
2018/0683

Applicant: A Shade Greener, C/o Coda Studios Ltd

Description: Conversion of existing public house into 4no. apartments including dormer extension to 2nd floor.

Site Address: Marlborough Hotel, 36 Dodworth Road, Barnsley, S70 6DY

Letters of representation have been received from 6 households. Councillor Mitchell has requested that the application be determined by the Planning Regulatory Board due to the lack of parking provision, the potential for increased anti-social behaviour and problems with waste management and fly tipping.

Site Location & Description

The vacant former Marlborough Public House is located at the junction of Dodworth Road and Lancaster Street, near to Townend roundabout and Barnsley Town Centre.

The building forms an end terrace and is of stone construction with stone headers and cills. The unit fronts on to Dodworth Road and Lancaster Street and an archway from Lancaster Street provides access to the small courtyard to the rear of the premises. The small courtyard is bounded by the outdoor space associated with the surrounding residential properties. The surroundings of heavily built up in nature and are predominately made up of terraced buildings and streets.

Proposed Development

The applicant seeks permission to change the use of the former Marlborough Public House to 4no apartments consisting of 1no 2bed apartment, 1no 1bed apartment and 2no studio apartments. In addition the proposal involves external alterations in the form of 2 new dormer window extensions which would be created in the rear and rear/side roof planes.

Policy Context

Planning decision 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 new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

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

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 in the Plan.

Policy T3 New Development and Sustainable Travel

New development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
- Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and
- Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. Travel plans will be secured through a planning obligation or a planning condition.

Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1.

If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.

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.

If a development is not suitably served by the existing highway, or would create or add to problems of safety or the efficiency of the highway or any adjoining rail infrastructure for users, we will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. Any contributions will be secured through a planning obligation or planning condition.

Policy SD1 Presumption in favour of Sustainable Development

When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy GD1 General Development

Proposals for development will be approved if:

- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
- They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
- They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
- They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;
- Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;
- Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;
- Any drains, culverts and other surface water bodies that may cross the site are considered;
- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;
- Any pylons are considered in the layout; and
- Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

Policy D1 High Quality Design and Place Making

Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;

- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

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.

We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Policy AQ1 Development in Air Quality Management Areas

Development which impacts on areas sensitive to air pollution(13) in air quality management areas will be expected to demonstrate that it will not have a harmful effect on the health or living conditions of any future users of the development in terms of air quality (including residents, employees, visitors and customers), taking into account any suitable and proportionate mitigation required for the development.

We will only allow residential development which impacts on areas sensitive to air pollution, where the developer provides an assessment that shows living conditions will be acceptable for future residents, subject to any required mitigation.

We will only allow development which impacts on areas sensitive to air pollution which could cause more air pollution, where the developer provides an assessment that shows there will not be a significantly harmful effect on air quality, subject to any required mitigation.

Furthermore, development which impacts on areas sensitive to air pollution due to traffic emissions will be expected to demonstrate suitable and proportionate mitigation relative to the increased traffic emissions generated by the development.

SPDs/SPGs

Supplementary Planning Document – Design New Housing Development

Supplementary Planning Document – Residential Amenity and Siting of Buildings

Supplementary Planning Document – Parking

The South Yorkshire Residential Design Guide (SYRDG) does not directly form part of the development plan but is used by the council as good practice to help inform how some of the related policies are interpreted.

National Planning Policy Framework

The National Planning Policy Framework 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.

Consultations

Highways DC – no objections

Air Quality Officer – no objections subject to conditions

Pollution Control – No objections

Waste Management – No objections

Ward Councillors – Cllr Kath Mitchell request the application be determined by PRB due to lack of parking increase in anti-social behaviour, increase in issues with fly tipping and waste management.

Representations

The application was advertised by way of neighbour notification letters and the erection of a site notice. 6 households have commented on the application, the reasons for which can be summarised as follows:

- Impact on residential amenity by means of increased noise and overcrowding of the area.
- On street parking is a local problem with workers within the town centre using surrounding streets. The development will further burden this.
- Increase in antisocial behaviour
- Increase in fly tipping
- Overlooking from dormer window

Assessment

Principle of Development

The site is designated to be part of the Urban Fabric of the Borough in the new Local Plan. Proposals to convert existing buildings to residential use are acceptable in principle subject to policies within the local plan being satisfied such as GD1 'General Development'. In this case the most prevalent use of land and buildings in the area is residential and so the proposal fits in with the character with the area. In addition they involve bringing a vacant and deteriorating building of some character back into use. Furthermore being located within the urban fabric near to Barnsley Town Centre the site located in a priority and sustainable location to accommodate future housing growth. In summary the proposed development is acceptable in principle.

Residential Amenity

The premises are located at the junction of Dodworth Road and Lancaster Street, an area which is predominantly residential in nature. Whilst it is acknowledged that there are some

properties within the vicinity of the site which are occupied as Houses of Multiple Occupation, this particular application is to consider the change of use of a vacant public house to a residential unit consisting of 1no 2bed apartment, 1no 1 bed apartment and 2no studio apartments, all of which are self-contained.

Representations have been received raising concerns that the development will encourage anti-social behaviour within the locality and also increase crime levels. Anti-social behaviour is not inherent to the character of a block of self-contained residential apartments and as such it is not considered that the proposal would be detrimental to residential amenity on this basis.

With reference to the noise and disturbance, it would be difficult to sustain arguments/claims made within the representations that the residential units, located within a predominantly residential area within close proximity to the town centre will result in additional noise above that which could be associated a public house.

