

Applicant: Coyle

Description: Change of use from hostel to residential development consisting of the refurbishment of the existing main building on the site into 7no. apartments, associated alterations to the external elevations, erection of single storey detached block containing 4no. apartment units to replace existing annex building and associated alterations to the site layout and parking arrangements (Use Class C3)

Address: 47 Victoria Road, Barnsley, S70 2BU

Cllr Bruff has requested the application be presented to Planning Regulatory Board

Site Description

The site is currently occupied by 47 Victoria Road (also known as Westfield House) and is located at the junction of Sackville Street and where Victoria Road and Gawber Road merge. The site is located within the Victoria Road and Huddersfield Road Conservation Area which is predominantly residential in nature. However, some of the larger buildings within the area have been converted from residential to office use.

Westfield House is a large detached villa set in generous grounds occupied by mature trees, shrubs and plants, particularly along the southern, eastern, and western boundaries.

Built in 1876, Westfield House is a fine quality building, two storey, of sandstone construction with attics. It has a low pitched, hipped roof with parapets, which is covered in welsh slate. Although vacant and in need of extensive repair following several attacks of vandalism, the building still provides a significant visual landmark to the Conservation Area.

Previous use of the building and site resulted in the erection of a single storey detached annex to the rear of the property. The annex is of modern construction and as such, has no significant architectural value and is in a poor state of repair.

Following the approval of previous applications, work has commenced on the site which has seen the clearance of the site and the replacement of the roof timbers in the original building.

Site History

2007/2013 Residential development – conversion of existing building into 5 apartments and construction of 1no block of 16 apartments – Approved subject to conditions

2010/0780 Residential development – conversion of existing building into 5 apartments and construction of 1no block of 16 apartments (extension of time limit for implementation of application 2007/2013) – approved subject to conditions

2017/1681 - Change of use from hostel to a residential care facility including refurbishment of external elevations (6 apartment units) and erection of single storey detached apartment block (3 units) to replace existing annex building along with associated alterations to the site layout and parking arrangements – approved May 2018

2018/1346 - Erection of building containing 12no supported living units – withdrawn February 2019

2019/0374 – Discharge of Conditions 3 (ground stability), 4 (mud/debris) 5 (materials) and 6 (landscaping) relating to application 2017/1681 – approved July 2019

2019/0397 - Variation of condition 2 (approved plans) of planning permission 2017/1681 to enable internal reconfiguration of buildings to allow 2no additional residential care apartment units - Change of use from hostel to a residential care facility including refurbishment of external

elevations (6 apartment units - now 7) and erection of single storey detached apartment block (3 units - now 4) to replace existing annex building along with associated alterations to the site layout and parking arrangements – approved May 2019

Proposed Development

The applicant seeks permission to change the use of the premises from a hostel to residential development consisting of the refurbishment of the existing main building on the site into 7no. apartments, associated alterations to the external elevations, erection of single storey detached block containing 4no. apartment units to replace existing annex building and associated alterations to the site layout and parking arrangements (Use Class C3)

The overall site works will include the stripping back of overgrown shrubbery, the removal of trees as outlined in the tree survey, the erection of iron railing above the existing low level stone wall to a maximum height of 1.8m and the inclusion of entrance gates to the same height. Parking and turning area will be hard surfaced in a solid bound material.

At the time of the initial submission, the applicant sought to change the use to C3 with an element of care to be provided; the same as that proposed under the earlier applications 2017/1681 and 2019/0397. Following discussions with colleagues in Legal and Adult Care Services, the level and type of care to be provided were not considered to fall within the Class C3 definition and the application was to be recommended for refusal; upon notification of this, the applicant amended the proposed development to remove all elements of care and to apply for standard C3 residential units.

Local Plan

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

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.

