



PLANNING STATEMENT

CONVERSION OF VACANT BUILDING TO RESIDENTIAL USE (14 FLATS)

48-50 SHEFFIELD ROAD, BARNSELEY, S70 1HS

PREPARED FOR: CLAYBURN PROPERTIES LTD

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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 14 residential flats. The site is currently not in any beneficial use and is detracting from the vibrancy and vitality of the area.

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. A supporting Highways Statement also accompanies the application.

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.

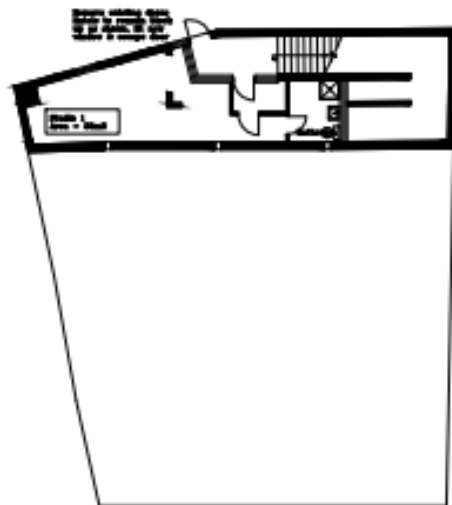
There are no listed buildings within the vicinity of the site and the site is not within a conservation area.

3. THE PROPOSAL – INCLUDING DESIGN AND ACCESS CONSIDERATIONS

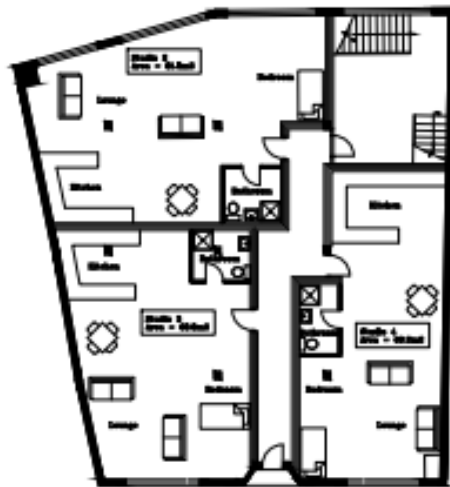
Full planning permission is sought for the conversion of the existing building to create 14 residential flats.

More information about the proposal can be found in the accompanying plans by Neil Bowen Architects. The key elements of the proposal are as follows:

- Reuse of the existing vacant building.
- No extensions to the existing building are required and only cosmetic external alterations are needed.
- The proposed 14 flats would be arranged over the lower ground floor, ground floor, first floor and second floor.
- All of the flats are studios with generous-sized open plan living, sleeping and kitchen areas.
- The flats have a floor area of between 33 and 81 square metres.
- Being in such a sustainable town centre location, the development does not require off-street parking or vehicular access.



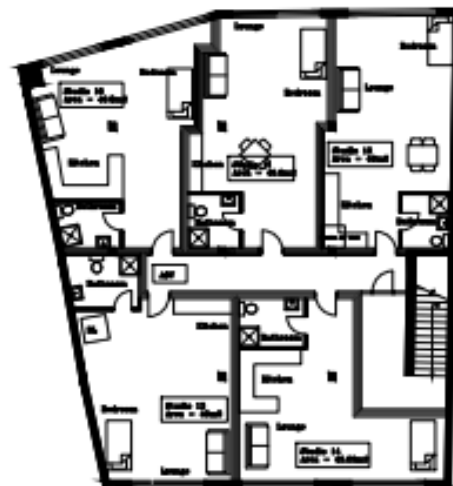
Lower Ground Floor Plan
as Existing



Ground Floor Plan
as Proposed



First Floor Plan
as Proposed



Second Floor Plan
as Proposed

USE

The site is currently has established A3 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). The principle of residential development is entirely acceptable in this location as is discussed further below.

