2022/0912

Dr Waheed Hussain

Change of use from house of multiple occupation into Children's Home (use class C2) and erection of single storey rear extension

186 High Street, Worsbrough Bridge, Barnsley, S70 4SQ

Site Description

The application relates to a detached, 2 storey, stone built dwelling fronting High Street in Worsbrough. The dwelling was last used as a HMO which was approved under application 95/0135. To the front of the dwelling is a small buffer garden and to the rear is an enclosed garden area which is mainly hardstanding with vehicular access from High Street via the existing driveway adjacent to the side (Southern) elevation. The property has been extended in the past with a 2 storey addition on part of the rear elevation.

There is a detached dwelling to the South of the Property and an area of green space, on the corner of High Street and Oakdale, to the North. There are further residential properties beyond the rear boundary which front Oakdale and Oaklea and semi detached dwellings to the East opposite High Street.

The surrounding area is predominantly residential in nature but there are some commercial uses including takeaways, computer repair shops, betting shop, public house and convenience store within close proximity fronting High Street.

Site History

90/1875 – Change of use of ground floor of dwelling to shop and erection of rear extension

93/1259 – Change of use of shop with living accommodation to doctors surgery

95/0135 – Alterations to dwelling to form house in multiple occupation

2022/0912 - Change of use from dwelling (use class C3) to Children's Home (use class C2) – refused for the following reasons;

The change of use would result in the loss of a 'larger dwelling' from the housing stock. This would be contrary to Local Plan Policy H9 'Protection of Existing Larger Dwellings' , and Supplementary Planning Document 'Design of Housing Development', which state that it is important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes, contributing to the imbalance in the housing stock.

Despite requests for additional information the applicant has not submitted sufficient details and has failed to demonstrate that the proposed development would not give rise to unacceptable harm to residential amenity, parking and highway safety and that it would be a compatible use in the context of its residential surroundings having regards to Local Plan policy GD1 'General Development'.

The applicant has not submitted sufficient details to justify the need for the development which may add to the disproportionate and high number of children in care placed in the Barnsley Borough from neighbouring authorities. This would put additional strain on local services, contrary to Local Plan policy GD1.

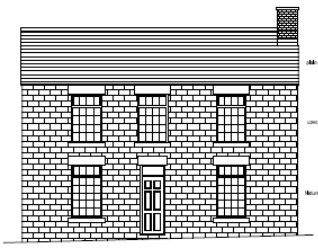
Proposed Development

The applicants seek permission to change the use of the existing 7 bedroom HMO (Sui Generis) to a Childrens Home (C2). The home will cater for 3no. children between the ages of 6-16 who will have

learnings needs and autism. The applicant has stated that priority places will be given to children from the Barnsley Local Authority Area. The children will reside in the property on a medium to long term basis with 2 carers on site at all times. The carers operate on an 8 hour shift basis with hand overs at 7am, 3pm and 10.30pm with 2no. members of staff arriving and 2 leaving and 7am and 10.30pm and 1no. arriving and leaving at 3pm.

In addition to the change of use, the applicants also propose a single storey lean-to extension to the rear of the dwelling. The extension would project 3.6m, have a width of 4.9m, eaves height of 2.9m and total height of 6m. Significant internal alterations would also take place resulting in a large lounge, a kitchen/diner, en-suite staff room and utility room on the ground floor and 3 bedrooms (2no. en-suite), a bathroom and shower room on the first floor.

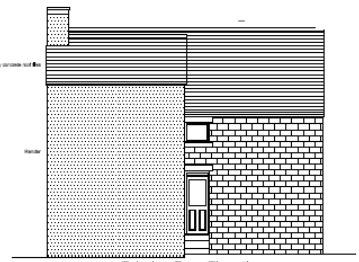
Existing plans and elevations



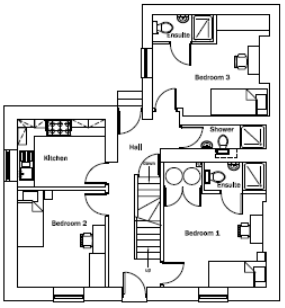
Existing Front Elevation
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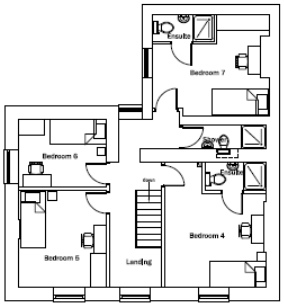
Existing Side Elevation
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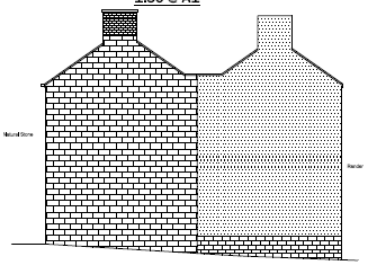
Existing Rear Elevation
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Existing Ground Floor Plan



