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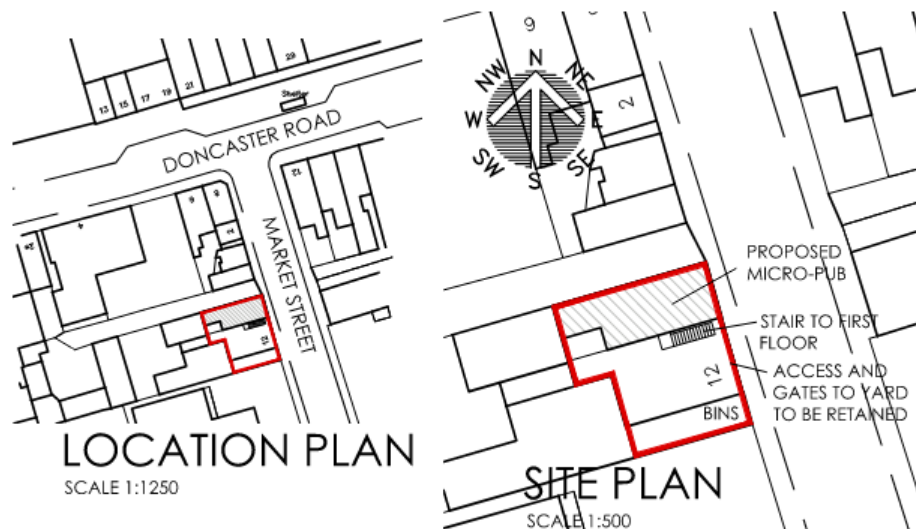
Mrs Donna Taylor

Change of use of ground floor from shop to micro pub

12 Market Street, Goldthorpe, S63 9HA

Description

The site consists of a 2-storey brick-built building with a courtyard at the side containing some outbuildings/ covered areas. The building itself is detached, with a shop on the ground floor and a flat above. The building is red brick built and covered with render that has partly eroded. An external staircase gives access to the upper floor and is located within a side courtyard associated with the property. To the south of the site is a large community church, and to the north a number of shops with mixed uses leading to Doncaster Road which is the main high street. Adjacent to the property are a number of residential properties in the process of being built which are replacing the old market area. The site is located within Goldthorpe District Centre, surrounded by a mix of residential and commercial uses, and is located just off the main high street.



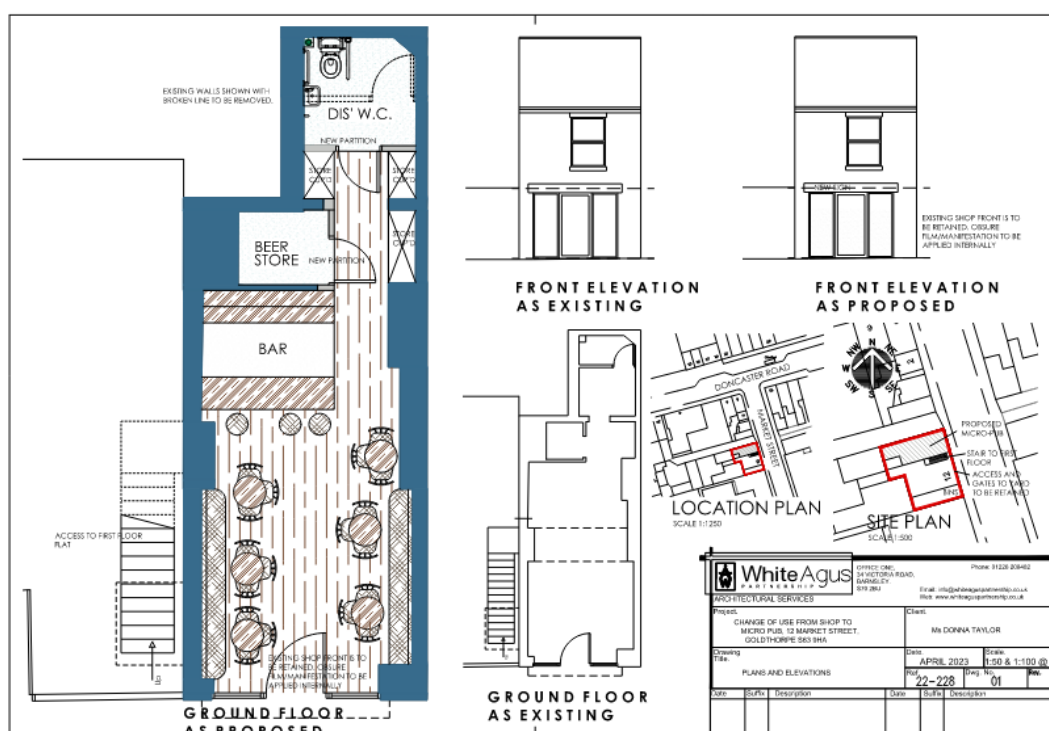
Proposed Development

The applicant seeks permission to change the ground floor of the property from a retail use A1 to micro pub A4. Internal alterations are required in the form of the proposed bar area towards the rear and seating area in front. No external alterations are proposed and fascia signage (subject to size and illumination) can be displayed without planning permission. There are public car parks available within walking distance and the site is served well by public transport.

