

2024/0839

Ms Spaul

24 Dobie Street, Barnsley, S70 4JH

Conversion of redundant building to 4no 1 bedroom apartments, 1no 1 bedroom duplex apartment and 3no studio apartments

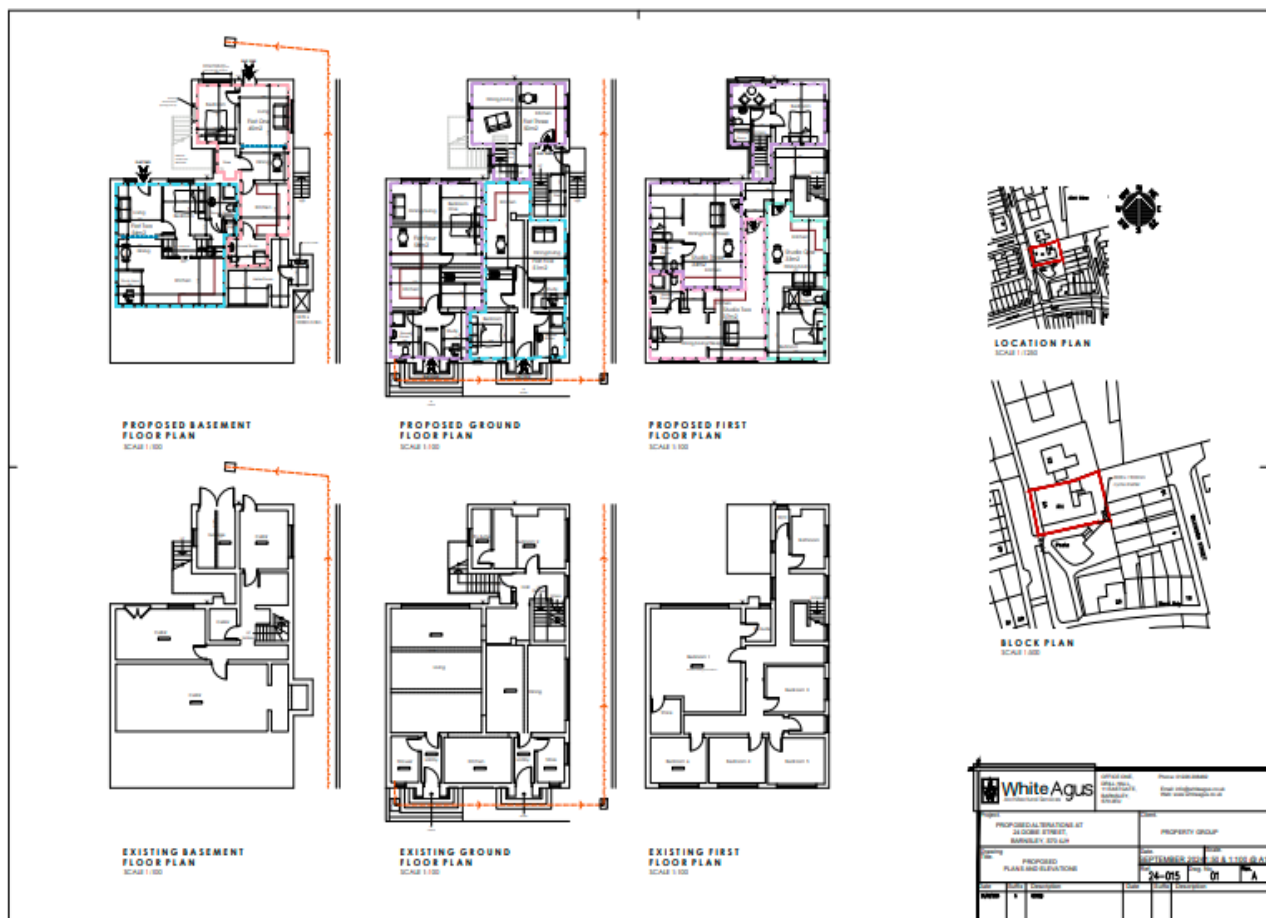
## Site Description

The building (24 Dobie Street) is an existing dwelling and former public house located on Dobie Street in Barnsley. The building although converted is still in the guise of a public house and does not resemble that of a dwelling even a large one. The building is mainly brick built with a flat roof and is two storeys with an additional basement level. Dobie Street has a predominantly residential street scene featuring a mix of two storey terraced dwellings and semi-detached bungalows. There is no onsite parking for the building. Adjacent the building is Cope Street Play Area.

