

Applicant: Mr Scott Clayburn

Description: Conversion of building into 2no commercial units at ground floor (Use Class E) and 12no residential flats

Site Address: 48 - 50 Sheffield Road, Barnsley, S70 1HS

Site Location and Description

The application relates to a 3/4 storey brick built, flat roofed building which fronts Sheffield Road, one of the principal routes into Barnsley Town Centre. The building has been vacant for several years with the previous use being a restaurant. The building opens directly onto the pavement serving Sheffield Road and is adjoined on both sides by 2 storey commercial properties including a money lending business to the North and a takeaway to the South.

To the rear of the building is a small yard, on a lower level than Sheffield Road, which is accessed from Quarry Street via a shared access road. Beyond the yard are further commercial properties which are build on a lower level and front Doncaster Road



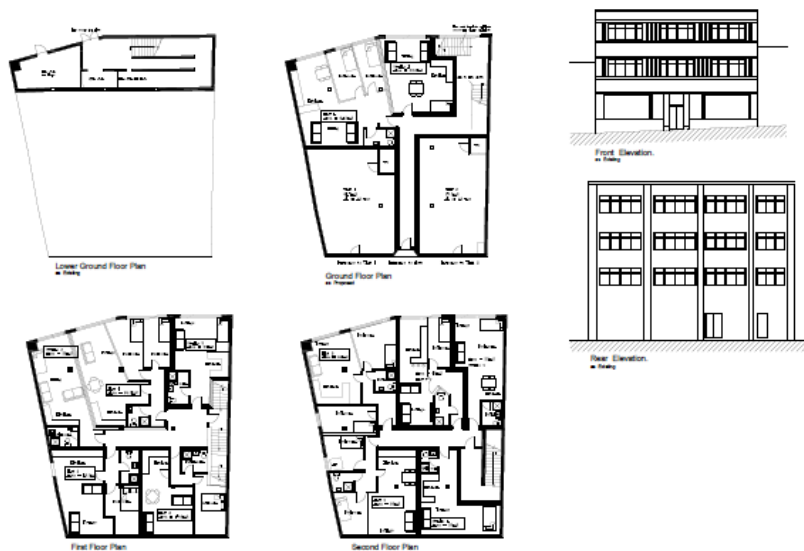
Proposed Development

The applicant seeks permission to convert the building into 2no commercial units at ground floor (Use Class E) and 12no residential flats above. The flats would include 5no. studios, 4no. 2 bed units and 3no. 1 bed units.

The scheme has been amended throughout the course of the application, it was originally for 2no. commercial units and 12no apartments inc. 6no. studios and 6no. 1 bed units.

No significant extensions or alterations to the exterior of the building beyond cosmetic improvements are required. As such, the external layout of the site would experience little change.

The site does not have any external space as it is surrounded by existing buildings.



Site History

2020/1152 - Conversion of building into residential use (14no flats) – refused for the following reasons;

In the opinion of the Local Planning Authority, given the position and orientation of the windows, the proposal would be materially detrimental to the amenities of the future occupants by reason of substandard outlook and natural light, contrary to Local Plan Policy GD1. The position of the windows and the close proximity of a classified road and late-night commercial uses would also negatively impact residential amenity through noise and disturbance. Furthermore, no outdoor amenity space is proposed for the future occupants contrary the requirements of Supplementary Planning Document 'Design of Housing Development'.

In the opinion of the Local Planning Authority the loss of the active commercial frontage in this predominantly commercial area would be at odds with the immediately adjacent properties to the detriment of vitality and viability of Barnsley Town Centre and would be detrimental to the visual amenity of this predominant gateway location, contrary to Local Plan Policies TC1, D1 and BTC7.

The development would provide an insufficient mix of unit types contrary to Local Plan Policy H6 which requires housing proposals to include a broad mix of house size, type, and tenure to help create mixed and balanced communities. Furthermore, no evidence has been provided to demonstrate that the development has been informed by the needs of the market, in order to meet the present and future needs of the community.

Policy Context

The site is located within the Yards District of Barnsley Town Centre within the Local Plan and therefore the following policies are relevant:

Policy H1 The Number of New Homes to be Built

Policy H4 Residential Development on small Non-allocated sites

Policy H6 Housing Mix and Efficient Use of Land

Policy T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

Policy CC4 Sustainable Drainage System (SuDS)

Policy RE1 Low Carbon and Renewable Energy

Policy TC1 Town Centres

Policy BTC7 Gateways

Policy BTC14 The Yards District

SPD's

Those of relevance to this application are as follows:

- Design of Residential Development
- 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 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

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.

Consultations

Highways Officer – No comments

Drainage – No objections – Building Control to check

Air Quality Officer – Further monitoring is required

SFSY – No objections subject to conditions

Education – No contribution required

SYP ALO – Provide guidance for keeping the development secure

Yorkshire Water – No objections

Police ALO – Provides advice for improving security

Ward Councillors – Cllr has raised concerns with the size and style of housing proposed

Representations

None.

