



Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 6th August 2015

Subject: **PLANNING APPLICATION 15/00901/FU – New second floor and change of use of existing offices to form 14no. self-contained flats with associated landscaping.**

at: **57 Cardigan Lane, Burley, Leeds, LS4 2LE**

APPLICANT

Mr S Kohli

DATE VALID

3rd March 2015

TARGET DATE

2nd June 2015

Electoral Wards Affected:

Kirkstall



Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

APPROVE planning permission, subject to the following conditions

1. 3 year time limit
2. Development completed in accordance with approved plans
3. Standard contamination conditions
4. Laying out of area used by vehicles
5. External lighting details
6. Reinstatement of redundant footway crossing
7. Use of porous surfacing materials
8. Provision of motor/cycle parking prior to use
9. Provision of bin store prior to use
10. Greenspace commuted sum via Section 106 Agreement
12. Samples of external walling, roofing, surfacing materials for inspection / to match existing

1.0 INTRODUCTION

- 1.1 This application for the conversion of a former office building (B1 use class) to fourteen self-contained flats is considered acceptable in terms of its principle and its impact on highway safety and residential and visual amenity. It is brought before the South and West Plans Panel at the request of the Kirkstall Ward Members due to concerns over the impact on residential amenity, the potential loss of land last in employment use, and the possibility of occupation by students.

2.0 PROPOSAL

- 2.1 Permission is sought for the extension and conversion of the existing former office building and its annex to fourteen self-contained flats, comprising three one-bed flats, 10 two-bed flats (including two to the annex) and a single 4-bed unit in the existing basement.
- 2.2 The basement, which runs along the rear of the building, will be converted to a long four-bedroom unit with a separate access from the side (western) elevation. Four en-suite bedrooms, a combined living / kitchen area and WC will be linked by a long hallway. The existing stairs to the first floor will be removed, and seven new windows inserted. Two parking spaces will be laid out to the side of the building, adjacent to the entrance door.
- 2.3 At ground floor level, six units will be created. These will be arranged around a central hallway and stairs leading to the proposed new first floor. Four two-bedroom units will be created, each comprising a hallway leading to an open plan living / kitchen area and two bedrooms with en-suite bathrooms. In addition, two one-bed flats will also be provided, to the front and rear of the building. These include a shower room that is separate to the bedroom, an entrance hall and an open plan living area.
- 2.4 Above this, the existing 'north light' saw-toothed roof form will be removed in its entirety and an additional storey created. To the façade, the front wall of the first floor will be set back 4.1m from the front of the building in order to preserve the characteristic run of Dutch-style gables. The space in between will be used as private enclosed outdoor terraces for units 7 and 11. As at ground floor level, the flats will be arranged around a central landing area, however in addition to four two-bed units there will only be a single one-bed flat on this level, positioned to the rear of the building.
- 2.5 There is a small two-storey annex to the south-eastern corner of the site, which was previously also used as office space. It is proposed to subdivide this into two 2-bed flats, both accessed via a new glazed porch to the western elevation of the annex. These will lack en-suite provision, being served instead by a single house bathroom. The annex will be re-faced in red brick to match the main building and the fenestration will be reconfigured to elongate original window openings, install stone heads and sills and provide Juliet balconies to the two flats. The southern and eastern elevations, which abut the site boundaries, will remain blank as at present.
- 2.6 Externally the building will be extensively repaired and renovated. The existing façade will be largely unchanged (although the entrance door will become redundant and be replaced by a new entrance point to the western elevation) but the window layout will be retained. To the side and rear elevations, the new first floor will be constructed in

matching red brick and the windows reconfigured to give a more vertical emphasis and arranged to serve the flats within. External stairs, doors and loading bays that remain from the building's industrial past will be removed and made good. A new flat roof with brick parapet and lantern skylight over the stairwell will be provided. This was to have formed a second, communal roof terrace but this was deleted due to concerns over the potential for noise nuisance and overlooking from an elevated position.

