
2020/0325

Tony Evans

Conversion of former public house into 11 no. flats

Horse and Groom, Barnsley Road, Goldthorpe, Barnsley, S63 9NE

Site description

The application site is in relation to the former public house located on Barnsley Road, Goldthorpe. The building is a detached, fairly large and has a rendered exterior. The site is just off the traffic lights at the junction between Barnsley road and High Street with a public pay-and-display carpark directly adjacent to the building to the East. There is a very small ex-beer garden to the rear of the building. The site is very permeable with a lack of secure boundary treatments, with the exception of a dilapidated concrete wall on the Western boundary line.

The application form states that the building was last used as a public house approximately 18 months ago.





Relevant Planning History

B/80/1750/DE: Formation of car park and vehicular access with associated landscaping (Approved with conditions)

B/82/0722/DE: Erection of private garage (Approved with conditions)

B/96/1246/DE: Formation of two new windows to public house (Retrospective) (Approved)

B/00/1380/DE: Erection of single-storey extension to public house (Historic – no decision notice on record)

Proposed Development

The applicant is seeking approval for the conversion of the former public house into 11 apartments. As this is a conversion of an existing building from a non-residential use, the room sizes vary quite significantly in size, shape and layout. However, all of the flats house a bedroom, living room/kitchen and a bathroom – with the exception of flats 3 and 11 which both have 2 bedrooms. Some of the proposed flats (nos. 1, 3, 4 and 9) have dedicated storage rooms. There is a proposed parking area to the rear of the site for 11 spaces with the existing access used to the front/side of the property which passed the pay-and-display car park. The external appearance of the building will not be altered apart from a door on the

side elevation which will be bricked up to allow for the living accommodation at flat 1 to be formed.

Policy Context

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). In reference to this application, the following policies are relevant:

GD1: General development – Proposals for general development will be approved providing there is no significant adverse effect on residential amenity, highway safety, the current or future use of nearby land and it upholds good quality design in accordance with local plan policy D1.

SD1: Presumption in favour of sustainable development – The Council will take a positive approach to proposals that reflect the presumption in favour of sustainable development contained in the NPPF.

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 in the Plan.

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. Proposals for new housing will be expected to deliver a mix of house dwelling sizes, type and tenure informed by the most relevant evidence taking into account an up-to-date Strategic Housing Market Assessment (SHMA) for the entire housing market area and needs of the market, in order to meet the present and future needs of all members of the community.

D1: High quality design and place making – This policy sets the overarching design principles for the borough. Development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of the local area.

T3: New development and sustainable travel – New development is expected to be located and designed to reduce the need for travel, be accessible to public transport and encourage smarter ways to travel rather than unsustainable use of the private car.

T4: New development and highway improvement - 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.

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

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.

We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

I2: Educational and Community Facilities – The Council will support the provision of schools, educational facilities and other community facilities. New schools, educational and 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, in places where they will be accessible by walking, cycling and public transport.

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 an alternative community facility.

SPDs:

- Design of new housing development
- Parking

Other:

South Yorkshire Residential Design Guide – in particular, the internal space standards located on page 130.

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 8b – There is a social objective to achieve sustainable development 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.

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

Para 61 – The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes with people wishing to commission or build their own homes).

Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 109 - 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 124 - 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 (Summarised responses – all of the responses are to the initial scheme unless specified)

Ward Councillors – Cllr. Gollick objected to the proposal. The application provides no information as to who will occupy the units and what purpose they will serve in the community. The Dearne has its own issues with both deprivation and substance misuse. More information is needed about the application and its impact on these matters.

Cllr. Phillips also commented on the proposal, having original concerns that the property would be used for recovering drug addicts which would lead to a potential for the building being targeted by dealers. However, if the flats are not being used for this reason, no objection is raised. However, Cllr. Phillips did query whether fencing would be placed around the grounds of the flats to prevent anti-social behaviour from taking place.

Housing Growth – Objected to the proposal. No requirement for 1 or 2 bed flats in the Dearne.

