



## Report of the Chief Planning Officer

### Plans Panel West

Date: 24th May 2012

**Subject: APPLICATION NUMBER 12/01131/FU – 3 STOREY REAR EXTENSION TO FORM 6 FLATS, ASSOCIATED PARKING AND LANDSCAPING AT LAND ADJACENT TO 16 ASH GROVE, HEADINGLEY LS6 1AY**

#### APPLICANT

Cotech Investments

#### DATE VALID

9<sup>th</sup> March 2012

#### TARGET DATE

4<sup>th</sup> May 2012

#### 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. Walling and roofing materials to be submitted and approved
4. Submission and implementation of a landscaping plan
5. Landscape maintenance schedule
6. Tree replacement condition
7. Submission and approval of surface water drainage details
8. Details of bin and cycle storage to be submitted and approved
9. Details of boundary treatments to be submitted and approved
10. Areas to be used by vehicles to be laid out, hard surfaced and drained
11. Parking spaces should be unallocated for the lifetime of the development
12. Submission of a Phase 1 Desk Top Study
13. Amendment of remediation statement
14. Submission of verification statements
15. All windows above ground floor on the western elevation of the extension shall be obscure glazed and thereafter retained
16. Notwithstanding the details on the approved plans, conservation type rooflights will be used
17. Prior to commencement of development full details of the new balcony to the existing building shall be submitted and approved in writing

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, N12, N19, BD6, BC7, T2, T24, H15  
Neighbourhoods for Living  
Headingley and Hyde Park Neighbourhood Design Statement

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **1.0 INTRODUCTION:**

1.1 This application is brought to West Plans Panel as a result of a request from two ward councillors, Councillor Gerry Harper and Councillor Neil Walshaw, on the grounds that the proposal will result in a significant imbalance in the community. There are also concerns that the proposal will exacerbate existing problems regarding noise, litter and parking.

## **2.0 PROPOSAL:**

2.1 The proposal is for a three storey rear extension on 16 Ash Grove, the Hyde Park Social Club. The extension consists of one 2 bed flat and five 1 bed flats with associated parking and landscaping.

2.2 In design terms, the extension follows the character of the host building with vertically aligned windows and a brick string course. The extension is subordinate in character being lower at the ridge line than the host building and set back slightly from the side elevation of the existing property.

## **3.0 SITE AND SURROUNDINGS:**

3.1 The site is located within the Headingley Conservation Area and is also located within the defined Area of Housing Mix. The site comprises the former Hyde Park Recreation Club, the car parking area to the western and southern boundaries of the site and the private rear amenity space to the former caretaker's accommodation at 14 Ash Grove. The building on the site is four storeys in height and is traditional Edwardian brick built building with a large front tower which makes a positive contribution to the Headingley Conservation Area. The building has been expanded to the rear in red brick to provide a staircase. The upper two floors of the existing building have been converted into residential accommodation while the lower two floors are presently in use as a private members club.

3.2 The site is adjacent to a terrace of residential properties to the north with private space to the rear on Ash Grove, to the south of the site is low rise two storey residential accommodation, and to the west is a sports hall belonging to Leeds Girls High School. Ash Grove is an attractive street predominantly in residential use and with a mixture of 2 and 3 storey terrace housing with strong frontages and build line and traditional gabled roof designs. The street slopes away from north to south and

the car parking area is located at a lower level than the adjacent Ash Grove highway. The street is considered to make a positive contribution to the Headingley Conservation Area.

