

Application Reference Number:		2026/0246.	
Application Type:		Full.	
Proposal Description:		Conversion of existing roof space to create 3x residential flats (Use Class C3), with associated external alterations including re-roof and installation of rooflights (Amended Description).	
Location:		Family Shopper, West Street, Hoyland, Barnsley, S74 9DU.	
Applicant:		Family Shopper Hoyland Store Ltd.	
Third-party representations:	X4 Objections.	Parish:	
		Ward:	Rockingham.

Summary:

In accordance with the provisions of NDMP S3 this proposal is considered within the context of the presumption in favour of sustainable development.

This proposal for small-scale residential development to create three flats (Use Class C3) located in an under-utilised building within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing building and land and is considered acceptable in principle in accordance with NDMP S4, NDMP HO7, NDMP L2(1)(b) NDMP L3 and Local Plan policies H1, H2, LG2, and H4.

The principle of development is attributed substantial weight in favour of this proposal in accordance with NDMP HO7 and NDMP L2.

This proposal is considered acceptable regarding its potential impacts on visual amenity, residential amenity, health and pollution control, highways, and biodiversity and geodiversity, and is considered acceptable regarding NDMP P3, NDMP TR4, NDMP DP3, NDMP N2, and Local Plan policies GD1, POLL1, D1, T3, T4, and BIO1 and is attributed weight (substantial, significant, moderate or modest) in favour of its approval accordingly.

The anticipated benefit(s) of allowing this proposed development to proceed, such as providing three flats (Use Class C3) within an under-utilised building within an existing settlement and sustainable location are not considered to be substantially outweighed by adverse effects such as those which have been identified by NDMP S4, or any other material planning considerations in this instance. As such, it is not considered that there is sufficient ground to warrant refusal under NDMP S4.

For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.

Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NDMP S3(1)(c).

Recommendation: **APPROVE subject to conditions.**

Site Description

This application relates to a three-storey detached building comprising ground floor commercial units [Go local Extra and Subway] with a gymnasium and dance studio at first floor level. The second floor level comprises a series of voids. The immediate surrounding area is principally residential in nature and is characterised by a mix of dwellinghouse types with educational and leisure facilities, places of worship, and local amenities comprising a convenience store, public house and hair salon nearby. The development site is located circa. 305 metres to the west of the Hoyland District Centre where a wider range of amenities are available, including a medical centre, pharmacy, and a library. West Street to the north provides good access to public transport options with regular bus services to/from Barnsley Town Centre, and within the broader context there is also good access to the Dearne Valley Parkway and Junction 36 of the M1 motorway. The adjacent vacant Working Men's Club premises has been granted planning permission to provide nine supported living dwellinghouses for adults.

Brooke Street to the east sees a mix of on and off-street parking provision with no on-street parking restrictions in place except for double yellow lines near the junction with West Street.

Broad Street to the west sees on-street parking on both sides of the road with deliveries access for the Go Local Extra convenience store. There are no on-street parking restrictions in situ except for double yellow lines near the junction with West Street. There is also no through road to South Grove Drive from Broad Street except for access.

West Street to the north sees on-street parking on both sides of the road with deliveries for Go Local Extra and Subway also taken from the front of the premises. No on-street parking restrictions are in place except for double yellow lines at the junctions with Broad Street and Brooke Street.

The application premises is constructed of brickwork with a natural blue/grey slate tiled gable pitched roof. To the front (north) is a single storey mono-pitched projection providing access to the ground floor units. Access to the first floor gymnasium and dance studio is taken from the west of Broad Street. There are parcel lockers and elevated external plant alongside an area of hardstanding which is served by an existing dropped kerb access off West Street. A further hardstanding area is located to the south and is served by an existing dropped kerb off Broad Street.



Planning History

Application Reference	Description	Status
2013/1027	Change of use from assembly/leisure (D2) to retail (A1) and installation of new shop front.	Approved.
2014/0863	Variation of conditions 2 and 6 of application 2013/1027 to amend design and shopfront and to allow opening hours of 0600 - 2200 Monday to Sunday.	Approved.
2015/0167	Installation of new shop front.	Approved.
2021/0132	Installation of takeaway service kiosk within existing shop unit.	Approved.