Pollution Control – The proposed flats are adjacent to a main street and busy road junction and there were initial concerns raised in regard to high sound levels in this area. A noise impact assessment was requested and after receipt of this document, the Environmental Health Officer removed the initial concerns and raised no objections to the proposal.

Sustainable Travel – Uncertainty whether parking (allocated or unallocated) is to be provided for this proposed development, but if so, electric vehicle charging points are recommended, in accordance with the recently adopted Sustainable Travel SPD – which requires 1 charging point per unit or 1 charging point per 10 spaces (unallocated parking).

Drainage – No objection and happy for details to be checked by Building Control.

Highways DC – 11 parking spaces are provided and additional visitor spaces would be beneficial (in line with Parking SPD) but on balance, there is a likelihood that not all residents will have access to a car and this can be considered comparable in some respects to town centre living given the close proximity of the train station and bus routes combined with local services. Parking space no. 11 will be difficult but it can be accessed if reverse into but when exiting there will likely be a need to do some repeated back and forth manoeuvres or a need to reverse out of the parking area. No objection was raised from a Highways DC perspective.

Representations

Neighbour notification letters were sent to surrounding residents and a site notice placed nearby; one comment was received objecting to the proposal raising the following concerns:

1. Anti-social behaviour – Concerns regarding the conversion into flats which will potentially facilitate the rise in anti-social behaviour in the area.
2. Inappropriate development in a deprived area – Goldthorpe has a high proportion of low value rental property, which is often converted to multiple-occupancy bedsit type accommodation for the housing of ex-offenders. Goldthorpe requires good quality affordable private housing, to attract working families to the area. This will help to address the current imbalance. An increase in bedsit-type accommodation would further widen the gap between Goldthorpe and other areas in the Borough.

The resident also made reference to a recent nearby application for a very similar scheme which was refused recently (2019/1572) which was refused based around similar concerns as what has been raised above.

Assessment

Principle of development

The site is allocated as a District Centre. Districts Centres have an important role serving localised catchments and meeting more local needs. To ensure they fulfil this role and continue to complement and support the role of Barnsley Town Centre, new retail and town centre development will also be directed to the District Centres. Residential accommodation in the borough is usually found within the Urban Fabric rather than district centres but subject to local and national planning policies being complied with, residential accommodation can be considered to be acceptable in these areas. Local Plan Policy H6: Housing Mix and Efficient Use of Land is a starting point for this type of development, in both a district centre and the urban fabric. This policy 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. Goldthorpe is an area which has a large amount of rented accommodation housing 1 or 2 bedrooms and is also one of the most deprived areas within the borough with other associated issues such as anti-social behaviour, general crime and a lack of high-quality homes.

At the time of writing (July 2020), an up-to-date SHMA report was nearing completion but has yet to be publicised. However, the latest SHMA (2014) with the 2017 addendum will be used to assess the housing need in the borough and one of the starting points to guide the assessment of this particular application. Whilst the SHMA (2020) has not been finalised yet, some snippets of information has been made available. The latest SHMA (2014) stated that there is a sufficient supply of terraced properties and flatted accommodation boroughwide and that effort should be placed at providing different types of dwellings. Specifically to Goldthorpe/Thurnscoe/Bolton-upon-Deane, it is also stated that there is a greater supply than demand for flats. Whilst it is acknowledged that this SHMA report was written 6 years ago, it highlighted that there was an overall shortfall of detached houses and bungalows

whilst acknowledging that there are shortfalls of all property sizes. The SHMA identified that there is a particular strong aspiration for houses. Further, the number/percentage of dwellings not occupied in these areas were higher than any other area in the borough (6.2%) by at least 1.5%. Information from the latest SHMA shows that similar data has been gathered in regards to aspirations and expectation of current households against the existing housing stock. Households expressed clear preferences for larger proportions of 4-bedroomed houses and 2-3 bedroomed bungalows. As a consequence, fewer households aspired to 1, 2 and 3 bedroomed houses with a sufficient supply of flats already. Whilst it is acknowledged that this document has not been published yet and the main information comes from the 2014 SHMA (which is 6 years old), it highlights the lack of desire for this type of development in the borough

