

**2024/0016**

Mr Stephen Aisenthal

Conversion of first floor to 6 flats and external alterations including removal of cladding and replacement windows

31 - 35 Doncaster Road, Goldthorpe, Rotherham, S36 9HG

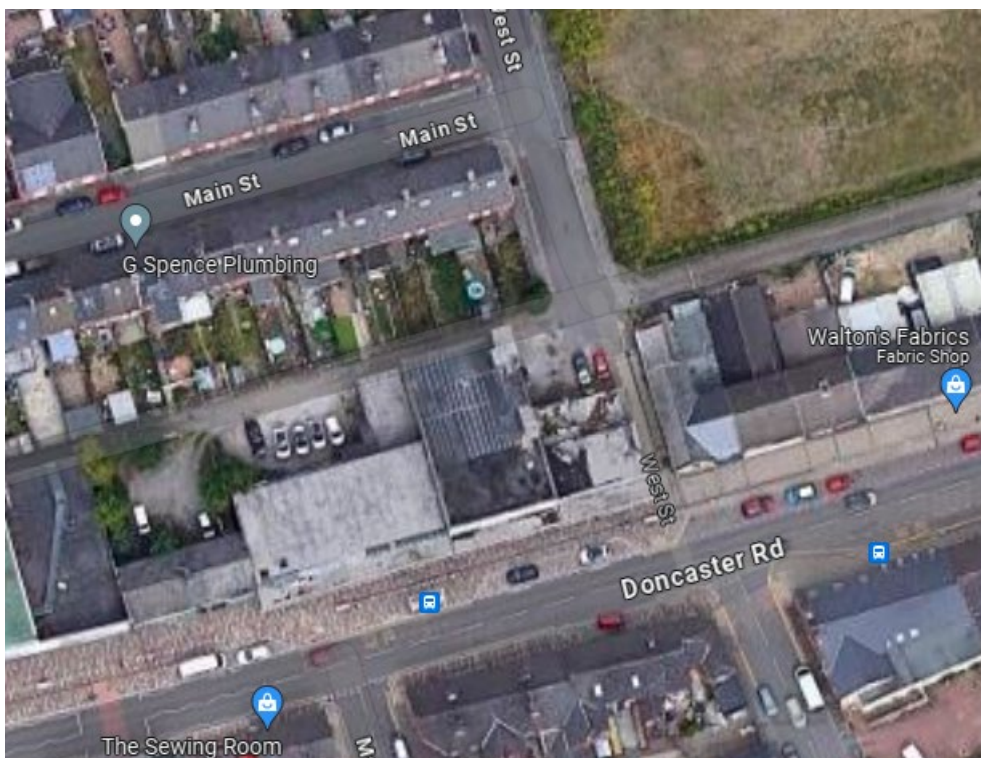
### **Planning History**

No relevant planning history

### **Site Description**

The site is in relation to an attached, two storey building located on Doncaster Road in Goldthorpe. The ground floor is in retail use and the first floor appears to have been used for storage purposes. The building does not have windows at first floor to the frontage and is clad with metal cladding to the first floor. There are windows to the first floor at the rear overlooking properties on Main Street, which is a row of terraced properties. These dwellings have small rear garden areas which back onto a small access road which separates the building with the residential uses.

The site is located centrally within the District Centre of Goldthorpe within a primary shopping frontage. Their site plan shows access to the site from the rear of units 37 – 41 off West Street to the north.



### **Proposed Development**

This application relates to the conversion of the first floor of the building into 6 flats and external alterations including removal of cladding and 5 new windows to the first floor

frontage. The apartments would be accessed via a staircase at ground floor to the rear/side of the building. The apartments have been designed with only windows to the lounge areas. The apartments consist of a shared bedroom/lounge, a bathroom and a separate kitchen. A storage cupboard is also provided.