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

- 4.1 26/130/98/FU - 4 storey extension to form 4 one bedroom flats  
Refused 17<sup>th</sup> November 1998
- 4.2 26/97/98/FU - 4 storey extension to form 3 three bedroom & 1 two bedroom flats to rear of social club  
Refused 17<sup>th</sup> November 1998
- 4.3 The above two applications were the subject of a conjoined appeal (Hearing). Reference T/APP/N4720/A/99/1022686/P7 & T/APP/N4720/A/99/1022695/P7. The Inspector dismissed the appeal 23<sup>rd</sup> September 1999
- 4.4 26/10/97/FU - Change of use and four storey extension of social club to 4 five bedroom 1 four bedroom and 2 one bedroom flats  
Approved 11<sup>th</sup> November 1997
- 4.5 07/03877/FU – 4 storey block of 5 two bed flats and 1 one bed flat with 19 car parking spaces  
Refused 31<sup>st</sup> August 2007  
This application was subject to an appeal (APPN4720/A/08/2064018/NWF) which was dismissed on 25<sup>th</sup> June 2008.
- 4.7 09/02706/FU - 4 storey block of 6 two bedroom flats with 18 car parking spaces attached to rear of club with flats above  
Withdrawn
- 4.8 10/01462/FU – 3 storey extension comprising 5 additional 2 bed flats  
Refused 26<sup>th</sup> July 2010  
This application was subject to an appeal (APPN4720/A/10/2141708/NWF) which was dismissed on 23<sup>rd</sup> May 2011
- 4.9 10/04134/FU - 3 storey extension comprising 5 additional 2 bed flats  
Refused 5<sup>th</sup> November 2011  
This application was subject to an appeal (APPN4720/A/10/2141708/NWF) which was dismissed on 23<sup>rd</sup> May 2011
- 4.10 The appeals for 10/01462/FU and 10/04134/FU were dealt with together by the inspector. The main issue in both cases was the impact of the proposal on the character and appearance of the existing building and the streetscene and whether it would preserve or enhance the character or appearance of the Headingley Conservation Area.
- 4.11 The inspector found that the schemes were similar in the accommodation they provided with similar designs. He stated that the appeal site did not contribute greatly to the character and appearance of the Conservation Area. However the existing building had an imposing quality as a result of its scale and architectural embellishments and that it was essential that any development proposal respected these qualities.

- 4.13 The extensions were both large in scale (although smaller than the scheme dismissed on appeal in 2007) and the inspector found that these would visually compete with the existing building and failed to promote local distinctiveness.
- 4.14 The inspector did not have concerns about the level of amenity for future occupiers nor that the proposals would fail to improve the variety of student housing stock available in the area. Amenity for existing residents was also not considered to be impacted given the existing intensive residential character of the area and presence of the social club. He also considered highway safety issues which were raised by a number of residents. He did not consider that any shortfall in parking on the site would result in any significant harm to highway or pedestrian safety.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 None

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

- 6.1 52 letters of representation have been received, all of which object to the proposal. Correspondence has been received from two ward councillors, the local MP and 3 local residents' groups.
- 6.2 The ward councillors object to the proposal on the grounds that it is contrary to LCC policy, particularly H6 (HMOs, student accommodation and flat conversions) of the draft Core Strategy. They also consider that the proposal will lead to increasing problems with noise, littering, parking and traffic levels and does not enhance the appearance of the existing building.
- 6.3 The Hilary Benn Member of Parliament makes similar comments expressing concern about the high number of student flats in the area, the effect on existing parking problems and a possible detrimental impact on the Headingley Conservation Area.
- 6.4 The issues raised by residents in their representations are:
- Contrary to policy relating to students and balanced communities contained in the draft Core Strategy
  - Will result in an imbalance in the community – a plan of student properties on Ash Grove was submitted as well as a copy of LCC's student housing density plan
  - Contrary to policy H15 of the UDPR
  - Increased problems with noise, littering and anti-social behaviour
  - The proposed building will overlook the gardens of properties to the South
  - The application should be returned to the applicant under section 43 of the Planning and Compulsory Purchase Act 2004 – this gives local authorities the right to refuse to consider applications made within two years of the refusal of two similar applications
  - Loss of garden to adjoining property, No.14, to provide garden for new flats
  - There is not sufficient parking on site and Ash Grove is already over parked. There would be a consequent impact on highway safety.
  - Emergency vehicles would be unable to get down the street
  - Proposed extension is too close to the rear boundary
  - Inappropriate addition to attractive building
  - Loss of open space
  - Harm to the character of the Conservation Area

- The club needs to retain its parking and garden area
- Site is not brownfield
- There are trees near the site which will be affected
- Windows in the new extension do not line up with the existing building
- Gardens to front and rear of properties are part of the local character
- Proposal will spoil existing community spirit within this street

