2022/1202

Applicant: Mrs T Arnold

Change of use of former business premises to Shared House (Amended Plans and Description)

Unit 1, Melville Street, Wombwell, Barnsley, S73 8HJ

Site Description

The application site is in relation to an existing commercial unit located on Melville Street in Wombwell. The site is located on the edge of Wombwell District Centre, which is c.25m to the North-East and primarily includes High Street, however part of the district centre includes Melville Street itself.

The unit is located on the first floor of a series of red brick buildings, with an external staircase leading up to the unit. To the front of the building is a shared, hard surfaced parking area, enclosed with a high bricked wall and a gate. The parking area is currently shared with neighbouring units, including a vehicle repair garage. To the front of the site is a turning head, with Melville Street containing double yellow lines. The turning head effectively splits Melville Street into two sections, with the majority of Melville Street consisting of residential properties.

Relevant Site History

B/79/4050/WW – Conversion of 1st floor store-room to flat (Historic)

B/87/0202/WW – Change of use from bakery to DIY Sales (Historic)

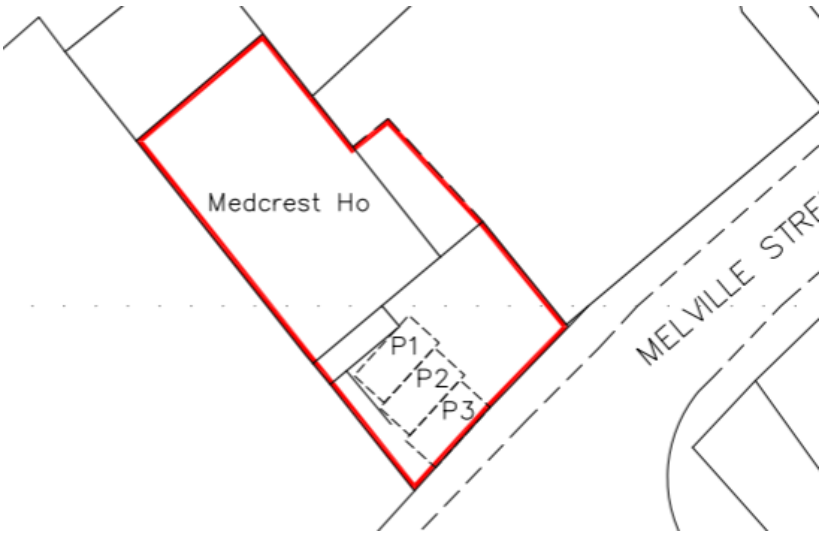
B/00/0306/22 – Erection of two storey extension to premises (Historic)