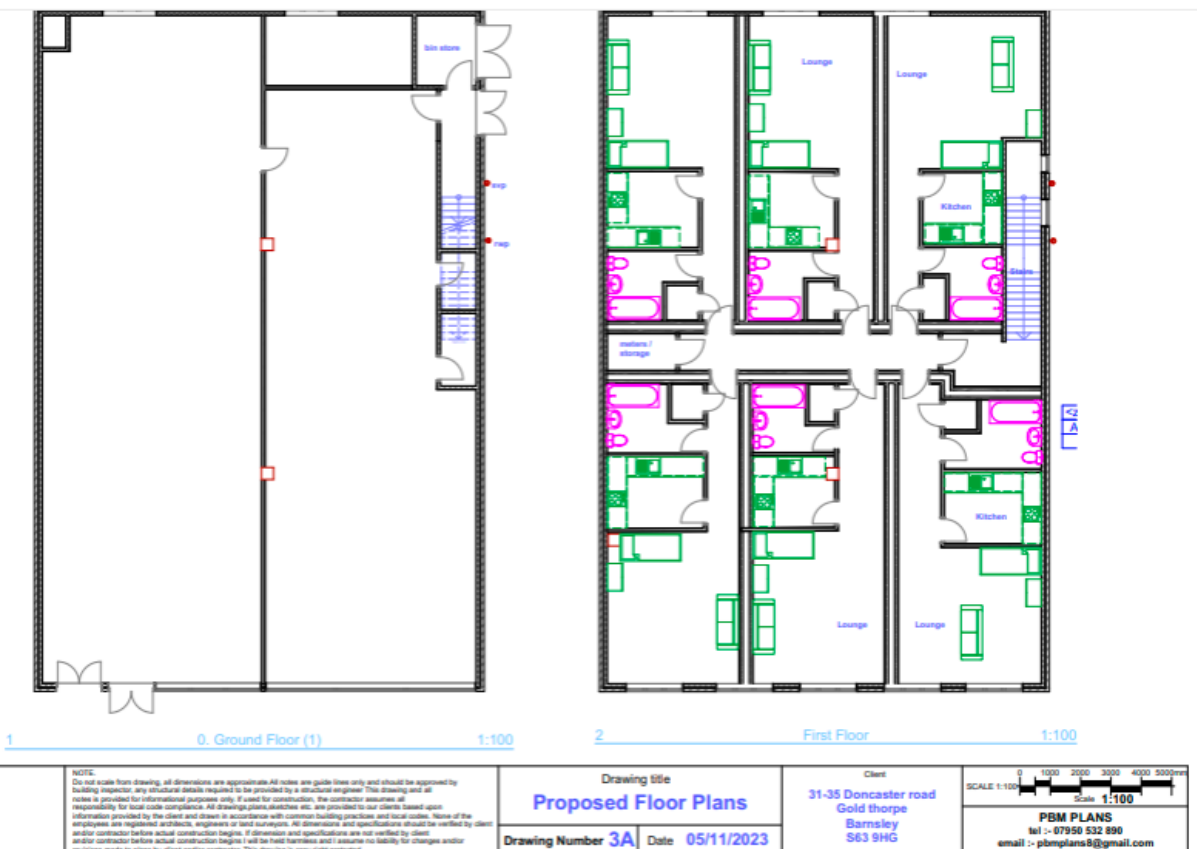
The site has a small rear yard which is the only outdoor area. It is currently used for bin storage and informal parking, however it is not clear if this area is shared with the retail properties to the side, number 37 to 41.



BLOCK/SITE PLAN  
AREA 90m x 90m  
SCALE: 1:500 on A4  
CENTRE COORDINATES: 446359 , 404440



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## Policy Context

The site is located within the District Centre of Goldthorpe and is a Primary shopping frontage as allocated within the Barnsley Local Plan Proposals Map, therefore the following policies are of relevance:-

GD1: General development – Proposals for general development will be approved providing there is no significant adverse effect on residential amenity, highway safety, the current or future use of nearby land and it upholds good quality design in accordance with local plan policy D1.

SD1: Presumption in favour of sustainable development – The Council will take a positive approach to proposals that reflect the presumption in favour of sustainable development contained in the NPPF.

D1: High quality design and place making – This policy sets the overarching design principles for the borough. Development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of the local area.

TC1: Town Centres – Centres are split between Barnsley Town Centre, District Centres and Local Centres. Local Centres serve smaller catchments and development here will be expected to meet the needs of the local area and not adversely impact on the vitality or viability of other nearby centres.

