

Application	01
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Application Number:	23/00108/FUL
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Application Type:	Full Planning Permission
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Proposal Description:	Conversion of existing dwelling with erection of rear extension to create 7 - one bed HMO units and conversion of rear outbuilding to create a one bed apartment
At:	18 Lifford Road, Wheatley, Doncaster, DN2 4BY

For:	Mr Kay
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Third Party Reps:	32 representations objecting to the proposal and petition with 90 signatures	Parish:	N/A
		Ward:	Town

Author of Report:	Mark Ramsay
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SUMMARY

This application was deferred on the 19th September for the following reasons:

Clarification on the number of parking permits allowed for each resident, the number of permits currently issued in the street, and the assessment of the noise impact on the party wall with No. 20.

The application relates to a proposed House of Multiple Occupation (HMO) with 7 one-bedroom units in Wheatley and conversion of an outbuilding to a single stand-alone apartment. This would be achieved by extending and converting a 5-bedroom house with a two-storey extension to the rear.

The application proposal has been amended to satisfy the previous consultee objections by changes to the internal layout and reduction of the number of bedrooms. Since the previous meeting minor changes have been made to the internal layout so the access to unit 2 is from the hallway rather than the shared living space and indicative layout showing possible bin and cycle storage in the rear yard and these changes are reflected in appendix 2 and 1 respectively. Additionally, the proposed rear doors on the outbuilding have been removed in the interests of security.

This report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal. The development would not cause undue harm to neighbouring properties, trees, the highway network or the character of the area.

RECOMMENDATION: GRANT planning permission subject to conditions



1.0 Reason for Report

- 1.1 This application is being presented to planning committee at the request of Councillor Coby, due to concerns over the proliferation of Houses in Multiple Occupation (HMO's) in the area and the number of objections received to the proposal.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of a 5-bedroom dwelling house (Use Class C3) to a 7-bedroom HMO (Use Class Sui Generis) with a converted outbuilding forming a single apartment at the rear.
- 2.2 No external alterations are proposed to the front elevation of the property. However, a two-storey extension is proposed to the rear of the building.
- 2.3 All the parking provision on Lifford Road is provided on street. The proposal does not include dedicated parking spaces for occupiers and objections haven't been raised by Highways due to its sustainable location.
- 2.4 The proposal originally sought permission for 8 bedrooms but following comments from the Environmental Health Officer, the scheme has been reduced in scale in order to provide an acceptable standard of accommodation in terms of space, light and ventilation inside the building.

3.0 Site Description

- 3.1 Lifford Road has a uniform character, consisting of two storey, terrace housing. The majority of the properties are red brick. All of the properties have bay-windows to the front, at the ground floor level. A small minority of the dwellings have extended up into the roof space.
- 3.2 Most of the properties on the same side of Lifford Road have small courtyard gardens to the front, which can be used for bin storage. This property is at the end of the terrace and there is a footway along the side of the property that serves to provide external access to the rear of the property storage and has an alleyway to the rear of the property.
- 3.3 The site is in Flood Zone 1 as defined by the Environment Agency's Flood Maps and is therefore at low risk of flooding.

4.0 Relevant Planning History

- 4.1 The site has no relevant planning history

5.0 Site Allocation

- 5.1 The site is allocated as Residential Policy Area as defined by the Doncaster Local Plan. The following policies are applicable:

5.2 National Planning Policy Framework (NPPF 2023)

- 5.3 The National Planning Policy Framework 2023 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.4 Paragraphs 7 to 11 establish that all decisions should be based on the principles of a presumption in favour of sustainable development. One of the three overarching objectives of the NPPF is to ensure a significant number and range of homes are provided to meet the needs of present and future generations (paragraph 8b).
- 5.5 Paragraphs 55 and 56 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.6 Paragraph 60 outlines the Government's objective of significantly boosting the supply of housing, noting the importance of a sufficient amount and variety of land coming forward where it is needed and that the needs of groups with specific housing requirements are addressed.
- 5.7 Paragraph 62 requires a mix of housing size, type and tenure to come forward on developments to meet housing need, including those who require affordable housing.
- 5.8 Paragraphs 92(b) aims to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion
- 5.9 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.10 Paragraph 119 notes the importance of making efficient use of land, whilst decisions should promote an effective use of land in meeting the needs for homes, in a way that makes best use of previously developed land.
- 5.11 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 (paragraph 126).
- 5.12 Paragraph 130 states that planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.

