2023/0029 & 2023/0169

Conversion of existing offices on first, second and third floors into 14no self-contained residential flats & Listed Building Consent

Arcadia House, 72 Market Street, Barnsley, S70 1SN

Site Location and Description

The application relates to the stone built former Barnsley British Cooperative Society building which was constructed circa 1886 and is Grade II listed. The building has accommodation over 4 floors including retail on the ground floor and office accommodation on the 1st, 2nd and third floors. This application only relates to the upper floors, the ground floor retail would remain.

The ground floor shop front is contemporary but the upper floors retain the exposed cast iron frame with stone cladding and decorative features and moldings. The roof is pitched with a Welsh Slate covering. The application also includes a more modern, 3 storey, concrete, flat roofed addition to the Eastern Elevation of the original building.

The building sits on the corner of Market Street, Wellington Street and Albert Street within Barnsley Town Centre. To the South of the site is a recently constructed open air car park, accessed from Wellington Street. To the East is the Alhambra Shopping Centre and to the North and West are a number of town centre uses including shops, restaurants and offices.

Proposal

The applicant seeks planning permission and Listed Building Consent to convert the first, second and third floors of the building into residential accommodation. The first floor would accommodate 6no. 1 bedroomed flats and 1no. 2 bedroom flat. The second floor would accommodate 2no. 1 bedroomed flats and 3no. 2 bedroomed flats. The third floor would have 1no. 1 bedroom and 1no. 2 bedroom flats. This would result in a total of 14no. flats over the 3 floors.

The ground floor would provided 2no. entrances to the residential accommodation as well as having space set aside for a bin store and cycle store.

External modification is not considered necessary or desirable and its Victorian architectural heritage will be maintained.









Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

<u>Local Plan</u>

The site is allocated as a Town Centre (and specifically is within Southgate District) and is in the Primary Shopping Area within the Local Plan proposals maps, therefore, the following policies are relevant:

Policy TC1 *Town Centres*

Policy TC2 *Primary and Secondary Shopping Frontages*

BTC17 *Southgate District*

Policy BTC1 - The daytime and evening economies

Policy BTC2 – *late night uses*

Policy H1 *The Number of New Homes to be Built*

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

Policy HE1 *The Historic Environment*

Policy HE3 *Developments Affecting Historic Buildings*

NPPF

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 86 - Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 130 – sets out the requirements for development in terms of layout and design.

Para 195 - Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Para 199 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 200 - Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Consultations

Conservation – No objections subject to a condition requiring a detailed recording of the building.

Drainage – No objections, Building Control to check

Highways – no objections subject to the cycle parking being conditioned.

Reg Services – No objections subject to a condition relating to the submitted Noise Survey

South Yorkshire Superfast – No objections subject to a condition

South Yorkshire Police – No objections, guidance provided.

Members – concerns raised regarding the saturation of flats/apartments within the town.

Representations

14no. notification letters have been sent out, a site notice displayed within the immediate area and a press notice put in the Barnsley Chronicle. One letter has been received as a result. There were no objections in principle to the use of the vacant building for 14no apartments, however, concerns were raised regarding the collection and disposal of waste as well as parking provision for the residents.

Assessment

Principle of development

The site is located within Urban Barnsley. The significance of the site being located in Urban Barnsley area is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

More specifically, the site is located within the Southgate District of Barnsley Town Centre which has the potential to become a lively mix of residential, leisure and business uses. Policy BTC17 supports this by stating 'we will allow offices, residential development, assembly and leisure uses, hotel, food and drink uses and car parking'. As such, the proposal to convert the existing offices into residential is acceptable in principle.

Local Plan Policy E4 'Protection of Existing Employment Land' states that land or premises currently or last used for employment purposes will be retained in order to safeguard existing or potential Jobs. However, it goes on to state that non-employment uses will be considered if the land or premises cannot satisfactorily support continued employment use. This application has been accompanied by a commercial viability statement. The statement sets out that the property has been marketed since at least 2018 with no interest on a leasehold basis and only limited interest on a freehold basis. This has been especially the case since the pandemic and the shift towards home based offices and working.