Evidence has also been presented by colleagues in the Council's (Berneslai Homes) letting services have indicated that there is little interest in this type of accommodation in this area or the borough in general. Whilst it is acknowledged that this is for council-owned flats and there is of course there is the rental market, it is indicated that the demand for council accommodation is generally much higher than the rented market. Information and data from the Council's letting agent shows that council-owned flats are the most difficult to rent out in the borough with recent evidence showing that this trend does not exclude Goldthorpe and the surrounding areas. The data presented at this end is slightly misleading as occupation rates are high for such council accommodation but this is simply due to the low number available. In general, demand for council-owned houses exceeds the demand for council-owned flats.

The above should be read in the context that BMBC have recently adopted the Local Plan with an up-to-date 5-year housing supply and there is no real need or pressure to use windfall or undesirable brownfield sites such as this one for residential accommodation should other local planning policies not be met. Especially when the figures are showing that there is little demand for such small accommodation which does not really diversify the housing mix for the local community. Another colleague in Council tax has also advised that out of 139 properties on Barnsley Road, 120 are Band A properties and 26 are flats/apartments, further highlighting that the proposed development would not increase the diversity of housing mix within this area in line with the housing need which has been identified.

With the above evidence together, the development is not considered to present a greater housing mix and is therefore not in accordance with Local Plan Policy H6. In this manner, the principle of development is not considered to be acceptable. This policy in particular is intrinsically linked to NPPF sub-para 61 which states 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies'. Additionally, paragraph 8b states that the social objective for sustainable development is to 'support strong, vibrant and healthy communities, by ensuring a range of homes can be provided to meet the needs of present and future generations'. Again, this is not considered met by this development. Whilst an updated SHMA report has not yet been published, this is nearing completion and it is generally considered by the LPA that the proposed development does not increase the housing mix in the area, being contrary to Local Plan Policy H6 and paragraphs 8b and 61 in the NPPF and is unacceptable for this reason.

Residential Amenity

When assessing against the technical requirements within the South Yorkshire Residential Design Guide (SYRDG), the following internal room dimensions are not up to the minimum standard expected within this document:

1. Flat 3 (North Bedroom): 8.3sqm
2. Flat 4 Bedroom: 10.75sqm
3. Flat 4 total size: 35.5sqm
4. Flat 5 total size – 40.8sqm
5. Flat 6 total size – 39.04sqm
6. Flat 7 total size – 43.8sqm
7. Flat 9 total size – 41sqm
8. Flat 10 Lounge/Kitchen – 14.98sqm

It should also be noted that the total size of Flat 10 is outlined as 48.5sqm on the amended plans but a large percentage of the 'total' area of this flat is actually made up by entry points, walkways and the stairs with the actual size of the living accommodation in this flat being measured at 32.36sqm – which is significantly less than the minimum space standards within the SYRDG – internal space standards (page 130).

It's clear from the above figures that several of the flats are not large enough to accommodate current and future needs of potential residents and would not allow adequately sized flats and living space. The small room sizes are in direct conflict with the SPD: Design of Housing Development which states 'All developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide – Technical Requirements section 4A.2'. This is in relation to both room sizes and total room sizes of several of the flats – in some cases, both of these elements are not up to the required standards. It is considered that the existing building is therefore not suitable for conversion into 11 x flats as proposed and would not uphold suitable residential amenity enjoyed by future occupiers.

The agent has provided an amended site plan which clearly shows that 159sqm of amenity space will be maintained on site close to the North-East of the converted building. The SPD: Design of Housing Development states that shared private space for flats must be a minimum of 50sqm plus an additional 10sqm per unit – hence in this case, 110sqm is required and this element is complied with. However, when undertaking a visual assessment of the site, the site is very permeable old and in parts dilapidated boundary treatments. There is also the presence of an informal PROW to the immediate West of the site which is in very close proximity to the disused public toilets. Given that the site is located within a District Centre, high levels of footfall happen in the area and the current state of the site means the amenity space will be very open – both visually and psychically. Given that Goldthorpe is an area with high levels of crime, disorder and anti-social behaviour, there would also be potentially safety concerns. The photographs below highlight how open and permeable the site would be.





