



Appeal Decision

Site visit made on 9 January 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2024

Appeal Ref: APP/R4408/W/23/3325329

Caxton House Surgery, 53 High Street, Grimethorpe, Barnsley S72 7BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jason Stokes of Property Investment Complete against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2023/0012, dated 5 January 2023, was refused by notice dated 14 April 2023.
 - The development proposed is conversion and extension of building to form apartments.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of building to form apartments at Caxton House Surgery, 53 High Street, Grimethorpe, Barnsley, S72 7BB in accordance with the terms of the application, Ref 2023/0012, dated 5 January 2023, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development on the application form is 'change of use from Doctors Practice to Residential Accommodation comprising of 7no apartments with off road secure cycle parking, rear amenity space and bin store area'. The scheme was amended during the Council's consideration of the application to reduce the number of apartments to six and to increase the outdoor amenity space. The Council made its decision based on the amended scheme and associated plans. The description of the development proposed in the banner heading is taken from the Council's decision notice rather than the application form as it more accurately describes the proposal. I have determined the appeal on this basis.

Main Issue

3. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers with regard to the internal living space and external amenity area.

Reasons

4. The appeal property is a two-storey building formerly used as a doctor's surgery. It is located near to the centre of the settlement, although the immediate vicinity is mainly residential in character. The proposal would convert the building to five one-bedroom and one two-bedroom apartments. The hipped roof would be altered to a pitched roof and a rear flat roof dormer

and two pitched roof dormers to the front would be added to facilitate the apartments proposed in the roof space.

5. Although Policy GD1 of the 2019 adopted Barnsley Local Plan (the Local Plan) does not include reference to any specific space standards, it states that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents amongst other matters. Policy D1 of the Local Plan expects development to be of a high quality, including through its layout and design, so that it contributes to a healthy, safe and sustainable environment. The 2023 Design of Housing Development Supplementary Planning Document (the SPD) advises that all developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide (the SYRDG).
6. The bedrooms of the one-bedroom apartments would meet the SYRDG space standards for a double bedroom. However, their overall size would not meet the overall floor area set out in the SYRDG of 46sqm for a one bed one person dwelling. This would only be marginally so for the two ground floor apartments in particular. Both bedrooms for the proposed two-bedroom apartment would meet the space standards for a double bedroom, but at 61.2sqm, the apartment as a whole would be just below the overall floor area of 62sqm in the SYRDG for a two bed three person dwelling. The Council identifies that the en-suites for the two-bedroom apartment would be undersized.
7. The SYRDG dates from 2011. Since then, the Nationally Described Space Standard (the NDSS) has been published. The NDSS deals with internal space provision within new dwellings. It does not set out any minimum space requirements for living and kitchen accommodation but does for bedrooms and the overall size of units. The standard for a one bedroom one person unit is 39sqm and for a two bedroom three person unit is 61sqm. The six proposed apartments would therefore meet the standards in the NDSS for the overall size of the unit as well as the bedroom size.
8. The proposed apartments would fall below the overall space standards set out in the SYRDG. However, the SYRDG and the SPD are guidance. The shortfall for several apartments would be only very marginal. Even the smallest apartment, at around 39.49sqm, would not be significantly below the overall figure in the SYRDG. Furthermore, the Planning Practice Guidance sets out that where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the NDSS¹. As noted above, each apartment would meet the floor area set out in the NDSS.
9. Consequently, I am satisfied that the proposal would ensure that there would be no adverse effect on the living conditions and residential amenity of future occupiers due to the internal living space, even with the proposed apartments not fully meeting the overall floor area standards set out in the SYRDG.
10. The proposed development includes provision for a shared external amenity area to the rear of around 85sqm. The Council states that, based on the guidance in the SYRDG, provision should be made for 110sqm of shared private space. This guidance is restated in the SPD. The SPD advises that the amount

¹ Paragraph: 018 Reference ID: 56-018-20150327

of shared private space to be provided will also depend on the quality, quantity, and accessibility of local public open space.

11. Generally, the neighbouring properties benefit from outdoor amenity space, but many in the immediate vicinity are terraced properties that do not have large gardens. The proposed outdoor amenity area would face south. It would be enclosed so would offer a private space for future occupiers and would be readily accessible from all the apartments. The outdoor area would be of a reasonable width and depth such that it would not feel cramped when in use. There would be a distinct area for waste storage and bicycle parking would be located to the front. The property is close to a small park and is within a reasonable walking distance of the larger Grimethorpe Park which is accessed along a reasonably level pavement.
12. For these reasons, I am satisfied that the proposal would make provision for an appropriate external amenity space for future occupiers, despite the shortfall in area compared to the SYRDG and SPD figure.
13. I therefore conclude that the internal living space and external amenity area of the proposed development would be of a sufficient size and configuration such that future occupiers would have acceptable living conditions. Consequently, while the proposal would not meet the space standards in the SYRDG and the SPD, it would meet the requirements of Policies GD1 and D1 of the Local Plan, as summarised above.

Conditions

14. No conditions have been suggested by the Council. Nevertheless, for certainty, the standard time condition and one to ensure that the development is carried out in accordance with the approved plans are necessary. To protect the living conditions of nearby occupiers it is necessary to limit the construction hours. The plans do not specifically identify the cladding to be used on the rear dormer and so a condition is necessary to secure details of this in the interests of the character and appearance of the area. In the interests of encouraging sustainable travel options, a condition is necessary to secure the implementation and retention of bicycle parking provision.

Conclusion

15. The proposal would accord with the development plan as a whole. There are no material considerations of sufficient weight to indicate that permission should be withheld. I therefore conclude that the appeal should be allowed.

F Wilkinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; High/03 Rev. B – proposed floor plans; High/04 Rev. B – proposed elevations; High/06 Rev. B – proposed site plan.
- 3) Details of the colour of the upvc cladding to be used on the rear dormer shall be submitted to and approved in writing by the local planning authority prior to its construction. The development shall be carried out in accordance with the approved details.
- 4) During construction or demolition works, activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
- 5) Prior to first occupation of the development hereby permitted, the scheme for the parking of bicycles as shown on plan High/06 Rev. B - Proposed Site Plan shall be fully implemented and thereafter retained for this purpose.