

2024/0262

Mr Charlie Beever

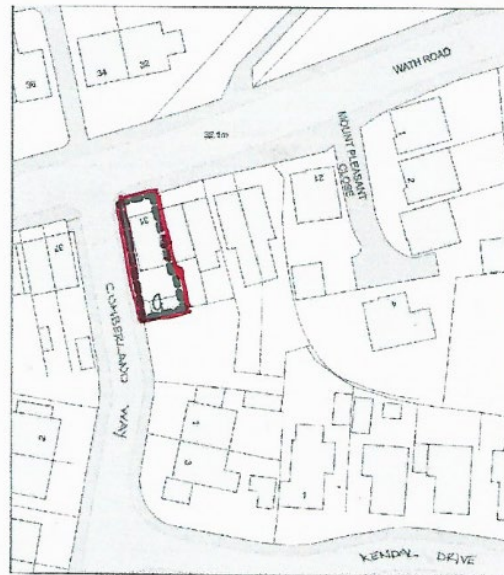
Change of use of dwelling to 5 bed House in multiple Occupation (HMO)

31 Wath Road, Bolton Upon Dearne, Rotherham, S63 8LQ

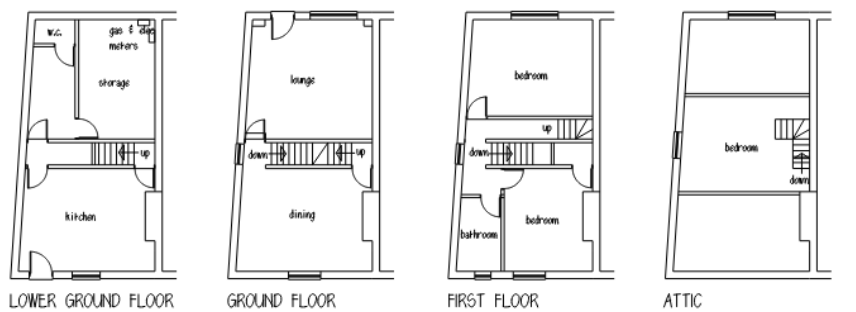
Site Description

The application relates to a two storey end terraced dwelling located on the corner of Wath Road and Cumberland Way. The property is brick built with a pitched roof design and is one of a row of three properties. The property fronts onto Wath Road with the small rear garden area and two off street parking facilities accessed from Cumberland Drive.

The area is predominantly residential in nature and slopes steeply down from Wath Road. To the rear of the property are bungalows on Cumberland Drive. This area of Wath Road is characterised by residential properties. Parking is at a premium within this area given that many of the properties do not have the benefit of off-street parking.



LOCATION PLAN



Relevant Site History

B/76/0406 – Conversion of shop to form part of dwelling.

89/1197 - COU Dwelling to shop

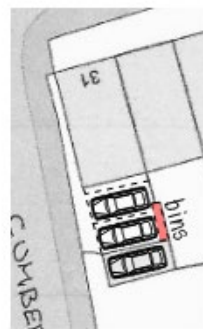
2012/0875 – COU Shop to dwelling

Proposal

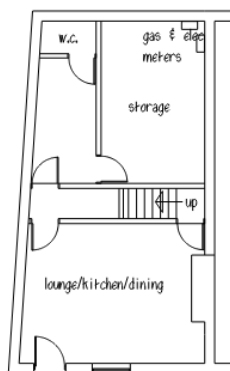
The applicant is seeking approval to change the use of the existing dwelling into a five bedroomed house in multiple occupation (HMO). Up to five residents will live in the property, living separate with a communal living/ kitchen/ dining room. Each room will be allocated for single occupancy. There are five bedrooms proposed over three floors, two bathrooms and an en-suite in the attic. Three off street parking spaces will be provided at the rear of the property along with bin storage. No outdoor amenity space is provided.



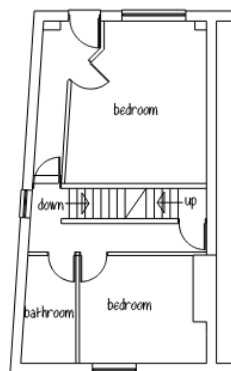
LOCATION PLAN



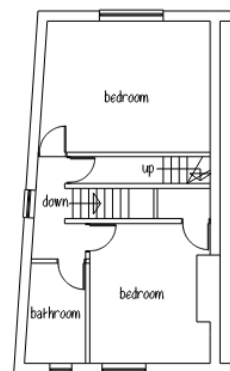
SITE PLAN



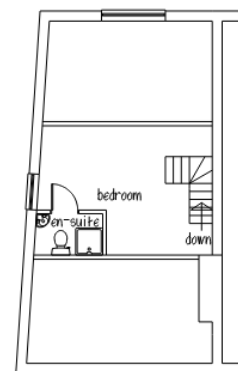
LOWER GROUND FLOOR



GROUND FLOOR



FIRST FLOOR



ATTIC

Local Plan

Urban Fabric

Policy Context

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

Policy T3 New Development and Sustainable Travel

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 H9 Protection of Existing Larger Dwellings

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.

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 96 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Para 115 - 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 131 - 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 139 - Development that is not well designed should be refused.

Consultations

- Highways DC – No objections
- Pollution Control – No objections subject to condition.