T1 Accessibility Priorities

Working with city region partners and other stakeholders, transport investment will be set out in Transport Strategy programmes focused on development-transport corridors as shown in the Accessibility Priorities diagram below to:

- Improve sustainable transport and circulation in the Accessibility Improvement Zone (AIZ) area particularly between Principal Towns.
- Implement transport network improvements as supported by evidence from modelling, feasibility studies, consultation, surveys, community engagement etc.
- Facilitate sustainable transport links to and from existing and proposed employment, interchange, community and leisure and tourism facilities in the borough, including provision for car parking and enhancing the non-car role of the transport corridor shown on the Accessibility Priorities diagram as 'potential enhanced road based public transport corridor'.
- Promote high quality public transport linking the AIZ to significant places of business, employment and national / international interchange in the Leeds - Sheffield City Region corridor including neighbouring Wakefield, Kirklees, Doncaster, Sheffield and Rotherham.
- Improve direct public transport and freight links to London, Manchester, other Core Cities, national / international interchanges and the Humber ports.

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.

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.

HE1 The Historic Environment

We will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk.

HE2 Heritage Statements and General Application Procedures

Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the heritage significance of the site and its setting.

HE3 Developments Affecting Historic Buildings

Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance

Policy D1 High Quality Design and Place Making

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

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 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, amongst others, there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;

I1 Infrastructure and Planning Obligations

Development must be supported by appropriate physical, social, economic and communications infrastructure, including provision for broadband.

Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.

Policy LG2 The Location of Growth

Priority will be given to development in the following locations:

- Urban Barnsley;
- Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and
- Villages.

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

SPDs/SPGs

Supplementary Planning Document – Design New Housing Development

Supplementary Planning Document – Residential Amenity and Siting of Buildings

Supplementary Planning Document – Parking

Supplementary Planning Document – Sustainable Travel

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 Revised National Planning Policy Framework sets out the Governments 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.

Sections of the NPPF of relevance to this application would be as follows:

Section 2 : Achieving Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 9: Promoting Sustainable Transport

Section 16: Conserving and Enhancing the Historic Environment

Consultations

Affordable Housing – no objections

Adult Care Homes – no objections following amendments to the proposed development

Conservation – no objections subject to conditions from previous approval

Commercial Services – no comments received

Drainage – no objections

Highways DC – no objection subject to conditions

Forestry Officer – no objections subject to conditions from previous approval

Pollution Control – no objections

SYMAS – no objections subject to conditioning of details approved under discharge of condition application 2019/0374
Waste Management – no objections
Civic Trust – no comments received
Coal Authority – no objections
Network Rail – no observations
Education – no objections
Yorkshire Water – No comments received
Ward Councillors – Cllr Lofts – concerns in relation to highways safety
Cllr Bruff – concerns in relation to the impact on existing residents and highways safety particularly the access onto Gawber Road.

Representations

Neighbour notification letters were sent to surrounding residents and a site notice was posted adjacent to the site; three letters of objection have been received raising the following concerns:

- Proposed use out of keeping with the area
- Issues with “visitors” to the area causing issues
- The occupants of the building
- Issues with drugs and anti social behaviour within the area

These comments were received in relation to the original scheme, following the receipt of amendments a re-consultation was undertaken, including notifying neighbours and the erection of a site notice; no additional comments have been received.

Assessment

Principle of Development

The site is designated Urban Fabric in the Local Plan and is within Urban Barnsley which is the main focus for housing growth. Policy H4 - Residential Development on Small Non-allocated Sites states that proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

The principle of development is considered acceptable where the proposal complies with the terms of policies GD1 General Development, Policy D1 High Quality Design and Place Making and the Designing New Housing Development SPD.

The principle of a residential development has been established with the earlier planning approval 2017/1681 subject to the conditions set out in the decision notice and the subsequent variation of condition application 2019/0397 which are extant planning permissions and represent a fall back position.

Residential Amenity

The proposed residential accommodation is located in a predominantly residential area and therefore is a compatible use with the prevailing character of the area.

There are no additional external alterations to the fabric of the existing building or changes to the proposed annex building located to the rear, from what was approved under the previous applications and therefore it is considered that the proposal would not have any greater impact on the residential amenity of surrounding residents in terms of overlooking or overshadowing compared to what has been approved.

