



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 22/10/09

Subject: APPLICATION 08/05587/FU – Use as shop with living accommodation over involving alterations to frontage with roller shutters and single storey extension to side to form office at 35-37 Ashley Road, Leeds 9

APPLICANT

Mr. Z Hussain

DATE VALID

29 .09.08

TARGET DATE

24.11.08

Electoral Wards Affected:

Gipton and Harehills



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT Permission subject to the suggested conditions:

1.0 Summary

1.1 Members may recall that this application was recommended by planning officers for refusal at the Plans Panel (East) meeting held on 12th February, 2009. The reasons for refusal related to the impact on the visual amenity of the area; the impact of the development on the living conditions of local residents; and the inability to provide off-street parking in a congested area. At the meeting it was resolved that the determination of the application be deferred to enable further discussions between the applicant and Officers on the scale of the proposals, and a further report to be submitted in due course.

1.2 Negotiations have taken place between the applicant and Officers which have resulted in the submission of a revised scheme that is significantly reduced in scale, and in many respects reflects the scale and design of a previously unimplemented approval for the same site in 1993. In light of the changes made Officer's are now in a position to support the revised scheme and are therefore minded to recommend

approval of the application subject to the conditions referred to below.

- 1.3 In more detail the revised proposal has reduced the width of the extension by 1.4m from 5.2m to 3.8m, and the length by 3.9m from 12.45m to 8.55m. In addition, the front of the extension has been set back from the Ashley Road elevation by 1.5m. The access to the upper floor accommodation, previously enclosed, is now via an external staircase, which will lie adjacent to a walled bin store area. The alterations to the frontage of the property and the new extension are to have internally mounted external roller shutters in contrast to the previously externally mounted housings.
- 1.4 The proposed extension has been moved 2.6m away from the shared boundary with No. 4 Darfield Avenue, and as a result would no longer obstruct views or appear intrusive from a ground floor window of that property. The proposed open staircase to the upper floor residential accommodation is to have stair treads constructed in masonry to prevent noise disturbance to the occupants of 4 Darfield Avenue, which will reflect the manner and height of the existing external staircase to 4 Darfield Avenue.
- 1.5 In view of the reduced scale of the scheme Highway Officer's felt that despite being situated at the junction of three roads, it would be difficult justify a highway objection.

2.0 Conclusion

- 2.1 In view of the reduction made to the proposed extension, the development can now be supported and is recommended for approval, subject to the conditions detailed below:

1. Time limit on full permission
2. Submission of external walling and roofing materials
3. Submission of shutters details
4. Use class of office B1
5. Use class of shop A1/A2
6. No sub-division of living accommodation
7. Hours of use
8. Hours of delivery

Reasons for approval: The application is considered to comply with policies GP5 and BD6 of the UDP Review 2006. The proposed use is appropriate to the area, the design of the extension is considered to be acceptable and no harm is caused to residential amenity or highway safety. Having regard to all other material considerations, as such the application is considered acceptable.

3.0 Background papers:

Application File 08/05587/FU.

Certificate A on the application form has been completed indicating that the applicant is the owner of the site.