TC2: Primary and Secondary Shopping Frontages - Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres provided that:

- Within each primary shopping frontage in Barnsley Town Centre and the District Centres, ground floor uses would remain predominantly retail (Class A1) in nature.
- Other uses may be acceptable, especially where they diversify and improve provision in a centre, provided that it can be demonstrated that the vitality and viability of the primary shopping area concerned would not be negatively affected and that ground floor uses on the Primary Shopping Frontages remain predominantly retail (Class A1) in nature.

Goldthorpe is one of the larger district centres with its main retail and service provision located along the main Barnsley and Doncaster Roads. It is average in terms of vitality and viability. Its main strengths are the number and type of shops, the good supply of offices, the absence of floorspace outside the centre, the variety of specialist and independent shops, the market, the availability of food shopping, good pedestrian flow and the availability of public transport. In order to improve the economic fortunes of Goldthorpe the aims are: 166 Adopted Local Plan 15 . Town Centres and Retail To improve the provision of leisure, cultural and entertainment activities. Enhance movement for pedestrians, cyclists and the disabled. Improve access to the main attractions and to enhance security. Address environmental problems and increase the quality of open spaces and landscaping.

T3: New development and sustainable travel – New development is expected to be located and designed to reduce the need for travel, be accessible to public transport and encourage smarter ways to travel rather than unsustainable use of the private car.

T4: New development and highway improvement - New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

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.

We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

#### SPD's

Those of relevance to this application are as follows:

- 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.

#### **Consultations**

Ward Councillors – 'I personally have no objections to the application to create a further six bedsits ,although with the current standard of some housing in Goldthorpe, a high percentage of rented properties in poor condition and absent landlords I can foresee objections by some residents.'

Highways – No objection subject to bin and cycle storage

Pollution Control – No objection subject to condition

Drainage – Details to be checked by Building Control

#### **Representations**

No comments received

## **Assessment**

### Principle of development

The site and surrounding area is situated within Goldthorpe District Centre. The District Centres have an important role serving localised catchments and meeting more local needs. To ensure they fulfil this role and continue to implement and support the role of Barnsley Town Centre, new retail and town centre development will also be directed to the District Centres.

Local Plan Policy TC2: Primary and Secondary Shopping Frontages is relevant in this case as the site is within the primary shopping frontage of a district centre where the primary shopping frontage should primarily be retail. Other uses may be acceptable, especially where they diversify and improve provision in a centre, provided that it can be demonstrated that the vitality and viability of the primary shopping area concerned would not be negatively affected and that ground floor uses on the Primary Shopping Frontages remain predominantly retail (Class A1) in nature.

As the residential use is set on the first floor of the building and the ground floor remains as commercial, policy TC2 is not relevant. In terms of the Council's policy for conversions of existing buildings into residential uses, the Supplementary Planning Document 'Design of Housing Development' has specific guidance for the conversion of buildings to dwellings, flats or houses in multiple occupation (HMOs). The guidance states that they will be allowed where the following criteria are satisfied:

'Conversions of buildings to dwelling houses or apartments/flats (excluding HMOs, bedsits or studio apartments) The conversion of buildings to dwelling houses or apartments/flats will be supported where internal spacing standards, garden sizes (where relevant) and external separation distances meet the requirements set out in the general criteria and where:

There will be no unacceptable noise nuisance for either existing neighbouring residents or occupants of the proposed dwelling(s)

Satisfactory provision is made for off-street car parking in accordance with the Council's standards or, exceptionally the development is considered unlikely to give rise to unacceptable conditions of congestion or safety on the adjoining public highway(s) by reason of inadequate off street car parking.

The appearance of the building or its curtilage would not be altered to the detriment of the visual amenities of the area.'

Other matters such as residential amenity and highway safety are assessed below:-

### Residential Amenity

#### *External and Internal Standards*

The SPD Design of Housing Development states that 'the conversion of buildings to dwelling houses or apartments/flats will be supported where internal spacing standards, garden sizes (where relevant) and external separation distances meet the requirements set out in the general criteria.'

The SPD Design of Housing Development section 5 Internal Spacing Standards, states that in all cases, internal spacing standards should meet the requirements set out in the general criteria, which includes reference to the South Yorkshire Residential Design Guide (para 5.1).