In terms of the amenity of the proposed occupants, the South Yorkshire Residential Design Guide (SYRDG) provides guidance in order to assess the internal spacing of the proposed units. Of the 11 units proposed only one unit falls slightly short of the overall requirement and but this is not

considered to be of significant detriment to the amenities of the future occupiers of that unit and is therefore not sufficient to warrant refusal of the application.

There is sufficient space surrounding the buildings to provide the required amenity space and whilst it is acknowledged that the secure garden area for the 4no units located within the replacement annex to the rear does not meet the guidance, it is still considered sufficient to meet the needs of the occupiers of the units, given that they are located within a larger apartment style setting within a town centre location.

It is therefore considered that the proposal is acceptable in terms of its impact on residential amenity and is in compliance with Local Plan Policy GD1.

Visual Amenity

As outlined above, the apartments would remain identical to those previously approved under the extant permission. There are amendments to the layout of the parking court and the access into the site, however, these would not have a significant impact on visual amenity and as such, the visual amenity of the area would be maintained to an acceptable degree.

The conversion of Westfield House is welcomed as a means of safeguarding the long term future of an historic building in what is a prominent position. The external alterations proposed, are considered minimal and whilst the inclusion of uPVC windows and rainwater goods may not normally be considered acceptable on such an iconic building within a Conservation Area; it is considered acceptable in this instance due to the building's state of dereliction and its current negative impact on the Conservation Area. The Council's Conservation Officer has raised no objections to the scheme.

The applicant proposes to re-instate iron railings above the existing low level stone wall which is characteristic of the wider Conservation Area.

The new build proposal is of a standard modern design and is practically identical to that which it replaces. Whilst of a modern design, it is located to the rear of Westfield House and would not be highly visible from public vantage points and where it is visible, would be screened by the surrounding protected trees.

It is therefore considered that the proposal is acceptable in terms of its impact on the street scene and in compliance with Local Plan Policies D1 High Quality Design and Placemaking and HE1 The Historic Environment.

Highways

The site is located on a busy arterial route within the town centre; with two accesses serving the property, one from Gawber Road and one from Victoria Road.

It is acknowledged that concerns have been raised by ward members in relation to highway safety. As mentioned previously there is an extensive history to this site with a number of previous permissions which have sought to utilise both existing accesses to the site. The most recent 2019 application uses both accesses and can therefore be implemented. Notwithstanding this, the Highways Section have looked at the impact of this proposals on highways safety and the highway network and have commented as follows:

"The applicant is seeking to utilise an existing, albeit redundant, access from Sackville Street and whilst I am mindful that this can at times be a congested part of the highway network, the alignment of the boundary wall on both sides of the access and the widened footway provides a 43m visibility for exiting vehicles at a 2.4m to the SE of the site and at a 2m setback to the NW of the site over the bridge. Whilst I would typically like to see a 2.4m x 43m setback in both direction, MfS (Manual for Streets) states that the min 2m setback may be considered in some very lightly trafficked and slow speed situations. Given that this access will

serve only a small portion of the development site, giving provision for only 6 parking spaces, I am of the opinion that we can accept a reduction of the setback distance to 2m which would not result in a detrimental cumulative impact on the network and, as such, I would have no objections to reinstating this access point for the requirements of this application.

Off street parking for 14 vehicles is provided along with turning and manoeuvring areas; and provides in excess of the requirements of the Parking SPD which requires 1 space per unit with 1 or 2 bedrooms.

Highways DC have raised no objection to the proposed development subject to the inclusion of conditions which require the submission of details to prevent mud and debris being deposited on the highway during the construction period and the hard surfacing to be in a solid bound material and available for use prior to the building being brought into use.

It is therefore considered that the proposed development would not have a detrimental impact on highway safety and as such is in compliance with Local Plan Policy T4

S106 – Sustainable Travel Contributions

Policy I1 Infrastructure and Planning Obligations of the Local Plan states that ‘Development must be supported by appropriate physical, social, economic and communications infrastructure, including provision for broadband and must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.

Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.’

