
Case Number	20/01666/FUL (Formerly PP-08749431)
Application Type	Full Planning Application
Proposal	Use of dwellinghouse (Use Class C3) as a 7-bed House in Multiple Occupation (HMO) (Use Class Sui Generis), associated alterations including erection of dormer window to rear, rooflight to front and removal of ground floor rear access
Location	131 Rock Street Sheffield S3 9JB
Date Received	27/05/2020
Team	West and North
Applicant/Agent	Plan Design Go Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

Drawing No. 20027-103 - site plan published on 27.05.2020

Drawing No. 20027-202 - proposed floor plans published on 27.05.2020

Drawing No. 20027-204 - proposed elevations published on 27.05.2020

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

3. Notwithstanding the submitted plans and prior to construction, or an alternative timeframe agreed in writing by the Local Planning Authority, full details of secure and sheltered cycle parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be occupied until the cycle parking has been provided in accordance with the approved details.

Reason: In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield.

Other Compliance Conditions

Attention is Drawn to the Following Directives:

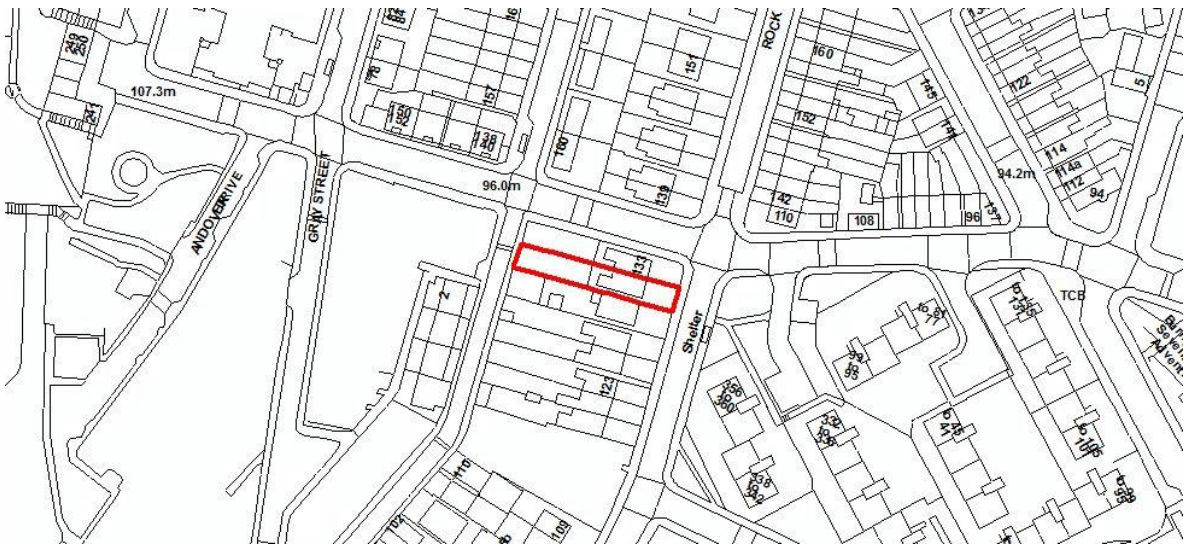
1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The applicant is advised that the Local Planning Authority has reason to believe that the application site may contain species and/or habitats protected by law. Separate controls therefore apply, regardless of this planning approval. Please contact the Council's Ecology Unit or Natural England for more information in this respect.
3. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The site is located within the Burngreave district of Sheffield and comprises of a large 4 bedroom semi-detached property which is elevated above highway by approximately 1.5 m. To the rear of the property is a large garden which can be accessed from Fox Street. The immediate locality comprises of terraced dwellings of a similar character and appearance as the application site.

Planning permission is being sought for the conversion of the dwellinghouse into a House in Multiple Occupation (HMO) for 7 unrelated people. Plans also show associated alterations, including the erection of a dormer window to rear, a rooflight to the front and the removal of a ground floor rear access door.

