

Application reference number	2025/0532
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Application Type	Full
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Proposal Description:	Conversion of vacant church and church hall; installation of first floor in church building, including 8no dormer windows and 5no roof lights, the erection of an access ramp and associated works to create 11 residential apartments (Use Class C3).
Location:	Wesleyan Reform Church, Wakefield Road, Smithies, Barnsley, S71 1NP

Applicant	Cambridge Green
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Number of Third-Party Reps	10	Parish:	None
		Ward:	St Helens

Summary

The proposal seeks full planning permission for the conversion of the former Wesleyan Reform Church and church hall, located on Wakefield Road to 11no apartments, consisting of 1-bedroom units. The proposal is acceptable in policy terms being designated as Urban Fabric within the Local plan and is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

The proposal reflects the aims of the Government to boost the supply of homes, to utilise suitable sites within existing settlements for homes, to promote an effective use of land in meeting the need for homes and making as much use as possible of previously developed or brownfield land, to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified need for housing in accordance with Paragraphs 61, 73(d), 124, 125(d) and 128 of the NPPF.

The report additionally demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the highway network, the historic building, or the wider character of the area subject to conditions in accordance with Local Plan policies and adopted guidance.

The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024.)

This application is being presented to members due to the requirement for a S106 Legal Agreement for the financial contributions relating to Sustainable Travel

Recommendation: **GRANT Planning Permission**

Site Description

The site is located along the eastern side of the A61 Wakefield Road, a main arterial route linking the town centre to the north of the borough.

The site is rectangular in shape and approximately 0.15ha in size and set at an elevated position to the highway and bounded along the western, Wakefield Road boundary with an approximately 1m retaining wall with a grassed area beyond.

The site is currently occupied by 2no buildings which, until recently formed the Wesleyan Reform Church. The buildings are of a stone construction with tiled, gabled roofs. Building A, the church hall, is located to the north of the site, adjacent to the northern boundary and consists of a single storey structure with a forward gable projection to the front elevation; the building is orientated on a north/south axis.

Building B, the main church, is located to the west of the site and is two-storey with a historic, small single storey flat roof extension located on the northern elevation. The building is 'T' shape in footprint and is orientated on an east/west axis.

A grassed area is located to the west of Building B between the building and the Wakefield Road, with a pedestrian access taken from Wakefield Road serving a footpath running along the southern boundary to the rear of the church, leading to a hard surfaced parking area which is accessed via Isobel Close from B6132 Carlton Road.

The immediate area is predominantly residential in nature with residential properties to the north, east and south. Wakefield Road bounds the site to the west, which is a mix of residential and commercial units.

Proposal

The applicant seeks permission for the Conversion of vacant church and church hall to create 11no 1-bedroom residential apartments (Use Class C3). Works include the installation of 8no dormer windows and 5no roof lights, the erection of an access ramp and other associated works.

Each unit will benefit from 1no parking space, and area of landscaping within the site will provide outdoor amenity space with vehicular access taken from the existing on Carlton Road



