



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 7th December 2017

Subject: Application number 17/02739/FU - Change of use , extensions, partial demolitions and alterations to former residential care home to form eight flats at the former Brooklands Residential Home, 16 Harper Lane, Yeadon

APPLICANT

Miller Homes

DATE VALID

2nd May 2017

TARGET DATE

10th December 2017

**Electoral Wards Affected:
Otley and Yeadon**

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. Time limit on full permission
2. Plans to be approved
3. Samples of roofing and walling materials to be submitted
4. Samples of surfacing materials to be submitted
5. Construction management plan including construction hours
6. No additional windows on all elevations other than those shown on the approved plans
7. Cycle and motorcycle parking
8. Provision of electric vehicle charging points
9. Sightlines to be provided
10. Signage and marking on the car park
11. Details of footpath crossing and reinstatements
12. Vehicle spaces to be laid out
13. Details of waste collection provision
14. Occupants not eligible for on street parking permits
15. Details of scheme to prevent parking on Harper Lane/Brooklands Crescent to be submitted and implemented

16.Details of bin storage to be submitted and implemented

1.0 INTRODUCTION

- 1.1 The application is for the change of use of a nursing home to 8 flats which also involves demolition and extensions. The application is brought to Panel at the request of Councillor Campbell due to highway issues and the number of objections to the scheme. The request, in so far as it relates to concerns about highway safety, sets out the reasons for the referral based on material planning consideration that give rise to concerns affecting more than neighbouring properties

2.0 PROPOSAL:

- 2.1 The application is a change of use of an existing nursing home to form 8 flats. These will take the form of 4 two bedroom and 4 one bedroom flats. The application also involves the demolition of parts of the existing nursing home and its replacement with a two storey extension. The original plans involved 9 flats with the new extensions being 3 storey and a large dormer window on the existing building which has now been removed from the plans.
- 2.2 Currently there are a range of two storey extensions on the property some with pitched roofs and some with flat roofs which will be demolished as part of this application. This will be replaced with a two storey hipped roof extension which will cover a smaller area than the extensions that are to be demolished. These extensions will also be located further away from the boundaries than the existing parts that are being demolished.
- 2.3 In terms of the new extensions the eaves and ridge heights will be lower than the eaves and ridge height of the existing building which remains. The materials will be grey render to the walls and grey roof tiles with the existing building changing from cream to grey render.
- 2.4 The proposal will offer 12 car parking spaces on the existing hardstanding areas surrounding the building with the existing access off Brooklands Crescent being used which will be widened. The existing garden area to the rear will remain as amenity space for the proposed flats. On the boundary with number 1 and 3 Brooklands Crescent are a row of garden sheds for the occupiers of the flats. There will also be bin stores to the rear of the building closest to the side boundary of number 1 Brooklands Crescent.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises a former care home for 24 residents which has developed piecemeal over the years and has only recently become vacant. There is a hardstanding area for car parking to the front and the side and the whole of the rear is garden.
- 3.2 The building fronts onto both Harper Lane and Brooklands Crescent with the access off Brooklands Crescent. Outside of the site on Harper Lane is a pelican crossing with associated road markings which cover most of the front boundary. There is a bus stop on the opposite side of this road. The application site is lower than the street level on Harper Lane.

