

Applicant: Mr Scott Clayburn

Description: Conversion of building into 2no commercial units at ground floor (Use Class E) and 12no residential flats on upper floors and associated external alterations including new mansard roof and dormer windows to the front, sides and rear.

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

The recommendation is to grant, subject to conditions and a legal agreement. No objections have been received.

Site Location and Description

The application relates to a 3/4 storey brick built, flat roofed building which fronts Sheffield Road, one of the principle 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 built on a lower level and front Doncaster Road



Site History

2020/1152 – conversion of building into residential use (14 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.

2021/0405 - Conversion of building into 2no commercial units at ground floor (Use Class E) and 12no residential flats – refused for the following reasons;

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.

Proposed development

The applicant seeks permission to provide 2no commercial units at ground floor level (Use Class E) and convert the upper floors, including a new mansard roof extension with dormer windows, into 12no residential flats. The accommodation would comprise;

Ground Floor: 2no. commercial units and a gym for residents

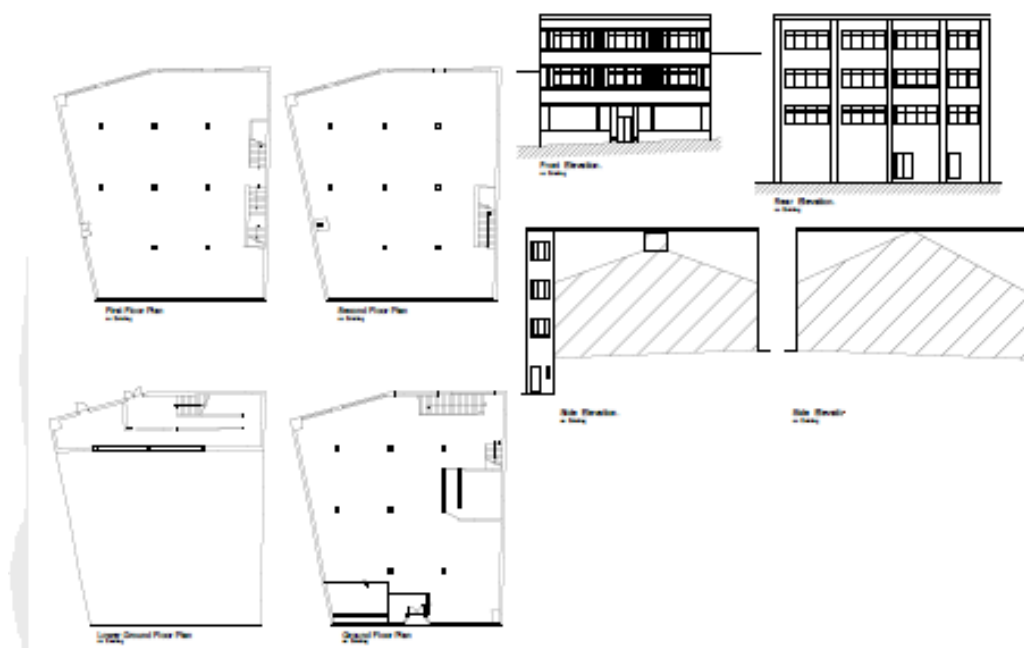
First floor: 2no. 1 bed apartments, 2no. 2 bed apartments

Second floor: 2no. 1 bed apartments, 2no. 2 bed apartments

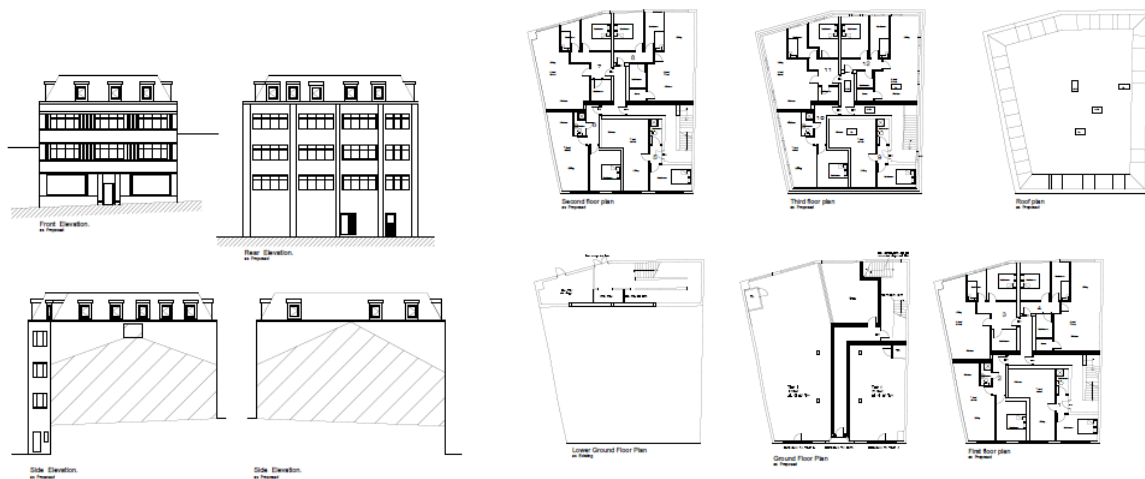
Third floor: 2no. 1 bed apartments, 2no. 2 bed apartments

To the rear of the building there would be cycle parking and a bin store area capable of accommodating 2no. 1100litre bins.

