

Application Reference Number:	2026/0491
--------------------------------------	-----------

Application Type:	Full
--------------------------	------

Proposal Description:	Change of use from Use Class C3 (Dwellinghouse) to Use Class C2 (Residential Institutions) to operate as a residential care home for adults and young adults with autism and learning disabilities, together with extensions, alterations and conversion of outbuildings, including retrospective planning permission for the erection of Outbuilding 2
------------------------------	---

Location:	134 Church Hill, Royston, Barnsley, S71 4AQ
------------------	---

Applicant:	Mr Deepak Jaiswal
-------------------	-------------------

Third-party representations:	Seven	Parish:	None
		Ward:	Royston

Summary:

This planning application seeks the change of use of the existing dwelling from Use Class C3 (Dwellinghouse) to Use Class C2 (Residential Institutions) to operate as a residential care home for adults and young adults with autism and learning disabilities. The application also includes extensions, alterations and the conversion of existing outbuildings, including retrospective planning permission for the erection of outbuilding two.

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising a change of use is considered acceptable in principle if proposals are a suitable location for the use class and would not significantly adversely affect residential and visual amenity and highway safety.

The proposal does not comply with the relevant plan policies and planning permission should not be granted. The application is considered to be unacceptable in terms of residential amenity and its impact on councils current housing stock and is therefore recommended for refusal.

Recommendation:

Refuse

Site Description

The dwelling is a large two-storey detached dwelling located in Royston. Church Hill has a consistent residential street scene predominantly featuring two-storey semi-detached dwellings. The dwelling has a large curtilage with parking areas to the front and sides of the dwelling. The dwelling has a two-storey side extension, an annex extension, a single storey side extension and detached outbuildings to the rear.



Ordnance Survey, (c) Crown Copyright 2026. All rights reserved. Licence number 100023432

Site Location Plan 1:1250

architectural vision	
www.architecturalvision.com 07558 03 386	
Client Jessel Property Developments Ltd	Project No: D150 Status: Information
Project Mistyfield House, C2 Residential Care Home, Change of Use	Drawn By: JEP Scale: 1:1250
Drawing Title Site Location Plan	Dwg No: GNH1-AVL-04-00G-DR-A-001 Rev: P01

Planning History

There are various planning application associated with the site.

Application Reference	Description	Status
2009/0366	Erection of two-storey side and rear extensions and alterations to front bay of dwelling	Approved with Conditions
2009/0367	Erection of detached dwelling	Approved with Conditions
2016/0759	Erection of single storey front extension, two storey side extension with rear dormer and two storey rear extension to dwelling	Approved with Conditions
2023/1047	Two storey detached residential annexe	Refused
2024/0051	Erection of a two storey side extension incorporating an annexe to enable multi-generational living (Resubmission)	Approved with Conditions

Proposed Development

The proposal is for the change of use of the existing dwelling from Use Class C3 (Dwellinghouse) to Use Class C2 (Residential Institutions) to operate as a residential care home for adults and young adults with autism and learning disabilities. The application also includes extensions, alterations and the conversion of existing outbuildings, including retrospective planning permission for the erection of outbuilding two.

In terms of built form, the erection of outbuilding two requires retrospective planning permission due to the location next to the rear boundary and the height exceeding what can be built under permitted development. The outbuilding has a length 7.65 of metres and a width of 12.6 metres. The outbuilding features both a hipped roof with a ridge height of 4.25 metres and an eaves height of 2.4 metres along with a flat roof with a total height of 3 metres. The materials used are brick and boarding with slate roof tiles. In terms of works to the main dwelling one of the existing rear dormer windows will be removed and replaced with a flat roof first floor rear extension which is modest.

Regarding the change of use the submitted design and access statement establishes that proposed development will operate as a 24-hour residential care home providing permanent accommodation and personal care for adults and young adults with autism and learning disabilities. It is expected that average residency will exceed 12 months and residents will live at the property on a permanent basis as their primary home. Seven en-suite bedrooms are proposed and will therefore accommodate a maximum of seven residents at any one time.