5.13 Planning decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and the quality of life (para 185).

5.14 Local Plan

5.15 The site lies within the Residential Policy Area as allocated in the Doncaster Local Plan (Policy 10).

5.16 Policy 9 deals specifically with HMOs and how they will be supported under strict circumstances. The criterion of this policy is set out later in the report.

5.17 Policy 45 deals specifically with residential design standards ensuring that new housing meets the Nationally Described Space Standard minimum.

5.18 Policy 42 deals with the need for good urban design.

5.19 Policy 47 (Safe and Secure Places) states that developments will be supported which are designed in a way that reduces the risk of crime and the fear of crime.

5.20 Other Material Planning Considerations

5.21 Doncaster Council's previous suite of adopted SPDs have been formally revoked in line with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following the adoption of the Local Plan.

5.22 The Transitional Developer Guidance (TDG) (Updated August 2023) provides guidance on certain elements, including design, during the interim period, whilst new SPDs to support the adopted Local Plan are progressed and adopted. This guidance is attached limited weight.

5.23 National Planning Policy Guidance

5.24 The South Yorkshire Residential Design Guide (SYRDG) has also been revoked as an SPD but retained as guidance and is also afforded limited weight.

6.0 Representations

6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 by way of site notice and direct neighbour notification letters.

6.2 There was a petition of 90 signatures objecting to the application when it was initially publicised and 16 objections were also received. When the amended scheme was publicised a further 16 objections were received.

6.3 The matters raised included concerns regarding;

- pressure on drainage
- fly tipping in the alleyway
- anti-social behaviour
- pressure on parking in the locality

- noise nuisance, loss of privacy
- harm to the character of the area

7.0 Parish Council

7.1 No parish council exists for this area.

8.0 Relevant Consultations

8.1 **Environmental Health** – Following discussion with the agent the proposal was modified to reduce the number of bedrooms and ensure there is sufficient space and light for each room. The officer withdrew their objections subject to conditions requiring a scheme for noise insulation and waste management required to be agreed and implemented before occupation.

8.2 **Area Manager** – Noted concerns of residents regarding egress in case of fire, increase in noise, waste storage and the appropriateness of an HMO in this location.

8.3 **Public Health** - Concerns raised regarding internal design, ventilation, light and noise in original proposal have been addressed through the amendments made following discussions with Environmental Health. Also queried promotion of active travel and whether outdoor space would be landscaped.

8.4 **Highways** - The proposed HMOs are located within a dwelling situated on Lifford Road within Wheatley. This road is made up of residential dwellings, it has on street parking provisions in place that requires parking permits this will need to be made clear to future residents of the HMO's. It is also within walking distance approximately 300m to bus stops that provide regular services to the City Centre. Given the above information and the close proximity to the City Centre, the hospital and the connection links, no concerns are raised over this development.

9.0 Assessment

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

- Principle of Development
- Space Standards
- Impact upon Neighbouring Properties
- Location
- Concentration of HMO's in the area
- Landscape
- Heritage
- Highways

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

- Substantial
- Considerable

- Significant
- Moderate
- Modest
- Limited
- Little or no weight

Principle of Development

- 9.3 The application site is washed over by Residential Policy Area and as such Policy 10 of the Doncaster Local Plan supports residential development in principle, providing that it does not adversely affect the character of the area or detrimentally affect neighbouring properties through for example excessive overshadowing, over dominance or loss of privacy.
- 9.4 Policy 9 sets out a strict criteria in relation to the development of HMOs. The policy states that there are concerns around the quality of living for occupants of these dwellings. Proposals for HMOs will only be supported under very strict circumstances which provide adequate internal living standards, communal areas, provide sufficient accommodation for the number of residents, capable of conversion without harming the amenities of neighbouring residents and not result in an over concentration within a locality.
- 9.5 The site is located within the Article 4 Direction area which removes the permitted development right to change the use of C3 dwelling houses to C4 HMO's without the need for planning permission (C4 is a dwellinghouse used as an HMO for up to 6 people). However, this development would have required planning permission for the alterations to the building and because the development is for more than 6 occupants.
- 9.6 The Article 4 Direction does not ultimately result in all HMO's being refused. However, it does mean the design and position of all proposed HMO can be scrutinised by the LPA in further detail rather than just the larger ones that accommodate more than 6 people.
- 9.7 While the Article 4 Direction is not directly relevant to this proposal, it does mean that, irrespective of the size of HMO proposals that may come forward, the total number of HMO's in a stretch of 20 properties on the same side of the street, would be limited to this development and one other. The concentration of HMO's is discussed further within this report at paragraphs 9.28 onwards.

