
2016/0623

Mr John Trueman

Proposed Cellar conversion to form 2 bedroom self-contained flat.
132 Park Grove, Barnsley, S70 1QE

Site Description

Park road is an attractive Victoria tree lined street that is characterised by attractive stone fronted bay windowed terraces.

The application relates to an end-terraced, stone fronted dwelling with accommodation set over 4 floors (including cellars and rooms within the roof space). To the front of the property is a small walled garden area bounded by a privet hedge and to the rear a modest yard/garden with step providing access from the ground floor to the outside space. The immediate area is predominately residential in nature, made up of similar style terraced and semi-detached dwellings.

There is an adjoining property to the south, a terraced opposite and dwellings at right angle to the East, beyond the rear yard, which front Charles Street.



Proposed Development

The applicant seeks permission to convert the basement into a 2 bedroom flat consisting of an open plan kitchen/dining/living area, 2no. bedrooms and a bathroom. A new access would be created at the rear of the property underneath the existing rear door access steps. There would also be an escape window at lower ground floor level on the front elevation.

The existing and proposed plans show that the ground floor, first floor and second floor would be amended to accommodate what would appear to be a HMO. It would consist of a bedroom and shared kitchen/dining room on the ground floor, 2no. en-suite bedrooms and a separate bathroom on the first floor and 2no en-suite bedrooms on the second floor. However, a residential dwelling can be converted into a HMO accommodating upto and including 6 people without planning permission. As such, the HMO would be permitted development and is not to be considered under this application.

The plans also indicate the inclusion of a rear dormer window which under The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 1, Class A does not require the benefit of planning permission.

Existing floor layout



Proposed floor Layout



Policy Context

Planning decision 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 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.

The Council has produced the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

Core Strategy

CSP 4 'Flood Risk' The extent and impact of flooding will be reduced by expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30%.

CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley. Development should enable people to gain access safely and conveniently.

Saved UDP Policies

Policy H8 (Existing Residential Areas) – Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.

H8D – Planning permission for infill, backland or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

SPDs/SPGs

SPD 'House Extension'

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

Other material considerations

South Yorkshire Residential Design Guide - 2011

NPPF

The National Planning Policy Framework 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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 58 (general design considerations) and paragraph 64, which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Planning History

2016/0416 – Conversion of cellar into 2 bedroom self-contained flat – Refused on substandard amenity grounds.

Consultations

Highways DC – No objections

Ward Councillors – Cllr Green concerned regarding parking, traffic flow, the rise of HMO's within the area, the effect on social cohesion and that, as stated in the deeds, the properties cannot be changed into HMOs .

Pollution Control – No objections

Representations

The application was advertised by way of site notice and the neighbouring properties sharing a boundary with the site were sent a notification letter. As a result of the notification there has been 16no. objections to the proposal. Other than the objections directly in relation to the principle of a HMO, the main points of concern are;

- Proposed separate access out of character
- Overdevelopment of property
- HMO's/flats out of character with the area
- Increased parking problems
- Reduced highway safety
- Littering

Assessment

Principle of development

Planning permission for single dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing/future residents and/or create traffic problems.

This application relates only to the conversion of the Cellar into a single 2 bedroom flat. The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 3, Changes of Use, Class L 'Small HMO's to dwellinghouses and vice versa', states that development consisting of a change of use of a building from a use falling within class C3 (dwellinghouses) of the schedule to the use classes order, to a use falling within class C4 (houses in multiple occupation) of that schedule.

Residential Amenity

The main concern with the proposal is the residential amenity levels for the future occupants of the basement flat. The main living space (kitchen/lounge/diner) would be located to the rear of the property and would be served by a single window opening and the door to serve the property. The door would be fully screened by the access steps serving the ground floor with the small window being partly screened by these steps; this in addition to their location on the eastern rear elevation would reduce the amount of natural daylight and ventilation serving the main living area of the property.

The bedroom is to be located on the front elevation and would be served by a small light well which would sit within a relatively narrow space the glazing being situated below the adjacent ground level. In addition to the lack of daylight within the property there would also be poor levels of outlook, with the family room, where the occupants would likely spend the majority of their time, having limited levels of outlook due to the window being screened in part by the access steps. It is considered that the flat would fail to provide what could reasonably be described as a good standard of amenity and would fall below an acceptable standard of amenity for future occupants.

Although each case should be assessed on its own merit, the proposed basement flat would be the first one on Park Grove. This could make it increasingly difficult for the Council to resist further similar applications in the future and could impact on the residential amenity of the area and local residents.

As a result of the comments above the levels of residential amenity for future occupants would be substandard, therefore, the proposal is contrary to SPD 'Designing New Residential Amenity' and the South Yorkshire Residential Design Guide.

Visual Amenity

The only external alteration would be the creation of the small light well within the front garden to serve the proposed basement bedroom. It would not be highly visible, apart from when directly in front of the property, but it would be an alien feature given that there are no existing conversions on the streetscene. As outlined above, each case should be assessed on its own merit but it would make it increasingly difficult for the Council to resist further similar applications which could erode the character of the streetscene and change the nature of the area to the detriment of visual amenity, contrary to CSP29.

Highway Safety

It is acknowledged that there are historic parking issues within the area given the majority of properties are not served with off street parking, these issues are further exacerbated due to parking demands placed from neighbouring medical centres, shops and schools. The proposal does not allocate any off road parking for the basement flat or the dwelling above, however, given the likely modest increase in vehicles as a result of the proposed flat (the HMO does not require permission and is not considered under this application), and, the proximity of the site to Barnsley Town Centre, Highways DC have raised no objections.

However, once again, if similar applications followed this application it could lead to further parking problems within the area to the detriment of the free flow of traffic, contrary to CSP 29 and SPD 'Parking'.

Conclusion

The proposed flat would result in sub-standard levels of amenity for future residents given the poor outlook and amount of natural day light and ventilation that the accommodation would be served with. Furthermore, the flat would be the first one on Park Grove and, while each case should be considered on its own merit, it would make it increasingly difficult for the Council to resist further similar applications which could erode the visual amenity and overall character of the area, contrary to CSP 29.

Recommendation - Refuse