



Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 6th August 2015

Subject: Application number 14/07043/FU – Change of use and alterations to former day care facility and offices to form 16 flats, and associated external works, including demolition of ramp and rear extension at 80 Cardigan Road, Headingley, Leeds, LS6 3BJ.

APPLICANT

Wetherby Estates – Mr
Rizwan Rehman

DATE VALID

16th December 2014

TARGET DATE

7th August 2015

Electoral Wards Affected:

Headingley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS

GRANT PLANNING PERMSSION subject to the conditions specified:

1. Time limit of 18 months on full permission.
2. Development in accordance with the approved plans.
3. Submission and approval of a sample panel of brickwork.
4. Details of new windows and doors to be submitted and approved.
5. Details and samples for lightwells to be submitted and approved.
6. Submission and approval of a Phase 2 Site Investigation.
7. Need for submission and approval of a new Remediation Statement.
8. Submission and approval of Verification Reports.
9. Control of imported soil on site.
10. Details of closing off redundant access point.
11. Details of proposed in/out signage.
12. Notwithstanding the approved plans, details of cycle/motorcycle storage to be provided.
13. Vehicular areas to be laid out, surfaced and drained.
14. Notwithstanding the approved plans, details of bin storage to be provided.

15. Landscaping scheme and implementation plan to be submitted and approved.
16. Requirement to replace any failing trees/ hedges/ shrubs within 5 years of approval.
17. Implementation of the approved Arboricultural Method Statement.
18. Protection of trees. Hedges/ shrubs during construction.
19. Details of boundary treatment to Cardigan Road and Chapel Lane to be submitted and approved.
20. A method statement for the cleaning of the outside of the building to be submitted and approved.
21. Signage to indicate In/Out route through site.
22. Car parking unallocated
23. Submission of a revised Viability Appraisal if the works are not completed within 24 months.
24. Units only to be occupied by persons over the age of 21 (excluding for their children).

1.0 INTRODUCTION:

- 1.1 This application was first brought to Panel on July 9th 2015 when it was deferred for further discussions as a result of the significant concerns relating to the floor spaces of the flats particularly in relation to the recently published Leeds Space Standards and National Space Standards.
- 1.2 The scheme has been significantly revised in light of this concern and is now brought back to panel for further discussion with 16 flats (9no. 1 beds and 7no. 2 beds). Headingley Ward Councillors have been briefed on the changes to the plans and are supportive of the revised layout providing fewer larger sized units.
- 1.3 Concern was also raised about the access arrangements and the reduction of the rear boundary wall. These matters will be addressed below.

2.0 PROPOSAL:

- 2.1 The proposal is for the conversion of Grove Villas, 80 Cardigan Road into 16 flats, intended for rent, with 22 parking spaces, cycle and bin storage. 9 one bed flats and 7 two bed flats are proposed over the existing 4 floors. The flats are all intended for the rental market.
- 2.2 A two storey rear extension is to be demolished and the access ramp to the front of the property is to be removed.
- 2.3 A one way system will operate for vehicles with cars entering from the existing Cardigan Road access and exiting via an existing vehicular access gateway on to Chapel Lane. A section of the rear boundary wall of approximately 16.5m in length will be reduced to 1.0m in height to allow visibility for drivers on to Chapel Lane.

4.0 MAIN ISSUES

- 1 Residential amenity**
- 2 Highways considerations**
- 3 Viability**

5.0 APPRAISAL

Residential amenity

- 9.1 The proposal has been reduced following July's Plans Panel to 16 units. 4 flats are to be located on each floor with the majority having both a front and rear aspect. This will ensure that flats within the basement will not be served solely by lightwells but will also have windows at ground level within the rear of the building.
- 9.2 The flats have again been assessed against the National Space Standard and Leeds Space Standard and all flats meet the Leeds Space Standard. The 2 bed flats on the ground and first floor fail to meet the National Space Standard by 1m but this is not considered significant given the great improvements made in internal floorspace.
- 9.3 For information the table included below in July's panel report has been updated below:

