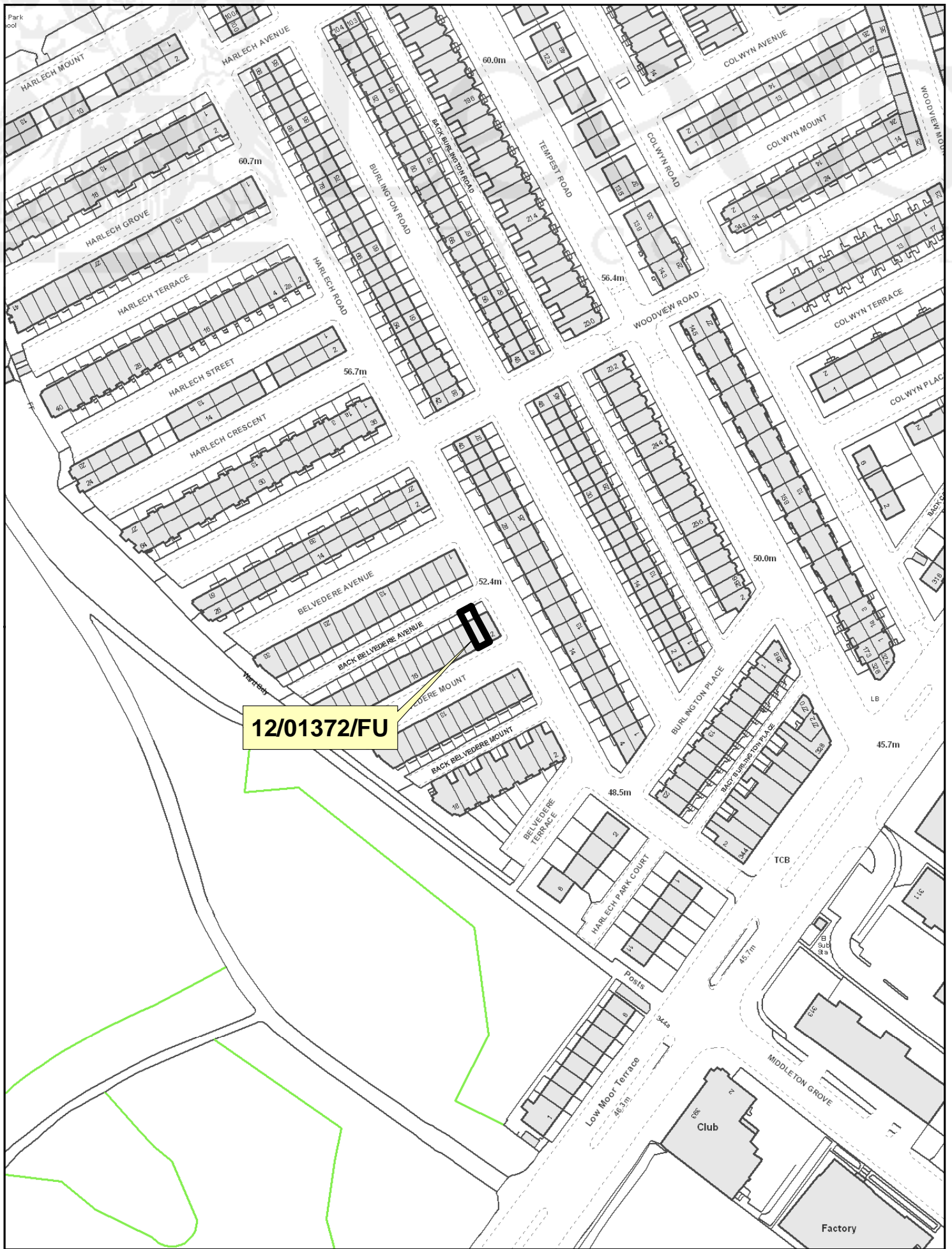
PROPOSED SECOND FLOOR PLAN

26 MAR 2012

PLANNING DWG

A.WEYLES

PROPOSED CONVERSION TO TWO DWELLING UNITS AT 4 BELLEVUE MOUNT, LEEDS II FOR MR F FOSTER			
DATE	SCALE	REV	BY
FEB 2012	1:50	A	A
DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY



12/01372/FU

EAST PLANS PANEL