Figure 1 Proposed Site Plan



Figure 2 Front and Side Elevations - Building A



Figure 3 Rear and Side Elevations - Building A

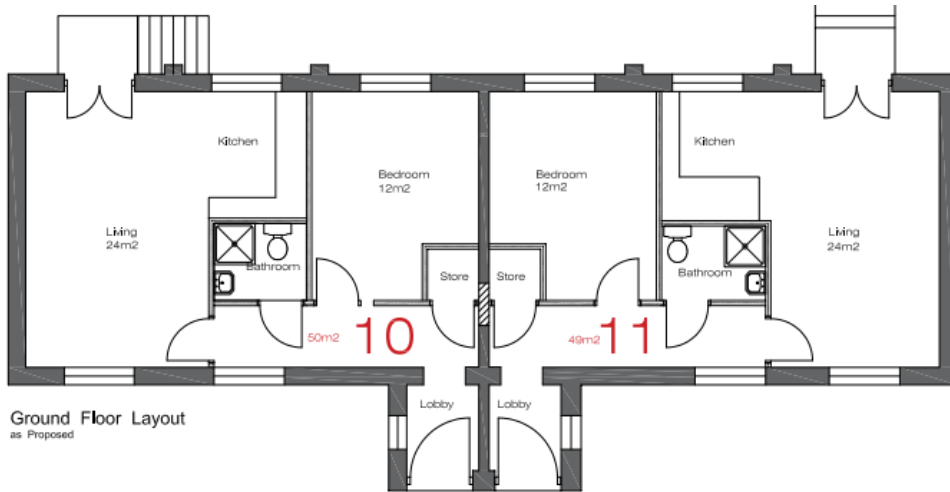


Figure 4 Proposed Floor Layout - Building A

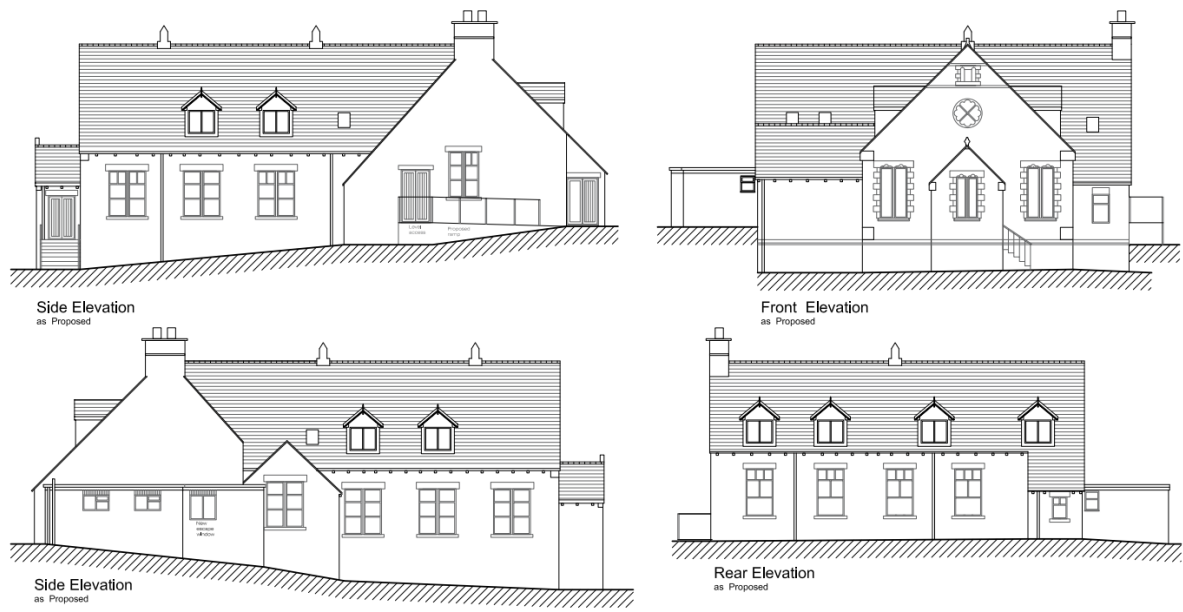


Figure 5 Proposed Elevations - Building B

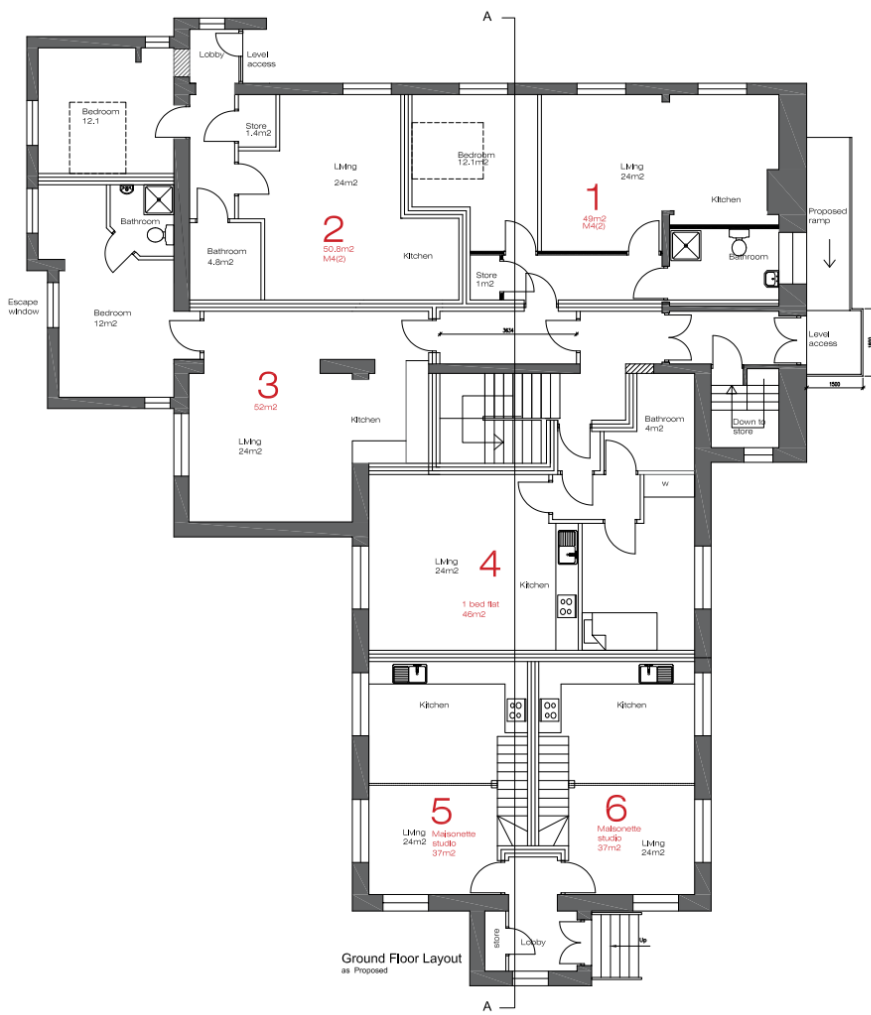


Figure 6 Proposed Ground Floor Plan - Building B

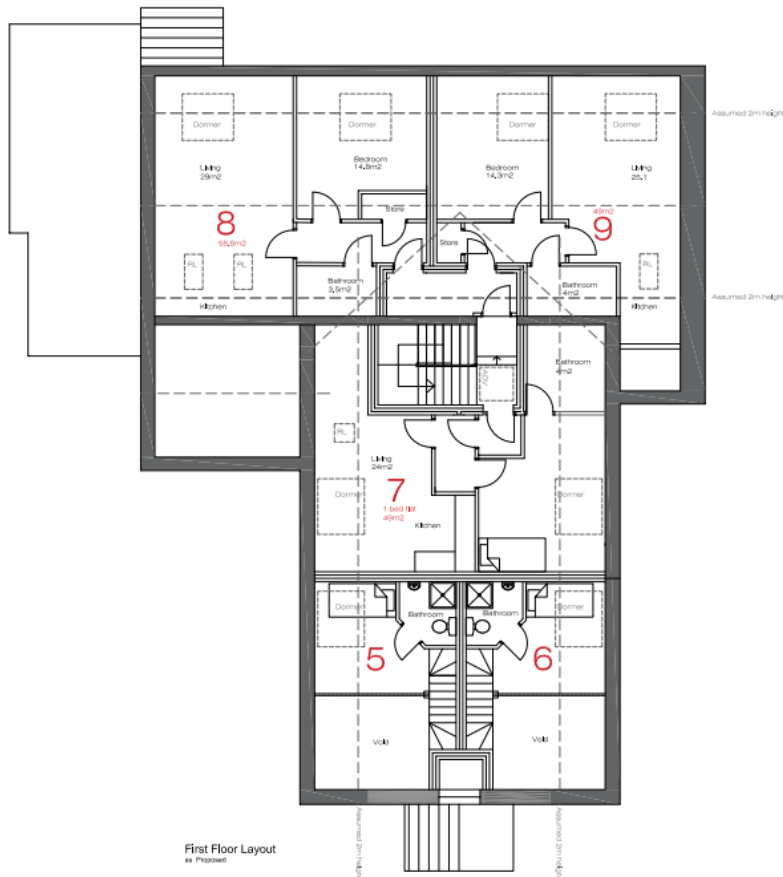


Figure 7 Proposed First Floor Plan - Building B

Policy Context

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 was adopted in January 2019 and is 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 which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 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

The site is located within Urban Barnsley and is allocated as Urban Fabric within the Local Plan and as such the following policies are considered to be relevant to this application:

Policy LG2 Location of Growth
Policy SD1 Presumption in favour of Sustainable Development
Policy H1 The Number of New Homes to be Built
Policy H2 The Distribution of New Homes
Policy H4 Residential Development on Small Non-allocated sites
Policy H6 Housing Mix and Efficient Use of Land
Policy I2 Education and Community Facilities
Policy GD1 General Development
Policy T3 New Development and Sustainable Travel
Policy T4 New Development and Transport Safety
Policy HE1 The Historic Environment
Policy HE3 Developments affecting Historic Buildings
Policy D1 High Quality Design and Place Making
Policy Poll1 Pollution Control and Protection
Policy BIO1 Biodiversity and Geodiversity
Policy CL1 Contaminated and Unstable Land
Policy CC1 Climate Change
Policy CC2 Sustainable Design and Construction

Adopted 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 SPDs in this case is:

Design of Housing Development
Parking
Planning Obligations
Sustainable Travel

Other

South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework (NPPF) (2024)

The National Planning Policy Framework sets out the Governments 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.