	No. of bedrooms	Floor area m2	National space standard	Leeds space standard
Basement				
001 flat	2	70	61	60
002 flat	1	52	50	47
003 flat	1	52	50	47
004 flat	2	62	61	60
Ground floor				
101 flat	2	60	61	60
102 flat	2	61	61	60
103 flat	1	51	50	47
104 flat	2	60	61	60
First floor				
201 flat	2	60	61	60
202 flat	1	50	50	47
203 flat	1	50	50	47
204 flat	2	60	61	60
Second floor				
301 flat	1	53	50	47
302 flat	1	52	50	47
303 flat	1	52	50	47
304 flat	1	53	50	47
Total 16 flats –9 one bed and 7 two bed				

Highways considerations

- 9.4 Panel asked at the last Panel that vehicular access through the site was reconsidered. Officers have considered the possible alternative options:

- 1) *Access from Cardigan Road at proposed access and exit via other (pedestrian) Cardigan Road access.* Highways officers consider that the second access is too close to the existing pedestrian crossing on Cardigan Road and would lead to issues of highway safety. In addition visibility for drivers exiting the site is not good as the site is close to a bend in the road. Finally, further tree loss would be likely to extend the drive to what is currently only a pedestrian access.
- 2) *Access from Chapel Lane and exit on to Cardigan Road.* While the wall on the boundary with Chapel Lane would not need reducing if this was an access point, it would lead to a risk to highway safety as it is considered likely that residents would still use it to access the site and visibility of pedestrians would be restricted.
- 3) *Two way traffic in to the site from Cardigan Road.* If the access point was widened there would need to be significant tree loss of some of the most valuable trees on the site.

9.5 Given the potential fall back position for the bringing back of the site in to an existing lawful use, as described in the previous Panel report, and the unrestricted nature of the current accesses to the site, officers maintain that the current proposal is the most successful solution. Amendments to the rear boundary walls are not without precedence; planning permission has been granted last month for amendments to the access arrangements off Chapel Lane at Cockroft House. Given this information and the reduction in comings and goings as a result of the reduced number of flats it is still considered that the highways arrangement previously proposed should be approved.

Viability

- 9.6 Affordable housing officers have confirmed that 3 units of affordable housing would be required within the amended scheme. A greenspace contribution of £50,500.12 would be required as an off-site commuted sum to ensure compliance with policy G4 of the Core Strategy.
- 9.7 The applicant has submitted a revised viability appraisal for the scheme which is with the District Valuer for assessment. At the time of writing the District Valuer's report is not available and it is intended to verbally update the Panel at the meeting.

10 CONCLUSION

- 10.1 Officers have negotiated a much reduced scheme in response to Panels concerns regarding flat sizes. All flats now comply with the Leeds Space Standards and will provide future residents with good standards of amenity.
- 10.2 Highways arrangements have also been reassessed and it is still considered that the proposal provides the most successful arrangement. As a result of the reduction in units on the site it is considered that there will be a reduction in intensity of use of the access points. The reduction in height of the wall is not without precedence on Chapel Lane and is therefore considered to preserve the character and appearance of the Conservation Area.



Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 9th July 2015

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APPLICANT

Wetherby Estates – Mr
Rizwan Rehman

DATE VALID

16th December 2014

TARGET DATE

10th July 2015

Electoral Wards Affected:

Headingley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

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- 15 Landscaping scheme and implementation plan to be submitted and approved.
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- 22 Car parking unallocated
- 23 Submission of a revised Viability Appraisal if the works are not completed within 24 months.
- 24 Units only to be occupied by persons over the age of 21 (excluding for their children).

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel in response to concerns from Ward Councillors about the scheme, in particular to the use of the rear exit on to Chapel Lane and concern about highway safety as a result of intensification of this exit point; reduction in the height of the stone wall on the Chapel Lane boundary; and the floorspace of the units being excessively small thereby encouraging short term occupancy of the flats.

2.0 PROPOSAL:

- 2.1 The proposal is for the conversion of Grove Villas, 80 Cardigan Road into 26 flats, intended for rent, with 24 parking spaces, cycle and bin storage. 2 studio flats, 20 one bed flats and 4 two bed flats are proposed over the existing 4 floors. The flats are all intended for the rental market.
- 2.2 A two storey rear extension is to be demolished and the access ramp to the front of the property is to be removed.
- 2.3 A one way system will operate for vehicles with cars entering from the existing Cardigan Road access and exiting via an existing vehicular access gateway on to Chapel Lane. A section of the rear boundary wall of approximately 16.5m in length will be reduced to 1.0m in height to allow visibility for drivers on to Chapel Lane.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site contains a pair of large Victorian semi-detached villas within the Headingley Conservation Area. The site originally formed part of the Zoological and Botanical Gardens. Part of the boundary wall for the Gardens now forms part of the north western boundary of the site and is Grade II listed as a result of its historical significance.
- 3.2 The villas themselves are large and imposing brick buildings raised slightly above the lawns to the front. They have gable features to the front with two storey bay windows. There are attractive pitched roof dormers within the roof serving the rooms on the second floor. The chimneys are an attractive and prominent feature on the roof scape.
- 3.3 The site has lawns to the front with hard surfaced areas to the North and West. There are a number of attractive trees to the front which provide some screening of