Sustainability

- 9.8 The NPPF sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.9 There are three strands to sustainability, social, environmental, and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favor of sustainable development.

9.10 SOCIAL SUSTAINABILITY

Space Standards

- 9.11 The Housing Act 2004 outlines the legal minimum individual room size for one person as 6.51 square metres. However, in order to obtain an HMO License, the Council encourages bedroom sizes (including space for en-suite facilities) of at least 10 square metres and since the scheme was amended, all the proposed bedrooms exceed this threshold. Concerns were raised as to the arrangements for unit 2, the ventilation of the en-suite would come under the building regulations and mechanical extraction though the roof space could be used for this as well as the other internally positioned bathrooms and the entrance door of unit 2 now opens to the hallway rather than the shared living area.
- 9.12 The Environmental Health Officer has confirmed that based on the revised layout, the applicant would be able to obtain the HMO License and the space standards are satisfactory for the proposed use. The shared kitchen, dining and living space encourages tenants, to mix and interact, which contributes to social and healthy wellbeing. As such the overall size and layout of the property is considered to be suitable for the proposed use. Thus, the proposal weighs positively in terms of the internal space and carries significant weight.
- 9.13 The converted outbuilding is considered against the Nationally Described Space Standards and the unit provides 48 sq. m of internal space. This exceeds the minimum standards for a one bed unit (39 sq. m) and meets or exceeds the other requirements for bedroom size and storage so is considered acceptable.

Impact Upon Residential Amenity

- 9.14 Local Plan Policy 10 states that residential development will be permitted in Residential Policy Areas whereby it does not detrimentally affect the amenities of occupiers of nearby properties.
- 9.15 The application site is bordered by existing residential development on either side of the house and on the opposite side of the road. There is an alleyway that separates houses to the south that front Ferrers Road.
- 9.16 The extension to the rear of the property provides additional bedroom space at first floor and provides the shared facilities at ground floor with the rest of the ground floor becoming bedrooms. The new windows would face the rear, overlooking the existing yard so not introducing overlooking or loss of privacy to adjacent properties and is sufficiently set in from adjacent boundaries that it is not over dominant or introduce harmful overshadowing.
- 9.17 While the unit at the rear is sufficiently large to be occupied separately, the rear garden is shared between the HMO and the unit at the rear and is in the same ownership and would be rented out alongside the HMO rooms. The outbuilding is single storey so the upper windows in the house will look over the top of this unit and the closest window would serve the common kitchen area and the door/window

to unit 2 would largely be obscured from the rear unit by the projection on the rear of the house, so not introducing an unacceptable loss of privacy to occupants.

- 9.18 The garden has a secure gated access, onto the alleyway at the rear and down the side of the house so there is space to store bins within the curtilage of the house. HMOs generally remain eligible for the same level of service as traditional forms of housing, but the Council may provide an additional 240 litre black bin for HMOs where necessary. The manager of a HMO must make additional arrangements for excess waste produced by their tenants where the Council's standard service provision proves inadequate, requests for additional capacity would be dealt with as commercial agreements with charges for collections.
- 9.19 The building owner/management company must ensure that a documented waste management plan is produced and implemented, so as to ensure a designated person/body keeps the storage area clean, free from uncontained waste and pests and to facilitate any other actions necessary to ensure the waste storage area is properly managed and maintained. A scheme of waste storage to be agreed has been recommended by the Environmental Health Officer and any required measures can be dealt with through this process.

