



Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 10th January 2012

Subject: APPLICATION 12/04984/FU – CHANGE OF USE OF SOCIAL CLUB TO FORM 4 FLATS WITH LANDSCAPING AND CAR PARKING AT ASH GROVE SOCIAL CLUB, 16 ASH GROVE, LEEDS. LS6 1AY

APPLICANT

Cotech Investments

DATE VALID

28 November 2012

TARGET DATE

23 January 2013

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:

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified and subject to no further representations raising new material planning considerations being received prior to the expiry of the publicity period (10th January 2013)

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. Notwithstanding the details on the plans hereby approved, all existing metalwork and framework relating to the redundant Fire Escape on the Ash Grove elevation shall be completely removed prior to first occupation of the flats hereby approved.
4. In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.
5. In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.
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, T2, H15, N19
Neighbourhoods for Living

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 Panel at the request of Councillor Gerald Harper who has objected to the application on the grounds that there is an excessive concentration of flats and HMO's in the locality and that the additional flats would have an unacceptable impact on highway safety due to additional on-street car parking. .

2.0 PROPOSAL:

- 2.1** The application is to change the use of the ground and first floors of a Social Club to form four flats, with external alterations to form new windows and laying out of parking and landscaping.
- 2.2** This should be read in conjunction with a recently approved application to erect six self-contained flats to the outer side of the existing building, which will result in a total of 10 self-contained flats within the site curtilage.

3.0 SITE AND SURROUNDINGS:

- 5.1** The site comprises the Ash Grove Social Club located on Ash Grove. The site is adjacent to a row of terraced dwellings on Ash Grove, with a low rise block of flats to the south of the site and a sports hall to the rear. The site has a large hardstanding area located to the south and west of the building. The building comprises four storeys and is a traditional Edwardian brick-built building with a large front tower which is considered to make a positive contribution to the Headingley Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

12/01131/FU – Extension to erect 6 flats to side of Club. Approved, 28/05/12.

10/04134/FU – 3 storey extension to social club to erect 5 flats. Refused, 05/11/97. Dismissed at Appeal, 23/05/11.

10/01462/FU – 3 storey extension to erect 5 flats. Refused, 26/07/10. Dismissed at Appeal, 24/05/11.

09/02706/FU – 4 storey block of 6 flats. Withdrawn, 21/09/09.

07/03877/FU – 4 storey block of 6 flats. Refused, 31/08/07

26/97/98/FU - 4 storey extension to erect 4 flats. Refused Dismissed at Appeal, 29/09/99.

26/10/97/FU – Change of use and extensions of club to 9 flats. Approved, 11/11/97.

5.0 HISTORY OF NEGOTIATIONS:

5.1 There have been no pre-application discussions with regard to this site.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was publicised by Site Notice on 7th December 2012 and in the Yorkshire Evening Post on 20th December 2012.

6.2 When the report was published, one letter of representation from Ward Councillor Gerald Harper had been received. This is an objection to the proposal, on the grounds of highway safety and unacceptable increase in the numbers of flats in a location where he considers that there are already too many HMOs. Any additional letters of representation will be reported to the Plans Panel.

7.0 CONSULTATIONS RESPONSES:

STATUTORY

7.1 None.

NON-STATUTORY

7.2 Highway Authority – No objections, there will be no increase in demand for car parking relative to the existing club use.

7.3 Neighbourhoods and Housing – Comments will be provided to the Plans Panel at the meeting.

8.0 PLANNING POLICIES:

DEVELOPMENT PLAN

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

8.2 The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

UDPR POLICIES:

8.3 Policy GP5 – seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

8.4 Policy T2 – this aims to avoid any undue impact on highway safety.

8.5 Policy T24 – this sets out recommended car parking guidelines.

- 8.6** Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas
- 8.7** Policy H15 – this refers to the Area of Housing Mix and sets out a range of criteria aimed at promoting mixed communities

DRAFT CORE STRATEGY

- 8.8** The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. 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. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination

As the Council has resolved to move the Publication Draft Core Strategy to the next stage of independent examination, some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

RELEVANT SUPPLEMENTARY GUIDANCE:

- 8.9** 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:
- Neighbourhoods for Living

NATIONAL PLANNING POLICY:

- 8.10** The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

9.0 MAIN ISSUES:

- It is considered that the main issues are:

- Principle of residential use
- Parking
- Area of Housing Mix

10.0 APPRAISAL:

PRINCIPLE OF RESIDENTIAL USE

- 10.1** The existing Social Club has operated from the site for a number of years, and is clearly located in an area unsuitable for a use of this nature. It has an extensive history of complaints to the Council from local residents relating to noise and disturbance, from both loud music and noise from patrons in the street. The residential use proposed is, however, considered compatible with this sustainable residential location..

PARKING

- 10.2** The proposal indicates 13 car parking spaces within the site. Comments from the Highways Officer will be reported at the Meeting, but Officers consider that the site is in a highly sustainable location with easy access to frequent bus services and that there are no current waiting restrictions for on-street parking. As such, the proposal is considered acceptable with regard to parking provision. This opinion was recently supported at Appeal when, although dismissing the appeal to erect new flats on design grounds, (application references 10/01462/FU and 10/04134/FU), the Inspector concluded that the erection of additional flats would not result in any undue impact on highway safety. In addition, the proposed four flats would be expected to create less demand for car parking than the existing Club use.