the site from Cardigan Road. Another notable feature of the site is the boundary treatment. To the front is a low level brick wall which would have originally had railings above it. The entrance points on Cardigan Road have substantial stone gateposts some of which are missing their capstones. To the side on Spring Road is the tall brick wall which adjoins the listed wall which was part of the Zoological Gardens. At the rear on Chapel Lane, the boundary treatment is a tall stone wall which has more recently had a gateway made in it.

- 3.4 The character of the area is predominantly residential with a mix of housing with large Victorian villas, terraced housing and interwar semi-detached properties making up the majority of the houses. A number of villas have been demolished and replaced with modern flats while others have been retained and converted into flats.
- 3.5 The application site itself was previously owned by Leeds City Council and was sold in 2013 to Mr Rehman. Whilst in the Council's ownership the property had been in use as a day centre and offices by a variety of charitable organisations and the Council. These uses had tailed off such that by mid-2013 the property was empty.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/01931/FU – Conversion and extensions to both sides of existing building to provide 47 residential dwellings with associated landscaping – application withdrawn.
- 4.2 PREAPP/14/00715 - Conversion of former day care centre and offices into 29 flats (combination of 1 bed, 2 bed and studio flats) with associated parking and external communal space. Officers were generally supportive of the principle of the development and welcomed the significant reduced number of units on site compared with the recently withdrawn application. Highways officers concerns regarding parking provision had been resolved but concern was raised about tree loss on site and further information regarding this was requested with any future application. The applicant was provided with a list of ward members and local residents groups and advised that community consultation would be expected. The developer emailed ward members and leafleted local residents and held a community consultation event on the 11th November 2014. The developer received 4 responses to this pre-application consultation, broadly objecting to the proposals over creating flats that may be student occupied and concerns over highway matters.

5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 **Ward Councillors** were consulted and notified by officers on 9th January 2015 that the application had been received.
- 5.2 42 letters of objection have been received including representations from Headingley Neighbourhood Forum, Turnways and Laurel Bank Residents Association, Triangle Community Association and Sparrow Park Ltd. A number of the residents have written in twice following a reconsultation on revised plans. The issues raised are:
- The flats are small single person flats only suitable for short term lets not long term residence.
 - Traffic in Headingley is a problem.
 - Providing parking for accommodation is contrary to Council policy and community need.

- The proposal involves loss of part of the front garden.
- The proposal involves part-demolition of the listed wall.
- Vehicular access on to Chapel Lane is unsuitable.
- Student housing leads to problems of noise and rubbish accumulation.
- Too many cars parked on the streets.
- Too many flats locally, need more family housing.
- Strain on local infrastructure.
- Danger to pedestrians on Cardigan Road.
- Impact on pedestrian safety on Chapel Lane particularly in relation to children walking to school.
- Disruption to trees and wildlife.
- Concern about traffic levels on Chapel Lane.
- Adverse impact on accessibility of nearby Sparrow Park to residents.
- Adverse impact on quiet character of neighbourhood.
- Proposal is contrary to the community's plans.
- There are already empty student properties in the locality.

6.0 CONSULTATION RESPONSES:

Statutory Consultees:

None

Non Statutory Consultees:

HIGHWAYS: Conditions recommended.

YORKSHIRE WATER: No objections

COAL AUTHORITY: No objections

AFFORDABLE HOUSING: The subject development lies within Affordable Housing Market Zone 2 which has a 15% affordable housing requirement. On a development of 29 units, the Council would expect 4 units to be identified for affordable housing, 40% of which should be disposed of to households on lower quartile earnings and 60% to households on lower decile earnings. The units should be sold to a Registered Provider on the Council's approved list at Benchmark prices as detailed within current policy.