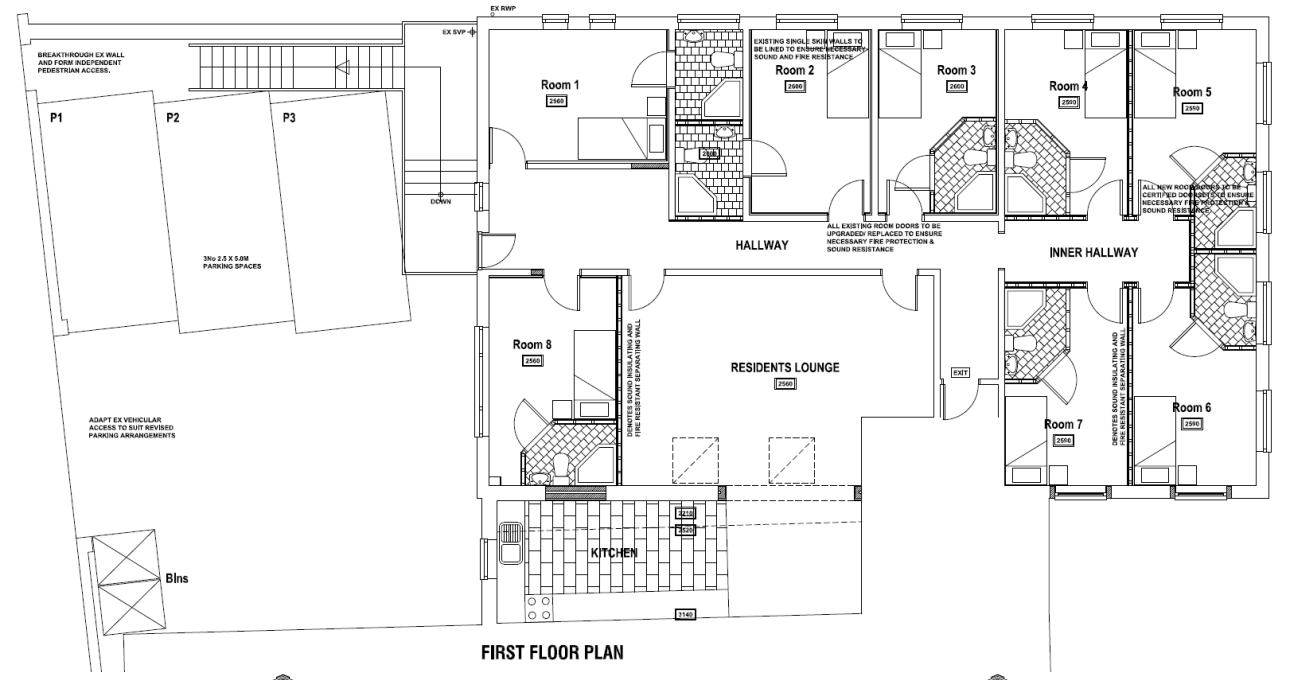
2011/0084 – Change of use of first floor of engineering premises from offices to gymnasium (retrospective) (Approved with Conditions)

Proposed Development

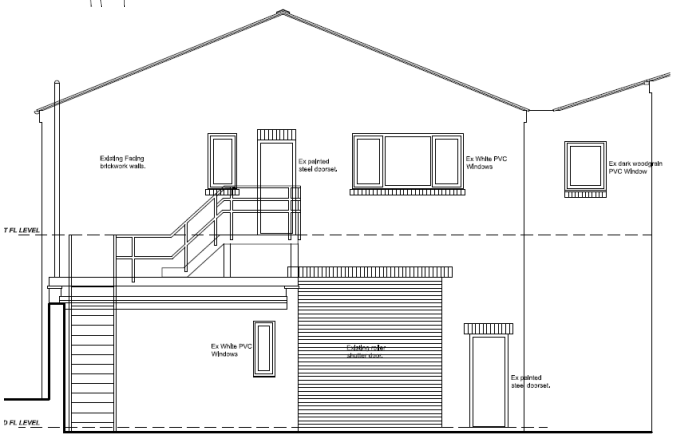
The applicant is seeking approval for the change of use of the unit into a shared house/HMO consisting of 8 rooms. Each room will consist of a single bedroom and associated en-suite, with the building housing a shared lounge and kitchen. No external alterations are being made to the building to facilitate the change of use, apart from the opening up of the existing wall to facilitate a direct walkway to the existing external staircase.

The number of units has been reduced from 9 on the initial proposal to the 8 units proposed on the original plan.

