

2025/0594

Mr Saeed Hussain

10a High Street, Grimethorpe, Barnsley, S72 7LS

Change of use of the existing flat to a two bed HMO

Site Description

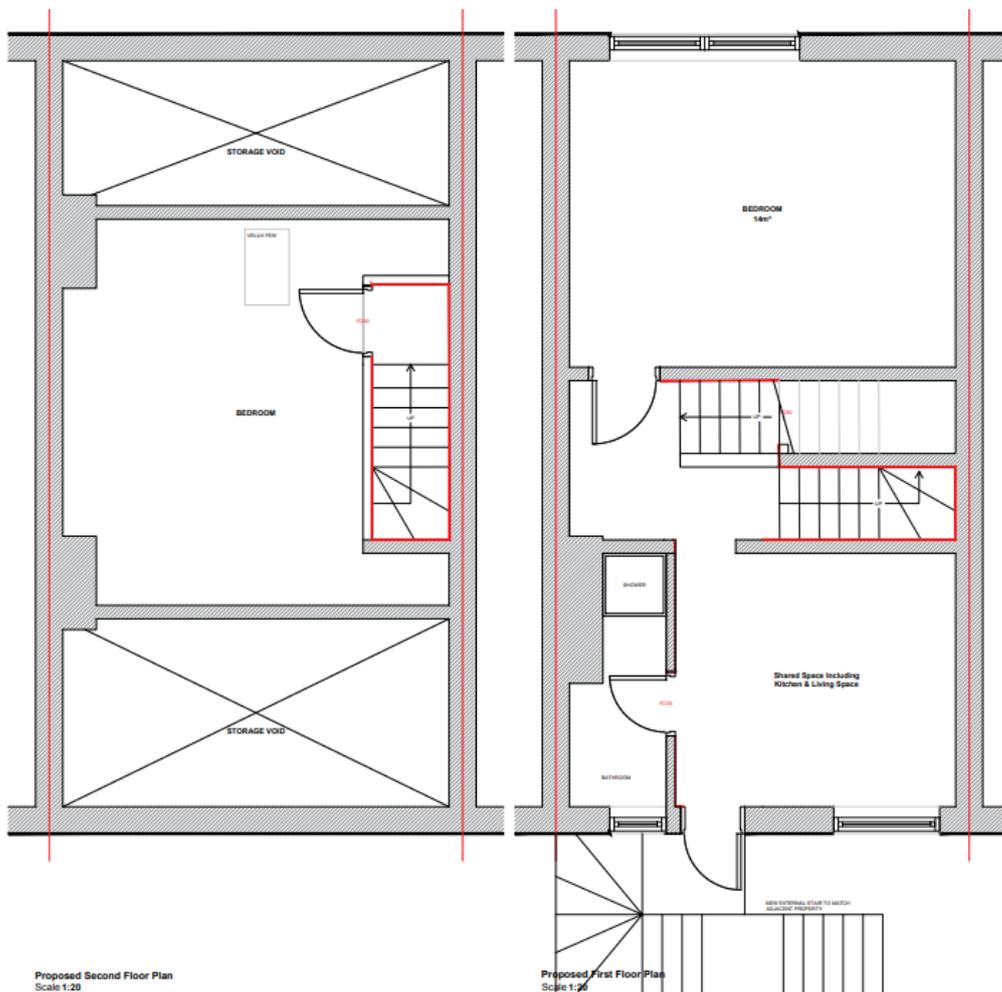
The site is a three storey terraced property located within Grimethorpe Local Centre. The ground floor is currently a sun-bed shop and the surrounding ground floor premises are typically retail, beauty or food businesses with many of the units above being occupied by flats or bedsits.

Planning History

There is no relevant site history.

Proposed Development

The proposal is for the change of use of residential flat (c3) to a two bed HMO with minor internal alterations to facilitate the separate bedrooms with shared kitchen/bathroom/living space.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at the full Council meeting on 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 Allocation – Grimethorpe Local Centre

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). In reference to this application, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy TC1: Town Centres***
- ***Policy TC3: Threshold for Impact Assessments***
- ***Policy GD1: General Development***
- ***Policy D1: High Quality Design and Place Making***
- ***Policy SD1: Presumption in favour of Sustainable Development***
- ***Policy T4: New Development and Transport Safety***
- ***Policy H1: The Number of New Houses to be Built***
- ***Policy LG2: The Location of Growth.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy T3: New Development and Sustainable Travel.***
- ***Policy CC2: Sustainable Design and Construction.***

Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019.

