

2022/0912

Dr Waheed Hussain

Change of use from dwelling (use class C3) to Children's Home (use class C2)

186 High Street, Worsbrough Bridge, Barnsley, S70 4SQ

Site Description

The application relates to a detached, 2 storey, stone built dwelling fronting High Street in Worsbrough. To the front of the dwelling is a small buffer garden and to the rear is an enclosed garden area which is mainly hardstanding with vehicular access from High Street via the existing driveway adjacent to the side (Southern) elevation. The property has been extended in the past with a 2 storey addition on part of the rear elevation.

There is a detached dwelling to the South of the Property and an area of green space, on the corner of High Street and Oakdale, to the North. There are further residential properties beyond the rear boundary which front Oakdale and Oaklea and semi detached dwellings to the East opposite High Street.

The surrounding area is predominantly residential in nature but there are some commercial uses including takeaways, computer repair shops, betting shop, public house and convenience store within close proximity fronting High Street.



Site History

90/1875 – Change of use of ground floor of dwelling to shop and erection of rear extension

93/1259 – Change of use of shop with living accommodation to doctors surgery

95/0135 – Alterations to dwelling to form house in multiple occupation

Proposed Development

The applicant seeks permission to change the use of the building from dwellinghouse (Use class C3) to care home for children (Use class C2). The property would provide care for a maximum of 5 children with in house manager/matron.

There are no external alterations proposed as part of the application, however, a landscaping plan has been submitted which sets out 2no. in-curtilage parking spaces, a tured area and some shrub and tree planting on the rear boundary.



Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy H6 'Housing Mix and Efficient Use of Land'

Policy Poll1 Pollution Control and Protection

Policy H9 Protection of existing larger dwellings

SPD's

Those of relevance to this application are as follows:

- House extensions and other domestic alterations
- Parking

Other

South Yorkshire Residential Design Guide

NPPF

The NPPF 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.

Paragraphs of particular relevance to this application include:

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.

Consultees

Highways – No objections

Local Ward Members – 1no. ward member has raised objections to the scheme. The main points of concern are;

- Lack of parking
- Increased noise and disturbance
- Anti-social behaviour
- Limited bus service so reliant on cars

Representations

27no. neighbours were consulted regarding the application and a site notice was also erected in the local area. 12no. of objections have been received, the main points of concern are;

- Not a suitable area for the use
- Property fronts a busy road

- Public House and betting shop within close proximity
- Potential Anti-Social behaviour
- Impact on parking within the area and highway safety
- Drug misuse within the area
- Lack of information submitted with the application

Principle

Local Plan Policy H9 'Protection of Existing Larger Dwellings' states '*The loss of existing larger dwellings will be resisted*'. The policy supporting text also states '*As well as provision as part of our housing mix of some new low density, large dwellings and family housing, it is also important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes ... contributing to the imbalance in the housing stock towards smaller homes. This has been a problem particularly in Urban Barnsley around the Town Centre*'.

SPD 'Design of Housing Development' supports Policy H9 and defines larger dwellings '*to be those that have four or five bedrooms or are capable of accommodating four or five bedrooms without significant adaption*'.

Within the supporting text of Local Plan Policy H6 'housing Mix and Efficient Use of Land' it states that various house types capable accommodating a range of needs are required across the borough. Supported housing is required for vulnerable households, including young people with support needs. Proposals will be supported where they are consistent with policy H6 and other policies within the Development Plan.

Local Plan policy GD1 'General Development' states that development should not result in a significant adverse effect on the living conditions and residential amenity of existing and future residents. This will be explored under the headings below;

Assessment

As outlined above, the property qualifies as an existing larger dwelling, as such, its conversion to a commercial care home (C2) use would be contrary to Local Plan Policy H9 which seeks to resist the loss of existing larger homes given the conversion or loss of these properties is contributing to the imbalance in the housing stock.

The application states that the property would accommodate upto. 5no. children, however, it does not state the age, background or circumstances of the children and what care is needed. It is not known whether the children would be local or if they would use local facilities such as schools and clubs. It is also not known how long the children would live at the home and the potential turn over in residents. There is also no information on whether the children would receive visits from family or friends.

The application also states that there would be an in house manager/matron to look after the children. Again there is limited information in terms of the hours the staff would work, the shift patterns, how many house managers/matrons there would be, if there would be any visiting staff, how often those staff would visit, are the staff based locally, and, whether there would be visiting health care professionals and the regularity of their visits.

Without that information above, which was requested from the agent but not forthcoming, it is not possible to adequately assess the application in terms of its impact on residential amenity, its impact on the surrounding area and also its impact on parking and highway safety. Not to mention the suitability of the property for its future residents.

It is noted that the site is a form of residential use and is located within a predominantly residential area and also is within Urban Barnsley where the majority of development should be focussed. It is also noted that the building is served by local facilities such as a convenience store and health facilities. However, it is also within close proximity to uses which are not compatible with a children's home such as takeaways, a betting shop and public house

It should also be mentioned that no justification of the need for the facility in the borough has been provided. There are concerns regarding the disproportionate and high number of children in care placed in the Barnsley Borough from neighbouring authorities which obviously puts additional strain on local services, contrary to Local Plan policy GD1.

Summary

The proposal would result in the loss of a larger home from the housing stock and, as such, would be contrary to both policy H9 and SPD 'Design of New Housing Development'.

The application is also significantly deficient in terms of information regarding the future residents as well as the staff needed to look after them, as such, the application cannot be sufficiently assessed in terms of the effect of the proposal on residential amenity, parking and highway safety, as well as the suitability of the property for its future residents.

There is also a lack of justification for the need of the change of use which is likely to place additional strain on local services, contrary to GD1.

Recommendation

Refuse