2022/1104

Applicant: Mr Kavan Grayson

Change of use from café/restaurant to local tap room (Bar)

2-4 Station Road, Thurnscoe, Rotherham, S63 0JR

Site Description

The application site relates to 2-4 Station Road in Thurnscoe. The site is located in the Local Centre of Thurnscoe (Shepherd Lane), on the corner of Station Road and Shepherd lane. The surrounding area is comprised of a typical mix of local centre uses including retail, an off license, barbers and hot food takeaways. Thurnscoe library and a bowling green is also located across the road on Shepherd Lane. The building itself is a red brick and rendered terraced building, set over two floors which was most recently used for a café/restaurant and drinking establishment. There is no external area to the building apart from a small bin store to the rear. The site is located in an area well served by public transport links, including Thurnscoe Train Station which is 200m to the North-East and several bus stops in very close proximity.









Relevant Site History

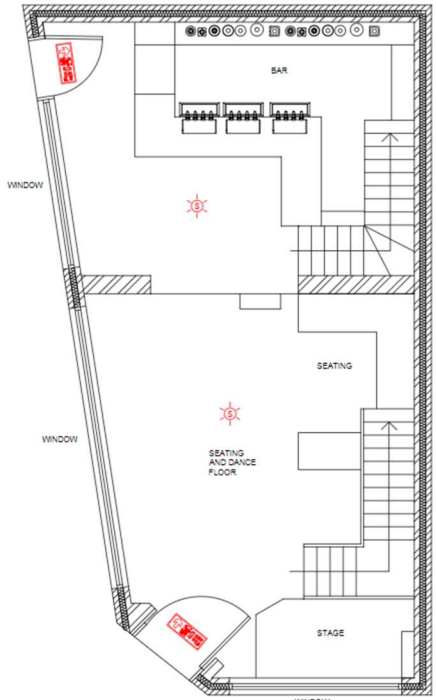
B/97/0838/DE – Change of use from ground floor retail shop to residential (Historic)

B/98/0256/DE – Installation of new shopfront (Historic)

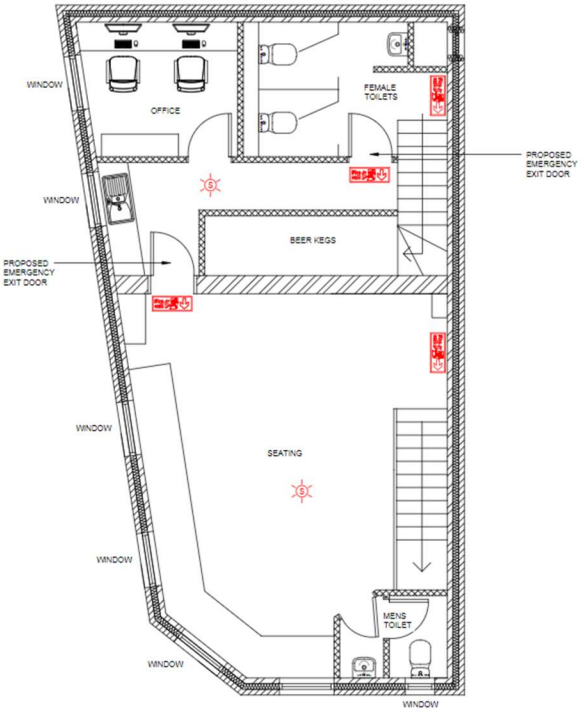
B/04/0065/DE – Change of use of ground floor shop as café (A3) and first floor as Retail (Approved with conditions)

Proposed Development

The applicant is seeking approval to change the use of the building from a café/restaurant into a pub (taproom). No external alterations will be made to the building, apart from replacement windows, with the exception of replacement signage which is not covered under this particular application. The applicant has submitted a noise management plan and has confirmed that the proposed opening hours are 12:00-11pm Sundays-Thursday and 12:00-midnight on Fridays and Saturdays.



5 PROPOSED GROUND FLOOR PLAN
1:50



6 PROPOSED FIRST FLOOR PLAN
1:50

Policy Context

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).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration.

Local Plan

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

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.

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 TC1 Town Centres: Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of centres:

Town: Barnsley Town Centre

District: Cudworth, Hoyland, Wombwell, Goldthorpe, Penistone, Royston
Local: Athersley ,Bolton on Dearne (St Andrew's Square), Darfield, Darton, Dodworth, Grimethorpe, Hoyland Common, Lundwood, Mapplewell, Stairfoot, Thurnscoe (Houghton Road), Thurnscoe (Shepherd Lane).

All retail and town centre developments will be expected to be appropriate to the scale, role, function and character of the centres in which they are proposed.

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.

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.

