



## PLANNING STATEMENT

**CONVERSION OF VACANT BUILDING TO RESIDENTIAL USE (12 UNITS)  
INCLUDING RETENTION OF GROUND FLOOR COMMERCIAL USE (CLASS E)**

**48-50 SHEFFIELD ROAD, BARNSELY, S70 1HS**

PREPARED FOR: CLAYBURN PROPERTIES LTD

PREPARED BY: JAMES ROBERTS (MRTPI)



## 1. INTRODUCTION

This statement has been prepared to support the submission of an application for full planning permission for the change of use of a vacant restaurant to 12 residential units (flats and studios). The site is currently not in any beneficial use and is detracting from the vibrancy and vitality of the area. The proposal follows a previous refusal at the site (2020/1152) and the scheme has been developed to address all previous concerns.

The statement incorporates a Design and Access Statement, provided to satisfy the statutory requirements imposed under Article 4 of the Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013 and the National Planning Policy Framework (NPPF).

It is a fundamental principle of the NPPF that all requirements for supporting documentation should be proportionate to the scale and nature of the development proposed. This document sets out the design justification for the proposed development and demonstrates that the scheme is in full compliance with relevant planning policy and guidance.

The site is a large four storey building that occupies a prominent position within the street scene on both sides. The restaurant business that last occupied the site ceased trading several years ago and the building has been vacant ever since despite being actively marketed throughout the time that it has been empty. In its vacant state, the building very much detracts from the vibrancy and vitality of the area. Sheffield Road is an important gateway into Barnsley and it is extremely important that beneficial uses are found for buildings in this area.

The proposal would bring the site back into beneficial use as much-needed housing and would breath new life into the building. The flats would be completed to a high standard and would provide homes with a high standard of housing amenity in a highly sustainable location.

The scheme represents a positive form of regeneration that would recycle the disused building. It is clear from recent planning legislation changes and narrative that the regeneration of vacant sites is

the priority for central government and is seen as being key to aiding the economic recovery of the country.

Residential development is entirely compatible with the character and use of the local area. The level of development proposed has been carefully arrived at to ensure that the scheme is viable and would ensure that the welcome redevelopment and regeneration of the site can be achieved.

The scheme has been designed to ensure that there would be no adverse impact on any of the existing neighbouring uses. The proposal has also been designed to ensure it would have a positive impact on the character of the wider locality and would have no significant impact on any neighbouring property.

This statement should be read in conjunction with the supporting plans supplied by Neil Bowen Architects which demonstrate the credentials of the scheme in more detail.

It is anticipated that the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

This statement now proceeds to give details of the site and the existing use. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF. In particular, it will be demonstrated that the proposal would result in a sustainable form of development and would make a valuable contribution to meeting the area's housing needs.

## **2. THE SITE**

The application site is a four storey mid-terrace property that lies to the eastern side of Sheffield Road, on the edge of Barnsley town centre. The building has a shop front to the ground floor level and three bay windows each to the first and second floors. The building has a flat roof. The building has started to fall into disrepair as a result of its vacant state.

The site has most recently been used as a restaurant. The restaurant business closed down several years ago and the site has been vacant ever since. The condition of the building has begun to deteriorate and it has attracted criticism from local businesses and councillors. The owner is determined to regenerate the site.



The building itself is in keeping with the mixed character of the surrounding area. However, it is clear that the vacant state of the building is detracting from the character and vibrancy of the locality:

Sheffield Road is a key gateway into Barnsley Town centre and is a busy mixed use area with a large number of residential and commercial properties of different types in close proximity to the site. The site is also highly visible from the rear and it has a similarly detrimental impact at the moment as a result of it being vacant.

The site lies within the town centre boundary as identified by the Local Plan. It is within 'The Yards' town centre zone. As discussed further below, the site is not within a Primary Shopping Area or on a street with a primary or secondary shopping frontage.

As will be discussed in more detail later in this statement, residential use is entirely acceptable in principle here and will positively compliment the existing character and make up of the area.

There are no listed buildings within the vicinity of the site and the site is not within a conservation area.

### **3. THE PROPOSAL – INCLUDING DESIGN AND ACCESS CONSIDERATIONS**

Full planning permission is sought for the conversion of the existing building to create 12 residential units. The ground floor would contain two commercial units (class E).

#### **USE**

The site is currently has established restaurant use but it is a long-term vacant building. In its present condition and vacant state, the building detracts from the character, vitality and vibrancy of the area. It is important that the site is put to better use.

The proposed use is residential (C3) and commercial (E). The principle of residential development is entirely acceptable in this location as is discussed further below.

#### **AMOUNT**

The proposal seeks full permission for 12 residential units. The number of units proposed has been dictated by balancing economic viability and ensuring that the size and layout of the flats would provide a good standard of housing amenity for future occupiers.

The new flats would be completed to a very high standard and would be provide high-quality new accommodation in this highly sustainable area.

#### **LAYOUT**

The proposal would result in well-appointed flats that would deliver high standards of living environment. 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.

Internal layouts have been designed to ensure minimum space requirements are met, to ensure that shared areas are well-proportioned and accessible, and to allow fluid circulation throughout the buildings.

### **LANDSCAPING**

The site does not have any external space as it is surrounded by existing buildings. Being in the town centre, there would be no expectation of private outdoor amenity space here and the benefits of living in such a suitable location with excellent access to services and facilities far outweighs the lack of private outdoor amenity space. The site has convenient and easy access to all the public open space areas within the town centre.

