**App. No. –** 2023/0666

**Applicant -** Mr Shaun Webber

**Address –** Drill Hall, 11 Eastgate, Barnsley, S70 2EU

**Description -** Conversion of existing office part of building on ground and first floor into 4no flats (Application to determine if prior approval is required for a proposed change of use from Commercial, Business and Service (Us Class E) to Dwellinghouses (Use Class C3))

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**Site Description**

The application relates to a 2/3 storey stone built building known as the 'Drill Hall'. The building is locally listed but does not have a statutory designation. The building also sits just outside a Conservation Area.

The building is currently vacant but was most recently used as an office building by the Barnsley Chronicle and associated companies. The building fronts Eastgate with the front section containing smaller offices. The rear section of the building contains the larger 'drill hall' which is more open plan in nature with a mezzanine deck inside. Attached to the rear of the building is a flat roofed offshoot, constructed of stone and render, which has office rooms on the first floor and mainly storage, accessed by roller shutters, on the ground floor. To the rear of the site is a detached storage building which has a steel frame and corrugated metal cladding.

This application only relates to the front portion of the building containing the smaller offices. The drill hall and the storage buildings to the rear would remain in commercial use.

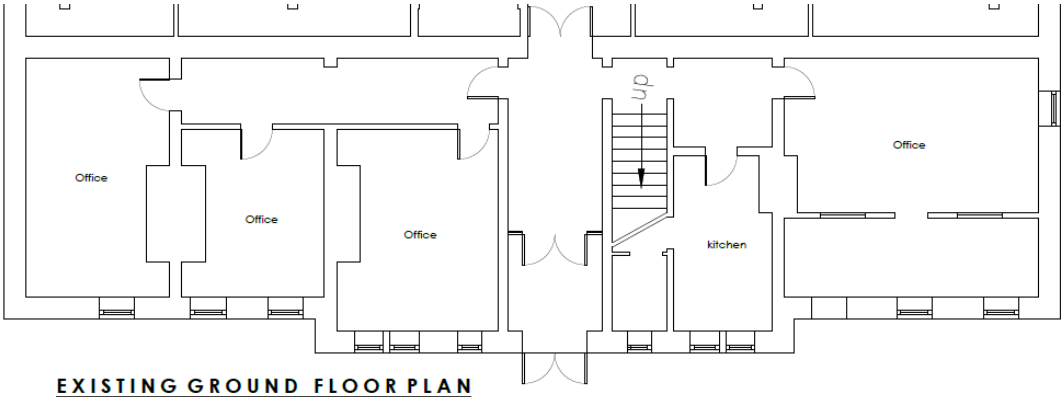
In total the site measures approximately 0.61 acres and the internal accommodation over the three floors (lower ground, ground and first) equates to 1415m2. The storage/warehousing adds a further 185m2. There is a car park to the rear of the building which is accessed via a single driveway from Eastgate running along the Southern elevation of the building.

The site is located within Barnsley Town Centre with a mix of uses evident. Opposite Eastgate is Barnsley Chronicles offices and printing press. To the North of the site is a public car park with Barnsley College buildings beyond. To the South is a carpark associated with Digital Media Centre 2, however, this is currently being used as a play area for the temporary Trinity Academy school (which lies beyond) until the permanent school on Broadway is ready for the 24/25 academic year. To the East of the site is the public car park accessed off County Way.

