



PLANNING STATEMENT

**CONVERSION OF VACANT SHOP TO RESIDENTIAL USE (2 NO. FLATS
AND 1 NO. SMALL HMO)**

210 AND 212 SHEFFIELD ROAD, BARNSELEY, S70 4PG

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1. INTRODUCTION

This statement has been prepared to support the submission of an application for full planning permission for the change of use of a vacant shop unit to residential use. The site is currently not in any beneficial use and is detracting from the vibrancy and vitality of the area.

The site is an attractive two storey building that was previously in use as a bicycle shop. The shop has been vacant since the business relocated to alternative premises several years ago. The site is neighboured on both sides by residential properties. In its vacant state, the building very much detracts from the vibrancy and vitality of the area. Sheffield Road is an important gateway into Barnsley and it is extremely important that beneficial uses are found for buildings in this area. Residential is the predominant use in this area of Sheffield Road.

The proposal would bring the site back into beneficial use as much-needed housing and would breathe new life into the building. The flats and small HMO would be completed to a high standard and would provide homes with a high standard of housing amenity in a highly sustainable location.

The scheme represents a positive form of regeneration that would recycle the disused building. It is clear from recent planning legislation changes and narrative that the regeneration of vacant sites is the priority for central government and is seen as being key to aiding the economic recovery of the country.

Residential development is entirely compatible with the character and use of the local area. The level of development proposed has been carefully arrived at to ensure that the scheme is viable and would ensure that the welcome redevelopment and regeneration of the site can be achieved.

The scheme has been designed to ensure that there would be no adverse impact on any of the existing neighbouring uses. The proposal has also been designed to ensure it would have a positive impact on the character of the wider locality.

This statement should be read in conjunction with the supporting plans supplied by Neil Bowen Architects which demonstrate the credentials of the scheme in more detail.

It is anticipated that the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

This statement now proceeds to give details of the site and the existing use. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF. In particular, it will be demonstrated that the proposal would result in a sustainable form of development and would make a valuable contribution to meeting the area's housing needs.

2. THE SITE

The application site is a two storey mid-terrace property that lies to the eastern side of Sheffield Road, on the edge of Barnsley town centre. The building has a shop front to the ground floor level. Whilst the building is of two-storey scale on the Sheffield Road elevation, it has a lower ground floor and room within the roof space, giving accommodation over four floors in total. Whilst the building is an attractive 19th century property, it will start to fall into a state of disrepair if a new beneficial use cannot be found.

The site has most recently been used as a bicycle sales shop and service centre. The business relocated to larger premises in Dodworth several years ago and the site has been vacant ever since. The shop front is now permanently shuttered and the vacant shop detracts

from the character and vitality of the area. It is inevitable that the condition of the building will soon deteriorate if a new use is not found. The property owner is determined to regenerate the site. An alternative scheme for conversion to a larger HMO was approved in 2018. This permission remains extant and will be implemented if the current application is not successful. We believe that the current proposal represents a better use for the building than the 2018 permission and is also a lower-intensity form of development than that previously approved.

As can be seen below, the building is part of an attractive row of Victorian buildings, the vast majority of which are in residential use. The shop front of the now-vacant building is, however, clearly now an incongruous and detracting feature in the street scene:



Sheffield Road is a key gateway into Barnsley Town centre and is a busy mixed-use area with a large number of residential and commercial properties of different types. This part of Sheffield Road is however predominantly in residential use.

The site lies within the Barnsley Urban Area as identified by the Local Plan. It is otherwise unallocated. As discussed further below, the site is not within a Primary Shopping Area or on a street with a primary or secondary shopping frontage.

As will be discussed in more detail later in this statement, residential use is entirely acceptable in principle here and will positively complement the existing character and makeup of the area.

There are no listed buildings within the vicinity of the site and the site is not within a conservation area.

3. THE PROPOSAL

Full planning permission is sought for the conversion of the existing building to create 2 no. flats and 1 no. small House in Multiple Occupation (HMO).

More information about the proposal can be found in the accompanying plans by Neil Bowen Architects. The key elements of the proposal are as follows:

- Reuse of the existing vacant building.
- The lower ground floor and ground floor would provide 2 no. large two-bedroom flats. Flat 1 has a floor area of 68 square metres and flat 2 has a floor area of 84 square metres.
- The first and second floors would provide a 4-bed small HMO with generous sized bedrooms, three bathrooms and shared kitchen and living space.
- All recommended minimum space standards are exceeded.
- The shop front is to be removed and a domestic frontage restored. No extensions to the existing building are required.
- Being in such a sustainable town centre location, the development does not require off-street parking or vehicular access.

4. PLANNING HISTORY

The planning history for the site that is relevant to this application is:

- 2017/1254 for Conversion of shop/office/store into 9 bed HIMO with shared facilities.

This application was approved on 22 February 2018 and therefore remains extant until 22 February 2021. If for any reason the current scheme was not approved, the previous permission will be implemented. This represents the “fallback position”.