Chapter 5 Delivering a sufficient supply of homes

Paragraph 73 states that Small and Medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one

- hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
- b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing;
 - c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;
 - d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
 - e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.

Chapter 9 Promoting Sustainable Transport.

Paragraph 110 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Paragraph 115 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflect current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

Paragraph 116 states that 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.

Chapter 12 Achieving well-designed places

Paragraph 136 Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Paragraph 139 Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Chapter 15 Conserving and Enhancing the Natural Environment.

Paragraph 187 states planning decisions should contribute to and enhance the natural and local environment by; protecting sites of biodiversity value; minimising impacts on and providing net gains for biodiversity, and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs; and preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 198 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impact on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Paragraph 201 states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

Chapter 16 Conserving and enhancing the historic environment

Paragraph 207 states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance

Relevant Consultations:

Affordable Housing – The development falls below the Affordable Housing threshold and therefore there are no comments to make

Biodiversity – No objections received

Conservation Officer – No objections subject to conditions

Education Services – Whilst the development meets the threshold for education contributions, the SPD states that certain types of housing development will not be required to make a financial contribution to schools in any circumstances; this includes 1 bedroom units. Therefore, there are no contributions required and as such Education Services have no objections to the development.

Forestry Officer – No objections received

Highways Drainage – No objections – details to be checked by Building Control

Highways DC – No objection has been raised to the principle of development; however, comments have been raised in relation to the lack of visitor parking and the siting and size of the bin store.

Mining Remediation Authority – No objections

Pollution Control – No objections subject to conditions

South Yorkshire Mining Advisory Service - No objections

Urban Design Officer – No objections received

Ward Councillors – No objections received

Yorkshire Water - No objections received

Representations

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

Neighbour notification letters were sent to 21 surrounding properties; the application was also advertised by way of a site notice posted adjacent to site, a notification within the local press and on the council's website.

10 letters of representations have been received. The representations raised the following material planning issues:

- Highways – access and parking
- Loss of community facility
- Housing Mix
- Living Conditions
- Overlooking
- Noise and Disturbance from construction and use
- Ecology
- Heritage Concerns
- Consultation Process

The following matters were also raised, however these are not material planning considerations and as such are afforded no weight:

- The development doesn't comply with Local Plan Policy E7
- The development doesn't comply with Local Plan Policy H9
- HMOs
- Tenancy Demographic –rehabilitation units
- Use of footpath to side of church

Assessment

The main issues for consideration are as follows:

- Principle of the development
- Residential Amenity
- Visual Amenity and impact on character of non-designated heritage asset
- Highway Safety
- Biodiversity and Forestry
- Mining Legacy
- Financial contributions

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 located within Urban Barnsley, which is a priority location to accommodate growth and new residential development in compliance with Local Plan Policies LG2 and H2.

The delivery of 11 homes would make but valuable contribution towards the overall new homes target in the Local Plan Policy H1. The site is not the subject of a specific allocation policy, but the Urban Fabric designation, which allows for development to take place on the site subject to Policy GD1 and other relevant development plan policies.

Barnsley cannot currently demonstrate a five-year housing land supply (including the buffer required because of our most recent housing delivery test result) and accordingly there is a demonstrable unmet need for housing.

NPPF Paragraph 73(d) states that small sites can make an important contribution to meeting the housing requirement of an area and that LPAs should “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

Local Plan Policy H4 Residential Development on Small Non-allocated sites is relevant, which states that proposed 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.

Local Plan Policy H6 states that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Whilst the proposal is for 11no 1-bedroom apartments, the delivery of the units is adaptable and can provide a number of unit types. The units are to be located within a two-storey building and a single storey, with the majority of units located at ground floor level.

Policy I2 states that the authority will support the provision of schools, educational facilities, and other community facilities. Community facilities such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship should be located centrally to the communities they serve. Such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or alternative community facility.

The applicant has been requested to provide evidence outlining how long the premises have been empty and what marketing has taken place to find a suitable alternative community facility.