- 3.3 To the rear of the site are semi-detached houses which are at a lower level than the application site. Number 1 Brooklands Crescent has its side and rear boundary adjoining the application site whilst number 3 adjoins the site at its rear boundary. Number 1 has its drive and a single garage on the side boundary. The rear boundary of the application site forms part of the side garden boundary with number 5 Brooklands Crescent.
- 3.4 On the eastern elevation to the site is a residential property which does have windows overlooking the application site. This has an area of hardstanding on the boundary with the application site. On the opposite side of Harper Lane is a row of terraced houses with a veterinary surgery at the end of this row.
- 3.5 The site is outside of the town centre boundary and the conservation area boundary is the opposite side of Harper Lane.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The following planning history is relevant to this application:
- 4.2 16/00243/FU - Change of use to six flats (four 3 bed and two 2 bed) refused on 19th September 2016 for the following reasons
1. The car park to the rear and its impact on residential amenity in terms of noise
 2. Impact of car parking around proposed building and impact on privacy and noise of future occupiers
 3. Lack of amenity space
- 4.3 PREAPP/15/00630 – Change of use to 10 flats advice given regarding the principle of development.
- 4.4 PREAPP/15/00737 – change of use to 9 flats raised issues regarding parking, amenity space, impact on surrounding residents and overlooking.
- 4.5 14/05995/FU – extensions approved 10/12/14.
- 4.6 11/04798/EXT – extension of time for 08/06311/FU approved 10/1/12.
- 4.7 08/06311/FU – first floor rear extension to care home approved 12/1/09.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The scheme has been reduced in scale during discussions with officers as set out in Section 2 above.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by a site notice which was erected on 9th June 2017 and expired on 30 June 2017.
- 6.2 Councillor Campbell objects to the scheme stating that latest changes are at best domestic and fail to address the basic problems with the development which are:
- The usable amenity space seems inadequate for the number of units proposed.
 - The bin store seems inadequate and appears to be accessed across a car parking space.

- There seems to be an assumption that there will be external storage in sheds rather than within the building.
- Parking is cramped, contrived and inadequate for the numbers of one and two bedroom flats. This will increase the pressure for on street parking on Brooklands Crescent. Any development should fund a TRO to protect the Brooklands Crescent/Harper Lane junction.
- The tracking for vehicles entering/leaving the site compromises the boundary with 1 Brooklands Crescent.

6.3 Eight letters of objection have been received concerned with the following matters:

- Parking provision is unacceptable
- Will result in on street parking
- Access is not adequate especially as Brooklands Crescent used as a rat run
- Concerned regarding maintenance of boundary fence which will be covered up with proposed sheds
- Problems with refuse collections
- Parking provision for contractors and large wagons
- Overlooking and impact on privacy
- Removal of existing hedge and replacement with 1.8 metre fence
- Access is not wide enough
- Noise and disturbance during construction phase
- Current property and site is not being looked after so how can residents have faith in the proposed plans
- Extra bins will be placed on Brooklands Crescent on bin collection day
- Loss of trees
- Bin store close to residential properties and the potential for smells
- Inappropriate design for the area
- Additional storey inappropriate

7.0 CONSULTATION RESPONSES:

Highways – Conditional approval

Contaminated land – Conditional approval

Neighbourhoods and housing – No adverse comments

8.0 PLANNING POLICIES:

Development Plan

8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds Comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) the Natural Resources and Waste Development Plan Document (2013), the Aire Valley Leeds Area Action Plan (adopted Nov 2017) and any made neighbourhood plan.

Adopted Core Strategy

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered most relevant

Policy P10 - Design

Policy P12 – Landscape
Policy T1 – Transport management
Policy T2 - Accessibility requirements and new development

Saved Policies - Leeds UDP (2006)

- 8.3 The following saved policies within the UDP are considered most relevant to the determination of this application:

Policy GP5 - Development Proposals should resolve detailed planning considerations.

Policy T7A – Cycle parking guidelines

Policy T7B – Motor cycle parking

Policy BD2 – Design and siting of new buildings

Policy BD5 - Amenity and new buildings

Policy LD1 – Landscaping schemes

Relevant supplementary guidance

- 8.4 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 SPG (adopted as a material planning consideration December 2003)

Designing for community safety – a residential guide (adopted as a material planning consideration May 2007)

Street Design Guide (adopted as a material planning consideration August 2009)

The Government's Technical Housing Standards – 27th March 2015

National Planning Policy Framework (NPPF)

- 8.5 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), introduced March 2014 replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.6 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.7 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

8.8 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, ensuring high quality design but also encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

9.0 MAIN ISSUES

1. Principle of development
2. Highways
3. Design
4. Residential amenity
5. Previous refusal
6. Representations
7. CIL (not however a material consideration)

10.0 APPRAISAL

Principle of development

10.1 The application is a change of use of an existing nursing home to residential accommodation along with demolitions and extensions. The site is not allocated for any purpose both within the Core Strategy or the Unitary Development Plan and it is also not within the Green Belt. The change of use from one residential use to another is therefore considered acceptable in principle.