- 2.5 The main changes to the site layout will be to the western side of the building, where the relocated entrance will be served by a block-paved pedestrian area with planting and boundary wall with railings above. A new pedestrian access will be provided from Cardigan Lane. The existing vehicle access will be retained, but will become the entry point for a one-way system through the site with egress to the east of the building, onto Cardigan Lane. The car park will be resurfaced and fifteen car spaces laid out, including two adjacent to the basement flat entrance, two to the north of the annex, and 11 spaces angled along the rear boundary of the site. Incidental shrub planting will be provided where space permits. Two cycle shelters will be provided, to the south-eastern and north-western parts of the site, capable of accommodating 6 and 10 cycles respectively, and communal bin storage will be located to the north of the annex on the eastern boundary.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application refers to a large red-brick building which appears to date from the 1920s. The north-light roof over the structure suggests that it was initially used as a factory; more recently it has been in use as offices (B1) but has now been vacant for several years. The building is broadly square and most of the accommodation is arranged over a single level, comprising a number of interconnected offices and other rooms with WC and kitchen facilities to the frontage. To the rear of the building, there is a long, narrow basement (which due to a change in land levels is partly exposed and hence more of a 'lower ground floor'. This contains further office accommodation and an additional WC.
- 3.2 Externally the main frontage is relatively ornate, with the asymmetric ends of the saw-toothed roof design concealed by a series of attractive Dutch-style flat-topped gable features. Natural stone copings and recessed inserts into the smooth red brick add further interest. The four bays are demarcated by corbel detailing and each include twin vertical windows, aside from the second from the left which contains the current main entrance. Again this is a monumental feature in natural stone, albeit with a more modern replacement door. The dwarf wall and steel railings to the Cardigan Lane frontage are not original but are appropriate to the age of the building and complement its appearance.
- 3.3 By contrast the three remaining elevations are more utilitarian, constructed of a lower-quality brick and lacking ornamentation. Fenestration is irregular and predominantly with a horizontal emphasis. There are personnel doors to the sides, accessed by flights of external steps, and a loading door and enclosed, steel-clad stairway to the south-eastern corner. The north-light roof design is very prominent from the south whilst a flat expanse of asbestos roof dominates the western elevation and views from Stanmore Hill. The exterior is in poor condition due partly to graffiti and vandalism during the building's period of vacancy but also as a result of additions from when it was in use including a number of air conditioning condensers and external steel security grilles.

- 3.4 To the south-eastern corner of the site stands a small two-storey annex. This is more modern than the main complex, possibly dating from the 1970s or 1980s, and has a walls of red brick under a pitched tiled roof. Fenestration, which comprises small square windows in a regular pattern, is confined to the western and northern elevations, as the others are on the site boundaries. The majority of the site is hard surfaced in tarmac, with vehicular accesses onto Cardigan Road and Stanmore Hill. Again there has been extensive fly-tipping of waste including building materials and burning of items on the land to the rear.
- 3.5 The building is located in the Burley area, surrounded by densely-packed streets of Victorian terraced and back-to-back houses on a grid pattern. The front of the building overlooks Burley Park and to the east, a three-storey block of redbrick flats (constructed around 15 years ago) dominates the Cardigan Lane frontage. Further to the east is the Grade II Listed former Burley Methodist Church. There is a dramatic change of levels southward from Cardigan Lane, with the result that Stanmore Hill is on a steep incline and the houses to the south, located around 22m away, are also set almost three meters below the ground level at the rear of the building, which is in turn some 2m below Cardigan Lane. The change in levels is addressed by a 2.5m brick wall to the southern boundary. This in turn forms the northern boundary of the gardens of the semi-detached houses on Village Place.
- 3.6 Parking is almost exclusively on-street, with very few of the older houses having access to in-curtilage parking.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There have been a number of applications for minor alterations including air conditioning units, fire escape enclosures and alterations to fenestration. The last of these was in 1999, and involved the change of use of the annex to offices.
- 4.2 More recently, a pre-application enquiry was received in October 2014 for the demolition of the existing buildings and their replacement with a four-storey block of 25 2-bed flats. The applicant was advised that such an intensive scheme would not receive Officer support due to the scale of the proposals, external design and lack of car parking. Concerns were also raised regarding the mix of units and the potential for them to be intensively occupied by students. As a result, the applicant instead opted to convert the existing buildings into a less intensive development.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The scheme as initially submitted included a communal roof terrace accessed via a doorway from the main stairwell. Officers raised concerns regarding the potential for noise nuisance from activity on the roof terrace, exacerbated by the elevated position, and that it could facilitate overlooking of surrounding properties. Given the building's position adjacent to a public park, it was considered that on balance, the potential amenity concerns outweighed any benefit to the amenity of prospective occupiers, and the agent agreed to revise the plans to omit this feature.
- 5.2 The Highways Officer also raised a number of issues including the provision of cycle parking, bin storage and the alignment of the egress. These were addressed through submission of a revised plan.