AMOUNT

The proposal seeks full permission for 14 flats. 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 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

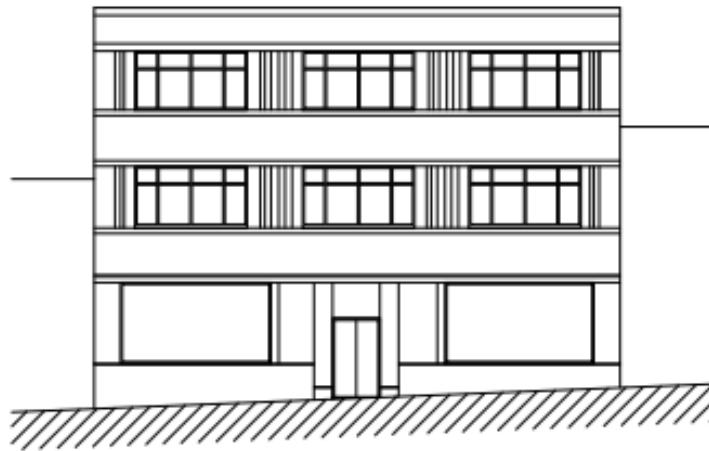
The site does not have any external space as it is surrounded by existing buildings. Being in the town centre, there would be no expectation of private outdoor amenity space here and the benefits of living in such a suitable location with excellent access to services and facilities far outweighs the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

The alterations to the appearance of the building are purely cosmetic repairs and no extensions are required:



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 planning history for the site relates to alterations, change of use and advertisement consent in association with the previous restaurant use. There is no planning history that is directly relevant to the consideration of the current application.

5. PRE-APPLICATION DISCUSSIONS

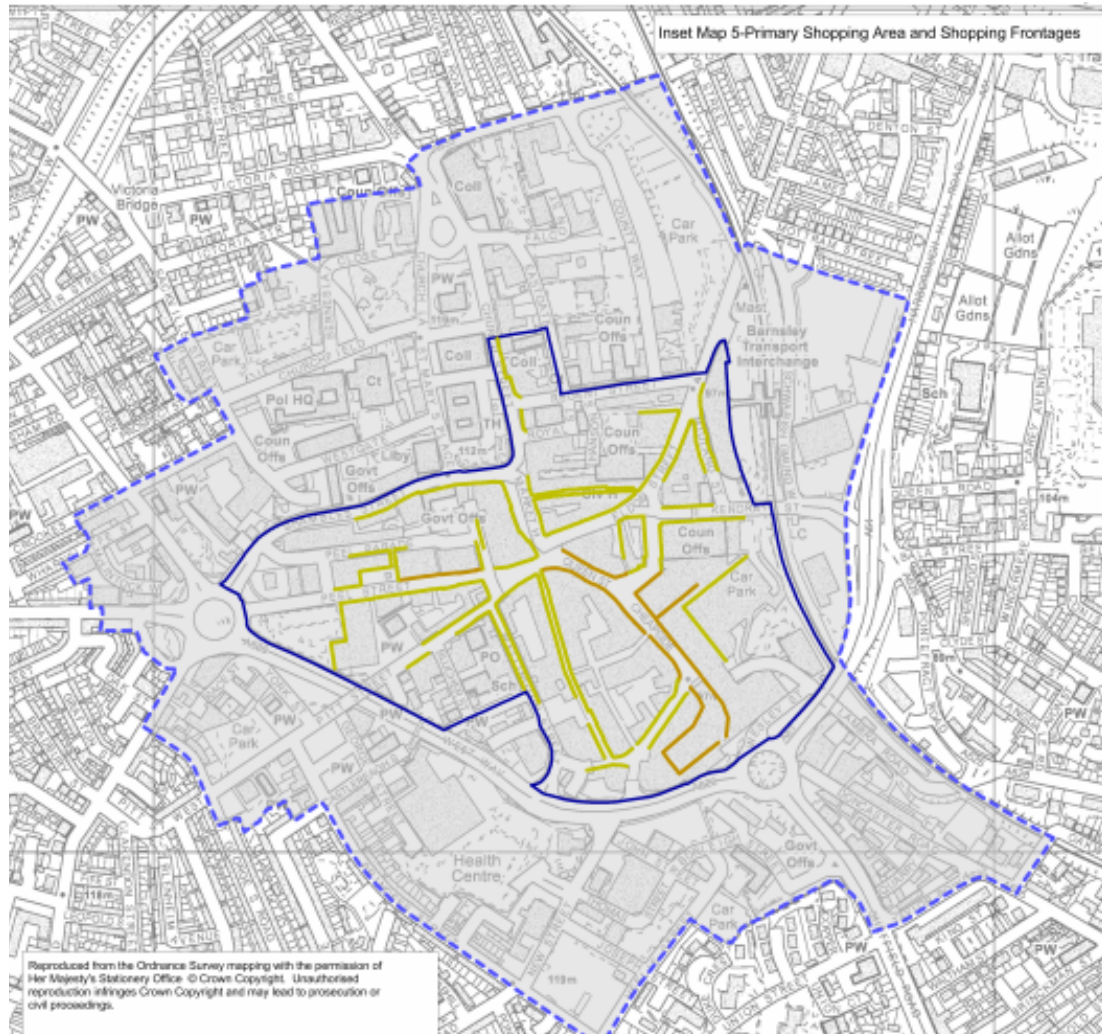
Given the resource pressures facing the LPA, and because the principle of residential development here is acceptable, we have not requested pre-application advice on this occasion. The applicant has however enlisted the services of JR Planning, Paragon Highways and Neil Bowen Architects to advise on the development of the scheme.