These comments related to the originally submitted scheme of 29 units which has since been revised to 26 flats with larger floor areas.

WY METRO: Future residents would benefit if one of Metro's live bus information displays were installed at bus stop 11421 at a cost of £10,000 (including 10 years maintenance) to the developer. To encourage the use of public transport a contribution of £13,796.75 towards Metro cards for each new dwelling is recommended.

LANDSCAPE: Concerns about impact on the trees during construction have been resolved and conditions recommended.

CONSERVATION: Supportive of efforts to bring this positive building back in to a viable use. Concerns about siting of cycle and bin storage have been resolved.

Conditions recommended to ensure window, door, lightwell and boundary treatment detailing is appropriate.

LEEDS CIVIC TRUST: Agree that the residential use is appropriate but raise concern that the flats are small and will encourage a transient student occupation contrary to the Neighbourhood Plan. The lowering of the listed boundary wall was objected to. This point has been clarified by the applicant and the extent of the listed wall indicated on the site plan. There is no intention to do any works to the listed section of boundary wall.

7.0 **PLANNING POLICIES:**

7.1 **Government Policies**

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system.

It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

7.3 **Development Plan**

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan.

The Local Development Framework **Core Strategy** was adopted by the Council on 12th November 2014. The following policies contained within the Core Strategy are considered to be of relevance to this development proposal:

The following policies are relevant:

Policy P10 – Design

Policy P11 – Conservation

Policy T2 – Accessibility requirements and new development

Policy H2 – New housing development on non-allocated sites

Policy H4 – Housing mix

Policy H5 – Affordable housing

Policy G4 – New greenspace provision

The following policies have been saved from the UDPR:

Policy GP5 – General planning considerations

Policy BD6 – Alterations and extensions

Policy N19 – Conservation Areas and development

7.4 **Supplementary Planning Guidance/ Documents**

Street Design Guide

Neighbourhoods for Living

Headingley and Hyde Park Neighbourhood Design Statement

8.0 **MAIN ISSUES**

4 **Principal of development**

5 **Design and character**

6 **Impact on trees/ landscaping issues**

7 **Highways considerations**

8 **Residential amenity**

9 **Affordable housing/ viability**

10 **Greenspace**

8 **Other issues/ neighbour concerns**

9.0 **APPRAISAL**

Principle of development

- 9.1 The site is not allocated within the emerging Site Allocations Plan. As such the proposal for residential use on the site should be assessed against policy H2: New housing development on non-allocated sites. This contains 3 criteria: the number of dwellings should not exceed the capacity of local infrastructure, the location should accord with accessibility standards, and Green Belt policy is satisfied. The site is not within the Green Belt and the location does accord with accessibility standards detailing distances to local amenities, transport links, schools and employment. The scale and form of the development is such that it is not considered to put any undue pressure on local infrastructure including the highway network, schools and health services.
- 9.2 The proposal is therefore considered in accordance with policy H2 and is acceptable in principle subject to other material planning considerations.

Design and character

- 9.3 The proposal involves little alteration to the buildings themselves. A small rear extension will be demolished as will the prominent and unattractive access ramp to the front. Lightwells will be formed to the front to serve the basement flats and a short access ramp to the South side of the building. Works will be done to the front boundary treatment to restore the railings and gateposts. The rear stone boundary wall will be reduced in height to 1.0m for a distance of approximately 7.0m to either side of the existing rear exit point.
- 9.4 Windows will be replaced with aluminium framed frames to match the existing in terms of design. A condition requiring a window and door survey and details of proposed replacements is suggested. The works to the building are considered in minimal in their impact on the character and appearance of the property and

Conservation Area and in regards to these matters the scheme enhances the character and appearance of the Conservation Area. Significant weight is afforded to the re-use and restoration of the positive building within the Conservation Area.

