

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 19th September 2017

Application	1
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Application Number:	17/01587/FUL	Application Expiry Date:	18th August 2017
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Application Type:	Full Application
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Proposal Description:	Conversion of 1st floor commercial space to form 6 apartments and alterations to rear elevation. Conversion of out-building store to form 1 apartment and associated external alterations. Use of rear courtyard for a private car park.
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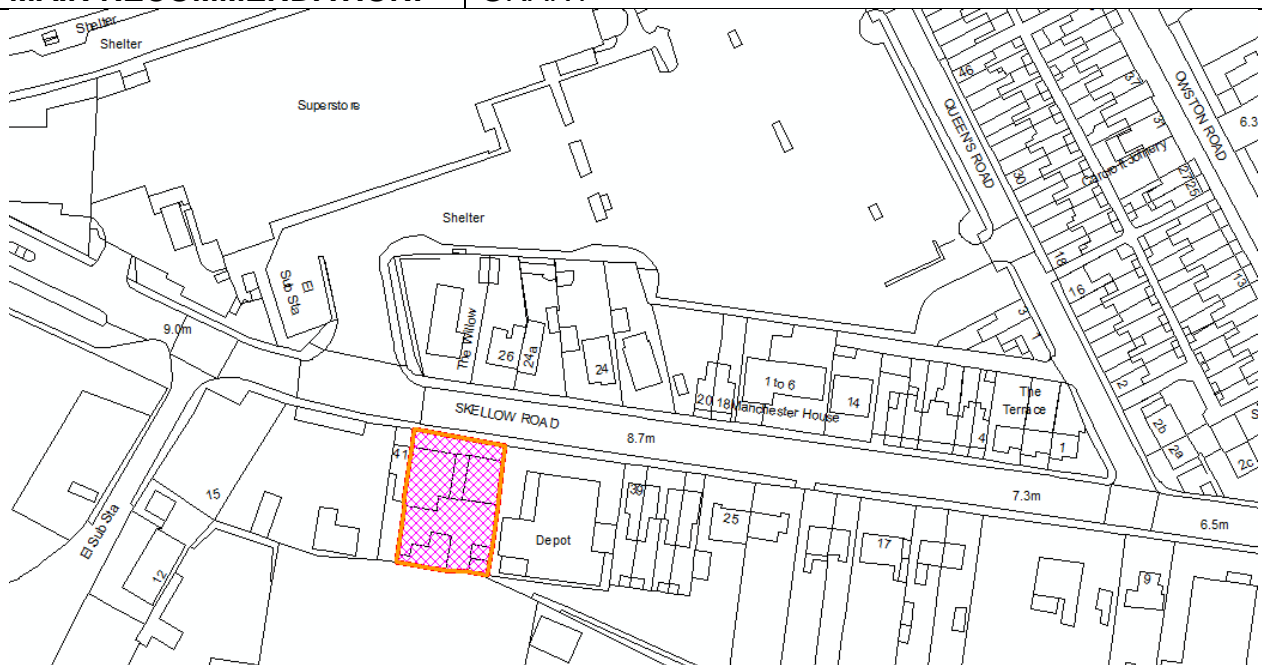
At:	Suite Express House 39A Skellow Road Carcroft Doncaster
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For:	Suite Express - Mr Grant Berry
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Third Party Reps:	8 letters of objection	Parish:	
		Ward:	Adwick Le Street And Carcroft

Author of Report	Elizabeth Maw
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 The application is being presented to committee due to the significant public interest shown in the application.

2.0 Proposal and Background

2.1 The proposal is for:

- a) Conversion of a first floor above a row of shops to 6 flats.
- b) Conversion of an outbuilding to a dwelling.
- c) Creation of a private parking area following demolition of an outbuilding.
- d) Minor alterations to the exterior.

2.2 In 2010 an almost identical scheme was approved by the Local Planning Authority. This scheme is a slight improvement to the 2010 scheme because it includes a bin storage area, obscured windows to protect a neighbour and better residential amenity for the occupier of the proposed outbuilding.

2.2 The application site is located on the main thoroughfare in Skellow being accessed from Skellow Road. Opposite is the entrance to the Asda superstore with various access points to residential dwellings along the route.

2.3 The building is two storeys and divided up into four commercial uses on the ground floor. The first floor is not used. The property benefits from access through the middle of the premises at ground floor creating an arch into the rear courtyard.