## **7.0 CONSULTATION RESPONSES:**

- 7.1 Drainage - no objections in principle subject to conditions and Yorkshire Water's agreement to building over of the on-site sewer.
- 7.2 Yorkshire Water – no objections. Issues related to the sewer can be dealt with under Building Regs.
- 7.3 Contaminated land – conditions recommended
- 7.4 Highways – a revised plan was submitted to address initial concerns raised by highways officers. The issues are now resolved and conditions are recommended.
- 7.5 Environmental Health have noted that there are currently 2 complaints regarding music levels and noise from people using the outside area of the club. It is also noted that the amenity of the flats will be compromised by noise from outside the premises and possible noise transmission through the building structure. This was an issue dealt with by the appeal inspector in the 2011 decision. He noted that occupiers of the proposed flats would be subjected to noise from the social club but this would be little different to that experienced by existing residents in the vicinity and he attached little weight to this matter.

## **8.0 PLANNING POLICIES:**

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:**

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

GP5 - seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

N12 – Urban design priorities

N19 – extensions in Conservation Areas

BD6 – alterations and extensions

BC7 – use of traditional local materials in Conservation Areas

T2 – highways issues

T24 – parking provision for new development

H15 – Area of housing mix

### **Relevant supplementary guidance:**

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following

SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Street Design Guide  
Neighbourhoods for Living  
Headingley and Hyde Park Neighbourhood Design Statement  
Headingley Hill Conservation Area Appraisal (draft)

## **National planning policy**

National Planning Policy Framework: Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development. Paragraph 131 refers to the requirement of Local Planning Authorities to 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 vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

## **9.0 MAIN ISSUES:**

9.1 The principle of the development

9.2 Design and character

9.3 Impact on the Conservation Area

9.4 Area of Housing Mix

9.5 Highways issues

9.6 Amenity

## **10.0 APPRAISAL:**

The principle of the development

10.1 The principle of residential accommodation on the site has been accepted by planning approval 26/10/97/FU for a flats' development. The current proposal seeks to extend that use and is acceptable subject to other material planning considerations. The inspector's decision of 2011 supports this view.

Design and character

10.2 In design terms, the proposal uses elements from the host building and replicates them on a smaller scale suitable to an extension. Materials are proposed to match existing included timber windows and doors.

- 10.3 The extension is subordinate in character being set back from the dominant side elevation of the host building. The roof ridge is set below that of the existing property ensuring the proposal appears subservient in height as well as massing.
- 10.4 The siting of the extension to the rear of the property is considered more appropriate than the previous applications in which the extension sat across the rear of the site and parking area. The inspector noted that these extensions were substantial and highly prominent structures which would visually compete with the building rather than result in a subordinate addition. It is anticipated that the siting of the current proposal will ensure that the proposal is not significantly prominent in the streetscene. The set back of the extension behind the existing western elevation of the building will further ensure that the extension remains subordinate.
- 10.5 The window detailing and string course detail of the existing western elevation are carried through in to the extension. The ground floor of the extension follows exactly the proportions of the host building. At this level the string course follows through from the host building to the extension.
- 10.6 Window size and design on the host building relates to the status of different floors of the building. The first floor windows being the largest and most detailed serve the most important rooms of the building. This change in scale does not follow through into the extension although the new windows do follow the design detail of the original with a multi-paned feature to the top light and a vertical emphasis. It is considered that windows which followed the host building exactly in size and style would compete with the host building and result in an unacceptably prominent extension.

#### Impact on the Conservation Area

- 10.7 The existing building is considered a positive building within the Conservation Area. The Headingley and Hyde Park Neighbourhood Design Statement and Headingley Hill Conservation Area Appraisal highlights the large front gardens of the properties on Ash Grove as a particular feature of the area. The garden area to the front of the existing building will be retained whilst the existing parking area to the side will be improved with block paving to parking bays and a landscaped area to the rear.
- 10.8 The extension is sited on an existing car park area for the pub to the rear of the building and at the end of Back Ash Grove. The discrete siting of the extension is considered to ensure that it has little impact on the streetscene with views of the proposal being visible only down Back Ash Grove and obliquely across the car park from Ash Grove. The set back of the extension will ensure that it appears subordinate to the host building and reads as an extension. Overall the size, siting, design and appearance of the proposed extension is considered likely to have a neutral effect upon the character and appearance of the host building and this part of the Headingley Conservation Area.
- 10.9 There are no trees on the site within, or close to, the area to be occupied by the extension.