Proposed Development

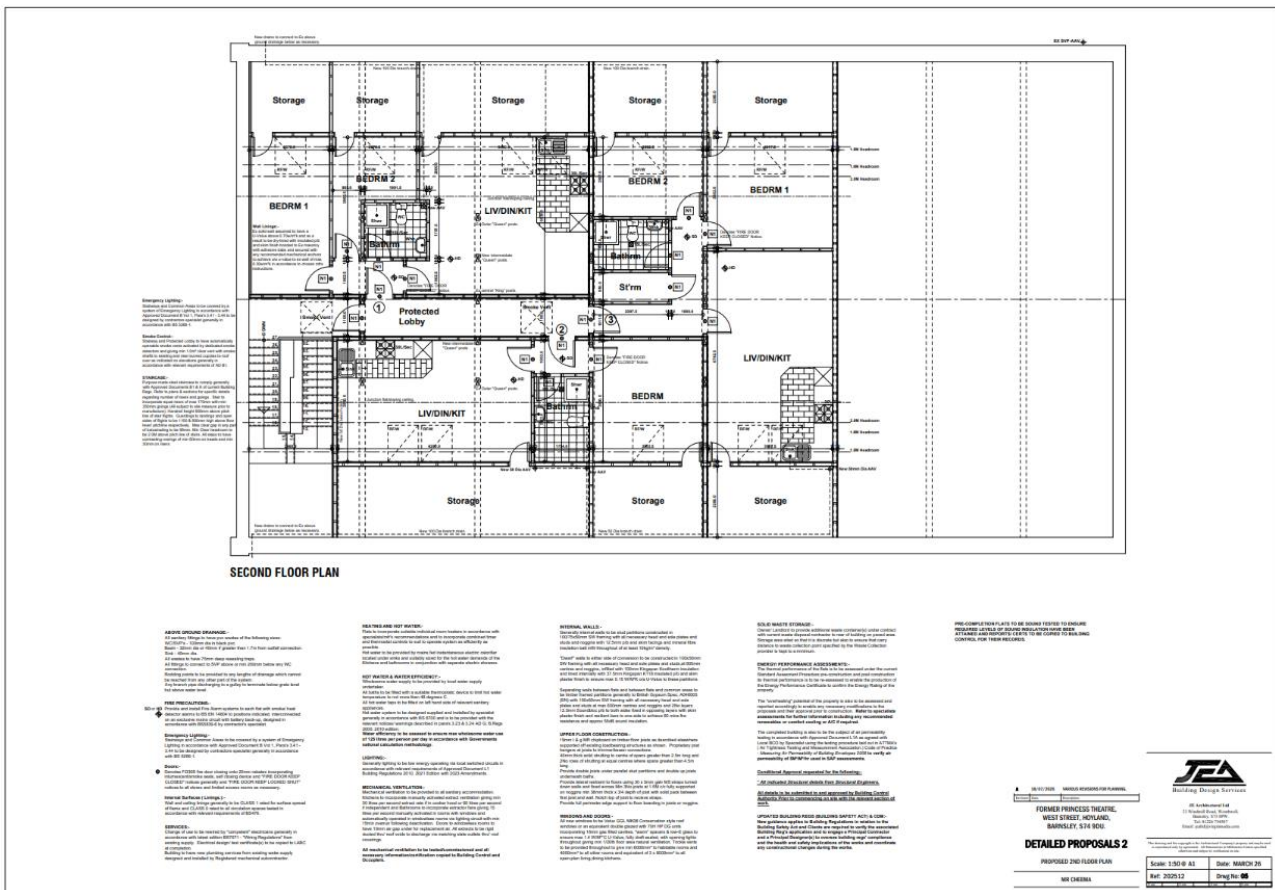
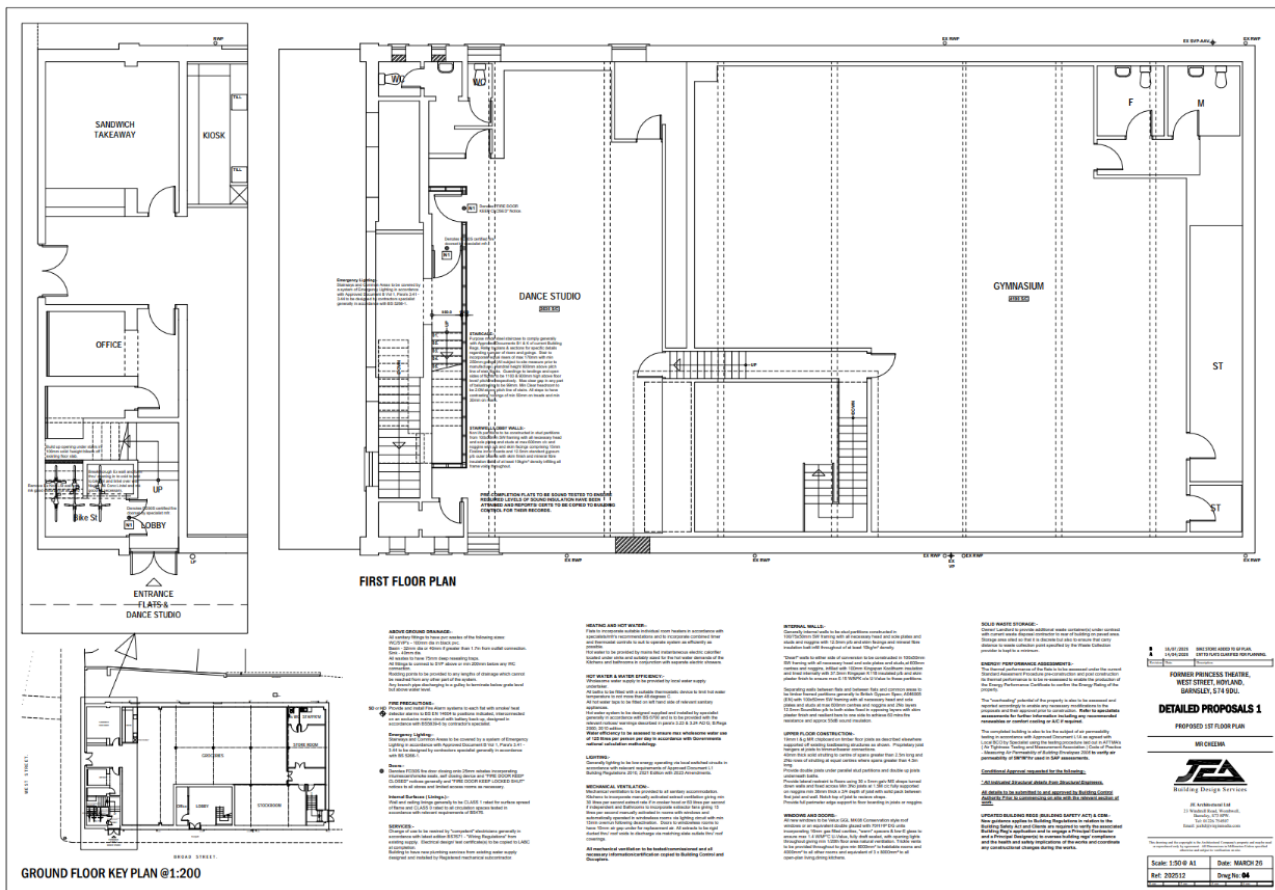
The applicant is seeking planning permission for the conversion of existing roof space to create three residential flats, with associated external alterations including the installation of rooflights and re-roof in natural slate.

