
Ref 2022/0616

Applicant: Mr Ben Shufflebottom

Proposal: Erection of 3 storey extension to the side/rear to form new 6 bedroom house of multiple occupation (HMO) and associated external works

Address: Land adjacent 4 Springfield Place, Barnsley, S70 6HJ

Site Location and Description

The application property is located at the end of Springfield Place, a small cul-de-sac located off Dodworth Road near to Townend Roundabout that contains residential properties including a number of houses converted into flats and Houses of Multiple Occupation (HMO's). No.4 is located at the end of the existing terrace of properties meaning that the side of the building faces the adjacent road, Springfield Street. Associated with the property is a garage block located on the land at the side of the property on Springfield Street rather than Springfield Place which contains three garages. A pedestrian link between Springfield Place and Street passes in front of the building.

The existing building is 2 ½ storey with the land at the side of the property to the north on Springfield Street being located on a lower land level. The property is surrounded by development on all sides. In close proximity to the site is Springfield House which until recently provided office accommodation for the Council. This building now benefits from consent to be converted into 66no apartments utilising permitted development rights available in the Town and Country Planning (General Permitted Development) (England) Order 2015.

**Site History**

2010/0476 – Erection of 1no. studio flat. Refused and dismissed at appeal 15/06/2010.

2012/0698 – Conversion of basement to self-contained flat – Refused 30/07/2012.

2012/1077 – Conversion of basement to self-contained flat – Approved 26/10/2012.

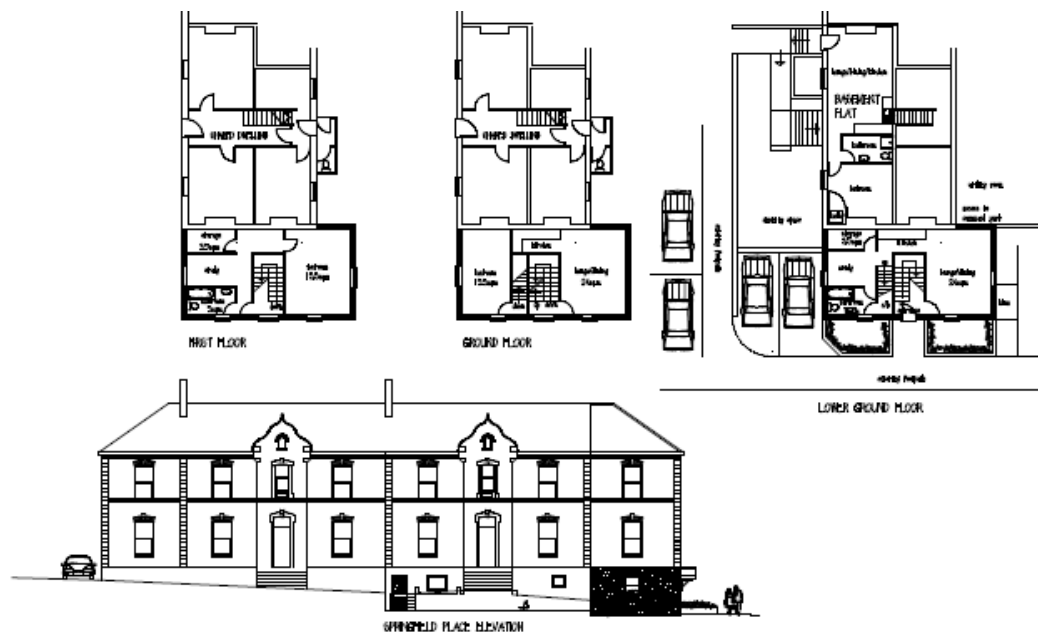
2013/0156 – Erection of 1 no. self-contained apartment – Approved 08/04/2013.

2014/0382 – Erection of 3no apartments - Approved 10/06/2014.

2015/0497 – Variation of condition 3 of previously approved 2014/0382 to change 3no. apartments to house in multiple occupation (HMO) – Approved 01/07/2015.

2018/1146 – erection of 3.5 store side/rear extension to accommodate HMO (max 6 person) – refused against officer recommendation at PRB but subsequently withdrawn.

