

Applicant: Mr Azdad Jarral

Description: Change of use from residential (C3) to guest house (C1)

Site Address: 131 Dodworth Road, Barnsley, S70 6HL

Site Location and Description

The application relates to a detached, 2 storey, hip roofed, stone-built dwelling located on a corner plot. The dwelling fronts Dodworth Road and has a buffer garden enclosed by a dwarf stone wall separating the front elevation and the back edge of the footpath. There is a vehicular access road running down the Western elevation of the property which provides access to the rear of properties fronting both Dodworth Road and Springfield Street. To the Rear of the property is a garden/yard area which also provides off road parking.

The surrounding area is predominantly residential in nature. There are semi-detached dwellings immediately to the East and terraced dwellings opposite the access road to the West and opposite Dodworth Road to the South. Immediately to the North is a car repair garage as well as residential properties fronting onto Springfield Street.

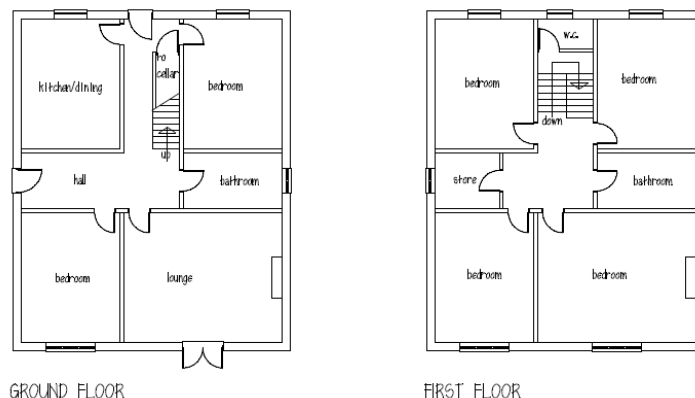


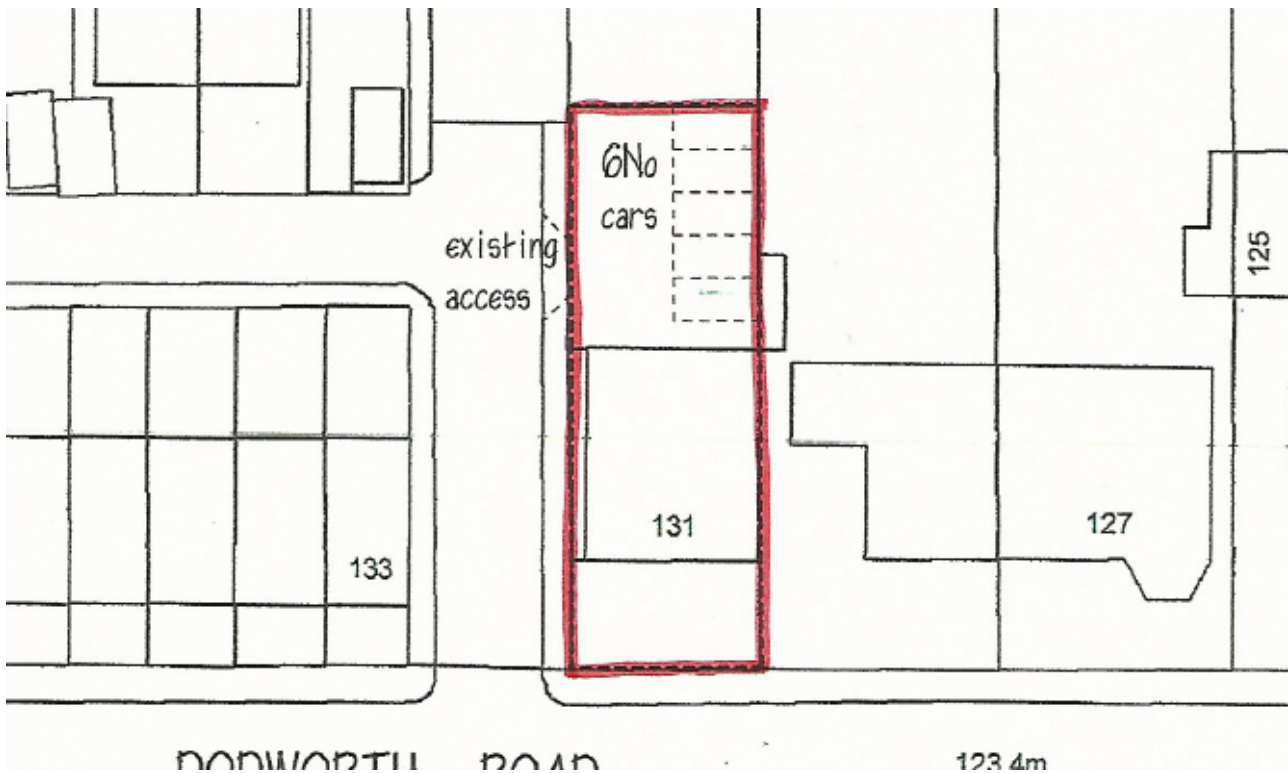
Proposed Development

The applicant seeks permission to change of use from residential (C3) to guest house (C1). The guest house would accommodate 2no bedrooms, a bathroom, lounge and kitchen/diner on the ground floor and 4 bedrooms, a bathroom and a WC on the first floor.

The applicant has stated that they will not live in the property but they will provide breakfasts to the guests and it will be staffed during the day. The ground floor lounge and kitchen would not be shared by the guests. The business would be advertised as a guest house/bed and breakfast and it will be let on a room-by-room basis, on a nightly rate.

No external alterations are proposed as part of this application. 6no. Parking spaces would be provided to the rear.





Policy Context

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T4 New development and Transport Safety

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy H9 Protection of Existing Larger Dwellings

Policy Poll1 Pollution Control and Protection

SPD's

Those of relevance to this application are as follows:

- Design of Housing Development
- Parking

Other

South Yorkshire Residential Design Guide

NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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.

Consultations

Ward Councillors – No comments received

Representations

One letter of objection received. The main points of concern are;

- HMO in disguise
- Reduced highway safety/increased parking pressure

Assessment

Principle of development

Section 26 of SPD 'Design of Housing Development' relates to the conversion of buildings to residential accommodation and sets out a number of criteria that has to be met in order for such applications to be supported.

The SPD requires that 'there will be no unacceptable noise nuisance for either existing neighbouring residents or occupants of the proposed residential unit' and 'satisfactory provision is made for off-street car parking in accordance with the Council's standards' and 'The appearance of the building or its curtilage would not be altered to the detriment of the visual amenities of the area'.

Local Plan Policy H9 states 'The loss of existing larger dwellings will be resisted'. As well as provision as part of our housing mix of some new low density, large dwellings and family housing, it is also important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes and an increase in the number of smaller homes contributing to the imbalance in the housing stock towards smaller homes. This has been a problem particularly in Urban Barnsley around the Town Centre.

Design / Visual Amenity

No external alterations are proposed as a result of the change of use, as such, visual amenity would be maintained to a reasonable degree.

There could be an increase in the amount of waste generated at the property, however, there is pedestrian access to the rear of the property in order to store waste and recycling containers away from public vantage points.

Parking would be provided to the rear of the property but there is already a vehicular access point and the rear garden/yard is predominantly hardstanding and currently used for marking/manoeuvring.

Residential Amenity

It is acknowledged that the property is currently a residential dwelling, however, although the proposal is for a residential use, it involves the room being let individually on a nightly basis. As such, there is likely to be increased noise and disturbance due to the turnover of guests.

During check in and check out there is likely to be noise and disturbance through the coming and going of people and vehicles, especially if outside sociable hours when background noise is lower. There may also be multiple trips into and out of the building as guests will have baggage and equipment. This type of use, and the turnover of occupants, is likely to generate more noise and disturbance than if the property remained as a standard residential property, especially when in close proximity to existing residential units, to the detriment of residential amenity and contrary to Local Plan Policy GD1 and the SPD.

In addition, after ever guest leaves the property, a cleaning team would need to enter the property to prepare for the next arrivals, even more so under the current situation where deep cleans are necessary. This would result in more noise and disturbance with the coming and going of people and vehicles and the use of cleaning equipment.

Furthermore, as residents/guests of the property are not permanent residents within the area, they are less likely to respect the existing residents. In addition, given the nature of the short term lets, the residents/guests could be visiting/holidaying in the area, and also meeting up with friends and/or relatives at the property which would likely lead to more noise and disturbance than a standard family home where the residents are likely to be working/attending educational establishments. This is even more concerning as the owner would not reside at the property, nor would it be staffed overnight. Residents would be given their own access keys.

It is noted that there are a number of properties within the immediate area which have been sub-divided or changed their C3 use. However, the majority of these are historic permissions or have been carried out under permitted development rights. There have been a number of recent refusals within the area for further sub-divisions and conversions of residential properties including;

2019/0948 – COU of solicitor's office to Six bedroom HMO – 203 Dodworth Road

2020/0011 – Conversion of HMO into 3no flats – 123 Dodworth Road

2020/0019 – Conversion of building from 2no. 1 bed flats into 2no. 1 bed flats and 1no. 2 bed – 173 Dodworth Road

2020/0020 – Conversion of building from 2no. 1 bed flats into 2no. 1 bed flats and 1no. 2 bed – 167 Dodworth Road

2020/0021 – conversion of HMO into 3no. flats – 171 Dodworth Road

Furthermore, since the above refusals there has also been an article 4 direction brought into force to remove PD right for the conversion of dwellings into small HMO's.

As such, the proposal would increase noise and disturbance through activity above and beyond what could reasonably be expected through the coming and going of residents and visitors, as well as activities during unsociable hours. This is disruptive to the residents within the adjoining and neighbouring properties, to the detriment of residential amenity, contrary to Local Plan policy GD1 and the SPD.

Loss of larger dwellings

The application property falls within the definition of a larger dwelling as set out in the SPD, as such, Local Plan Policy H9 applies. This policy states '*The loss of existing larger dwellings will be resisted*'. The reason behind this is it is also important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes This has been a problem particularly in Urban Barnsley around the Town Centre.

It is noted that limited work would take place internally and externally to the property to accommodate the use, as such, it could be converted back to a family home, however, the proposed use would remove the dwelling from the existing housing stock of this type and would be contrary to Local Plan Policy H9.

Highways Safety

SPD Parking does not provide specific requirements for a C1 use furthermore the site is within a relatively sustainable location. The plans show 6no. parking spaces to the rear with the existing vehicular access point retained, however, arguably some of the spaces would be difficult to manoeuvre into and out of. That being said, a refusal on highway safety could not be justified in this instance.

Conclusions

Given the comments above, the application is recommended for refusal.

Recommendation: Refuse

In the opinion of the Local Planning Authority, the proposed use would be materially detrimental to the amenities of the occupants of the neighbouring dwellings by reason of additional noise and disturbance, contrary to Local Plan policy GD1.

In the opinion of the Local Planning Authority the proposal to change the use of a C3 property to a C1 use is contrary to the aims of Local Plan Policy H9 which seeks the protection of existing larger dwellings. It is important to ensure the endurance of existing housing stock of this type particularly in Urban Barnsley and around the town centre.