The applicant states they have contacted the Wesleyan Reform Union about the reasons for closure, and the Union has confirmed that this was due to a diminished congregation. Furthermore, there are six other Wesleyan Reform Churches within the Barnsley circuit, so the closure of the Smithies Church has not had any effect on the ability of local people to access local services. The church closed in 2021 and was sold at auction in December 2024, so had been vacant for 3 years prior to the sale.

The applicant reports that there was no interest in the premises from any kind of community group when the site was being marketed and then subsequently sold at auction. They also state that the site is in need of significant investment to bring it back into use, and in their opinion, there is no realistic prospect of it being viable for community use, especially when the community facility had been vacant for a long time and was no longer required.

The information submitted as part of the application is considered sufficient to meet the requirements of Local Plan Policy I2, and as such the re-use of the building is considered acceptable.

Policy SD1 states that when considering proposals the authority will take a positive approach that reflects the presumption of sustainable development. The site is located in a sustainable location with good transport links and would see the re-use of an existing building.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new and existing residents. In addition, development will only be granted where it would maintain visual amenity and not create traffic issues or reduce highway safety. An assessment of the proposals against those criteria and in relation to the other material planning considerations relevant to the assessment of the proposal and the relevant policies is set out below.

It is considered that the application is acceptable in principle for the reasons set out above and this carries substantial weight in favour of the application.

Residential Amenity

The application seeks permission for the conversion of an existing building, the former Wesleyan Reform Church and church hall into 11no residential apartments.

The conversion does not require the addition of any extension to the footprint of the existing building, with only dormer windows being incorporated into the roof of the church building to provide adequate head height within the roof space. The development does incorporate a level access ramp to the southern side elevation; however, it would not lead to an increase in overshadowing or loss of outlook from the neighbouring dwellings; this carries significant weight in favour of the application.

Concerns have been raised in relation to the loss of privacy and the increase in overlooking of the neighbouring properties due to the conversion of the church and church hall. Supplementary Planning Document – Design of Housing Development states that a minimum of 21m should be retained between facing habitable room windows and first floor habitable room windows should be a minimum of 10m from the boundary of any private garden which they would face.

With the exception of the installation of dormer windows and 5no roof lights no new openings are proposed within the buildings.

The dormer windows are to be located on the northern, eastern and southern roof planes of the church building facing, 177 Wakefield Road, 4 Isobel Close and 175 Wakefield Road

respectively. The 5no roof lights are to be located on the northern, southern and western roof planes.

The dormer windows located on the eastern roof plane facing Isobel Close are located in excess of 21m to the front elevation of the potentially affected property, in addition, the rear elevation of the church and the front elevation of 4 Isobel Close are off-set and do not directly face each other. It is acknowledged that the dormer windows located on the northern and southern side roof planes would incorporate first floor windows and are located less than 10m to the respective boundaries, however, any overlooking would occur over the front garden associated with 175 and 177 Wakefield Road. The front gardens associated with these dwellings are open and visible from Wakefield Road and are not considered private and as such are not afforded the same level of protection as rear private gardens. As such it is considered that the inclusion of dormer windows and roof lights would not increase levels of overlooking.

Whilst there are no new openings within the buildings, the conversion will introduce habitable room windows within close proximity to existing boundaries with private gardens. The majority of the ground floor windows are located such that the existing boundary treatments would provide satisfactory levels of screening of the neighbouring properties which will limit increasing levels of overlooking.

Due to level differences between the church hall and the residential property to the north 177 Wakefield Road, the existing boundary treatment would not provide adequate levels of screening from the habitable room escape window serving unit 10. However, this opening would serve an open plan living/kitchen area with a dual aspect. Therefore, in this instance it is considered acceptable to include obscure glazing to the rear whilst retaining clear glazing to the principle northern elevation. This will protect the amenity of the neighbouring property without impeding the amenity of the future occupiers of the unit.

On balance, the impact on residential amenity by overlooking is limited and this carries significant weight in favour of the application.

Comments have been made in relation to the increase in noise from the communal areas; this is a residential development in a predominantly residential area, and it is not considered that the development would give rise to an increase in noise and disturbance over and above what can be expected in any residential area. This carries limited weight against the application.

It is acknowledged that there will be some level of disruption during the development phase, this is considered to be a temporary impact, in addition there are limited external works, with the majority of works taking place within the existing buildings. Nevertheless, it is standard to limit construction hours and deliveries to protect the impact on the amenity of existing residents. This carries limited weight against the application.

The units are well proportioned, with the overall floor area of the properties exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide, with the rooms within the proposed units meeting the requirements of the SYRDG; in addition, the shared external amenity space provided exceeds the requirements as outlined within SPD – Design of Housing Development; this carries moderate weight in favour of the application.

