JR Planning Consultants
Sheffield



PLANNING STATEMENT

CONVERSION OF GARAGE TO 1 NO. DWELLING

16 MOORLAND AVENUE, BARNSLEY S70 6PQ

PREPARED FOR: MR AND MRS GILLOTT
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1. INTRODUCTION

This statement has been prepared to support the submission of an application for full planning permission for the conversion of an existing detached garage to a dwelling house at 16 Moorland Avenue, Barnsley. The proposal involves some minor physical alterations to the building to ensure a high standard of living accommodation can be created. No extensions to the existing building are proposed.

The proposed dwelling would utilise the existing driveway that currently provides vehicular access for parking and access.

The proposal seeks to deliver a high quality but modestly sized, sustainable dwelling in the heart of this well-established and highly sustainable residential area. The proposed development would assist in providing an adequate supply of housing in the locality whilst sufficiently respecting the character of the surrounding area.

It will be noted that the general thrust of national planning policy is entirely supportive of sustainable housing development and the reuse of existing buildings to provide such housing. It will also be noted that the proposed development would have no negative impact on the character of the site. The re-use of existing buildings is inherently sustainable and it is considered that the proposed development would result in a sustainable form of development which complies with all relevant planning policy and guidance.

This statement should be read in conjunction with the supporting plans supplied by NYP Architectural Services which demonstrate the credentials of the scheme in more detail.

The submitted documentation demonstrates that the proposal meets with all relevant planning policy and guidance and should limit the need for pre-commencement conditions. It is anticipated that the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

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This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the revised NPPF. In particular, it will be demonstrated that the proposal would result in a sustainable form of development, would make a positive contribution to meeting housing targets, would not harm highways safety or efficiency, would not harm the character of the area and would sufficiently protect neighbouring living conditions. Furthermore the proposal would not result in an unacceptable impact on ecological assets. Finally, the conclusion is reached that planning permission should be granted for the proposed development.

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2. THE SITE

The application site is number 16 Moorland Avenue which comprises of a detached dwelling house, two separate driveways, garden area and a substantial detached garage. The garage is sited beyond the rear elevation of the host dwelling, but is off set to the side so that it is not directly behind it. The garage is reached by a driveway from Moorland Avenue to the south eastern side of the host dwelling. There is a second driveway to the north western side of the host dwelling that provides further, separate off-street parking.

The site is in a built-up residential area and is surrounded by existing dwellings and their gardens to all sides. The existing houses in the locality are predominantly of red brick construction but with some variation in terms of age, scale and form. The site is within walking distance of local services and has good public transport links, including easy access to Barnsley town centre.

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3. THE PROPOSAL

Full planning permission is sought for the conversion of the existing detached garage to 1no. dwelling. Full details are set out in the submitted plans provided by NYP Architectural Services. However, at this stage the key elements of the proposal are as follows:

- Garage to be converted within its existing shell without any extension to the footprint.
- Existing driveway that serves the garage to be retained and used solely for access and parking to the new dwelling.
- Host property at 16 Moorland Avenue to retain the second driveway and parking area to the other side of the dwelling.
- Existing garden to be subdivided in order to provide ample garden for the new dwelling and to allow the existing dwelling to retain a generously sized private garden.
- The proposed dwelling to have an open plan kitchen, dining and living space to the ground floor and three bedrooms to the first floor.
- The existing main garage door to be replaced with fully glazed doors. Windows, doors and roof lights are also be added to the rear elevation and south east facing elevation. Chimney to the added to the north west facing side elevation.

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4. PLANNING HISTORY

Planning permission for the existing garage was granted in 2012 under application reference 2012/1338.

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5. PRE-APPLICATION DISCUSSIONS

Prior to the current scheme being worked up, the applicant obtained pre-application advice for a scheme to convert the garage to a dwelling but with a significantly-sized extension to the existing building. The LPA's Planning Officer raised concerns relating to the impact of the proposal on the character of the area.

The current scheme has fully addressed the concerns that the LPA raised in respect of the alternative scheme. Very significantly, the current scheme does not involve any extension to the existing building; it would now simply be converted within its existing shell with only minor alterations to the fenestration in order to make the building suitable for residential use. The visual impacts of the scheme and the impacts on the character of the area are discussed in detail further below. At this stage however it is noted that as the building is not being extended, and utilises parking and garden areas that are already fully in use by the host dwelling, there would be no discernible impact on the visual amenity or character of the area. It will be demonstrated that the concerns raised by the LPA in respect of the previous scheme have been fully overcome.