Poll1: Pollution Control – 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. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Supplementary Planning Documents

- Parking

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, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 126 (general design considerations) and paragraph 134, which state that '.Development that is not well designed should be refused'.

Consultations

Highways DC – No comments

Highways Drainage – No objections raised.

Pollution Control – Initially recommended several changes to the applicant's noise management plan. Upon receipt of these changes, no objection was raised subject to the noise management plan being adhered to, with a planning condition.

Ward Councillors – No comments

Representations

Neighbour notification letters were sent to surrounding residential properties and a site notice placed nearby. One comment was received, raising concerns with the following points:

1. Noise – there is a stage area sown on the plans that implied there may be plans for live entertainment which would disrupt neighbouring properties, especially in the summer months if doors and windows are open.

2. it is considered that the opening hours are too late, unless it is the owner's intention to actively prevent customers hanging around the area after closing time. This will disrupt the sleep of neighbouring residents.
3. Parking – it is already difficult to park in the area unless there is an agreement to use the Home Bargains car park, which will mean lots of noisy conversations as customers walk past the neighbouring houses.

Assessment

Principle of development

The application site lies in the Local Centre of Thurnscoe, and therefore Local Plan Policy TC1 need to be complied with which requires developments to maintain and enhance the vitality and viability of the Centre, and not adversely impact on the vitality or viability of other nearby centres. The proposed development will take on a local centre lease with pubs being a typical and expected use within such centres and serve as a community house, as outlined in Local Plan Policy I2. Local Plan Policy I2 stats that the Council will support the provision of community facilities such as public houses where they will be accessible by walking, cycling and public transport. The site is located within very close proximity to public transport links including Thurnscoe train station (200m to the North-East) and various bus stops. The proposed development is considered to be acceptable in principle, subject to other local and national planning polices being complied with.

Residential amenity

The public house is located in a local centre which is generally expected to contain public houses; however, the neighbouring area also contains residential properties, including immediately adjacent to the site (c.17m to the North). 17m is clearly in very close proximity but fundamentally this is a local centre with other late-night uses nearby, such as hot food takeaways and an off license. The proposed opening times of the building are 12:00-23:00 Sundays to Thursdays and 12:00 to 24:00 on Friday and Saturdays. This is in line with other late night uses nearby (generally open until 11pm) and other pubs in Thurnscoe, including Thurnscoe Coronation WMC (open until 24:00) and the Butchers Arms (Open until 00:30). Both of these pubs are in close proximity to existing neighbouring properties and pollution control have not objected to these opening times. A neighbouring resident has raised concerns about the impact of the development on noise and general disturbance which has been acknowledged and can be understood. However, it is felt that local centre locations such as this are expected to host this form of use, and the existing café/restaurant contained a license to serve alcohol. The current use of the building now falls into the wide-ranging Use Class E and could be used for a variety of different purposes.

The applicant has also submitted a noise management plan which outlines how noise and customers will be managed in the building. The measures include:

- Small, live acoustic sets to be played within the venue only with sets ending at 23:00 Friday and Saturday and 22:00 Sunday to Thursdays
- Signage displayed asking customers to be considerate to neighbours regarding noise and anti-social behaviour.
- Local residents will be made aware of any upcoming events where noise is likely to be louder than a typical period.
- All doors and windows of the premises where entertainment is taking place will be closed during live entertainment events.
- Management will record complaints or concerns that neighbours may submit. The log of any complaints will be kept on site and made available to the Local Authority on request.
- Deliveries and refuse collection will be undertaken during normal business hours between 7am and 5pm Monday-Saturday with no deliveries or refuse collection on Sundays.
- CCTV security cameras will be erected covering the interior of the property.

Colleagues in Pollution Control have reviewed the above measures and have not objected to the proposed development, and it is considered that the applicant has submitted a reasonable case which evidence show the impact on residential amenity will be controlled. There is no outdoor area to the public house, with customers ordered to leave the pub at closing time. The proposal is acceptable in terms of residential amenity.

Visual Amenity

There are no external changes to the building, with the exception of replacement windows which contains the pub's logos which are acceptable and are not considered to be a form of signage. Other signage may be added to the building, but these will be covered under a separate advertisement consent.

There is no outdoor seating, smoking area or canopy proposed to the building and the proposed development is acceptable in terms of visual amenity and design.

Highway safety

The development does not contain any parking provision but is centrally located in the Local Centre of Thurnscoe and is well served by public transport links including several bus stops on Station Road and Shepherd Lane, and the site is also 200m from Thurnscoe Train Station. The proposed development is considered to be acceptable in terms of highway safety, in line with Local Plan Policy T4: New development and highway safety.

Recommendation

Approve subject to conditions