6.0 PUBLIC/ LOCAL RESPONSE:

- 6.1 A Major site notice was posted on 20th March 2015, and the Kirkstall ward members consulted as part of the process. Following concerns raised by the Councillors at a subsequent briefing, the application has been brought before the South and West Plans Panel for determination.
- 6.2 Three letters of objection have been received in response to the publicity given to the application. The main points raised are summarised in the 'Representations' section of the Appraisal.

7.0 CONSULTATION RESPONSES:

Highways: Initial concerns relating to parking levels, location of bin storage, absence of cycle storage and the alignment of the access have been resolved following discussions between the Highways Officer and applicant, and submission of revised plans. Conditions relating to reinstatement of redundant accesses, details of cycle enclosures and laying out of the parking areas have been suggested.

Mains Drainage: The use of the building's existing surface and foul drainage systems are acceptable and any amendments covered by Building Regulations. However, porous surfacing should be used for hard surfaced areas (pedestrian and vehicular accesses).

West Yorkshire Combined Authority (formerly Metro): The developer should provide Residential Metrocards for prospective residents in order to encourage the use of public transport.

Contaminated Land Team: The residential use is sensitive but the scheme involves the re-use of an existing building with no private gardens etc. As such, Minerals recommend standard conditions to cover the submission of reports, statements and studies and report any unexpected contamination.

Local Plans: no objection to the loss of employment land as period of vacancy demonstrates lack of demand for premises in its current configuration. Commuted sum in lieu of on-site greenspace of £44,187.61, to be secured through a Section 106 Agreement.

8.0 PLANNING POLICIES:

Local Planning Policies:

The Core Strategy for Leeds replaced the Unitary Development Plan on its adoption on 12th November 2014. Relevant policies are as follows:

- Policy H2 refers to all housing developments on non-allocated sites, stating that these will generally be acceptable in principle provided that other material considerations such as ensuring that transport and health infrastructure have sufficient capacity are met.
- Policy T2: New development should be located in accessible locations and served by existing or programmed highways improvements, public transport and infrastructure for pedestrians, cyclists and disabled people.

- Policy EC3 refers to the safeguarding of sites currently or last used for employment purposes, the development of which will only be permitted if the proposal would not result in the loss of a deliverable employment site or the existing buildings / land are considered non-viable for employment use.
- Policy P10: New development will be expected to provide high standards of design appropriate to its scale, location and function and taking into consideration local context, car parking and the prevention of crime.

In the interim period during the preparation of Supplementary Planning Documents, a number of the policies contained in the Leeds Unitary Development Plan (“UDP”) have been ‘saved’. The Leeds UDP Review was adopted in 2006. The most relevant Policies from the Leeds Unitary Development Plan are listed below: -

- UDP policy GP5 seeks to ensure all detailed planning considerations are resolved as part of the application process including the protection of local residents amenities.
- UDP policy BD6 seeks to ensure that all extensions and alterations to existing buildings respect the materials and design of the existing building and its context.

Relevant Supplementary Guidance:

- Supplementary Planning Documents provides a more detailed explanation of how strategic policies of the Unitary Development Plan and Core Strategy can be practically implemented. The following SPDs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.
 - Development of Self Contained Flats
 - Neighbourhoods for Living

Government Planning Policy Guidance/Statements:

In addition to the Development Plan documents, the Coalition Government’s National Planning Policy Framework replaced more than 40 Planning Policy Statements and Guidance Notes in March 2012. Chapter 6 (housing) is of particular relevance.