As such, despite the applicant providing an adequate level of private amenity space in terms of area, the amenity space is inadequate as it would not retain adequate levels of privacy and separation from the public areas, contrary to Local Plan Policy GD1: General Development.

Based on the above concerns, the room and total sizes of several of the proposed flats are not up to the standard presented in SPD: Design of Housing Development and the SYRDG which would not present the best quality living accommodation for future residents. In fact, it would be quite the opposite as several room sizes and flat sizes are significantly under the minimum standard expected within these documents. The shared private amenity space is of a sufficient size but the site is very open and permeable and inadequate levels of privacy would be afforded in these areas for future residents which is unacceptable. The proposed development is therefore contrary to SPD: Design of Housing Development, the SYRDG and Local Plan Policy GD1: General Development and is considered to be unacceptable in terms of residential amenity.

Highway Safety

The agent has provided a site plan showing 11 parking spaces for the 11 apartments which is in line with the Council's Parking SPD. However, this document also states that 1 parking space should be provided for every 4 units (an extra 2 in this case) which has not been provided. However, Highways DC have been consulted and have not requested this due to the proposed development's location within a district centre and the close proximity to public transport links and local services. As such, no highways objections were raised and the proposal is considered acceptable in terms of highway safety.

Design & Visual Amenity

The alterations to the building itself are fairly minimal with the elevation drawings showing that the only difference will be the blocking up of a door located on the side elevation at ground floor level. This is to allow for the formation of living accommodation for flat 1.

The building is old, derelict and dilapidated and improvements to the building would clearly be welcomed. However, the proposed works offer no real improvement to the building including externally or the grounds itself apart from the parking area, a new all and gate. Nevertheless, the appearance of the building will not be made significantly worse so the proposal is not considered to be detrimental to the existing building or the surrounding area.

Impact on community facilities

Policy I2 in the Local Plan states that public houses should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport. 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 an alternative community facility. When pressed, the agent provided information which indicates that Colliers were instructed to market the building in April 2017 but it may have not have gone to market immediately. However, it was on market by September 2017. The agent indicated that no interest or bids were made and the building was then sold at auction in December 2019. This is considered to be reasonable enough information in order to allow for the removal of this particular community facility for another use, in compliance with Local Plan Policy I2.

Conclusion

The proposed development is in relation to the conversion of the former public house into 11 apartments. The proposal is considered to be inappropriate development for three reasons:

1. The proposal does not relate well to the market/community needs in this area and does not provide a broad mix of residential types or tenures which would help create mixed and balanced communities, contrary to Local Plan Policy H6 and NPPF paragraphs 8b and 61.
2. A number of the proposed room sizes and flats are not up to the standard as expected within the SPD: Design of Housing Development and the SYRDG. The proposed development does not provide adequate amenity room space for potential future occupiers of the building.
3. The shared private amenity space of the building is sufficient in size, but the site is very open and permeable with old and dilapidated boundary treatment which is not intended to be upgraded or replaced by the developer. As such, the shared private amenity does not uphold the privacy or safety expected from such spaces, contrary to Local Plan Policy GD1: General Development.

All in all, the conversion of the building will not relate well to the market/community needs presented by the previous SHMA data (2014, 2017) with an oversupply and general lack of need/desire for flatted accommodation throughout the borough. The most desirable houses are 4-bedroomed properties or bungalows. This particular development therefore does not increase or diversify the housing stock in relation to the defined housing need. The internal measurements of the rooms/flats are well below the minimum size considered to be acceptable in the SYRDG and whilst private amenity space is provided, this is not secured by defined boundaries. The end product of this proposed development would be an undesired set of residential properties would do not meet or relate well to the defined housing need in the borough whilst presenting inadequate living standards and lack of safety and security for future residents. The harm caused by approving this scheme would vastly outweigh the perceived benefits – of which there are few apart from the re-instatement of a disused building. To this end, another more suitable use of the building and land is clearly possible which would benefit the community much more than this proposed development would.

Recommendation

Refuse