

<b>Application Reference Number:</b>	2025/0750
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<b>Application Type:</b>	Full
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<b>Proposal Description:</b>	Subdivision of existing dwellinghouse to create 2x 1 bedroom flats
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<b>Location:</b>	33 Hoyle Mill Road, Stairfoot, Barnsley, S70 3EN
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<b>Applicant:</b>	Ms Estelle Avia
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<b>Third-party representations:</b>	Three	<b>Parish:</b>	None
		<b>Ward:</b>	Stairfoot Ward

**Summary:**

This planning application seeks full planning permission for the subdivision of the existing dwellinghouse to create two one-bedroom flats.

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising subdivision to create a new dwelling unit is considered acceptable in principle if proposals are a suitable location for the use and would not significantly adversely affect residential and visual amenity and highway safety. In this case the protection of existing housing stock should also be considered.

The proposal does not comply with the relevant plan policies and planning permission should not be granted. The application is considered to represent the undesirable and unnecessary form of subdivision of an existing dwelling and would lead to poor standards of residential amenity.

**Recommendation:**

Refuse

## Site Description

The dwelling is a two-storey, stone built, terraced dwelling located in Stairfoot. The dwelling has no off-street parking and features a small amenity area to the rear. Hoyle Mill Road has a fairly consistent residential street scene featuring terraced dwellings with the eastern side of the highway opposite the host dwelling being a modern brick-built development. Following Hoyle Mill Road to the south leads to Doncaster Road (A653) which is a main through road connecting Stairfoot and Barnsley Town Centre.



## Proposed Development

The applicant is seeking approval to sub-divide the dwelling into two residential flat units via the conversion of the former three bedroomed terraced dwelling. 33 Hoyle Mill Road would change from a three bedroomed dwelling to two separate one bedroomed flats with one flat on the ground floor and one flat on the first floor.



**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 H4: Residential Development on Small Non-Allocated Sites** – 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.

**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. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

**Policy H9: Protection of Existing Larger Dwellings** – The loss of existing larger dwellings will be resisted. Support will be given to the re-establishment of Houses in Multiple Occupation into single family sized houses.

**Policy Poll1: Pollution Control and Protection** – 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.

**Policy T3: New development and Sustainable Travel** – Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

**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.

#### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled. Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

### Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019.

The most pertinent SPD's in this case are:

- Design of housing development
- Parking
- Sustainable Travel

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

### Other Guidance

- South Yorkshire Residential Design Guide

### **Consultations**

Highways Development Control (DC) - No objections.

Pollution Control - No objections.

Stairfoot Ward Councillors - No objections.

### **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to surrounding properties, and a site notice erected at the site. Three objections were received and in summary raised the following material planning consideration.

- Access for emergency services.
- Dangerous highway.
- Parking issues already present within the area.
- Prefer if the property remained as one dwellinghouse.
- There are already multiple HMO's and flats on Hoyle Mill Road.

The following points which are not material planning considerations were also raised.

- Residents should not have to put up with the sight or smells of waste bins.
- The proposed bin store at the front of the property should be moved to the rear.
- Vermin problem in the area.

## Assessment

The main issues for consideration are as follows:

- The acceptability of the subdivision of the existing dwelling
- The impact on the character of the area
- The impact on residential amenity
- The impact on highway safety

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development

The site falls within Urban Fabric which has no specific land allocation; however residential uses are the predominantly long-established use of the area. The proposed development will include the subdivision of the existing residential dwelling into two residential units. 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 Local Plan.

The above being said, assessment against Local Plan Policy H6 is also necessary which requires the LPA 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, outlines that the least desirable dwelling type expected in the borough is 1-bedroomed flats. Regarding this type 2.4% is the expected demand and the current stock is 3.6%. As such, it is clear that the current stock of the proposed type is already out delivering for what is the least desirable dwelling type at the time of publication. This weighs significantly against the proposal.