Staffing will be provided on a 24-hour waking night basis with no sleeping-in staff. Daytime shifts will operate between 8.00am and 8.00pm, with night-time shifts operating between 8.00pm and 8.00am. On average, six members of staff will be present on site overnight, although actual numbers may vary depending on the complexity of residents' needs at any given time. The maximum number of staff employed by the service will be eight full-time equivalent posts. Visitor numbers are expected to be between two and three visitors to the property per week. All visitors will be managed through the staff team in accordance with individual residents' care and support plans.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019). The Local Plan review was approved at the full Council meeting on 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.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy 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. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy 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.

Policy 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.

Policy 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.

Policy H9: Protection of Existing Larger Dwellings – The loss of existing larger dwellings will be resisted. Support will be given to the re-establishment of Houses in Multiple Occupation into single family sized houses.

Policy Poll1: Pollution Control and Protection – 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.

Policy BIO1: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Policy T3: New development and Sustainable Travel – Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

Policy 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.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In August 2026, the UK Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied.

The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

The revised NPPF establishes national decision-making policies (NDMP). Central to the NPPF is a presumption in favour of sustainable development (NPPF Policy S3) and plans and decisions should apply this policy. There are three overarching objectives to sustainable development: an economic, social and environmental objective which are mutually dependent. The following NPPF sections are relevant in this case:

- Section 3 - Decision-making policies
- Section 4 - Achieving sustainable development
- Section 14 - Achieving well-designed places
- Section 15 - Promoting Sustainable Transport
- Section 16 - Promoting healthy communities
- Section 17 - Pollution, public protection and security

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- Biodiversity and Geodiversity
- Design of Housing Development
- Parking
- Sustainable Travel

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Other Material Considerations

- South Yorkshire Residential Design Guide 2011 (SYRDG).

Consultations

Adult Care Homes - No objections

Biodiversity - No objections subject to conditions

Children and Adolescent Care Homes - No objections

Highway Drainage - No objections

Highways Development Control - No objections

Mining Remediation Authority - No objections subject to informatives

Pollution Control - No objections subject to conditions

Royston Ward Councillors - Objects

South Yorkshire Mining Advisory Service - No objections subject to informatives

Yorkshire Water - No objections

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to surrounding properties and a site notice placed in the vicinity of the site. Seven objections were received and in summary raised the following points.

- Break in the development pattern of the street scene
- Commercial intensity of the property
- Comings and goings during unsociable hours
- Conflict with Local Plan policies
- Excessive waste output
- Impact on character of the area
- Impact on highway safety
- Impact on neighbouring private amenity spaces
- Impact on public health
- Impact on residential amenity
- Increased noise pollution and disturbance
- Lack of off-street parking
- Location is not suitable for the proposed use
- Outbuilding two is akin to an independent residential unit
- Outbuilding two is built on land belonging to 130 and 132 Church Hill
- Overbearing outbuilding conversions
- Overdevelopment of the site
- Potential for other changes of use
- Pressure on the existing drainage system
- Property is located close to a busy water course
- Proposed parking layout isn't feasible
- Significant increase in onsite activity
- Traffic and congestion due to give way junctions

Assessment

The main issues for consideration are as follows:

- The principle of the change of use
- The impact on the character of the area, design and visual amenity
- The impact on residential amenity
- The impact on highway safety
- The impact on biodiversity

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

Principle of Development

The proposal is for the change of use of the existing dwelling from Use Class C3 (Dwellinghouse) to Use Class C2 (Residential Institutions) to operate as a residential care home for adults and young adults with autism and learning disabilities. The application also includes extensions, alterations and the conversion of existing outbuildings, including retrospective planning permission for the erection of outbuilding two.

Local Plan Policy H6: Housing mix and efficient use of land establishes that 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.

Paragraph 9.17 of the adopted Local Plan supports Policy H6 and establishes that various housing types capable of accommodating a range of needs are required across the borough such as family housing and older persons accommodation.

In addition, supported housing is required for vulnerable households – for example those with physical or mental disabilities and young people with support needs. Such proposals will be supported where they are consistent with this and other policies within the development plan, or where robust supporting evidence can be provided that would be a material consideration of sufficient weight to take precedence.