It is in this regard that the proposed development complies with SPD Design of Housing Development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Visual amenity and impact on character of non-designated heritage asset

The church is located in a prominent position on Wakefield Road and has architectural merit. The church was built in the early 20th century as a methodist church first appearing on the OS 1930 map although it is believed to be an earlier development from the 1900s. The church has a simple but decorative interior with some modern alterations but mostly remains intact with most notably the buildings existing roof beams which are of significant character. With the exception of the single storey flat roof extension the church's exterior appears to remain intact with original features.

The church is not listed and has no national or local designation, however it has been identified as a non-designated heritage asset which is a material consideration in the planning process and as such weight should be given to retaining the historic and special interest of the building.

With the exception of the installation of the 8no dormer windows, the 5no roof lights, the inclusion the access ramp, there are limited external works to the building. The council's conservation officer was consulted on the application and initially raised concerns in relation to the inclusion of the dormer windows, particularly those visible from Wakefield Road, the cladding materials of the dormer windows, the profile and detailing of replacement windows, the approach to secondary glazing, the design and treatment of external doors, the retention and position of interior roof beams and the installation of the first floor.

Amendments to the scheme were sought and amended plans submitted; the design of the dormer windows has been altered to incorporate a slimmer width and a decorative bargeboard and now emulate the design of the church and its features. The conservation officer now accepts the retention of the 4no dormer windows visible from Wakefield Road. The dormer windows are to be clad in either lead, or a grey single-ply membrane, the details of which can be secured by condition.

The proposed bin stores are located within the site and are not highly visible from public vantage points, no details regarding their construction have been provided, however the details can be secured by condition.

It is not considered that the conversion of the church buildings and the external alterations would have a detrimental impact on the non-designated heritage assets or the historical character of the buildings. The conversion of the former Wesleyan Reform Church and Church Hall is welcomed as the proposed use provides a sustainable future for the buildings long term retention in accordance with NPPF paragraph 212. This is afforded significant weight in favour of the application.

As such the development complies with Local Plan Policies HE1 The Historic Environment and D1 High Quality Design and Place Making.

Highway Safety

The site is accessed via Isobel Close, which provides an existing and established point of entry to the former church and church hall from Carlton Road. The access and associated parking area previously supported the building's use for religious and community purposes, which would have generated regular vehicle movements, particularly during events and services. Highway DC officers have been consulted on the application, and they consider that it is likely that the pattern for vehicular movement of the previous would have been subject to significant peaks and troughs, whereas this proposal will generate a more regular pattern of movements associated with residential developments. Highways DC officers acknowledge the previous use and do not raise any objection to the size of development in terms of traffic generation or the use of the existing access onto Carlton Road, which is of a sufficient width to accommodate two-way traffic.

Each unit has 1-bedroom and they are served by 1no parking space, in accordance with the Supplementary Planning Document Parking. Highways DC officers have raised concern in relation to the lack of visitor parking. This was raised with the applicant who has submitted an addendum to the planning statement where they acknowledge the lack of visitor parking, however they have stated that there is no available space for additional parking, without compromising on the provision of outdoor amenity space. The applicant has stated that *“in terms of overall parking provision, the scheme strikes a balance between providing enough parking, amenity space and ensuring the development is viable. The site is in a highly sustainable location which will promote more sustainable modes of transport than private car use. Whilst below the standard, we feel that the level of parking is entirely proportionate to the development and its highly sustainable and accessible location”*

“Whilst it is expected that the sustainable location will ensure many trips to the flats can be made by modes other than private cars, if visitors do choose to arrive by car, then there are plentiful off-site parking options in the locality. The areas near to the site where additional on-street parking could be problematic (such as the A61) are already controlled by double yellow lines. In other areas whereby on-street parking is safe and available, the low level of demand generated by visitors to the flats would be indiscernible from existing everyday levels of parking.”

The authority would concur with this assessment, given the siting of the buildings, additional parking would be difficult to achieve without providing a direct access from Wakefield Road, which would be considered unacceptable. As the site is located in a sustainable location within Urban Barnsley and has access to good transport links, it is considered that the lack of visitor parking is not sufficient to warrant the refusal of the application given the previous use of the site which would have a greater impact on the highway network and the potential for displaced parking of visitors than the proposed use.