## Relevant Planning History

2011/0325 - Change of use from public house (Class A4) to residential (Class C3) (Approved with Conditions)

## Proposed Development



The applicant is seeking approval for the conversion of the building to four one bedroomed apartments, one, one bedroomed duplex apartment and three studio apartments. The basement level features two flats, the ground floor level features two flats and half the duplex with the other half and the three studios on the first floor. All the flats feature a bedroom, shower room and a combination of a kitchen/dining/living room. There are no significant external alterations proposed to the building besides a Juliet balcony as part of a rear extension at first floor level to accommodate the duplex apartment. The height of this extension does not exceed the existing roof height, and the roof type is to match. The materials and rest of the roof will remain as existing.

## **Policy Context**

Planning decisions 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 Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

## **Local Plan Allocation – Urban Fabric**

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).

In reference to this application, the following policies are relevant:

**Policy SD1: Presumption in favour of Sustainable Development** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**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 GD1: General Development** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**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 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** – Development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. 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 T3: New Development and Sustainable Travel** – New development will be expected to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

**Policy T4: New development and Transport Safety** – Expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

#### Supplementary Planning Documents

Those of relevance to this application are as follows:

- Design of Housing Development
- Parking
- Sustainable Travel

#### Other Guidance

- South Yorkshire Residential Design Guide

#### National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant sections include:

- Section 9: Promoting Sustainable Transport
- Section 12: Achieving well-designed and beautiful places

#### **Consultations**

Central Ward Councillors were consulted and commented with regards the proposed occupants of the building. The proposed units are listed as market housing.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Pollution Control were consulted and raised no objection subject to conditions.

Waste Management were consulted and raised no objections.

#### **Representations**

Neighbour notification letters were sent to surrounding properties and a site notice posted, one objection was received and in summary raised the following points.

- It will be used as an HMO and more than eight residents; eight flats are far too many.
- Where will all the cars be parked and how will this impact existing parking arrangements.
- Extra noise created from the apartments.
- Adjacent bungalows have family visiting and require ambulance access.

Barnsley has an Article 4 Direction (Article 4 Direction 1/2020) relating to development consisting of a change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (houses in multiple occupation) of that Schedule which removed permitted development rights for this type of development from 24th June 2021. Therefore, a change of use to an HMO would require planning permission to which this application does not seek. The application is for individual independent apartments which are accessed separately and not part of the same unit.

## **Assessment**

### Principle of Development

The site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings. In this case the street is predominantly residential and as such the use of this site for residential uses would be in keeping with the locality and the existing use of the building which is already established.

Policy H9 'Protection of Existing Larger Dwellings' states '*development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. 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.*' Although the proposal to create individual self-contained apartments within the building would mean the loss of an existing larger dwelling that could be suitable for a family home there are unique circumstances in this case regarding the building which allows the proposed subdivision to be acceptable.

This is because of the existing building that is still clearly in the form of a public house given its external features and size which is considerably large, especially when compared to the adjacent dwellings. This when combined with the building's flat roof, materials and fenestration takes away from its suitability as a larger dwelling. The design of the building is better suited to be used as flats given that the existing dwelling has six bedrooms and that is without any habitable rooms being in the basement level. It is considered that because of the appearance of the building and the lack of parking, that this property would not be as attractive as a family home and therefore its loss would be negligible to the stock of larger dwellings within the borough.

Furthermore, 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.

