

<b>Application Reference Number:</b>	2025/0723
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<b>Application Type:</b>	Full
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<b>Proposal Description:</b>	Change of use of ground floor from retail (Use Class E(a)) to 2x residential studios (Use Class C3) and associated alterations to elevations
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<b>Location:</b>	129 Doncaster Road, Barnsley, S70 1UF
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<b>Applicant:</b>	Mr Steve Clarke
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<b>Third-party representations:</b>	Four	<b>Parish:</b>	None
		<b>Ward:</b>	Central Ward

**Summary:**

This planning application seeks the change of use of the ground floor of the building from retail (Use Class E(a)) to 2x residential studios (Use Class C3) and associated alterations to elevations.

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising a change of use is considered acceptable in principle if proposals are a suitable location for the use class and would not significantly adversely affect residential and visual amenity and highway safety.

The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. 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).

**Recommendation:**

Approve subject to conditions

## Site Description

The application relates to 129 Doncaster Road which is a terraced, three storey, stone fronted property. The property has most recently had retail use on the ground floor with three flats above. The planning history indicates that the building was once a dwelling. The building is located on the outskirts of the town centre on a main road (A635) which travels east towards Stairfoot. The area consists of a number of commercial units; however, the predominant use of the area is residential.

### Location Plan

Site Address: Bride And Guests, 129, Doncaster Road, Barnsley, S70 1UF



Date Produced: 17-Aug-2025

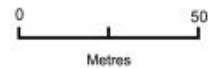
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Planning Portal Reference: PP-14045935v1



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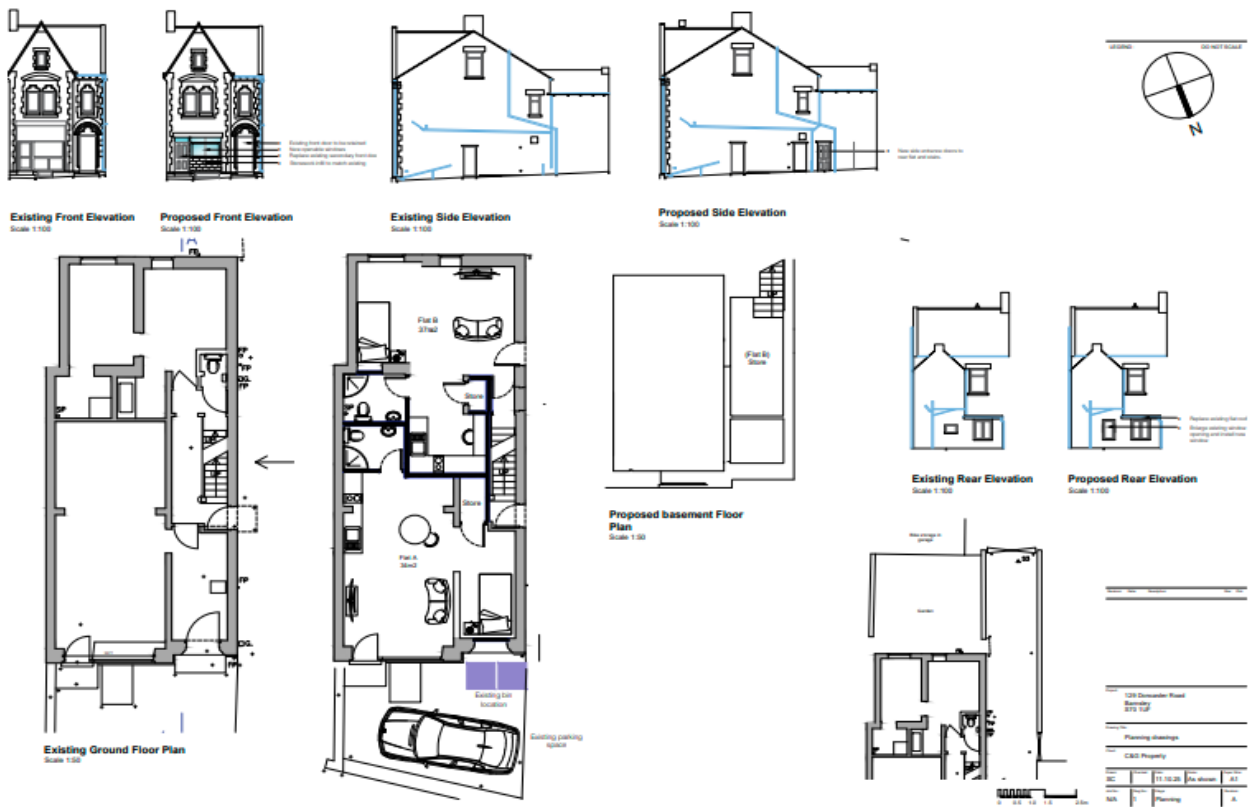
## Planning History

There are various planning applications associated with the site.

Application Reference	Description	Status
B/77/0133/BA	Erection of five garages	Historic
B/94/0340/BA	Use of ground floor of premises for office and storage	Approved with Conditions
B/03/0286/BA	Change of use of shop to dwelling	Approved with Conditions

## Proposed Development

The proposal is for the change of use of the ground floor of the building from retail (Use Class E(a)) to two residential studios (Use Class C3) and associated alterations to the elevations. The floorspace of the studios is 33sqm and 34sqm respectively.



