

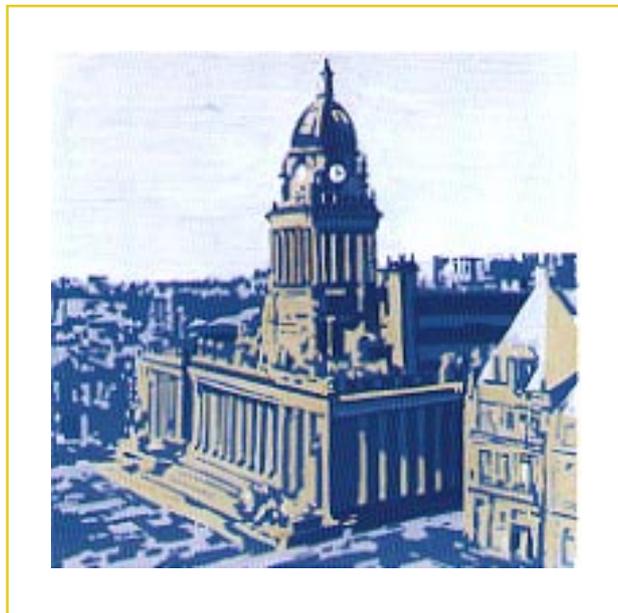


SUPPLEMENTARY GUIDANCE No. 6

**DEVELOPMENT OF  
SELF CONTAINED FLATS**

4th May 1999

LEEDS CITY COUNCIL



LEEDS UNITARY DEVELOPMENT PLAN



## **SUPPLEMENTARY GUIDANCE No 6: DEVELOPMENT OF SELF CONTAINED FLATS**

1. The distinction between HMOs and self-contained flats (using the term "flat" to cover also units of more than one floor) lies in the physical and social separation of the living areas. HMOs are usually characterised by having certain facilities such as toilets or bathrooms shared between separate households occupying exclusive bedrooms or bedsits. Self-contained flats are usually characterised by having exclusive use of all facilities within their own physical envelope. Normally only access routes such as garden paths, halls, and stairwells and sometimes gardens are shared. It is the exclusivity of self-contained flats which allows them to be sold on leaseholds in contrast to bedsits within HMOs which can normally only be rented. Policy for considering specific HMO proposals is provided by Policies H18 and HMO1 of the RDUDP.
2. Where it is intended to create self-contained flats within existing buildings, prior approval will normally be required under a number of legislative controls. Of crucial importance will be compliance with Building Regulations for which the Planning Department's Building Consultancy Unit can give advice. For Building Regulation purposes, the creation of a new dwelling in an existing building is a material change of use requiring consideration of fire precautions, means of escape, structural stability and other requirements which can affect the layout of the dwelling and siting of stairways. If lifts are to be installed they should be capable of use by disabled persons. Also, housing legislation has a bearing on dwellings in existing buildings in terms of conditions, fitness and standards for which the Department of Housing Services can give advice.
3. The following advice and Policy is intended to cover the planning implications of proposals to subdivide existing housing into self-contained flats and change the use of buildings in other uses to self-contained flats. Paragraph 4 sets out the wider context of flat conversions contributing toward strategic housing supply. The remaining paragraphs deal with some of the specific planning concerns raised by flat conversions including impact on local residential amenity of intensification, the need and suitability for family accommodation, parking requirements, standards for occupiers, external arrangements and design and conservation issues. In addition, for property located within the designated HMO Priority Areas of the Moorlands and Hyde Park Terrace, there is specific guidance on conversions contained within Appendix 10 of Volume II of the RDUDP.
4. Conversions to flats can make a welcome contribution to housing supply, particularly in the light of household projection figures which anticipate a growth in smaller households. More intensive use of under-occupied buildings will normally be beneficial whether it be houses too big to be attractive for single owner occupation, vacant floors above shops or non-residential buildings which are empty and are difficult to sell or let. In most locations, changes of use to flats of existing buildings in non-residential uses can bring a welcome gain in dwellings (although there may be policy objections to the loss of other uses).
5. Flat conversions can have a variety of consequences for the amenity of neighbours. Where intensification in

the number of residential units occurs, either on its own or cumulatively with previous conversions, this can adversely affect the amenity of an area with more comings and goings, more visitors, more car parking demand and more noise. When considering amenity effects, different judgements will apply depending on the existing character of a locality, for instance, a quiet suburb compared with a busy road or town centre. There may also be an impact on privacy where new window openings have to be created.

