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## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 13<sup>th</sup> September 2012

**Subject: APPLICATION 12/03264/FU – CHANGE OF USE OF FORMER CRISIS CENTRE TO 12 BED HMO AT 3 SPRING ROAD, LEEDS, LS6 1AD**

#### **APPLICANT**

Lingard Bell – Mr S Rowley

#### **DATE VALID**

27 July 2012

#### **TARGET DATE**

21 September 2012

#### **Electoral Wards Affected:**

Headingley

Yes

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**APPROVE SUBJECT TO THE FOLLOWING CONDITIONS.**

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. Development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall be retained for the lifetime of the development.
4. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, N19

Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to Panel at the request of Ward Councillor Martin Hamilton who has objected to the application on the grounds that it would have an unacceptable impact on local amenity and fail to comply with the Article 4 Direction which covers this area.

## **2.0 PROPOSAL:**

- 2.1 The application is to change the use of a former Crisis Centre to a 12 bed House in Multiple Occupation (Class C4).
- 2.2 The application has been reduced in number since receipt, having originally proposed a total of 14 bedspaces.

## **3.0 SITE AND SURROUNDINGS:**

- 4.1 The site comprises a three storey building of stone construction erected in the late Victorian era which is set back from the highway with compact gardens areas to three sides.
- 4.2 The site is within the Headingley Conservation Area and is of a scale and form typical to other stone built dwellings in the locality, retaining most of its original detailing including original stone heads and cills.
- 4.3 The site has no off-street parking.
- 4.4 The site is in a wholly residential area surrounded by mature properties which are typically set back from the highway with private gardens on all sides.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There have been no recent planning applications at this site.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The applicant discussed a proposal to convert the property to a 12 bed HMO verbally with Officers of the department in early 2012 and was advised that the scheme appeared broadly acceptable in principle subject to detailed plans being submitted.
- 5.2 The applicant was advised at pre-application stage that an Article 4 Direction preventing the conversion of single dwellings (C3) to HMOs (C4) was in place for this area but that Officers did not consider that such a change of use would constitute the loss of a property suitable for family accommodation.
- 5.3 The application was submitted to provide a total of 14 bedspaces. Discussions with the architect have since resulted in this figure being reduced to a maximum 12 bedspaces.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application was publicised by Site Notice on 10<sup>th</sup> August 2012 and by letter to 20 adjacent properties.

- 6.2** Three letters of representation comprising a letter from Ward Councillor Martin Hamilton, a letter from Greg Mulholland MP and a letter from the Leeds HMO Lobby have been received. These are all objections to the proposal, on the grounds of highway safety, lack of off-street parking, impact on balanced communities noise, loss of privacy, unacceptable commercial development, potential increase in anti-social behaviour, impact on planting, noise and fumes.

**7.0 CONSULTATIONS RESPONSES:**

**STATUTORY**

- 7.1** None, due to the minor nature of the application.

**NON-STATUTORY**

- 7.2** Highway Authority – No objections subject to provision of cycle storage.

- 7.3** Neighbourhoods and Housing – No objection

**8.0 PLANNING POLICIES:**

**DEVELOPMENT PLAN**

- 8.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2** The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

**UDPR POLICIES:**

- 8.3** Policy GP5 – seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- 8.4** Policy T2 – this aims to avoid any undue impact on highway safety.
- 8.5** Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas
- 8.6** Policy H4 – sets out the criteria for new housing on previously unallocated sites

**REGIONAL PLANNING POLICIES:**

- 8.7** It is not considered that the RSS has any policies of direct relevance to this application.