Assessment

Principle of development

The site is located within The Yards District of Barnsley Town Centre where housing, offices and small-scale shops and services will be considered. The site is also adjacent to a gateway into the town centre, as such, development should create a strong distinctive visual gateway to the town centre and a sense of arrival and be designed to welcome people into the town centre and create active street frontages.

All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Policy H6 'Housing Mix and Efficient Use of Land' states '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'.

The applicant has provided a small statement from an Estate Agent which says 1-bed apartments are in demand in that area, however, no evidence base has been provided on that basis. The evidence base for the Barnsley Strategic Housing Market Needs Assessment (SHMA) shows there is little desire for studios/bedsits within the borough.

It should also be noted that a previous refusal has been issued to convert the building into residential use, as such, the current revised proposal would need to address those previous reasons for refusal.

Design / Visual Amenity

The building is currently vacant, and part boarded up, parts of the building have also fallen into disrepair, as such, it has a negative impact on the visual amenity of the streetscene, especially within a prominent gateway area into the town centre. As such, the repair of the building and bringing life and use back to it would have a positive impact. However, the rest of the scheme must adhere to the other relevant policies and guidelines and overcome the previous reasons for refusal.

The previous scheme totally removed the commercial element from the building which was particularly damaging at ground floor level where the active frontage would be lost where the neighbouring buildings are also predominantly in commercial/retail use and also have an active frontage onto Sheffield Road. There is residential units within the area, but these tend to be at first floor level and second floor level, above commercial uses.

As such, the creation of 2no. commercial (class E) units at ground floor level would be an improvement on the previous application and would partially address reason for refusal 2, subject to acceptable shop front and signage design which would be subject to separate applications.

It should also be noted that bin storage for both the shops and residential units would be provided within the lower ground floor area of the building, alongside cycle storage.

Residential Amenity

The building is within Barnsley Town Centre and fronts Sheffield Road which accommodates a number of commercial and retail premises including those with late night opening such as pubs and hot food takeaways. The building immediately adjoins a takeaway to the South and there is a pub within close proximity to the North. There are also further commercial properties within close proximity to the site off Doncaster Road, including a drum school which operates up to 9pm and also during weekends and bank holidays.

With regards to the proposed apartments, the proposal involves the conversion of an existing building so there will be some elements of compromise while working with the existing structure. However, residential amenity formed the first reason for refusal on the previous application and there are still elements of concern with the current scheme which are outlined below.

Firstly, only flats 2 and 3 have double bedrooms. All the other units are either studios or have single bedrooms, including the 2-bedroom units. With regards to the 1-bedroom units it would be difficult to monitor and enforce single occupation of that unit if it only has a single bedroom. In terms of size requirements, the SYRDG does not give an option for a single bedroom for a 1 person, 1 bedroom flat.

With regards to the 2-bedroom units, the SYRDG outlines a 3-person occupancy for a 2-bedroom unit, as such, it must incorporate at least 1no. double bedroom of 12m². However, all the 2-bedroom units only incorporate single bedrooms which fall short of the 12m² requirement, no double bedroom units in those units are proposed, as such, the scheme would be contrary to the SYRDG and would indicate that the building would be over developed.

Not only does the SYRDG set out the required floor areas for the overall units and individual rooms, but it also sets out required room dimensions. It requires bedrooms and living rooms to have a width to length ratio of 2:1. Double bedrooms should have a minimum of 3m in length and 2.6m in width and single bedrooms 2m in width. A number of the units have very narrow living or sleeping areas including flats 1, 4 and 7 and studios 2 and 5. This means that some parts of the room are a long distance from the source of natural light, creating dark oppressive spaces (especially those units which have North East facing windows) or are of an impractical size and shape, compromising the residential amenity of future residents. Again, this would be contrary to Policies and guidelines and would indicate that the building would be overdeveloped.

As outlined above, given the lack of double bedrooms and compromised room layouts, the building would be overdeveloped. The applicant was requested to increase the housing mix provided in the scheme to meet the requirements of Local Plan Policy H6 by reducing the number of units, however, the originally submitted proposal was for 12no. flats including 6no. studios and 6no 1 bed flats, and now, following the amendments, the proposal is for only 1 less studio but has incorporated 4no. 2-bedroom flats, in addition to 3no. 1 bed units. As such, the scheme has increased from 12no bedrooms/sleeping spaces to 16no. bedrooms/sleeping spaces which has increased the mix but reduced residential amenity, contrary to Local Plan Policy GD1.

It is noted that the GPDO was amended from 1st August 2021 where class MA refers to the change of use from class E (commercial, business and Service) to C3 (dwellinghouses), however, an application would need to be submitted to determine whether the prior approval of the authority will be required. One of those criteria considered as part of that application would be the provision of adequate natural light in all habitable rooms of the dwelling houses, as outlined above, the orientation, aspect, and layout of a number of the habitable rooms would not achieve that requirement.

