Ref: 2022/0775

Applicant: Mrs Nari

Agent: Mr J Purdy

Description: Change of use from office and domestic living to an HMO providing 5 single rooms and shared facilities.

Address: 136B High Street, Thurnscoe, Barnsley, S63 0RH

Site Description

The subject property is located on the corner of High Street and Butcher street, Thurnscoe and comprises three stories with a front dormer.

The surrounding area is predominantly residential in nature with a mixture of dwellings in style and size being noted within the street scene. The Butchers Arm PH is sited to the east of the site.

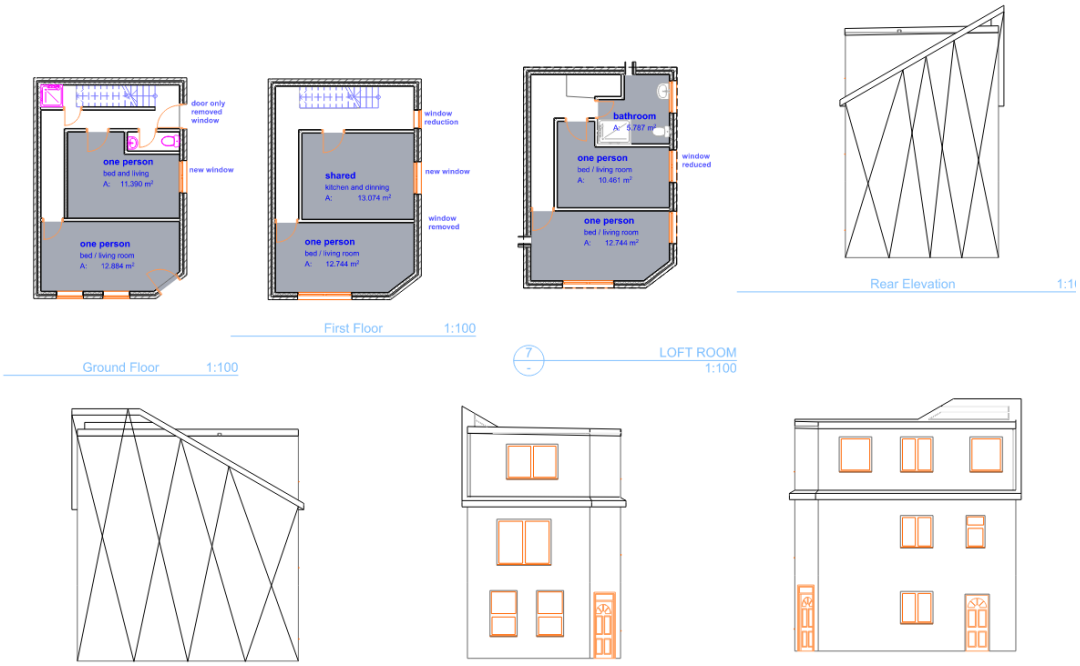
A Design and Access statement has been submitted to support the application and states that the building is currently unused with the last use being an office at ground floor and domestic living on the upper two floors.



Existing Plan

Proposed Development

This application is seeking permission to change the use of the property to a Home in Multiple Occupation (HMO). The HMO will provide five single person rooms with shared communal facilities.



Proposed Plans

History

No relevant history.

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 new Local Plan was adopted at the full Council meeting held 3rd January 2019. 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.

SD1 'Presumption in Favour of Sustainable Development'.
GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.
LG2 'The Location of Growth'
H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546
H9 'Protection of Existing Larger Dwellings'
T3 'New Development and Sustainable Travel'.
T4 'New Development and Transport Safety'
D1 'High Quality Design and Place Making'
Poll1 'Pollution Control and Protection'

SPD's

-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

Highways - No objections

Pollution – Recommend approval subject to condition.

Drainage – No objections, can be signed off by building control.

Yorkshire Water- No comment.

Representations

The application was publicised by neighbour notification letters. Five objections, including one from Councillor Cain, have been received raising the following concerns:

- There are a number of one bedroom flats in the area that are available.
- No opportunity for parking as it is a main road
- Will cause congestion
- Building is opposite a church hall and theatre and they hold events
- Myself and other local Councillors feel a HMO is inappropriate for this area.
- Feel there will be drug takers and alcoholics next door
- Won't feel safe in own home
- Five extra people may have cars which will make the road dangerous
- Illegal parking
- Lower the value of homes
- People who live here have been found guilty of crimes
- Children won't be safe

- Dustbins for property would be on the pavement
- Disturbed nights
- Smoking

Assessment

Principle of Development

Local Plan policy H9 'Protection of Existing Larger Dwellings' states the loss of existing larger dwellings will be resisted. SPD 'Design of Housing Development' states that larger dwellings are those that have four or five bedrooms or are capable of accommodating four or five bedrooms without significant adaption.