Highways

10.2 The current application has been revised so it now comprises 4 x one bedroom flats and 4 x two bedroom flats. The Street Design Guide SPD recommends 1 space per one bed flat (4 car parking spaces) 1.25 to 1.5 spaces per two bed flats (5-6 spaces) plus 1 space per 5 flats for visitors (2 spaces). In total it is considered that 11-12 spaces is required for this level of development.

10.3 The latest site layout plan shows a parking layout of 12 car parking spaces which meets the parking provision recommended by the SPD. Adequate space has now been provided to ensure that this level of parking can be achieved on the site and still allow for the turning of vehicles within the site. There have been concerns that the development could lead to on street parking outside of the site so the applicant is required to provide a scheme to protect the junction of Brooklands Crescent/Harper Lane and the bus stop opposite and this should further encourage residents and visitors to park within the confines of the site. The occupiers of this development will also not be eligible for parking permits within the area.

10.4 It also needs to be borne in mind that the previous use until very recently is a nursing home for 24 residents which could be reinstated at any time and the area provided for parking is larger than the current area due to the demolition of previous extensions on the site.

10.5 Overall it is considered that the scheme is acceptable in highway safety terms and complies with policy T2 of the Core Strategy.

Design, layout and scale

- 10.6 The previous extensions that are to be demolished as part of the scheme are unattractive additions in terms of their design. They involve a variety of roof forms with some flat roofed elements and the extensions do not relate well to the existing building in terms of scale and design.
- 10.7 The original scheme involved changing the design of the existing building changing hipped to gabled roofs and a large dormer. It also involved a three storey extension with a mix of gable and hipped roofs which did not relate well to the existing building. This scheme was considered unacceptable in design terms and the plans have been amended.
- 10.8 The scheme for determination now involves no alterations to the part of the existing building to remain and the dormer window has been removed. The new extensions are now two storey and these are subservient to the original building having a lower eaves and ridge height. The roof form is hipped which also matches the existing building that is to remain. This subservience and design ensure that the existing building to remain is the dominant feature on the site. The new extensions are more appropriate to the original building and street scene than the existing extensions which are to be demolished.
- 10.9 The existing building is white rendered and the proposal is to paint this light grey and also paint the new extensions light grey. There will be a difference between the existing and new extensions in that the existing building will be a rough textured render whilst the new parts will be smooth texture. This will help to differentiate the original building from the extensions and provide some contrast. The surrounding properties are generally rendered so whilst light grey is not generally the colour of the surrounding properties it will not appear out of character.
- 10.10 Overall it is considered that the scheme is acceptable in design terms and complies with policy P10 of the Core Strategy.

Residential Amenity

- 10.11 The proposal involves no new windows on the front and side elevations and as these windows have previously been used for the residential home it is considered that there will be no additional overlooking impact. There is one new window on the southern elevation for a landing and this could overlook number 1 as it is only 7 metres away but it will be obscured glazed. The existing windows on this southern elevation are 17 metres from the boundary with number 5 Brooklands Crescent which exceeds the distances within neighbourhoods for living. The windows on the first floor overlooking the property to the east are bedroom and kitchen windows so have no additional impact than the nursing home bedrooms which were on this elevation. There are two long windows proposed on the new extension on the southern elevation which could have the potential to overlook number 1 Brooklands Crescent but these are recessed and due to the angle of the proposed extension building they prevent direct overlooking. All the other new windows on the new extension either overlook Harper Lane or the car park for the new development and cause no overlooking issues.
- 10.12 It is therefore considered that there is no additional impact in terms of overlooking caused by the development over what already exists.
- 10.13 The extensions need to be assessed in relation to any impact caused by over dominance and over shadowing. The property that is closest to the proposal is

number 1 Brooklands Crescent. The new extension will be set 7 metres further back than the existing extensions on site which are to be demolished and a further 1.5 metres from the boundary. The closest corner of the extension will now be 3.7 metres from the boundary with number 1 whilst the closest corner now is 300mm away. With a low eaves and a roof form that slopes away from the boundary it is considered that the new extension will have a lesser impact in terms of over dominance than the existing extensions. Number 1 is south of the proposed extensions so there is no impact in terms of over shadowing.

