

2022/1232

Applicant: Mr A Young

Address: 98 Darfield Road, Cudworth, Barnsley, S72 8HG

Description: Convert shop area into a 4-bed dwelling

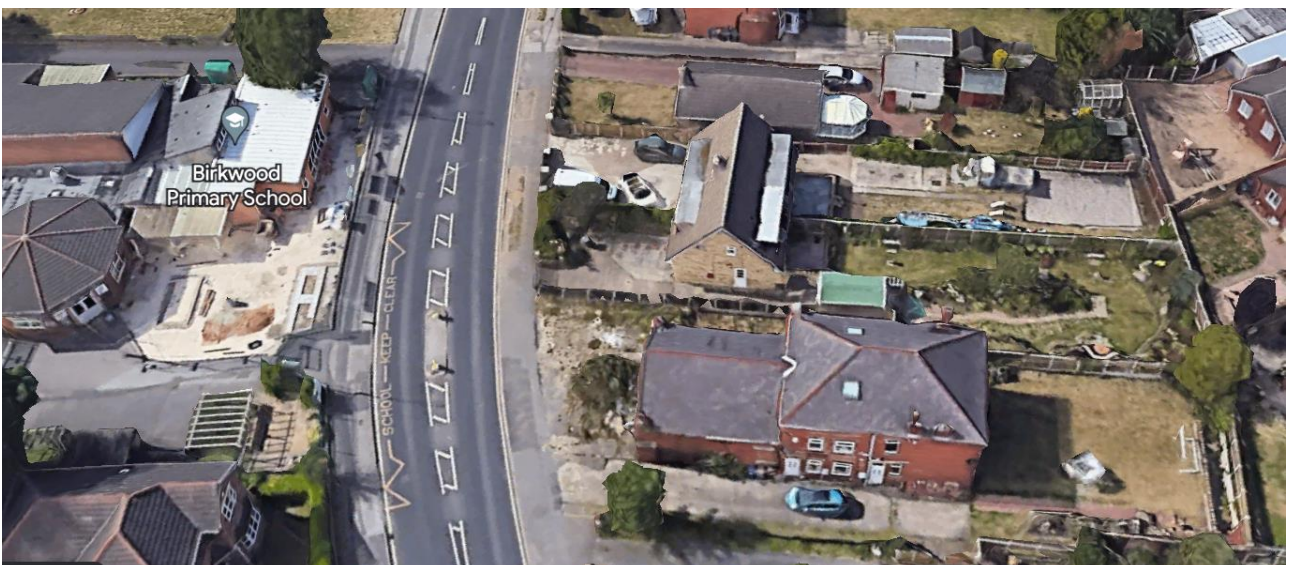
Site Description

The subject property is a redundant shop at 98 Darfield Road. The submitted application form states that the shop has been used as storage for the past 18 years. The shop adjoins an existing residential unit.

The surrounding area is predominantly residential in nature; however there is a primary school almost opposite the site.



Proposed site from the front elevation



Google Earth image of the site and surrounding area.

Relevant Planning History

B/02/1542/CU- Change of use of shop to martial arts studio- unknown.

B/04/0962/CU- Change of use from shop to 2 No. self contained flats- Approved.

Proposed Development

The proposed development seeks approval for the conversion of the shop to a four-bedroom dwelling with associated parking. There are minor alterations to the property proposed to facilitate the conversion.



Ground Floor



First Floor

Proposed Floor Plans and Elevations

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

Policy T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Policy Poll1: Pollution Control – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Policy H4: Residential Development on Small Non-allocated Sites – Proposals for development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with Other Relevant Policies in the Plan.

Policy H6: Housing Mix and Efficient Use of Land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Supplementary Planning Documents

- Design of Housing Development
- Parking
- Sustainable Travel

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Section 12, paragraph 134 states *"development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes"*.

Other Material Considerations

- South Yorkshire Residential Design Guide - 2011

Consultations

Drainage- Details are sufficient and should be checked by building control.

Highways- Scheme is acceptable subject to condition regarding parking spaces.

Pollution Control- No objection subject to condition to regulate the hours of construction or demolition works.

Yorkshire Water- No comments made.

Ward Councillors- Conversion should not be to a HMO.

Representations

Five neighbour notification letters were sent to surrounding properties, no comments have been received at the time of writing this report.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation. The surrounding area is predominantly residential in nature; however it is noted there is a primary school almost directly opposite the site. The proposed development proposes the conversion of the redundant shop to a four- bedroom dwelling.