When assessing the proposal against the spacing standard set within the SYRDG, the proposed apartments are approximately 43sqm and do not meet the requirements of an apartment as they do not meet the required overall floor area of 46sqm (as set in the SYRDG) nor do they provide a habitable room window to the kitchen or adequate levels of light to all habitable rooms. The bedroom is also shared with the lounge which is more akin to a bedsit rather than an apartment. In order for the units to be considered as a bedsit, they would need to have a shared living, kitchen and bedroom space. In addition, other criteria must be met including concentration of bedsits/HMO's in the area, which detail has not been provided for. The proposal therefore represents an overdevelopment of the building and fails to meet the required amenity standards which would result in an inadequate standard of residential amenity for the proposed residents, contrary to the SPD.

The SPD Design of Housing Development also indicates acceptable external standards for shared amenity space. Flats should allow for 50sqm of shared private amenity space plus an additional 10sqm per flat added to the amenity space or in balcony space. The SPD does state that full compliance with standards is expected in predominantly residential areas whereas they may be slightly relaxed in town centre situations/higher density areas. This location is within the district centre of Goldthorpe within a higher density area, as such, the LPA would have perhaps allowed for some leniency for this, however in this instance the proposal would result in 6 separate residential uses and the applicant has not provided any detail of other outdoor spaces which could be utilised by the residents close by. As such the proposal does not provide sufficient private amenity space for the proposed intensive residential use and does not support or uphold adequate living standards of future residents.

#### *Noise and Disturbance*

Pollution Control have been consulted and have raised no objection to the proposal subject to conditions. The proposal would undoubtedly increase noise and disturbance through residential activity and the coming and going of residents, visitors and vehicles, however this is a mainly commercial area, therefore should not cause any significant impact to the residential properties to the rear in terms of disturbance, given that the access to the building is already in use for the commercial unit.

#### *Overlooking and light*

In relation to the provision of natural light, the kitchen areas do not contain windows that allow adequate natural light into these areas which is unacceptable. The apartments only have windows in the lounge areas which would not provide adequate natural light to the overall unit. In terms of overlooking impacts, the windows to the rear do not meet the required separation distances to the properties at the rear off Main Street which should be a minimum of 21m from habitable windows and a minimum of 10m to rear garden boundaries. The main habitable windows for the apartments to the rear of the building are less than 16m from the habitable room windows of the terrace properties and less than 2m from their garden boundaries, therefore the impact of overlooking and loss of privacy to the neighbouring properties is unacceptable.

Given the above issues in terms of external and internal spacing standards and the overlooking and loss of privacy impact to the existing residents, the proposal is therefore considered to be contrary to Local Plan Policy GD1, the SPD 'Design of Housing Development' and the SYRDG and is recommended for refusal as it represents inadequate levels of housing provision.

### Highways Safety

No off-road vehicular parking, or cycle parking provision, has been proposed as part of the scheme. The site is within the recognised town centre of Goldthorpe and is in easy walking distance of local car parks and public transport links. As such, although no off-street parking is provided in the proposal, Highways have not objected to the lack of off street parking, given the sustainable location of the development.

Whilst an existing bin store is to be retained, this will now be required to house a mix of commercial and residential bins. The facility should be demonstrated to be of adequate size to retain all required bins.

No cycle storage is shown, and this should also be demonstrated on a plan. The Council's Parking SPD recommends that one space per dwelling in a secure covered area within plot is provided. The above information has been requested, however no amended plans have been received.

The SPD requires that 1 cycle parking space per bedroom in a secured covered communal use area within the plot is provided. 6 cycle spaces will therefore be required. Insufficient space is provided within the site curtilage which would provide amenity space, bin storage and cycle storage, therefore the proposal would be an overdevelopment of the site and would fail to provide adequate cycle parking and bin storage for the proposed residents, contrary to the SPD and policy T4 of the Local Plan.

### Visual Amenity

The external changes are minimal and include the removal of the existing cladding to the frontage and the insertion of 5 new windows to the front and are considered to be acceptable. The proposal is therefore considered to be in compliance with Local Plan Policy D1: High Quality Design and Place Making and is acceptable in terms of design and visual amenity.

### **Recommendation**

**Refuse**