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.

As shown on the extract from the Council's Local Plan map, 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 proposed⁶ ; 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

Principle of Development

Principle of Residential Development

Policy LG2 sets out that priority will be given to development in urban Barnsley and the site is clearly in a location where growth and regeneration is appropriate. Policy H2 sets out that urban Barnsley is expected to accommodate 43% of all new homes in the district over the local plan period. This is therefore also a location where residential development is appropriate. Although the site is not allocated specifically for housing, the local plan makes it clear that non-allocated sites will make an important contribution to meeting housing needs. Policy H4 applies and 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 Plan.”

It will be demonstrated that there is no conflict with any other relevant policies in the plan and the scheme is therefore entirely compliant with policy H4.

In terms of the town centre location of the site, Policy BTC14 is relevant as the site lies within The Yards district of the town centre and states that:

“Within The Yards District we will allow housing, offices and small scale shops and services. Developments will be allowed that would support to the liveliness and economic strength of the town centre.”

The supporting text also sets out that the area is an important gateway to the town centre that has not yet been maximised.

The site is within a highly sustainable, mixed use area that contains a large number of existing residential dwellings, as well as business premises. The scheme would deliver high-quality studio

flats that would appeal to a range of residents including first time buyers, young professionals and those looking to downsize. This would positively add to the mix of housing in the locality. Policy BTC14 supports housing development in this area of the town centre. Residential development at the site is clearly in accordance with local and national planning policy.

Loss of Existing Restaurant

As well as supporting residential use, policy BTC14 supports development that would support the liveliness and economic strength of the town centre. The site in its current vacant form does nothing to support the liveliness and economic strength of The Yards area, or the town centre as whole. In fact, it is a massively detracting feature.

Before the applicant purchased the site with the desire to regenerate it, the property was vacant for many years. It has been actively marketed for restaurant use and with potential for general retail use. However, the marketing as a going concern was unsuccessful.

The marketing shows that there is no realistic prospect of the site coming back into use as a business. The proposal to convert it to residential use is the only realistic prospect of bringing the site back into beneficial use and it is essential that this opportunity is taken up. There is huge emphasis from central government at the moment on the importance of utilising vacant sites to provide much needed homes and the economic benefits that doing so brings along.

Using the site as residential homes would not only bring the site back into beneficial use, instantly improving the appearance of the site and vitality of the street, but future residents would support existing businesses both in The Yards and in the town centre as a whole.

Policy TC2 understandably seeks to ensure retail remains the predominant use within the main shopping areas of the town centre. However, this is not an area of the town centre where retail commercial uses are safeguarded and there is no policy basis on which to resist change of use of the existing restaurant to residential use in this area of the town. It is clear that the use of the site as residential flats would be massively beneficial compared to the existing situation. The loss of the restaurant use should be no barrier to consent being forthcoming given that residential use is acceptable in this area and would be vastly beneficial in terms of improving the contribution the site makes to the liveliness and economic strength of the area.

The development is acceptable in respect of local and national policy in respect of new residential development.