The most pertinent SPD's in this case are:

- Design of Housing Development
- Parking

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the

Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- **Section 5: Delivering a sufficient supply of homes**

Paragraph 61 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community

- **Section 7: Ensuring the Vitality of Town Centres**

Paragraph 90 states that 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. Planning policies should:

- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;*
- b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;*
- c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;*
- d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;*
- e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and*
- f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.*

- **Section 9: Promoting sustainable transport.**

Paragraph 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

- **Section 12: Achieving well designed places.**

Paragraph 131. The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Highways Development Control	<i>No objections</i>
Pollution Control	<i>No objections</i>
Local Ward Councillors	<i>No objections</i>

Representations

Neighbour notification letters were sent to surrounding properties and no representations have been received.

Assessment

The main issues for consideration are as follows:

- The principle of the development
- The impact on visual amenity and character
- The impact on neighbouring residential properties
- The impact on highways safety

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

The site is within Grimethorpe Local Centre where town centre uses should be directed. Other uses are supported where they would not harm the vitality and viability of the centre. Grimethorpe forms part of Cudworth which is a principle down in the settlement hierarchy. The proposed use is for the two bedroom flat above to be subdivided to create a two bedroom HMO which is not uncommon to see in town centres. The established residential use will not significantly be altered and there would be no net loss of bedroom spaces, it will purely be in a different layout and allow unrelated residents to cohabit.

The design of housing SPD states:

Conversion of buildings to dwellings, flats or houses in multiple occupation (HMOs) will be allowed where the following criteria are satisfied:

- On the street in question, HMOs and bedsits account for less than 10% of the residential properties.
- HMOs and bedsits account for less than 10% of the residential properties within a 50m radius of the site.
- That the proposal would not result in 3 or more HMOs being located immediately adjacent to each other or the sandwiching of a dwelling house between two HMOs.
- The building and curtilage are of sufficient size to provide suitable facilities for residents.

A search of the planning history in the nearby area shows that there are no other HMOs located on this stretch of the High Street or within 50m. Therefore, the proposal meets the requirements of the SPD and is considered acceptable in principle subject to compliance with other relevant policies in the Local Plan and material considerations. This weights moderately in favour of the proposal.

Visual Amenity and Character

The form of the existing building will be retained with the altered windows/doors remaining in the same positions. There is to be no significant change to the outside of the property therefore the visual amenity of the street scene is not expected to be compromised. The proposal is therefore acceptable in terms of visual amenity and impact upon the street scene in accordance with the policies GD1 and D1 of the Local Plan. This weighs significantly in favour of the proposal.

Residential Amenity

The design of housing SPD states that:

In the case of HMOs, each one should have a shared lounge and shared dining room.

For dwellings and HMOs, garden sizes and external separation distances should reflect the requirements set out in the general criteria.

In all cases, internal spacing standards should meet the requirements set out in the general criteria.

Typically shared amenity space would be expected to be provided, the SPD does state that full compliance with standards is expected in predominantly residential areas whereas they may be slightly relaxed in town centre situations/higher density areas. This location is within the local centre of Grimethorpe and in close proximity to a number of local green spaces. As such there is opportunity for future occupiers to easily access local green spaces and the lack of amenity space associated with this site would be acceptable in this instance.

The internal space provided meets the requirements of the South Yorkshire Residential Design Guide and therefore suitable space is provided for future occupiers.

There is no operational development associated with this change of use application and therefore there will be limited impact on neighbouring residents.

For the above reasons, the proposal is not expected to be detrimental to the residential amenity of the neighbours nor the future occupiers in accordance with policy GD1 of the Local Plan, this weighs significantly in favour of the application.

Highway Safety

There will be no impact upon highway safety. Given that there will be no changes to the access nor any changes to the internal parking layout, there are no objections from a highway's perspective and 1 parking space is retained and this meets the SPD requirements for a two bedroom HMO. This weighs moderately in favour of the proposal.

Conclusion

Having balanced all material planning considerations, the proposal will not be significantly harmful to residential and visual amenity, nor will it negatively impact upon highway safety. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval.

Recommendation

Approve with conditions