- 9.5 The rear boundary wall is built from stone and runs down Chapel Lane along the back boundaries of a number of the sites here. Contrary to a number of the representations received, the wall is not listed. The listed element of the boundary wall is indicated on the site plan and is on the North West corner of the site and not affected by the proposal to reduce the height of the rear boundary wall.
- 9.6 As previously stated the stone wall continues along much of Chapel Lane although it has been replaced by a brick wall along the rear of Cumberland Court and has been slightly reduced in height to the rear of Cardigan House. The access to Bear Pit Gardens has had the wall realigned on the splay to allow for visibility but retains the height.
- 9.7 The Conservation Officer has confirmed that they support the proposal to reduce the level of the wall based on the reuse of the existing hogsback copings. This has been secured by a condition requiring submission of details for all boundary treatments.
- 9.8 The reduction in height of the boundary wall does raise concern about the impact on the character and appearance of the Conservation Area. In this case, it is a finely balanced judgement. There is a highways need for the reduction in height to provide visibility to allow drivers exiting the site to see pedestrians on the pavement. There is also some precedent on Chapel Lane for alterations to the boundary wall with the wall slightly lowered on the adjoining site, entirely replaced on another site and re-sited on the visibility splay on a further site.
- 9.9 It is considered, on balance, that the reduction in the boundary wall can be supported as it is not without precedent on Chapel Lane and provides highway safety improvements that are discussed at length further on in the report.
- 9.10 Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines the duty of the Local Planning Authority to pay special attention to preserving or enhancing the character or appearance of the Conservation Area. The scheme provides a number of benefits to the Conservation Area – the re-use of a positive building in the Conservation Area, removal of the existing ramp and improvements to the front boundary. Counterbalancing this is concern about the impact on the Conservation Area of a reduction in height of the rear stone wall. Giving due consideration to all the factors it is considered that the proposal will enhance the character and appearance of the Conservation Area.

Impact on trees/ landscaping issues

- 9.11 There are a number of attractive trees on the site particularly to the front facing Cardigan Road. The proposal retains the majority of these and much of the soft landscaping on the site. As a result of the removal of the front ramp, some of the area to the front of the property will be returned to lawn. The trees which will be removed are a cypress tree on the Spring Road side of the site and a laburnum and lilac trees on the opposite side. These are all category C trees and the landscape officer has not raised any objection to their removal.

- 9.12 A small landscaped area will be lost to the front corner of the site with Spring Road as is a small shrubbery to the rear. Some landscaping is included in the scheme to break up the parking and replace those areas of lost planting.
- 9.13 The area of greatest pressure on trees is to the corner of Spring Road and Cardigan Road where the position of the path is slightly altered. The applicant has produced an Arboricultural Method Statement to address concerns about the impact of the development on trees and this will form part of the approved plans to ensure that the works are carried out with minimal disturbance to the trees and shrubs.
- 9.14 The loss of landscaping to the sides is not considered to have a significant impact on the character of the property or wider Conservation Area. It is minimal in scale and the significant planting to Cardigan Road is retained and unaffected by the proposal. The removal of the ramp will further enhance the appearance of the site from Cardigan Road.
- 9.15 The impact of the layout and tree/shrub loss on the character and appearance of the property and Conservation Area is considered small and the proposal complies with policy P11 of the Core Strategy in this matter.

Highways considerations

- 9.16 24 parking spaces are proposed for the 26 flats. Given that there is an existing use in the building and the sustainable location, it would be difficult to justify a request for additional parking.
- 9.17 The scheme introduces a one way layout with traffic entering from Cardigan Road and exiting on to Chapel Lane. This utilises existing accesses with improvements to the Chapel Lane one to improve visibility. Residents have raised concern about this intensification of use on to Chapel Lane but the scheme uses an existing unrestricted access.
- 9.18 Officers have considered the potential for a fall back position. Due to the dates at which the building was last in use, it is not believed that there is any potential for a change to a different use class under permitted development rights however, the building could come back in to use with a day nursery on the ground floor, for example, and offices on the first and second floors. The previous planning permissions do not restrict hours of use or access which would mean that there is potential for much more intensive use of either access at any time. A use as a day nursery would result in many more vehicular comings and goings than have been usual on the site in recent years.
- 9.19 Officers have also considered other access layouts but these are considered to lead to more significant concerns than the current solution. The access on to Cardigan Road could be widened to allow for 2 way traffic and would be the only entrance/exit point to the site. This would require significant tree loss and impact on the attractive front lawn area of the site which would have a significantly detrimental impact on the appearance of the property and character and appearance of the Conservation Area. It has also been considered whether the flow of traffic could be reversed with vehicles entering from Chapel Lane and exiting on to Cardigan Road. The rear boundary wall could then be kept at its original height. There is however the risk that car drivers would ignore the one way system and exit the site on to Chapel Lane. As the wall would restrict visibility of pedestrians on Chapel Lane there is a potential for significant risk to pedestrians and particularly children walking to the

local school. A new access on to Spring Road is not considered any improvement on the existing one on to Chapel Lane in terms of highway safety and would have the same concerns in relation to its impact on the Conservation Area.

