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Application Number:	20/02321/COU
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Application Type:	Planning FULL
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Proposal Description:	Change of use from dwelling to 2 self-contained flats.
At:	10 Baxter Avenue Wheatley Doncaster DN1 2NL

For:	Mr Majid Khan
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Third Party Reps:	0 objectors 0 supporters	Parish:	N/A
		Ward:	Town Ward

Author of Report:	Mark Ramsay
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SUMMARY

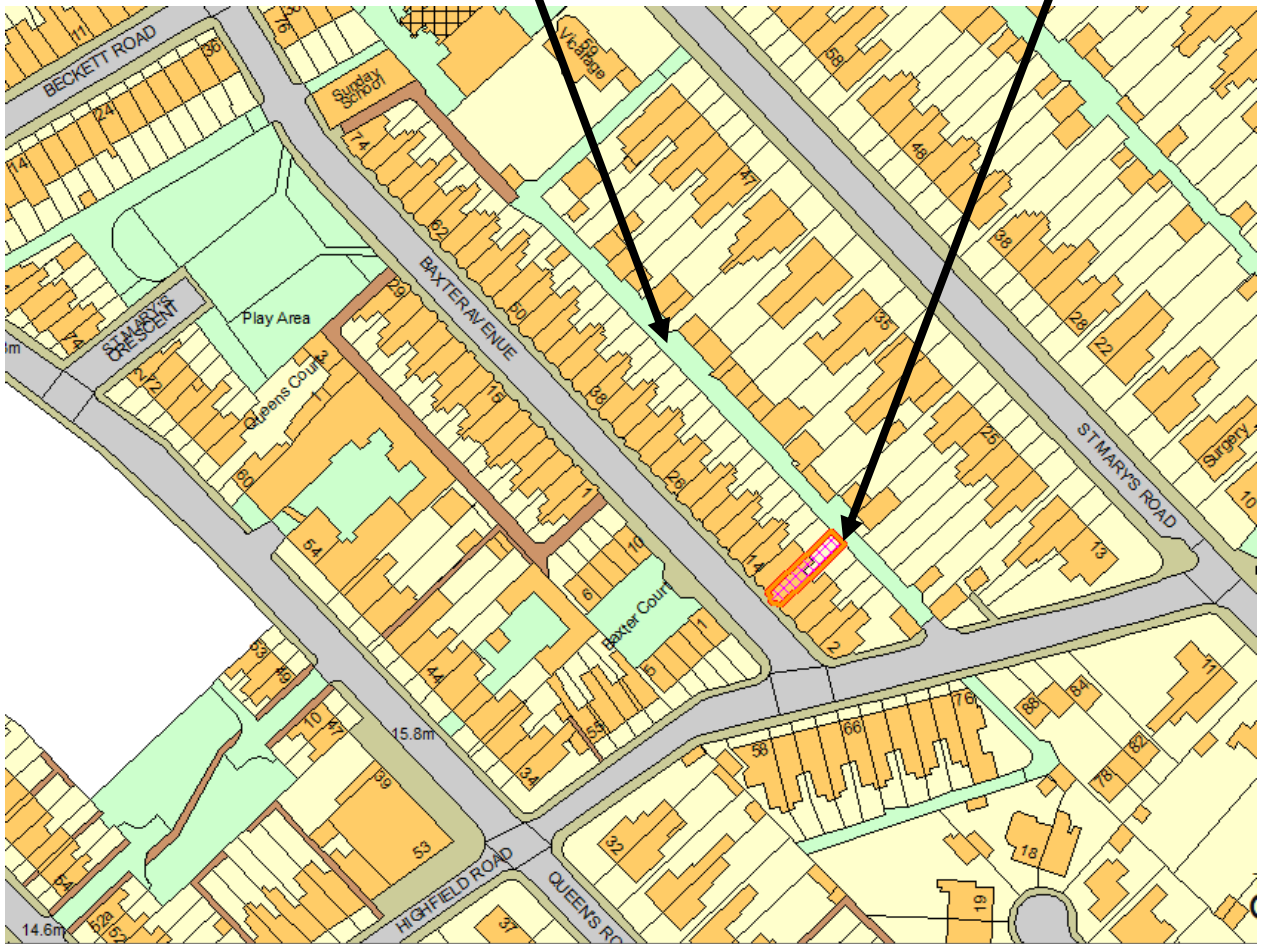
This application seeks planning permission for the conversion of a terraced dwelling in Wheatley to two flats. The site lies within Residential Policy Area and as such residential developments are acceptable in principle, subject to the consideration of other material planning considerations. The application is presented to Planning Committee as the applicant is a Doncaster Council Ward Member for Bessacarr.