- 10.14 In terms of any noise and disturbance the proposed 8 flats is a residential use within a residential area and it is unlikely to generate significantly more activity than the previous use.
- 10.15 Residents are concerned regarding the location of the bins which are on the site close to the boundary with number 1. However there is a garage on this boundary and conditions to control the design of the bin store is recommended to ensure this should not cause any detrimental impact.
- 10.16 Residents have objected to the proposed disturbance during construction in terms of noise and dust. However this is not a permanent disturbance and a condition is recommended to control location of plant, machinery and contractors cars plus hours of construction to reduce the impact.
- 10.17 There are sheds proposed to the rear boundary of number 1 and 3 but these are 2.7m in height at the apex so should have no detrimental impact.
- 10.18 The application now involves the whole of the existing garden area remaining for the amenity space for the proposed residents. This space is adequate for the level of development proposed and complies with the guidance within Neighbourhoods for Living in relation to this matter.
- 10.19 With regard to the Government's Technical Housing Standards – the nationally described space standards, which were published on 27th March 2015, it is noted that these standards cannot be given any weight in the decision making process at this stage as they have not yet been adopted as part of the local plan and they must still be subject to public consultation. Nevertheless, the sizes of flats that form part of this application complies with these standards.
- 10.20 Overall the scheme complies with policy GP5 of the Unitary Development Plan along with Neighbourhoods for Living.

Previous refusal

- 10.21 A previous application on the site for 6 flats was refused on September 2016. This scheme involved the change of use of the existing building with no demolition or extensions. Due to the inadequate area of hardstanding surrounding the building parking was also proposed on the garden to the rear. This resulted in two reasons for refusal on highway grounds being noise and disturbance from the proposed car park to the rear of existing gardens and inadequate amenity space for the proposed residents. It is considered that both of these matters have been overcome as part of this scheme. The third reason for refusal was that parking was proposed right up to the windows of the intended residents along with the access to the car park to the rear. This would have impacted on these residents to a detrimental extent. Whilst this scheme does involve parking on this same elevation these spaces are reserved

for the occupants of these flats only and there is no access road to a car park to the rear as part of this scheme, it is therefore considered that this issue has now been overcome.

- 10.22 It is considered that the previous reasons for refusal on the previous application have been overcome.

Representations

- 10.23 Most of the matters raised in the representations have either been addressed above or are detailed matters that would be addressed through the proposed conditions. The matters not covered above are as follow:

- Concerned regarding maintenance of boundary fence which will be covered up with proposed sheds – *this sheds are temporary structures and can be moved for maintenance of the fence*
- Problems with refuse collections – *The bins are required to be moved onto the road side on collection day which is the current arrangement*
- Parking provision for contractors and large wagons – *this can be controlled by a contractors management plan*
- Noise and disturbance during construction phase – *this is to be controlled by a contractors management plan in terms of hours of operation*
- Current property and site is not being looked after so how can residents have faith in the proposed plans

CIL

- 10.24 The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this application is CIL liable on commencement of development at a rate of £90 per square metre of chargeable floorspace. As this application is a change of use and the new floorspace created is less than the floorspace to be demolished this scheme will generate no contribution to CIL.