Concerns have been raised by highways in relation to the bin store areas, the lack of turning for a refuse vehicle within the site and the lack of a bin storage pad adjacent to the highway. 2no bins stores have been provided on plan totalling 11m². The highways concerns have been raised with the applicant who has confirmed that they will have a private collection for the development and are happy for this to be conditioned.

Based on the above assessment it is considered that the proposed development would not have a detrimental impact on the highway network, the safe and free flow of traffic, this carries significant weight in favour of the application and as such is in compliance with Local Plan Policy T4.

Biodiversity and Forestry

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the Planning Practice Guidance) are met. This application is exempt from the requirement to provide BNG as it meets the de minimis exemption where no more than 25 square metres of habitat will be affected.

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geodiversity features by protecting and improving habitats; maximising biodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements. Policy BIO1 follows on to state that development will be expected to conserve and enhance the biodiversity and geological features by protecting ancient and veteran trees.

Comments have been raised in relation to biodiversity matters, including the potential presence of bats. It is noted that a formal ecological report has not been submitted with the application as the proposal falls under the de minimis exemption for Biodiversity Net Gain, and no new buildings are proposed. The Planning Statement, however, provides some reference to ecological considerations.

The proposal involves the conversion of the existing building with only limited external alterations. These alterations include the installation of dormer windows, which could affect roosting bats should they be present. Although bats are protected under separate legislation, the Local Planning Authority must be satisfied that the development can proceed in accordance with that legislation. As the building is not being demolished, the risk is considered low, but the applicant will be required to take appropriate precautions.

An informative will therefore be added to remind the developer of their responsibilities under the relevant wildlife legislation. In addition, conditions will be imposed to secure biodiversity enhancement measures, such as the incorporation of bird and bat boxes within the development, in line with the information provided within the Planning Statement.

The existing mature trees to the front of the Wakefield Road elevation are to be retained; the Forestry Officer has been consulted on the application and raises no objection to the proposed development.

In light of the above, it is considered that the development is acceptable and in compliance with Local Plan Policy BIO1 and will carry significant weight in favour of the proposal.

Mining Legacy

The proposed development lies within a Mining Remediation Authority High Risk Planning Referral Area due to the potential presence of shallow coal and unrecorded shallow coal mine workings. However, the application relates to the conversion of an existing church and church hall into residential apartments, involving an internal refit with minimal or no ground works. As such, the works are unlikely to require significant excavation or new foundations. Both the Mining Remediation Authority and South Yorkshire Mining Advisory Service have confirmed that they raise no objection to the development. This carries limited weight in favour of the application.

Other Issues

Comments have been made in relation to Local Plan Policy E7: Loss of Services and Community facilities in Villages. However, as noted previously the site is located within Urban Barnsley and not within a village as defined on page 18 of the Barnsley Local Plan. Consequently, Policy E7 is not applicable to this application.

Reference has been made to Local Plan Policy H9, this policy relates to the protection of existing larger dwellings; the buildings subject to this application were formally used as a church and therefore this policy does not apply to this application.

Comments have been raised regarding the potential tenancy demographic, anti-social behaviour, and an overconcentration of Houses in Multiple Occupation (HMOs) in the area. The application form confirms that the proposal is for market housing and is classified as Use Class C3, which relates to residential properties occupied by a single person or family. As the units comprise single-bedroom accommodation, they are not capable of functioning as HMOs.

It is also important to note that the planning system cannot control or restrict the future occupiers of a lawful residential unit. Matters relating to anti-social behaviour fall outside the scope of planning control and would instead be dealt with through separate legislation, primarily by the police or relevant enforcement bodies.

Comments have been raised in relation to the footpath which provides pedestrian access from Wakefield Road to the existing building. This footpath is not a public right of way and is within the red line boundary of the site and within the private ownership of the property.

Comments have been made in relation to the consultation process; all adjoining neighbours to the site were notified directly via neighbour notification letter, a site notice was also posted adjacent to the site and the application advertised within the press and on the council website in line with the Development Management Procedure Order.

Planning Obligations

Paragraph 56 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 58 states that planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010.