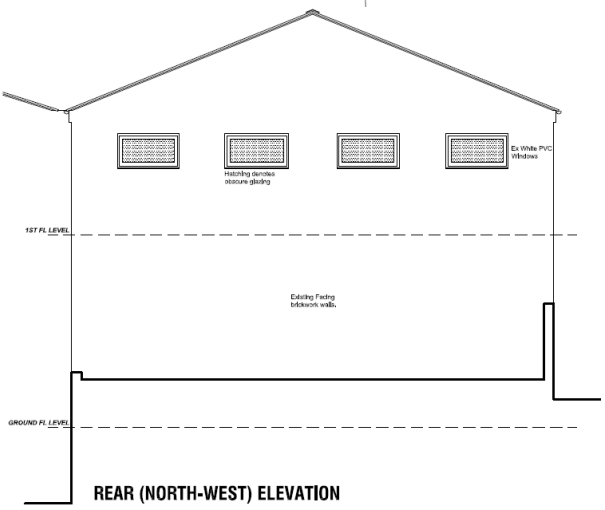




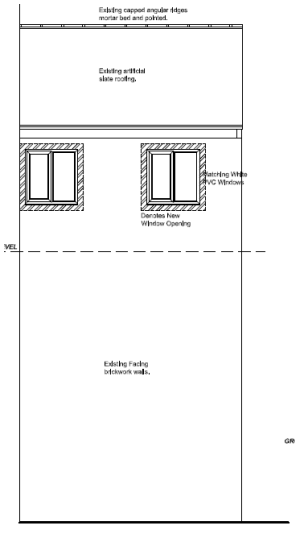
FIRST FLOOR PLAN



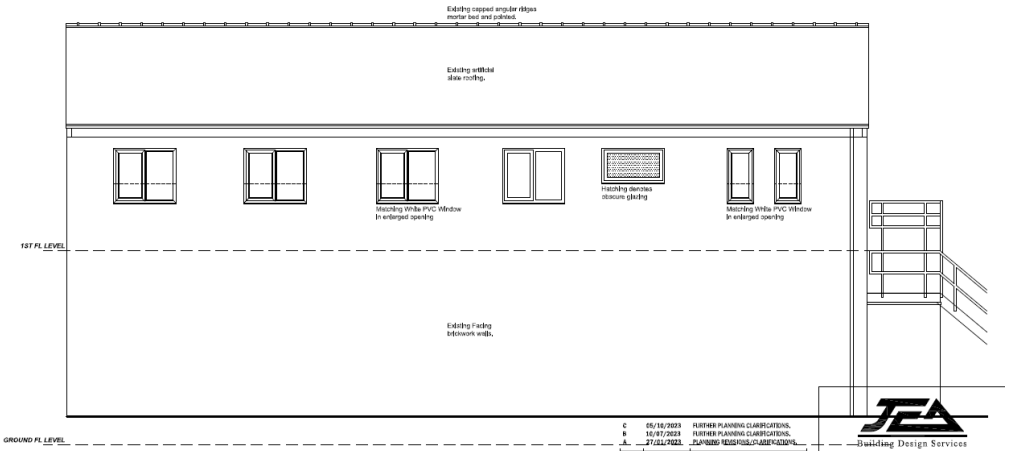
FRONT (SOUTH-EAST) ELEVATION



REAR (NORTH-WEST) ELEVATION



SIDE (NORTH-EAST) ELEVATION



SIDE (SOUTH-WEST) ELEVATION

Revision	Date	Description
C	05/10/2023	FURTHER PLANNING CLARIFICATIONS.
B	10/07/2023	FURTHER PLANNING CLARIFICATIONS.
A	27/01/2023	PLANNING REVISIONS/CLARIFICATIONS.

MEDCREST HOUSE, UNIT 1,
MELVILLE STREET, WOMBWELL,
BARNSLEY, S73 8HJ.

DESIGN PROPOSALS

PLANS & ELEVATIONS

Building Design Services

JE Architectural Ltd
23 Windmill Road, Wombwell,
Barnsley, S73 8PW.
Tel: 01226 754207
Email: josh@jeconnect.com

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Scale: 1:50 @ A1 | Date: NOV 2022

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting

point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. The following policies are relevant:-

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

SD1: Presumption in favour of Sustainable Development – When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

LG2: The Location of Growth - Priority will be given to development in the following locations:

Urban Barnsley;
Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and
Villages.

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy

H1: The Number of New Homes to be Built – The Council will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033. A minimum five year supply of deliverable sites will be maintained.

H2: The Distribution of new Homes – The location of housing development accords with the settlement hierarchy and Policy LG2 regarding location of growth.

H4: Residential development on small non-allocated sites - 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.

H6: Housing Mix and Efficient use of Land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

RE1: Low Carbon and Renewable Energy - All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

Supplementary Planning Documents

- Design of Housing Development
- Parking
- Sustainable Travel

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Other material considerations

South Yorkshire Residential Design Guide - 2011

Consultations

Drainage – No objections.

