

2023/0709

Mr & Mrs M & A Thompson

37 High Street, Penistone, Barnsley, S36 6BR

Change of use of single mixed use building to 2 separate units of hair salon and residential unit including addition of porch to residential unit

Site Description

The building is a two-storey mixed used building located in Penistone. High Street has a mixed street scene featuring a mix of commercial and residential properties. The building from the front has the salon occupying the ground floor to the left with a bedroom above it and the right of the building being all residential. From the outside the two uses appear separate but are one building internally.

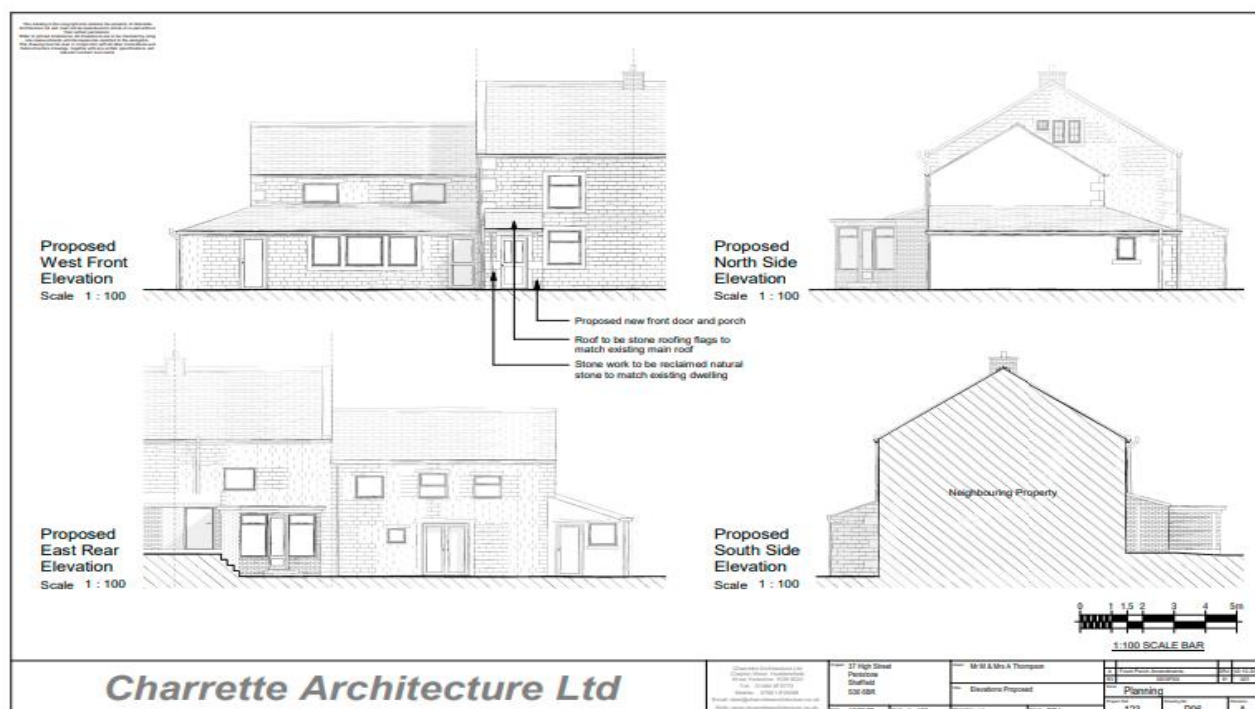
Planning History

B/80/0338/PU - Erection of extension to hairdresser's salon

2006/0536 - Installation of new bay window (Refused)

2008/0346 - Erection of rear conservatory to hair dressing salon (Approved with Conditions)

Proposed Development



The applicant is seeking approval for the change of use of single mixed-use building to two separate units of a hair salon and residential unit with the addition of a porch to the residential unit. The porch extension will project 1.55 meters from the front elevation of the unit. The extension has a width of 1.9 meters. The extension will feature a mono-pitched roof with a ridge height of 3 meters and an eaves height of 2.35 meters. The materials used will be matching stonework and roof tiles.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now 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 and are a material consideration in the decision-making process.

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 it.

Local Plan Allocation – Urban Fabric & Penistone Conservation Area

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 HE1: The Historic Environment – Positively encourage developments that help in the management, conservation and understanding of the historic environment.

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 T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

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.

Policy Poll1: Pollution Control – 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. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Policy TC1: Town Centres – Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of centres:

Barnsley Town Centre

District – Cudworth, Hoyland, Wombwell, Goldthorpe, Penistone, Royston

Local – Athersley, Bolton on Dearne (St Andrew's Square), Darfield, Darton, Dodworth, Grimethorpe, Hoyland Common, Lundwood, Mapplewell, Stairfoot, Thurnscoe (Houghton Road), Thurnscoe (Shepherd Lane)

Policy TC2: Primary and Secondary Shopping Frontages – Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres provided that:

Within each primary shopping frontage in Barnsley Town Centre and the District Centres, ground floor uses would remain predominantly retail (Class A1) in nature.