2.4 The site is allocated in the local plan as Residential Policy Area.

3.0 Relevant Planning History

3.1 Planning reference 10/03511/ FUL, Granted on 24.03.2011:
Conversion of 1st floor commercial space to form 6no. apartments and conversion of outside store building to 1no. form apartment and demolition of the other outbuilding to form additional car parking.

4.0 Representations

4.1 The application has been publicised by notifying properties directly opposite and those that share a boundary with the site.

Eight letters have been received objecting to the development. The concerns of these objectors are:

- a) Residential amenity concerns: problem tenants, noise, rubbish and anti-social behaviour.
- b) Highways: The access is unsafe due to visibility and the high volume of traffic using Skellow Road.

c) Construction noise and dust causing a disruption to nearby homes and businesses.

d) More flats are unnecessary because there are already numerous flats in the nearby area.

5.0 Relevant Consultations

5.1 Environmental Health

No objections, subject to conditions which relate to soundproofing the ceiling so the commercial properties are not disturbed and a condition to control dust and construction times.

The condition to control dust and construction times will be imposed as informative because any nuisance is controlled by other legislation, this is a small residential scheme, the site is on a main road and most works are internal.

5.2 Highways Development Control

No objections. Parking provision is acceptable. The traffic generated by the development is minimal.

5.3 Environment Agency

No objections, subject to conditions.

5.4 South Yorkshire Police

No response received.

6.0 Relevant Policy and Strategic Context

National Planning Policy Framework (NPPF)

Doncaster Council's Core Strategy:

CS4: Flooding and Drainage

CS14: Design and Sustainable Construction

Saved Doncaster Unitary Development Plan:

PH11: Residential Uses and Residential Policy Areas

ENV54: Alterations and Extensions

7.0 Planning Issues and Discussion

Principle

7.1 Using the upper floors of commercial buildings for residential is not uncommon and tends to be a good way of maximising the use of a building. The conversion of the redundant outbuilding is also acceptable in principle. Furthermore, given the sustainable location of the site and the land allocation as a residential policy area, a residential use is generally suitable in these areas.

Character and Appearance

7.2 The changes to the exterior consist of:

Alterations to the openings of the outbuilding
Removing the existing first floor staircase and the door replaced with a window.
Blocking up one window

7.3 The changes have no material effect to the building or the character of the surrounding area.

Highways and Parking

7.4 Six of the eight representations have objected for highway and parking reasons. Local residents advise Skellow Road is already a busy road because it provides access to the A1 and gives access to the nearby ASDA supermarket. The additional vehicular movements on and off this site is in the residents view deemed to be unsafe due to visibility and the high volume of traffic using Skellow Road.

7.5 The rear courtyard is currently unused. There is no vehicular access to it because it is locked by a gate. The proposal will create 15 new parking spaces, which will be for private use. 15 spaces for this 7 flat scheme are sufficient for a scheme of this size.

7.6 Highways Development Management has assessed the scheme. They advise this is an identical scheme to the April 2011 planning consent and it is not considered that there has been a material change in circumstances which would alter the views of Highways Development Management. The proposal provides the required level of parking in accordance with the council's parking standards and the traffic generated by such a proposal is minimal and therefore the impact on the B1220, Skellow Road is considered to be negligible.

Overlooking

7.7 There are no overlooking concerns for the following reasons:

- a) The proposal makes use of existing windows.
- b) There are two windows on the side elevation alongside the garden of 41 Skellow Road. The applicant has agreed to block up one window and have the remaining window as obscure glazed and non-opening.
- c) Three of the flats will face onto Skellow Road, which is deemed acceptable, as front elevations facing busy roads have reduced privacy and there is a 25m separation distance to the properties on the opposite side of the road. The other three flats face the rear have views into the industrial estate.
- d) The single storey outbuilding is contained within the rear courtyard and therefore has no material impact to surrounding land.

Other Residential Amenity Concerns

7.8 Some objectors consider the size of the flats to be small and therefore could attract problem tenants. Local residents are also worried for the potential associated noise, rubbish and anti-social behaviour.

7.9 Class G, Schedule 2 of the Town and Country Planning (General Permitted Development) (England)(Order) 2015 states it is permitted development to have two flats above a shop (Class A1). There are four commercial units at ground floor and three are defined as shops (Class A1). Therefore, the owner could convert the upstairs to six flats without planning consent. The benefit of this application is the owner can have a floor layout to suit his requirements and the Local Planning Authority can control additional aspects such as obscure glazed windows alongside No41 and retention of car parking.