Enterprising Barnsley – Initially raised concerns about the loss of the commercial premises and the low volume of available stock of commercial industrial premises and the likelihood that there is a clear deficiency in long term availability for such smaller units. Also raised concerns about the close proximity of the neighbouring units and the impact that any noise would have on the future residents. Upon receipt of additional information provided by the applicant relating to the applicant's business in the unit now ceasing trading and the adequate supply of employment land and premises in the nearby area, the concerns were alleviated.

Highways DC (Two responses):

> Initial response – The SPD recommends that a minimum of one parking space per three rooms should be provided for HMOs and other shared accommodation. This is provided but the parking layout doesn't account any use by the adjacent businesses that include a vehicle repair shop and a gym that are likely to have different peak hours of operation. Highways DC requested further information in relation to the three off-street parking bays and bin storage/collection points demonstrated on a plan.
>
> Second response – The amended information addresses the highways issues and whilst there is some remaining concerns with the conflicting use of the proposed parking area, it has to be accepted that the site is located in a sustainable, village centre location and that the proposals have the correct amount of parking as prescribed in the Parking SPD. No objection is raised to the amended scheme subject to a condition which requires the developer to submit and agree a bicycle storage scheme.

Pollution Control – Initially requested the submission of a noise impact assessment from the applicant. Upon receipt of this, no objection was raised to the development subject to the mitigation measures in the NIA being conditioned.

Yorkshire Water – No comments received.

Case Management Officer (Public Health) - Our records indicate there are 2 licenced HMOs on Melville Street, Wombwell at numbers 15 & 31 and nearby there are 2 others at 53 Summer Lane and 35 Marsh Street. The nearest HMOs after this are on Kelvin Grove and Park Road so it would be less that 10% on both street and 50m radius and no sandwiching. Assuming the bedrooms are for single occupancy, I would expect a property having 8 sleeping rooms to have a kitchen/diner of at least 13.5sq metres plus a living room of 13sq metres.

Ward Councillors – Cllr. Frost objected to the proposed change of use stating that there are already too many HMOs in the area, referencing HMOs on High Street, Barnsley Road, Summer Lane and Park Street.

Representations

Neighbour consultation letters were sent to neighbouring residents on two occasions, one for the initial scheme and once for the amended scheme.

Initial scheme – one objection was received raising concern with the lack of parking provision in the area which could be exacerbated by the proposed change of use, alongside querying as to what type of tenant would be living in the property.

Amended scheme – Three objections were received raising concern with the following:

1. The lack of parking provision in the site/area,
2. The 4 x habitable room windows on the rear elevation facing directly onto the rear garden of a neighbouring property.
3. Increase in noise and general disturbance from the proposed use.

Assessment

Principle of development/Loss of Employment Land

The site is located in the Urban Fabric in an established residential area just outside of the Principal Town of Wombwell. Local Plan Policy LG2 states that priority will be given to development in the Urban Barnsley first and then the principal towns, including Wombwell. The principal towns being the main local focus for housing, over villages and rural areas. There is no specific Local Plan Policy which refers to a change of use into a HMO, however Local Plan Policy H4 states that residential development on small non-allocated sites is acceptable subject to other Local Plan Policies being complied with.

The Council's SPD for Design of Housing Development does have a dedicated section relating to HMOs and where they should be positioned to be allowed through planning permission. The Policy states that HMOs will be allowed where the following criteria is satisfied:

- On the street in question, HMOs and bedsits account for less than 10% of the residential properties.
- HMOs and bedsits account for less than 10% of the residential properties within a 50m radius of the site.
- That the proposal would not result in 3 or more HMOs being located immediately adjacent to each other or the sandwiching of a dwelling house between two HMOs.

The Council's Case Mangement Officer in Public Health has confirmed that the Council records indicate there are 2 licenced HMOs on Melville Street, Wombwell at numbers 15 & 31 and nearby there are 2 others at 53 Summer Lane and 35 Marsh Street. The nearest HMOs after this are on Kelvin Grove and Park Road so it would be less that 10% on both street and 50m radius and no sandwiching. As such the scheme would meet the above requirements

The same section of the SPD requires HMOs to meet other necessary criteria to be allowed under planning permission which relates to internal and external spacing standards, no unnecessary noise nuisance, parking issues and external appearance. All of these will be assessed in the below sections of the report.