Having considered the planning merits of this application, it is considered that there are no material planning considerations that would demonstrably suggest that the application should be refused.

RECOMMENDATION: GRANT planning permission subject to the imposition of suitable conditions.

Rear Alleyway

Application site



1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee in accordance with the Council's scheme of delegation as it requires applications made by members of Doncaster Council to be presented to the committee for determination.

2.0 Proposal

- 2.1 Planning permission is sought for the conversion of the existing two storey house to two one bed flats, one on each floor accessed by the existing entrance from the street. Minor external alterations are proposed to provide additional daylight to the kitchen/lounge area at the rear. Internally the layout will provide a shared hallway with internal access to each unit. No other alterations are proposed with the rear yard which is retained.

3.0 Site Description

- 3.1 The application site is located within a row of relatively large terrace villa style Victorian properties. The existing property is a brick building with projecting bay windows projecting into the street at ground floor level. The property is arranged over two storeys with basements and attics. The property is of similar scale and style to the surrounding dwellings which are residential with a more modern development directly opposite and building on Highfield Road featuring small dormers in the roofline
- 3.2 Car parking at the property is on road although some properties along the road have off road car parking. The site is located in the neighbourhood of Wheatley within a residential area characterised largely by streets fronted by two or three storey terraced properties and some semi-detached.

4.0 Relevant Planning History

- 4.1 There have been no previous planning applications related to this site.

5.0 Site Allocation

- 5.1 The site falls within a Residential Policy Area, as defined by the Proposals Maps of the Doncaster Unitary Development Plan (adopted in 1998).
- 5.2 The site is located in Flood Zone 1 and is not considered to be at high risk of flooding.

5.3 Relevant Planning Policies

5.4 National Planning Policy Framework 2019 (NPPF)

- 5.5 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and outlines how local planning authorities should apply these policies. Planning permission must be

determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.6 Paragraphs 7-11 establish that all decisions should be based on the principle of a presumption in favour of sustainable development (considering the social, environmental and economic pillars of sustainability).
- 5.7 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.8 Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans according to:
 - a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) 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
 - c) the degree of consistency of the relevant policies in the emerging plan to the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.9 Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.
- 5.10 Paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.11 Paragraph 124 states that 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

- 5.12 Paragraph 127 states that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and sympathetic to local character, and will establish or maintain a strong sense of place. Paragraph 127(f) sets out that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 5.13 Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
- 5.14 Core Strategy 2011 - 2028
- 5.15 To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise: see section 70(2) of the Town and Country Planning Act 1990 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 5.16 In May 2012, the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. The Core Strategy policies relevant to this proposal are set out below.
- 5.17 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives. Proposals should strengthen communities and enhance their well-being by providing a benefit to the area in which they are located, and ensuring healthy, safe places where existing amenities are protected. Developments should be place-specific in their design and work with their surroundings, protecting and enhancing the built and natural environment. Proposals should also protect local amenity and be well-designed.
- 5.18 Policy CS14 of the Core Strategy requires development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate and surrounding local area. Policy CS14(A) sets out the following qualities of a successful place:
1. character – an attractive, welcoming place with its own identity appropriate to the area;
 2. continuity and enclosure of streets and spaces by buildings;
 3. quality, stability, safety and security of private property, public areas and the highway;

4. permeability – ease of pedestrian movement with good access to local facilities and public transport services;
5. legibility – a development that is easy to navigate;
6. adaptability – flexible buildings capable of changing over time;
7. inclusive – accessible development that meets the needs of as much of the population as possible;
8. vitality – creating vibrant, busy places with a mix of uses where appropriate; and
9. sustainability – proposals are environmentally responsible and well managed.