7.10 With regards to the merits of the proposal, it is very common for flats to be above shops and they are an important housing source for couples and single persons. Where flats are located alongside busy main roads (such as this site) the comings and goings should not be easily distinguishable to nearby residents.

7.11 The flats are accessed and serviced from a self-contained rear yard so any comings and goings should be almost unnoticeable to nearby residents. The officer is aware of some crime and vandalism problems in the ground floor shops but the creation of a residential property in the rear yard and 6 new flats will provide natural surveillance to the site 24 hours a day. South Yorkshire Police were consulted but at the time of writing this report have not made comment. Any consultation response received will be reported at committee as a pre committee amendment.

7.12 Amended plans have been received to show a bin store large enough for waste and recycling.

Flooding

7.13 The site is within flood zone 3 (high probability of flooding).

7.14 Paragraph 100 of the NPPF states "inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at risk but where development is necessary, making it safe without increasing flooding elsewhere".

7.15 The rear outbuilding is most vulnerable to flooding but the outbuilding is over a metre higher than predicted floor levels. The owner has agreed to raise the floor level in the outbuilding by 300mm for additional protection. The site did not flood in the flood events of 2007, 2000 and 1947.

7.16 The Environment Agency has checked the flood risk assessment and raises no objections, subject to conditions.

7.17 The submitted proposal is safe because the upper floor apartments and the outbuilding are above predicted floor levels. An informative note is included advising tenants to sign up to flood warnings. In addition, the preparation of a flood evacuation plan will be a condition of the planning approval and all households should have a copy when they move in.

7.18 No sequential test is required because this is a conversion with no extensions. The Doncaster Flooding SPD states that "Where a change of use proposal involves only minor operational development, which would not create additional living space or operational floor space, a Sequential Test will not be required".

8.0 Summary and Conclusion

8.1 The conversion is appropriate in principle. The material considerations (flooding, highway safety, residential amenity, crime and community cohesion) have been assessed and the representations received have been taken into consideration. The proposal is deemed to be acceptable and in compliance with policies as set out in the NPPF, Core Strategy, UDP and supplementary planning documents.

9.0 Recommendation

GRANT Full planning permission subject to the following conditions:

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. MAT2 The external materials and finishes shall match the existing property.
REASON
To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan.
03. U54902 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:
Proposed plans main building: Drawing number BDS-2017-16-04 Revision A stamped 'AMENDED PLANS 30.08.2017'
Existing and proposed plans outbuilding: Drawing number BDS-2017-16-05 revision A stamped AMENDED PLANS 30.08.2017
Site Plan: Drawing number BDS-2017-16-02 Revision A stamped AMENDED PLANS 30.08.2017
REASON
To ensure that the development is carried out in accordance with the application as approved.
04. HIGH1 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

05. U54906

Prior to occupation of the residential properties hereby approved, the private parking spaces shall be available for use. Unless otherwise agreed in writing by the Local Planning Authority, the parking spaces shall be retained for the lifetime of the development.

REASON

To ensure parking spaces are always available for tenants throughout the lifetime of the development, in the interests of reducing the potential nuisance that can be created from on street parking.

06. HIGH11

The development hereby approved shall not be brought into use until a crossing over the footpath/verge has been constructed in accordance with a scheme previously approved in writing by the local planning authority.

REASON

To avoid damage to the verge.

07. U54907

Prior to occupation, sound insulation between the ceiling of the commercial units and the floor of the residential units and the party wall with 41 Skellow Road shall be installed in accordance with Building Regulations Approved Document E.

REASON

To ensure that the occupants of adjacent properties are not unduly affected by noise generated within the development.

08. CON2

Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

09. U54923

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) for the change of use and conversion of 1st floor commercial space to form 6 apartments and alterations to rear elevation.

Conversion of out-building store to form 1 apartment and associated external alterations. | Suite Express House 39A Skellow Road Carcroft Doncaster DN6 8HQ <June 2017> and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than 300mm above the existing ground level as shown in drawing No. BDS-2017-16-02.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON

To reduce the risk of flooding to the proposed development and future occupants.

10. U54924

Prior to occupation of the residential properties hereby approved, a flood evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. A copy of the approved flood evacuation plan shall be handed to each household when they move into the flats hereby approved. The flood evacuation plan shall be updated annually or after a flood event (whichever date is the sooner).

REASON

To ensure the occupiers of the flats are aware of the flood risk and they are prepared for possible flood events in accordance with Core Strategy Policy CS4: Flooding and Drainage.