The proposed development also results in a loss of existing employment land, and Local Plan Policy E4 is relevant which requires the Council to seek to retain land or premises last used for employment purposes to safeguard existing or potential jobs. The development of such would only be allowed if:

- Development would not result in a significant loss of existing jobs or employment potential;
- There will still be an adequate supply of employment land or premises in the locality; and
- The land or premises cannot satisfactorily support continued employment use.

Enterprising Barnsley have been consulted on the proposal and initially raised concern due to the loss of the commercial unit which was last used for employment purposes given the low volume of available stock of commercial industrial premises. However, the agent has submitted further information including a summary of surrounding business sites/opportunities and confirmation that the proposed development, if approved, would result in additional jobs/employment opportunities related to the HMO. Upon receipt of this information, Enterprising Barnsley removed their objection.

Residential Amenity

The Council's SPD for Design of Housing Development has a dedicated section relating to HMO design and what is expected of such development. The SPD states that:

The building and curtilage are of sufficient size to provide suitable facilities for residents.

- In the case of HMOs, each one should have a shared lounge and shared dining room,
- For dwellings and HMOs, garden sizes and external separation distances should reflect the requirements set out in the general criteria.
- In all cases, internal spacing standards should meet the requirements set out in the general criteria.

The proposed development meets the first and third criteria raised above, however the proposed site relates to a first-floor unit which does not contain an area within the site for external amenity space to serve the proposed units/future residents. However, the SPD also has subtext (section 4, eighth bullet point) that states the amount of shared private space to be provided for flats will depend on the quality, quantity and accessibility of local public open space.

The agent has acknowledged that the site doesn't contain any external space, but has submitted a supporting document which highlights the abundance and accessibility of local public open space including the following examples:

Trans-Pennine Trail (Wombwell Canal) – 325m from the site
Netherwood Country Park – 525m from the site
Wombwell Park – 650m from the site
Summer Lane playing fields – 700m from the site.

The Case Officer has checked the above measurements which are accurate, but there is also other green space on the Council's Green Space Register which has not been included, such as Wombwell Recreation Ground (c.400m) from the site. However, this is primarily used by local sporting clubs and is not open or directly accessible to the public. Nonetheless, it will provide local sports and recreation functions within the area for the future residents.

The Case Officer has undertaken an assessment using google maps measuring the walking distance to the green space from the entrance to the site. This shows that Wombwell Canal is a c.6m from the entrance to the site, with Wombwell recreation ground being c.8m from the site. The furthest is Wombwell Park and Summer Lane Green Space which are both c.14m from the site. Whilst there were previous concerns raised with the development in terms of the external amenity shortfall, it is clear that the site is centrally located and this shortfall is mitigated by accessibility to local green space.

There were initially concerns raised with the proposed layout and presence of 4 x windows located on the rear elevation of the building (existing windows) which would serve the bedrooms/units. These effectively form the rear elevation/boundary of the site and would face directly onto a neighbouring property's rear garden area. The amended plans shows that the windows would be obscure glazed, and a condition will be attached to ensure that these windows are non-opening. The amended plans also propose the addition of other windows on the side elevation, facing South-West and North-East, respectively. These are to serve habitable rooms but the windows look onto an allotment area and a shared parking area serving a dwelling

and the nearby commercial units. Both of these neighbouring plots are not private domestic areas and whilst this arrangement isn't ideal, it does not result in significant loss of privacy to any neighbouring residential property.

Concerns were also raised to the lack of outlook offered to future residents on the original plans. This has been alleviated on the amended drawings showing additional/larger windows serving rooms 2, 3, 4, 5, 6 and 7. Whilst room 1 retains the existing two windows on the elevation. This arrangement is considered to allow both natural light into each individual room, whilst also allowing for sufficient outlook. Additionally, concerns were also raised to the open plan resident's lounge and kitchen area only featuring one sole window serving both rooms. Likewise, the original plan did not provide sufficient outlook or natural light from both rooms. The amended plan has added 2 x rooflights to the resident's lounge, which will alleviate these issues.

