
2024/0923

Applicant: Mr S Rigby

Proposal: Change of use from ancillary to care home (use class C2) to dwellinghouse (use class C3)

Address: 28 Reginald Road, Kendray, Barnsley, S70 3HJ

Site Location and Description

The application relates to a two-storey, brick built, hipped roof semi-detached property located within a predominantly residential area. To the front of the property is an enclosed garden along with an enclosed garden to the rear.

The site is located in a predominantly residential area characterised by two-storey semi-detached, brick-built properties. Beyond the rear boundary is Neville Court, accessed off Neville Avenue, which is a care home which provides residential care to adults with mental health problems or complex behavioural needs provides care for 20 people and where possible the residents are helped to return into community living.

Planning History

2016/0598 - Change of use from Dwelling (C3) to ancillary to adjoining care home (C2) - Approved July 2016

Proposed Development

The applicant seeks permission to change the use of the property back to the previous residential dwelling (C3) use. In 2016 permission was granted to change the property to an ancillary care facility (C2) to the care home at the rear from the previous C3 use.

No external alterations are proposed as a result of the change of use and only minor internal alterations would be required to facilitate the change from the C2 use to a 3-bedroom C3 use.

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.

Local Plan

The site is located as Urban Fabric within the Adopted Local Plan, which has no specific land allocation and therefore the following policies are relevant:

Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy SD1 Presumption in favour of Sustainable Development

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Consultations

Highways DC – No objections
Ward Councillors – No objections received

Representations

The proposal was advertised by way of a site notice and neighbour notification letters; no representations have been received.

Assessment

Principle of development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is principally housing. Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan. New residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

Residential Amenity

It is proposed to convert the existing two units associated with the neighbouring residential care home (C2) back to a two-bedroom family dwelling (C3)

Planning permission was granted in 2016 to change the family dwelling to 2no ancillary units associated with the neighbouring care home. The property was divided horizontally with a bed-sit on the ground floor and a 1-bedroom flat on the first floor. Following a reduction in demand for this facility there is no longer a need to retain the units as such and the site is to be disposed of.

It is acknowledged that the plans do not clearly outline the use of each room, and that each unit was self-contained which results in bathrooms and kitchen areas on both the ground and first floor. Nevertheless, the overall floor space of the dwelling is acceptable, and the rooms are of a sufficient size to accommodate 2no bedrooms and to be reverted to the layout prior to the 2016 change.

It is therefore considered that the conversion of the 2no C2 units back to 1no C3 family dwelling is acceptable and in compliance with Local Plan Policy GD1.

Highway Considerations

Highways DC have been consulted on the application and have raised no objections to the proposal. It is acknowledged that the scheme does not provide off street parking to the levels recommended within the SPD, however, it would be unlikely that there would be an increase in demand for parking given that the property is to revert to its pre-2016 use as a single dwelling. As such, it is considered that highway safety would be maintained to a reasonable degree, in accordance with Local Plan Policy T3 and T4.

Visual Amenity

There are no external alterations proposed to the dwelling, which already has the appearance of a single semi-detached property. The works to convert the dwelling back to one unit would principally consist of internal alterations, therefore, the conversion of 2no units associated with the neighbouring care home to a two-bedroom family dwelling is acceptable and in compliance with Local Plan Policy D1 and GD1,

Conclusion

The site is located within a residential area and would see the property revert back to a family home and therefore it is therefore considered that on balance the conversion of the 2no self-contained C2 units to a two-bedroom family dwelling is acceptable and in accordance with Local Plan Policies GD1 and D1.

Recommendation

Grant planning permission subject to conditions