The applicant has stated that there has been positive engagement with BMBC commissioners prior to the submission of this application and a meeting was held with Katherine Purton, Head of Services, and Alison Rumbol, Senior Commissioning Manager, during which the nature of the proposed residential care model was discussed in detail.

It is stated that the commissioners confirmed that BMBC recognises a limited but clear local need for high-quality and cost-effective residential services for young adults and adults with a primary need of autism and learning disabilities. They advised that the council currently has 42 adults placed in residential services out of borough, with two of these placements having been made in 2026. The applicant states that the proposed development would contribute directly to meeting this identified need.

Whilst these points raised by the applicant are acknowledged, no demonstrable evidence other than the above statements have been submitted to corroborate the claims made in respect of local need. Both Adult Care Homes and Children and Adolescent Care Homes BMBC were consulted, and no objections were received however no evidence was received in relation to the above claims. Again, there is no demonstrable evidence to corroborate these claims made in respect of local need by the applicant.

Whilst the local requirement for additional supported accommodation is disputed, it is acknowledged there is a broader general requirement for such provisions in order to meet the needs of vulnerable households as part of an appropriate housing mix and is supported in general by national and local planning policies. This weighs modestly in favour of the proposal.

Considering the above, this proposal would involve the change of use of the existing dwelling from Use Class C3 (Dwellinghouse) to Use Class C2 (Residential Institutions) to operate as a residential care home for adults and young adults with autism and learning disabilities. The re-use of existing buildings within a sustainable location and existing settlements to meet the needs of groups of people with specific housing requirements is actively supported by national and local planning policies such as outlined above.

However, this proposal specifically would result in the loss of one residential planning unit which happens to be an existing larger dwelling. This would therefore be lost from the councils current housing stock. There has been a recent loss of loss of larger homes and development would therefore be contrary to the findings of the Barnsley Strategic Housing Market Assessment 2021 which determined that the highest need in the borough is for two and three bedroomed dwellings. This is therefore in conflict with Local Plan Policy H9: Protection of Existing Larger Dwellings which seeks to retain existing larger dwellings as it states the loss of existing larger dwellings will be resisted. This weighs significantly against the proposal.

Design and Visual Amenity

No significant external alterations are proposed to the main dwelling that would impact on the character of the dwelling visually and therefore, it is not considered that this proposal would significantly alter or detract from the character of the street scene or immediate and broader locality. Regarding the siting of outbuilding two it is noted that multiple back land developments are present in the street scene including other large outbuildings and a dwelling (140 Church Hill). Therefore, a precedent is set for this scale of development in the street scene. This weighs moderately in favour the proposal.

Residential Amenity

It is not considered that this proposal would contribute to significant increased overshadowing levels, overlooking or reduced outlook. The separation distances are maintained as existing and the impacts with regards these factors are akin to if the dwelling was a C3 use as existing. It is acknowledged that there could be some disruption and nuisance caused to people in the locality during construction works. However, any impact is anticipated to only be temporary and construction hours can be controlled by conditions.

The proposal would comprise of seven bedrooms all of which meet the spacing standards as set by the SYRDG. Given the proposed use it is expected that shared private amenity space for apartments or flats should be provided at a minimum of 50 square metres plus an additional 10 square metres per unit as balcony space or added to shared private amenity space. The amount of amenity space to be provided would also depend on the quality, quantity and accessibility of local public open space. In this instance, the existing garden area to the rear is approximately 225sqm and offers an acceptable shared private amenity space that accords with adopted design guidance. This weighs significantly in favour of the proposal.

Notwithstanding the above, the development site is within reasonable walking and wheeling distance of the Royston District Centre and nearby local green spaces. Barnsley Canal is located to the west, Monkton Playing Field to the northeast, and the Rabbit Ings Country Park to the east. This proposal is therefore considered acceptable in this regard with this element being attributed moderate weight in favour of this proposal.

