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**2018/1146**

**Applicant:** Mr Ben Shufflebottom, C/o Peter Thompson

**Description:** Erection of 3 ½ storey side/rear extension to accommodate HMO (max 6 person)

**Site Address:** 4 Springfield Place, Barnsley, S70 6HJ

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Councillor Mitchell has raised concerns and requested that the application is determined by the Board. No representations have been received from members of the public.

### **Site Location and Description**

The application property is located at the end of Springfield Place, a small cul-de-sac located off Dodworth Road near to Townend Roundabout that contains residential properties including a number of houses converted into flats and Houses of Multiple Occupation (HMO's). No.4 is located at the end of the existing terrace of properties meaning that the side of the building faces the adjacent road, Springfield Street. Associated with the property is a garage block located on the land at the side of the property on Springfield Street rather than Springfield Place which contains three garages. A pedestrian link between Springfield Place and Street passes in front of the building.

The existing building is 2 ½ storey with the land at the side of the property to the north on Springfield Street being located on a lower land level. The property is surrounded by development on all sides. In close proximity to the site is Springfield House which until recently provided office accommodation for the Council. This building now benefits from consent to be converted into 66no apartments utilising permitted development rights available in the Town and Country Planning (General Permitted Development) (England) Order 2015.

### **Proposed Development**

The applicant seeks permission to erect a 3 ½ storey extension on the northern elevation of 4 Springfield Place to create a separate 6 bedroom HMO with shared kitchen/dining facilities. The extension would have its own separate entrance from Springfield Street which would make the development independent from the existing property. Each bedroom would have provision of its own bathroom.

The plans are identical to those approved under previous planning application 2015/1116. However, that permission expired last July.

### **Site History**

As is identified above planning application 2015/1116 for the same set of plans was approved by the Council 09/12/2015. Prior to that there had been the previous list of applications made at the site:-

2010/0476 – Erection of 1no. studio flat. Refused and dismissed at appeal 15/06/2010.

2012/0698 – Conversion of basement to self-contained flat – Refused 30/07/2012.

2012/1077 – Conversion of basement to self-contained flat – Approved 26/10/2012.

2013/0156 – Erection of 1 no. self-contained apartment – Approved 08/04/2013.

2014/0382 – Erection of 3no apartments - Approved 10/06/2014.

2015/0497 – Variation of condition 3 of previously approved 2014/0382 to change 3no. apartments to house in multiple occupation (HIMO) – Approved 01/07/2015.

## **Policy Context**

Planning decision 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 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

## **Local Plan**

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

### *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 in the Plan.

### *Policy T3 New Development and Sustainable Travel*

New development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;

Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1. If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.

### *Policy T4 New development and Transport Safety*

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.

### *Policy SD1 Presumption in favour of Sustainable Development*

When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

### *Policy GD1 General Development*

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;
- They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
- They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
- They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;
- Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;
- Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;
- Any drains, culverts and other surface water bodies that may cross the site are considered;
- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;
- Any pylons are considered in the layout; and
- Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

### *Policy D1 High Quality Design and Place Making*

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 Barnsley, including:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;

- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

#### *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. 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.

#### SPDs

'Designing New Residential Development' sets out the standards that will apply to the consideration of planning applications for new housing development including HMO's.

'Parking' states that the parking standards for new housing development shall be 1 space for dwellings under 3 bedrooms in size and 2 spaces for 3 bed dwellings and above.

The South Yorkshire Residential Design Guide has been adopted as a best practice guide by the Council and covers issues including minimum internal space standards

#### 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**

Highways DC – No objections to the previous application. On this occasion they have queried whether off street secure cycle storage could be provided.

Regulatory Services – No objections.

Ward Cllrs – Cllr Mitchell has objected to the application and requested that it is determined by the Board. Her main points of concern are:-

- Limited parking in the area
- Excessive amount of waste bins
- Over concentration of HMO's within the area
- Properties generally poorly managed and maintained
- Anti-social behaviour

## **Representations**

The application was publicised by notification letters sent to the residents of adjacent properties and by site notice. No representations have been received.

## **Assessment**

### Principle of Development

The site is designated to be part of the Urban Fabric of the Borough in the new Local Plan. In this case the most prevalent use of land and buildings in the area is residential and so the proposal fits in with the character with the area in land use planning policy terms. Furthermore being located within the urban fabric near to Barnsley Town Centre it is located in a priority and sustainable location to accommodate future housing growth.

Assessment criteria concerning HMO's are also relevant. It should be noted however that planning permission was granted for this same set of plans in late 2015. The focus of this assessment therefore is limited to whether there have been any material changes in circumstances since. Potentially the adoption of the new local plan would be one such thing. Policy H9 'Protection of Existing Larger Dwellings' relates to proposals to convert existing dwellings into HMOs. However that policy is not applicable in this case for the reason that the proposal relates to a new build HMO. In land use planning policy terms this is acceptable. The remaining considerations are whether proposals are suitable in residential and visual amenity terms and highway safety. The outcome of the assessment in relation to these matters is set out below.

### Residential Amenity

The proposal would result in the existing building extending out by a further 5.4m towards Springfield Street. A pair of semi-detached dwellings is located opposite the proposal to the north east. However, they do not directly face the site and there would be a separation distance of approximately 16.5m. As a result the proposal would not give rise to any significant problems by way of overshadowing or over dominance affecting those dwellings. Furthermore the development would not project any closer to properties located on Springfield Place and Dodworth Road than the existing property.