### **APPEARANCE**

As set out above, the site is long-term vacant and the building has started to appear dilapidated. Whilst such faults are purely cosmetic and can be easily remedied as part of this development, it is essential that a use is found for the site. The site has previously drawn criticism for detracting from the character of the area. Bringing the site back into use will be highly beneficial for this area of the town, which is an important gate way into the town centre.

The proposed development will make a vastly more positive contribution to the vitality of the area. The exterior of the building will be repaired and simply bringing the building back into use will hugely improve the street scene and sense of vitality in the area.

### **ACCESS**

The location of the site is in a highly-sustainable mixed use location on the edge of Barnsley town centre. The site has fantastic access to public transport (there is a bus stop immediately outside of the site) and the whole range of town centre facilities which are easily accessible on foot. Future residents would have no reliance at all on private car use. As such, there is no requirement for any off-street parking.

The occasional need for deliveries etc will be no different to the established former restaurant use at this site or to the many neighbouring business and residential properties.

The location of the site and the development itself therefore both comply with national and local objectives of creating sustainable patterns of development. The proposed development will fully comply with all DDA access requirements as set out in current building regulations.

#### **4. PLANNING HISTORY**

The only relevant planning history for the site is the recent refusal which is discussed in more depth below.

#### **5. PRE-APPLICATION DISCUSSIONS**

The resubmission has been discussed at pre-application stage with the council's planning officer, Mr James Hyde. The previous reasons for refusal have been discussed alongside how best to address these.

#### **6. ALLOCATION AND POLICIES**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the Barnsley Local Plan which was adopted on 03 January 2019.

The site is within the town centre boundary but is outside of a shopping area.

In addition to the Local Plan, other material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and suite of documents comprising National Planning Practice Guidance.

## **National**

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

Paragraph 8 states that *“achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

Paragraph 10 states that *“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.”*

Paragraph 11 goes on to set out that *“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Paragraph 38 states that *“Local planning authorities should approach decisions on proposed development in a positive and creative way.”*

Section 5 sets of the guidance to ensure delivery of a sufficient supply of homes

Paragraph 59 states that *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*

Section 6 sets out the strategy for building a strong, competitive economy. Paragraph 80 states that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*

Paragraph 85 states that *“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.”*

Paragraph 91 states: *“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

*a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*

*b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas;*  
*and*

*c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure,*

*sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

Paragraph 109 states *“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.”*

Section 11 discusses the effective use of land. Paragraph 118 states that *“...decisions should:*

*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*

and

*promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.”*

Paragraph 120 sets out that Local Planning Authorities should support different uses of land as a result of changing demand and states *“applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.”*

Paragraph 121 states that Local Planning Authorities *“should support proposals to:*

*a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;”*

Paragraph 124 states that *“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.”*

Paragraph 148 states that *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 155 goes on to state Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).”*

Paragraph 155 states *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

Paragraph 175 states that *“...if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”*

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

### **Local Plan Policies**

The following policies are considered to be of particular relevance:

LG2 – The Location of Growth

H2 – The Distribution of New Homes

H4 – Residential Development on Small Non-allocated Sites

H6 – Housing Mix and Efficient Use of Land

T1 – Accessibility Priorities

T3 – New development and Sustainable Travel

T4 – New Development and Transport Safety

D1 – High Quality Design and Place Making

TC1 – Town Centres

BTC14 – The Yards District

BI01 – Biodiversity and Geodiversity

## 7. ASSESSMENT

As set out above, the site has been the subject of a recent application which was refused by the local planning authority. The reasons for refusal were as follows:

*“ 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.”*

The proposal has been amended to fully address these reasons for refusal.

### **Amenity**

The proposal has been amended to ensure that there are no residential units at basement level. Furthermore the front section of the ground floor space would be retained in commercial usage so the residents would not be looking out directly onto the highway.

Revised plans have been provided which demonstrate that all of the proposed residential units would benefit from good levels of natural light.

The application is accompanied by a detailed noise report which demonstrates that future residence would not be adversely affected by existing or proposed noise sources.

It is accepted that no outdoor amenity space is proposed within the site. There is simply no room in the site to facilitate this and it has been confirmed by the council but they do have some flexibility in this regard in town centre locations. In this particular case residents would benefit from all of the amenities located within Barnsley town centre including leisure centres, gyms, retail offerings and other services. The site is within walking distance of Locke Park (approx 900m), Dearne Valley Country Park (approx 1.25km), Barnsley Metrodome (800m) amongst others. Future residents would therefore have clear and convenient access to leisure opportunities which would sufficiently offset the lack of outdoor amenity space at the site.

### **Vitality of town centre/ active frontage**

The proposal has been amended to ensure that the ground floor would retain commercial element (class E) which would be consistent with a mixed commercial nature of properties on the frontage. This amendment to the scheme for the addresses the issue relating to the vitality of the town centre and the active frontage.

### **Mixture of dwelling types**

The number of residential units has been reduced down to 12 and now features a healthy mix of studios and one bedroom flats. The application is accompanied by a letter from a local estate agent that provides evidence that this type of units are in demand in the area and that this building is suitable for such dwelling types.

## **8. CONCLUSION**

The proposed development represents a sustainable form of development that would not have any unacceptable impact for the reasons set out above. The proposal would wholly accord with adopted planning policy and guidance and the LPA are respectfully urged to grant permission for the scheme.

The applicant has responded positively to the previous decision and has addressed all areas of concern.

As of 01 October 2018, the Local Planning Authority requires the agreement of the applicant before pre-commencement conditions are required, subject to certain limitations. The applicant is fully willing to discuss any pre-commencement conditions and we would appreciate early engagement relating to this in order to avoid any unnecessary delays to the determination of the application.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.

**James Roberts (BA, MSc, MRTPI)**

**JR Planning**