In recent years conversions to HMO's/bedsits have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes (or buildings capable of accommodation 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. So much so that an article 4 direction came into force in June 2021 (Article 4 Direction 1/2020) so that C3 dwelling houses cannot be converted to C4 properties without planning permission.

In order to further protect larger homes, we will resist the conversion of larger homes into flats and other non-self-contained housing such as Houses in Multiple Occupation and support their re-introduction into family-sized homes. As such, the creation of a HMO, as proposed, within a property which is capable of accommodating a 4 bedroom plus 'larger home' without significant alteration would be contrary to policy H9. However, it should be noted that the subject property does not benefit from private amenity space, nor off street parking or cycle storage and as such it is unlikely that a family would reside in a property such as this one as they would not have the appropriate facilities to ensure an adequate standard of residential amenity.

Section 26 of the SPD relates to the conversion of buildings to residential accommodation and outlines acceptable concentration levels of HMO's and Bedsits. In terms of concentration the property is at the end of a row of dwellings with houses opposite so won't result in an over concentration of HMOs at this location. The SPD also sets out criteria that has to be met in order for such application to be supported. In any case, 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. The proposed is assessed against these criteria below:

Design / Visual Amenity

The application proposes a change of use of the property with minor physical alterations; these alterations include the removal and replacement of windows to the right side of the dwelling. This alteration is considered to be minor and as such there are no objections in terms of visual amenity and the proposed will accord with Local Plan Policy D1.

Residential Amenity

The proposed HMO has a small kitchen and dining area at approximately 13.2sqm. The South Yorkshire Residential Design Guide states that a kitchen/dining room should be 12sqm for a 4 bed, 5 person or more, as such the proposed kitchen/dining area would meet the standard. It should however be pointed out that there is no shared lounge which a HMO requires as per Section 26 of the Design of New Housing SPD.

The bedrooms have been shown on the proposed plans as being single bedrooms. The South Yorkshire Residential Design Guide states that the minimum GIA should be 7sqm and at least 2m in width. All bedrooms would meet the minimum standards.

In considering the above, the internal living space does not comply with the SPD or design guidance given there is no shared lounge or dining area. Further, the SPD also states that external amenity space should be at least 60m2. There is no useable space to the rear of the property. The living conditions would therefore be detrimental to the residential amenity of residents, contrary to Local Plan Policy GD1.

It is noted that the number of adults in the property would be an increase over and above what is likely to be accommodated if the property were a family home, however the area is a busy residential area with flats, mixed housing and a pub a short walk down the road and therefore the increased noise would not be above and beyond what is already experienced in the area and it is therefore considered there would not be a detriment to the adjoining neighbouring properties.

Highways Safety

The proposals comprise the conversion of an existing 38m² of office use and 2 bed living accommodation into a 5no. 1 bed HMO. The property is located on a corner plot at the junction of High Street and Butcher Street, parking restrictions in the form of double yellow lines are in place along the High Street site frontage. Butcher Street is primarily residential in nature, some properties have driveways but on-street parking is prevalent to both sides of the road.

In terms of parking provision, both the existing and proposed uses require two parking spaces in accordance with the Councils SPD: 'Parking'. Although the site unfortunately has no off-street parking provision, the more relevant matter to consider is that the proposals do not result in an increase in the requirement for parking provision beyond the level already required for the extant use and an objection on this basis would therefore be difficult to substantiate.

Rather than being marketed towards non car users, HMO's are now often aimed towards young professionals (who will likely have cars) as a way of providing a lower cost means of living and this therefore results in a significant increase in demand for on-street parking spaces. However, with regard to this property, taking into consideration the size of the proposed living spaces along with the shared kitchen and bathroom facilities, it is likely that these rooms will appeal to persons for whom car ownership is perhaps a less likely prospect and as such there should be no perceptible impact in terms of on-street parking.

In view of the above, the proposals are considered to have minimal highway implications and as such there are no objections on highways development control grounds.

Pollution Control

Colleagues in Pollution Control were consulted and it is considered that this type of development has the potential to have an adverse impact on health and the quality of life of those living and/or working in the locality; approval with a condition restricting the hours of construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials is therefore recommended.

Conclusions

The proposal is contrary to the aims of Local Plan Policy H9 which seeks the re-establishment of buildings into single family sized houses, however in this instance it is considered that a family are unlikely to reside in this property due to lack of private amenity space, off street parking or cycle storage and therefore on balance the change of use to a HMO would be acceptable.

The shared facilities for future residents of the property (internal and external) would be inadequate and would not meet the requirements set out in SPD 'Design of Housing Development' and would be contrary to Local Plan policy GD1.

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

Recommendation: Refuse