01. U11648

INFORMATIVE

To ensure neighbouring properties are not adversely affected by the conversion, the LPA recommends deliveries to and from the site, the loading or unloading of raw materials and operation hours during the construction phase of the development shall be restricted to the hours of 08:00 to 18.00 Monday to Friday and 08.00 to 14.00 on a Saturday.

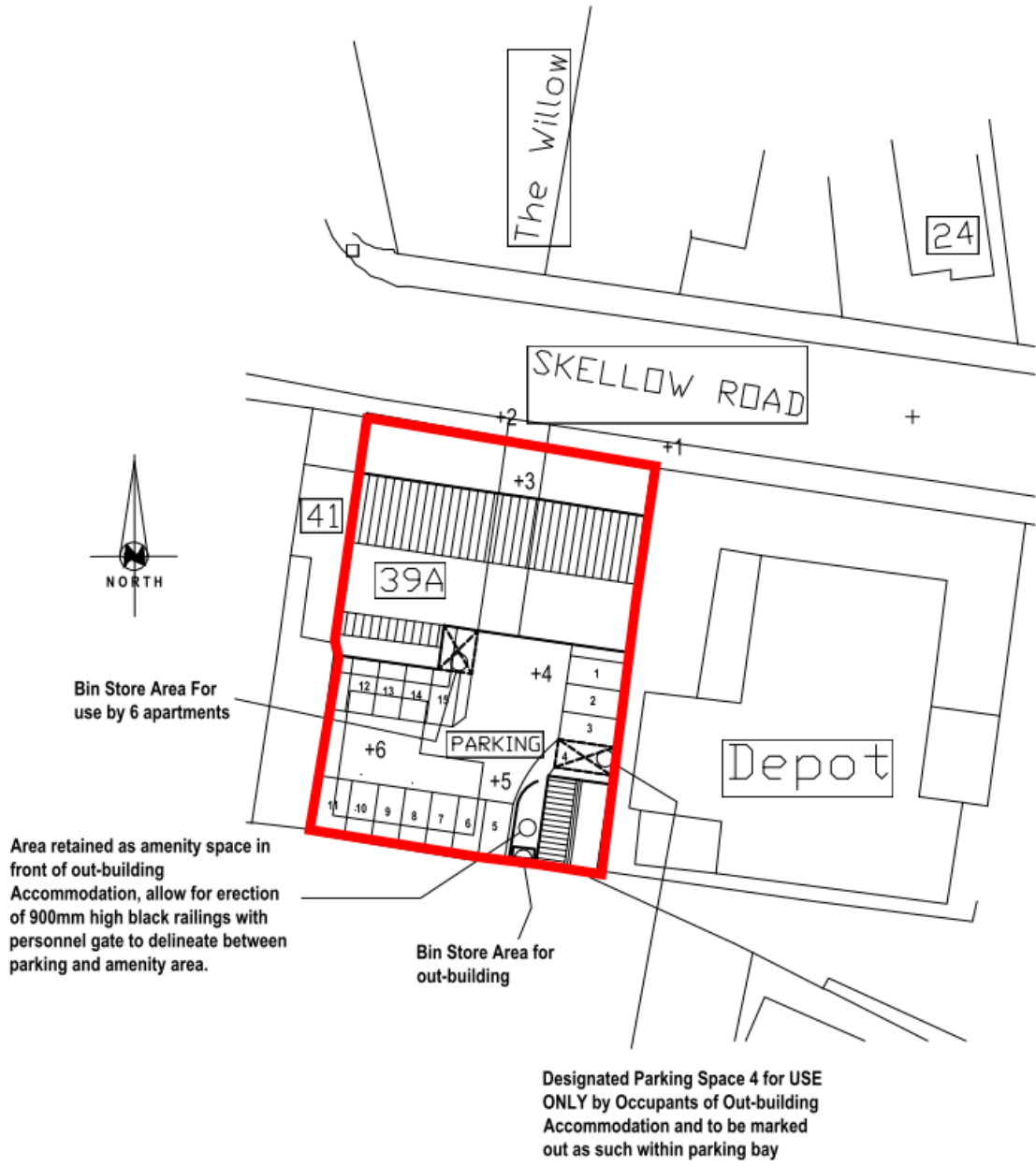
02. U11654

INFORMATIVE

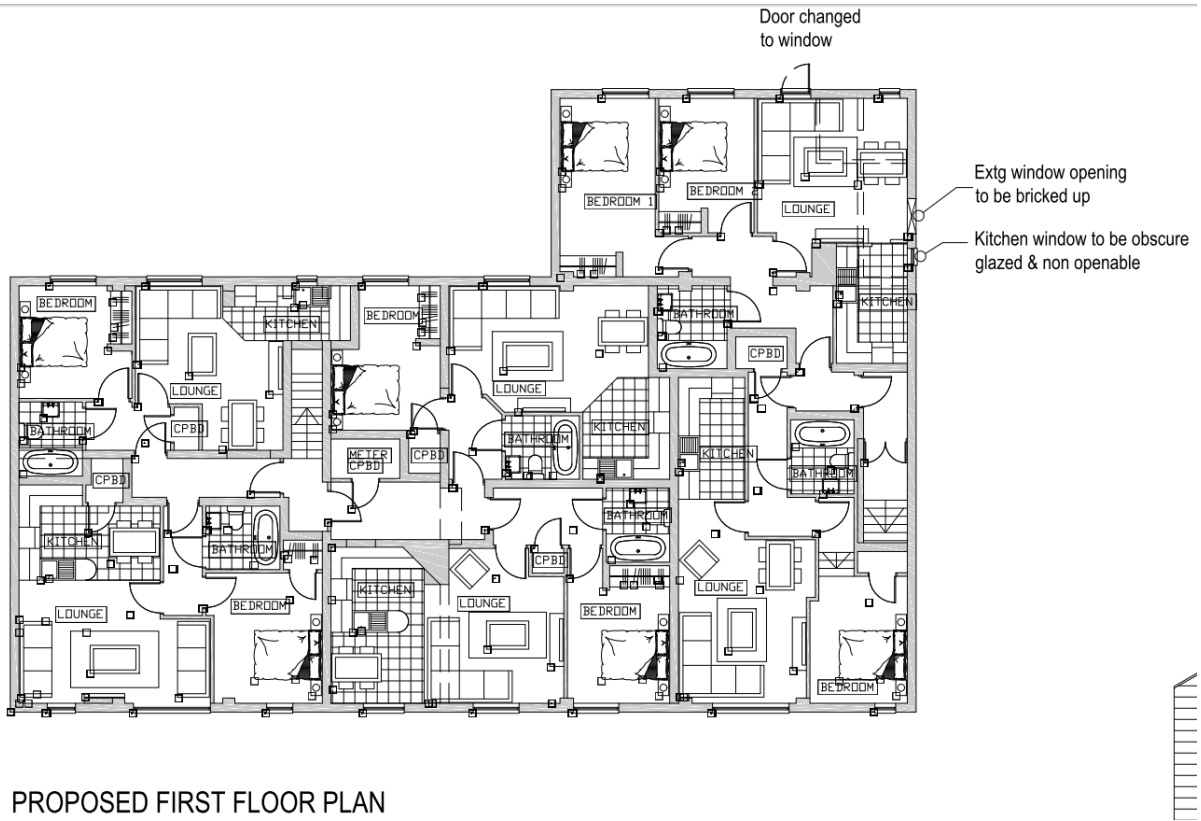
The outbuilding to be demolished is close to a residential property at 41 Skellow Road. Therefore, whilst the outbuilding is being demolished the developer should ensure the transmission and effects of dust associated with the demolition of the outbuilding is minimised.

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

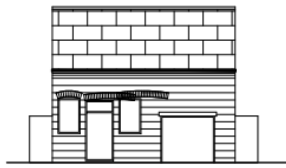
Appendix 1: Site Plan



Appendix 2: Proposed Plans: Flats



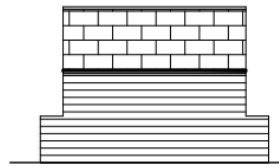
Appendix 3: Proposed Plans: Outbuilding



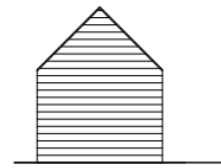
EXISTING FRONT ELEVATION
(West)



EXISTING SIDE ELEVATION
(North)



EXISTING REAR ELEVATION
(East)



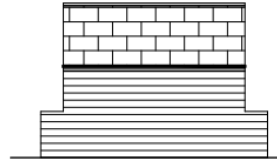
EXISTING SIDE ELEVATION
(South)



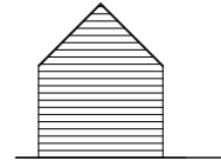
PROPOSED FRONT ELEVATION
(West)



PROPOSED SIDE ELEVATION
(North)



PROPOSED REAR ELEVATION
(East)



PROPOSED SIDE ELEVATION
(South)