The site is not within an Article 4 area. However planning permission is required in any part of the city for HMOs shared by 7 or more people or conversions to any sized HMO from any other non-housing use class.

The property is in a designated Housing Area and an Area of Special Character as defined in the adopted Sheffield Unitary Development Plan (UDP).

RELEVANT PLANNING HISTORY

No relevant planning history.

SUMMARY OF REPRESENTATIONS

3 letters from local councillors (Cllrs Jackie Drayton, Talib Hussain and Dr. Mark Jones) have been received.

26 letters of objections, including 2 from the same address, have been received.

The concerns raised are summarised as follows:

- impact on the quality of life of existing residents;
- noise issues;
- additional demand for on street parking exacerbating existing issues;
- impact on access for local public transport that already often struggles to get through, as well as emergency service vehicles;
- additional pressure on local services;
- impact on character of existing house due to additional downpipes (for the ensembles) and addition of the dormer roof to the rear elevation;
- loss of a family home – there is a lack of large family homes on the market and a growing number of families in need of such homes;
- internal layout inadequate;
- too large a HMO;
- two HMOs already within 200 metres of the site, making it over-concentrated with HMOs;
- the proposals raise fire and safety issues;
- potential overcrowding – the number of residents could increase from 7 to 14 if coupled up plus children;

- need extra provision for the disposal of waste generated from a large household;
- internal sound proofing required;
- potential issues with sewer pipes and water pressure;
- effect on local wildlife – bats, birds, frogs and newts found in and around the property;
- large dormer window will overlook neighbouring gardens;
- no adequate cycle storage provisions;
- the removal of the rear door also removes the step free access to the property; and
- may worsen litter and fly tipping.

Cllr Jackie Drayton:

- Large family homes in Burngreave are systematically being turned into various HMO's including many hostels for vulnerable people. This has a major impact on the area.
A few years ago Planning Officers were reviewing planning guidance on HMO's, including hostels, student accommodation and homes, across the City, three wards were highlighted in the Officers conclusion as areas having too many HMO's per ratio to other accommodation, to such a degree they were changing the nature of those communities, Burngreave Ward was one of those areas, (Broomhill and Crookes Wards were the other two).
At that time officers wrote local planning guidance for any future planning applications for HMO's and they added into this guidance that no more HMO applications should be agreed in all three of those Wards. Understand that that local planning guidance has not changed.
If a similar review was carried out now it would find that the situation is even worse, with more HMO's in the Ward, hence the main objection to this application is on the grounds of over saturation of HMO's in this area, and the effect on the community and the impact on local services.
- Request the application is taken to the Board for consideration and decision.

Cllr Dr. Mark Jones:

- Has received correspondence from local residents who are concerned about the impact that this conversion will have on the locality.
- The size of the HMO, it's location in proximity to two busy schools, and the possible impact that this property conversion will have on parking spaces along with noise concerns have all been raised.
- Burngreave is a family friendly ward and there is great demand for family housing in the area.
- Housing is in short demand and turning yet another family house into a HMO will only make matters worse.
- Burngreave ward has suffered significant blight from the proliferation of HMOs. Some have attracted significant issues of anti-social behaviour.

- The increase in the number of residents that could live in the HMO post-conversion would significantly add to the considerable strains for GP services and other local amenities.
- The provision of token cycle storage provision is derisory.
- Burngreave ward has suffered significant issues from ill-conceived property developments that have sought to gain maximum personal profit for the developer whilst giving all to little back to the host community.
- This dwelling is too small to be a 7 bedroom dwelling. 7 bedrooms could lead to up to 30 occupants.
- The house should be a family home.