The applicant also seeks permission to install flat roof dormer windows on the Dodworth Road rear roof plane and the Lancaster Street rear roof plane. The dormer windows are to provide additional head height within the roof space to the studio apartment located on the second floor. The window located on the Dodworth Road roof plane would be situated approximately 10m from the blank northern elevation of 23 Nicolas Street and whilst the window located in the Lancaster Street roof plane would result in some overlooking of the surrounding private areas, the window does not project beyond the rear elevation of the building. Therefore levels of overlooking would not significantly increase above what occurs from the existing first floor windows.

It is considered that future residents of the development will be afforded with an appropriate level of amenity. The bedrooms and living spaces such as the lounge and kitchen/dining areas are well in excess of the specification as set out in the South Yorkshire Residential Design Guide for a new dwelling of this size. In addition it would be possible for the yard to the rear of the building to be converted into shared outdoor amenity space.

For the reasons above it is considered that the development adheres to Local Plan Policies H4 and GD1 in that the amenity of existing neighbouring properties and the wider locality will not be adversely affected or impacted upon as a result of the proposals.

Air Quality

The site is located on Dodworth Road and falls within an Air Quality Management Area. Policy AQ1 states that development within Air Quality Management Area will be expected to demonstrate that it will not have a harmful effect on the health or living conditions of any future users.

The proposal sees the change of use of the public house to 4no residential apartments. The premises benefit from an existing residential use at first and second floor and therefore there is only the ground floor of the building that has not been used for residential accommodation previously. Therefore to further protect the amenity of future occupants it is considered appropriate to include a condition requiring the installation of mechanical ventilation. Given the small scale nature of the change of use it is not considered that the proposed residential development would impact on the area which is sensitive to air pollution.

Visual Amenity

There are no external alterations proposed to the existing building other than the installation of the flat roof dormer windows located on the rear roof plane. Whilst the proposed dormers

are of a flat roof construction, there are examples of such on the rear elevation of the row of properties. As such it is considered that the addition of the dormer extensions to the rear of the property harmonise with the original dwelling and ensures the original dwelling remains the dominant feature. It is acknowledged that the extensions would be visible from public vantage points. However they are not considered to have a domineering appearance/presence within the street scene and as such the design is considered to be acceptable and in compliance with Local Plan Policy GD1.

Highway Safety

Whilst the building does not benefit from any off street parking provision the site is located in very close proximity to the town centre. Furthermore it would be possible to re-open the pub and the associated ancillary residential accommodation without the need for planning permission. As such Highways have raised no objections to the lack of parking provision, but have requested the provision of secure cycle storage as part of the development.

Overall Highways are satisfied that the development can be absorbed on the local highway network without giving rise to any problems. The site is located with good access to the town centre and is within a short walking distance of local services with Dodworth Road being served with frequent bus services. Concerns have been raised within the submitted representations that the development will be a further burden to the current on street parking problems. When assessing the impact on highway safety, the application cannot be refused on basis of the existing parking problems in the locality. It would therefore be necessary to demonstrate that the proposed use would significantly increase demand for parking over and above that associated with the current use. In this instance the existing property is a large former public house located within close proximity to the town centre which is served by frequent bus services. As such it is not considered that the change of use would significantly increase parking problems and this is confirmed in the consultation response from Highways. Further to this the applicant has proposed a bike store and general store for use by residents as requested for by Highways. Consequently, it is not considered that the development will adversely affect highway safety and as such is considered acceptable.

Conclusion

In summary the proposal to convert the vacant former pub is acceptable in land use planning policy terms. In addition they involve bringing a vacant and deteriorating building of some character back into use. Furthermore the site is in a highly sustainable location within walking distance of the Town Centre that is in a priority location to accommodate growth. The proposed flats and studios comply with the minimum internal space size requirements of the SYRDG and as such the development would provide acceptable amenity standards for future residents. The proposals include the provision of 2 rear dormer extensions, however it is considered that these would not give rise to harmful impacts on residential and visual amenity. The development does not include any parking, but its location in walking distance of the town centre and the proposal to provide bike storage facilities mean that Highways do not object to the proposals. Mitigation is proposed in the form of imposing a condition requiring mechanical ventilation on the façade of the building facing Dodworth Road to mitigate the air quality management issues. Overall the application is judged acceptable and is recommended for approval accordingly.

Recommendation:

Grant planning permission subject to conditions:-

- 1 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.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans 2714-001 Rev A, 2714-002, 2714-003 Rev D, 2714-004 and 2714-005 Rev A 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.
- 3 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.
- 4 Prior to commencement of the development, a mechanical ventilation scheme shall be provided for the proposed development, for agreement with the Local Planning Authority. This ventilation scheme shall ensure that air is taken from an area of proven good air quality; must be suitable to prevent overheating; demonstrating low energy and green energy usage; with a maintenance contract - the contract to ensure correct operation for the first five years of operation. Windows shall be non-openable to the polluted façade (in this case, Dodworth Road).
Reason: In the interests of minimising the impact of local air quality on the proposed development in accordance with Local Plan Policy Poll1 Pollution Control and Protection and Policy AQ1 Development in Air Quality Management Areas.
- 5 The dormer windows shall be constructed from materials with a similar visual appearance to those used in the construction of the roof of the original building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.

PA Reference:-

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BARNESLEY MBC - Regeneration & Property



Scale 1: _____