To protect nearby residents a management plan is proposed as follows:

- No outside drinking will be permitted.
- Deliveries will be made during normal business hours of between 9am and 5pm, Monday to Saturday with no deliveries on Sundays.
- No smoking will be allowed on the premises in line with current legislation or immediately outside the premises. Signage to this effect will be displayed in prominent locations and the policy enforced by staff members.
- It is proposed that a CCTV camera system with recording option will be installed to cover the internal & exterior areas.

- Should the management or staff become aware of any unduly excessive noise, bad language, or bad behaviour this will be dealt with immediately.
- To remind customers that there are nearby residential properties, notices will be placed in the bar area asking users to be mindful of this and behave with due consideration.
- Should any reasonable complaint arise from the business The applicant / owner will be most willing to discuss this or to attend any resident's meetings if necessary.
- No music will be played inside or outside the premises.
- Bins will be in the yard adjacent to the building as previously occurred. Collections to meet the Local Authority schedule.
- A Challenge 21 policy will be implemented that will require any person who appears under the age of 21 to provide suitable photographic identification.
- To ensure that the above policies are enforced, staff training and induction will be given to endure the enforcement procedures above.
- Operating hours will be, at the most, 11am to 10pm, seven days a week.
- The owner will adhere to the objectives outlined in the Licensing Act of 2003



Policy Context

Local Plan: District Centre/ Primary Shopping Centre

Planning decisions should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

NPPF

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.

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 achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Local Plan

In reference to this application, the following Local Plan policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – sets out principles when considering development proposals.

Policy GD1: General Development – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

Policy T4: New Development and Highway Improvement - 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.

Policy TC1: Town Centre – Support will be given to maintaining and enhancing the vitality and viability of District Centres.

Policy TC2L: Primary and Secondary Shopping Frontages – Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres providing they adhere to the Policy.

Policy BTC1: The daytime and evening economies – The Council will work with developers and operators to diversify the daytime and evening economies (particularly early evening).

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to unacceptably affect or cause a nuisance to the natural and built environment or to people.

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.

Consultations

Highways DC – No objections

Regulatory Services – No objections subject to conditions

Ward Members – No comments received

Drainage – No objections, happy for details to be checked by Building Control
Yorkshire Water – No comments received

Relevant History

2017/0242- Erection of building containing retail units at ground floor and residential apartments above (Outline with access and layout under consideration) - approved April 2017

Representations

Neighbour notification letters were sent to surrounding properties, a site notice was posted adjacent to the site, no comments have been received.

Assessment

The Councils aim for Goldthorpe's future is to improve the availability of leisure, cultural and entertainment activities with the strategic direction to intensify within its existing boundaries.

Policy TC1 Town Centres states that Goldthorpe is defined as a District Centre. The District Centres have an important role serving localised catchments and meeting more local needs. To ensure they fulfil this role and continue to complement and support the role of Barnsley Town Centre new retail and town centre development will also be directed to the District Centres.

The change of use of the premises is considered acceptable where there is no detrimental impact on residential amenity by means of noise and disturbance, visual amenity or highways safety. The unit is located within the retail frontage where there are a mixture of uses, the proposed micro pub would fit in with the character of the area and with an active frontage and can be used by members of the public which is considered to be acceptable in principle.

Visual Amenity

There are no visual amenity considerations to take into account as no external alterations are proposed. Similarly, a fascia sign (subject to size and illumination) can be erected without the need for advertisement consent. The proposal will provide a daytime and evening economy which would be visual compliant with the local area. Therefore it is concluded that proposal is not expected to be at odds within the confines of the street scene in compliance with Local Policy.

Residential Amenity

The Council's Regulatory Services team have been consulted and have no objection to the proposal. Details of the soundproof insulation will be conditioned to endure the residential amenity of the nearby residents occupying the accommodation above. The building is limited in size and the applicant has stated that the micro pub would not be in operation later than 2200hrs. There will be no music played either inside nor outside and there will be no outside seating available, which will work to ensure that residential amenity is protected. Delivery times will be conditioned to further protect residential amenity.

It is acknowledged that there some residential properties within the vicinity with the closest being located above, however given the District/ commercial area location, where existing night-time economy uses are currently in operation, it is considered that the proposal would not have a significant detrimental impact on amenity of the local residents by way of noise/disturbance and as such is acceptable in compliance with Policy Poll1.

Highway Safety

The site does not have any associated parking with it. However, it is in Goldthorpe Centre and there are car parks within walking distance of the site and the centre is served proficiently with public transport. The Council's Highways Section have raised no objection to the proposal and given the previous commercial use and the sustainable location, the proposal is considered to be acceptable in compliance with Local Plan Policy T3 and T4.

Conclusion

It is therefore considered that the proposed alterations would not have a detrimental impact on the wider street scene or residential amenity and as such is acceptable and in compliance with Local Plan Policy

Recommendation

Approve subject to conditions