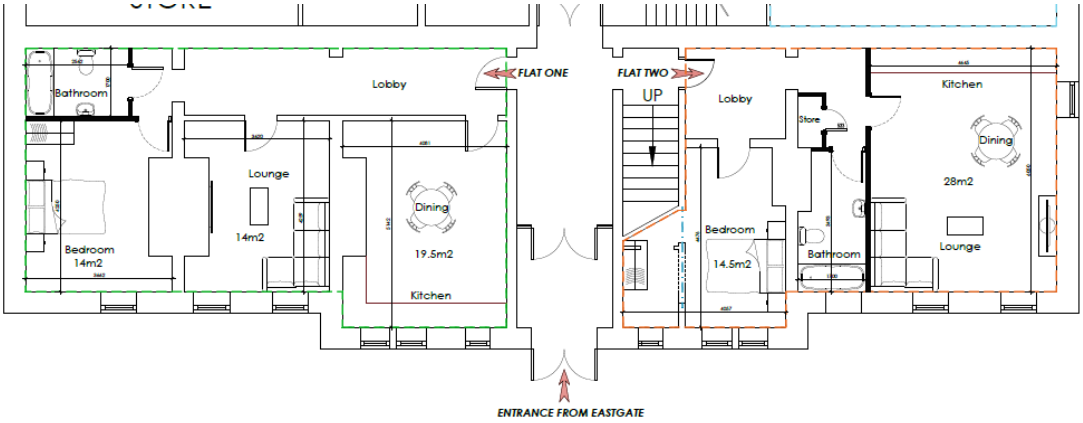
**Proposed Development**

This application is to determine whether prior approval is required to change the of part of the building from commercial, business and service (Class E) to 4no. apartments (class C3) under Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England)Order 2015 (as amended).

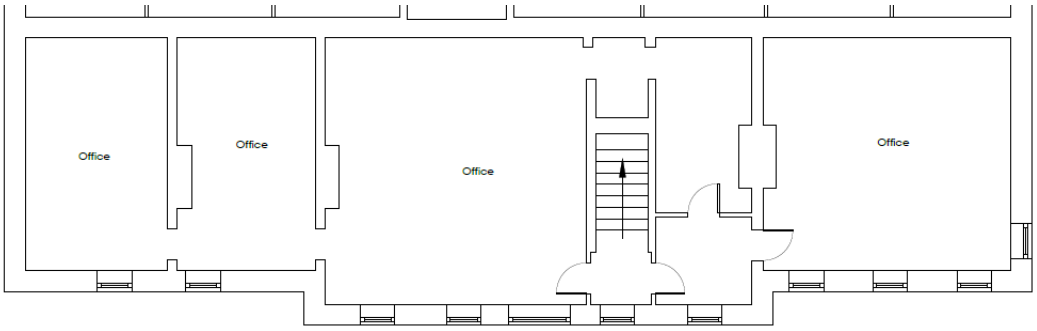
The proposal consists of 3no. 1 bedroom apartments and 1no. 2 bedroom apartment. The only external alterations proposed are the addition of 3no. small windows at first floor level on the rear elevation adjacent to the Drill Hall roof. A cycle storage shelter is also proposed adjacent to the front elevation.. Internally the original walls would remain and only partition walls would be removed and erected.



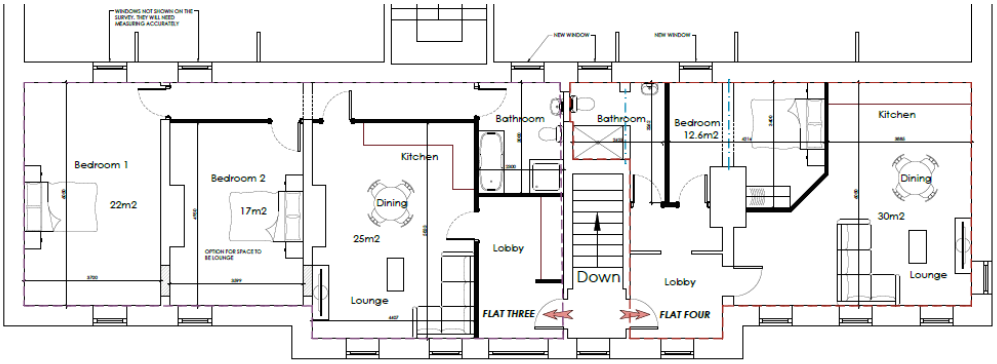

**EXISTING GROUND FLOOR PLAN**
SCALE 1:50




**PROPOSED GROUND FLOOR PLAN**
SCALE 1:50




**EXISTING FIRST FLOOR PLAN**
SCALE 1:50




**PROPOSED FIRST FLOOR PLAN**
SCALE 1:50

**Policy Context**

Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order constitutes permitted development.

Paragraph MA.1 sets out a number of limitations where development is not permitted.