## 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.

### Local Plan Allocation – Urban Fabric

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** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**Policy GD1: General Development** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**Policy D1: High quality design and place making** – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

**Policy H4: Residential Development on Small Non-Allocated Sites** – Proposals 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.

**Policy H6: Housing Mix and Efficient use of land** – 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. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

**Policy Poll1: Pollution Control and Protection** – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

**Policy T3: New development and Sustainable Travel** – Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

**Policy T4: New Development and Transport Safety** – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

#### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England.

It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent.

The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

#### 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
- Sustainable Travel

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

#### Other Guidance

- South Yorkshire Residential Design Guide

#### **Consultations**

Central Ward Councillors were consulted. Councillor Sumner objected due to the proposed use, the location and local concentration of the use.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Pollution Control were consulted and raised no objections subject to conditions.

#### **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 surrounding properties, and a site notice erected at the site. Four objections were received and in summary raised the following material planning considerations.

- Highway safety
- New doorways will open directly onto a driveway
- Noise disturbance
- Parking

Additionally, the following other non-material planning considerations were also raised.

- Access restriction
- Anti-social behaviour
- Council involvement
- Issues with previous landlord
- Issues with previous tenants
- Police involvement

Whilst all representations are noted, the LPA cannot take into account non-material considerations in the determination of a planning application.

#### **Assessment**

The main issues for consideration are as follows:

- The acceptability of the change of use
- The impact on the character of the area
- The impact on residential amenity
- The impact on highway 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:

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

### Principle of Development

The proposed development is for a straight conversion of the ground floor of the building, which is structurally sound and will not require major or complete reconstruction. The development will require minor external fenestration alterations to facilitate the conversion into studios but will not require any extensions, or significant adaptation internally.

Residential uses are deemed acceptable in Urban Fabric and the building itself is already part residential. Therefore, the change of use to studios is acceptable in principle provided that it is not detrimental to the residential amenity afforded to the host property, as well as adjacent properties, along with visual amenity and highway safety. This weighs significantly in favour of the proposal.

### Design and Visual Amenity

There will be no significantly harmful impact to visual amenity from the proposed conversion. The materials are to be retained as existing, whilst maintaining the core design of the existing building. The proposed window and door would be comparable to the residential elements associated with the current first floor residential flats.

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, as there are ground floor residential uses already present on Doncaster Road in the form of dwellings. The proposal is therefore acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and Policy D1 of the Local Plan. This weighs significantly in favour of the proposal.

### Residential Amenity

In terms of noise from surrounding uses, it is noted that the proposed studios will be located on a predominantly residential street, with existing residential uses located in between the nearest commercial use. In addition, the LPA's Pollution Control team have raised no objections to the scheme. This weighs significantly in favour of the proposal. The proposed internal dimensions meet the standards for studio flats within the South Yorkshire Residential Design Guide, as the minimum floorspace for a 1 bed studio is 33sqm and the proposal has 33sqm of floorspace per flat. Shared private amenity space for flats should be a minimum of 50sqm plus and additional 10sqm per unit either as a balcony space or added shared private space.

The residents have access to a shared rear area which provides minimal and basic private amenity space of 35sqm however the amount of shared private space to be provided can also depend on the quality, quantity and accessibility of local public open space.

Within the surrounding area there is, Barnsley Main Colliery Site, Chilton Street Green Space, Dearne Valley Yews Lane and Measborough Dike Play Area. The site is also located in the Dearne Valley Green Heart, which is one of the only 12 nature improvement areas in England which is creating a healthy and attractive natural environment providing plenty of outdoor amenity space within the local area. This weighs moderately in favour of the proposal.

Given that one bed studio flats are very unlikely to appeal to families, it is considered that there is acceptable outdoor amenity space for the proposed scheme, given the nearby facilities as well as the proximity to the town centre. For the above reasons, the proposal is not expected to be detrimental to the residential amenity of the neighbours nor the future occupiers in line with the standards set within the SPD and the SYRDG. This weighs significantly in favour of the proposal. The proposal is considered to be acceptable in terms of residential amenity.

### Highways Safety

There will be no significant impact upon highway safety. The proposal to create two studios would leave the site undersubscribed for off-street parking, not least as the suggested single parking space is not to the necessary dimensions and does not provide internal turning to allow safe access and egress onto a classified road.

However, the property has an extant retail use and is within 400 metres of the recognised town centre of Barnsley. The Design and Access Statement explains that there is a bus service with stops located less than a 2-minute walk from the property providing access to Barnsley town centre and a bus service with stops less than a 2-minute walk from the property for services away from the town centre. The site is therefore in a highly sustainable location and therefore the usual parking standards are not to be applied.

Given the above, a balanced view is to be taken, that the change of use will not be significantly impactful on vehicle use and therefore Highways DC would not wish to raise objection to the scheme. Furthermore, the addition of the door whilst opening onto the driveway, has the same impact as the existing doors on that elevation. It is therefore considered that the proposals won't adversely impact upon the highway and are acceptable from a highway's perspective. This weighs moderately in favour of the proposal.

### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

### **Recommendation**

Approve subject to conditions

### **Justification**

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

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

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.

## 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 approved plans:

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and specifications as approved unless required by any other conditions in this permission.

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

The external materials shall match those used in the existing building.

**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.**

No works shall commence on site until a scheme for the parking of bicycles complying with LTN 1/20 Cycle Infrastructure Design has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

**Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3.**

During works, construction or demolition related activity shall only take place onsite 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.

**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.**

## Informatives

The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

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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.

