

2022/1248

Applicant: Bradley

Alterations to existing hot food takeaway consisting of a new shop front, a replacement kitchen extraction flue and a single storey rear extension

7A Station Road, Dodworth, Barnsley, S75 3JD

Site Description

The application site relates to a detached red brick building located on Station Road in Dodworth. The building is used for a hot food takeaway with a small courtyard area to the front of the building which is used for parking. The site is located in the Urban Fabric, in close proximity to the local centre of Dodworth. The surrounding area is mixed-use, with residential, retail, drinking establishments and takeaways. There is a flat roofed substation located to the Southern side of the building.

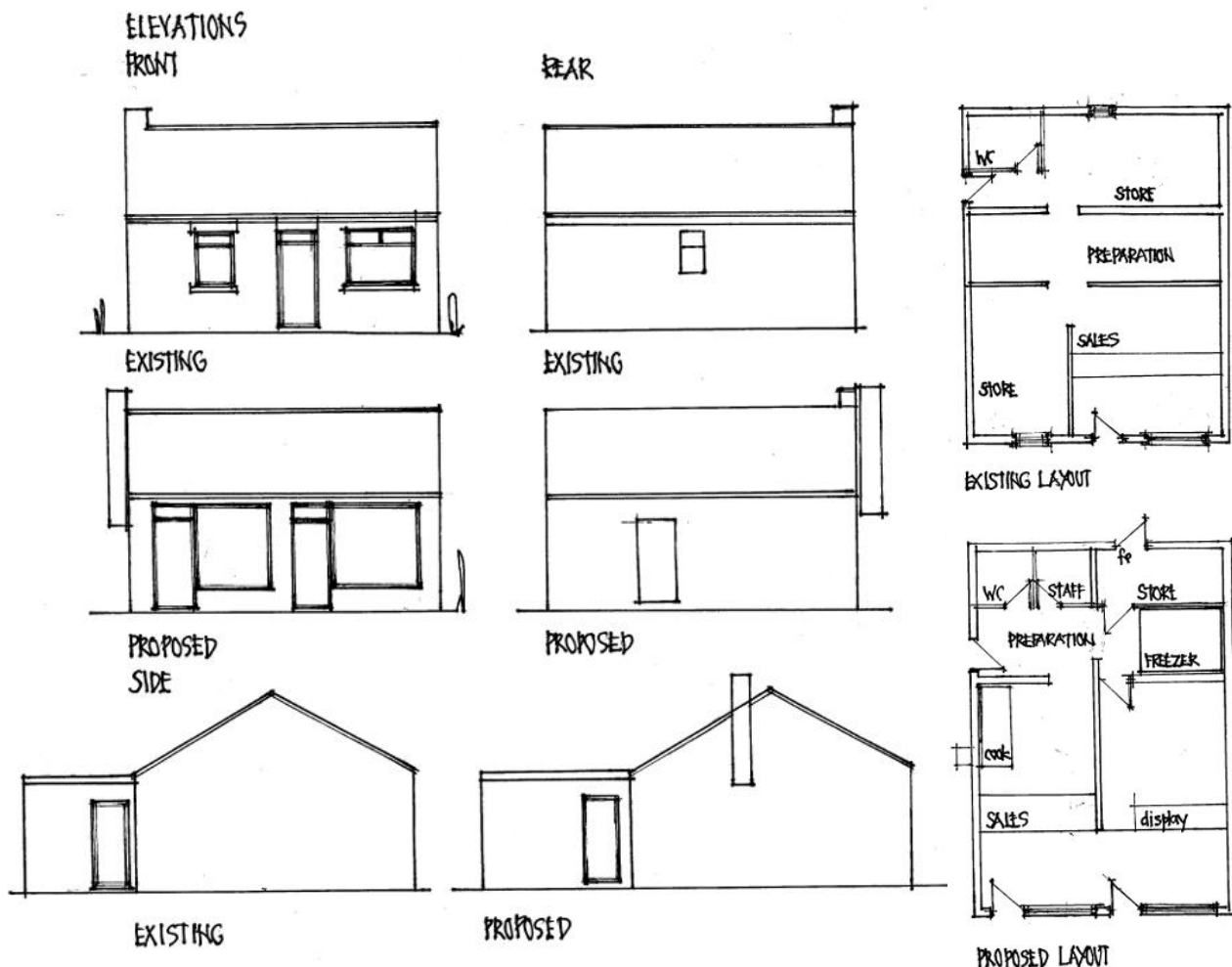
Relevant Site History

B/90/1000/DO – Erection of storeroom extension to fish and chip shop

Proposed Development

The applicant is seeking approval for alterations to the hot food takeaway including the following:

1. Erection of single storey rear extension projecting 1.1m, with a total floorspace of 10sqm,
2. Alterations to the shop front to install an additional door and 2 x larger windows,
3. Internal layout changes,
4. Replacement kitchen extraction unit and associated flue to the side elevation (South-East facing).