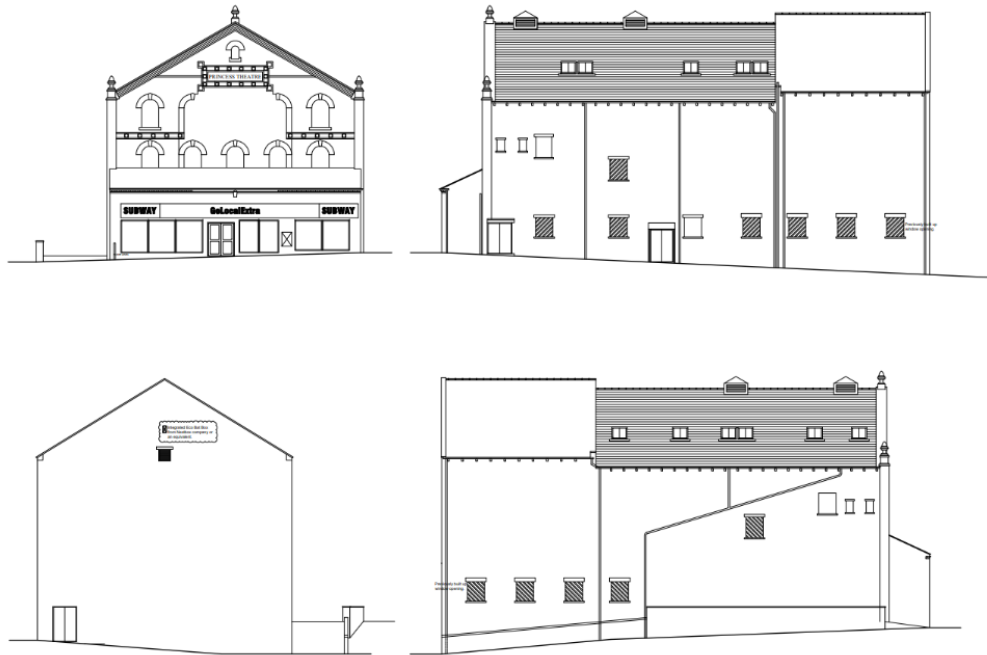
All of the proposed flats would comprise an open plan kitchen, dining and living area, and a bathroom with flats one and three having two bedrooms. Flat two would have one bedroom.

Rooflights would be installed to the east and western roof slopes with new smoke vents installed on the ridge.

