
2017/00785

Applicant: Berneslai Homes Ltd, C/o NPS Barnsley

Description: Conversion of existing building used as shops and flats into two dwellinghouses

Site Address: 26 - 32 Rufford Avenue, Athersley North, Barnsley, S71 3ED

No representations from local residents

Site Description

The site for the proposed development is a brick building situated on a large plot in between a row of semi-detached dwellings. The building is located on Rufford Avenue, at the junction with Kirkby Avenue in Athersley North. The property has been divided into two units with mixed-use retail on the ground floor and associated residential accommodation above. The whole building and plot is a Council-owned property and at present; is unoccupied, with the previous occupants being a charity shop and local convenience store.

To the eastern and western boundaries are residential properties and the rear of the site backs onto Laithes Lane, with a tree line and timber fence acting as a boundary treatment. The immediate area surrounding the site is predominantly residential, characterised by semi-detached dwellings that are of a uniform design and material construction – brick with off-white render and concrete tiled gable pitched roofs.

A public footpath runs adjacent to the eastern elevation of the property, providing a pedestrian link between Rufford Avenue and Laithes Lane.

Site History

B/04/0424/BA – Change of use from retail to cafe and catering business – 26 Rufford Avenue, Athersley North, Barnsley approved May 2004

2005/1722 – Vary condition 3 of Planning Consent B/04/0424/BA to increase opening hours to 6pm - 11.30pm Monday to Saturday and 6pm - 11pm Sunday – 26 Rufford Avenue, Athersley North, Barnsley approved November 2005.

Proposed Development

The applicant, Berneslai Homes, is seeking permission to change the use of the building from A1, A3 and C3 use class to C3 use class only, and convert the property into two semi-detached dwellings.

No's 26 & 28 will be converted into a 3 bedroom dwelling and No's 30 & 32 will be converted into a 4 bedroom dwelling.

Both properties will have a similar internal layout; with a living room to the front and a combined kitchen/dining room with WC and utility room on the ground floor. The first floor will accommodate the bedrooms and shared bathroom.

The existing shopfronts will be replaced with UPVC windows and doors to match what is already in place. The front and rear elevation of the properties will be rendered, with the existing brickwork retained on the side elevations.

New vehicular accesses will be created at the front of the property, with dropped kerbs being installed and a permeable hard surfaced area provided for off-street parking. A 1m boundary wall will be erected along the front of the properties and a 1.8m high fence erected along the boundary with the footpath to the east. A dividing fence – also 1.8m high – will be erected between the two dwellings in the rear gardens.

A new paved area will also be installed at the front and rear of the properties to create a pedestrian access. No extensions or outbuildings are proposed.

Policy Context

UDP Housing Policy Area

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently introduced NPPF does not change the statutory status of the development plan as the starting point for decision making.

The Council has submitted its emerging Local Plan to the Secretary of State but it is at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The emergent policies of the Local Plan that are attributable to this development are GD1 and D1. In general they resonate with the requirements of Core Strategy Policy 29.

Core Strategy Policies

Core Strategy Policy CSP 2 'Sustainable Construction' states that all new dwellings will be expected to achieve at least a level 3 rating under the Code for Sustainable Homes or equivalent

CSP 26 – New Development and Highway Improvement states that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

Saved UDP Policies

Policy H8 (Existing Residential Areas) states that areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.

Policy H8A – The scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the 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, landscaping and access arrangements.

Policy H8D – Planning permission for infill, backland or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

SPD's

Supplementary Planning Documents (SPD) – Designing New Housing Development states that conversion of buildings to dwellings will be allowed where the following criteria are satisfied:

- I. The building and curtilage are of sufficient size to provide suitable facilities for residents.
 - a. In the case of dwellings, the garden sizes and external separation distances should reflect the requirements set out in the general criteria and meet internal spacing standards.
 - b. In all cases, internal spacing standards should meet the requirements set out in the general criteria.
- II. There will be no unacceptable noise nuisance for either existing neighbouring residents or occupants of the proposed residential unit(s)
- III. 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
- IV. The appearance of the building or its curtilage would not be altered to the detriment of the visual amenities of the area.