Local Plan Policy H4 states that proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

Notwithstanding the above, an assessment against Local Plan Policy H6 is also necessary which requires the Local Planning Authority to take a judgement as to whether the proposal will contribute successfully to achieving an appropriate mix of homes to meet local needs. The BMBC SHMA 2021, through a 2020 housing survey, outlined that there is an expectation of 15% for 4-bedroom dwellings and a current stock of 15.2%, as such there is a very small dip in projection. Notwithstanding the above, the aspiration for 4-bedroom dwellings is 27.1% and as such there is clear justification for a dwelling of this size. Therefore, the proposal would comply with Local Plan Policy H6 Housing Mix and Efficient Use of Land.

Residential Amenity

As the property is set in close proximity to existing residential properties, one of the main considerations would be the impact of the proposal upon the residential amenity of the surrounding residential properties.

The Design of Housing Development Supplementary Planning Document (SPD) states that in order to ensure adequate levels of privacy are provided/ maintained, it is necessary to ensure residential development does not result in unacceptable levels of overshadowing or loss of outlook and, in order to provide adequate amenity space, development will usually be expected to comply with the external spacing standards.

The proposed dwelling would be facing onto Birkwood Primary School to the front elevation; as this is not a residential dwelling the space standards do not need to be taken into consideration in this direction. To the south-east elevation, the proposed dwelling would be looking onto the front garden of 100 Darfield Road at 4.34m. As front gardens are not considered to be private amenity space this would be acceptable in this instance. To the north-west the proposed dwelling would be looking onto 96 Darfield Road at 7.25m. There is concern here as there are habitable windows facing onto the neighbouring property serving two bedrooms at first floor and a dining room at ground floor. There is also a bathroom window at ground and first floor however these are not habitable rooms and therefore do not need to be considered in this assessment. 96 Darfield Road appears to have a bathroom window at first floor; this is not a habitable room window and therefore separation distances do not need to be taken into consideration here. At ground floor there is a door which is also not a habitable room window and in addition there is a fence separating 96 from 98 which provides screening. As such the ground floor habitable room windows would also not deem to overlook the neighbouring property.

In terms of amenity of future occupiers, the South Yorkshire Residential Design Guide states that a 4-bedroom dwelling should have an overall floor area of 93sqm. At 146.8sqm, the dwelling over exceeds this standard. The proposed bedrooms meet the space standards, however it is noted the proposed kitchen and sitting room are slightly below the standards in the SYRDG. This small shortfall is not considered to be reasonable ground to refuse the proposal considering the dwelling over exceeds on overall amenity and would also have a separate dining room and office space at ground floor.

In terms of light, all habitable rooms of the dwelling are served by a window, with the sitting room being dual aspect to allow for the maximum amount of light and cross ventilation. In terms of outlook the habitable room windows would look onto garden to the south-eastern elevation and a

neighbouring property to the north-west elevation at an acceptable distance and would not face a blank elevation, thus being acceptable.

Regarding private amenity space, the SYRDG and Designing New Housing Development SPD states that a 4-bedroom dwelling should have private amenity space of 60sqm. The application does not show any private amenity space. The SPD states that full compliance with standards is expected in predominantly residential areas whereas they may be slightly relaxed in town centre situations/higher density areas. This is dependent on whether there is adequate outdoor green space nearby such as parks. No such justification has been brought forward by the applicant regarding this and the site is not located within the Town Centre or any of the District Centres to be able to offer a relaxation of the standards. Therefore, the development does not comply with the Council's SPD for Designing New Housing Development or the SYRDG.

An approval of the proposed development would set an unwanted precedent for further inappropriate development in the area. The proposed development is therefore contrary to the Council's SPD for New Housing Development in that it does not provide sufficient private amenity space for the dwelling.

Sustainable Travel

The Council has adopted its Sustainable Travel SPD which requires all new residential developments/units to include one Electric Vehicle Charging Point. It has not been indicated if the property can host an EVCP however a standard condition could be applied to resolve this issue to comply with the Council's Sustainable Travel SPD and Local Plan Policy T3: New Development and Sustainable Travel.

Highway Safety

Given the extant use of the site is as a shop, this redevelopment is likely to have a net decrease in vehicle movements. As such, the scheme would not create any significant highway safety issues.

Barnsley MBC's Parking SPD recommends two off-street parking places for this size of dwelling. The submitted drawings show ample space for at least three vehicles as well as a bin storage facility. The scheme is acceptable from the perspective of highways, subject to a condition regarding the surfacing of ground for parking spaces.

Visual Amenity

The proposed external changes to the building are not considered harmful to the visual amenity of the locality and the proposed development is therefore acceptable in terms of visual amenity.

Recommendation

Refuse