- Drainage – No objections.
- Ward Councillors – 1 objection received with regards to parking issues and potential impact to local residents
- Case Management Officer – Supports the proposal.
- Yorkshire Water – No comments

Representations

65 Letters of objection has been received with the following concerns:

- Lack of parking provision.
- Concerns regarding the type of residents proposed.
- Potential antisocial behaviour commonplace with this type of development
- Not a sustainable area
- Busy and dangerous junction/ overspill parking issues
- No local cycle paths, not sustainable
- Impact to local services
- Type of property will not fit within a family area.
- Residents potentially feeling unsafe.
- No garden proposed.
- Noise issues
- Out of character within the area
- Safety issues
- Loss of family home

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 adaptation. It is acknowledged that the property is capable of accommodating four bedrooms and as such Policy H9 applies.

In recent years subdivisions 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 accommodating larger homes) and an increase in the number of smaller units contributing to an imbalance. Such is the problem within the borough that Barnsley now has an article 4 direction to remove PD rights for HMOs across the borough.

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 four bedroom plus 'larger home' without significant alteration would be contrary to policy H9.

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 to the east and south so will not 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:

Need for the proposed use:

The Case Management Officer was consulted with regards to this application and noted that the owner has submitted an HMO licence application for this property. An initial inspection identified the property was still in use as a family home, therefore owner was advised to submit planning application due to Article 4.

Case Management Officer stated that Barnsley MBC do not currently have any licensed HMOs in the Bolton-Upon-Deerne area and neither are we aware of any HMOs on Wath Road, Bolton-Upon-Deerne. Considering the lack of licensed HMOs in this area, the case management team would support this application.

Visual Amenity

The proposed development would see the conversion of the existing property with no other external changes proposed. As such the proposal would be residential in appearance and in keeping with the local character of the area. Therefore the proposal would be considered acceptable in terms of visual amenity in accordance with policy D1 of the Local Plan.

Residential Amenity

There has been a lot of objections to the proposal from local residents. The main point highlighted was the lack of parking provision for the property which will result in on street parking within an overly subscribed and busy area. The Councils highways department have not objected to this proposal as the proposed number of off-street parking provision meets the policy requirements.

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. That said, this does not necessarily equate to an unacceptable level of increased noise. As such the potential 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.

Although Policy GD1 of the Local Plan does not include reference to any specific space standards, it states that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents amongst other matters. Policy D1 of the Local Plan expects development to be of a high quality, including through its layout and design, so that it contributes to a healthy, safe and sustainable environment.

The 2023 Design of Housing Development Supplementary Planning Document (SPD) advises that all developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide (SYRDG).

It also advises that rear gardens of proposed dwellings should be at least 50 square metres in the case of two-bedroom houses/bungalows and 60 square metres for houses/bungalows with three or more bedrooms. Smaller gardens may be acceptable in corner plots if privacy and daylighting can be maintained.

The proposal is a 5-bedroom dwelling. The SYRDG sets out acceptable internal spatial standards. The South Yorkshire Residential Design Guide states that the minimum size should be 7sqm for a single bedroom. All bedrooms would meet the minimum standards. The South Yorkshire Design Guide also states that the minimum bathroom size should be 3.5sqm, only two out of the three bathrooms meet this requirement.

The proposed HMO has a kitchen and communal area, measuring 19.36sqm. The South Yorkshire Residential Design Guide states that an open plan/combined kitchen/dining/living room should be 30sqm for a three bed, four person and above (the design guide does not stipulate a minimum area for any larger dwellings) and as such, the proposed kitchen and communal area would not meet the standard.

In considering the above, the internal living space falls short of the SPD and design guidance. The SPD also goes on to state that the external amenity space should be at least 60m². The proposed site plan does not show any private rear amenity space, the small area to the rear will be used for off street parking and bin storage. The proposed site plan shows amenity space to the front of the dwelling however this is not considered to be private amenity space.

As such, due to the lack of internal and external amenity space in accordance with the SPD, the proposal would adversely affect the living conditions and residential amenity of future occupiers in conflict with planning policy.

Consequently, as the proposal does not meet all the space standards in the SYRDG and the SPD, it would not meet the requirements of Policies GD1 and D1 of the Local Plan.

Highways Safety

The dwelling presently consists of three bedrooms and would therefore require two off-street parking places to be considered acceptable to modern standards. In this instance, the dwelling would change from a three-bedroomed property, usually requiring two off-street parking spaces, to a house in multiple occupancy also requiring two spaces (the guidance in the Council's Parking SPD being one space per three rooms). As such, the parking requirement is no more onerous and Highways DC officers would not wish to raise objection to the scheme.

As such the proposal is in compliance with Policy T3 and T4 of the Local Plan and both SPD: Parking and SPD: Design of New Housing Development.

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.

Other

A large number of objections were received from neighbouring properties and it is considered that any material planning considerations have been discussed in the report.

Conclusions

The proposal is contrary to the aims of Local Plan Policy H9 which seeks to resist the loss of larger family sized dwellings, contrary to Local Plan policy D1 and Supplementary Planning Document 'Design of Housing Development'.

The shared facilities and the upper bathroom along with the lack of outdoor private amenity space proposed for future residents of the property 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

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