Three vehicular parking spaces, alongside waste a recycling facilities would be provided to the south on an existing area of hardstanding served by an existing dropped kerb access off Broad Street, and three cycle parking spaces would be provided internally at ground floor level and accessed off Broad Street.

During this application process, this proposal was amended to address concerns regarding the non-compliance with minimum internal space standards and to increase the size of the rooflights to allow reasonable levels of access to natural daylight. Additional clarification was provided in respect of off-street parking arrangements and cycle parking provision. Biodiversity enhancement measures were also provided by way of a bat box being provided.





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FORMER PRINCEPS THEATRE,
 WEST STREET, HIGHLAND,
 GAINESVILLE, FL 32601

DETAILED PROPOSALS 3
 PROPOSED ELEVATIONS

MICHELE

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 Building Design Services

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Scale: 1/8" = 1'-0"	Date: 02/27/24
Rev: 001	Drawn By: JEA

Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development 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 a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation and is located within the Hoyland Common Local Centre.

The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy LG2: The Location of Growth.*
- *Policy H1: The number of New Homes to be Built.*
- *Policy H2: The distribution of New Homes.*
- *Policy H4: Residential Development on Small Non-allocated Sites.*
- *Policy H6: Housing Mix and Efficient Use of Land.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy D1: High Quality Design and Place Making.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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 (NDMP S3) and plans and decisions should apply this NDMP. There are three overarching objectives to sustainable development: an economic, social and environmental objective which are mutually dependent.

The following NPPF sections and NDMPs are relevant in this case:

Section 3: Decision-making policies

- *DM3: Determining development proposals.*
- *DM6: Use of planning conditions and obligations.*
- *DM7: Relationship with other regulatory regimes.*

Section 4: Achieving Sustainable development

- *S3: Presumption in favour of sustainable development.*
- *S4: Principle of development within settlements.*

Section 6: Delivering a sufficient supply of homes

- *HO7: Meeting the need for homes.*
- *HO13: Build out of residential and strategic sites.*

Section 12: Making effective use of land

- *L2: Making effective use of land.*
- *L3: Achieving appropriate densities.*

Section 14: Achieving well-designed places

- *DP3: Key principles for well-designed places.*

Section 15: Promoting sustainable transport

- *TR3: Locating development in sustainable locations.*
- *TR4: Street design, access and parking.*
- *TR6: Assessing transport impacts.*

Section 17: Pollution, public protection and security

- *P3: Living conditions and pollution.*
- *P5: Maintaining public safety and security.*

Section 19: Conserving and enhancing the natural environment

- *N2: Improving the natural environment.*
- *N3: Trees in new development.*

Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. The only exception to this is where they have been examined and adopted or made against the NPPF (August 2026). Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the NPPF (August 2026).

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 this guidance into account when taking decisions.

Supplementary Planning Guidance

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 following SPDs are relevant in this case:

- *Biodiversity and geodiversity (Adopted March 2024).*
- *Design of housing development (Adopted July 2023).*
- *Parking (Adopted November 2019).*

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).*

Representations

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

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

A site notice was placed nearby which expired 10th July 2026.

Four representations have been received from one known address and two unknown addresses and the concerns raised all relate to parking issues within the immediate surrounding area.

Consultations

Biodiversity Officer	<i>No objection(s) subject to condition(s).</i>
Highway Drainage	<i>No objection(s).</i>
Highways Development Control	<i>No objection(s).</i>
Pollution Control	<i>No objection(s) subject to condition(s).</i>
Local Ward Councillors	<i>No comment(s) received.</i>
Yorkshire Water Services Limited	<i>No comment(s).</i>

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

National decision-making policies will adopt the acronym NDMP to distinguish them from Local Plan policies in this report.

Principle of Development

NDMP S3(1): Presumption in favour of sustainable development sets out decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a) Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b) Outside settlements, policy S5 should be applied; and

- c) In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

In this instance, the development site is located within the settlement of Hoyland and as such, NDMP S4 is applicable.

NDMP S4: Principle of development within settlements establishes:

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework (NPPF).
2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations established by paragraphs S4(2)(a-c).

NDMP HO7: Meeting the need for homes sets out in applying the policies in this Framework (NPPF), substantial weight should be given to the benefits of providing homes which will contribute towards meeting evidenced accommodation needs of the community, identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.

NDMP HO13(2): Build out of residential and strategic sites establishes that for all proposals involving housing, consideration should be given to whether to impose a planning condition that requires that development begins within a timescale shorter than the relevant statutory default period, where this would expedite the development without threatening its implementation or viability.