5.19 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

5.20 Policy PH9 designates Residential Policy Areas as shown on the Proposals Map.

5.21 Policy PH11 states that within Residential Policy Areas, development for housing will normally be permitted except where:

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or back land development would result in an unsatisfactory access, overlooking or over-intensive development;
- D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

5.22 Local Plan (Submission)

5.23 Paragraph 48 of the NPPF states that the local planning authority may give weight depending on the stage of the Local Plan and 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). Taking into account the remaining stages of the local plan process, it is considered that the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:

- Substantial
- Moderate
- Limited

5.24 The Local Plan has been through Examination in Public, and consultation on proposed main modifications to the Plan is ongoing until Sunday 21 March 2021. The Council is aiming to adopt the Local Plan by Summer/Autumn 2021. The following policies are considered appropriate in assessing this proposal,

and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy.

- 5.25 Policy 8, delivering the Necessary Range of Housing, sets out that there should be a sufficient supply of a mix of house types. Only limited weight is afforded to this policy due to outstanding objections.
- 5.26 Policy 11 states that within Residential Policy Areas as defined on the Policies Map, new residential development will be supported, provided that:
1. the development would provide for an acceptable level of residential amenity for both new and existing residents; and
 2. the development would help protect and enhance the qualities of the existing area and contribute to a safe, healthy and prosperous neighbourhood; and
 3. the development would meet other development plan policies including those relating to flood risk, open space, design and sustainable construction.

This policy has substantial weight based on the volume of objections.

- 5.27 Policy 14 (Promoting Sustainable Transport in New Developments) states that new development shall make appropriate provision for access by sustainable modes of transport to protect the highway network from residual vehicular impact. The Council will work with developers to ensure that appropriate levels of parking provision are made in accordance with the standards contained within Appendix 6 of the Local Plan. Development should not result in unacceptable impacts on highway safety, or the severe residual cumulative impacts on the road network. Developers must consider the impact of new development on the existing highway and transport infrastructure. This policy has limited weight based on the volume of objections.
- 5.28 Policy 42 (Character and Local Distinctiveness) states that development proposals will be supported where they:
1. recognise and reinforce the character of local landscapes and building traditions;
 2. are of a high quality design that contributes to local distinctiveness;
 3. respond positively to their context, setting and existing site features, respecting and enhancing the character of the locality; and
 4. integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.

In all cases, applications and design proposals will need to demonstrate an understanding of the context, history, character and appearance of the site, to inform the appropriate design approach. This policy has limited weight based on the volume of objections.

- 5.29 Policy 43 (Good Urban Design) states that high quality development that reflects the principles of good urban design will be supported. This policy has moderate weight based on the volume of objections.
- 5.30 Policy 45 (Residential Design) states that new housing will be supported where it responds positively to the context and character of existing areas, or the host property, and creates high quality residential environments through good design. Developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours, be over-bearing, or result in an unacceptable loss of garden space. Part B of this policy sets out key residential design objectives, including good connectivity, high standards of residential amenity, adequate car parking, safe access points and satisfactory refuse collection arrangements. This policy has moderate weight based on the volume of objections.
- 5.31 Policy 46 (Housing Design Standards) requires all new homes to meet the Nationally Described Space Standard as a minimum. This policy has limited weight based on the volume of objections.
- 5.32 Policy 48 (Safe and Secure Places) supports developments which are designed in a way that reduces the risk of crime. This policy has substantial weight based on the volume of objections.
- 5.33 Other material planning considerations
- Development Requirements and Guidance Supplementary Planning Document (SPD) (adopted 2015)
 - South Yorkshire Residential Design Guide 2011 SPD (adopted 2015)
 - National Planning Practice Guidance
 - National Design Guide (2019)

6.0 Representations

- 6.1 This application has been advertised as a departure from the development plan in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as follows:
- Advertised on the Council website
 - 6 neighbours notified by letter

6.2 No representations were received in response to the publicity.

7.0 Parish Council

- 7.1 The site is not within a parished area of Doncaster.