- 9.20 Cycle parking is provided in a covered secure block to the side of the building while bin storage is sensitively located to the rear.

Residential amenity

- 9.21 The proposal is for 26 flats (3 studio flats, 19 one bed and 4 two bed flats) and represents a considerable reduction in intensity over the previous withdrawn application. Officers have further negotiated a reduction in flats within this current application to increase the size of the remaining flats and fully utilising the available space.
- 9.22 All flats are considered to have adequate levels of light and amenity for future residents. Rooms to the front in the basement to the front of the building are served by lightwells although the windows are not entirely below ground level. Flats on the second floor are served by windows and rooflights.
- 9.23 Flats have been assessed against the Technical Housing Guidance: nationally described space standard. This is a technical note within the National Planning Guidance and is therefore a material planning consideration although it was published during negotiations with the developer and significantly after the application was submitted. While both the Leeds space standard and the National space standards are material planning considerations they are at this stage advisory and should be used as a tool for informing residential layout proposals when looking at space standards. In particular, the Leeds space standard has been developed by the Council to inform floor sizes for its own development and has not undergone a full consultation process under the LDF and therefore at this stage carries only limited weight.
- 9.24 The developer revised the scheme in the light of the Leeds standard as the national standard was not available then. While the proposal does fall short of the suggested floor areas, these should be considered in light of the specific scheme and not simply assessed against a nationally imposed standard. In particular it is noted that the current scheme is for conversion of an existing building, and not a new build, with the limitations that such development brings. The scheme represents an appropriate use for this vacant building within the Conservation Area ensuring that it does not fall further in to disrepair and this is factor which should be weighed against concern against flat sizes. The applicant has submitted a viability assessment (discussed below) which indicates that the scheme is not profitable as it stands; further reduction in units is likely to further impact on viability.
- 9.25 Concern has been raised that the proposal is for student housing. The applicant has indicated that the intention is for open market rental accommodation and has submitted a viability assessment in relation to the requirement for affordable housing. Had student housing been proposed there would have been no requirement for affordable housing. He has also agreed to a planning condition restricting occupancy to over 21's. Such a condition was also used at the Ash Grove Social Club (13/01215/FU).
- 9.25 Nevertheless it is still relevant to consider the proposal in terms of policy H4: Housing Mix. The requires that '*Developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into*

account the nature of the development and character of the location. This should include the need to make provision for Independent Living (see Policy H8)'.

The application is considered to comply with this as a mix of units is proposed with a variety of floor areas.

9.26 For information a table has been included below detailing all the accommodation proposed, its floor area and the National and Leeds space standards:

Basement	No. of beds	Floor area m2	National space standard	Leeds space standard
001 flat	Studio	24	39	38
002 flat	1	27	50	47
003 flat	1	26	50	47
004 flat	Studio	31	39	38
005 flat	1	28.5	50	47
006 flat	1	32.5	50	47
007 flat	Studio	34	39	38
Ground floor				
101 flat	1	36	50	47
102 flat	1	27	50	47
103 flat	1	27	50	47
104 flat	1	24.5	50	47
105 flat	1	20.5	50	47
106 flat	1	39	50	47
107 flat	1	26	50	47
First floor				
201 flat	1	26	50	47
202 flat	2	50	61	60
203 flat	2	50	61	60
204 flat	1	26	50	47
205 flat	1	28	50	47
206 flat	1	29	50	47
Second floor				
301 flat	1	25	50	47
302 flat	2	52	61	60
303 flat	2	52	61	60
304 flat	1	25	50	47
305 flat	1	27.5	50	47
306 flat	1	27.5	50	47
Total 26 flats – 3 studios, 19 one bed and 4 two bed				

Affordable housing

9.27 Under the Core Strategy Policy H5 the target for affordable housing provision for Zone 2 is 15%, which would equate to a pro rata mix of 4 units. These should be provided in a ratio of 60% lower decile households and 40% lower quartile households. Applicants may choose to submit individual viability appraisals to verify that the affordable housing target cannot be met. In such cases, affordable housing provision may be reduced accordingly.

