

2024/0448

Mr Albert Beevers

Furnace Inn, 163 Milton Road, Hoyland, Barnsley, S74 9BG

The creation of a raised seating area including canopy to replace an existing seating area

## Site Description

The site is a public house located in Hoyland on Milton Road. The surrounding area is predominantly made up of housing with a pond also to the south of the public house. The site is accessed off Milton Road with the access running parallel to the front elevation of the building and leading to a car park. There is an existing seating area also in this space however it isn't formalised and consists of tables.

## Planning History

B/79/4124/HN - Extension and alterations to public house

B/86/0838/HN - Internal alterations to public house and new fire escape stairway

B/95/0427/HN - Alterations and erection of garage to public house

B/04/1153/HN - Demolition of existing store and erection of new cavity walls and monopitch roof (Approved with Conditions)

2007/1068 - Erect a canopy to front elevation of public house (Refused)

## Proposed Development



The applicant is seeking approval for the erection of a walled seating area and canopy to replace the existing arrangement of tables adjacent the front elevation of the public house. The seating area will project 3.6 metres into the existing car park access and has a width of 10 metres. The canopy covers the whole width of the seating area and will feature a flat roof with a total height of 3.35 metres. The materials used will be matching stonework for the boundary wall topped with matt black solid wood timber cladding to create planting boxes and dark grey powder coated metal with a premium canvas to match the existing building roof colour for the canopy.

## **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 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 it.

## **Local Plan Allocation – Urban Fabric**

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 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 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**

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

**Section 12: Achieving well designed places** – The Government attaches great importance to the design of the built environment. 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. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 139 states *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.

#### Other Guidance

- South Yorkshire Residential Design Guide

#### **Consultations**

The LPA's Conservation Officer was consulted and raised no objections.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Hoyland Milton Ward Councillors were consulted and raised no objections.

Pollution Control were consulted and raised no objections subject to conditions.

Public Rights of Way were consulted and raised no objections.

Rockingham Ward Councillors were consulted and raised no objections.

Trans Pennine Trail were consulted and raised no objections.

#### **Representations**

Neighbour notification letters were sent to surrounding properties and a site noticed erected near the site, no comments were received.

#### **Assessment**

##### Principle of Development

The site falls within urban fabric which has no specific land allocation. The erection of extensions to commercial properties within close proximity to residential areas is acceptable in principle. The canopy and seating area would be considered acceptable where it does not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

##### Visual Amenity

The proposed seating area and canopy is to be located on the southern front elevation of the public house therefore it will be prominent approaching the building from the south along Milton Road. Although the canopy would form an anomalous feature in the street scene it would not have a detrimental impact nor be visually intrusive in a negative sense.

The public house itself is also an anomalous use, given that the surrounding area is predominantly housing with little other commercial uses. The seating area is a visual improvement over the existing arrangement of tables as it confines the tables to a set area unlike the existing. The canopy does

not harm the architectural features of the building nor significantly detract from its character, and the Conservation Officer has raised no objections.

The materials are to partially match the existing building with matching stone used and a colour palette for the canopy which is reflective of the roof of the building. This will therefore harmonise with it as well as the weathered look of the stone. With regards the flat roof for the canopy although this is not normally a supported roof type due to flat roofs being an inferior form of construction, it is acceptable in this circumstance as it provides a function for the public house and is typical of canopy construction for this use. The addition of black timber cladding above the wall is to create planting boxes which are deemed an attractive feature and not harmful to the building or street scene.

The proposal would not adversely affect the appearance or character of the building, or the surrounding area and would not result in an overly prominent or visually intrusive feature in the street scene to the detriment of the visual amenities of the area. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

#### Residential Amenity

The proposed canopy and seating area is located a sufficient distance from nearby residential properties and approximately 19 metres is maintained to the nearest property which is set to the west behind the car park and screened by a high fence and wall. There are no dwellings set directly in front of the proposed seating area and said area is already used for informal outdoor seating for the public house. The proposal is not expected to generate a significantly detrimental increase in levels of noise and a noise management plan has been provided. Pollution Control have been consulted and have raised no objections therefore the proposal is considered acceptable. It's considered the proposal is unlikely to give rise to any significant detrimental impact upon residential amenity. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

#### Highway Safety

There will be no impact upon highway safety. The proposal would create a raised seating area where there is presently outdoor seating at ground level. Swept path analysis demonstrating a small car entering and exiting the site in a forward gear has been submitted. It is acknowledged that the proposal would not significantly impact on the width of the access or off-street parking provision when compared to the existing arrangements. Although it would be preferred if the new access was to be wider, the scheme has been amended to conform to the minimum width (4.5 metres) as required in the SYRDG and it is therefore considered acceptable from a highways point of view.

#### **Recommendation**

**Approve with conditions**