Conclusion on Social Impacts.

- 9.20 Paragraph 8 of the NPPF indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. The design of the extension is considered to not adversely affect neighbouring residential properties through excessive overlooking or loss of privacy.
- 9.21 The objections raised in regard to loss of amenity are noted however there are existing bedrooms on the 1st and 2nd floor that already abut the same bedroom walls without any enhancements. It is further noted that the numbers of occupants would not excessively exceed that possible if the original dwelling was filled by a large family given that the roofspace has already been converted.
- 9.22 However, a scheme of enhanced airborne sound insulation for application to the party wall with the neighbouring property will need to be submitted to the authority for approval and has been requested as a condition by the Environmental Health Officer. The developer would need to show that the standard they will meet is equivalent to that required for a new build semi-detached house under Part E of the Building Regulations. This scheme, once agreed, has to be implemented in full before the building is occupied as an HMO. This would ensure that the noise from activities in the adjacent bedrooms such as talking on a phone, playing music, watching TV etc. does not adversely impact the occupants of the adjoining dwelling.
- 9.23 In conclusion the property provides adequate internal space standards and meets the criteria in terms of obtaining the relevant HMO License from Doncaster Council. The shared living space, as well as the access to outdoor area, encourages social interaction and is considered to provide suitable accommodation.

9.24 ENVIRONMENTAL SUSTAINABILITY

Location

- 9.25 The application site is positioned in a sustainable location. The site is approximately 1.1 miles from Doncaster City Centre and the Doncaster Transport Interchange, thus within suitable walking distance. In terms of connectivity, the application site is located approximately 200m from Beckett Road and Thorne Road which are both served by regular bus services to the City Centre and other destinations across the Borough.
- 9.26 Beckett Road also provides a variety of shops and local amenities within walking distance of the application site and the site is also a short distance from the Hospital, Doctor and Dentist surgeries.
- 9.27 Whilst the application proposal does not provide dedicated off-street parking spaces, considering the above, the application site lies within a sustainable location close to the City Centre and sustainable methods of transport. The Highways Department have not raised objections to the proposal. This weighs in favours of the application carrying significant weight.

Concentration of HMOs

- 9.28 The Wheatley Area is considered to be the most populated area of Doncaster in terms of HMO properties. This is mainly due to its proximity to the hospital for doctors and nurses. The size and scale of the traditional housing in this area also means that the existing properties can easily be converted to provide multiple bedrooms.
- 9.29 As such, the Article 4 Direction was brought into force to cover this area, along with the rest of the Town Ward and much of Hexthorpe. This requires that all HMO development requires planning permission and not just development such as this proposal that provides for accommodation for more than 6 people.
- 9.30 Policy 9 (a,b and c) sets out strict criteria in relation to the development of HMOs. The policy states that there are concerns around the quality of living for occupants of these dwellings. Proposals for HMOs will only be supported under very strict circumstances where:
- Internal standards are suitable for multiple occupation, including bedrooms with good soundproofing, privacy, outlook, light, ventilation and have good communal facilities;
 - Sufficiently sized external communal areas to accommodate waste and recycling bins; cycle storage and on-site parking.
 - The overall size of the dwelling is sufficient to provide proper and adequate accommodation and living space for the number of residents;
 - The existing dwelling is capable of conversion without causing harm to the area or the amenity of nearby residents;

9.31 Policy 9 (e) also makes it clear that proposed HMO's must not result in an over-concentration of HMOs within a community/locality/street/row or result in a significant adverse impact to local amenities. The policy states that '*proposals must not create:*

1. *more than two HMOs side by side.*
2. *the sandwiching of a single self-contained house or flat between two HMOs.*
3. *more than two HMOs within a run of twenty properties on one side of the road; or*
4. *more than one HMO in a road of fewer than twenty properties on one side of the road.'*

9.32 As discussed above, the internal standards meet the requirements for licensing and subject to the amended scheme provides sufficient privacy, light, ventilation, and communal facilities. There is over 75 sq. m of external communal space at the rear which is sufficient to accommodate bin storage and outdoor circulation space for residents. A scheme of noise insulation to the party wall and a scheme for waste storage has been requested to be included as conditions included in the decision. The layout plan has been amended to show possible locations of typical bin and cycle storage footprints and a condition requiring a detailed scheme for their implementation is also recommended to be included in any positive decision.