NDMP L2(1)(b): Making effective use of land states substantial weight should be given to the benefits where development proposals would achieve one or more of the following: make better use of vacant and underutilised land and buildings (such as: bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and other business sites; and building on or above service yards, lock-ups, car parks and any other transport infrastructure which are no longer required).

NDMP L3(1): Achieving appropriate densities sets out development proposals should make efficient use of land, taking into account identified need for different types of housing and other development, local market conditions, availability of infrastructure (including that supporting sustainable transport modes) and its scope for improvement, a site's connectivity and the importance of securing well-designed, attractive and healthy places.

NDMP L3(2)(a): Achieving appropriate densities sets out within settlements, development proposals for residential and mixed-use development should contribute to an increase in the density of the area in which they are situated. The only exception is where there is a clear justification that this is either inappropriate or not possible (for example, if the prevailing density is already very high, the nature of the accommodation required precludes higher densities, or if it would conflict with other policies in this Framework). In considering the potential to increase densities, the existing character of an area should be considered, in accordance with NDMP DP3, but should not preclude development which makes the most of an area's potential.

NDMP L3(4): Achieving appropriate densities establishes development proposals that do not make efficient use of land in accordance with paragraph 2 of this policy should be refused.

Local Plan Policy H1 establishes that the local planning authority will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033.

Local Plan Policy H2 establishes that Hoyland is set to accommodate 12% of the borough's housing needs during the period 2014 to 2033 with a total of 2,567 dwellings.

Local Plan Policy H4: Residential developments on small non-allocated sites establishes proposals for residential development on sites below 0.4ha will be allowed where the proposal would comply with other relevant policies in the Local Plan.

This proposal for small-scale residential development to create three flats (Use Class C3) located in an under-utilised building within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing building and land and is considered acceptable in principle in accordance with NDMP S4, NDMP HO7, NDMP L2(1)(b) NDMP L3 and Local Plan policies H1, H2, LG2, and H4 subject to the consideration of the following matters.

The principle of development is attributed substantial weight in favour of this proposal in accordance with NDMP HO7 and NDMP L2.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable degree, for existing and new and future residents, including visual amenity and highway safety.

Impact on Residential Amenity, Health and Pollution Control

NDMP P3: Living conditions and pollution establishes:

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).
2. Within this context development proposals should:
 - a) Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;
 - b) Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);
 - c) Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;

- d) Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);
 - e) Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature; and
 - f) Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially in relation to sensitive water bodies such as chalk streams.
3. In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes.

Local Plan Policy GD1: General Development, indicates that support will be given to development if there will be no significant adverse impact on the living conditions and residential amenity of existing and future residents, and the development would be compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.

Local Plan Policy POLL1: Pollution Control and Protection, establishes that support will be given to development if it is demonstrated that proposals would not be 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 nuisance to the natural and built environment or to people.

The South Yorkshire Residential Design Guide (SYRDG) sets out internal space standards for new dwellings. Support will be given to development if the internal space standards are complied with.

This proposal is considered acceptable regarding potential overshadowing impact given that it would be contained within the building's existing footprint.

This proposal would achieve acceptable separation distances that reflect the prevailing development pattern of the surrounding area. The flats would be created within the existing roof space and would be served by proposed rooflights on the east and eastern roof slopes. Therefore, it is not anticipated that this proposal would contribute to significant increased impacts of overlooking and loss of privacy and is considered acceptable in this regard.

Considering the above, it is not considered that this proposal would contribute to significant reduced levels of outlook.

All habitable rooms would benefit from access to a window(s) or rooflight(s) and a reasonable degree of natural light.

All flats would comply with the minimum internal space standards for 1-bed 2-person dwellinghouses And 2-bed 3-person dwellinghouses as established by table 4A.1 in the SYRDG.

It is normally 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. Where private amenity space cannot be provided, balconies should be provided to a minimum of 3 square metres. The total amount of amenity space that should be provided would also depend on the quality, quantity, and accessibility of local public open spaces.

In this instance, no shared private amenity spaces have been proposed due to the limited opportunity to facilitate these within the existing footprint and curtilage of the application building. In this instance, no balconies have been proposed either. Whilst this absence of shared private amenity space(s), or balconies, would normally weigh against a proposal, this development site is located in a sustainable location near the Hoyland Common Local Centre and with a good level of access to local amenities, facilities and public transport links. This development site is also in reasonable walking and wheeling distance of local green spaces and sports facilities to the north and west. As such, while the absence of shared private amenity spaces or balconies is undesirable, its weight against this proposal in this instance is considered to be limited, and therefore, acceptable, on balance.

Environmental Health (Pollution Control) colleagues were consulted, and it was set out the proposed flats would be located above a dance studio and gymnasium, both of which are likely to be sources of noise that could transfer if adequate acoustic insulation between the floors is not provided. Sound insulation testing is therefore required to ensure sound transference is minimised between first floor level and second floor level. Environmental Health colleagues raised no objection subject to securing sound insulation testing by condition.