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6. ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Material considerations exist in the form of national policy and guidance contained within the revised National Planning Policy Framework (NPPF) which was published on 24 July 2018 and the suite of documents comprising National Planning Practice Guidance (NPPG).

National

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

Paragraph 8 states that *"achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

Paragraph 10 states that *"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development."*

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Paragraph 11 goes on to set out that *"Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed6 ; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Paragraph 38 states that *"Local planning authorities should approach decisions on proposed development in a positive and creative way."*

Paragraph 79 states that *"Planning policies and decisions should avoid the development of isolated homes in the countryside."*

Paragraph 109 states *"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."*

Paragraph 118 states that "*…decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively."*

Paragraph 124 states that *"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."*

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Paragraph 148 states that *"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 155 goes on to state Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)."*

Paragraph 175 states that *"...if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."*

Paragraph 118 states that *"…local planning authorities should aim to conserve and enhance biodiversity by refusing planning permission if significant harm cannot be avoided or adequately mitigated. Opportunities to incorporate biodiversity in and around developments should be encouraged."*

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

Local Plan

The following policies are considered of relevance:

- CSP26 – New Development and Highway Improvement
- CSP29 – Design
- CSP36 – Biodiversity and Geodiversity
- H8A – Existing residential areas design/amenity
- H8D – Infill, backland and tandem residential development

The following Supplementary Planning Documents are relevant to the proposal:

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'Designing New Residential Development' sets out the standards that will apply to the consideration of planning applications for new housing development.

'Parking' states that the parking standards for new housing development shall be 3 spaces for 3 bed dwellings and above.

The South Yorkshire Residential Design Guide has been adopted as a best practice guide by the Council and covers issues relating to sustainability, local distinctiveness and quality in design and is underpinned by the principles in the CABE 'Building for Life' scheme.

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7. ASSESSMENT

Principle of Development

The main emphasis of current national planning policy is to ensure proposals are compliant with the definition of sustainable development set out within the NPPF. Sustainability is multi-faceted. The Government's view of what sustainable development means in practice is to be found throughout the Framework, taken as a whole. To achieve sustainable development, the Framework states that economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The proposal would be wholly sustainable using the definition set out in the NPPF for the following reasons:

- Social: The proposed development would result in the re-use of an existing building to provide a modestly sized but high quality dwelling in the heart of a popular residential area. The application site is located in close proximity to local services and community facilities. The proposed use of the building for residential purposes would provide further support for such services and facilities. The proposal would not result in any adverse social impacts.
- Economic: The proposal would allow for the efficient use of the existing site and would provide growth and investment in the locality. Additional economic activity would be created during the conversion phase and future residents would provide additional custom at existing local services.
- Environmental: As is discussed in detail further below, the proposal would have no detrimental impact on the character of the site or surrounding area. The proposal represents a high quality development which would enhance the housing stock in the locality. The site is located in a sustainable location and future residents would have access to excellent public transport links. It will be demonstrated that the proposal will have no adverse ecological impacts.

The proposal would not result in any material harm and the presumption in favour of sustainable development must be applied. The principle of development must therefore be considered acceptable.

Housing Density and Mix

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The proposed development would result in a desirable house type in this area which would provide much needed accommodation that would be suitable for a range of household types. The proposal would make a positive contribution to the housing mix in the locality in accordance with the social objectives of the NPPF.

Drainage/ Flood Risk

The application site does not fall within flood zones 2 or 3 as identified by the Environment Agency. There is existing drainage infrastructure in the locality and it is considered that the re-use of the building would not place excessive pressure on local infrastructure in this regard. Furthermore, the re-use of the existing building would have no impact on surface water run-off levels.

Transport and Accessibility

As previously discussed, the location of the site is considered to be sustainable. The site has excellent access to public transport links and local services, including schools, are within reasonable walking distance. The location of the site therefore complies with national and local objectives of creating sustainable patterns of development.

At the moment the main driveway for the host dwelling is the one to the front of the garage that is proposed to be converted. As part of the development, this driveway will be for the sole use of the new dwelling within the converted garage. As this access point is already in regular use, and would continue to be used by a single dwelling, there would be no intensification in the use of this access point. Furthermore, the driveway is of sufficient size to provide parking for at least two cars in accordance with the recommendation contained within the Parking SPD.