9.33 Using the HMO License data, provided by the Council's Licensing Department, we can see that there are no other HMOs on Lifford Road and so is compliant with the above requirements of Policy 9.

9.34 It is important to highlight that local and national planning policy promotes that there is a housing mix to support a variety of market demand and to support different needs within the community.

9.35 There are a small number of HMO's located on surrounding streets as shown on the map at Appendix 4, so it is not considered to adversely affect the character of the surrounding area as they are spaced apart.

Landscape

9.36 As mentioned in Paragraph 9.27 tenants have access to the rear courtyard. In terms of landscaping, this consists of hard landscaping only, such as paving and gravel. There is little vegetation, as the emphasis on ensuring this is maintained is difficult to enforce on tenants.

9.37 The small courtyard to the front of the property, consists of similar materials.

Heritage

9.38 The proposal has no impact upon any heritage assets or Conservation Areas.

Highways

9.39 The existing parking provision is provided on-street and controlled by the issuing of permits. As such, the proposal includes no dedicated parking spaces. As explained previously, the application site is in a sustainable location with good links to public

transport, as well as being within walking distance to local amenities and facilities. Given the type of accommodation, residents are less likely to have private transport and given location and proximity to services and public transport, no objections were raised by the Highways engineer.

- 9.40 In Lifford Road itself there are parking areas along each side of the carriageway with space for approximately 45 spaces and serves 40 properties (see appendix 6). Of those, 4 have direct access to off-street parking and the alleyways access garages to the rear of various properties although it isn't clear how many are in use.
- 9.41 The area is subject to a permitting scheme which allows residents to apply for a permit to park their car in the marked bays on Lifford Road and other streets in the Wheatley North parking permit area (see appendix 5). The rules of the scheme allow a maximum of 5 permits per property and the vehicle registration (also known as V5) must be registered at the same property. Additionally, a block of 50 visitor permits (valid for one day) can be purchased once each year for each property. It has not been possible to break down the numbers of permits issued solely to properties on Lifford Road. There are approximately 450 properties within the area and at the time of writing 390 residential permits had been issued along with 45 carer parents.

Conclusion on Environmental Issues

- 9.42 Paragraph 8 of the NPPF indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.43 Given that the application is utilising an existing property, the impact upon Environmental issues is very limited. There are no other properties on Lifford Road that currently operate as an HMO, and therefore this proposal is not considered to harmfully impact on the character of the area or surrounding environment.
- 9.44 The application is not in a Conservation Area, thus there being no impact upon any Heritage assets. The application site is located in a sustainable location, which is well connected and has good links to public transport and local amenities. The proposal does not detrimentally affect the surrounding environment. This weighs moderately in favour of the application.

9.45 ECONOMIC SUSTAINABILITY

- 9.46 As the majority of the works, to facilitate the change of use, have already been undertaken, the economic impact, in terms of employing tradesmen and construction workers has already concluded.
- 9.47 When fully occupied, the property will be occupied by 7 individual tenants and the occupant of the apartment at the rear. The residents will most likely work and pay into the local economy. However, given the scale of the development, the benefits in terms of economic activity are limited.

Conclusion on Economy Issues

- 9.48 Paragraph 8 of the NPPF sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 9.49 The proposal would result in some economic benefit, by increasing the occupancy of the property from a 5-bedroom property to a 7 bed HMO plus single apartment. Though, the scale of this increase is limited. As such the proposal carried limited weight in favour of the application.

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 the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the adopted development plan and adopted policies and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to conditions:

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 development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows:
002 Rev A Floor Plans as proposed dated Aug 2023

004 Existing and Proposed Elevations dated July 2023

REASON

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

03. Prior to first occupation of the building, the applicant shall submit for approval by the LPA, a waste management plan addressing waste storage and its presentation for collection. All approved requirements shall be implemented prior to first occupation and subsequently complied with at all times.