6. When considering proposals for flats, the need and suitability for family sized accommodation in an area will be important factors. Residential properties which are in areas of demand for family sized accommodation and have (or are capable of providing) direct access to space suited to private recreation should normally only be sub-divided if at least one satisfactory family sized unit is provided. Exceptions may be made where it is not possible to include family sized accommodation with satisfactory amenity. Conversions will often be ruled out altogether for some small family sized dwellings which would only be capable of providing say 2 studio or 1 bedroom flats. Family sized will be taken to mean at least 2 bedrooms including one double. Space for private recreation will typically be an enclosed rear garden but could include large enclosed yards or terraces or other spaces which are considered suitable for safe children's recreation. With regard to proposed developments of non-residential buildings, in areas of demand for family sized accommodation, the potential for provision of family sized units and suitable recreation space should be explored.
7. Sub-division of houses in single family occupation will normally generate additional demand for car parking spaces although there may be exceptions where existing houses contain shared households (eg students) with a greater propensity for car ownership. The existing level of car parking demand will also be a factor in assessing changes of use to flats of existing HMOs, hostels and residential institutions. Regard will need to be paid to the car parking guidelines in Part II of the RDUDP and the availability of on-street car parking. In making attempts to provide off-street car parking, any townscape merit in the forecourts of property including boundary treatments should not normally be compromised and trees in good health and contributing positively to the character of the neighbourhood should be retained. Access drives, crossovers and surfacing should be designed and constructed to avoid damage to tree canopies, trunks or root systems. Also, the positioning of car parking spaces directly in front of bedroom windows should be avoided. Provision for pedal cycles should not be ignored and, in line with the Cycle Parking Guidelines, ideally one secure long stay space should be provided per dwelling.
8. It is important that developments of flats provide appropriate standards of habitation and facilities for their occupiers. In the main, these issues are regulated under separate legislation (see paragraph 2.) but there are some planning concerns. All dwellings should expect satisfactory natural light and outlook (eg windows of habitable rooms not over enclosed by external walls). The arrangement of rooms should be planned to avoid the juxtaposition of living rooms and bedrooms both internally to other dwellings of the conversion and externally to adjoining properties.

9. Aspects of flat development schemes concerning the external curtilage - especially gardens, forecourts and paths - should be planned from inception rather than considered later. Each flat should have a safe and secure means of access from the street and parking areas to avoid the creation of places where people could be vulnerable to attack. Also, where possible, the needs of disabled people should be considered, in particular, through the incorporation of level access to and through the front doors of new dwelling units. Converted dwellings are often criticised for presenting gardens, forecourts or yards which are either untidy and untended or deliberately barren and devoid of greenery. The adverse visual impact of extensive hard surfaced areas and parked cars may in part be mitigated by new planting, improvements to boundary enclosures and attractive surfacing. In order to make any external spaces in the curtilage of converted dwellings tidy and attractive, a landscape scheme to an acceptable professional standard should be secured, which respects the best characteristics of local distinctiveness; this and a management scheme for the proper upkeep of communally maintained external spaces may be made a condition of granting permission to a change of use conversion or development. Wherever possible, a screened bin storage area should be provided, located in a visually unobtrusive location, accessible to residents and the refuse collection services. Also, where appropriate in properties with gardens, space for composting should be incorporated.

window openings, external fire escapes, formation of lightwells, and other alterations which may have visual and amenity implications. Proposals for self-contained flats which raise issues of building design and conservation will have to be tested against the policies in Section 5.3, Chapter 5 of the RDUDP and Chapter 3 of Volume II. Where proposals would involve the creation of self-contained flats in existing buildings located within the green belt, some special concerns apply and Policies GB3 and GB4 of the RDUDP should be referred to.
10. The development of flats may involve building operations and listed building alterations which carry separate considerations to the change of use issues. Conversions into flats are often accompanied by proposed extensions, door and
11. For developments involving a substantial number of flats (in some cases involving as few as 10), there may be a requirement under other policies of the RDUDP for a contribution towards community benefits such as affordable housing, greenspace provision and Supertram. Further details are provided in Policy GP7 of the RDUDP and Supplementary Guidance Notes 3, 4 and 5.

**SGH1:**

**Change of Use involving sub-division into self-contained units of existing buildings will normally only be acceptable if:**

- i. the property is not a back-to-back dwelling; and**
- ii. the property is of sufficient size (min. 100m sq gross) and the internal layout is shown to be suitable for the number of units proposed; and**
- iii. the impact on neighbouring dwellings is not likely to be detrimental to the amenity of their occupants by virtue of the conversion alone or cumulatively with a concentration of converted dwellings, HMOs, or residential institutions; and**
- iv. where there is a demand for family sized accommodation and the property has (or has the potential for provision of) good access to suitable space for private recreation, provision is normally made for at least one**
- family sized unit in the proposed mix of flats; and**
- v. sufficient easily accessible and appropriately located off and on street car and cycle parking is incorporated; and**
- vi. the proposed dwellings provide satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms; and**
- vii. each dwelling has safe and secure (and where possible, level) access from the street and any parking areas and suitable accessible enclosures are provided for refuse storage; and**
- viii. in defined HMO Priority Areas the proposal conforms to the Council's policy guidance for that area.**