The host dwelling benefits from a second access point and driveway to the north western side of the existing dwelling. This driveway is already in use and also comfortably accommodates off street parking for two vehicles. Whilst the second driveway may be used more often as a result of it becoming the sole driveway for the host property, it must be acknowledged that the applicants could choose to use this driveway as often as they like at the moment and there is absolutely no limitation on its use already. As such, the host dwelling would not suffer from the loss of the existing driveway and garage as sufficient alternative provision already exists.

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Give the above, the proposed development would not be harmful to highways safety or efficiency and is wholly acceptable in this regard.

Safety and Security through Design

The proposed development would introduce additional residential use at the site and would be likely to improve security by virtue of increasing natural surveillance and reducing the fear of crime at the site. Given the scale and nature of the proposal it is considered that there are no significant security issues, and the proposal is in accordance with Section 17 of the Crime and Disorder Act 1998 (as amended).

Residential Amenity

The proposed conversion does not involve any extensions to the existing building and as such would not result in the introduction of any overshadowing or oppressive impacts to any of the neighbouring dwellings. The garage is already in domestic use as an ancillary outbuilding for the host dwelling. It is acknowledged that conversion to a dwelling would intensify the level of residential use of the building and consideration has therefore been given to ensuring that there would be no harmful overlooking, including between the proposed dwelling and the existing host dwelling.

The front elevation of the proposed dwelling would be 17 metres away from the rear elevation of the host dwelling and 16 metres from the rear elevation of the neighbouring dwelling to the south at number 18 Moorland Avenue. It should be noted that the proposed dwelling would be off-set from the rear elevations of both these neighbouring dwellings so would not result in direct overlooking to either. Given the position and separation distance, there would be no significantly harmful overlooking.

The new openings to the south east facing side elevation of the proposed dwelling would also not directly overlook any neighbouring properties and would serve non-habitable rooms in the form of hall, landing and a shower room. The rear elevation would be sited over 30 metres from the nearest neighbouring dwelling to the north of the site. The openings to the rear elevation would look predominantly onto the rear garden of the new dwelling and would not result in harmful overlooking to any neighbouring dwelling.

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In the pre-application advice for an alternative conversion scheme, the LPA raised some concern relating to noise and disturbance from vehicles accessing the new dwelling.

Notwithstanding that the dwelling now proposed is significantly smaller than the one previously proposed, so would be likely to generate less noise and disturbance in any case, it is considered that this concern is wholly unsubstantiated anyway. The application site is in a densely developed residential area and is surrounded by existing residential dwellings. It is therefore entirely natural and common for dwellings to be positioned in close proximity to the gardens of neighbouring properties in this area. The rear garden of number 18 Moorland Avenue is directly next to the adjoining dwelling at number 20. The rear garden of the host dwelling at number 16 is immediately next to the neighbouring dwelling to the north at number 14. This is a pattern that repeats constantly in the locality. Introducing a modest additional dwelling into this area is entirely compatible with the residential character of the area and it could not possibly be reasonably considered that the development would result in unacceptable levels of noise and disturbance. Noise and disturbance arising from the proposed development would be akin to that arising from any other residential dwelling in the locality and would not be significant. As such, it is considered that the proposed conversion would not result in any harm to amenity arising from the proposed residential use by way of noise or other associated disturbance.

The proposed dwelling would have an ample sized private garden to the rear that would provide a good outdoor amenity area commensurate with the size of the proposed dwelling. The host dwelling would retain a large rear garden so there would be no harm to the occupiers of the host dwelling through loss of part of the existing rear garden.

The proposal would provide a high standard of living environment within the site. Whilst the scale of the proposed dwelling is modest, it would provide high quality accommodation with modern open plan living areas and good size bedrooms. The dwelling would benefit from excellent levels of natural light and a good sense of prospect. The development will provide a high standard of housing amenity for future occupiers whilst having no detrimental impact on the amenity of residents of any existing dwellings.

Design/ Impact on the Character of the Locality

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Following the pre-application advice that was received in respect of an alternative scheme for the conversion of the garage to a dwelling, it is clear that the impact of the development on the character of the locality is, quite correctly, key to its acceptability.

Policy H8D does not preclude backland development and sets out that this type of development can be granted when it would not result in harm to the local environment or the amenity of the locality and would not result in traffic problems or prejudice the development or a larger area of land. It has been demonstrated above that the development would not be harmful to amenity or result in traffic problems. It will now be demonstrated that the development would not harm the local environment.