REASON

In the interests of amenity of residents

04. Prior to first occupation of the building, the applicant shall submit for approval by the LPA, a scheme of enhanced airborne sound insulation to the party wall with the adjoined residential property. All approved requirements shall be implemented prior to first occupation and subsequently complied with at all times.

REASON

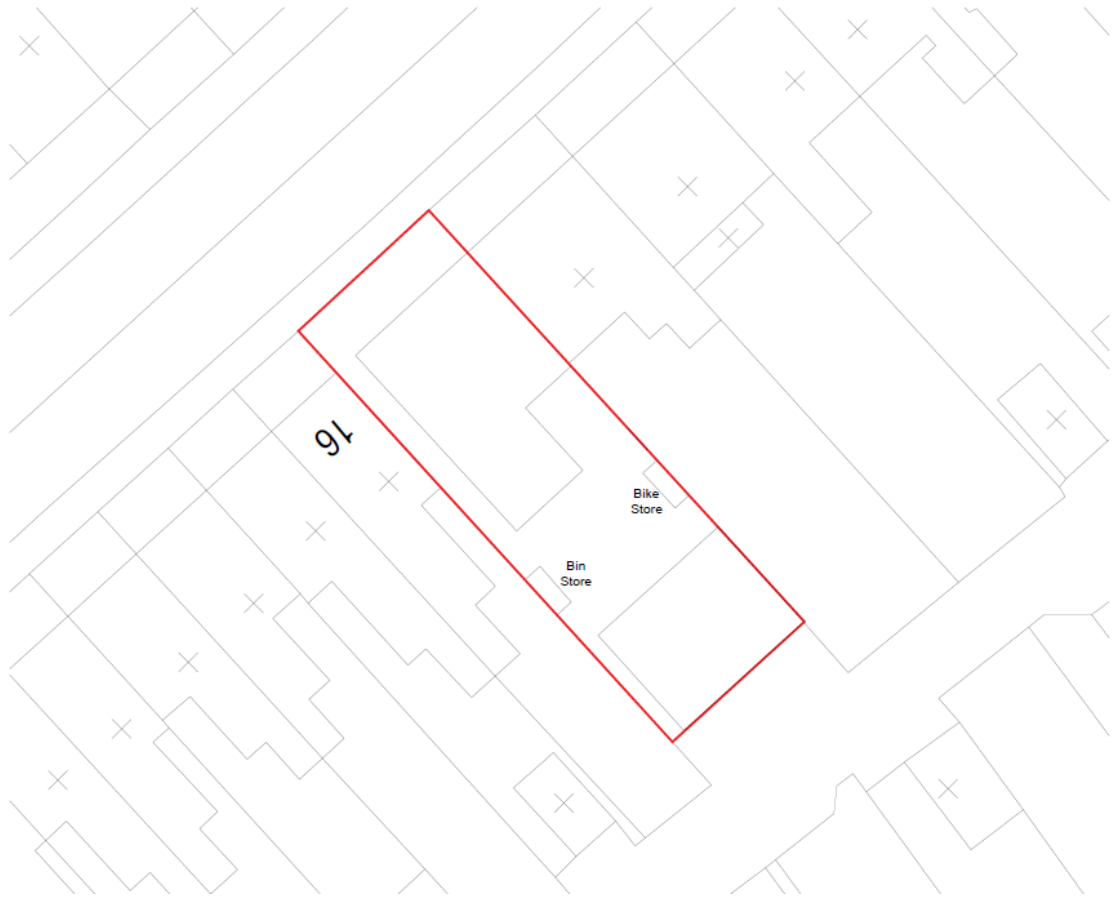
In the interests of amenity of residents

05. Prior to any occupation of the development hereby permitted full details of secure cycle storage facilities shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be fully implemented and made available for use prior to first occupation of the property and shall be retained thereafter.