### Residential Amenity

The proposal involves the creation of new residential units and other residential properties are adjacent and most notably to the north and east, but also to the south and west, therefore the impact upon the residential amenity of these properties is an important consideration. The site was previously a public house and has since received planning permission to be converted into residential units and there are no major external changes proposed to the building. Additionally, the use of the site for residential purposes is in keeping with the adjacent uses.

In terms of external spacing standards and overlooking, the SPD Design of Housing Development states that a minimum of 21 metres should be achieved between facing habitable room windows, and 12 metres should be maintained between habitable room windows and a blank side elevation. Habitable room windows will face the adjacent dwellings as the habitable room windows are located on the front, rear and side (south) elevations, however the closest adjacent dwelling to the north (22 Dobie Street) has no habitable room windows facing it. The dwellings to the east are not set directly in line with habitable room windows and the small window on the rear elevation closest them is existing. The distance from the rear elevation to the dwellings to the east is 15 metres however the proposed Juliet balcony is slightly offset from looking onto the dwellings to the east and would instead predominantly look over a patch of spare land.

The dwellings to the south are 22 metres away and therefore the separation distance is acceptable. It is noted the majority of the habitable room windows are located on the side (south) elevation. The dwellings to the east although only 13 meters away are intercepted by the highway (Dobie Street) and the existing habitable room windows in the dwelling at first floor level already face onto them as existing. There are no fenestration changes proposed to this elevation.

The proposal should not cause any significant increase in overshadowing or overbearing impact to any neighbouring dwelling as it is an existing structure therefore its impact will not change from that of the existing. It is noted the building is large when compared to the existing adjacent dwellings however the building is well established and any negative impacts are already present. Even though it is set to the south of neighbouring dwellings the closest adjacent one is also two storeys which lessens the impact somewhat.

In terms of noise from surrounding uses, it is noted that the proposed apartments will be located on a predominantly residential street therefore with existing residential uses present, commercial noise would not be considered a significant issue. In addition, the LPA's Pollution Control team have raised no objections to the scheme.

The proposed internal dimensions for the three studio apartments meet the standards for studio flats within the South Yorkshire Residential Design Guide (SYRDG) as the minimum floorspace for a 1 bed studio is 33sqm and the proposed studios have floorspaces of 33sqm, 34sqm and 37sqm. The proposed internal dimensions for the proposed five one bed roomed apartments don't fully meet the standards for one bed roomed flats within the South Yorkshire Residential Design Guide, however in summary the proposed sizes are still acceptable, and a breakdown of the flats is below.

Flat one has acceptable sizes for the living/dining room, kitchen and shower room however the proposed bedroom falls short of the requirements of 12sqm for a double bedroom. However, the proposed bedroom does meet the size for a single bedroom, therefore on that basis it is acceptable as a single bedroom. It is noted the size of the flat in total is 1sqm short of the 46sqm recommendation in the SYRDG however this is not deemed to be significantly harmful.

Flat two has acceptable sizes for the kitchen/dining room, double bedroom and shower room however the proposed living room falls short of the 13sqm recommendation. If the living room was combined with the kitchen/dining room to create an open plan kitchen/dining/living room than the size in total would be acceptable as such the smaller proposed living room is not deemed harmful.

Flat three is the duplex apartment and has an acceptable size for the double bedroom but falls slightly short on both the shower room and combined kitchen/dining/living room, however the size of the bedroom could also feature a separate seating area to accommodate for this. Both discrepancies are less than 2sqm and are therefore not deemed to be significantly harmful to

residential amenity. Furthermore, it must also be noted with all these that the proposal is a conversion and therefore the original fabric of the building has to be accounted for.

Flat four has an acceptable size for the double bedroom and shower room but falls slightly short on the kitchen and dining/living room. It is noted there is a study which also takes up room that could be used as living space to make up for the loss of living room space. It is also noted the flat is the biggest out of all the units for the proposed conversion.