**RELEVANT SUPPLEMENTARY GUIDANCE:**

- 8.8** Supplementary Planning Guidance provides a more detailed explanation of how

strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

- Neighbourhoods for Living

#### NATIONAL PLANNING POLICY:

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

#### EMERGING CORE STRATEGY:

- 8.10** The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

#### **9.0 MAIN ISSUES:**

- It is the considered view that the main issues are:
  - Principle of use
  - Impact on neighbouring residential amenity
  - Amenity and living conditions for future residents
  - Parking provision
  - Area of Housing Mix

#### **10.0 APPRAISAL:**

##### PRINCIPLE OF USE

- 10.1** The application site is within walking distance of both of the Universities and is considered to offer a sustainable use of a neglected building which is in need of regeneration. The site lies within an existing residential settlement which is already served by existing infrastructure capable of serving a development of the scale proposed, with good public transport links and an established cross-city cycle route close by. The site lies within a sustainable location and the proposal is considered to comply with Policy H4 and the general principles of the NPPF in respect of

raising density and locating new housing within existing settlements. The proposal is therefore considered acceptable in principle subject to an assessment against all other normal development control considerations, and other Unitary Development Plan policies

#### IMPACT ON RESIDENTIAL AMENITY

- 10.2** The site has previously been used as a Crisis Centre (Class D1) by Leeds City Council. Such a use is likely to have generated significant comings and goings to the property with the potential for 24-hour callouts by staff on a frequent basis. The proposed conversion to a 12 bed HMO is considered to result in similar levels of activity to and from the site during the day but less so at anti-social hours as the use of the property will be residential rather than offering counselling or support. As such, it is considered that overall levels of activity will be on a par with, if not in fact less than previously and thus offer no undue increase impact on residential amenity.

#### AMENITY AND LIVING CONDITIONS FOR FUTURE RESIDENTS

- 10.3** The proposed conversion provides accommodation for up to 12 residents. Each room is provided with sufficient natural daylight and benefits from acceptable levels of privacy. As such, the accommodation is likely to be on a par with other accommodation available in the locality and is therefore considered acceptable on balance.

#### PARKING PROVISION

- 10.4** The site does not have any available off-street parking.
- 10.5** Councillor Martin Hamilton has expressed concerns that the proposed use is likely to generate an additional demand for parking which cannot be accommodated within the site, and recommends that measures should be agreed to mitigate this, such as a Residents' Only Parking Zone.
- 10.6** The Highways Officer has commented, however, that the site is in a highly sustainable location with easy access to frequent bus services and that there are no current waiting restrictions for on-street parking. As such, the imposition of conditions requiring the funding of measures such as a Residents' Only Parking Scheme would be unlikely to pass the tests of reasonableness or enforceability.

#### AREA OF HOUSING MIX

- 10.7** This policy states that within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:
- The stock of housing accommodation, including that available for family occupation, should not be unacceptably reduced in terms of quantity and variety;
  - There would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;
  - The scale and character of the proposal should be compatible with the surrounding area;
  - Satisfactory provision should be made for car parking
  - The proposal should improve the quality or variety of the stock of student housing;

In response to the above points:

- The site was previously used as Crisis Centre (D1). As such, there will be no loss of existing housing accommodation;
- The previous use as a Crisis Centre involved 17 members of staff. It is considered that the levels of activity produced by 12 residents will therefore be on a par with or less than that generated by the previous use where it is acknowledged that there would have been frequent emergency call-outs and impromptu visits to and from the site by staff and callers. As such, the proposed impact on neighbouring residential amenity is considered acceptable on balance
- There are no external additions or extensions to the property. As such, the proposal has no impact on the existing scale or character.
- Although the site has no dedicated off-street parking, the site is considered to be in a highly sustainable location with no current waiting or parking restrictions in place. As such, the proposal is considered acceptable on balance with regard to parking provision.
- The proposed bedrooms within the HMO and the associated living space would have adequate levels of light and are of a reasonable size. The scheme is thus considered to comply with this element of the policy.