#### Area of Housing Mix

- 10.10 The site is within the Area of Housing Mix and policy H15 is applicable. The accommodation is not specifically for students although the appeal inspector noted in his 2011 report that it was most likely to be occupied by students given the proximity to the university and student flats within the existing social club building.

10.11 Policy H15 gives a number of criteria where student accommodation would be acceptable. The policy states:

*Within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:*

- I) the stock of housing accommodation, including that available for family occupation, would not be unacceptably reduced in terms of quantity and variety;*
- II) there would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing similar accommodation;*
- III) the scale and character of the proposal would be compatible with the surrounding area;*
- IV) satisfactory provision would be made for car parking; and*
- V) the proposal would improve the quality or variety of the stock of student housing.*

10.12 The proposal would have no impact on the stock of housing accommodation as it is new build and no demolition of existing housing is required to facilitate the proposal. The inspector found in his report of 2011 that there would not be an unacceptable impact on neighbours' living conditions, either from the proposal itself or combined with existing accommodation. The inspector stated that 'given the intensive residential nature of the area and the presence of the social club, activity associated with the proposals would not warrant dismissal of the appeals on the basis of noise and disturbance'. Likewise he did not see evidence which proved the proposal would fail to improve the quality or variety of the stock of student housing.

10.13 While in the 2011 appeal the proposal failed to meet criteria III relating to the scale and character of the proposal, it is now considered, as discussed above, that the proposal is acceptable in these terms.

10.14 Policy H6 of the draft Core Strategy is cited by a number of the residents who have made representations on this application. It is not considered directly relevant to this application as it refers to Houses in Multiple Occupation, student accommodation and flat conversions only. The proposal does not constitute HMOs or flat conversions and is not specifically student accommodation.

#### Highways issues

10.15 Criteria IV of policy H15 requires that sufficient parking provision is made for any new proposals. Highways officers had asked for revisions to the original layout to allow for delivery vehicle turning and clear access to all parking spaces. This has now been achieved and parking levels are acceptable. The appeal inspector confirmed that while there may be some overspill parking on to the highway at peak times, he did not think this was unacceptable and would not lead to serious safety problems.

#### Amenity

10.16 The issues of the impact of the proposal on the amenity of neighbouring residents has been discussed above.

10.17 The proposed accommodation is considered to provide good levels of amenity for future residents. Flats have windows to front and rear elevations whilst the attic



floor flat is served predominantly by rooflights with one window within the western elevation. A number of other windows are proposed in this western elevation and will overlook the former Leeds Girls High School swimming pool site. It is not considered acceptable to have windows at this high level and in close proximity to the boundary as they will result in overlooking; however they are secondary windows to living accommodation and therefore a condition has been proposed to ensure the windows above ground floor (which can be screened by boundary treatment if required) are obscure glazed.

