

<b>Application Reference Number:</b>	2026/0084
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<b>Application Type:</b>	Change of Use
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<b>Proposal Description:</b>	Conversion of 2no. residential flats back into 1no. 4 bed dwellinghouse
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<b>Location:</b>	35 Huddersfield Road, Barnsley, S75 1DN
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<b>Applicant:</b>	Mr Keith Blackburn
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<b>Third-party representations:</b>	None	<b>Parish:</b>	None
		<b>Ward:</b>	Old Town

**Summary:**

This planning application seeks the change of use of the building from two residential flats as existing back into one four bed roomed dwellinghouse.

The site falls within Urban Fabric as allocated by the adopted Local Plan as well as the Huddersfield Road Conservation Area. Development comprising a change of use is considered acceptable in principle if proposals are a suitable location for the use class and would not significantly adversely affect residential and visual amenity and highway safety. Additionally, there should be no harm to the Huddersfield Road Conservation Area.

The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal would also have no impact upon the Huddersfield Road Conservation Area. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

**Recommendation:**

Approve subject to conditions

## Site Description

The application relates to a stone built detached building. The building was built in 1872 as a large family home with bedrooms on the first floor, living accommodation on the ground floor and servant accommodation/utility rooms within the basement. The building underwent significant rear extensions in the 1930's which resulted in the subdivision of some existing rooms and the creation of a separate three bedroomed semi-detached dwelling known as 35a Huddersfield Road. In the 1970's number 35 was subdivided into two flats, one at first floor and one at ground floor. To the front of the property is an enclosed buffer garden and to the rear is an enclosed yard which mainly consists of hardstanding and has vehicular access onto Cockerham Lane. The area is predominantly used for parking. The site is located within a predominantly residential area with neighbouring dwellings to all sides. The site also sits within the Huddersfield Road Conservation Area.

### Location Plan

Site Address: Flat 2, 35, Huddersfield Road, Barnsley, S75 1DN



Date Produced: 03-Feb-2026

Scale: 1:1250 @A4



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## Planning History

There is one recent planning application associated with the site.

Application Reference	Description	Status
2021/0806	Conversion of existing basement to form 1no one bedroom bed flat and reduction in width and height of existing boundary wall to rear to allow for additional car parking	Refused and appeal dismissed

## Proposed Development

The proposal is for the change of use of the building from two residential flats as existing back into one four bedroomed dwellinghouse.



## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019). The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require.

### **Local Plan Allocation – Urban Fabric / Huddersfield Road Conservation Area**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

**Policy SD1: Presumption in favour of Sustainable Development** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**Policy GD1: General Development** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**Policy D1: High quality design and place making** – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

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

**Policy H4: Residential Development on Small Non-Allocated Sites** – Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies.

**Policy H6: Housing Mix and Efficient use of land** – 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. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

**Policy H9: Protection of Existing Larger Dwellings** – Development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. The loss of existing larger dwellings will be resisted. Support will be given to the re-establishment of Houses in Multiple Occupation into single family sized houses.

**Policy Poll1: Pollution Control and Protection** – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

**Policy T3: New development and Sustainable Travel** – Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

**Policy T4: New Development and Transport Safety** – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

#### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England.

It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent.

The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 12 - Achieving well-designed places
- Section 16 - Conserving and enhancing the historic environment

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

#### Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- Design of housing development
- Parking
- Sustainable Travel

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

#### Other Guidance

- South Yorkshire Residential Design Guide

#### **Consultations**

Conservation – No objections

Highways Development Control – No objections

Old Town Ward Councillors – No objections

#### **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to surrounding properties, and a site notice erected at the site and a press notice issued. No objections were received.

#### **Assessment**

The main issues for consideration are as follows:

- The acceptability of the change of use
- The impact on the character of the area and Huddersfield Road Conservation Area
- The impact on residential amenity
- The impact on highway safety

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development

The development site is located in an area that is principally residential within Old Town, and which comprises a mix including large dwellings of varying scale and similar appearance. The principle of development is underpinned by Policy H4 subject to compliance with other relevant policies in the Local Plan. The principle of residential use and property in this location is considered acceptable, and although the proposed development would result in the loss of smaller residential units, the proposal would see the formation of a single larger dwelling which is not considered to materially affect the Council's housing targets, or the local housing mix.

This would maintain as an appropriate mix of detached, semi-detached and terraced dwellings. As such, the principle of development is considered acceptable. The development does not require external fenestration alterations to facilitate the conversion nor significant adaptation internally. Residential uses are deemed acceptable in Urban Fabric and the building itself is already residential. Therefore, the change of use to one dwelling is acceptable in principle provided that it is not detrimental to the residential amenity afforded to the host property, as well as adjacent properties, along with visual amenity, highway safety and the impact upon the Huddersfield Road Conservation Area. This weighs significantly in favour of the proposal.