It is clear that the main concern raised by the LPA in respect of the alternative scheme is that it would have resulted in a backland development as the garage is sited rearward of the host dwelling at number 16 and also of the neighbouring dwellings. The previous scheme included a large extension to the existing garage and it is acknowledged that this would have resulted in a building quite different to the garage as exists today. Significantly, the scheme as now proposed is for the conversion of the existing building only, so would have a minimal impact on the visual appearance of the site as existing. For completeness however, the concerns raised by the LPA in respect of backland development are considered in turn as follows:

The proper planning of the area

The pre application advice stated that: "*The main concern is that backland represents an 'ad-hoc' form of development, which can fundamentally undermine the proper (comprehensive) planning of an area.*"

The scheme is for an additional residential unit in a well established residential area and is entirely compatible with the locality in this respect. There is no larger parcel of land that this conversion would prejudice the development of. There would be no conflict with the proper planning of the area.

Compatibility with the established pattern of development

The pre application advice went on to state that: "*To allow such proposals can indicate a departure from the long established local pattern of development, this can also make it harder for*

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the Council to resist further (similar) proposals in future which in turn can progressively erode the area's character."

It is fully acknowledged that to the north west of the application site Moorland Avenue is characterised by properties sited either side of the road that have frontages facing on to, and in close proximity to, the road. However, this is not the case to the south east of the site, with many properties that are orientated at 90 degrees to the highway and are set back from the highway by a similar distance to the garage that is proposed to be converted. The position of the proposed dwelling would therefore not be discordant with the character of the locality of the area.

Most significantly, unlike the previous scheme that was proposed at the pre application stage, the application proposes no extension to the existing building and only minor alterations to its exterior. As such, the development does not change the established pattern of development in the locality – it simply involves re-using the existing detached outbuilding. Importantly, the conversion also reuses the existing parking and garden areas that are already regularly used by the host dwelling. As such, there would be no change to the character of the area by way of the introduction of domestic gardens or parking where none presently exists. The development does involve subdividing the existing garden but this in itself would not have any impact on the character of the area as both the resultant garden areas would be comparable in size to many existing gardens in the locality.

It is therefore asserted that the development would have no discernable impact on the local pattern of development.

Orientation of the dwelling

The pre-application advice went on to state that: "*The proposed dwelling would be tucked behind existing buildings, and would be orientated in a way that did not address the principal highway. In this respect the proposed scheme would be strongly at variance with the grain of surrounding development, and so be harmful to the character and appearance of the area.*"

The dwelling as now proposed would have its principle elevation facing south west, directly towards the principle highway so would now be entirely consistent with the orientation of the

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neighbouring dwellings in this respect. It is acknowledged that the dwelling would be set back further from the highway that most existing dwellings in the street, but given that the development simply involves converting the existing building this would not in itself result in any harm to the character of the locality.

It is has therefore been demonstrated that the conversion would not result in any harm to the proper planning of the area, would be entirely consistent with the established pattern of development and would result in no harm to the character of the area. Whilst the LPA's general concerns with backland residential developments are fully understood, the approach to resist such types of development is aimed primarily at new build dwellings and should not be equally applied to appropriate conversion schemes such as this as the visual impacts are clearly quite different. The LPA cannot justify refusal of the application simply because it is positioned further from the road than the existing dwelling. It has been demonstrated that in this instance the development would be entirely compatible with the character of the area and would result in no harm to visual amenity. The proposal therefore fully accords with local and national policies in this respect, including policy HD8 which is permissive of this type of development when all the aforementioned issues are addressed, as they clearly are in this case.

Ground Stability

The proposal would result in the re-use of the existing building and would not require any ground works. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with the guidance contained within the National Planning Policy Framework in this respect.

Ecology

The garage is a modern structure with very solid and in tact roof and walls. As such, the building does not provide a suitable habitat for roosting bats. No tress or any other features that would be of value to ecological interests would be affected by the development.

The proposed conversion will have no detrimental impact on the ecological value of the site.

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8. CONCLUSION

The proposed development represents a sustainable form of development that would not have any unacceptable impact for the reasons set out above. The amendments that have been made to the scheme since the pre-application advice was provided have fully overcome the concerns that were previously raised by the LPA. The proposal would sufficiently accord with adopted planning policy and guidance and the LPA are respectfully urged to grant permission for the scheme.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.

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