The Local Planning Authority has no reason to disagree with the professional opinions of Pollution (Environmental Health) Control colleagues in this instance.

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 could be controlled by condition.

Considering the above, on balance, this is considered to weigh significantly in favour of this proposal and its approval.

This proposal is therefore considered to comply with NDMP P3: Living conditions and pollution and Local Plan Policies GD1: General Development and POLL1: Pollution Control and Protection and is considered acceptable regarding its impact on residential amenity, health and pollution control.

Impact on Highways

NDMP TR4: Street design, access and parking establishes:

1. To contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should:
 - a) Give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services;
 - b) Incorporate or contribute towards appropriate features to support this prioritisation, such as permeable street networks, continuous footways and segregated cycle facilities which are adequately lit, sufficient secure and accessible cycle parking, regularly spaced public seating and good quality waiting facilities for public transport;
 - c) Ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users (particularly for women and girls, for other groups who may be vulnerable to crime or the fear of crime, and for those with limited mobility). This includes reflecting relevant aspects of policy DP3(2), as well as employing measures to:
 - i. Minimise the scope for conflict between pedestrians, cyclists and vehicles;

- ii. Meet the needs of disabled people, older people and children in relation to all modes of transport, and
 - iii. Avoid unnecessary street clutter.
- d) Allow for the efficient delivery of goods, and ease of access by service and emergency vehicles, in ways which do not compromise key place-making principles (set out in policy DP3(2)); and
 - e) Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations. A flexible approach to applying parking standards should be taken where the reconfiguration of retail or other sites which attract large numbers of customers would make better use of previously developed land, and there is evidence that a certain number of spaces needs to be retained to meet specific operational and commercial requirements.

NDMP TR6(4): Assessing transport impacts states development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts) or an unacceptable impact on highway safety; taking into account any mitigation measures proposed and any wider network improvements, including measures to support sustainable patterns of movement. This applies during construction phase and following completion.

Local Plan policies T3 and T4 support the aims of these NDMP in respect of new developments and sustainable travel and highway safety.

During the application process, concerns were raised in respect of parking issues in the immediate surrounding area.

This application relates to a three-storey detached building comprising ground floor commercial units (Go local Extra and Subway) with a gymnasium and dance studio at first floor level. The second floor level comprises a series of voids. The immediate surrounding area is principally residential in nature and is characterised by a mix of dwellinghouse types with educational and leisure facilities, places of worship, and local amenities comprising a convenience store, public house and hair salon nearby. The development site is located circa. 305 metres to the west of the Hoyland District Centre where a wider range of amenities are available, including a medical centre, pharmacy, and a library. West Street to the north provides good access to public transport options with regular bus services to/from Barnsley Town Centre, and within the broader context there is also good access to the Dearne Valley Parkway and Junction 36 of the M1 motorway. The adjacent vacant Working Men's Club premises has been granted planning permission to provide nine supported living dwellinghouses for adults.

Brooke Street to the east sees a mix of on and off-street parking provision with no on-street parking restrictions in place except for double yellow lines near the junction with West Street.

Broad Street to the west sees on-street parking on both sides of the road with deliveries access for the Go Local Extra convenience store. There are no on-street parking restrictions in situ except for double yellow lines near the junction with West Street. There is also no through road to South Grove Drive from Broad Street except for access.

West Street to the north sees on-street parking on both sides of the road with deliveries for Go Local Extra and Subway also taken from the front of the premises. No on-street parking restrictions are in place except for double yellow lines at the junctions with Broad Street and Brooke Street.

Highways Development Control colleagues were consulted; and initial comments concluded that the development site was considered to be in a sustainable location where potential future occupant(s) would not be wholly reliant on the use of the private car as the development site is in an established built-up area, close to existing local services and public transport opportunities with bus stops close to the site, with services towards Barnsley, Chapeltown, Elsecar, Swinton, Rotherham and Sheffield.

Initial comments were provided that set out that the proposed development did not identify off-street allocated parking arrangements, which due to the sustainable location of the development site, was not considered unacceptable in principle. However, it was noted that there is limited on-street parking available within the immediate area, and that existing parking pressures had been raised as a concern by local residents. As such, it was considered prudent a parking beat survey to be carried out of the surrounding area, in accordance with the Lambeth methodology, in order to establish the existing level of on-street parking stress and whether this proposal could be accommodated without resulting in an unacceptable impact on local parking conditions.

It was put to Highways Development Control colleagues that the submitted documents showed three off-street parking spaces alongside a waste storage area to the south in the development site. It was confirmed by colleagues that it was assumed that this parking area was associated with the existing ground floor convenience store use. Given the ambiguity surrounding the use of this area clarification was sought from the applicant.