2019/0836 - Erection of 3 storey side/rear extension to create 2 no. 1 bedroom apartments and associated external works – Approved Subject to conditions

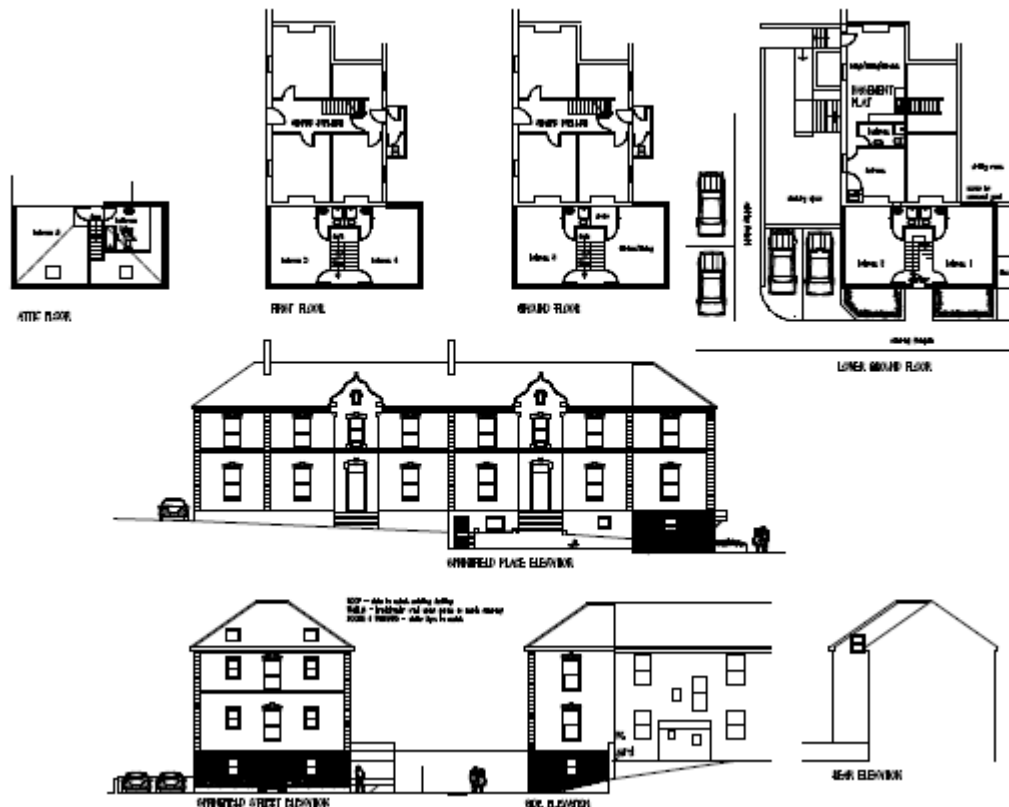


Proposed Development

The applicant seeks permission to erect a 3 storey side/rear extension to the existing building to create a 6 bedroom HMO. The extension would accommodate 2no. en-suite bedrooms on the ground floor, a shared kitchen/dining room and en-suite bedroom on the ground floor, 2no en-suite bedrooms on the first floor and en-suite bedroom in the roof space.

Externally there are 2no. off street parking spaces accessed off Springfield Street, a small buffer garden and bin store.

Externally the extension is identical to that approved under application 2019/0836 with the exception of the rooflights which have been added to create rooms within the roof space. That application expired in September 2022.



Policy Context

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).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

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

Policy H1 The Number of New Homes to be Built

Policy H4 'Residential Development on small non-allocated sites'

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

SPD's

Those of relevance to this application are as follows:

- Designing New Residential Development
- Parking
- Sustainable Travel

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.

Para 130 – sets out the requirements for development in terms of layout and design.

Consultations

Highways DC – No objections subject to conditions and informatives

Reg Services – No objections subject to conditions

Ward Cllrs – one no. Cllr objects to the development given the number of HMO's within the area which has resulted in an article 4 direction.

Representations

23 No. neighbouring properties were consulted on the application and a site notice was erected within the immediate area. 1 no. letter of objection was received; the main points of concern are;

- Are already overpopulated/overcrowded
- Additional refuse containers
- Historic parking issues within the area which the development will add to
- Negative impact on residential amenity

Assessment

Principle of Development

The site is located within Urban Barnsley on the outskirts of Barnsley Town Centre. The significance of the site being located in Urban Barnsley is that it is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

The site is allocated as Urban Fabric within the Local Plan. Local Plan policy H4 'Residential Development on small non-allocated sites' states 'proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies within the plan.