11.0 CONCLUSION

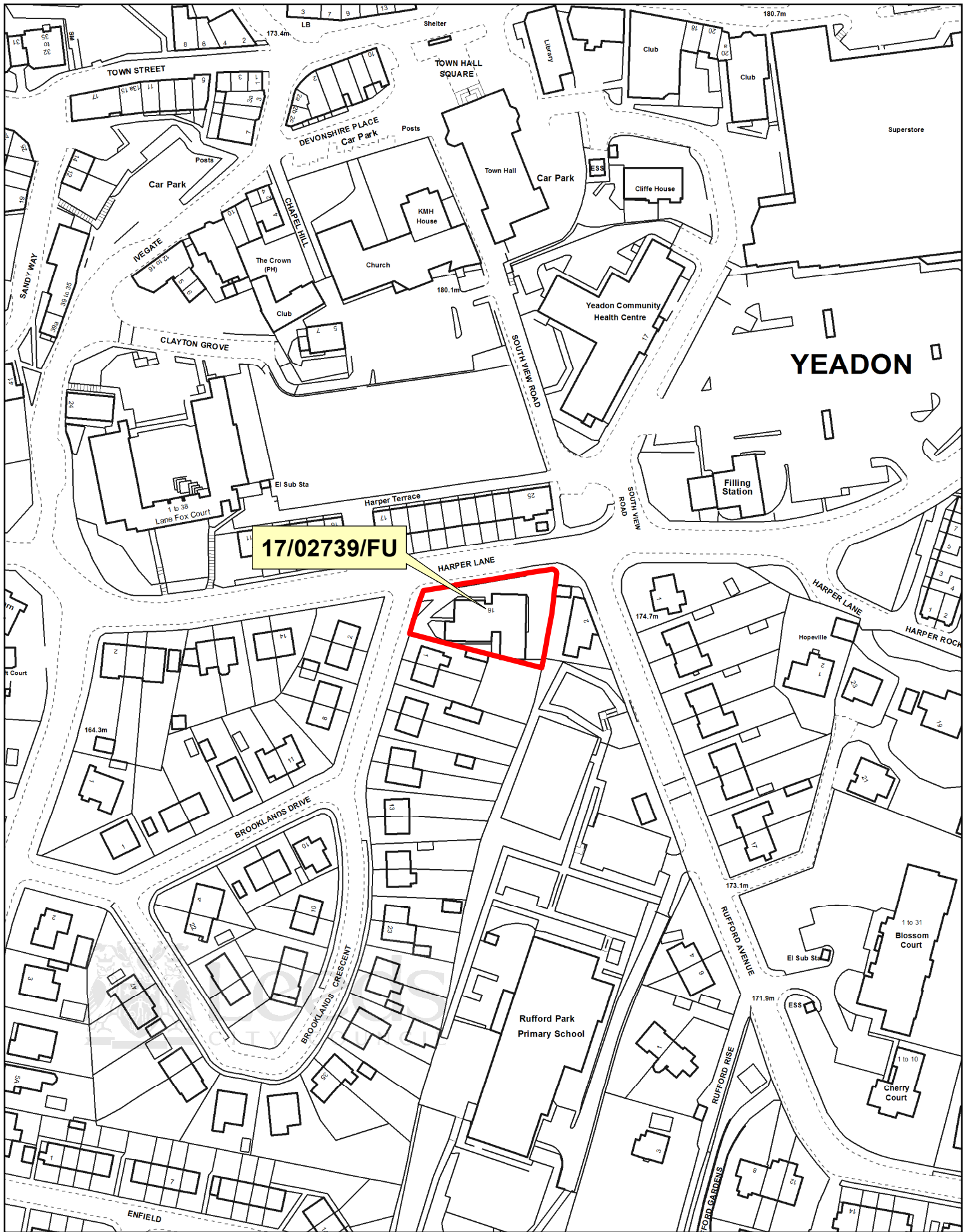
- 11.1 It is considered that this application for change of use including extensions for residential development is considered acceptable subject to conditions.

- 11.2 There will not be any harm in terms of highway safety, there will be no harm to residential amenity, and the layout and design are considered acceptable

- 11.3 As such and having regard to all the representations received, the proposal is considered to accord with the Development Plan and other material consideration including the NPPF referred to above and is therefore recommended for approval subject to conditions

Background Papers:

Certificate of ownership: signed by applicant.
Planning application file.17/02739/FU