Alongside the statement a list of available office space within the marketplace has been provided which equates to some 90,719sq ft. It should also be acknowledged that there has been a general shift by the Government in supporting the conversion of offices to residential with changes to the General Permitted Development Order, specifically Part 3 'Changes of Use, Class MA 'Commercial, Business and Service Uses to Dwelling Houses'. This building does not qualify for those permitted development rights as it is a Listed Building. Given the Building is listed, in accordance with Local Plan Policy HE3, any proposals involving additions or alterations to listed buildings should seek to conserve or enhance the buildings significance.

Local Plan Policy H6 'Housing Mix and Efficient Use of Land' states that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Although this proposal is only for 14no. units it does provide a mix of one bedroom and two bedroom flats. Policy H6 also goes onto state that a density of 40 dwellings per hectare net will be expected in Urban Barnsley. Given the relatively small footprint of the building and the fact that accommodation is provided over 3 floors the density of this scheme is circa 200 per hectare which is a healthy contribution to the Local Plan housing target for a windfall site.

In general, all new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

The full merits of the proposal are explored under the headings below;

Heritage

No significant external alterations are proposed which would negatively affect the significance of the building.

The applicant has submitted a Heritage Statement and photographs of the interior of the building. As a result they demonstrate that the bulk of the spaces are overwhelmingly of modern fabric and contribute little (if anything) to the significance of the listed building. As such, the Councils Listed Buildings Officer has not raised objection to the principle of the conversion of the building to residential units.

However, despite the information submitted already the detail is still needed covering the internal fabric and its value. Given the fact that there may be features and details that are hidden by underdrawn ceilings or partitioning it may be that there is fabric that might be at risk that we don't know about. Essentially, it's a chicken and egg situation, but it's incumbent on the applicant to demonstrate and document what is of significance (NPPF 194 – 195) so we can clearly assess the impact (199 -200). Consequently, it is proposed that a detailed recording exercise is conditioned.

Residential Amenity

The proposed 1 bedroom units range from an internal floor area of 47.6m2 upto 88m2 which exceeds the 47m2 requirement for a 1 bedroom, 2 person unit set out in the South Yorkshire Residential Design Guide. The 2 bedroom units range from 67m2 upto 85m2 which again exceeds the requirements of 62m2 for a 2 bedroom 3 person unit. The individual room sizes also generally meet or exceed the requirements.

It is acknowledged that some of the room shapes are odd or awkward and some of the open plan living/dining/kitchen areas fall short of the minimum 2:1 ratios. However, consideration has to be given to the fact that the proposal is for the conversion of a listed building and the units are being fitted into the existing envelope to avoid any external alterations being required which could negatively impact the buildings significance, contrary to Local Plan HE1.

The furniture is shown on the floor plans and they demonstrate that they can be comfortably accommodated. Zones have been created within the open plan spaces too to avoid the rooms appearing too long and narrow. As such, on balance, given the constraints of the site, in this instance the proposed layout is acceptable and would provide adequate amenity levels for future residents in accordance with Local Plan Policy GD1.

In terms of outlook and light levels, all the rooms are served by windows which the occupants could see out of and would be provided with an adequate view. Many of the windows are also

relatively large which would lead to a light and airy feel within the apartments, in accordance with policy GD1.

It is noted that there is a circa 9m separation gap between the proposed apartments and Wellington House, however, this is a commercial use which is currently vacant. When it is occupied it would be during sociable hours and would not significantly impact the residents of the proposed apartments. To the South of the application building is a car park and to the East is a 2 storey commercial property and yard, as such, the amenity and privacy of the residents and neighbouring users would not be significantly impacted.

The application has been accompanied by a noise survey given the site is within a town centre location and in close proximity to Wellington Street which accommodates a number of late night uses. There is also pubs and restaurants within the immediate area on Market street. The Survey concludes that the amenity of the future residents would be acceptable subject to a number of mitigation measure such as enhanced glazing, trickle vents and acoustic walls. Regulatory Services concur with the findings and recommendations of the report and have raised no objections subject to a condition requiring the mitigation measures being installed prior to occupation.

Visual amenity

As outlined above, the retail element within the building on the ground floor would be retained which would aid to maintain the active frontage at street level and harmonise with the neighbouring retail/leisure/offices uses. In terms of the external alterations on the upper floor, there would be no significant amendments barring the replacement glazing specified within the mitigation section of the Noise Survey. As such, visual amenity would be maintained in accordance with Local Plan Policy D1.