Paragraph MA.2 states that before beginning the development, the developer must apply to the LPA for a determination as to whether the prior approval of the authority will be required as to;

(a) transport and highways impacts of the development

(b) contamination risks on the site

(c) flooding risks of the site

(d) impacts of noise form commercial premises on the in intended occupiers of the development

(e) where—
(i) the building is located in a conservation area, and
(ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and

(h) where the development involves the loss of services provided by—
(i) a registered nursery, or
(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 200656, the impact on the local provision of the type of services lost; and

(I) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

The eligibility section of the application form also requires the units to have a gross internal floor area of at least 37m2 and comply with the nationally described space standards in order to qualify for prior notification.

**Consultations**

Conservation Officer – No objections given there are no external alterations and internal alterations are to later partition walls.

Drainage – No objections, Building Control to check

Highways – No objections following the inclusion of cycle parking

Reg Services – No objection subject to a condition

Ward Cllrs – No comments

**Representations**

Neighbour notification letters were sent to surrounding properties and a site notice was put up publicising the proposed development. No objections have been received.

**Assessment**

Class MA of the GPDO 2015 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order constitutes permitted development. Exclusions to this are set out in paragraph MA.1 and it is considered that the current proposal meets the relevant criteria set out in that paragraph.

Paragraph MA.2. sets out the criteria the prior notification application can be assessed against. This includes transportation and highways impacts of the development, contamination risk on the site, flooding risks on the site, impacts from noise from commercial premises on the intended occupiers of the development and the provision of adequate natural light in all habitable rooms of the dwellinghouse.

As the building is not within a Conservation Area, an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of uses and the building was not a registered bursary or a health centre, parts e, g and h are not considered to apply in this case. With regards to part I, the building would be subject to a Building Control application and have to adhere to the relevant Building Regulations.

The relevant criteria outlined above have been assessed as follows;

Transport and highways impacts of the development

The applicants have not stated that any of the parking spaces to the rear of the building would be made available to the residents of these flats. In any case, the site is in a very sustainable location having good pedestrian and cycle access, it is located approx. 300m from the Interchange and is close to the amenities and facilities of Barnsley town centre. The proposed conversion from offices to flats does not result in an increased requirement for parking spaces and the lack of any off-street parking is therefore acceptable as the flats would no doubt be marketed towards non-car users.

Although the sustainable location complies with NPPF 9 'Promoting Sustainable Transport' policies and Barnsley Local Plan (January 2019) Policy T3 'New Development and Sustainable Travel', Highways DM requested the applicant further encouraged cycling as a form of active travel and an alternative to the private motor car by complying with the Parking SPD which requires that 1 secure and undercover cycle parking space is provided per dwelling. Following this request, cycle parking has been included as part of the scheme. As such, Highways have no objections to the proposal.

Contamination risks on the site

Given the application proposes no extensions or increase in footprint, it is unlikely that there will be any significant impact in terms of possible contamination risks.

Flooding risks on the site

The building is located within Flood Zone 1 and is consequently at low risk of flooding therefore a flood risk assessment is not required.

Impacts of noise from commercial premises on the intended occupiers of the development

The application is accompanied by a noise impact assessment where noise monitoring was undertaken at the property to assess noise levels at the main facade. The report concludes subject to mitigation and sound insulation measures suitable residential amenity can be achieved for future residents. The mitigation measures recommended include thermal double glazing with passive acoustic trickle vents. Regulatory Services concur with the findings of the Noise Report and raise no objections subject to a condition requiring the mitigation measures to be installed prior to occupation.

There is potential for noise between the commercial units to the rear and the apartments however, the application would be subject to a Building Regulations application where this would be assessed.

Adequate natural light in all habitable rooms

The development provides windows to all habitable rooms as indicated on drawings 22-140-01-C & 22-140-02. It is noted that the rear windows on the first floor would have a limited outlook due to the location of the roof of the drill hall, however, outlook is not a consideration on this form of application. In addition, those windows generally serve bathrooms, which are not habitable rooms, or secondary bedrooms. The majority of the principle habitable rooms are served by windows on the front of the building overlooking Eastgate.

Conclusion

The proposal meets the requirements of Class O of the Town and Country Planning General Permitted Development Order 2015, as such, a prior notification application is appropriate. The application can only be assessed against the criteria set out in this report and as illustrated above there are no objections on these grounds, as such, prior approval is not required.

**Recommendation**

**Not required subject to conditions**