Other uses may be acceptable, especially where they diversify and improve provision in a centre, provided that it can be demonstrated that the vitality and viability of the primary shopping area concerned would not be negatively affected and that ground floor uses on the Primary Shopping Frontages remain predominantly retail (Class A1) in nature.

Penistone Neighbourhood Development Plan (2018-2033) – Following the successful referendum on 11 July 2019, Barnsley Metropolitan Borough Council resolved to make the Penistone Neighbourhood Development Plan on 27 August 2019. It now forms part of the statutory development plan for Barnsley Metropolitan Borough Council.

Supplementary Planning Documents

- Design of Housing Development
- House extensions and Other Domestic Alterations
- Parking

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. 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. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 134 states "*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*".

Consultations

The LPA's Conservation Officer was consulted and raised no objections.

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

Highways Drainage were consulted and raised no objections.

Penistone Town Council were consulted and raised no objections.

Penistone West Ward Councillors were consulted and raised no objections.

Pollution Control were consulted and raised no objections.

Yorkshire Water were consulted and raised no objections.

Representations

Neighbour notification letters were sent to surrounding properties, two comments were received and in summary raised the following points.

Comment one:

- Generally, in support of the application and welcome new business to Penistone. If two further treatment rooms are added, please give consideration to where the staff and customers might park in an already congested residential area, where parking is an issue.

Highways DC have been consulted on the application and have raised no objections in relation to the proposed parking arrangements.

Comment two:

- This application should be declined because Penistone is a thriving little town with a fully occupied high street. All the shops cater for the area and are a magnet for the locals and visitors wishing to shop in the cottage industries housed in these shops.
- Penistone has huge housing developments in the area. The shops should be preserved and not turned into houses. It can also be seen that there is a demand for retail premises.
- Leave the housing on the perimeter of the town, preserve the shopping centre of Penistone. Any planning granted for shops to be converted into houses will kill the high street, kill visitors and turn a thriving community into a sheffield city centre dump.

The application is only for the subdivision of a mixed used building that is currently a combined hair salon and residential unit. There is no additional residential unit or loss of retail, and the existing shopfront will be retained.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Furthermore, the use proposed is also a use that would fit into the category of 'town centre' uses and therefore, in accordance with Policy TC1, an assessment needs to be made on the impact on local centres. In this case the district centre is Penistone. Whilst no sequential assessment has been

provided, the use is already established and there is no proposed change to the salon so given this and the small size and operation of the business its impact on the vitality and viability of the district centre is likely to be limited. As such the proposal is not considered to be contrary to Policy TC1.

Also, Local Plan Policy H4 states that 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 Local Plan.

Visual Amenity and Impact Upon Conservation Area

The proposal includes a front extension, and the front elevation is the most important elevation for its impact on the character of the street scene. The size of front extensions needs to be as modest as possible. There are porches of very low quality of design and materials in the vicinity, however these are neither complementary to nor historically typical of the conservation area. The size of proposed extension is acceptable, it complements the proposed dwelling's character and doesn't detrimentally affect the street scene.

In principle the porch is not entirely traditional as a feature but there is a precedent in the vicinity. As the lean-to roof is to be covered in stone roofing flags to match the main roof, this therefore follows the precedent for porches set elsewhere in the conservation area but with improved materials and design. The SPD states that *'materials should normally be of the same type, colour and texture to the existing house or as close a match as possible'*. In this case, the proposed materials will match the existing building with matching stonework and roof tiles being used. The extension utilises a mono-pitched roof which is akin to the existing building's pitched roof and therefore acceptable.

The proposed porch extension conforms to the SPD in terms of its external materials and roof type, therefore it will have little impact upon the character of the street scene due to the harmony with the existing building and its modest size and scale. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Residential Amenity

The proposal to sub-divide the building into separate units doesn't have any impact upon room sizes and spacing standards as these will remain as existing. The only difference will be the loss of a bedroom from the existing building as the bedroom formerly above the salon will now serve as extra rooms for the salon and be disconnected from the dwelling. The residential unit will now be two-bedroomed instead of three however it is still a two-storey dwelling and therefore not falling into the category of the least desirable dwelling type expected in the borough being 1-bedroomed flats.

The proposed front extension will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing. This because of the modest projection of the front extension which is only 1.55 meters. In terms of overlooking no windows are proposed on the side elevations of the extension. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Highway Safety

There will be no impact upon highway safety. The proposal reduces the number of bedrooms in the residential element of the building from three to two. However, the salon space increases, with two new treatment rooms being proposed on the first floor.

Three off-street parking spaces are shown to the rear of the property, these are accessed via an unadopted access primarily used by the nearby health centre. The site is within close proximity to the amenities of Penistone town centre including public car parks, and at this point, High Street is protected by a "no waiting at any time" restriction on the side of the hair salon and a "no waiting 8am-6pm Mon-Sat" on the opposite side.

In a less sustainable location, additional parking would have been asked for, for the salon element of the scheme, but given the site is in easy walking distance of local car parks and public transport links, it is acceptable in this circumstance. However, the three proposed parking spaces are currently taken up, in part, by a temporary storage structure. It is also noted that the access is unmade, and the bays aren't delineated. As such, three spaces will need to be formally marked.

Recommendation

Approve with conditions