9.0 MAIN ISSUES:

9.1 The main issues for discussion and consideration are thus:

1. Principle of change of use
2. Impact on visual amenity
3. Residential amenity
4. Parking and Highways
5. Other Considerations
6. Representations

10.0 APPRAISAL

Principle of Development

- 10.1 It is understood that the building was originally constructed as a factory in the 1920s. In the later part of the 20th century it became offices and a research and development space for a local company. Therefore whilst it has no formal designation, as a site last used for employment purposes it is subject to Core Strategy policies on the availability of land for employment purposes.
- 10.2 The B1 office use ceased several years ago and the building has since been vacant. Its awkward internal layout, location within a residential area and increasing dilapidation have contributed to the fact that (as a number of estate agents' sign boards attest) although it has been marketed for business purposes, there has been little interest in returning the property to commercial use. Policy EC2 states that office development should in the first instance be directed toward the City Centre and Town Centres. The Site Allocations Plan (June 2015) has identified a sufficient supply of land for B1 (a) office use in this area and as a result it is accepted that the loss of employment land in this instance is acceptable in terms of Policy EC3.
- 10.3. As the site is previously developed and surrounded by housing, and hence there is no scope to provide the required greenspace on site, the Local Plans Officer has recommended that a commuted sum of £44,187.61 be paid, via a Section 106 Agreement, for the provision of off-site greenspace improvements in lieu of the onsite provision required under Core Strategy policy G4.
- 10.4 Policy H2 covers all new housing proposals on non-allocated sites, stating that there will be a presumption in favour of this provided that other material planning considerations are met. On balance therefore it is considered that the proposals for residential conversion are acceptable in principle.

Design and Visual Amenity

- 10.5 Despite its functional purpose, the facade of the building is attractive and detailed, with four symmetrical bays capped with Dutch-style gable details and large, solid brick corbels. Although disfigured somewhat by the installation of steel security grilles, the structure remains an important visual and aesthetic focal point on the lower part of Cardigan Lane which is dominated by large, older buildings including the former Methodist Church and a Listed stone cottage to Burley Park at this prominent junction opposite the park. As such the developer does not propose to make significant alterations besides the repair and renovation of the brickwork and installation of replacement windows. The new first floor has been deliberately set back at the front in order to avoid competing with or obscuring the roof line to this elevation.
- 10.6 The remainder of the elevations however are typical of factory buildings of this era and reflect the utilitarian function of the structure. They are devoid of decorative embellishment and have been defaced with graffiti and the addition of fire escapes, steel grilles and air conditioning units. As such, the alterations to the southern, eastern and western elevations are not opposed. The introduction of a regular pattern of fenestration with a clear hierarchy, vertical emphasis and stone heads and sills will improve the appearance of the building from Stanmore Hill and from the houses to the south, and respond positively to the context of Victorian residential development. Similarly, the alterations to the annex will not detract from the appearance of this utilitarian late 20th century building.

Residential Amenity Considerations

- 10.7 Similarly it is not considered that there are any impediments to the conversion on the basis of harm to the amenity of existing or prospective residents. One of the concerns raised by the Ward Members centred on the potential for overlooking and overdominance of the houses to the south (Nos 1-15 Village Place). The lie around 2.5m lower than the lower ground floor of No. 72 Cardigan Road, at a distance of around 22.5m (11m from the rear of the building to the boundary, and a further 11.5m from this boundary to the northern elevation of the closest house. A splay to the southern boundary also means that this distance increases the further along from Stanmore Hill (to a total of approximately 24m at the easternmost point). Page 57 of SPD 'Neighbourhoods for Living' gives a minimum recommended distance of 10.5m from a main living / dining room window (of which there are a number proposed to the ground and first floor of No. 57) to a site boundary. Taking into consideration a slight increase in these distances to account for changes in levels, the proposal complies with these guidelines. It is therefore considered that on balance, taking into account the change of levels between the site and its neighbours, the retention of the existing 1.2m boundary wall and screening trees (which are positioned outside the site boundary) that any increase in overlooking of the properties to the south will be minimal.
- 10.8 Similarly, windows to the north and west face over the highways of Stanmore Hill and Cardigan Road, whilst those to the east face the blank side gables and parking court of the Abbots Mews apartment development to this side. Whilst the distance between the eastern side of the main building and the western elevation of the annex is only 7.2m, care has been taken with the juxtaposition of windows, ensuring that the living rooms overlook the parking area and cycle store and bedrooms are placed where existing space between elevations is limited.
- 10.9 The rear elevation will be increased in height from 5.1m to 5.4m and the open parts of the saw-toothed gables infilled to create the new first floor accommodation. Given this marginal height addition of around 30cm, it is not therefore anticipated that this will result in a material increase in over dominance or impact noticeably on day and sunlight levels experienced by the occupiers of the houses to the south.
- 10.10 Whilst Units 7 and 11 benefit from semi-enclosed private terraces behind the original gabled facade, the majority of the accommodation does not have access to private or shared amenity space on site. A roof terrace was included in the initial version of the scheme, however Officer concerns over the potential for noisy activities (parties / barbecues etc) in an elevated position, and the significant implications of these for surrounding residents in terms of noise nuisance and similar led to agreement that it should be deleted from the scheme. Whilst Neighbourhoods for Living (p.31) recommends that new-build flats should have access to shared amenity space equivalent to 25% of the gross internal floor area of the unit, the proximity of the development to a large expanse of public open space in the form of Burley Park and the difficulties of providing sufficient outside space within the constraints imposed by the existing building support a compromise in this case.
- 10.11 Internally the flats are large with generously proportioned living areas and bedrooms. Two-bed flats range from 72.7m² to 99.9m², one-bed units from 69.1m² to 75.5m², and the basement flat, which due to its position above ground on the southern side of the building benefits from a good outlook and light levels, measures 153.5m². These dimensions are compliant with Council guidance provided both within SPG6 'Development of Self-Contained Flats' and its emerging replacement, the Leeds Standards for flat sizes, which recommends minimum floorspace figures of 47m² for 1-bed units, 60m² for 2-beds and 88m² for those with 4 bedrooms.