Existing First Floor Plan



Existing Side Elevation
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Proposed Plans and Elevations



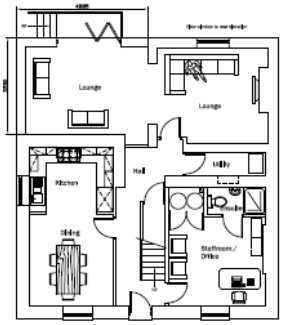
Proposed Front Elevation
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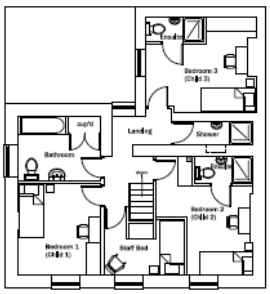
Proposed Side Elevation
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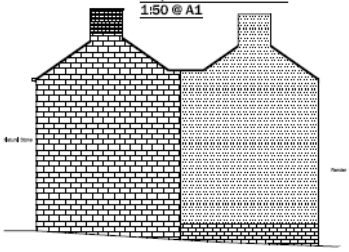
Proposed Rear Elevation
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Proposed Ground Floor Plan
1:50 @ A1



Proposed First Floor Plan
1:50 @ A1



Proposed Side Elevation
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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 T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy H6 'Housing Mix and Efficient Use of Land'

Policy Poll1 Pollution Control and Protection

Policy H9 Protection of existing larger dwellings

SPD's

Those of relevance to this application are as follows:

- House extensions and other domestic alterations

-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 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.

Consultees

Highways – No objections following the receipt of a revised site layout

Local Ward Members – No comments

Representations

27no. neighbours were consulted regarding the application and a site notice was also erected in the local area. No objections have been received

Principle

Local Plan Policy H9 'Protection of Existing Larger Dwellings' states '*The loss of existing larger dwellings will be resisted*'. The policy supporting text also states '*As well as provision as part of our housing mix of some new low density, large dwellings and family housing, it is also important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes … contributing to the imbalance in the housing stock towards smaller homes. This has been a problem particularly in Urban Barnsley around the Town Centre'*.

The previous application (2022/0912) was also partially refused for the following reason;

The change of use would result in the loss of a 'larger dwelling' from the housing stock. This would be contrary to Local Plan Policy H9 'Protection of Existing Larger Dwellings' , and Supplementary Planning Document 'Design of Housing Development', which state that it is important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes, contributing to the imbalance in the housing stock.

However, each case should be assessed on its own merits and additional information has been presented alongside this application which shows that the building has been operating as a long established 7 bedroom HMO (Sui Generis) rather than a larger family home (C3). As such, it was not operating as a family home within the existing housing stock and a change of use planning application would be required to change the use from sui generis to C3. The change of use of the building to C2 would not result in the loss of a larger home or an imbalance in the housing stock.

Furthermore, the building as it currently stands has 7 lettable bedrooms and small communal living areas which would need significant adaption if it were to be re established as a larger home. However, the extension and internal works proposed as part of this application would bring the building more inline with a modern family home layout with large open plan living areas on the ground floor and en-suite living accommodation above. As such, if the proposed use did cease in the future it would be a simple task to convert it into a larger family home and preferable to the current situation. It would also be an adaptable property given there would be an en-suite room on the ground floor.

Within the supporting text of Local Plan Policy H6 'housing Mix and Efficient Use of Land' it states that various house types capable accommodating a range of needs are required across the borough. Supported housing is required for vulnerable households, including young people with support needs.

Proposals will be supported where they are consistent with policy H6 and other policies within the Development Plan.

For the reasons outlined above, the previous reason for refusal one has been addressed and in principle a children's home would be acceptable in this case subject to meeting the relevant local and national policies and guidelines.

The previous application was also refused for the following 2 reasons;

Despite requests for additional information the applicant has not submitted sufficient details and has failed to demonstrate that the proposed development would not give rise to unacceptable harm to residential amenity, parking and highway safety and that it would be a compatible use in the context of its residential surroundings having regards to Local Plan policy GD1 'General Development'.

The applicant has not submitted sufficient details to justify the need for the development which may add to the disproportionate and high number of children in care placed in the Barnsley Borough from neighbouring authorities. This would put additional strain on local services, contrary to Local Plan policy GD1.

The applicant has now supplied a Design and Access Statement and additional documents and supporting information alongside the application which aim to address those reasons for refusal. The success of which will be explored under the headings below.

Assessment

Residential amenity

The proposed children's home would accommodate upto 3no. children within the age range of 6-16. The building would also accommodate 2no. staff members at anyone time, as such, the number of people in the building as a result of this proposal would be less than the current HMO use. The current building has 7no. lettable rooms which would result in at least 7no. adults living within the property, more if the rooms were double occupancy. As such, the noise and disturbance from the residents is unlikely to be significantly greater than the current or future use of the building if its used remained the same.