In terms of privacy levels it is acknowledged that a number of habitable room windows are proposed on the North elevation facing Springfield Street which span over 3 floors plus living accommodation in the roof space. However, the dwellings opposite do not directly face the site and, as mentioned above, there is a separation distance over 16.5m to the two dwellings

diagonally opposite meeting the criteria set out in the SPD which states '*where front elevations face a road the dwellings should be no more than 19m apart*'. In addition the proposal achieves a streetscape that reflects local character given the existing separation distances evident to the east of the site.

There are habitable room windows proposed in the western elevation which face the parking areas and amenity space associated with 119 Dodworth Road. These have the potential to cause some overlooking given the close proximity of the elevation to the boundary. However, the rooms which the windows serve would be dual aspect. Therefore the issue can be overcome via the imposition of an obscure glazing condition.

It is acknowledged that the main elevation would be north facing. However, the units would be served by ample windows and a number of the rooms would be dual aspect. As such, there would be acceptable levels of light and outlook.

It is expected that the development would bring additional noise and disturbance associated with residential activity into the area. However this would be offset by the loss of the three existing garages and the site is in a heavily built up area in close proximity to the town centre. The nature of the use shall not be out of keeping therefore.

In terms of internal spacing standards, each of the bedrooms would exceed the 12m<sup>2</sup> set out in the South Yorkshire Residential Design Guide for a double bedroom. Five of the proposed bathrooms would fall short of the 3.5m<sup>2</sup> standard by approximately 1m<sup>2</sup>. However this is deemed acceptable in this case given they are individual private facilities for single bedrooms as opposed to being shared facilities.

The proposed shared kitchen/dining space exceeds the Design Guide internal space requirement. The proposal does not include a separate shared lounge/sitting room. In addition the plans do not include the provision of any external amenity space. However these details match the plans approved under previous application 2015/1116.

### Visual Amenity

The development would mainly impact on the Springfield St street scene. This particular street scene lacks continuity given that a large length of the road is fronted by rear boundary walls or garages as opposed to being fronted by properties on both sides as per many more conventional streets.

There are a large number of garages fronting onto Springfield Street that have been built to the rear of properties in Dodworth Road. Most like the ones on the application site do not make a positive contribution to the street scene.

The proposed extension to the existing building is designed to mirror the opposite end of the terrace, on the corner of Springfield Place and Dodworth Road, which incorporates a hipped roof. The fenestration and details such as brick banding is also carried on throughout the proposed build in order to harmonise and maintain the character and rhythm of the streetscene, in accordance with CSP 29.

It is acknowledged that the new addition would not include a set back or reduced ridge height from the host dwelling to distinguish it however, there is a vertical brick banding between the existing and proposed which separates the two visually.

The Northern elevation of the proposal would be approximately two metres from the back edge of the footpath and be a prominent feature on the streetscene, especially as accommodation would be over 3 ½ floors. However, one of the floors would be in the roof space, with the hipped roof sloping away from the highway, and one of the rooms would

effectively be a lower ground floor, as such, it would be no higher than the existing elevation which it extends. The scheme also incorporates an element of landscaping between the elevation and the back edge of the footpath which would soften the development slightly.

The Springfield Street elevation incorporates a number of openings which breaks up the expanse of brickwork and adds interest and, despite the immediately adjacent buildings being set back from the highway; there are a number of structures the same distance or closer to Springfield Street, including the apartment buildings to the east. As such, the proposal would be in keeping with the street scene.

The extension projects beyond the existing rear (West) roof plain, and at a greater height, resulting in an area of brick work above the existing roof slope. However, this would be in a non-prominent position and would have minimal impact on the visual amenity of the area. Overall it is considered that the design of the development would be sufficiently in keeping with the existing building and the area as a whole.

### Highway Safety

The proposals are to provide 2 parking spaces for the development and retain 4 for the existing property. The number of 6 spaces is sufficient to ensure that parking provision across both the existing and proposed properties complies with the SPD. Furthermore it would not be reasonable to insist upon further provisions given the proximity of the development to the Town Centre. In addition Springfield Street has double yellow lines along both its sides and a small amount of residents' parking spaces (permit holders) to protect against illegal parking.

### Conclusion

In summary the proposal seeks planning permission for the same set of plans that were approved under planning application 2015/1116. Whilst the Local Plan has been adopted since that decision was made back in December 2015 there is nothing within the new suite of policies that would alter the assessment carried out at the time with regards to residential and visual amenity considerations and highway safety. The Officer recommendation is one of approval therefore.

### **Recommendation**

Grant 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 (April 15 Rev. G) 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 Local Plan Policy D1 High Quality Design and Place Making.**

- 3 The windows on the Western elevation of the building at ground and first floor level facing 119 Dodworth Road shall at all times be fitted with obscure glass and retained as such thereafter.  
**Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with Local Plan Policy GD1 'General Development'.**
- 4 The external materials shall match those used in the existing building.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**
- 5 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 Local Plan Policy T4 New Development and Transport Safety.**
- 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 Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.**
- 7 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**

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