Regarding the change of use the submitted design and access statement establishes that proposed development will operate as a 24-hour residential care home providing permanent accommodation and personal care for adults and young adults with autism and learning disabilities. It is expected that average residency will exceed 12 months and residents will live at the property on a permanent basis as their primary home. Seven en-suite bedrooms are proposed and will therefore accommodate a maximum of seven residents at any one time.

Staffing will be provided on a 24-hour waking night basis with no sleeping-in staff. Daytime shifts will operate between 8.00am and 8.00pm, with night-time shifts operating between 8.00pm and 8.00am. On average, six members of staff will be present on site overnight, although actual numbers may vary depending on the complexity of residents' needs at any given time. The maximum number of staff employed by the service will be eight full-time equivalent posts. Visitor numbers are expected to be between two and three visitors to the property per week.

While the applicant argues that this would be commensurate with and would present no material difference in planning terms to the current use of the existing residential unit (Class C3), it is considered that this proposal would present a significant intensification of the use of the existing building and could lead to increased noise and disturbance impacts beyond those that may exist currently. The anticipated increased comings and goings on a regular basis would be a contributing factor as well as the commercial intensification of the property and the use of the outdoor space.

In addition to the above, recent planning applications in this area have drawn the LPA's attention to anti-social behaviour and crime concerns. Open-source sites, Police.uk and ONS websites have been used to obtain details of local crimes and incidents. These details have been used to ascertain the possible type and number of crimes, which could impact upon the building and its residents' users or neighbours. Information from both open sources are fully audited Government controlled sites and provide the most reliable sources of information in respect of this local area. The location itself does not suffer from elevated levels of criminality however the surrounding area does suffer from higher than national average anti-social behaviour and criminality regarding 'acquisitive crime' in particular: - vehicle crime and burglary related offences.

It is acknowledged that these concerns are more generalised rather than being site specific. However, it remains the case that while the location itself does not suffer from elevated levels of criminality, the surrounding area does suffer from higher than national average anti-social behaviour and criminality regarding acquisitive crime. It is accepted that not all vulnerable adults would become involved in committing criminal acts or befriend or be exploited by those that commit such acts.

However, the risk remains in this area and while it is anticipated that some risks could be lessened through an appropriate staff support and intervention system, such risks cannot be entirely controlled or eliminated. This may be true for all types of risks but is especially important in this instance given that nature of this proposal. Therefore, this location is not considered appropriate for the proposed Class C2 due to the aforementioned risk. This weighs moderately against the proposal.

As such, this proposal is considered to be in conflict with Local Plan Policy GD1 in that it is not considered that the proposed use is compatible with the proposed location and could lead to adverse effects on the living conditions and residential amenity of existing and future residents as well as neighbouring residents. The development site is not considered to promote a safe place for vulnerable adults.

The overdevelopment of the site within a residential street scene is considered to have a potentially detrimental impact upon neighbouring residential amenity largely through increased noise and disturbance and the impact on neighbouring private amenity spaces. It is not considered that mitigation measures could resolve these matters as concerns relate to the location of the development site. This is not considered acceptable and is therefore attributed significant weight against this proposal.

Highways Safety

There will be no significant impact upon highway safety. Highways Development Control raised no objections to the proposal upon the submission of amended off-street parking arrangements. The site comprises an existing detached residential property on the northern side of Church Hill, served by two existing vehicular accesses positioned on either side of the dwelling. It is noted that planning permission was granted in 2024 for extensions and alterations to facilitate multigenerational living and that the level of parking available was considered acceptable in connection with that domestic use. However, the current application seeks a materially different use of the site as a Class C2 residential care home, and the parking and vehicle requirements must therefore be considered against the proposed operation.

The development will provide accommodation for a maximum of seven residents across the main dwelling, annex and outbuilding two. Outbuilding one would provide a dedicated therapy room for use by external professionals. The Design and Access Statement indicates that the home would operate on a 24-hour basis, with daytime shifts between 8.00am and 8.00pm and night shifts between 8.00pm and 8.00am. It states that an average of six staff would be present overnight, that staffing levels may vary according to residents' needs and that the service would employ a maximum of eight full-time-equivalent staff.