5. PRE-APPLICATION DISCUSSIONS

Given the resource pressures facing the LPA, and because the principle of residential development here is acceptable, we have not requested pre-application advice on this occasion. The applicant has however enlisted the services of JR Planning and Neil Bowen Architects to advise on the development of the scheme.

6. ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the Barnsley Local Plan which was adopted on 03 January 2019.

The site lies within the Barnsley Urban Area but is otherwise unallocated under the provision of the local plan.

In addition to the Local Plan, other material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and suite of documents comprising National Planning Practice Guidance.

National

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

Paragraph 8 states that “...achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) *an economic objective – to 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;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- c) *an environmental objective – to contribute to protecting and enhancing our 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.”*

Paragraph 10 states that “So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.”

Paragraph 11 goes on to set out that *“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Paragraph 38 states that *“Local planning authorities should approach decisions on proposed development in a positive and creative way.”*

Section 5 sets of the guidance to ensure delivery of a sufficient supply of homes

Paragraph 59 states that *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*

Section 6 sets out the strategy for building a strong, competitive economy. Paragraph 80 states that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to*

support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

Paragraph 85 states that “Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.”

Paragraph 91 states: “*Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas; and*
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

Paragraph 109 states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Section 11 discusses the effective use of land. Paragraph 118 states that “...*decisions should:*

give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

and

promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.”

Paragraph 120 sets out that Local Planning Authorities should support different uses of land as a result of changing demand and states “*applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.*”

Paragraph 121 states that Local Planning Authorities “*should support proposals to:*

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;”

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.*”

Paragraph 148 states that *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 155 goes on to state Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).”*

Paragraph 155 states *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

Paragraph 175 states that *“...if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”*

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

Local Plan Policies

The following policies are considered to be of particular relevance:

LG2 – The Location of Growth

H2 – The Distribution of New Homes

H4 – Residential Development on Small Non-allocated Sites

H6 – Housing Mix and Efficient Use of Land

H9 – Protection of Existing Larger Dwellings

T1 – Accessibility Priorities

T3 – New development and Sustainable Travel

T4 – New Development and Transport Safety

D1 – High Quality Design and Place Making

BI01 – Biodiversity and Geodiversity

7. ASSESSMENT

Principle of Development

Principle of Residential Development

Policy LG2 sets out that priority will be given to development in urban Barnsley and the site is clearly in a location where growth and regeneration is appropriate. Policy H2 sets out that urban Barnsley is expected to accommodate 43% of all new homes in the district over the local plan period. This is therefore also a location where residential development is appropriate. Although the site is not allocated specifically for housing, the local plan makes it clear that non-allocated sites will make an important contribution to meeting housing needs. Policy H4 applies and states that:

“Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.”

It will be demonstrated that there is no conflict with any other relevant policies in the plan and the scheme is therefore entirely compliant with policy H4.

The site is within a highly sustainable mixed-use area that contains a large number of existing residential dwellings, as well as business premises. The scheme would deliver high-quality flats and a small HMO that would appeal to a range of residents including first time buyers, young professionals and those looking to downsize. This would positively add to the mix of housing in the locality. The 2018 approval was for a large 9-bedroom HMO. The new proposal is for 8 bedrooms in total, with the HMO element of the new scheme much smaller at only 4 bedrooms. This is therefore a less intensive use than the one previously deemed to be acceptable in any case. The scheme delivers a better housing mix than the previously approved one, fully in accordance with policy H6. Residential development at the site is clearly in accordance with local and national planning policy.

It is acknowledged that the Local Plan identifies that the subdivision of properties into flats and HMOs is not always conducive to a good housing mix and that there is a shortage of larger properties in the borough. Policy H9 sets out that the subdivision of larger family homes will not be acceptable. Whilst the aims of policy H9 are fully acknowledged, policy H9 is clearly not applicable here for two clear and convincing reasons:

1. The site is a vacant retail shop. There is no loss of a larger dwelling in this case. All three proposed units represent a net-gain of new homes.
2. The principle of HMO use has already been accepted under the 2018 permission, which remains extant and is a clear fallback position.

The proposed creation of two flats and one small HMO in this highly-sustainable location represents an efficient use of this vacant building and is clearly acceptable in principle.

Loss of Existing Shop

The previous use of the site as a bicycle sales shop was something of an anomaly in this out-of-town-centre location. Whilst there are many convenience and local shops and food outlets in the Sheffield Road area, a bicycle sales shop is a use that the NPPF would direct to the town centre.

This is not an area where retail commercial uses are safeguarded and there is no policy basis on which to resist change of use of the existing shop to residential use in this area of urban Barnsley. It is clear that the use of the site as residential flats and a small HMO would be massively beneficial compared to the existing situation of a long-term vacant shop. The loss of the shop use should be no barrier to consent being forthcoming given that residential use is acceptable in this area and would be vastly beneficial in terms of improving the contribution the site makes to the character and vitality of the area. It is also noted that the loss of the existing shop has already been accepted under the 2018 approval.