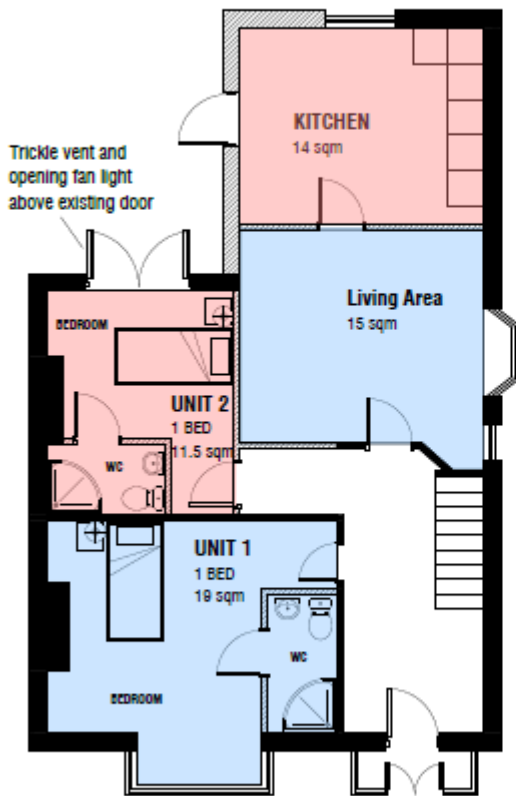
REASON

To promote non-car methods of use for the development to reduce parking demand in the area.

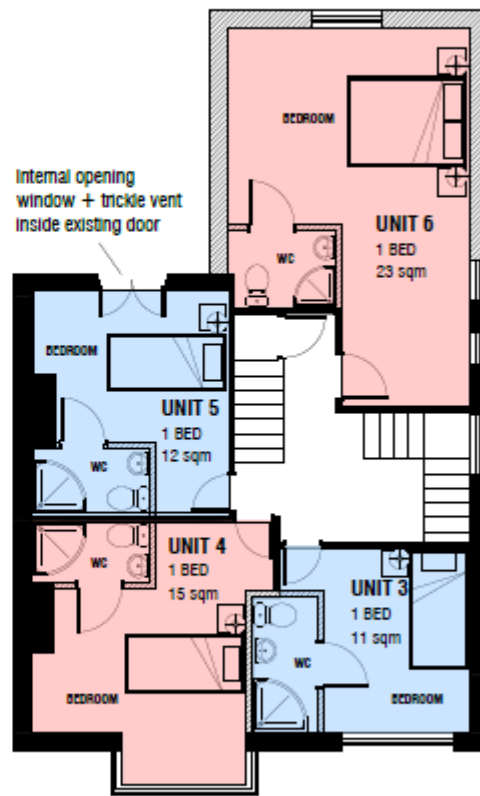
APPENDIX 1- Site Layout



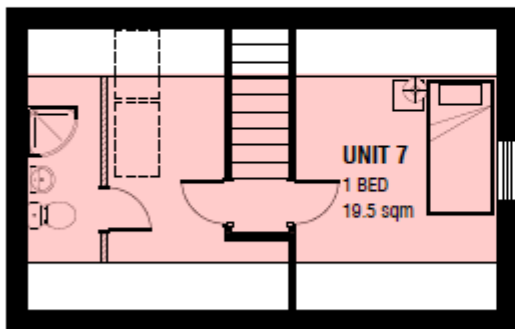
APPENDIX 2 - Internal Layout



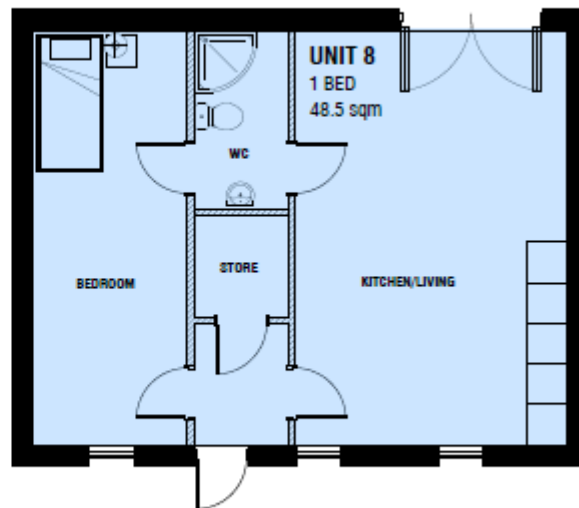
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