Cllr Talib Hussain:

- Strongly oppose this planning application because more family homes in Burngreave ward are needed not less.
- Burngreave has 16 HMO properties 500 metres away from the site. Another one will reduce the quality of life and the Burngreave ward has a life expectancy 10 years less than south west of the city.
- Rock Street itself has already two HMO within 200 metres of 131 Rock Street which would make it overconcentrated with HMOs.
- It will increase fly tipping and general littering on street which is already a local issue from the large number of private rental houses in the local area that are overcrowded.
- The plans suggest 7 rooms meaning up to 14 people and a high volume of noise nuisance.
- It will increase pressure on car parking on street especially with the recent reduction in parking as a result of the new parking restrictions for the Astrea Academy.
- It will also increase pressure on local services.

Non-planning matters raised include impact of the development on the valuation of neighbouring properties.

PLANNING ASSESSMENT

Principle of development

The National Planning Policy Framework (paragraph 127) states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character. Innovation should not be prevented but developments should add to the quality of an area whilst providing a high standard of amenity for existing and future users. This assessment will have regard to this overarching principle.

The sections of these local plan policies being relied on below are considered to remain in accordance with the NPPF and can be offered substantial weight.

The site lies within a Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP) where housing (use class C3) is the preferred use of land.

C4 uses (shared houses) are not listed as the UDP pre-dates the introduction of C4 uses.

As the proposal is for shared housing, attention is given to the provisions of Policy H5 'Flats, Bed-sitters and Shared Housing' of the UDP. This states that proposals for the multiple sharing of houses (described as up to 7 unrelated people) will only be acceptable where they would avoid a concentration of such uses which would cause a nuisance to existing residents, living conditions would be satisfactory for potential occupants and neighbours, and there would be appropriate off-street parking. These requirements are assessed below.

Policy CS41 'Creating Mixed Communities' part (d) of the Core Strategy requires that no more than 20% of properties within 200m of an application site should be in HMO use (C4). This aligns with the guidance found in paragraph 127 of the NPPF. In this case, the percentage within 200m is 4%, which is well under the 20% threshold.

Regard is also had to the fact that a change of use from a C3 dwellinghouse to a C4 HMO (for up to 6 people) is classed as permitted development.

It is considered therefore that the concentration of shared housing in the locality is low and unlikely to cause a nuisance to surrounding residents; and the existing house can be used by up to 6 people without planning permission and an additional bedroom is unlikely to have a significant adverse impact. The use of the dwelling as a HMO in this instance is therefore acceptable as it accords with the objectives of H5 (a), CS41 and the NPPF.

Design Issues

UDP Policy H14 'Conditions on Development in Housing Areas' part (a) requires new buildings and extensions to be well designed and in scale and character with the neighbouring buildings. These objectives are echoed in paragraph 127 of the NPPF.

UDP Policy BE18 'Development in Areas of Special Character' states that in such areas new development must respect the appearance and character of the area.

Attention is given to the provisions of policy CS74 of the Core Strategy regarding design principles.

The submitted plans indicate no significant alterations to the front of the property except for a small roof light. To the rear there are no alterations to the elevation except for a large rear flat roof dormer window that will occupy almost the full plane of the roof.

Whilst the rear dormer window will not be visible from the front, on Rock Street, it will be visible from Fox Street and Andover Street to the side and rear. As the site lies within an Area of Special Character, development is expected to respect the appearance and character of the area and, as this is a residential area, dormer windows are a relatively common feature.

The proposed dormer window is large but sits below the ridge line, in from the gable and the windows align with and have similar proportions to existing windows, such that the appearance of the dormer is neat and orderly.

In this instance, therefore, the proposed alterations are considered acceptable and will not cause significant harm to the character and appearance of the area.

Amenity Issues

As described above, UDP Policy H5 states that proposals for shared housing are only acceptable if (a) a concentration of these uses would not cause serious nuisance to existing residents; and (b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours. Policy H14 (c) also seeks to ensure that developments would not deprive residents of light privacy security or cause serious loss of garden space which would harm the character of the area.