Concerns have been raised regarding the saturation of flats within the town centre and the impact this has, including on visual amenity. However, as set out above, the government has made it easier, through relaxed permitted development rights, for commercial buildings to be converted into residential accommodation, especially within sustainable locations with good access to facilities and services. Similar developments can be found across the town centre and surrounding areas. The only reason this building does not qualify for those permitted development rights is that the building is listed.

In any case, the site is located within Southgate District of Barnsley Town Centre where policy BTC17 supports residential development.

Highway Matters

The site is located in Barnsley town centre on Market Street which forms part of the pedestrian zone that prohibits vehicular movements between the hours of 9.30am and 4.30pm. Outside of these hours vehicle movements for the purposes of loading/unloading are permitted. Given its town centre location, the site is within comfortable walking distance of Barnsley Interchange along with the services, amenities and facilities of Barnsley town centre and is therefore in a sustainable location which complies with NPPF 9 Promoting Sustainable Transport policies and Barnsley Local Plan (January 2019) Policy T3 New Development and Sustainable Travel.

The main entrance to the building is via the Market Street frontage adjacent the retail unit, there is also a secondary entrance to the rear of the building from Albert Street. The building is readily accessible for both pedestrians and cyclists.

In terms of access for waste collection vehicles, the proposed bin store is located to the rear of the building off Albert Street, several other properties also store their bins along the Albert Street frontage and the movement of refuse vehicles is therefore commonplace along this part of the highway network.

The Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1 states that 1 parking space should be provided for a 1-2 bedroom dwelling and 1 parking space per 4 dwellings is to be provided for visitors. The site has no off-street parking and none is proposed, the intended residential use of the site would generate a parking requirement of 17 spaces.
Referring again to the Parking SPD, it can be seen that the existing use of the site as Office space totalling 1,056m² requires a total of 35 parking spaces (1 space per 30m²).

The existing use as Office space would therefore generate a far greater parking requirement than the proposed residential use and the proposal to provide no off-street parking spaces is therefore acceptable when taking into consideration the very sustainable location of the site.

It is also worth noting that there is a private car park on Albert Street that operates a permit scheme and this could well be an option for any residents that do wish to travel by car.

The proposals incorporate a cycle store within the building, accessed from the rear of the property off Albert Street. Provision for 6 bicycles is indicted on the proposed layout plan.

Given the comments above Highways Dm have raised no objections to the proposal.

Contributions

This scheme is for 14no. units and the trigger point for affordable housing is 15no. units and 20no. units for open space contributions.

Education contribution is required for 10 or more units, however, the majority of the proposed flats are for 1 bedroom units which do not require a contribution, as such, the scheme is not considered to generate significant pupil numbers, as such, a contribution is not required in this instance, in line with SPD 'Financial Contributions to Schools'.

However, inline with SPD 'Sustainable Travel' a contribution towards sustainable travel schemes is required for developments of 10.no dwellings or more. In this case, given that the site is within Barnsley Town Centre, a discount of 50% is available, therefore, inline with the calculation set out in the SPD a contribution of £4200 is required which would be secured via a S106 legal agreement.

Summary

In summary, the proposed residential development is considered acceptable in principle due to the land being within Urban Barnsley which is a priority to accommodate housing growth. The provision of 14 dwellings would make a significant contribution to housing delivery and supply on a site that has been assessed to be compatible to accommodate housing development. Furthermore, given its town centre location, the site is within comfortable walking distance of Barnsley Interchange along with the services, amenities and facilities of Barnsley town centre and is therefore in a sustainable location which complies with NPPF 9 Promoting Sustainable Transport policies and Barnsley Local Plan (January 2019) Policy T3 New Development and Sustainable Travel.

The application is considered acceptable in relation to the considerations set out in the assessment section of the report including heritage, visual and residential amenity, highways matters and contributions subject to appropriately worded conditions.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, H1, H4, D1, HE3, GD1 & T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that

proposals that accord with an up to date development plan should be approved without delay. The recommendation is one of approval therefore subject to the conditions listed below.

Recommendation

Grant subject to a Legal Agreement and the conditions set out below;