### Design, Visual Amenity and Impact upon the Huddersfield Road Conservation Area

The building is somewhat typical of the larger mid to later Victorian dwellings along Huddersfield Road. The principal western elevation is of a relatively high architectural quality. The northwestern corner breaks forward of the rest of the façade with a ground floor bay window. The walls are in thinly bedded square coursed sandstone with ashlar quoins and an ashlar string separating the ground and first floor. The roof is hipped and in Welsh slate with two stacks. The dressings to the windows and doors are high quality, with expressed edges, mouldings, chamfered inner edges, and various scroll and decorative motifs visible. The original front door has an arched / glazed light over which is topped with a large hoodmould and keystone. To the side elevations the decoration is reduced but stone is still in evidence. The rear and later extension is conspicuous when viewed from Cockerham Lane. However, stone is still used on the rear elevation with only the side elevation being in red brick. Overall, in form, appearance and historic interest 35 Huddersfield Road has individual value but also contributes positively to the conservation area group value.

It is noted from the heritage statement that 35 Huddersfield Road was built in 1872 as a large family home with bedrooms at first floor level and living rooms at ground floor level. There is evidence that the lower ground floor/cellar was used as servant accommodation. In 1932 some rooms were blocked off and a large extension built at the back to create an additional dwelling (35A Huddersfield Road). In 1972 planning permission was granted to divide No. 35 into two flats. Flat 1 consisting of rooms on the ground floor and lower ground floor/cellar levels, plus the garage. Flat 2 with rooms at first floor level.

In order to achieve the internal reorganisation, the external changes are very limited and require only a single window on the first floor (kitchen) that faces Cockerham Lane to be re-instated to its original appearance. The internal changes are similarly limited involving the removal of later stud walls and the re-instatement of the original room layouts, including opening the stair back to its former arrangement.

There will be no significantly harmful impact to visual amenity from the proposed conversion. The materials are to be retained as existing, whilst maintaining the core design of the existing building. Reverting the two flats to a single dwelling and reversing internal partitioning and subdivision better reveals the individual significance of the house, enhancing its contribution to the conservation area.

There is to be no significant change to the outside of the property therefore the visual amenity of the street scene is not expected to be compromised. The proposal is therefore acceptable in terms of visual amenity and impact upon the Huddersfield Road Conservation Area in accordance with Policies D1 and HE1 of the Local Plan. This weighs significantly in favour of the proposal.

### Residential Amenity

The development site benefits from an established residential use which comprises two residential flats. The proposed development would be facilitated by minor internal alterations. In terms of residential amenity, the proposed conversion should not be designed to contribute to any significant overlooking, overshadowing or be of an overbearing nature to neighbouring properties. The conversion should be designed with internal room sizes that comply with the South Yorkshire Residential Design Guide. The proposal to convert the dwelling would mean the creation of a dwelling that could be suitable for a family home which allows the conversion to be acceptable.

In terms of noise from surrounding uses, it is noted that the proposed dwelling will be located on a predominantly residential street, with existing residential uses located either side. The proposed internal dimensions meet the standards for a 4-bed dwelling within the South Yorkshire Residential Design Guide, as the minimum floorspace for a 4-bed dwelling is 93sqm and the proposal has 114sqm of floorspace. This weighs significantly in favour of the proposal.

With regards to individual room sizes all but one is compliant with the recommendations in the South Yorkshire Residential Design Guide. Bedroom four is not compliant and falls short of the recommendation by 2sqm. It is noted that this location on the first floor reflects the bedroom that used to be there. Additionally, there is enough scope with the overall size of the dwelling for this to be made larger internally. Overall though this has modest weight against the proposal.

Furthermore, it is considered that there is acceptable outdoor amenity space for the proposed scheme, given the existing amenity space which has not changed as well as the proximity to the town centre. For the above reasons, the proposal is not expected to be detrimental to the residential amenity of the neighbours nor the future occupiers in line with the standards set within the SPD and the SYRDG. This weighs significantly in favour of the proposal. The proposal is considered to be acceptable in terms of residential amenity.

### Highways Safety

There will be no significant impact upon highway safety. The SPD recommends one parking space per flat and also recommends two parking spaces per dwelling of three bedrooms or more. As such, the site retains the expected off-street parking provision with the submitted layout showing a driveway able to accommodate three vehicles. It is likely that deliveries and bin storage requirements would diminish following the proposed change. It is therefore considered that the proposals won't adversely impact upon the highway and are acceptable from a highway's perspective. This weighs moderately in favour of the proposal.

### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

## Recommendation

Approve subject to conditions

## Justification

### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

## Conditions

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**

The development hereby approved shall be carried out strictly in accordance with the approved plans:

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and specifications as approved unless required by any other conditions in this permission.

**Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

The external materials shall match those used in the existing building.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

**Reason: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**

## Informatives

The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

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It is recommended that measures are taken to prevent a nuisance/or affect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke, odour, light or dust. No waste should be burnt. If a Statutory Nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, light, odour, dust or smoke nuisance from being created.