SOUTH AND WEST PLANS PANEL

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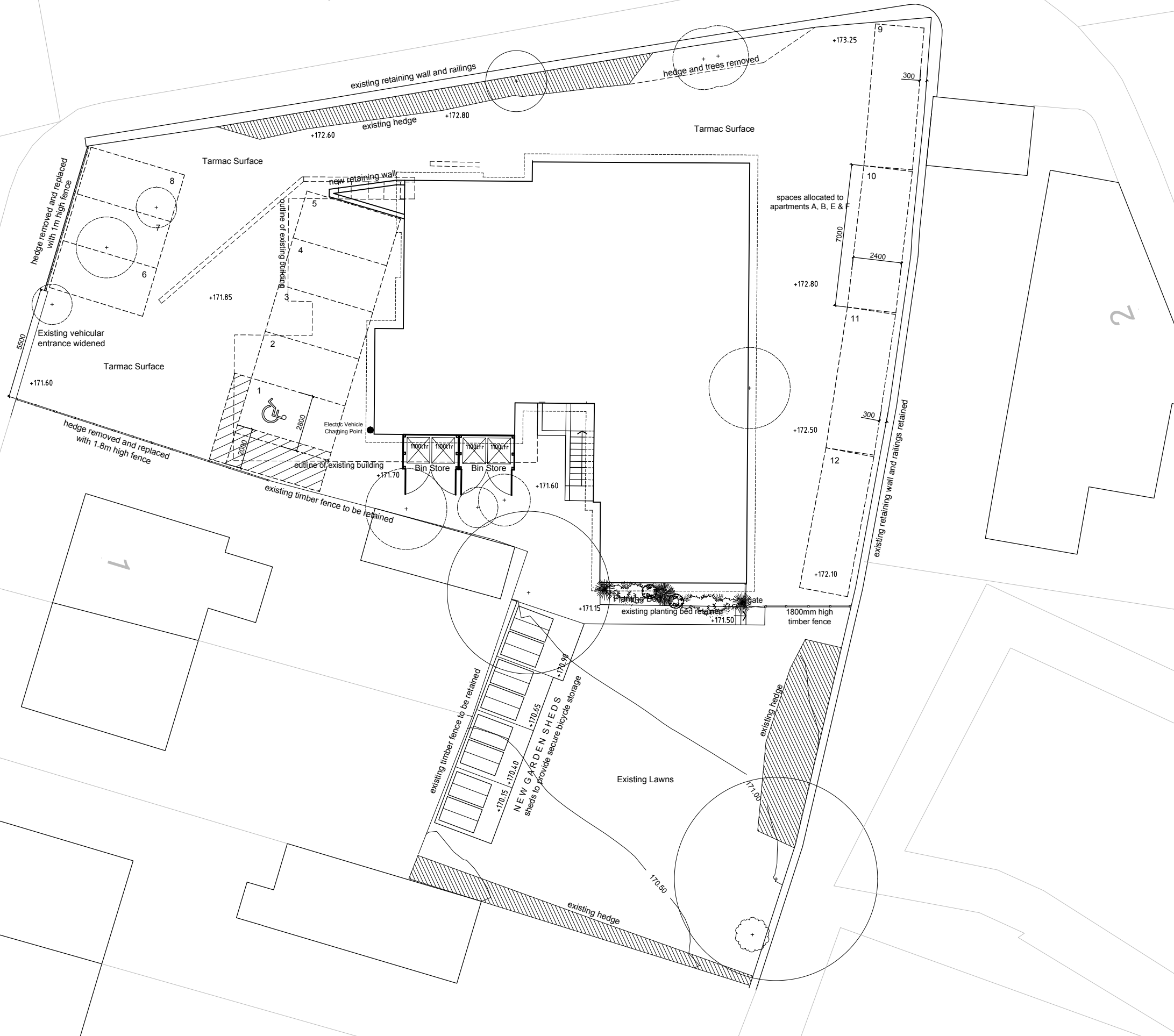
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SCALE : 1/1500



HARPER LANE

BROOKLANDS CRES CENT



Notes
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PLANTING SCHEDULE		Nr.	Species	Height	Habit	Container	Root
PLANTING BED		3	Photinia x fraseri 'Red Robin'	60-80 cm	Branched	10-12 litres	C
		2	Potentilla dahurica 'Abbotswood'	20-30 cm	Bushy	3 litres	C
		2	Euonymus fortunei 'Emerald 'n' Gold'	20-30 cm	Bushy	3 litres	C
		2	Spiraea japonica 'Anthony Waterer'	30-40 cm	Bushy	3 litres	C

North



LINEAR SCALE 1:200

Rev	Date	Initial
P6	08.11.17	SW
P5	06.11.17	SW
P4	19.10.17	SW
P3	28.09.17	SW
P2	10.08.17	OP
P1	28.07.17	SW



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Client
16 Harper Lane Ltd

Project
16 Harper Lane
Yeadon
LEEDS LS19 7RR

Drawing
Proposed Site Plan

Drawing number 270 (PL) 009	P6
rev	

Scale 1:200@A3
Date 28.07.17
Drawn OP
Checked SW