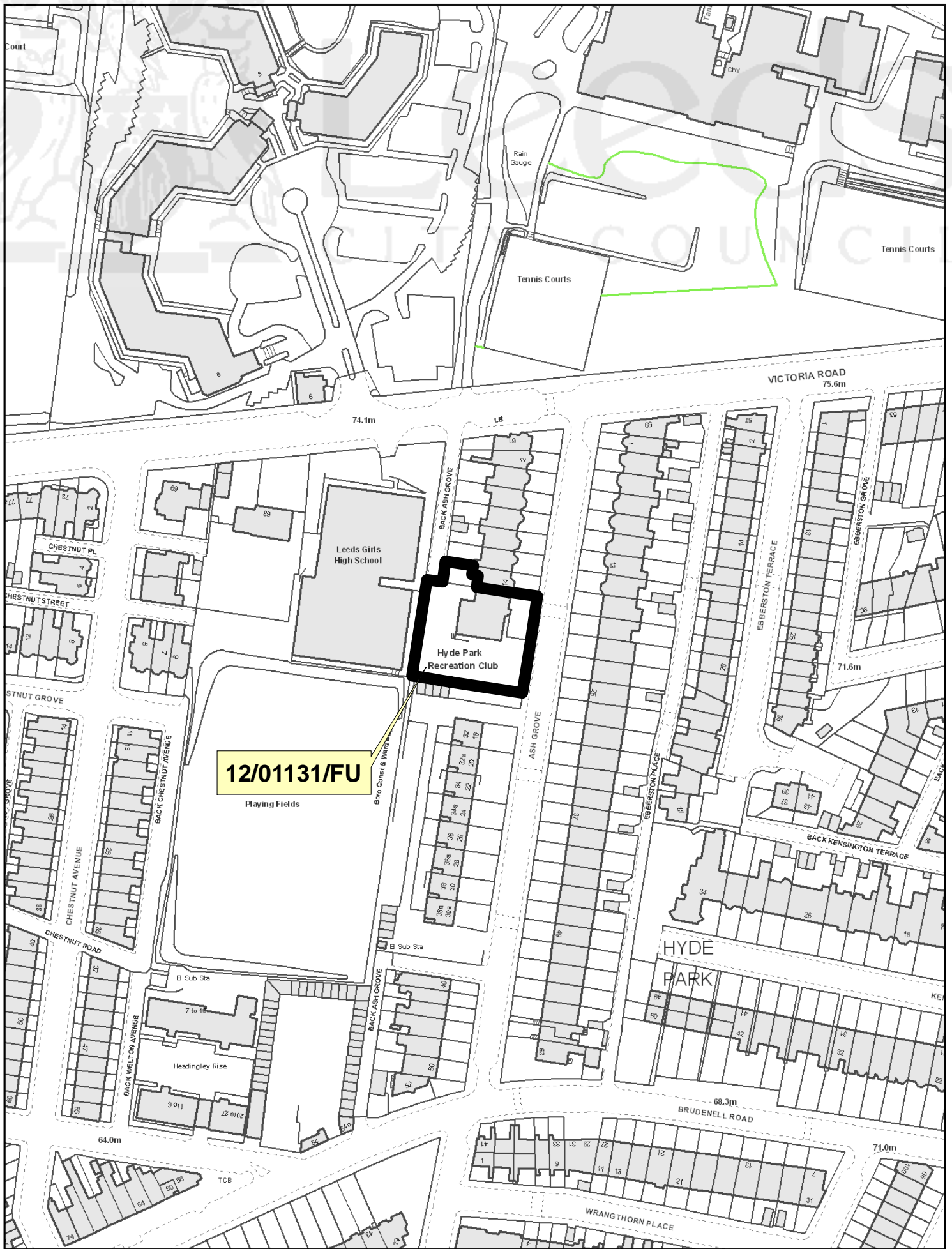
- 10.18 Windows on the southern elevation are approximately 15m from the boundary and meet distances in Neighbourhoods for Living. In the northern (rear of the extension) elevation, the extension is 4m from the boundary. Windows will look along Back Ash Grove and across the rear yard of No.14 Ash Grove which is in the ownership of the applicant. The rear yard of No.14 is included within the red line boundary of this application and is proposed as an area of communal space. This was also the case in the previous applications in 2010. The proposed area of landscaped garden is considered to result in an improvement in amenity for all residents, including existing, who will benefit from an enhanced environment of outside space which they can use.
- 10.19 The orientation of the buildings will result in some overshadowing of the rear yard area of No.14 Ash Grove in the middle of the day. However there is some set back of the extension from the adjoining boundary which will reduce the impact. The existing social club already overshadows the rear of the property at No.14 and so impact this will remain largely unchanged.
- 10.20 As stated above the appeal inspector has determined that the adjoining social club would not have a detrimental impact on future occupiers' amenity. It is also considered that the outside amenity space is reasonable for the level of proposed accommodation. Existing residents will also benefit from the improved outside space.

## **11.0 CONCLUSION:**

- 11.1 The proposal is considered to comply with relevant policy and to address the outstanding issues raised by the appeal inspector in 2011. These predominantly related to the design and character of the proposed extension and its impact on the character and appearance of the Conservation Area and host building. The current proposal is considered to take elements from the host building and replicate them in a subordinate extension which does not compete with the impressive detailing of the original.

## **Background Papers:**

Application and history files.



# WEST PLANS PANEL