The upper floor windows would have some form of outlook, although relatively uninspiring, but will be still subject to noise and disturbance from the neighbouring commercial and late-night uses. In the applicants Planning Statement a Noise Report is referenced, however, the report did not accompany the suite of documents submitted alongside the application. Furthermore, as the units are single aspect, some of the areas of the apartments within the centre of the building, will have limited natural light, especially the Northern facing units, which would be detrimental to residential amenity.

There is a small yard to the rear of the building, but no outdoor amenity space for residents is proposed. This is contrary to SPD 'Design of Housing Development' which states 'shared space for flats must be a minimum of 50m² plus an additional 10m² per unit as balcony space or added private amenity space'. This formed part of reason for refusal 1 of application 2020/1152.

Highways Safety

SPD 'Parking' states that 1 space per unit should be provided for properties of 2 bedrooms or less. No in curtilage parking is proposed as part of the scheme. However, the previous use of the building, as well as future uses that would not require permission, have to be taken into consideration. Furthermore, the site is within a sustainable location given that it is within Barnsley Town Centres boundary.

There is good access to public transport on Sheffield Road and the site is also within walking distance of the Transport Interchange and facilities within Barnsley, although, the route is via dark underpass given the site is separated from main town centre by major highways.

Air Quality

Given the location of the building close to a main route into and out of the town centre this is a site of being investigated with regard to the declaration of an Air Quality Management Area (AQMA) in the future, as such, an air quality monitoring exercise will be required, which will involve monitoring at 1st floor in order to determine first floor residential exposure fronting onto Sheffield Road to air pollution associated with traffic emissions. The monitoring exercise is generally for a minimum of 3 months. Without this information it is difficult to determine this application as if certain levels of pollution are exceeded it could lead to a refusal or mitigation measures such as a change in internal layout or mechanical ventilation where air is taken from a less polluted position.

Noise

A Noise Report was submitted alongside the application and in consultation with the Councils Regulatory Services Officer. The report concluded 'Noise can be satisfactorily controlled by the design of the development and therefore it is recommended that planning permission for the residential development should not be refused on noise.'

Recommendations have been made for the building envelope design of the residential flats to control noise intrusion. With the measures in place, it is predicted that noise intrusion will be controlled to meet normal BS8233 noise level criteria. The mitigation measures within the report could be conditioned.

Contributions

The proposed development falls below the thresholds for Affordable Housing and Open Space contributions and, although Education contributions are required above 10 units, given the size of the proposed apartments they are unlikely to appeal to the family market, and as such, a contribution would not be required.

However, in accordance with SPD 'Sustainable Travel' there will be a contribution required towards Sustainable Travel. In accordance with the calculation in the SPD, factoring in the 50% reduction given the site is within the town centre, the contribution would be £3600.

Conclusions

Given the location, orientation, and dimensions of a number of the windows serving some of the apartments, levels of outlook and natural light would be substandard and provide poor levels of residential amenity for future residents, contrary to Local Plan Policy GD1. Furthermore, a number of the apartments, including the 2-bedroom units, would not have double bedrooms, only single bedrooms, contrary to the South Yorkshire Residential Design Guide. In addition, no outdoor amenity space is provided for future residents, contrary to SPD 'Design of Housing Development'. As such, reason for refusal 1 on the previous application would not have been addressed.

No evidence has been provided to demonstrate that the development has been informed by the needs of the market, in order to meet the present and future needs of the community.

There is a lack of information to allow the application to be assessed fully. An Air Quality Monitoring exercise is required to determine whether residential dwellings are acceptable within the building and whether any mitigation measures are required.

Recommendation: Refuse

In the opinion of the Local Planning Authority, given the position and orientation of the windows, and the ratios/dimensions of the rooms, the proposal would be materially detrimental to the amenities of the future occupants by reason of substandard outlook and natural light, contrary to

Local Plan Policy GD1 and the South Yorkshire Residential Design Guide. The position of the windows and the close proximity of a classified road and late-night commercial uses would also negatively impact residential amenity through noise and disturbance. Furthermore, no outdoor amenity space is proposed for the future occupants contrary the requirements of Supplementary Planning Document 'Design of Housing Development'.

In the opinion of the Local Planning Authority, the proposal would result in the over-development of the building, in that there is insufficient space to provide adequate internal room sizes, ratios and dimensions, contrary to Local Plan Policy GD1, Supplementary Planning Document 'Design of Housing Development' and the South Yorkshire Residential Design Guide. Furthermore, insufficient evidence has been provided to demonstrate that the development has been informed by the needs of the market, in order to meet the present and future needs of the community.

The applicant has not submitted sufficient details to enable an adequate assessment to be made in that an Air Quality Monitoring exercise has not been undertaken in order to determine residential exposure fronting onto Sheffield Road to air pollution associated with traffic emissions.