The site is also a predominantly brownfield site, especially where the existing building and hard standings are. Therefore, the development would represent the effective and efficient re-use of previously developed land on a site that is located within the Urban Barnsley Area. Furthermore, by recycling derelict/vacant brownfield land in an accessible part of Barnsley the development is a form of sustainable development, which would improve the economic, social and environmental conditions in the area, in accordance with Local Plan Policy SD1 'Presumption in Favour of Sustainable Development'. In addition, paragraph 120 (c) states that substantial weight should be afforded to the value of using suitable brownfield land within settlements for homes and other identified needs.

All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

With the exception of the roof lights, externally, an identical application was previously approved under reference number 2019/0836. That application was assessed under current policies and guidelines but internally the extension accommodated 2no. 1 bedroom apartments. That application expired in September 2022.

It should also be noted that application 2018/1146 was for an identical 6 bedroom HMO and was recommended for refusal by Planning Regulatory Board members, however, the application was withdrawn before a decision was issued.

In recent years conversions to HMO's/bedsits have been taking place at an increasing rate in the borough. This has been a problem particularly in Urban Barnsley around the Town Centre. So much so that an article 4 direction came into force in June 2021 (*Article 4 Direction 1/2020*) (after the previous approvals on the site) so that C3 dwelling houses cannot be converted to C4 properties without planning permission. In turn, a large number of planning applications for HMOS, including several along and around Dodworth Road, have been refused in recent years.

Section 26 of SPD 'Design of Housing Development' relates to the conversion of buildings to residential accommodation and outlines acceptable concentration levels of HMO's and Bedsits. The SPD also sets out a number of criteria that has to be met in order for such application to be supported.

This application will be assessed under the following headings;

Residential Amenity

The proposed extension itself, with the exception of the roof lights, would remain the same as several approvals on the site including the 2019 application which was assessed under currently adopted policies and guidelines. As such, the majority of the residential amenity comments remain;

The proposal would result in the existing building extending out by a further 5.4m towards Springfield Street. A pair of semi-detached dwellings are located opposite the proposal to the north east, however, they do not directly face the site and there would be a separation distance of approximately 16.5m. As a result the proposal would not give rise to any significant problems by way of overshadowing or over dominance affecting those dwellings. Furthermore the development would not project any closer to properties located on Springfield Place and Dodworth Road than the existing property.

In terms of privacy levels it is acknowledged that a number of habitable room windows are proposed on the North elevation facing Springfield Street which span over 3 floors. However, the dwellings opposite do not directly face the site and as mentioned above, there is a separation distance over 16.5m to the two dwellings diagonally opposite meeting the criteria set out in the SPD which states 'where front elevations face a road the dwellings should be no more than 19m apart'. In addition the proposal achieves a streetscape that reflects local character given the existing separation distances evident to the east of the site.

There are habitable room windows proposed in the western elevation which face the parking areas and amenity space associated with 119 Dodworth Road. These have the potential to cause some overlooking given the close proximity of the elevation to the boundary. However, the rooms which the windows serve would be dual aspect. Therefore the issue can be overcome via the imposition of an obscure glazing condition.

It is acknowledged that the main elevation would be north facing. However, the units would be served by ample windows and a number of the rooms would be dual aspect. As such, there would be acceptable levels of light and outlook.

The additional windows proposed within the roof would serve habitable rooms and would face neighbouring properties, however, given the separation distances outlined above, as well as the height of the windows, they would not significantly increase overlooking compared to previous approvals.

The previous approval was for 2no. 1 bedroom apartments which would house a maximum of 4no. residents whereas the proposal is for a 6 bedroom HMO. It is acknowledged that HMO's have been approved on the site previously but these were prior to the currently adopted policies and guidelines and pre-date the article 4 direction. The increase in residents could potentially increase noise and disturbance compared to the flats, especially as they are generally unrelated individuals with separate lives, movements and guests. This could cause nuisance to the neighbouring residents, contrary to Local Plan Policy GD1.

In terms of the amenity of the future residents of the scheme, there is limited outdoor amenity space and no private amenity space, which is contrary to the SPD and policy GD1. Although, it is acknowledged that was the case for the previous approval and the location of the property is within close proximity to outdoor amenity spaces and the facilities on offer in the town centre.

The proposed layout of the development only provides 1no shared internal space which would act as kitchen/dining room; however, SPD 'Design of Housing Development' also requires a shared lounge in a HMO. Furthermore, if the applicant was planning for the kitchen/diner to be an open plan kitchen/dining/living area to serve the residents, for a dwelling of this size it would need to measure at least 30m², whereas the room proposed is 19.4m², considerably short of the requirement.