Policy Context

Local Plan

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 held 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. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. The site is within the Eastern Gateway area of Barnsley Town Centre and also falls within the sensitive area of opportunity for tall buildings. As such, 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.

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.

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.

LG2: The Location of Growth - Priority will be given to development in the following locations:

Urban Barnsley;
Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and
Villages.

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy

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.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

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.

RE1: Low Carbon and Renewable Energy - All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

Supplementary Planning Documents

- Hot Food Takeaways
- Parking
- Sustainable Travel

Planning Advisory Note

- Hot Food Takeaways

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 124 (general design considerations) and paragraph 130, which state 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'.

Consultations

Highways DC – Given that the site is an existing hot food takeaway, the small rear extension (10m²) is considered to have negligible highway implications and as such the proposals do not adversely impact upon the highway and are considered acceptable from a highways development control perspective. No specific highways related conditions are deemed necessary.

Pollution Control – Based on the submitted Noise Impact Assessment, no objection was raised subject to conditions.

Ward Councillors – Cllr. Fielding raised concern with lack of off-street parking and waste storage.

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; no comments were received.

Assessment

Principle of development

The site is located in the Urban Fabric, in close proximity to the local centre of Dodworth – which starts 16m to the East. The surrounding area can therefore be described as mixed use, with public houses, retail, betting shops and residential being located in the area. The site is currently used as a hot food takeaway and has done for a number of years with planning permission dating back to 1990 which refers to a fish and chip shop and street view images from 2008 which show the building being used for this purpose.

The application seeks to extend and alter the hot food takeaway and assessment against the Council's Planning Advisory Note and Supplementary Planning Document for Hot Food Takeaways is necessary in respect of meeting the Council's health and wellbeing agenda. That being said, the planning documents largely relate to the establishment of new hot food takeaways and the impact of the proposed use in that particular location. However, general assessment is required as to the proposed impact on noise and disturbance, concentration issues, opening hours, concentration issues smells/discharge of fumes, storage of waste products and customer traffic generation/deliveries. The SPD also contains a section which relates to extensions and alterations which states that:

Any proposal for the extension of a property will be viewed on its merits, taking into account any increased trading that will result from the extension and therefore the effect on such factors as the amount of servicing left available to the property, the increase in traffic and the effects on any neighbouring residential properties.

The proposed development includes a small extension (10sqm) which does not seek to significantly increase production or trade from the hot food takeaway. Rather it seeks to facilitate internal layout changes and external alterations to form 2 separate entrances/exits to make the day-to-day operations easier and quicker, allowing for delivery drivers to primarily use one door and wait in one area, with walk-in customers using the other. The proposed development is considered to be in line with the SPD and PAN for Hot Food Takeaways, but full assessment in terms of residential amenity, visual amenity and highways safety will be made in the below sections.

Residential Amenity

The site is located in close proximity to the local centre of Dodworth but is nestled in an area which contains a high concentration of residential properties. The closest being no. 7 Station Road which is immediately to the West of the application site. The application has been supported by a Noise Impact Assessment (NIA) which has been assessed by colleagues in Pollution Control with no objection raised subject to conditions. The recommended conditions are in relation to restricting the opening hours of the business to those that are expressed within the NIA (11am-11pm), and that the noise measurements from all plant and machinery associated with the development shall not exceed 38dB LAeq, 1hr at any time when measured from the nearest noise sensitive premises. Generally, a condition which requires the use/business to strictly adhered to the NIA will be added to the decision notice.

The proposed development seeks to replace and upgrade the extraction unit with a flue positioned on the South-Eastern elevation, which is not directly adjacent to the no. 7 Station Road. This is positioned in exactly the same location as the existing extraction unit with the flue orientated upwards which will direct the odours/smells away from neighbouring properties. The extraction unit/flue will result in no noticeable change compared to the existing flue.

It is therefore considered that the development is in line with Local Plan Policy GD1 and Poll1 in that it does not have a significant adverse effect on the living conditions and residential amenity of existing and future residents, subject to conditions.