The development is acceptable in respect of local and national policy in respect of new residential development.

Sustainable Development

The main emphasis of current national planning policy is to ensure proposals are compliant with the definition of sustainable development set out within the NPPF. Sustainability is multi-faceted. The Government's view of what sustainable development means in practice is to be found throughout the Framework, taken as a whole. To achieve sustainable development, the Framework states that economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The proposal would be wholly sustainable using the definition set out in the NPPF for the following reasons:

- **Social:** The proposal would allow for the creation of additional housing in this sustainable mixed-use area close to the town centre. It is clearly an area that is suitable for providing development to contribute towards the city's housing needs. The scheme would make an important contribution to meeting the LPA's housing targets. The development proposal would put the site that is currently in no beneficial use to good use and would support the existing community facilities in the locality. It is considered that the scheme would not have any adverse social impact.
- **Economic:** The proposal would allow for the efficient use of the urban land resource and would provide growth and investment in the locality. The proposal will also provide employment during the construction period. The new housing would have the knock-on effect of supporting other businesses in the locality. As is discussed further above, the development would have a positive impact on the vitality and vibrancy of the area and the proposal would not undermine broader economic objectives within the city. The development is very likely to have positive economic impact.
- **Environmental:** The development would be hugely beneficial to the character of the built environment by way of solving the problem of the long-term vacant state of the existing building. The scheme would undoubtedly enhance the appearance of the site. There would be no adverse ecological impacts. As previously discussed, the proposal would have a positive impact on the vitality of the area.

The proposal would not result in any material harm and the presumption in favour of sustainable development must be applied. The principle of development must therefore be considered acceptable.

Affordable Housing

The scheme is below the level at which an affordable housing contribution is required. It should be noted though in any case that the proposed flats and HMO are going to be high-quality small dwellings. The development is therefore going to be suitable for a wide range of future occupiers, including those on lower incomes.

Drainage/ Flood Risk

The application site is within flood zone 1 as identified by the Environment Agency so is not at undue risk of flooding. The site is below the size at which a flood risk assessment would be required for development not in zone 2 or 3. The site has existing drainage infrastructure and the development would not exceed the capacity of this.

Transport and Accessibility

The location of the site is considered to be in a highly sustainable location with excellent access to public transport and a wide range of shops and services. The location of the site therefore complies with national and local objectives of creating sustainable patterns of development.

Because the site is in such a sustainable location, no off-street parking provision is required.

Safety and Security through Design

Bringing the site into well-occupied use is highly likely to have a positive impact on safety and security within the site and the surrounding area. The layout of the site would ensure excellent natural surveillance and the development would be carried out using high-spec security measures. The applicant remains willing to discuss any security measures the council would require at the site. It is therefore considered that the scheme would accord with Section 17 of the Crime and Disorder Act 1998 (as amended).

Residential Amenity

The scheme has been designed to ensure that there would be no harm to the amenity of the occupiers of neighbouring properties.

The existing openings would be reused and there would therefore be no increase in existing overlooking. In any case, the outlook from the flats would predominantly be onto Sheffield Road and the lane to the east of the site. There would be no harmful overlooking towards any of the neighbouring properties.

As no extensions are required, there would be no harmful impacts arising from overshadowing or oppressive impacts.

The proposed flats and HMO have been designed to provide a high standard of housing amenity for future occupiers and they would all benefit from well laid out spaces with good sense of aspect and natural light.

Design

As discussed further above, the existing site has become an eyesore through its vacant state. The development would solve this problem and would significantly improve the condition of the building. The scheme can only be beneficial in terms of the impacts on the character of the area.

The external alterations are similar to those approved under the 2018 permission. The now-redundant shop front is to be removed and a domestic frontage, fully in keeping with the building's original purpose, would be reinstated.

Ecology

Because the site is entirely developed already and surrounded by existing buildings, and located in a busy urban area, its ecology value is very low. It is clear that the development would not have a detrimental impact on existing biodiversity. Measures to enhance the

ecology value of the site to achieve the net gain in this respect that is sought by the NPPF such as nesting boxes can be incorporated if required.

Renewable Energy and Carbon Reduction

The scheme in itself contributes to energy efficiency and carbon reduction by being a wholly sustainable form of development. The building would also achieve excellent levels of energy efficiency. The applicant is happy to discuss any options for renewable energy generation that may be appropriate given site circumstances and financial viability restrictions.

8. CONCLUSION

The proposed development represents a sustainable form of development that would not have any unacceptable impact for the reasons set out above. The proposal would wholly accord with adopted planning policy and guidance and the LPA are respectfully urged to grant permission for the scheme.

As of 01 October 2018, the Local Planning Authority requires the agreement of the applicant before pre-commencement conditions are required, subject to certain limitations. The applicant is fully willing to discuss any pre-commencement conditions and we would appreciate early engagement relating to this in order to avoid any unnecessary delays to the determination of the application.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.

James Roberts (BA, MSc, MRTPI)

JR Planning