These policies are afforded weight in the determination of this application as they align with paragraph 180 of the NPPF which seek to protect living conditions and the natural environment.

The change in the nature of the occupation of the dwelling is not considered to give rise to any significant change in the character of the existing use, as an established dwellinghouse, or to significantly increase the number of people who occupy it – it is reasonable to assume that a 4 bedroom family home would house 5 or 6 family members. As such it is considered that no significant increase in noise and disturbance would occur over and above that associated with a more traditional family house.

The layout of the building – with 3 bedrooms on the ground floor, 2 bedrooms and a large kitchen/living space on the first floor and 2 bedrooms in the roofspace – will not result in any unacceptable overlooking issues and the future residents will have adequate internal space and acceptable living conditions. A large garden is available to the rear for the use of residents, accessible via the alleyway down the side of the house. The site is a short distance from local shopping facilities and high frequency public transport services. Adequate bin storage is provided in the rear garden.

The proposal is considered acceptable and will not create any adverse living conditions for either occupiers of the building, or those adjacent to the property.

The proposal is considered acceptable from an amenity perspective and complies with H14 (c), H5 (a) and (b) and the NPPF.

Highways and Access

Policy H14 part (d) requires new development to provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians, and these aims are mirrored by policy H5 (c).

These policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that, in respect of parking provision, the NPPF at paragraphs 105 and 106 requires consideration to be given to accessibility of the development, the development type, availability of public transport and local car ownership levels in setting local parking standards. The NPPF is also clear 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 (paragraph 109).

The existing property does not have any off-street parking. The site is in a sustainable location within easy walking distance of local facilities on Verdon Street, Burngreave Road and Spital Hill and in Kelham Island. There is also access to high frequency bus services. Rock Street carries the 83, 83a, 95 and 95a bus services and there is a bus stop in close proximity, almost opposite the property. There are also high frequency bus services on Spital Hill (with local amenities) and Mowbray Street, which are both within walking distance. Should residents have a car it is considered that any parking demand that is generated could be reasonably accommodated on the adjoining roads without harming highway safety, remembering that the property could be occupied by a large family or HMO for 6 people without planning permission.

Cycle parking is shown in the rear garden in the form of cycle stands. However, secure covered cycle parking is expected and so a condition is proposed requiring details of improved cycle parking storage to be submitted for approval.

In light of the above the proposal is considered to be acceptable from a highway safety perspective.

The loss of the rear door does not raise any access issues. Both approaches are difficult for people with disabilities, the front elevation is approached by steps and the rear by a steeply sloping garden. Nevertheless, the front door can be reached by via the rear garden and the alleyway to the side of the house.

Ecology

Concerns were raised by some objectors regarding the presence of protected species and other wildlife. The site is a dwellinghouse which is vacant and the garden is overgrown. However, the loft has already been converted and the closely adjoining neighbouring properties are both occupied. It is considered sufficient in this instance to remind the applicant of their responsibilities under the Wildlife Act should any protected species be found during construction works.

SUMMARY AND RECOMMENDATION

This application seeks permission to use the existing 4 bedroom dwellinghouse (Use Class C3) as a 7 bedroom House in Multiple Occupation (HMO) (Use Class Sui Generis) and associated alterations including the erection of a dormer window to rear, rooflight to front and the removal of ground floor rear access.

The large rear dormer window and a roof light to the front will not have a significant impact upon the Special Character of the Area, similar dormers and rooflights are

located within the immediate vicinity and the appearance of the dormer is considered to be acceptable.

The percentage of HMOs within 200m of the application site is 4%, which is well under the 20% threshold set by policy CS41. As such the concentration of such the uses will not compromise the character of the residential area.

It is considered that the development does not raise any significant highway and amenity concerns and the scheme complies with the above mentioned policies and the aims of the NPPF.

It is recommended that Members grant planning permission subject to the proposed conditions.