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2021/0810

Mr P Dodson

Installation of a retractable canopy to front of shop unit.

65 Park Road, Worsbrough, Barnsley, S70 5AD

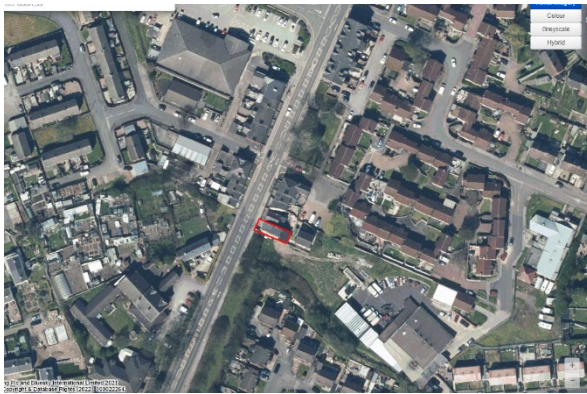
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### Site Location and Description

The unit is a detached property located adjacent to a row of terraced units within an area predominantly characterised by residential properties however with interspersed retail and professional uses, with the adjacent unit being a dentist.

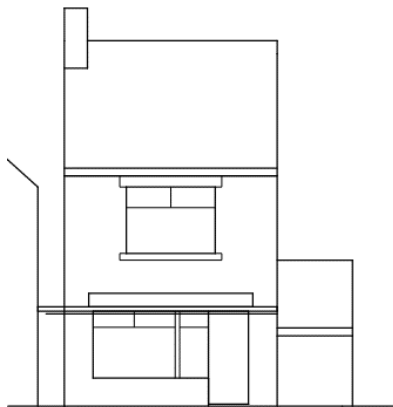
The unit has the appearance of a two-storey property from the front and due to the level difference is three-storey at the rear with a stepped access to the south side of the unit and a platform access from the rear onto Charles Street.

The premises are occupied by Biketyke; a bicycle sales, service and repair shop.



### Proposed Development

The applicant seeks permission for the installation of mechanised canopy to the front elevation of the premises; the canopy is provide shelter for clients whilst they are looking at bikes.



FRONT ELEVATION



The applicant initially sought permission for a permanent fixed canopy to the front elevation which was to project the full depth of the front courtyard, up to the back-edge of the footway. It was deemed that this development was inappropriate as it would have a significant impact on the character of the street scene contrary to policy. The scheme put forward provides the facilities preferred by the applicant whilst not significantly impacting on the street scene due to the retraction of the canopy.

## **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 3<sup>rd</sup> 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 SD1 Presumption in favour of Sustainable Development  
Policy GD1 General Development

Supplementary Planning Documents (SPD):

SPD - Shop Fronts. Provides guidance in relation to shop front design.

### 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**

Consultations were made on the original scheme  
Highways – DC – further information requested regarding the rainwater down pipe; should the rainwater be allowed to pour off the canopy on to the footway any passing pedestrians may leave the footway and walk into the carriageway to avoid being splashed. This would be detrimental to highway safety and therefore be considered unacceptable from a highways point of view.

Ward Councillors – No comments received

Following the submission of the amended scheme/plans the following were re-consulted  
Highways DC - No objections

## **Representations**

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice; no representations have been made.

## **Assessment**

### Principle of Development

The installation of canopies 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 canopy is to be located on the front elevation of the premises, to provide shelter to customers whilst they seek advice in relation to the purchase and repair of bicycles, with the canopy being located beneath the existing fascia signage. The picture above indicates a similar design to that proposed. Whilst the previous proposal was considered inappropriate, due to the fact that the canopy is to retract, it would have a lesser impact on the street scene and would only be used as required, rather than as a fixed, permanent structure.

It is considered that the installation of the proposed canopy would not detract from the character of the street scene and therefore, is acceptable and in compliance with Local Plan Policies D1 and GD1

### Residential Amenity

Whilst there are residential premises in the vicinity of the site, the use of the premises is existing and there are no external alterations proposed which would lead to a detrimental impact on the existing surrounding residential properties, therefore it is considered that the proposal complies with Local Plan Policy GD1 – General Development.

### Highway safety

Concerns were initially raised by highways in relation to the  
The proposed changes do not result in the loss of off-street parking or a requirement for additional provision; it is therefore considered that the proposed would not have an impact on highway safety and is therefore acceptable.

## **Recommendation**

Approve with conditions