

2022/0569

Mr Verma

178 Sheffield Road, Barnsley, S70 4PD

Conversion of offices into 2no apartments (Application to determine if prior approval is required for a proposed change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3))

Site Description

The application relates to a 2 storey, stone and brick built end of terrace property located on a corner plot. The property is unusual in that the entrance is located on a corner cut away which has decorative stone detail above. The building fronts Sheffield Road and has a small buffer yard separating it from the back edge of the footpath. The side (North) elevation fronts Tune Street and is located immediately adjacent to the back edge of the footpath. To the rear of the property is a small enclosed yard area with direct access to a basement cellar.

The building has a long established office use with 2no. office spaces and WC's on the ground floor, 2no. office spaces and a bathroom on the first floor and an office space and storage within the roof space. The building was previously used as a corner shop with associated residential accommodation.



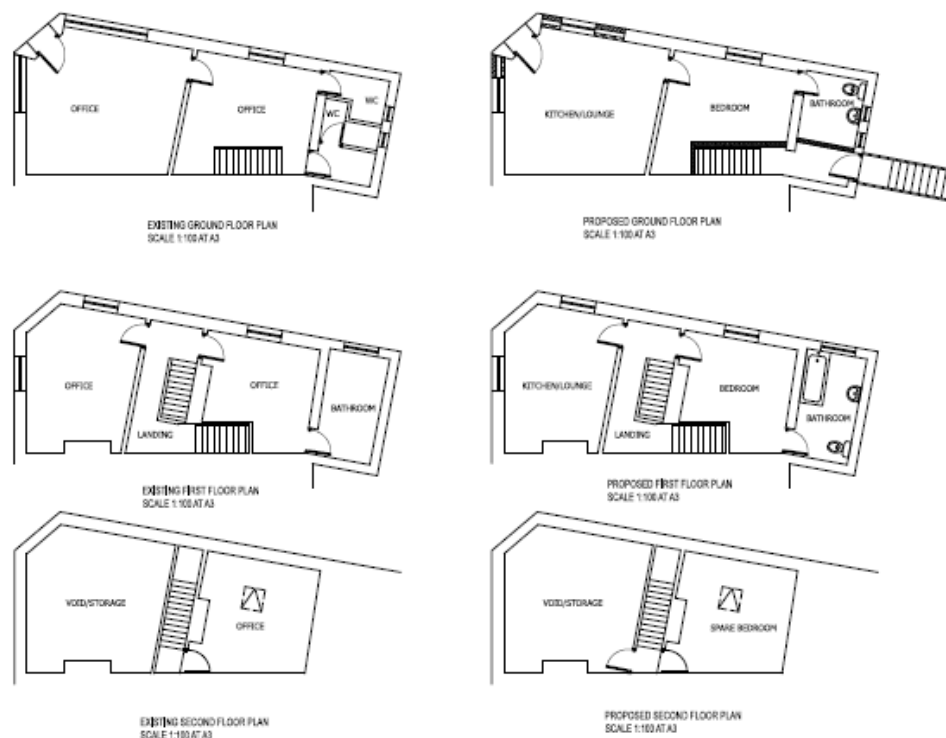
Proposed Development

This application is to determine whether prior approval is required to change the use from a use falling within Class MA 'Commercial, business and service uses' of the Schedule of the Use Classes Order to dwellinghouse (Class C3) under Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

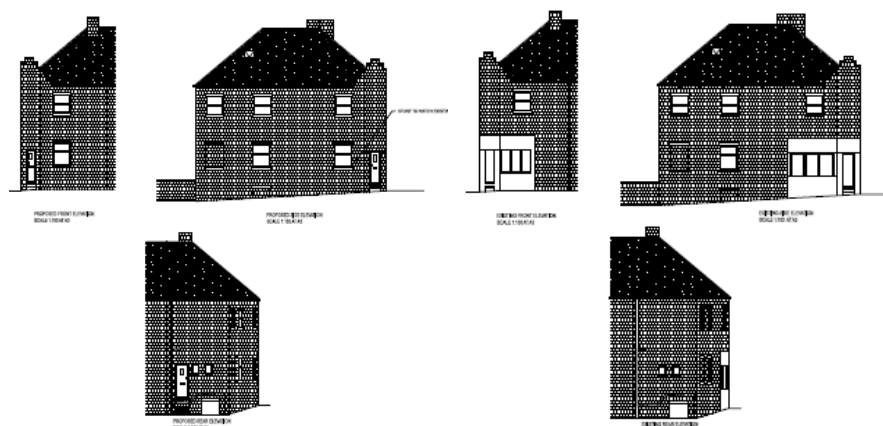
The proposal consists of converting the existing building to 2no. apartments. A 1 bedroom unit on the ground floor and a 2 bedroom unit over the first and second floors. The ground floor unit would be accessed from the existing entrance on the corner of Sheffield Road and Tune Street and the first/second floor unit would be accessed from a new entrance to the rear, served by external stairs

There are some minor external alterations proposed including removal of the existing shop/office frontage and replacement with domestic door and window. A new rear entrance and associated external stairs are also proposed. However, external alterations are not considered as part of the prior notification application.

Plans



Elevations



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 from commercial premises on the 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 2006, 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.

Consultations

Drainage – No objections, Building Control to check

Reg Services – No objections

Representations

Neighbour notification letters were sent to 17 surrounding properties and a site notice was put up publicising the proposed development, no comments were 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

It is noted that no off street parking is provided within the curtilage of the building, however, the building previously accommodated a commercial use; as such, traffic would have been generated through staff and visitors. It is proposed to use the building solely for residential purposes (2no. apartments), with the commercial use ceasing. As such, the proposed use would likely not increase vehicular movements over and above the previous or demand additional parking.

Furthermore, SPD 'Parking' states offices should have 1no. parking space per 30m² of floorspace. Given the building is circa 70m², that equates to a requirement of 2no. parking spaces. Dwellings with 2 bedrooms or fewer require 1no space each. As such, the existing use has the same parking requirement as the proposed use, therefore, there should be no additional pressure on the parking within the area.

It should also be noted that the site is within a sustainable area on the edge of Barnsley town centre with good access to public transport and facilities.

Contamination risks on the site

Given the previous office use and the fact no extensions or increase in footprint is required, 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.

Drainage Officers have been consulted on the application and raised no objections.

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

The immediate neighbouring area is predominantly residential in character with adjoining dwellings to the South, residential dwellings immediately to the East on Tune Street, and dwellings directly opposite the site on Sheffield Road. There is a surgery located directly opposite Tune Street, however, it operates during sociable hours and is a low noise generating use.

Regulatory Services have been consulted on the application and have raised no objections and not required any additional noise information.

Adequate natural light in all habitable rooms

The development provides windows to all habitable rooms as indicated on drawings MAV001-003 & MAV001-004.

Conclusion

The proposal meets the requirements of Class MA of the Town and Country Planning General Permitted Development Order 2015 (as amended), 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

Prior Approval not required subject to conditions: