

Applicant: Mr S Rigby

Description: Erection of a new three storey building to create a 33 bed residential care home with associated works including landscaping and car parking

Site Address: Land to west of Perseverance Street, Barnsley, S70 6HD

Site Location & Description

The site is situated to the West of Barnsley Town Centre and immediately to the North of Dodworth Road which links Barnsley Town Centre with junction 37 of the M1. The application relates to a former car park which measures approximately 0.25Ha and is relatively square in shape. The car park provided ancillary parking to the nearby Springfield House but became surplus to requirements when that office building closed.

The central areas of the site are predominantly hard surfaced with some soft landscaping around the periphery. The site has a small frontage onto Springfield Street to the South where vehicular access is taken from. The remaining section of the Southern boundary of the site between the access and the junction with Perseverance Street is separated from Springfield Street by residential properties. The site also bounds Perseverance Street to the East with a secondary gated vehicular access and brick built boundary wall along the back edge of the footpath.

The surrounding area is predominantly residential in nature. To the North of the site is a relatively modern housing estate consisting predominantly of 2 and 3 storey semi-detached and terraced dwellings and 3 storey apartment blocks. To the South and South West of the site are dwellings fronting Springfield Street, as well as the rear amenity and parking spaces of dwellings fronting Dodworth Road. There is also a former office block (Springfield House) to the West of the site which has recently been converted to apartments. To the East of the site, beyond Perseverance Street, is a pocket park which children's play equipment and further dwellings.





Proposed development

The applicant seeks full planning permission for the erection of a 33-bed specialist care unit with associated landscaping and parking. The facility consists of 3 x 11 bed units with associated amenity facilities on each floor.

The facility would be run by Exemplar Health Care who are nursing care providers for adults (ages 18+) living with complex care and health needs such as mental health conditions, dementia, neuro-disabilities, physical disabilities and degenerative or life limiting illnesses. Support is given on their journey from being in hospital to community based living. They currently operate circa 45 care homes across England.

The proposed building would be 'U' shaped and predominantly located within the Southern half of the site. Vehicular access would be taken from Perserverance Street to the north East of the site with 13no parking spaces (including 2no. disabled bays) proposed adjacent to the Northern boundary. The majority of the external amenity spaces and soft landscaping are located to the South of the site between the proposed boundary and the immediately adjacent dwellings fronting Springfield Street.

The building has gone through a design evolution during the application process. Initially, the building was more traditional in design and had accommodation over 3 floors with a pitched roof above. Given concerns over the height of the building and its potential impact on residential amenity, the building was changed to a more modern design with a flat roof to reduce the height. The building as currently proposed would have a buff brick face over the ground and first floor and grey metal seam cladding on the 2nd floor.



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 held 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.

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T4 New development and Transport Safety

Policy GD1 General Development

Policy D1 High Quality Design and Place Making

Policy E4 Protecting Existing Employment Land

Policy Poll1 Pollution Control and Protection

Policy LG2 The Location of Growth

Policy CL1 Contaminated and Unstable Land

Policy CC1 Climate Change

Policy CC2 Sustainable Design and Construction

Policy CC4 Sustainable Drainage Systems

BIO1 Biodiversity and Geodiversity

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.

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.

Para 131 - trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 134 - '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.

SPD's

The following Supplementary Planning Documents are relevant to this application;

- Parking
- Trees and Hedgerows
- Biodiversity and Geodiversity
- Residential Amenity and the Siting of Buildings

Consultations

Adult Joint Commissioning Service – raised questions over the need for the facility

Biodiversity – No objections subject to conditions

Drainage – No objections subject to conditions

Highways – No objections following amendments and subject to conditions

Reg Services – No objections subject to conditions

SYMAS – No objections subject to the Coal Authorities standing advice

SYMCA – No objections, provided some suggestions for the applicants

Yorkshire Water – Initially objected to the landscaping layout which has since been amended and will be conditioned.

Ward Cllrs – No objections but raised questions regarding some early activity on the site.

Representations

Consultation letters were sent to 101 neighbouring properties, a site notice was erected within the immediate area and a press notice placed in the Barnsley Chronicle. The application was initially advertised on 26/06/2023 when the application was first submitted. 17no. objections were received from separate addresses following the first consultation. It should also be noted that there was a letter stating no objections but did offer suggestions to minimise the impact of the development during construction. The main points of concern set out in the objections are;

Highways

- The current parking situation in the surrounding streets is an issue and this development would add to that given the level of on-site provision.
- The on street parking obstructs the pavements and obscures views from junctions.

- The neighbouring Strata development has one car drives leading to on street parking within that estate.
- The conversion of Springfield House has led to additional on street parking.
- Double parking within the area restricts access for emergency vehicles
- During construction of the development there will be highway safety concerns due to contractor parking and large delivery vehicles
- Staff and visitors to the development once complete will add to the existing on street parking issues
- The revised entrance point will move traffic closer to the Strata housing development
- TRO's would need to be introduced within the area

Residential Amenity

- Residential Care homes operate 24 hours a day leading to noise and disturbance during unsociable hours
- Overlooking from proposed windows could result in a loss of privacy for existing residents
- The size and position of the building could result in a loss of light and overshadowing
- Concerns regarding the type of waste from such a facility and where it would be stored
- The type of residents proposed to be housed in the care home could pose a risk, especially as the site is within a residential area and there is a children's play area opposite.
- Inclusion of trees within the landscaping scheme could result in overshadowing to neighbouring properties and lead to maintenance issues.
- The boundaries of the site are unclear
- Reasonable working hours and construction methods should be in place
- Noise and disturbance generated from plant and machinery associated with the care home
- Work has already commenced on the site

Visual Amenity

- Negative impact on views from existing windows and garden areas given the size and position of the building

Non-material

- Negative impact on the house prices within the area

The application was readvertised on 31/05/2024 following the receipt of amended plans and the significant changes to the design. No further letters were received following the second consultation.

Assessment

Principle of Development

The Adult Joint Commissioning Service raised questions over the need for additional care home beds within the borough. However, as outlined above this facility is not a standard care home and provides care for adults aged 18+ who have a wide range of complex needs. The applicants already run 45 similar facilities across England and have identified a need in this area as there is demand for such a facility.

The site is located just off Dodworth Road which is a principal route linking Barnsley Town centre with junction 37 of the M1. It also sits to the West of Barnsley Town Centre itself with good access to facilities, services and public transport. Local Plan Policy LG2 'The Location of Growth' states priority will be given to development in Urban Barnsley as it is the most sustainable location in spatial

policy terms. Given the proximity to Barnsley town Centre and Dodworth Road, the site is located immediately adjacent to existing infrastructure and is within a well-positioned sustainable location.

The site has been vacant for a number of years but was previously a car park associated with Springfield House to the West of the site. Springfield House was an office building and was last used by Barnsley MBC. Policy E4 'Protecting Existing Employment Land' states 'land or premises currently or last used for employment purposes will be retained in order to safeguard existing or potential jobs. Furthermore, the NPPF paragraph 81 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'. However, Springfield House is no longer an employment use and has recently been converted into residential apartments, as such, the car park is surplus to requirements and has stood vacant since the office use ceased. Therefore, policy E4 no longer applies and the site is located within a predominantly residential area.

The site is located within a predominantly residential area and adjoins existing residential dwellings. Local Plan Policy GD1 'General Development' requires that there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Furthermore, any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated. Whether the development meets these requirements will be assessed under the headings below.

The site is on a prominent corner plot, as such Local Plan Policy D1 and Paragraph 126 of the NPPF require developments to be of a high quality and good design. 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 134 of the NPPF goes on to state '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'. The design merits of this scheme will be assessed under the 'Visual Amenity' section below.

The development will be assessed against current policies and guidelines under the following headings;

Residential Amenity

The site is located within a predominantly residential area and adjoins existing residential properties. The surrounding area is a mix of traditional detached and semi detached houses, predominantly along Springfield Street, to a more modern housing estate immediately to the North consisting of 2-3 storey semi-detached, townhouses and apartment blocks. There is also the 2-3 storey Springfield House to the West of the property which is a converted office block currently providing residential accommodation.

The initial submission for this development consisted of a 3 story building with a pitched roof above. The height and the positioning of the building on the site raised concerns regarding the potential negative impacts on residential amenity of the immediately adjacent 2 storey dwellings, particularly those to the South of the site fronting Springfield Street. As such, the development has undergone a design evolution. The most notable changes are the footprint of the building and the removal of the pitched roof. Accommodation is still over 3 floors but the removal of the pitched roof and the incorporation of the flat roof have had a significant effect on the overall height of the building, effectively reducing its apparent massing.

Although the building is positioned to the South of the site, relatively close to the existing dwellings on Springfield Street, it has been designed in consideration to the position of the neighbouring habitable room windows and private amenity spaces. The section of building closest to the residential properties (to the South West) is a modest single storey element with a flat roof. With the exception of a modest corner of the flat roofed section of building, it sits outside the 45 degree angles of neighbouring habitable room windows and meets the requirements of SPD 'Residential Amenity and the Siting of Buildings'.

Due to the positioning of the neighbouring dwellings, the proposed building is not directly inline with the habitable room windows on principal elevations. The dwellings to the South East of the site face Perseverance Street and the dwelling directly to the South of the site, has its main habitable room windows on the South, East and West elevations, not the North facing the application site even though it has a frontage onto Springfield Street.

It should also be noted that the proposed building would be orientated to the North of the closest residential properties and, as such, would not cause unreasonable overshadowing. The applicants have also positioned the majority of the soft landscaping to the south of the site between the proposed building and the neighbouring dwellings.

The building would be significantly beyond the rear building line of 15 Springfield Street and would be adjacent to the rear amenity space associated with that property. However, the proposed building is set in from the shared boundary and the Western building line angles away from the rear elevation of that property. The building would be located to the North East of the dwelling and East of the amenity space so overshadowing would not be significant and would only be for a small portion of the day.

There is some plant proposed to the West of the building adjacent to number 15 Springfield Street but it is predominantly within enclosures, and Regulatory Services have raised no objections subject to conditions.

The proposed building would be to the South of the more recently constructed dwellings off Perseverance Street and Wheatcrofts. However, there is a separation distance due to the location of the car park and the dwellings have secondary elevations facing the site. As such, overshadowing and overlooking would not be to an unreasonable degree. There would be some noise and disturbance due to the coming and going of vehicles and pedestrians to the site within close proximity to dwellings and private amenity spaces, but it would not be significantly different to when the site operated as a car park in association with an office building.

The East elevation of the building would be relatively close to the back edge of the footpath serving Perseverance Street and contain a number of windows over 3 floors. However, directly opposite that elevation is a pocket park so windows would not directly face neighbouring habitable room windows.

It is noted that some residents have raised concerns with the nature of the use, and safeguards for existing residents. However, as outlined above the applicants have multiple sites across the country and have strict established procedures in place.

For the reasons outlined above, the residential amenity of the existing residents and those who would occupy the proposed development would be acceptable and comply with Local Plan Policy GD1 and SPD 'Residential Amenity and the Siting of Buildings'.

Design & Visual Amenity

As outlined above, the development has gone through a design evolution since it was first submitted. Initially it was a relatively traditional design with accommodation over 3 floors and a pitched roof above. However, the height of the building was significantly greater than the immediately adjacent 2/3 story dwellings and, given its prominent corner location and proximity to the highway, it would have been a very prominent and dominant feature within the streetscene, to the detriment of visual amenity (and residential amenity).

As such, the scheme has been redesigned and consists of a 'U' shaped building predominantly located on the Southern part of the application site. Accommodation is still provided over three storey's but the building now has a flat roof which has reduced the overall height. The building is a more contemporary design with buff brick to the first two floors and then seamed metal above. The metal cladding breaks up the expanse of the elevations and also gives the illusion that the eaves start lower than they actually do given the metal cladding is predominantly a roofing material.

The cross sections provided with the application show that the building now has a similar height to the 2 storey dwellings to the South and is actually lower than the 2.5-3 story dwellings directly to the North of the site.

It is noted that the proposed building has a relatively large footprint compared with the immediately adjacent dwellings. However, it is seen in the same context and streetscene as Springfield House, immediately to the West of the site. There are also apartment blocks evident within the residential development to the North of the site. As such, a building of this scale in this location would not be an alien feature or visually jarring.

The contemporary design of the building contrasts with its immediate surroundings, however, there is a real mix of designs, ages, styles and sizes of buildings within the immediate area from Victorian buildings to the South, modern residential properties with a Georgian influence to the North and industrial/commercial buildings to the West. As such, there is no strict architectural language to follow. The East elevation of the building would be close to the back edge of the footpath serving the highway but that proximity and building line is commonplace within the neighbouring streets.

Although the building is contemporary, it does take cues from the surrounding areas such as the brick colouring, the fenestration colouring and the regimented window openings. Flat roofs are not common place within the immediate area but they are common within the wider area, especially within the town centre and its outskirts. In addition, although Springfield House does have a number of pitched roofs they are relatively shallow and are partially hidden by a large parapet from Springfield Street, so that building does give the impression of a flat roof from its frontage.

The proposed parking area is to the North of the building and would not be prominent within the streetscene. There is also soft landscaping proposed within the parking area to soften the hard landscaping. In any case, the site was previously a car park.

Soft landscaping is also proposed adjacent to Perseverance Street and to the South of the building, partially adjoining Springfield Street. This will aid to soften the development and add colour and texture to the Streetscene.

For the reasons outlined above, the proposed development would maintain and enhance the visual amenity of the Streetscene, in accordance with Local Plan Policy D1 and SPD 'Residential Amenity and the siting of Buildings'.

Highway Safety

The existing site entrances off Springfield Street and Perseverance Street would be blocked off and not utilised for this development, instead a new access point would be created in the North Eastern corner of the site. This would be further away from the junction with Springfield Street and be positioned on a relatively straight section of road.

The Highways Officer was initially concerned with the number of spaces provided as it is contrary to the requirements set out in SPD 'Parking'. However, the application is accompanied by a Transport Statement. Section 5 confirms that the site is located approximately 1km west of the town centre surrounded by residential areas to all sides, providing a realistic choice for staff living in the locality to walk and cycle to the site. In addition, there are bus stops on Dodworth Road and Summer Lane within walking distance of the site, which combined serve a total of six bus routes (six operating Monday to Saturday and three operating Monday to Sunday), with frequencies ranging from every 30 minutes to one hour throughout the day. It has therefore been demonstrated that the site is readily accessible by other modes of transport and in accordance with the SPD, the parking provision could be reduced to take account of more sustainable transport options available. A Travel Plan has also been submitted with the planning application, which is aimed at encouraging staff to travel by more sustainable transport options.

It is also noted that the parking standards for staff for the C2 use classification provides a range from 1 space per 4 staff to 1 space per 8 staff. Taking account of the lower use of an Exemplar care home, based on the lower range of 1 space per 8 staff equates to an indicative parking requirement of 5 spaces for staff. Residents of Exemplar care homes have few visits during the week, and therefore based on a more realistic number of 1 daily visit per two residents equates to an indicative parking requirement of 4 spaces for visitors. An indicative parking requirement of 9 standard parking spaces is therefore required for the proposed development, which is acknowledged excludes disabled parking. In addition, taking account of the high accessibility of the site by sustainable transport options, providing a lower parking provision would be in line the SPD.

It is proposed that the revised scheme would provide a parking provision of 13 spaces, including two disabled spaces (a disabled parking provision of 15%, which is more in comparison with para 10.2 of the SPD) and one service bay. There is also a lockable bin store included within the revised scheme which was omitted from the original submission.

In accordance with the comments above, based on the lower range for staff taking account of the type of development proposed and applying a realistic number of daily resident visitors, a parking provision of 13 spaces is adequate in this case. The Highways Officer concurs with the Transport Assessment and has raised no objections to the proposal as it stands, subject to conditions. As such, the proposed development accords with Local Plan Policies T3 and T4 and SPD 'Parking'.

Biodiversity

The application is accompanied by an Extended Phase 1 habitat survey and a Bat Roost Assessment. Given the site is predominantly covered in hardstanding the surveys have confirmed that the site does not support a habitat protected under Section 41 of the Natural Environment and Rural Communities (*NERC*) Act 2006 - Habitats and Species of Principal Importance in England. There are no priority hedgerows on the site. No evidence of protected species was recorded on site.

The submitted reports found no reason which would prevent development but recommended additional investigation and mitigation works. The Councils Biodiversity Officer concurs with the findings and has requested several conditions to ensure these works and measures are undertaken and included in the development.

For the reasons set out above, the development accords with Local Plan Policy BIO1 and SPD 'Biodiversity and Geodiversity'.

Trees

The application has been accompanied by a Tree Survey and Constraints Report as well as an Arboricultural Impact Assessment. No individual trees of note have been identified given the majority are self-set and have grown since the site has been vacant. The trees were predominantly surveyed as a group and were categorised as 'C' and 'U'. As such, the reports concluded that there were no trees worthy of retention and the preferred course of action was to remove the existing vegetation and for a landscaping scheme to be included within the redevelopment.

As outlined above, soft landscaping is proposed around the site and will be conditioned. As such, the development would be in accordance with Local Plan Policy BIO1 and SPD 'Trees and Hedgerows'.

Mining

The Coal Mining Risk Assessment report for the proposals, as prepared by Eastwood Consulting Engineers Ltd ref: 48063-ECE-XX-XX-RP-0002 dated 23rd June 2023, concludes that the site is not at significant risk from shallow coal mining, and as such advises that no further action is necessary for the proposals. SYMAS concurs with this which is reflected in the fact that the site is not located in a Coal Authority High Risk referral area.

Considering the applicant has demonstrated that the site is stable from the coal mining legacy aspect by the submitted report as detailed above, there are no objections from a mining risk perspective subject to an informative setting out the Coal Authority's standing advice.

Conclusions

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, GD1, D1, & T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay. The recommendation is one of approval therefore subject to the conditions listed below.

Recommendation

Approve subject to conditions