- 9.28 In this case, no affordable units are proposed, on the basis that the scheme would be unviable with any affordable housing.
- 9.29 The applicant has, therefore, submitted a detailed financial appraisal in accordance with the Council's requirements, which has been assessed by the Registered Valuer of the Valuation Officer Agency. The VOA concludes that the appraisal submitted is a reasonable representation of the current viability of developing the site with the proposed level of affordable housing. The initial viability appraisal detailed sale prices for the flats but it was later identified that the flats were instead intended for rental. Rental figures have been submitted to the District Valuer who has stated that he believes that the change to rental units will not have a material effect on the Gross Development Value of the scheme. It is considered likely that voids and other more intensive management costs would be likely to depress the market values of rented units compared to sales.
- 9.30 It is noted that the figures contained within the District Valuer's report are only current until Spring 2015. As the figures will soon be out of date it is felt to be reasonable to ensure the scheme is commenced promptly and therefore the time limit condition is limited to 18 months instead of the usual 3 years.
- 9.31 Members should therefore be aware that consideration of this application is accompanied by a separate report relating to the scheme's overall viability. The information contained within the separate report is confidential as it relates to the financial and business affairs of the applicant. It is considered that it is not in the public interest to disclose this information as it would be likely to prejudice the applicant's commercial position. It is therefore considered that the viability report should be treated as exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3).

Greenspace

- 9.32 Following the adoption of the Core Strategy in November 2014, planning applications for residential use should be assessed against Policy G4 which states that:-
"On site provision of greenspace of 80 square metres per residential unit, will be sought for development sites of 10 or more dwellings that are outside the City Centre and in excess of 720 metres from a community park, and for those which are located in areas deficient of greenspace. In areas of adequate supply, contributions of an equivalent value towards the safeguarding and improvement of existing greenspace will take priority over the creation of new areas. In this circumstance, qualitative improvements would be needed to address the pressures placed upon existing greenspace in the form of increased usage and increased demand arising from new residential development."
- 9.33 The application site lies within the Headingley ward, an area with an identified shortfall of greenspace provision, therefore applying the provisions of Policy G4 preference will be the provision of on-site greenspace to the amount of 0.23 ha. However given the nature of the site and the proposed conversion of this building within the Conservation Area it would be difficult to achieve provision of publicly accessible greenspace on-site together with private amenity space for the residents of the development. A commuted sum is therefore required to the amount of £52,514.15 for off-site greenspace provision.

