
2021/1230

Mr S Trigg

Replacement shop front and single storey rear extension including new pedestrian entrance providing access to residential flat above

35 Market Street, Hoyland, Barnsley, S74 9QH

Site Location and Description

The property subject to this application is a substantial building with a ground floor retail space and first floor flat above. The area to the rear is hard surfaced which was used as a storage yard for the retail space.

The property benefits from a single storey rear extension which is constructed from facing stone to the southern side elevation and red brick to the eastern rear elevation.

The premises have been occupied by a retail unit for numerous years.



Proposed Development

The applicant seeks permission for the erection of a single storey extension to the rear of the premises to provide staff kitchen space and a separate access to the existing flat above and the replacement shop frontage.

The rear extension is to infill a gap between the existing extension and the premises and the extension at the neighbouring premises.

The advertisement indicated on the shop front is for indicative purposes only and will require separate advertisement consent.



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 3rd 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 D1 High Quality Design and Place Making
Policy Poll1 Pollution Control and Protection
Policy SD1 Presumption in favour of Sustainable Development
Policy GD1 General Development

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 there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Consultations

Highways DC – No objections
Forestry Officer – verbal discussion no objections
Ward Councillors – No comments received

Representations

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice; two letters of representation have been received in relation to the use of the premises and parking, both representations requested clarification on the respective elements and were notified of such. The comments in relation to the parking have been rescinded and the neighbour raised no objection to the proposal.

Assessment

Principle of development

The installation of replacement shop front and the erection of extensions to commercial premises are considered acceptable in principle where satisfactory standards of design are

achieved, where they do not have a detrimental impact on the character of the street scene and the amenity of neighbouring residents and uses are maintained.

Visual Amenity

The inclusion of the replacement shop front will update the dilapidated existing shop front and give a more pleasing appearance to the area.

The proposed extension would not be visible from public vantage points given it is to be located on the rear elevation, nevertheless the extension is to be constructed from materials, and of a design which match the original building, whilst the main building is constructed from stone the existing rear extension is constructed from stone and brick and it is considered that the use of either material is acceptable.

It is considered that the proposed extension and shop front would not detract from the character of the street scene and therefore, the installation of the shop front and the erection of the rear extension are acceptable and in compliance with Local Plan Policies D1 and GD1

Residential Amenity

The site is located on the periphery of Hoyland Town Centre and whilst there is a residential property adjacent to the premises the located of the proposed extension would not result in and an increase in overshadowing, overlooking or loss of outlook due to the proposed extension being located between two existing extensions, therefore it is considered that the proposal complies with Local Plan Policy GD1 – General Development.

Highways safety

The proposed changes do not result in the loss of off street parking or a requirement for additional provision.

The change of use of the ground floor does not require planning permission and therefore parking provision cannot be required for the alterations to the shop front and the erection of the rear extension. Nevertheless, Supplementary Planning Document Parking requires parking provision in the way of 4no spaces for the ground floor estate agent use and 1no space for the flat above. Whilst the plans indicate 3no parking spaces, there is sufficient space to the rear of the property to provide the additional 2no parking spaces; it is therefore considered that the proposed would not have an impact on highway safety and is therefore acceptable.

Trees

There are protected trees located close to the boundary with the neighbouring property; the tree officer was consulted on the application; however, no comments were received. The proposals put forward is not considered to impact on the protected trees given the area immediately adjacent to the boundary is hard surfaced and that the proposed extension works are separated by the existing extension.

Recommendation

Approve with conditions