Visual Amenity:

The development includes several external alterations to the building including the installation of a replacement extraction unit and flue on the South-East (side) elevation of the building, and alterations to the shop front. The extraction unit is positioned in the same position as the existing unit but is larger, with a vertically orientated flue which is higher than the roof ridge of the existing building, however the highest part of the proposed flue is only 400mm higher than the roof ridge, which is not considered to be excessive. That being said, it is positioned on a visible section of the building, on what is a corner plot with no specific details submitted for the flue. The submitted elevation plans are fairly unclear in that they show the outline for the unit/flue, but do not confirm what model/type of unit will be used, or external materials. Likewise, the method of installation has not been confirmed – i.e., whether the unit will be blended into the fabric of the building, or will be attached/fixed by another object. These details will be key as to whether the proposed flue is acceptable in terms of design and a planning condition has been agreed to ensure these details are submitted and agreed with the Local Planning Authority upon commencement.

The alterations to the shopfront do not significantly change the overall appearance of the building and are largely to accommodate an additional door and 2 x larger windows. The changes are considered to be in accordance with the criteria in Section 5.1 of the Council's SPD for Shopfront Design in that the style is

derived from, reflect and harmonise with the existing building and surrounding area, subject to the use of good quality materials to match the existing building.

The single storey rear extension is modest in size, with a projection of 1.1m which will be mostly screened behind a mixture of the building itself, the neighbouring substation and neighbouring properties. The height of the extension is limited to 3m which matches the existing extension on site and likewise this is considered to be acceptable. A condition will be attached to the decision notice which requires the extension to be constructed out of matching materials to the existing building.

No signage has been proposed at this stage which would likely require separate advertisement consent. An informative note will be placed on the decision notice to this effect.

The proposed development is in line with Local Plan Policy D1 and the Council's SPD for Shopfront Design and is considered to be acceptable in terms of design/visual amenity, subject to conditions.

Highways Safety

The site has a small courtyard area to the front of the building which can be utilised for parking. This is informal parking with no lines or allocated spaces for workers, walk-in customers or delivery drivers, however, provides some space for vehicles to park off the road. In any case, the site is located in close proximity to the local centre of Dodworth, and there are no parking restrictions on Station Road which is characterised by on-street parking. Highways DC have been consulted on the proposed development and have not objected to the proposal given that the extension to the building is small (10sqm) which is considered to have negligible highway implications and as such the proposals do not adversely impact upon the highway.

The proposed development is in compliance with Local Plan Policy T4 and is acceptable in terms of highways safety.

Conclusion

The application site refers to 7a Station Road, Dodworth which is a hot food takeaway and has been used as such since at least 1990. The applicant is seeking approval for several alterations to the building including the erection of a small rear extension (10sqm), shop front alterations, internal layout changes and a replacement extraction unit with associated flue. The development does not seek establish a new hot food takeaway, or significantly expand operations on site and a general assessment as to what impact the development has on neighbouring properties is necessary. A noise impact assessment has been submitted to support the proposal which has been assessed by colleagues in Pollution Control with no objections raised subject to conditions. The development seeks to make external alterations to the building with the addition of the extraction unit with associated flue and the changes to the shopfront. No specific details have been submitted for the extraction unit/flue at this stage, which is on a prominent elevation facing onto a fairly open corner and will have an impact on the street scene. Nonetheless, the extraction unit/flue is not considered to be excessively sized and whilst it is higher than the roof ridge of the building, this is by a nominal amount (400mm) and is overall design/size is acceptable subject to the details in relation to its appearance and materials. The changes to the shopfront are relatively minor and relate to an additional door on the frontage and 2 x larger windows than the existing. The shopfront is not being changed significantly through these alterations which are in line with the Council's SPD for Shopfront Design and Local Plan Policy D1 and are acceptable, subject to conditions relating to the use of materials to match the existing. The single storey rear extension is modest in size, with a total projection of 1.1m, a limited height of 3m and will be constructed from matching materials which is covered under a planning condition. The rear extension will be largely screened by the existing building, neighbouring buildings and the adjacent substation.

A local councillor has raised some concern with the lack of off-street parking and waste storage; however, Highways DC have been consulted on the proposal and have not raised any objections to the scheme given that the existing use of the site is not being changed and the surrounding area is characterised by off-street parking. Waste storage for the hot food takeaway is not being altered through the development given the small nature of the rear extension and the bin storage area being located to the side of the building. Despite the extension, there will still be 24sqm of external space to the side/rear of the building for bin storage which is adequate compared to the existing arrangement on site.

The proposed development is in compliance with relevant Local and National Planning Policies and is recommended for approval.

Recommendation

Approve with conditions