Parking / Highways

- 10.12 The applicant proposes to provide 15 spaces within the existing car park, which will be resurfaced and signed to impose a one-way system through the site (access on Stanmore Hill, egress to Cardigan Road). The Highways Officer expressed initial concerns over the level of parking, the location of bin and cycle storage facilities, and the alignment of the access and egress roads. However following discussions between the agent and Highways Officer, a revised plan was submitted showing the bin and cycle storage relocated and the access from Stanmore Hill realigned in accordance with the consultation response. The highways officer is satisfied that the concerns raised have been fully addressed. The West Yorkshire Combined Authority (formerly Metro) have requested that the developer fund bus-only Metrocards for residents; given the relatively small scale of the development, and its proximity to high-frequency bus routes on Burley Road, Cardigan Lane and Victoria Road, in addition to a half-hourly rail service into Leeds from Burley Park station (all of which are within five minutes' or less walk from the development) it was not considered necessary to impose this requirement in this instance.

Other Considerations

- 10.13 The Contaminated Land Officer requested the submission of a Phase I Desk Study in support of the application. Since this did not highlight any significant causes for concern (as whilst the proposed use is sensitive, the existing building is to be retained and no garden areas provided or soil exposed to residents), the attachment of standard conditions to report any unexpected contamination as may be found have been deemed sufficient to safeguard against the risk of contaminants.
- 10.14 The Mains Drainage Officer is satisfied that the existing foul and surface water infrastructure of the building are suitable for re-use, and that any alterations can be sufficiently controlled under the Building Regulations. Whilst the car parking area is existing, it has been recommended that any resurfacing be carried out using porous materials that allow rainwater to soak into the ground beneath and thus reduce the pressure on the local surface water drainage system.

Representations

- 10.15 Three letters of representation have been received via the council's web site, from residents of houses on Village Place to the south. The main concerns raised can be summarised as follows:

Loss of privacy through overlooking of gardens and windows from the proposed windows;

Overshadowing and overdominance from the infilling of the saw-toothed roof sections;

Potential late night noise nuisance from the (now deleted) roof terrace;

No mention on application form of the two large trees on the Village Place side of the wall;

Poor condition of the 2.5m retaining wall to the south of the site:

Potential for occupation by students and associated noise nuisance / anti-social behaviour.