AREA OF HOUSING MIX

- 10.3** This policy states that 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:
- The stock of housing accommodation, including that available for family occupation, should not be unacceptably reduced in terms of quantity and variety;
 - 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 housing similar accommodation;
 - The scale and character of the proposal should be compatible with the surrounding area;
 - Satisfactory provision should be made for car parking
 - The proposal should improve the quality or variety of the stock of student housing;
- In response to the above points:
- The site has been used as a Social Club for a number of years. Consequently, the proposal will not result in the loss of any existing housing accommodation but will in fact provide additional self-contained units. As such, there will be no loss of existing family housing accommodation;
 - It is considered that the levels of activity produced by up to 10 residents will be less than that previously generated by the use of the building as a Social Club.

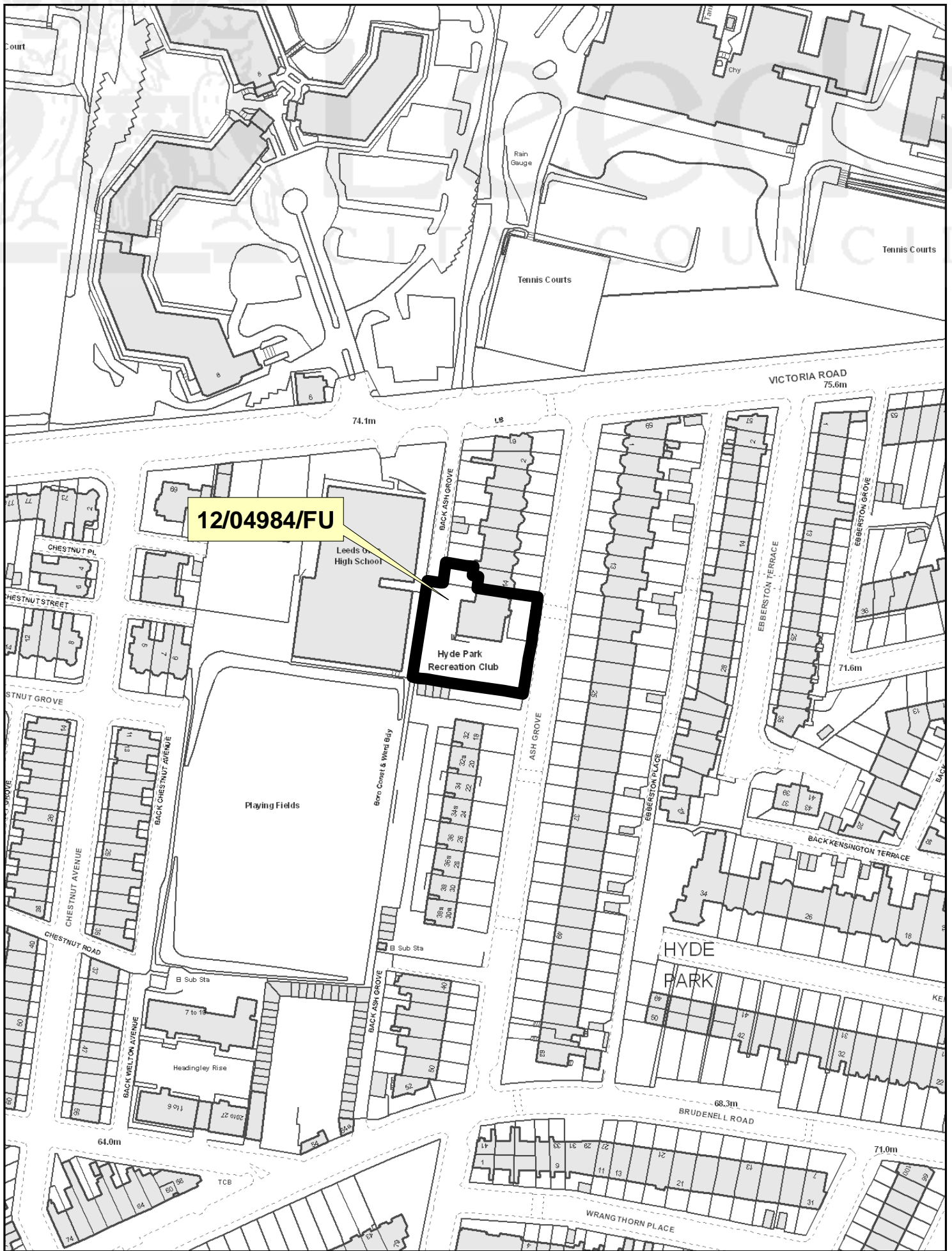
- There are no extensions to the property, with the proposed new windows being of a comparable scale and form to the existing and also resulting in the loss of the existing unattractive fire escape fronting Ash Grove. As such, the proposal is considered beneficial to the overall scale or character of the site.
- The site has 13 dedicated off-street parking spaces, with the site considered to be in a highly sustainable location with no current waiting or parking restrictions in place. As such, the proposal is considered acceptable on balance with regard to parking provision.
- The proposed bedrooms within flats have adequate levels of light and are of a reasonable size. The scheme is thus considered to comply with this element of the policy.

11.0 CONCLUSION:

- 11.1** On balance, the proposal to create four flats is considered acceptable. Although the site is located in an area with a large number of HMOs, this scheme is to erect self-contained flats within the C3 Use Class and as such is considered to offer an acceptable mix of accommodation which can help create balanced communities. Members are therefore recommended to grant permission subject to the conditions set out at the head of this report.

Background Papers:

Application and history files.
Certificate of Ownership.



SOUTH AND WEST PLANS PANEL