A noise impact assessment has been submitted to support the development which has been assessed by the LPA and colleagues in Pollution Control who raised no objection to the development. The residential unit will be in close proximity to existing commercial uses, including being attached to a vehicle repair and type service unit. There is the likelihood that some noise will likely be heard from future residents, however part of the NIA explores this potential and as stated, alongside noise insultation details and colleagues in Pollution Control are unconcerned over the development. Concerns have been raised by some neighbouring residents regarding the increase in noise and general disturbance from the future tenants. These concerns can be understood however the number of units is not considered to be particularly excessive, and the entire activity will be situated inside with no external amenity space.

The amended proposal is considered to alleviate the concerns raised to the initial proposal to bring it in line with the minimum requirements as set out in the SPD for Design of Housing Development and the development is now considered to be acceptable in terms of residential amenity.

Highways Safety

A balanced assessment has been undertaken with Highways DC who initially asked questions about the proposal in regards to who would used the shared parking area to the front of the unit. The site plan showed that 3 off-street parking spaces would be created/retained within the frontage of the unit which is in line with the SPD for Parking which requires 1 space per HMO unit. The agent provided information which stated that the applicant has ownership over the entire parking area which is currently leased out to a neighbouring unit (garage and vehicle repair). The site plan was also amended to show a bin collection/storage area within the site.

Whilst slight concerns was raised with the above arrangement, given that the parking/access area is effectively shared and Melville Street has double yellow lines, it is also considered that the site is centrally located, in close proximity to Wombwell District Centre and the High Street which contains multiple public transport links and local services. The proposed development is considered to be acceptable in terms of highway safety.

Visual Amenity

There are only minor external alterations to the building which relate to additional openings and alteration to openings such as the installation of obscure glazed windows. The alterations make little change to the character of the building or the street scene and are considered to be acceptable subject to a condition which requires the external materials to match the existing building.

Th proposed development is considered to be acceptable in terms of visual amenity.

Drainage

No objection has been raised from colleagues in Drainage and the proposal is acceptable from this perspective.

Conclusion

The applicant is seeking approval for the change of use of a former commercial/business unit located on Melville Street in Wombwell, to a HMO consisting of 8 units, a shared lounge and shared kitchen area. The site is in the Urban Fabric in what is a mixed-use area, within walking distance to the District Centre of Wombwell. The applicant has provided sufficient information which indicates that there is an abundance of employment uses nearby, and there will not be a significant deficiency in the area should the unit be lost,

which satisfies the requirements of Local Plan Policy E4. Enterprising Barnsley did not object to the proposal based on this additional information.

The proposed site plan shows the creation of 3 x parking spaces to the front of the unit which is in line with the Council's SPD for parking for the proposed use. This area is currently shared between the associated units, but the applicant has shown evidence that they own this land and are leasing it to the other units nearby, hence the proposed use would have unrestricted access to this area at all times. Highways DC did not object. Colleagues in Pollution Control recommended that a Noise Impact Assessment was submitted and on receipt of this information, did not object subject to conditions.

The proposed internal layout has been amended and additional openings will be placed in the building to show that each respective unit will have at least one full sized, clear glazed window to allow for sufficient natural light into the room and sufficient outlook. The amended layout also alleviated previous concerns with overlooking into the rear garden of a neighbouring property, with the existing 4 x windows on the rear elevation being altered to obscure glazed. The windows are also high level and a condition will be attached to ensure that these are non-opening windows. The proposed development includes the installation of windows on the side facing elevations which face onto a existing allotments, and a shared parking area serving a dwelling and nearby commercia units, respectively. This arrangement is considered to be appropriate, in line with Local Plan Policy GD1. The amended plan also shows the addition of 2 x roof lights into the open plan kitchen/lounge area which increases natural light into this room alongside offering increased outlook for residents.

There is no space provided within the site for external amenity space for residents, which is contrary to the requirements of the Council's SPD for Design of Housing Development. However, the agent has submitted background information to the site which is centrally located, just outside the district central of Wombwell with numerous pieces of green space in walking distance which would provide a sufficient offering of local and publicly accessible green space to cater for future residents.

The proposed development is recommended for approval subject to conditions.

Recommendation

Approve with Conditions