Sustainable Travel – The SPD ‘Sustainable Travel’ states that ‘contributions will be sought on developments of 10 dwellings or more.’ Based on the formula set within the SPD and the developments location, a total of £3,300 would be required.

Other Issues

The proposal would see the loss of some protected trees within the site; these trees are large mature trees with many structural issues and the loss of these trees is considered not an issue.. It is considered that the inclusion of replacement planting on a like for like basis is not appropriate given the density of the trees around the site although a landscaping scheme is provided for appropriate greenery on the site. The Council’s Tree Officer has noted that there is little change in terms of the impact on the trees from the previous approval and has therefore raised no objections

Concerns have been raised in relation to anti-social behaviour in the area and comments have been received in relation to the occupants of the units. The applicant seeks permission for residential development of the site, and as such it is no longer a proposal for supported living. It is the intention of the applicant to seek the necessary market advice as to whether to implement the development and sell or rent the units on the open market, or whether to sell the site to another developer.

Conclusion

The building has been in a poor state of repair and subject to vandalism for a number of years. The development of the site would result in the retention of an historic building within the conservation area. The proposal would not have a detrimental impact on residential amenity, visual amenity and highway safety and as such is considered acceptable and in compliance with Local Plan Policies GD1, D1 and T4.

Recommendation - Grant subject to conditions and the signing of a Section 106 agreement.

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

- Site Layout Plan BARN/303 Rev A received 27th February 2020
- Site Layout Plan - Landscaping BARN/305 Rev A dated Feb 2019
- Proposed plans to self contained apartment block BARN/304/ Rev B received 27th February 2020
- Proposed elevations and sections BARN/302 Rev A received 27th February 2020
- Proposed floor plans and section BARN/301 Rev C received 27th February 2020
- Design and Access Statement ref A114740 v2 dated February 2020 produced by WYG
- Energy Statement v3 dated 25th February 2020
- Planning Statement ref A11470 v5 dated 25th February 2020 produced by WYG
- Tree Survey Westfield House, 47 Victoria Road 0155 Revision c dated 19th April 2020
- Tree Protection Plan Revision C produced by Selwyn Trees
- Waste Management Plan Issue number 3 dated 25th February 2020 produced by Gemma Coyle
- Ground Stability Assessment prepared by CC Geotechnical dated October 2018
- Proposed materials Main Building - roof and wall finishes
- Proposed materials Rear Annex Building - roof and wall finishes
- Doc Ref: 1004 Discharge of Planning Condition 4 dated 28th March 2019 produced by Ed Coyle of Emerald Development Ltd to prevent mud/debris from being deposited on the public highway

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.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development

Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

4. Upon commencement of development details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details prior to the development being brought into use.

Reason: In the interest of air quality, in accordance with Local Plan Policy POLL1.

5. The refurbishment of the roof of the existing retained building on the site shall be carried out using natural grey slate with matching ridges and hip tiles bed in mortar.

Reason: In the interests of preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE1 The Historic Environment.

6. Gutter work for the existing retained building on the site to be refurbished shall be ogee section in black with matching downpipes and soil pipes in black

Reason: In the interests of preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE1 The Historic Environment

7. Any new facing stone to be used in the refurbishment of the existing building to be retained on the site shall be natural sandstone, matching the existing in terms of colour, general grain size, types of face dressing and method of coursing.
Reason: In the interests of preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE1 The Historic Environment.
8. The mortar mix for refurbishment to 'make good' any alterations or repairs to the existing retained building on the site shall be 1:3 (1 part NHL3.5 lime: 3 parts well graded grit sand). This shall be flush pointed then stippled back to a concave joint of 2 or 3 mm to reveal the texture of the aggregate in the joint.
Reason: In the interests of preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE1 The Historic Environment.
9. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank or Public Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy POLL1, Pollution Control and Protection.
10. The parking/manoeuvring facilities indicated on the submitted plan shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring are provided in the interests of highway safety and the free and safe flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.
11. Pedestrian intervisibility splays having the dimensions 2m x 2m shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
12. All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
Reason: In the interests of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.



BARNSELY MBC - Regeneration & Property



Scale: 1:1250