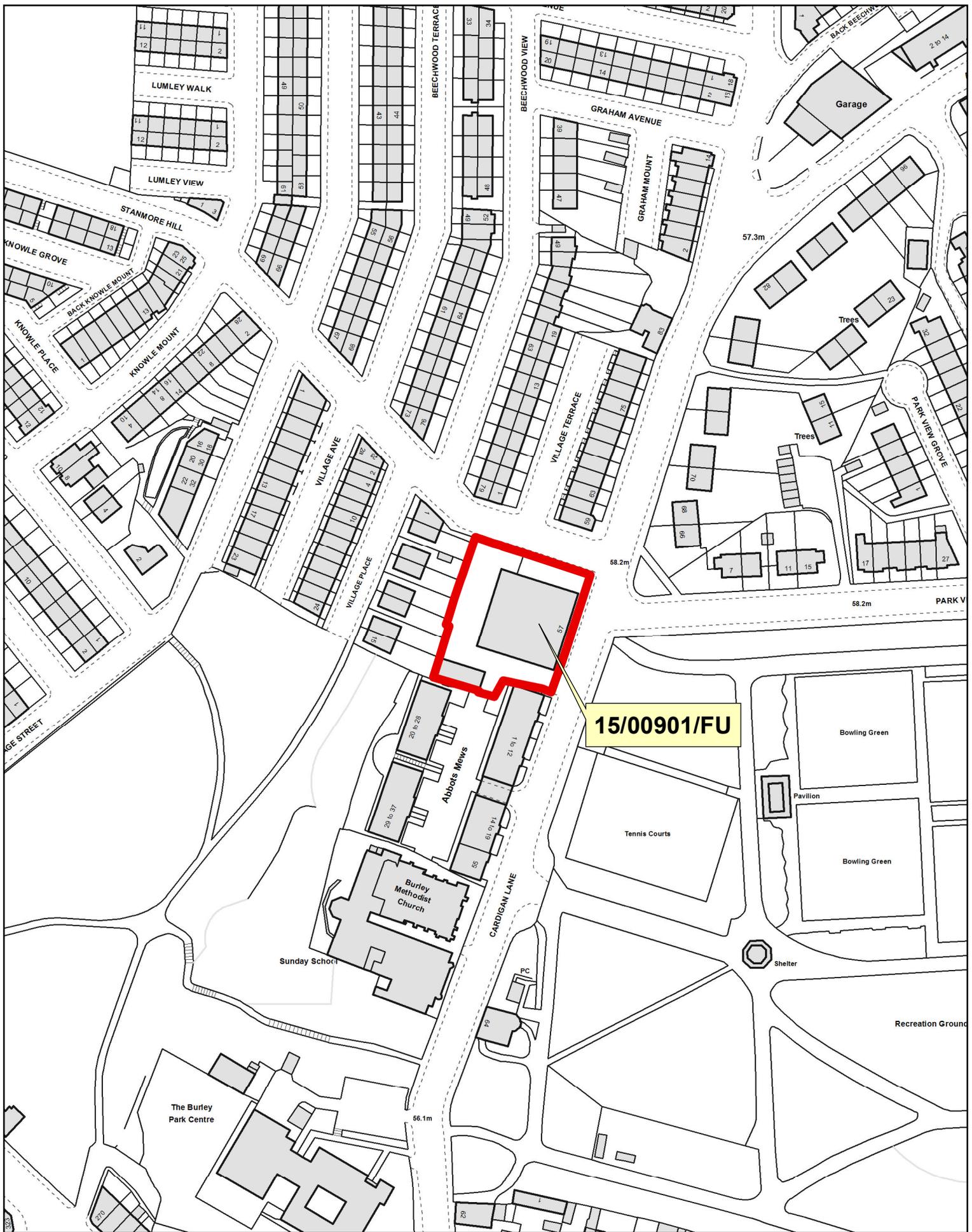
The concerns regarding overlooking and over dominance have been discussed in detail in the 'Amenity' section of the Appraisal above; it is considered that on balance, the proposals comply with relevant policies on this matter. Whilst it is not possible to control the specific demographic to whom the apartments are sold or let, the proposal includes a variety of units, including a four-bedroom dwelling and others which due to their generous levels of floorspace are likely to appeal to a range of potential occupiers. The concerns over the roof terrace are accepted and this element of the scheme has been removed, to be replaced with a flat roof with no general access. The two large trees and boundary wall are unaffected by the development (and in the case of the former, lie outside the applicants' red-line boundary) and if not included within the planning application, are covered by other legislation.

11.0 CONCLUSION

- 11.1 To conclude, it is considered that the proposals for the extension and re-use of this building will safeguard its continued existence as an attractive landmark within the local area, whilst providing fourteen units of accommodation within an established residential area. Whilst a level of compromise has been necessary in terms of the provision of greenspace and shared amenity space due to the constraints of the site, it is considered that the scheme successfully addresses material planning considerations of visual and residential amenity, highway safety and the principle of residential development including loss of employment floorspace. The proposal is for these reasons recommended for approval, subject to the conditions listed at the head of the Report..

Background Papers

Application File 15/00901/FU



SOUTH AND WEST PLANS PANEL

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SCALE : 1/1500