8.0 Consultations

8.1 Environmental Health

Comments regarding sound proofing, bin storage and restrictions on working practises noted. However on minor schemes it is not practise to impose conditions as nuisance is covered by Environmental Protection legislation and sound proofing would be required by the Building regulations. Otherwise, no objections are recorded.

8.2 Highways Development Control (HDC)

HDC made no objections.

8.3 Waste and Recycling

Noted the collection point is the rear alleyway and that bins should be kept on that part of the site, otherwise no objections.

9.0 Assessment

9.1 The main issues for consideration under this application are as follows:

- The principle of the development
- Residential amenity
- Design and visual impact
- Highway safety and parking
- Trees, landscaping and ecology

9.2 For the purposes of considering the balance in this application, planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

The Principle of the Development

9.3 The site is located within a Residential Policy Area as designated in the UDP. As such, residential use of the site is acceptable in principle in line with Policy PH11, subject to compliance with other policies and consideration of the scheme's design and its impact on residential amenity, highways and other issues.

9.4 SOCIAL SUSTAINABILITY

Residential Amenity

- 9.5 Policies CS1 and CS14 of the Core Strategy, policy PH11 of the UDP and paragraph 127(f) of the NPPF all place a requirement on developments to provide a good standard of amenity for existing and future users. This includes access to daylight and sunlight, a positive outlook from the windows of habitable rooms, a good standard of privacy, and sufficient internal and external amenity space.
- 9.6 The development would have no impact on the privacy, outlook or light enjoyed by the houses either side (nos. 08 and 12). There is one first floor windows on the upper level of the side elevations of the proposed dwellings providing a secondary window for the kitchen. It is proposed to condition that this window is obscure glazed to avoid overlooking and loss of privacy to/from the adjacent dwelling. No other external alterations would adversely affect the neighbouring property.
- 9.7 The proposal does not deal directly with the provision of waste storage. However it is noted that the collection point is from the rear alleyway and the development is all within the same ownership. A communal bin storage area could be provided in the rear yard (as suggested by the Environmental Health Officer in their response) and a condition requiring such a provision is recommended to be included in the decision.
- 9.8 The proposed flats would provide an adequate standard of internal space for future residents, causing no loss of light, outlook or privacy to the houses on either side and meet the national minimum standard. The upper level flat would not have access to the rear yard but the site only provides single bed accommodation and is a relatively short distance from amenities in the town centre and the green space of Town Moor.

Conclusion on Social Impacts

- 9.9 On balance, it is considered that there would be no harmful impact on residential amenity, and the proposal is in accordance with policies CS1 and CS14 of the Core Strategy as well as paragraph 127(f) of the NPPF.

9.10 ENVIRONMENTAL SUSTAINABILITY

Design and Visual Impact

- 9.11 Policy CS14 of the Core Strategy and paragraph 127 of the NPPF require developments to display a high quality of design, integrating well into the local context.
- 9.12 The area is characterised by terraced properties and the frontage would remain unaltered with very minor changes to the rear. The proposal would not, therefore impact on the character and appearance of the street scene. For this

reason, the design is considered to be acceptable when taken as a whole, and the proposal would be in accordance with policy CS14 and the NPPF.

Highway Safety and Parking

- 9.13 The proposal would not provide in-curtilage car parking spaces, however it is in a sustainable location not far from the town centre and close to local shops on Beckett Road. The Highway Officer did not raise any objections and it is considered that on street parking for any visitors would be sufficient to service the two units.