Flat five has an acceptable size for the shower room and the double bedroom. Furthermore, the combined kitchen/dining/living room only falls 1sqm short of the recommendation. This flat also has a study and is acceptable in terms of the total size of the unit.

Shared private amenity space for flats should be a minimum of 50sqm plus and additional 10sqm per unit either as a balcony space or added shared private space. The residents have access to a rear yard area which provides over 70sqm of space however the quality of this space is poor. The amount of shared private space to be provided can also depend on the quality, quantity and accessibility of local public open space and the site is adjacent Cope Street Play Area which provides easily accessible green space.

Additionally, within the wider area of the site there is Locke Park and the Dearne Valley Country Park and Dearne Valley Green Heart partnership, which is one of the only 12 nature improvement areas in England which is creating a healthy and attractive natural environment providing plenty of outdoor amenity space within the local area. Given that the one bed apartments are very unlikely to appeal to families, it is considered that there is acceptable outdoor amenity space for the proposed scheme given the nearby facilities as well as the close proximity to the Town Centre and the amenities provided there. For the above reasons, the proposal is not expected to be detrimental to the residential amenity of the neighbours nor the future occupiers in line with the standards set within the SPD and the SYRDG. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

### Visual Amenity

There will be no significantly harmful impact to visual amenity from the proposed conversion. The materials are to be retained as existing whilst maintaining the core design of the existing building. There is to be no significant change to the outside of the property therefore the visual amenity of the street scene is not expected to be compromised. The proposal is therefore acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and policy D1 of the Local Plan.

### Highway Safety

The application proposes to convert an existing building from a large residential dwelling into 8no. one-bedroom apartments of varying internal layouts on the site of the former Morning Star Public House. The site has an existing gated pedestrian access to the southern side of the building and has no vehicular access. The property is located on Dobie Street, a residential road to the north of Worsbrough Common on the southern outskirts of Barnsley town centre.

In terms of parking requirements, the parking SPD states that one space should be provided per dwelling having one to two bedrooms along with one visitor parking space per four dwellings. The proposals therefore require a total of ten spaces; however, the site has no existing off-street parking provision, and none is proposed. Discounting the two spaces required by the sites' existing use, the proposals result in an additional shortfall of eight parking spaces.

By way of addressing the issue of the lack of any parking provision within the site, a 'Parking Stress Survey & Analysis' document has been submitted in order to identify whether the parking demand from the proposed development can be accommodated by way of on-street parking on the local highway network. The document includes a comprehensive survey of the existing parking situation on the surrounding streets within a 200 metre/2-minute walking distance of the site.

The survey reveals that there is a total of 227 legal on-street parking spaces within the surveyed area, the survey was carried out overnight during both a weeknight and a weekend. The results of the survey show that of the 227 identified spaces, a total of 83 spaces were available during both the weeknight and weekend surveys, this equates to 36.5% availability. On Dobie Street itself, the availability during both surveys was considerably higher than the overall average with 24 of the 39 spaces being free, an availability rate of 62%. The survey does serve to demonstrate that sufficient on-street parking is available within the vicinity of the site to accommodate the development.

The site sits on the southern outskirts of Barnsley town centre and therefore benefits from a number of amenities, services and facilities within walking distance of the site. The nearest bus stop is located to the west of the site on Warren Quarry Lane at a distance of approx. 170 metres which gives access to a service running between Barnsley and Gilroyd. However, the main bus route within walking distance of the site is the A61 Sheffield Road to the west; a bus stop can be reached within a distance of approx. 300 metres. The sites' location also provides good pedestrian and cycle access and therefore complies with NPPF 9: Promoting Sustainable Transport policies and Barnsley Local Plan (January 2019) Policy T3 New Development and Sustainable Travel.

The plans include a cycle shelter of sufficient size to accommodate a total of 8 bicycles (1 per dwelling) and identifies an area that can accommodate a 1270mm x 1000mm (1100 litre) bin. It is considered that the proposals would not significantly impact upon the highway and are therefore acceptable from a highway's perspective.

## **Recommendation**

**Approve with conditions**