The following contributions will be secured through a Section 106 legal agreement:

Sustainable Travel

The scheme exceeds the trigger point of 10 dwellings; therefore a sustainable travel contribution is required. Using the calculation set out in SPD 'Sustainable Travel' the total contribution equates to £3341.58

Planning Balance and Conclusion

Planning Balance

A summary of the weights which have been afforded to each material planning consideration are summarised in the table below:

The Principle of the Development	Substantial in favour
Residential Amenity – Loss of Outlook	Significant in favour
Residential Amenity - Overshadowing	Significant in favour
Residential Amenity - Overlooking	Limited against
Residential Amenity – Noise (use)	Limited against
Residential Amenity – Noise (construction)	Limited against
Residential Amenity – future occupants	Moderate in favour

Visual Amenity – Retention of historic building	Significant in favour
Visual Amenity	Significant in favour
Highway Safety - Access	Significant in favour
Highway Safety - Visitor parking	Limited against
Biodiversity	Significant in favour
Mining Legacy	Limited in favour

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for residential development in the Local Plan and this weighs considerably in favour of the application. In addition, the amendments that have been undertaken have shown that a suitable level of parking provision can be achieved that would not have a detrimental impact on the highway network and this weighs significantly in favour of the application.

The layout of the site is such that there is no impact on residential amenity in terms of increased overlooking, overshadowing or loss of outlook, this carries significant weight in favour of the application.

Barnsley cannot currently demonstrate a five-year housing land supply (including the buffer required because of our most recent housing delivery test result) and accordingly there is a demonstrable unmet need for housing. The delivery of 11 additional dwellings would make a small but valuable contribution to the existing stock, however NPPF Paragraph 73 states that Local Planning Authorities should give great weight to windfall sites. The proposal additionally reuses an existing building and helps to meet the need for housing, which is supported Paragraphs 61, 73(d), 124, 125(d) and 128 of the NPPF

Any noise and disruption associated with equipment used during the construction of the site can be mitigated and controlled by condition and the short-term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the proposal.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions or S106 contributions and holistically this weighs moderately in favour of the application.

Having balanced all material planning considerations, whilst a number of objections have been received in respect to the proposal, they have been suitably addressed through the information supplied and further amendments to the scheme. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations.

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Design of dormer windows
- Improvement to site layout to limit overlooking
- Visitor parking

RECOMMENDATION

MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 IN RELATION TO THE FOLLOWING MATTERS AND THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE LEGAL AGREEMENT:

a) A contribution of £3341.58 towards sustainable travel

APPROVE THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

CONDITIONS/REASONS

The above consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's right to respect for his private and family life, his home, and his correspondence.

Conditions

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission.

Plan References:

Location Plan

Proposed Plans and Elevations Building A 2562 Drg No 03

Proposed Elevations and Roof plan Building B 2562 Drg No 04 Rev A received 22nd October 2025

Proposed Ground Floor Plans Building B 2562 Drg No 05 Rev A received 22nd October 2025

Proposed First Floor Plans Building B 2562 Drg No 06 Rev A received 22nd October 2025

Proposed Site Plan 2562 Drg No 08 Rev A received 22nd October 2025

Planning and Heritage Statement

Supplementary Planning Statement received 22nd October 2025

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Upon commencement of development full details for the implementation of bird and bat boxes, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

Upon commencement of development full details of the proposed bin stores shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall be completed before the first unit is occupied and the development shall be carried out in accordance with the approved details and shall thereafter retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

Prior to occupation of the development or any part thereof, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority. The landscape management shall thereafter be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

Prior to occupation full details of the private refuse collection details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.

Prior to occupation landscaping shall be provided in accordance with approved plan Proposed Site Plan 2562 Drg No 08 Rev A received 22nd October 2025 and retained as such thereafter.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

Prior to occupation, the access, parking and manoeuvring facilities shall be laid out in accordance with approved plan Proposed Site Plan 2562 Drg No 08 Rev A received 22nd October 2025 and retained as such thereafter.

Reason: To ensure that there are adequate parking facilities to serve the development in accordance with Local Plan Policy T4 New Development and Transport Safety.

The window on the northern elevation of unit 10 located within Building A facing 177 Wakefield Road shall at all times be fitted with obscure glass to Pilkington Level 3 obscurity or equivalent and retained as such thereafter.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with Local Plan Policy GD1 General Development

Construction, remediation or demolition work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays. Heavy Goods Vehicles shall not enter or exit the site outside of these times.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

There shall be no burning of any material on the development site during the demolition and construction phases.

Reason: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

All stained-glass windows shall be retained in situ and secondary glazed.

Reason: In the interests of the preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE3.

All new doors shall match the existing in terms of their appearance and arrangement.

Reason: In the interests of the preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE3.

INFORMATIVES

The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained directly from www.naturalengland.org.uk

It is recommended that measures are taken to prevent a nuisance/or affect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke, odour, light or dust. No waste should be burnt. If a Statutory Nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, light, odour, dust or smoke nuisance from being created.