It is noted that the staff within the building would work on an 8 hour shift pattern with change overs at 7am, 3pm and 10.30pm. As such, there would be some noise and disturbance at these times though the movement of people and vehicles. However, arguably it would not be significantly greater than the movements of at least 7no. individual adults within the HMO entering and leaving at different hours with associated visitors and deliveries. Furthermore, although the 10.30pm shift change maybe outside of sociable hours when background noises tend to be lower, it should be acknowledged that the building is detached and is not located within a purely residential area. Within a few meters of the site there are businesses which operate beyond 10.30 including a pub, convenience store and hot food takeaway. The building also fronts onto a classified road. As such, there are numerous pedestrian and vehicular movements in this area and the proposed shift Changes would not be significantly detrimental to residential amenity.

The children at the property would receive some visitors such as health workers and family members etc. but these would be arrange by appointment and would not be above and beyond what would reasonably expected within a residential area.

In terms of the proposed extension, it would be a modest, single storey infill extension located between the existing rear elevation and a 2 storey rear extension. It would be set away from neighbouring dwellings and is the sort of size which would generally fall within permitted development of a C3 dwelling. Given its size and positioning it would not result in significant overshadowing of neighbouring properties or be an overbearing feature.

For the reasons outlined above, the proposed change of use and associated extensions and alterations would maintain residential amenity to a reasonable degree, in accordance with Local Plan Policy GD1 and SPD 'House Extensions and other Domestic Alterations'.

In terms of the staff and future residents, the internal space on offer meets the requirements of the South Yorkshire Residential Design Guide and there is adequate outdoor amenity space provided.

Given the comments above, the proposal would provide adequate levels of residential amenity for neighbouring residents and the existing residents of the home, in accordance with Local Plan Policy GD1.

Visual amenity

The only external alterations to the building are the proposed modest, single storey rear infill extension and some minor fenestration changes to the rear. The extension would be subordinate to the original building and would harmonise with its design. It is noted that the extension would be rendered whereas the majority of the original building is stone, however, the existing rear elevation of the 2 storey extension is rendered and the proposed extension would simply mirror that. Furthermore, the proposed amendments are to the rear of the property with limited views from public vantage points.

The area to the rear of the building currently consists of hardstanding or overgrown areas of vegetation. The applicant seeks to create a new permeable driveway with on-site turning facilities as well as a dedicated seating and garden area for the residents consisting of soft landscaping and trees/bushes. This would be beneficial to visual amenity and an improvement on the current situation.

Given the comments above, the proposal would maintain visual amenity to a reasonable degree in accordance with Local Plan Policy D1 and the SPD.

Need within the borough

The previous application was partially refused for the following reason;

The applicant has not submitted sufficient details to justify the need for the development which may add to the disproportionate and high number of children in care placed in the Barnsley Borough from neighbouring authorities. This would put additional strain on local services, contrary to Local Plan policy GD1.

Alongside this application the applicant has submitted a Design and Access Statement and additional information in relation to the justification and the running of the home. The applicants state that their aim is to keep children in their Local Area and they have identified a need in Barnsley. Priority would be given to children within the borough and when a space becomes available within the home it would be offered to Barnsley Children first. The applicants also state they will build a relationship with Children's Services to give advanced notice of a place becoming available in order to house Local Children or re-house Local Children who have been placed in neighbouring Authorities.

Given the comments above, the applicants have addressed the reason for refusal and a suitably worded condition will be recommended to ensure the home is run in accordance with the applicants comments.

Highways

The site is located on High Street, Worsborough, a classified road subject to a 30mph speed limit and the property is located close to services, amenities and facilities in the centre of Worsbrough. The

applicants propose to utilise the existing vehicular access point from High Street which serves a driveway running adjacent to the side elevation of the property to a parking area to the rear.

The Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1 requires that 1 car parking space per 2 staff and 1 space per 3 daily visitors is provided for the proposals; given that it is proposed for the children's home to accommodate 3 children and will generally have a maximum of 3 members of staff present, including hand-over times, the proposed level of parking provision is acceptable.

Initially inadequate turning facilities were provided which could have lead to vehicles reversing out on to a classified road. However, at the plans have since been amended and adequate parking and manoeuvring space is provided to allow vehicles to enter and exit the site in a forward gear.

Highways DM have been consulted on the revised application and not raised any objections to the proposal subject to conditions. As such, highway safety would be maintained in accordance with Local Plan Policy T4.

Summary

As outlined above, the current proposal has adequately addressed the previous reasons for refusal and, on balance, the scheme is now acceptable. As such, taking into account the relevant development plan policies (in particular Local Plan Policies H9, D1, GD1 And T4) 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 amended scheme. 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

Approve subject to conditions