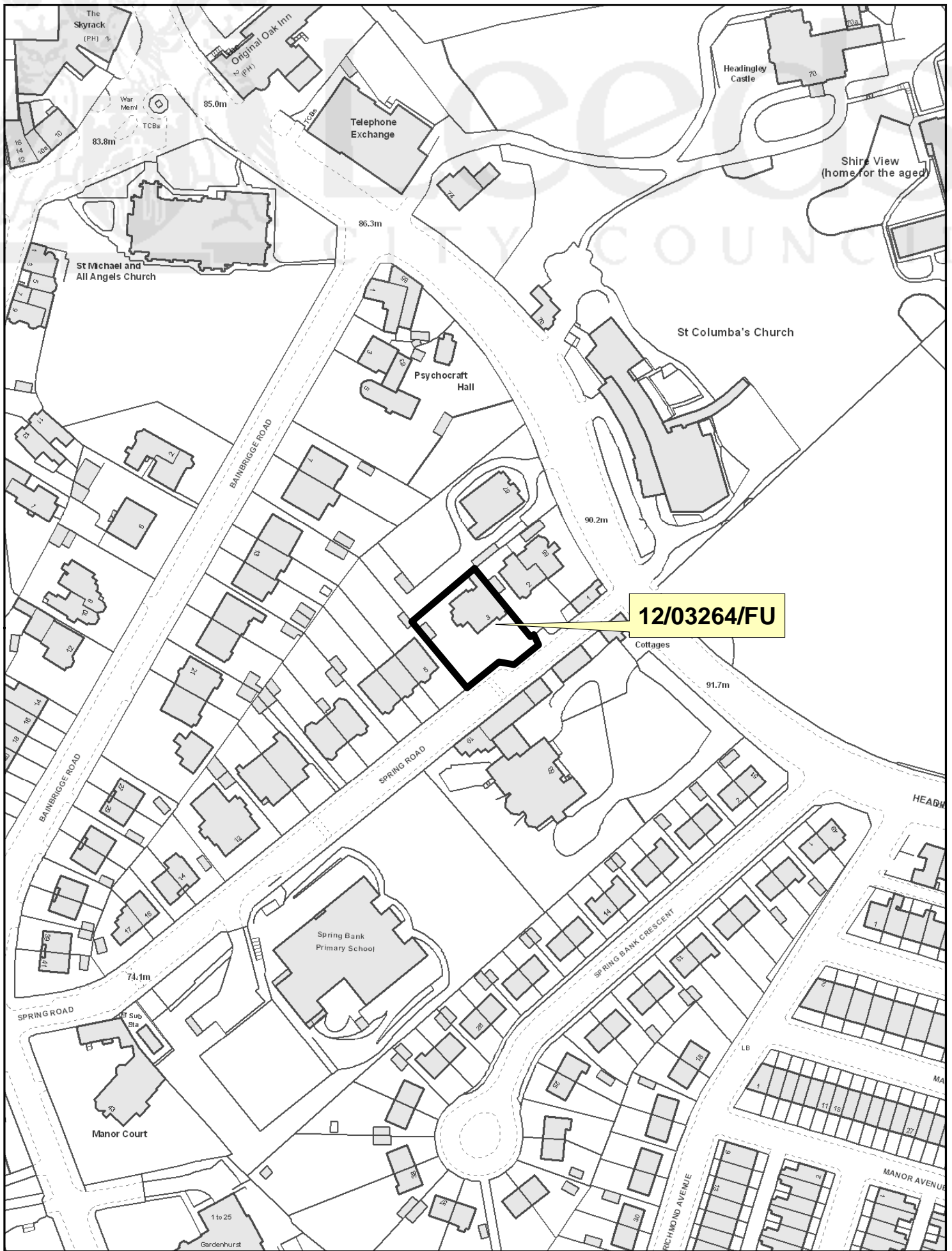
## **11.0 CONCLUSION:**

- 11.1** On balance, the proposed change of use of this property to a 12 bed HMO is considered acceptable. It is therefore considered that the proposal will prove beneficial through the bringing back into use of a vacant property, and that the scale of shared housing within the scheme is such as to not result in any undue harm. Members are therefore recommended to approve the scheme subject to the conditions set out at the head of this report.

### **Background Papers:**

Application and history files.

Certificate of Ownership.



# WEST PLANS PANEL