The applicant has provided further details regarding the proposed operation of the site, including staffing levels, shift change arrangements, visitor management, servicing requirements and parking provision. In addition, revised plans have been submitted demonstrating the proposed parking layout and vehicle manoeuvring within the site. The submitted information indicates that staff parking demand is anticipated to be low and that staggered shift handovers will be implemented to minimise the potential for parking conflicts during staff changeover periods. The applicant has also identified parking arrangements for staff, visitors and an accessible parking space, together with operational measures intended to ensure that parking demand can be accommodated within the site.

Upon receipt of the additional information provided, it is considered that sufficient information has now been submitted to demonstrate that the parking and operational requirements associated with the proposed use can be accommodated within the site without resulting in a severe impact on highway safety or the operation of the adjacent highway network. It is therefore considered that the proposals won't adversely impact upon the highway and are acceptable from a highway's perspective. This weighs significantly in favour of the proposal.

Biodiversity

The applicant is claiming the de minimis exemption from Biodiversity Net Gain and therefore the biodiversity gain condition does not apply to this development. The proposal site is located within a Site of Special Scientific Interest (SSSI) Impact Risk Zone. The government's MAGIC website indicates that the development type at this distance from the SSSI will not have an adverse impact upon the site.

The site is also located at a sufficient distance from non-statutorily designated Local Wildlife Sites and no impact upon such sites is anticipated. The proposal site currently comprises a residential dwelling, outbuildings and a garden area consisting of areas of hardstanding and mown lawn. Habitats are considered to be of low conservation value.

From photographs included within the planning statement submitted as part of the application, buildings proposed for conversion and extension are not deemed to offer potential for roosting bats; this coupled with habitats present on site indicate that the proposals will not impact protected species. This weighs modestly in favour of the proposal.

Planning Balance and Conclusion

In accordance with the provision of NDMP S3 of the NPPF (2026), the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is for the change of use of the existing dwelling from Use Class C3 (Dwellinghouse) to Use Class C2 (Residential Institutions) to operate as a residential care home for adults and young adults with autism and learning disabilities. The application also includes extensions, alterations and the conversion of existing outbuildings, including retrospective planning permission for the erection of outbuilding two.

Having balanced all material planning considerations, the re-using of existing building located in sustainable locations and existing settlements to meet the needs of groups with specific housing requirements is actively supported by national and local planning policies. However, this proposal would result in the loss of one residential planning unit, and because this is an existing larger dwelling it is considered this would prejudice the council's current housing stock. This is because the highest need in the borough is for larger dwellings. As such, on balance, modest weight is attributed to the principle of development in this instance against this proposal.

Whilst there are some positive elements to this proposal which include compliance with the minimum internal space standards established by the SYRDG, reasonable access to shared private amenity space and local services and amenities and green spaces, and anticipated limited impact by way of overshadowing, overlooking and reduced outlook, which are attributed moderate weight in favour of this proposal, there are other negative elements such as intensification of the use of the application building which could lead to potential increased noise and disturbance impacts for existing residents, which is attributed significant weight against this proposal.

Additionally, the risk in that by placing vulnerable adults near to areas of known criminality that experience high baseline levels of anti-social behaviour and street crime, it could put them and others at unnecessary risk and could undermine the quality of their lives and the lives of existing residents should a potential for criminality become realised. It could also affect future community cohesion and resilience and could result in further implications for the quality of the lives for existing and future residents. This weighs moderately against the proposal.

As such, this proposal is considered to be in conflict with Local Plan Policy GD1 in that it is not considered that the proposed use is compatible with the proposed location and could lead to adverse effects on the living conditions and residential amenity of existing and future residents as well as neighbouring residents. The development site is not considered to promote a safe place for vulnerable adults.

This proposal is also considered acceptable regarding its potential impact on highway safety, visual amenity, and biodiversity, and is therefore, attributed significant, moderate and modest weight in favour of this proposal accordingly as discussed above.

For the reasons given above, and taking all other matters into consideration, the proposal does not comply with the relevant plan policies and planning permission should not be granted. The application is considered to be unacceptable in terms of residential amenity and its impact on councils current housing stock and is therefore recommended for refusal.

Recommendation

Refuse

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.