It is therefore considered that there is weak justification for what is a poor and unnecessary form of sub-division and in this sense, the proposed development is contrary to Local Plan Policies H6 and H9 and is considered to be unacceptable in principle. No evidence has been submitted by the applicant which indicates that the SHMA has been acknowledged or referenced and that the development is in response to meeting the existing and future housing need in the community.

### Residential amenity

The proposal to sub-divide the building into two residential units means the newly created units will have a ground floor flat measuring 58sqm and a first-floor flat measuring 57sqm. The new units meet the overall internal spacing standards in the South Yorkshire Residential Design Guide (SYRDG) which is a minimum of 47sqm for a one-bedroom two person flat or dwelling.

However, there are other significant concerns raised with the development in terms of residential amenity. Specifically, regarding the living conditions of the future residents. Firstly, although the overall internal spacing standards are met the standards are not met per specific room sizes. The proposed bedroom of the ground floor flat is 11sqm whereas the SYRDG states a 1 bedroomed flat should have a bedroom that is 12sqm. Also, the proposed kitchen size falls short of the stated size being 12sqm instead of 13sqm.

With regards the first floor flat the proposed lounge measures 11sqm instead of the stated 13sqm. Whilst seeming minor discrepancies the required spacing standards should still be attained for the quality of life of future residents. This weighs significantly against the proposal.

Secondly, regarding rear amenity space modern standards require a minimum of 50sqm rear garden (or private amenity) space for 1-3 bedroomed properties. The existing area is not being extended in any way through the development and the plans provided are unclear as to how the existing rear amenity space will be used. This weighs significantly against the proposal.

Whether it is to be shared between the two units or separated. In either case, the proposed development does not comply with the Council's SPD for Designing New Housing Development which states that as a minimum there should be 50sqm of shared private space for flats plus an additional 10sqm per unit as balcony space or added to the shared private space. It is noted the existing amenity space is minimal however to further split that with the addition of an extra unit sharing an area that is not fit for purpose is unacceptable.

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 in regard to 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.

An approval of the proposed development would set an unwanted precedent for further inappropriate development in the area, further degrading the living conditions of both the existing and future residents. The proposed development is therefore contrary to the Council's SPD for New Housing Development in that it does not provide adequate internal living space for the units and a lack of private amenity space for both units. It is also contrary to Local Plan Policy GD1 which seeks to protect the living conditions of future residents. The proposed development is unacceptable in terms of residential amenity. This weighs significantly against the proposal.

#### Design and Visual Amenity

There are no major external alterations proposed to the dwelling and as such, the impact of the proposal on the visual character of the area is considered negligible. The proposed development is in line with Local Plan Policy D1 and is considered to be acceptable in terms of design and visual amenity. This weighs moderately in favour of the proposal.

#### Highways Safety

There will be no significant impact upon highway safety. The Council's Parking SPD recommends two parking spaces for a three-bedroomed flat and also recommends one parking space per one bedroomed flat. As such, whilst the site is below the expected off-street parking requirements, given there is no numerical change to the parking requirements from what is existing, Highways DC have raised no objection to the scheme. It is therefore considered that the proposals won't adversely impact upon the highway and are acceptable from a highway's perspective. This weighs significantly in favour of the proposal.

#### Sustainable Travel

The Council has adopted its Sustainable Travel SPD which requires all new residential developments/units to include one Electric Vehicle Charging Point. The character of Hoyle Mill Road is terraced properties, and it has not been indicated if either property can host an EVCP. Therefore, there is conflict with the Council's Sustainable Travel SPD and Local Plan Policy T3 New Development and Sustainable Travel. This weighs moderately against the proposal.

## Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal does not comply with the relevant plan policies and planning permission should not be granted. The application is considered to represent the undesirable and unnecessary form of subdivision of an existing dwelling and would lead to poor standards of residential amenity and is therefore recommended for refusal.

### **Recommendation**

Refuse

### **Justification**

#### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.