Sustainable Development

The main emphasis of current national planning policy is to ensure proposals are compliant with the definition of sustainable development set out within the NPPF. Sustainability is multi-faceted. The Government's view of what sustainable development means in practice is to be found throughout the Framework, taken as a whole. To achieve sustainable development, the Framework states that economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The proposal would be wholly sustainable using the definition set out in the NPPF for the following reasons:

- **Social:** The proposal would allow for the creation of additional housing in this sustainable mixed use area of the town centre. It is clearly an area that is suitable for providing development to contribute towards the city's housing needs. The scheme would make an important contribution to meeting the LPA's housing targets. The development proposal would put the site that is currently in no beneficial use to good use and would support the existing community facilities in the locality. It is considered that the scheme would not have any adverse social impact.
- **Economic:** The proposal would allow for the efficient use of the urban land resource and would provide growth and investment in the locality. The proposal will also provide employment during the construction period. The new housing would have the knock-on effect of supporting other businesses in the locality. As is discussed further above, the development would have a positive impact on the vitality and vibrancy of this part of the town centre and the proposal would not undermine broader economic objectives within the city. The development is very likely to have positive economic impact.
- **Environmental:** The development would be hugely beneficial to the character of the built environment by way of solving the problem of the long-term vacant state of the existing building. The scheme would undoubtedly enhance the appearance of the site. There would be

no adverse ecological impacts. As previously discussed, the proposal would have a positive impact on the vitality of the area.

The proposal would not result in any material harm and the presumption in favour of sustainable development must be applied. The principle of development must therefore be considered acceptable.

Affordable Housing

At 14 flats, the scheme is below the level at which an affordable housing contribution is required. It should be noted though in any case that the proposed flats are going to be high-quality small dwellings that would be at the lower end of the market in terms of costs. The development is therefore going to be suitable for a wide range of future occupiers, including those on lower incomes.

Drainage/ Flood Risk

The application site is within flood zone 1 as identified by the Environment Agency so is not at undue risk of flooding. The site is below the size at which a flood risk assessment would be required for development not in zone 2 or 3. The site has existing drainage infrastructure and the development would not exceed the capacity of this.

Transport and Accessibility

As previously discussed, the location of the site is considered to be in a highly sustainable location with excellent access to public transport and a wide range of shops and services. The location of the site therefore complies with national and local objectives of creating sustainable patterns of development.

Because the site is in such a sustainable location, no off-street parking provision is required.

Safety and Security through Design

Bringing the site into well-occupied use is highly likely to have a positive impact on safety and security within the site and the surrounding area. The layout of the site would ensure excellent natural

surveillance and the development would be carried out using high-spec security measures. The applicant remains willing to discuss any security measures the council would require at the site. It is therefore considered that the scheme would accord with Section 17 of the Crime and Disorder Act 1998 (as amended).

Residential Amenity

The scheme has been designed to ensure that there would be no harm to the amenity of the occupiers of neighbouring properties.

The existing openings would be reused and there would therefore be no increase in existing overlooking. In any case, the outlook from the flats would predominantly be onto Sheffield Road and Doncaster Road and there would be no harmful overlooking towards any of the neighbouring properties.

As no extensions are required, there would be no harmful impacts arising from overshadowing or oppressive impacts.

As set out further above, the proposed flats have been designed to provide a high standard of housing amenity for future occupiers and they would all benefit from well laid out spaces with good sense of aspect and natural light.

Design

As discussed further above, the existing site has become an eyesore through its vacant state. The development would solve this problem and would significantly improve the condition of the building. The scheme can only be beneficial in terms of the impacts on the character of the area.

Ecology

Being a flat roofed modern building the site is highly unlikely to be suitable habitat for roosting bats. Because the site is entirely developed already and surrounded by existing buildings, and located in the town centre, its ecology value is very low. It is clear that the development would not have a detrimental impact on existing biodiversity. Measures to enhance the ecology value of the site to

achieve the net gain in this respect that is sought by the NPPF such as nesting boxes can be incorporated if required.

Renewable Energy and Carbon Reduction

The scheme in itself contributes to energy efficiency and carbon reduction by being a wholly sustainable form of development. The building would also achieve excellent levels of energy efficiency. The applicant is happy to discuss any options for renewable energy generation that may be appropriate given site circumstances and financial viability restrictions.

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.

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