

2022/0998

Applicant: D Gummerson

Agent: Mr I Dickinson

Grimethorpe and Cudworth Boxing Club, Barnsley Road, Cudworth, Barnsley, S72 8UU

Change of use from former boxing club (Use Class E) to dwellinghouse (Use Class C3) (Prior Approval)

Site Description

The application relates to a 2-storey building located to the north-west of Barnsley Road, Cudworth. The building is a former Chapel and has been previously used as a boxing club. It comprises two-stories with a gable roof with a large, glazed window to the front elevation and a set of doors with arches above. There are several windows to all elevations.

The site is in an elevated position with no direct vehicular access from Barnsley Road. There is an existing bus stop to the front of the site and a boundary wall with hedges. In terms of the surrounding area, it is predominantly residential.



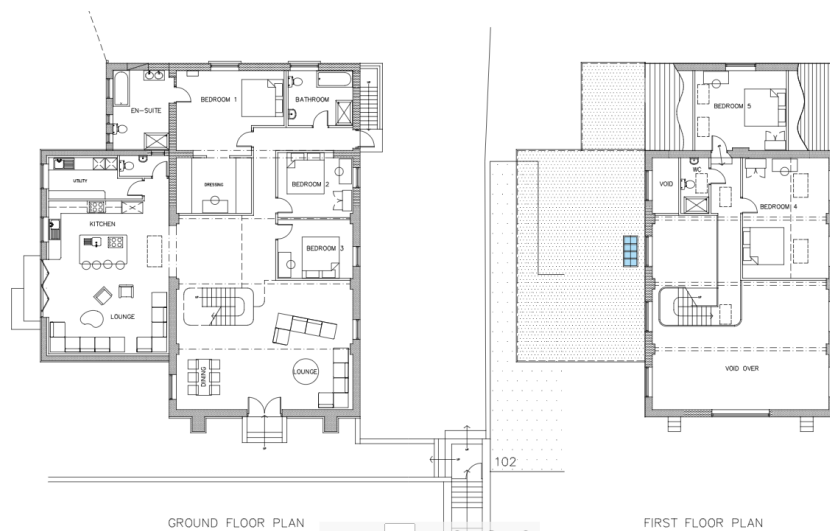
Front elevation of the site from Google Maps

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 a single dwellinghouse. At ground floor there would be 3no bedrooms, one with an en-suite, a kitchen and lounge, another lounge with a diner, a dresser and a single bathroom and at first floor 2no bedrooms and a WC. 2no. apartments.

There are some external alterations proposed which include the insertion of additional windows, sliding doors, rooflights and timber cladding of some elevations of the existing building, however, external alterations are not considered as part of the prior notification application and planning permission would be required for these changes.



Proposed plans and 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 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.

Consultations

Drainage – No objections, Building Control to check details.

Highways- No objection.

Pollution Control- No objection subject to condition restricting hours of construction or remediation work.

Ward Councillors- Hope the development is not a HMO.

Representations

Neighbour notification letters were sent to 10 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

The site is located on Barnsley Road, a classified road with a 30mph speed limit in an established residential area close to shops, amenities and services which complies with the policies of NPPF 9: Promoting Sustainable Transport and Barnsley Local Plan (January 2019) Policy T3 New Development and Sustainable Travel which will be acceptable

The application proposes to convert the existing boxing club situated in an old chapel to provide a 5 bedroom dwelling. The site is in an elevated position with no direct vehicular access from Barnsley Road. Vehicular access can, however, be gained from a stub off Barnsley Road located between 116 and 118 Barnsley Road which serves an adopted back alley providing access to the rear of 118-166 Barnsley Road to the north east and 102-116 Barnsley Road to the south west where it forms a cul de sac providing vehicular access to the site. The back alley has a substandard width which will not allow 2 vehicles to pass which would generally be unacceptable, however, as the proposed use is likely to generate less vehicle movements than the existing use as a boxing club the existing situation will not be exacerbated and the proposal will be acceptable on this occasion.

The Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1 requires that 2 parking spaces are provided for a 3+ bedroom dwelling. Drawing 641-A06 Site Block Plan shows the site layout which accommodates 3 car parking spaces which will be acceptable

As such, the proposed conversion of the existing boxing club to residential use will be unlikely to cause transport and highway impacts on the local highway network and therefore there is no objection to the application on highway grounds.

Contamination risks on the site

Given the previous use as a chapel/sports club 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 north-east, west and south of the site.

Pollution Control 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 No. 641- A02 and 641-A04.

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.