The applicant submitted amended plans to include an internal cycle parking area at ground level off Broad Street. It was also confirmed that the applicant intended to use existing spaces to the rear of the shop next to the refuse area as these are rarely used by customers. It has been found that most customers arrive on foot from the surrounding housing, or from an adjacent bus stop, pub and other commercial premises. Where customers have arrived by car they have usually found space on West Street, Broad Street or Brooke Street. In terms of deliveries, the majority are made by the stores in-house long wheelbase van from their wholesalers warehouse and/or cash and carry, and any bulk deliveries by their parent company by use of a larger vehicle are usually made to the front door from the vehicle while temporarily parked on West Street and usually at an off-peak time without disruption to traffic flows and then these vehicles move on to their next destination.

Additional comments were sought from Highways Development Control colleagues. Whilst provision of cycle parking is a welcome addition, clarification was sought as to whether the existing car parking spaces were provided as part of an earlier planning permission for the retail element of the building. If so, the spaces could not be reallocated if this would leave the retail unit without adequate off-street parking provision or a servicing area without further information or clarification, and whilst Highways Development Control colleagues are mindful that on-street parking is available on both Broad Street and West Street, concerns regarding parking availability have been raised by local residents.

Additional information was put to Highways Development Control colleagues. The original planning permission for the premises was granted. An inspection of the previous permission 2013/1027 for a change of use from assembly/leisure (D2) to retail (A1) and installation of a new shop front indicated that 3 no. Parking spaces were to be provided following demolition of extensions.

However, site visits undertaken in respect of this current application, and other recent applications associated with adjacent premises, saw the spaces being scarcely used. This current proposal would retain existing arrangements with the three parking spaces being re-allocated for the residential use.

Highways Development Control colleagues provided final comments, and stated that this proposal would not impact on the arrangements for the convenience store, and the provision of both allocated parking and cycle storage for the residential units are in accordance within Barnsley's Parking SPD. As such, this removes any earlier concerns that were had in respect of this proposal. No objections were raised.

The Local Planning Authority has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance, and the proposal is not considered to be prejudicial to highway safety, nor is there sufficient ground to warrant refusal under NDMP TR6(4).

Considering the above, on balance, this is considered to weigh significantly in favour of this proposal and its approval.

This proposal is therefore considered to comply with NDMP TR4 and Local Plan Policies T3: New Development and Sustainable Travel and T4: New Development and Transport Safety and is considered acceptable regarding its impact on highway safety.

Impact on Visual Amenity

NDMP DP3: Key principles for well-designed places establishes:

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.
2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location:
 - a) Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;
 - b) Climate: contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;
 - c) Nature: incorporate and/or connect to a network of high quality, accessible, multi-functional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies N3 and F8;
 - d) Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;
 - e) Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;
 - f) Public Space: include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational

spaces and places to meet, integrating lighting and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and

- g) Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.
3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

Local Plan Policy D1: High Quality Design and Placemaking, establishes support would be given to development if proposals would achieve a high quality of design and would respect, take advantage of, and reinforce the distinctive local character and features of Barnsley.

The Design of housing development sets out detailed guidance in support of Local Plan Policy D1.

No extension(s) or significant external alterations are proposed beyond the installation of new smoke vents and rooflights. This proposal would therefore not significantly alter or detract from the character of nearby street scenes and as such, is considered acceptable.

This proposal would also appropriately reflect the liveability, nature and movement principles set out by NDMP DP3 which is welcome. Compliance with these policies is attributed substantial weight in favour of this proposal and its approval in accordance with NDMP DP3(3).

Considering the above, on balance, this is considered to weigh substantially in favour of this proposal and its approval.

This proposal is therefore considered to comply with NDMP DP3(1) and DP3(2) and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding its impacts on visual amenity.

Impact on Biodiversity and Geodiversity

NDMP N2(1)(f): Improving the natural environment states that to contribute positively to the natural environment, and support nature's recovery, development proposals should: minimise any potential adverse impacts on biodiversity by including features that support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (swift bricks) into their construction unless there are compelling technical reasons that prevent their use, or would make them ineffective.

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal falls within one of the listed exemption and is therefore not subject to BNG in this instance.

This application is supported by an amended Bat Survey Report and Emergence Survey which sets out the application building has a low suitability to support roosting bats and that no such bats were identified during the inspection or nocturnal survey. The recommendations of the report include use of a bat safe roof membrane and to provide one replacement bat roost feature as an enhancement.

This amended proposal adopts all recommendations of the report.

The Council's Ecologist (Biodiversity Officer) was consulted and has confirmed that they are satisfied with the findings of the report and have no objections to this proposal subject to a condition to secure the biodiversity enhancement measures recommended by the report.

Considering the above, on balance, this is considered to weigh moderately in favour of this proposal and its approval.

This proposal is therefore considered to comply with NDMP N2(1)(f) and Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable regarding its impacts on biodiversity and geodiversity.

Planning Balance and Conclusion

In accordance with the provisions of NDMP S3 this proposal is considered within the context of the presumption in favour of sustainable development.

This proposal for small-scale residential development to create three flats (Use Class C3) located in an under-utilised building within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing building and land and is considered acceptable in principle in accordance with NDMP S4, NDMP HO7, NDMP L2(1)(b) NDMP L3 and Local Plan policies H1, H2, LG2, and H4.

The principle of development is attributed substantial weight in favour of this proposal in accordance with NDMP HO7 and NDMP L2.

This proposal is considered acceptable regarding its potential impacts on visual amenity, residential amenity, health and pollution control, highways, and biodiversity and geodiversity, and is considered acceptable regarding NDMP P3, NDMP TR4, NDMP DP3, NDMP N2, and Local Plan policies GD1, POLL1, D1, T3, T4, and BIO1 and is attributed weight (substantial, significant, moderate or modest) in favour of its approval accordingly.

The anticipated benefit(s) of allowing this proposed development to proceed, such as providing three flats (Use Class C3) within an under-utilised building within an existing settlement and sustainable location are not considered to be substantially outweighed by adverse effects such as those which have been identified by NDMP S4, or any other material planning considerations in this instance. As such, it is not considered that there is sufficient ground to warrant refusal under NDMP S4.

For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.

Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NDMP S3(1)(c).

RECOMMENDATION: Approve subject to conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendments to comply with minimum internal space standards.
- Amendments to ensure reasonable levels of natural light to all habitable rooms.
- Amendments to provide cycle parking spaces.

- Additional information sought regarding off-street parking arrangements.
- Additional information sought regarding bat boxes and bat friendly roof membrane.

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 representations, 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.

Conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the amended plans:

202512-04 Rev. B Proposed Ground Floor and First Floor Plans received 20th July 2026.

202512-05 Rev. A Proposed Second Floor Plan received 20th July 2026.

202512-06 Rev. B Proposed Elevations received 7th August 2026.

202512-07 Rev. C Proposed Section received 7th August 2026.

202512-08 Site Location Plan.

202512-09 Block Plan.

Bat Survey Report produced by Middleton Bell Ecology ref. MBE/BAT/2026/058/03 dated and received 11th August 2026.

TLX-BATSAFE-PRODUCT-GUIDE-JUNE-2025 received 18th August 2026.

Integrated_Eco_Bat_Box_Nestbox_Company received 18th August 2026.

and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making.

3. Prior to the development hereby permitted being brought into use, a noise breakthrough assessment shall be carried out and a report submitted to and approved in writing by the Local Planning Authority. The report shall confirm adequate sound insulation has been provided between the domestic and non-domestic premises. The report shall indicate that the internal noise criteria as stated in BS8233 has been achieved and meets the standards in Approved Document E of current Building Regulations.

Reason: In the interests of providing adequate sound insulation between the domestic and non-domestic premises and in accordance with Local Plan Policies GD1: General Development and POLL1: Pollution Control and Protection.

4. The development hereby permitted shall be completed in strict accordance with the recommendations laid out in the submitted amended Bat Survey Report [Bat Survey Report produced by Middleton Bell Ecology ref. MBE/BAT/2026/058/03 dated and received 11th August 2026] (unless varied by a European Protected Species (EPS) licence issued by Natural England). All the recommendations shall be implemented in full prior to the development hereby permitted being brought into use.

Reason: In the interests of Biodiversity enhancement and in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

5. Prior to the development hereby permitted being brought into use, the scheme for the parking of bicycles shown on the submitted plans [202512-04 Rev. B Proposed Ground Floor and First Floor Plans received 20th July 2026] shall be implemented in full and retained thereafter.

Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3: New Development and Sustainable Travel.

6. The vehicular parking spaces shown on the submitted plan [202512-09 Block Plan] shall be retained for the residential use hereby permitted for the lifetime of the development.

Reason: In the interests of providing adequate levels of off-street vehicular parking and in accordance with Local Plan Policy T4: New Development and Highway Safety.

7. Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and Bank Holidays.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby and in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

8. There shall be no burning of any material within the development site during demolition and/or construction phases.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby and in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

Informative(s):

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2. It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore, recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.
3. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.
4. The applicant is reminded that under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. The nesting bird season is considered to be between 1 March and 31 August inclusive, however some species can nest outside of this period. Suitable habitat for nesting birds are present on the application site and should be assumed to contain nesting birds between the above dates unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.