SPD – Parking supplements Core Strategy Policy CSP 25 New Development and Sustainable Travel and sets out the parking standards that the Council will apply to all new development.

South Yorkshire Residential Design Guide – Technical Requirements section 4A.2 sets out the internal space requirements for new development.

These policies are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

Consultations

Drainage – No objections to proposal

Highways DC – No objections to proposal, subject to conditions

Public Rights of Way – No objections, providing that adjacent footpath remains unaffected during construction

Ward Councillors – No objections to proposal, providing that the footpath adjacent to site remains unaffected.

Representations

Notification letters were sent to surrounding properties and a site notice was posted. No comments or representations were received from local residents.

One comment was received from Cllr. Tattersall, who supports the application providing that assurances are given that the path running alongside the plot will not be affected during and after development, as the path is well used by residents to access Laithes Lane.

Assessment

Principle of Development

The site is situated within a Housing Policy Area and as such local planning authorities are encouraged to approve change to residential use as this type of development can play an important role in ensuring the supply of housing accommodation within Housing Policy Areas. As the first floor has previously been used for residential purposes, the principle of housing has been established to some degree and so the scheme is therefore considered to be acceptable in principle.

Residential Amenity

The proposed new dwellings are located at an acceptable distance from other properties in the area. The existing and proposed boundary treatments help to provide screening to the rear of the properties, giving the amenity space an acceptable level of privacy from the footpath that runs alongside the property. A treeline along the rear boundary with Laithes Lane provides screening to the rear of the properties.

The separation distances also mean that the neighbouring dwellings will not be adversely affected by overlooking from the first floor of the proposed dwellings and so the existing amenity of the area is retained.

The proposal meets the internal space standards required as part of the SPD – Designing New Housing Development, and the South Yorkshire Residential Design Guide. In addition adequate private amenity spaces are provided for each property.

The proposal is therefore considered to be in compliance with policy and is acceptable.

Visual Amenity

The application proposes alterations to the front of the property in order that it could be used as a dwelling. The proposed materials of render on the front and rear elevations and existing brickwork on the sides are consistent with the visual appearance of other properties in the area.

The proposed properties also reflect local character in respecting the building line and having reasonable rear gardens. It is acknowledged though that use of the area to the front of the properties for off-street parking is not ideal visually. However, given that the parking is required to meet SPD – Parking, and that there are some grassed areas retained to the side of each access, it is considered acceptable in this instance.

It is considered that the proposed conversion would not have a significantly detrimental effect on the visual character of the surrounding area and so is in compliance with CSP 29 – Design & SPD guidance Designing New Housing Development and therefore is acceptable.

Highway Safety

New vehicular access and off street parking will be provided at the front of the property. The two tarmacked areas that will serve the properties measure approx. 42m² each, which provides more than adequate space for two vehicles to be parked in front of the properties. It is noted that no turning facilities are provided within the curtilages of the proposed dwellings and would require vehicles to reverse out onto the highway (unless reversed in) which whilst not ideal, this is the same for other properties on Rufford Avenue who have driveways.

It is also proposed to erect a 1m high wall at the front of the properties. However, this must be reduced for the first panel adjacent to the highway to 600mm to allow for visibility for vehicles exiting the site. This can be conditioned on any grant of planning permission. Highways DC have raised no objections to the proposal – subject to conditions – and it is not considered that the proposal will have a detrimental effect on highway safety along Rufford Avenue. The proposal complies with policies CSP26, H8A and H8D and the Council's SPD - Parking in respect of highway safety and so is acceptable.

With regards to the adjacent PROW, this should not be affected by the development but an informative is recommended to be placed on any approval to ensure the developer is aware of the proximity of the PROW to the site.