Existing



Proposed



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 BTC7 Gateways

Policy BTC14 The Yards District

SPD's

Those of relevance to this application are as follows:

- Affordable Housing
- Design of Residential Development
- Sustainable Travel

-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

Drainage – Building Control to check

Highways – No objection subject to condition

Yorkshire Water – No objections

Superfast South Yorkshire – No objection subject to condition

Regulatory Services – No objections

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

Representations

Letters were sent to 10no. neighbouring properties, a site notice was erected within the immediate area and a press notice was placed in the Barnsley Chronicle. No objections have been received.

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'. In previous applications on the site reasons for refusal have referenced a lack of housing mix, however, the applicant now proposes 12no. apartments including a 50/50 split of 1 bedroom and 2 bedroom units, the studios of previous schemes have been removed. The type of units and the split proposed is considered to overcome previous reasons for refusal and is considered to meet the requirements of policy H6.

2no. previous refusals 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, this will be discussed under the headings below;

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. Therefore, the repair of the building and bringing life and use back to it would have a positive impact.

The building was previously a restaurant with the main entrance and associated signage directly onto the pavement serving Sheffield Road. There was also large windows serving the restaurant fronting Sheffield Road, as such, the building had an active, commercial frontage which complimented the neighbouring buildings which are also predominantly in commercial/retail use with an active frontage. The current proposal aims to retain the commercial element at ground floor by creating 2no. commercial units with shop fronts facing Sheffield Road, this accords with policies BTC7 Gateways and BTC14 The Yards District and would maintain visual amenity in accordance with Policy D1. Signage would be subject to separate advertisement consent applications.

The main external alteration to the building would be the addition of a mansard roof and dormers to create additional floorspace. Currently the property has 3 storeys with a flat roof and sits amongst predominantly 2 storey/2.5 storey buildings. Given the prominence of the building in the streetscene and the position of the modest neighbouring buildings the addition of the roof top extension would further increase the height of the building and its visibility. However, the chosen roof is a mansard which slopes away from the boundary and is relatively modest in appearance. Furthermore, arguably a pitch roof is a visual improvement to the existing flat roofed building and adds detail and interest through its design and inclusion of dormers.

The building is also not seen in isolation against the neighbouring 2/2.5 storey buildings, there is an elevated medical centre opposite and multi storey buildings within the immediate area. As such, it would not be overly dominant on the streetscene and visual amenity would be maintained, in accordance with Local Plan Policy D1.

The only other external alterations to the building relate to replacement doors and windows which would be a welcome addition given the building has been vacant for a number of years with existing fenestration either boarded up or damaged.

Bin and cycle storage would be provided to the rear of the building in a non-prominent location so as not to negatively impact the visual amenity of the streetscene.

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 take away. 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 to the site off Doncaster Road, including a drum school which operates upto 9pm and also during weekends and bank holidays.

However, there are existing residential units within the immediate area above commercial units and class MA of the General Permitted Development Order allows the change of use from Class E (commercial, business and Service) to C3 (dwellinghouses). In addition, there are numerous similar instances of commercial to residential conversions in the immediate area and within Barnsley Town Centre as a whole. Regulatory services have been consulted on the application and have raised no objections or requested any conditions.

Previous reasons for refusal relating of the conversion of the building to residential referenced the residential amenity of the future residents of the scheme due to overdevelopment, insufficient room sizes, lack of outlook and natural light. However, the proposed mansard roof has provided additional floor space and now each apartment meets or exceeds the requirements of the South Yorkshire Residential Design Guide in terms of internal sizing. Each habitable room is also served by at least 1no. window providing adequate natural light and an outlook.

There is a small yard to the rear of the building, but this is proposed to be occupied by cycle storage and refuse enclosures, 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'. However, the scheme is for the conversion of an existing building where compromises will occur. Furthermore, the applicant proposes a gym in the building for the residents and the site is within Barnsley town centre with good access to parks, public open spaces and facilities. As such, the lack of outdoor space in this instance would not warrant a refusal.

In terms of existing neighbouring residents, the area is largely commercial but there are some residential units. The noise and disturbance generated by the proposed uses would not be significant given the previous use of the building and the nature of the area. Furthermore, a Noise Report was submitted alongside previous applications which 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.'

The proposed habitable windows in the building would not significantly overlook neighbouring habitable room windows or private amenity spaces, as such, amenity levels would be maintained, in accordance with Local Plan Policy GD1.

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 Centre's 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

Application 2021/0405 was refused, partially for the following reason;

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.

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 was required.

In support of this application the applicant has submitted an Air Quality Assessment. As part of that assessment air quality monitoring has been undertaken for three months to understand the air quality at the proposed development. The monitoring has been undertaken from February 2022 to May 2022 using three diffusion tubes located at the façade of the future residents

The report concludes that the monitored concentrations of NO₂ have been below the long and short-term objectives at the proposed development site and is therefore considered suitable for residential apartments with regards to air quality. There is, therefore, no reason for this application to be refused on the grounds of air quality and no mitigation measures are considered necessary.

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. This will be secured through a legal agreement.

Conclusions

Considering the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the revised scheme. Furthermore, the current scheme overcomes the previous reasons for refusal of applications 2020/1152 and 2021/0405. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation: Grant subject to conditions & Legal Agreement