SECOND FLOOR PLAN 1:50



OUTBUILDING PLAN 1:50

Appendix 3: Elevations

Proposed Elevations 1:100



Lifford Road Elevation



Side Elevation

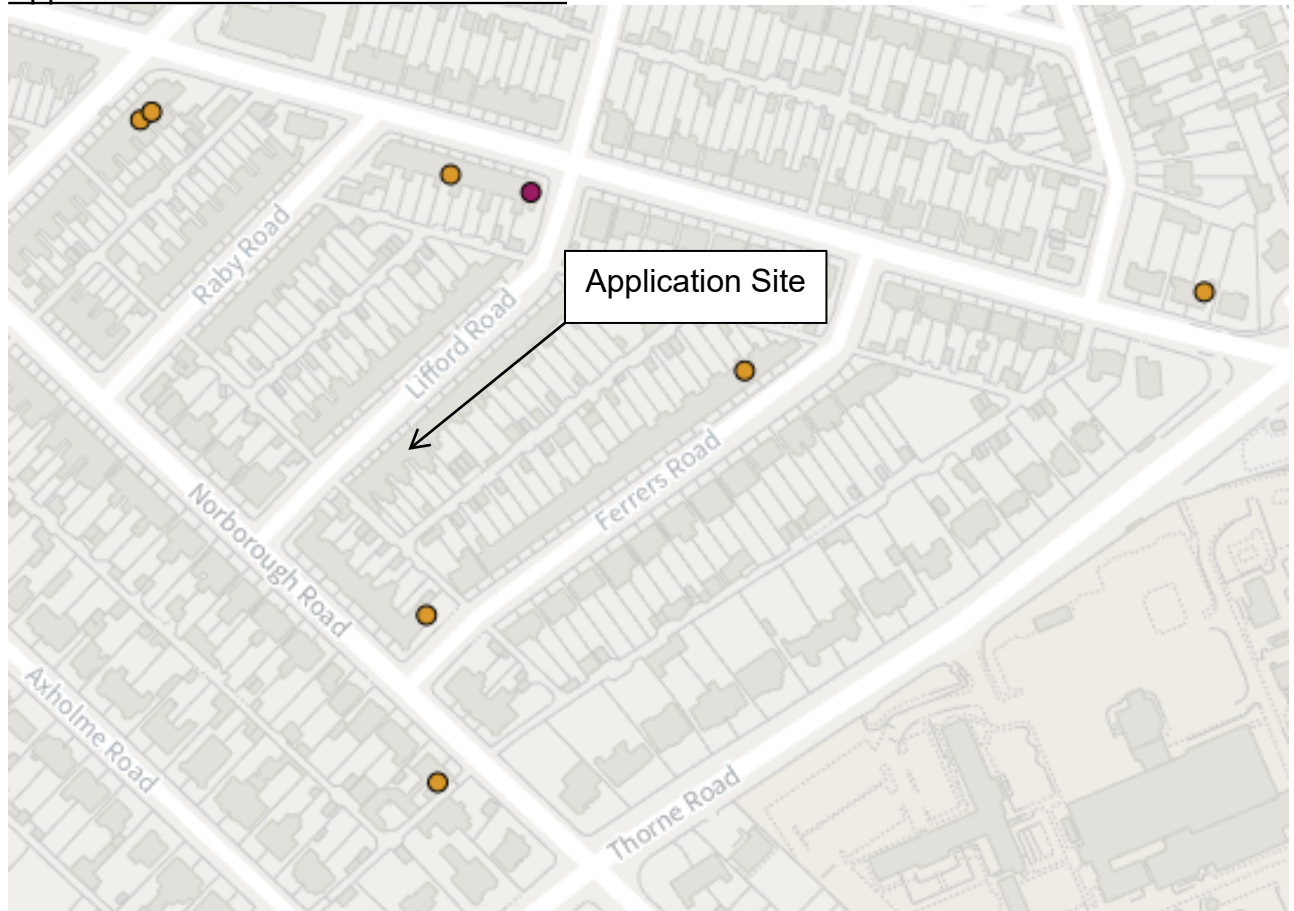


Rear Elevation



Side Elevation

Appendix 4 Location of licensed HMO's



Appendix 5: North Wheatley Parking Permit area



Appendix 6 Parking Bays