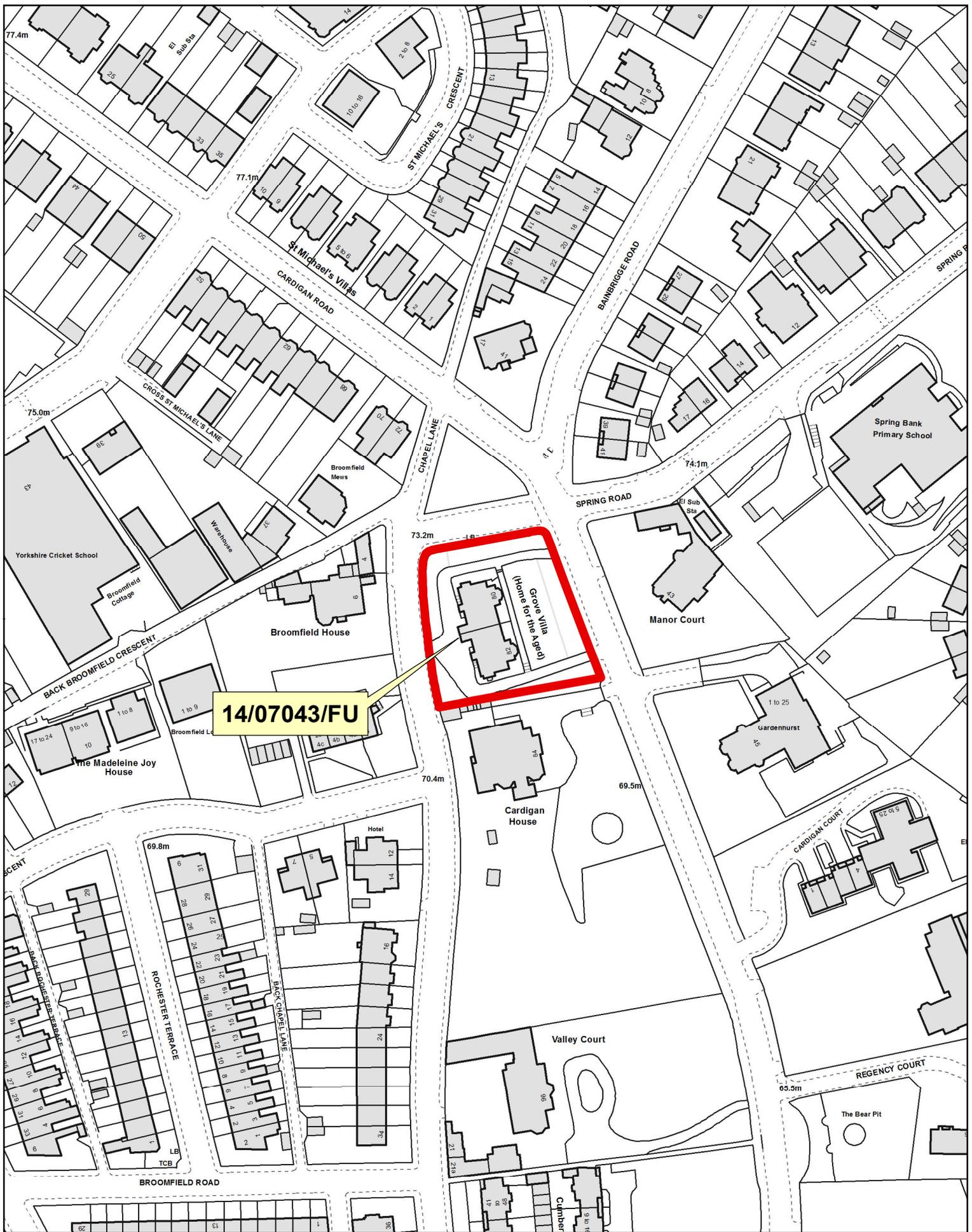
- 9.34 The only outside amenity space on site is to the front of the building and provides the only private shared amenity area for residents. Given the nature of the site there is no ability to provide any additional outside private or public amenity space on site. No public open space is proposed on site and the applicant has included the cost of providing the on-site greenspace off-site within the viability report.

Other issues

- 9.35 The scheme, as a change of use of an existing building with a lawful use for 6 months out of the last 3 years is not liable for CIL.
- 9.36 The issues raised within the letters of representation have been covered in the appraisal above.
- 9.37 The request by Metro for bus stop improvements and travel cards has been included in the viability assessment and as such have not been provided.

10 CONCLUSION

- 10.1 Officers have negotiated a slightly reduced scale of development on the site and have worked with the developer to produce the current scheme. Whilst recommending approval, it is accepted that the recommendation to approve the application is balanced.
- 10.2 In the application's favour is the re-use of a positive, and vacant, building within the Conservation Area. The NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation'. The proposal also includes improvements to the front aspect of the property with the removal of the access ramp and restoration of the front boundary treatment.
- 10.3 Further considerations in the scheme's favour are the contribution to housing provision in Leeds. Student housing is not proposed and the applicant has made efforts to improve the floor areas of flats by reducing the numbers of flats and improving the layouts in an effort to move towards National Space Standards. The property also has an existing and unrestricted use which could result in the building being brought in to a, potentially, more intensive use than is currently proposed.
- 10.4 Against the scheme, are the concerns about the small floor areas of the flats despite efforts to increase the size. These do not address local desire for larger family units. Local highways concerns, particularly about the use of the Chapel Lane exit, are also noted but it is highlighted that Highways officers consider the current solution to be the best in highway safety terms, particularly given the unrestricted vehicular access fall back scenario. Finally, no affordable housing, Metrocards or bus stop improvement or public open space provision is offered. The application has submitted a viability report which has been assessed and confirmed by the District Valuer as a reasonable representation of the viability of the site.
- 10.5 In conclusion, officers consider that the benefits of bringing the building back in to an appropriate use and the improvements to the frontage of the building combined with the contribution to housing provision and the applicants constructive attempts to enlarge the size of the units, should be given greater weight than the concern about overall size of flats and highway safety. The recommendation is therefore to approve the current scheme subject to planning conditions.



SOUTH AND WEST PLANS PANEL

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