Conclusion on Environmental Issues

- 9.14 The amended proposal would not have a harmful visual impact, and the design would be appropriate to the surrounding local environment. There would be no negative impact on highway safety. Overall, the development is considered to be in accordance with policies CS14 of the Core Strategy, and with the NPPF.

9.15 ECONOMIC SUSTAINABILITY

- 9.16 The proposal would have limited economic benefits in terms of providing temporary employment opportunities for local tradespeople during construction. There would be no economic disadvantages to the development, as the site would not otherwise be used for any business or commercial uses.

Conclusion on Economy Issues

- 9.17 The development would have little economic impact, either positive or negative, and as such the proposal would not be contrary to the economic pillar of sustainable development.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF, the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh any benefits identified when considered against the policies in the NPPF taken as a whole. The development would create two one bed flats, adding to the mix of accommodation available in the surrounding area, in a sustainable location, without harmfully impacting upon residential amenity. Subject to the recommended conditions, there are no material considerations which indicate that the application should be refused.

11.0 RECOMMENDATION

- 11.1 **MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:**

Conditions/Reasons

01. 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. 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 and CS14 of the Core Strategy

03. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and documents listed below:

Drawing Sheet 2 – Aug 2020

REASON

To ensure that the development is carried out in accordance with the application as approved.

04. Before the first occupation of the dwellings hereby permitted, the side windows to the first floor kitchen (as indicated on the approved plans) shall be permanently obscure-glazed to a level of obscurity to Pilkington level 3 or above or its technical equivalent by other manufactures and non-openable up to a height of 1.7 metres above floor level, and shall be permanently retained in that condition thereafter, unless otherwise approved in writing by the local planning authority.

REASON

To ensure that the development does not impact on the privacy of the adjoining premises.

05. Prior to the first occupation of the development hereby approved, details of the bin stores for both flats shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON

To ensure that there is adequate provision for the storage and collection of waste from the site in accordance with Policy CS14 of the Core Strategy.

Informatives

01.

INFORMATIVE

Doncaster Council provides an alternate weekly collection service with residual waste collected one week and recyclable waste collected the following week:

Week 1 Black Bin

Week 2 Blue bin / Green box + Green bins

Our standard domestic service provision for each council tax paying household is set-out below.

Each household receives a 240 litre Blue bin for the storage and collection of clean / dry recyclable materials:

- Plastic bottles (clear and coloured)
- Paper, newspapers, magazines (excluding shredded paper and windowed envelopes)
- Cardboard (Brown and Grey)
- Steel / Aluminium food and drinks cans, foil, Aerosols

Each household receives a 55 litre Green box for the storage and collection of glass bottles / jars (no sheet glass).

Each household receives a 240 litre Black bin for the storage and collection of non-recyclable / non-hazardous Household Waste:

- Shredded paper and windowed envelopes;
- Broken / sheet glass;
- Crockery;
- Nappies and sanitary products;
- Yoghurt pots, plastic tubs, trays and lids;
- Liquid food cartons (Tetra/Pure Pak);
- Plastic film or cling film;
- Polystyrene and soiled takeaway containers;
- DIY bottles / containers used for paint, oils, chemicals etc. (No liquids or hazardous waste);
- Dog and cat faeces (wrapped or bagged);
- Pet bedding and straw;
- Turf and ash; and
- Food waste (wrapped or bagged as necessary).

Each household (with a suitable gardens) receives a 240 litre Green bin for the storage and collection of green garden waste:

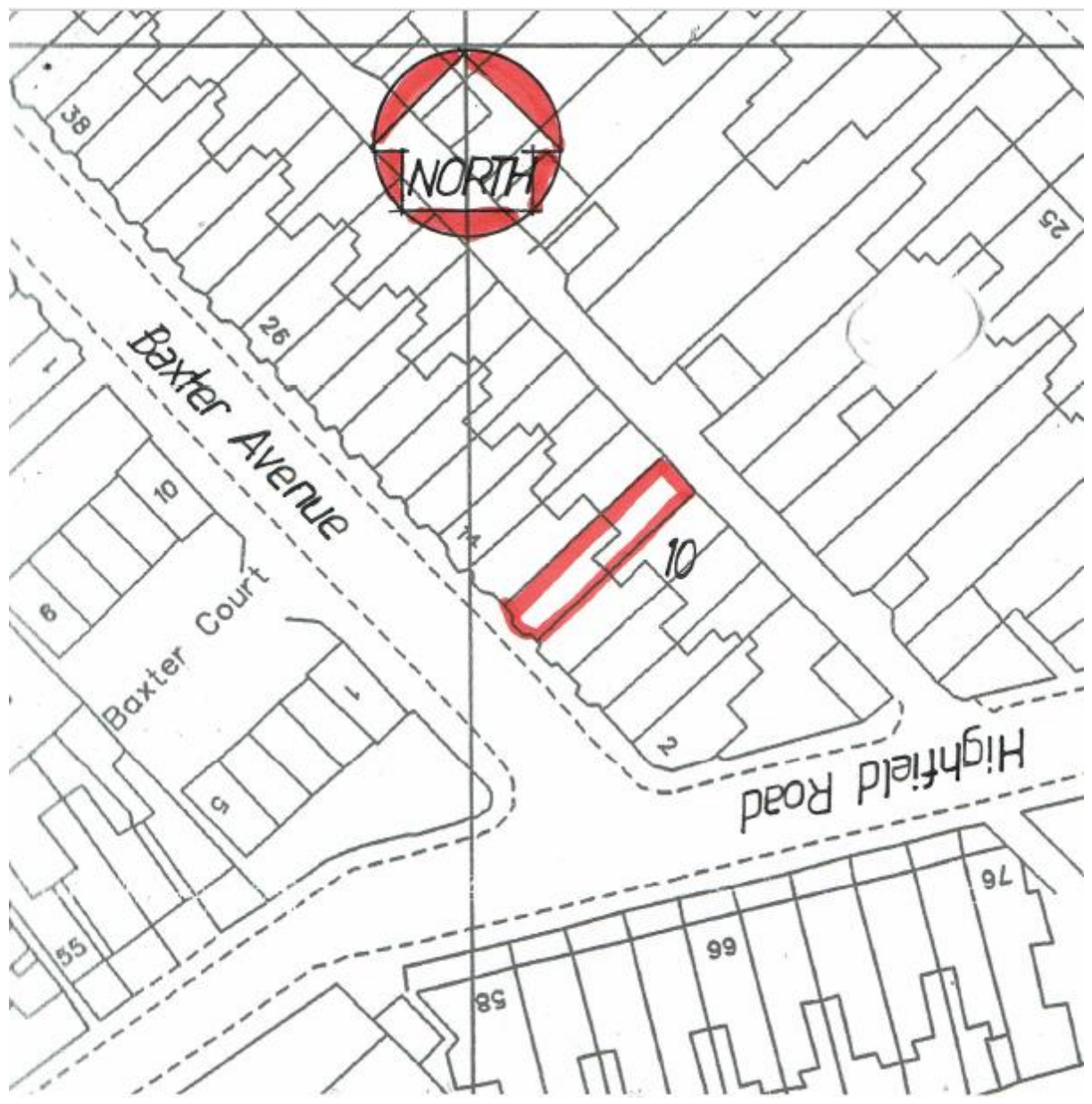
- Grass cuttings;
- Hedge clippings and shrub pruning's;
- Flowers, plants and weeds;
- Root balls (please remove excess soil);
- Leaves, bark, small twigs and branches.

For the proposed development, with limited outside space, Green bin collections may not be required.

Doncaster Council charges a fee for the delivery of bins to households, current Fees and Charges can be found on the Council's website here. Each council tax paying household can arrange for delivery of any bins for which they are eligible (do not have or that require replacement) by telephoning our Customer Contact Centre T: 01302 736000.

The above objections, consideration 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: Proposed plans





REAR