Recommendation

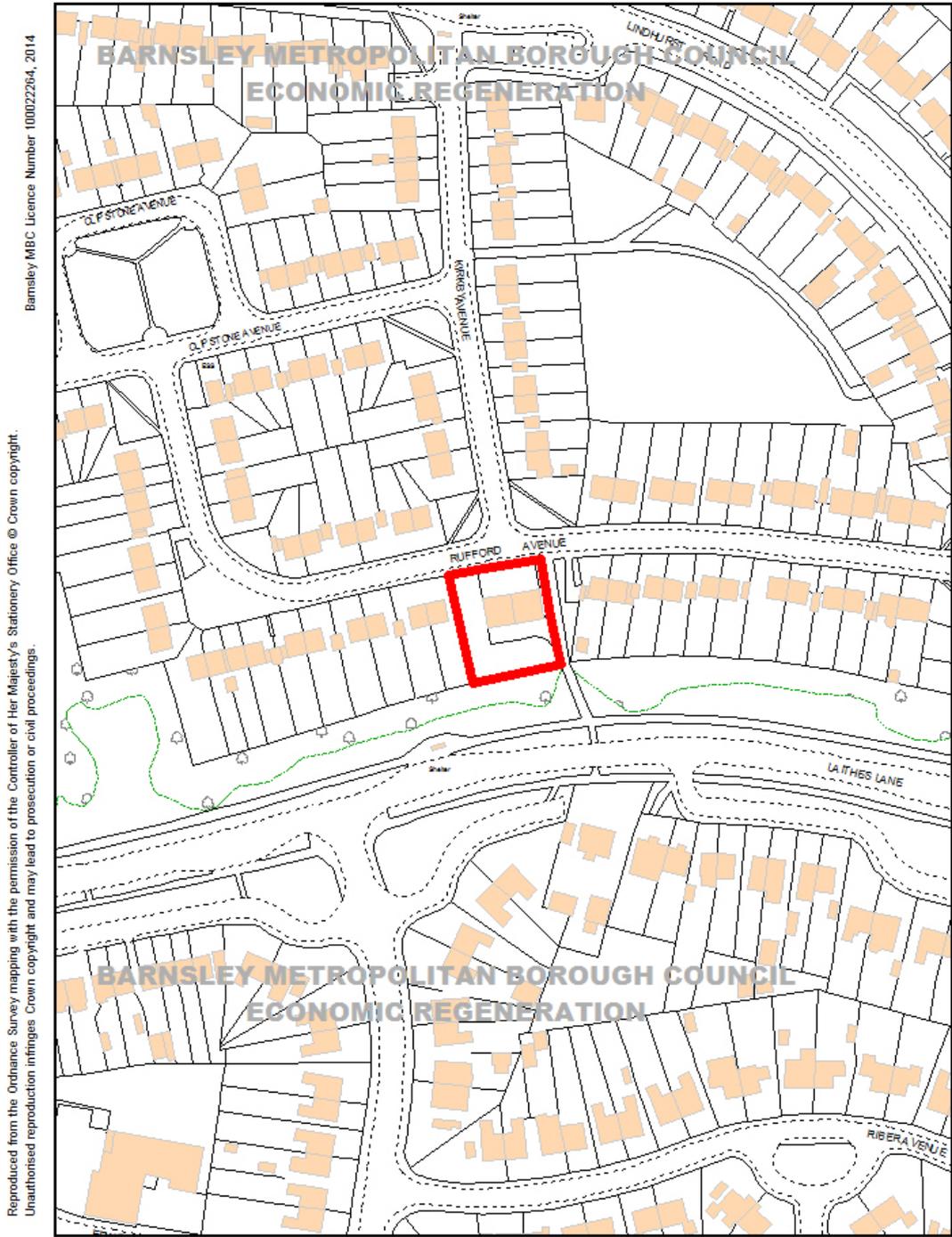
Approve subject to conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Drawing No. NPS-DR-A-(00)-012 Rev. P1, Drawing No. NPS-DR-A-(00)-021 Rev. P2 and Drawing No. NPS-DR-A-(00)-023 Rev. P1) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 3 The external render proposed to the front and rear elevations shall match that of adjacent properties on Rufford Avenue.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

- 5 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 6 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 7 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority and such measures shall be retained for the entire construction period, in the interests of road safety.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

PA reference :-

2017/0785



BARNESLEY MBC - Economic Regeneration

Service Director: David Shepherd
Westgate Plaza One, Westgate,
Barnsley S70 9FD
Tel: 01226 772621



Scale 1:1250