Visual Amenity

As outlined above, with the exception of the modest roof lights, the extension is identical to the previous approval so the comments on that application still apply;

The development would mainly impact on the Springfield St street scene. This particular street scene lacks continuity given that a large length of the road is fronted by rear boundary walls or garages as opposed to being fronted by properties on both sides as per many more conventional streets.

There are a large number of garages fronting onto Springfield Street that have been built to the rear of properties in Dodworth Road. Most like the ones on the application site do not make a positive contribution to the street scene.

The proposed extension to the existing building is designed to mirror the opposite end of the terrace, on the corner of Springfield Place and Dodworth Road, which incorporates a hipped roof. The fenestration and details such as brick banding is also carried on throughout the proposed build in order to harmonise and maintain the character and rhythm of the streetscene, in accordance with Local Plan Policy D1.

It is acknowledged that the new addition would not include a set back or reduced ridge height from the host dwelling to distinguish it however, there is a vertical brick banding between the existing and proposed which separates the two visually.

The Northern elevation of the proposal would be approximately two metres from the back edge of the footpath and be a prominent feature on the streetscene, especially as accommodation would be over 3 floors. However, it would be no higher than the existing elevation which it extends. The scheme also incorporates an element of landscaping between the elevation and the back edge of the footpath which would soften the development slightly.

The Springfield Street elevation incorporates a number of openings which breaks up the expanse of brickwork and adds interest and, despite the immediately adjacent buildings being set back from the highway; there are a number of structures the same distance or closer to Springfield Street, including the apartment buildings to the east. As such, the proposal would be in keeping with the street scene.

The extension projects beyond the existing rear (West) roof plain, and at a greater height, resulting in an area of brick work above the existing roof slope. However, this would be in a non-prominent position and would have minimal impact on the visual amenity of the area. Overall it is considered that the design of the development would be sufficiently in keeping with the existing building and the area as a whole.

Despite the comments above about the physical appearance of the works, the actual use of the building as a HMO within an area which already accommodates a number of HMO's and bedsits/small flats can further erode the character of the area to the detriment of the visual amenity of the streetscene, contrary to Local Plan policy D1.

This is the case in similar areas across Urban Barnsley where there are a number of HMO's resulting in vacant properties, numerous boards advertising rooms to let and a larger amount of refuse containers than associated with family homes, to the detriment of visual amenity.

Highway Safety

The proposals are to provide 2 parking spaces for the development and retain 3 for the existing property. The number of 5 spaces is sufficient to ensure that parking provision across both the existing and proposed properties complies with the SPD. Furthermore, the parking requirement for the previously approved 2no. flats is the same as the currently proposed 6 room HMO.

Furthermore it would not be reasonable to insist upon further provisions given the proximity of the development to the Town Centre. In addition Springfield Street has double yellow lines along both its sides and a small amount of residents' parking spaces (permit holders) to protect against illegal parking.

Highways DM have assess the application and, as with the previous approval, have not raised objections subject to conditions and informatives.

Conclusion

As outlined in the principle section above, the site is located within Urban Barnsley on the outskirts of Barnsley Town Centre. The significance of the site being located in Urban Barnsley is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

The design and scale of the extension is also almost identical to a 2019 application on the site which was approved under policies and guidelines which are still adopted, as such, there is no objection to the building works proposed in terms of design and appearance. Although, the use of the building as a HMO can have a negative impact within an area which already accommodates a number of HMO's and bedsits/small flats by further eroding the character of the area to the detriment of the visual amenity of the streetscene, contrary to Local Plan policy D1. This is the case in similar areas across Urban Barnsley where there are a number of HMO's resulting in vacant properties, numerous boards advertising rooms to let and a larger amount of refuse containers than associated with family homes, to the detriment of visual amenity.

The increase in residents could potentially increase noise and disturbance compared to the previously approved flats, especially as the residents are generally unrelated individuals with separate lives, movements, deliveries and guests. This could cause nuisance and disturbance to the neighbouring residents, contrary to Local Plan Policy GD1.

In terms of the amenity of the future residents of the scheme, there is limited outdoor amenity space and no private amenity space. The proposed layout of the HMO itself only provides 1no shared internal space which would act as kitchen/dining room; however, SPD 'Design of Housing Development' also requires a shared lounge in a HMO.

Recommendation

Refuse