

2022/0498

Mr Richard Key

Change of use from beauticians (Sui Generis) to tea rooms (Use Class E)

254 Barnsley Road, Cudworth, Barnsley, S72 8SS

Planning History

2012/0532 - Change of use of part of dwelling (Use Class C3) to a beauticians (Sui Generis) - Approved subject to the following condition:- The business shall operate only between the hours of 10.00am and 8.00pm Mondays through to Fridays, between the hours of 10.00am and 5.00pm on Saturdays and not at all on Sundays or Bank Holidays.

Description

The site is located to the north west of Barnsley Road, in the centre of Cudworth. The existing beauticians forms part of what was a large stone fronted property with bay windows which has been extended and altered in the past. To the side of the building on the ground floor is a side extension which is used as a café, known as The Coffee Shop. The beauticians is accessed via a side door adjacent to the attached café. The property has a small forecourt area to the frontage which is bounded by a stone wall.

The remainder of the building is in residential use and is known as Fernbank. The site has no parking and no vehicular access, with pedestrian access being gained from the footway on Barnsley Road.



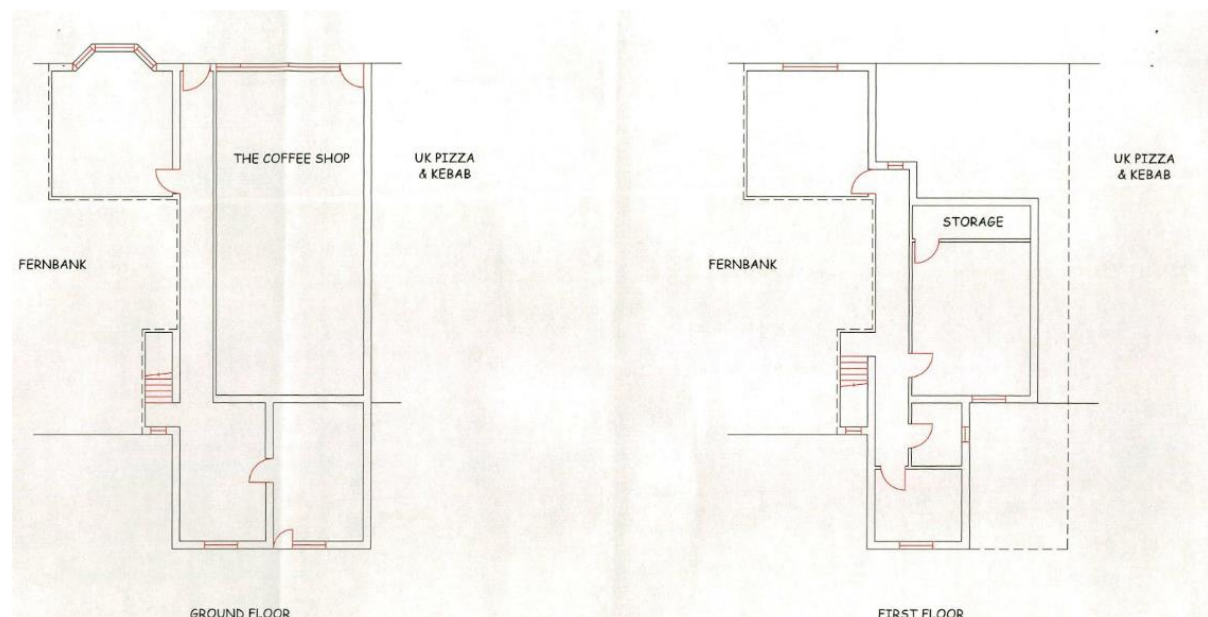
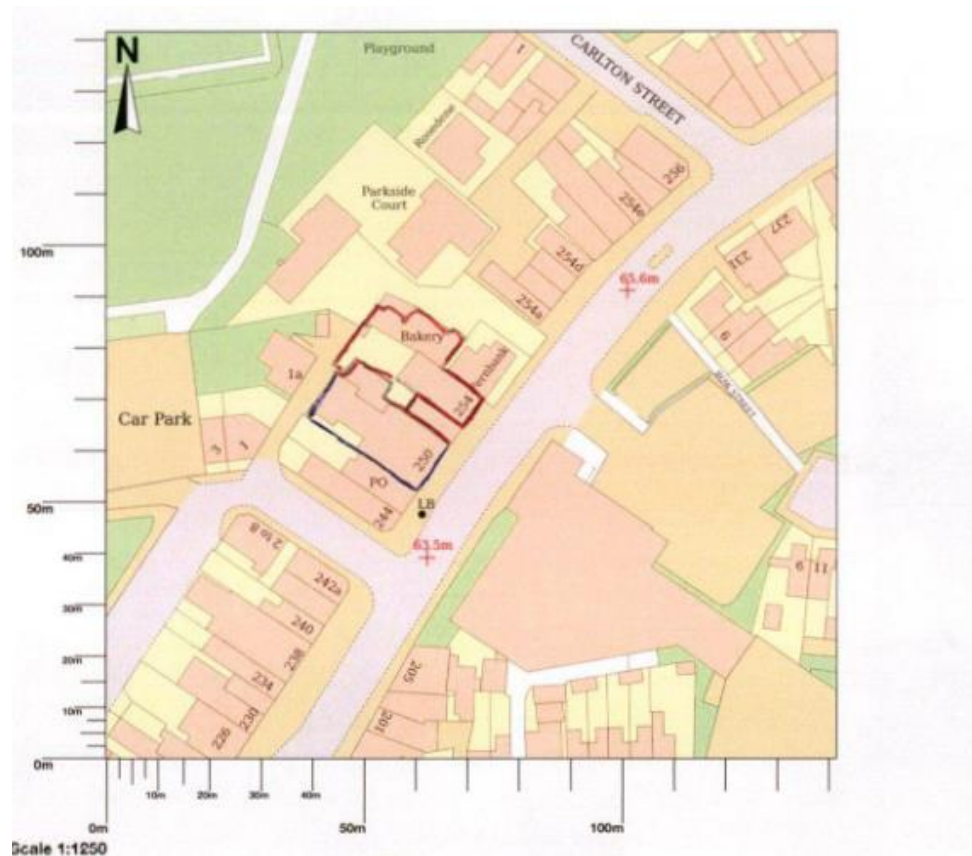


Proposed Development

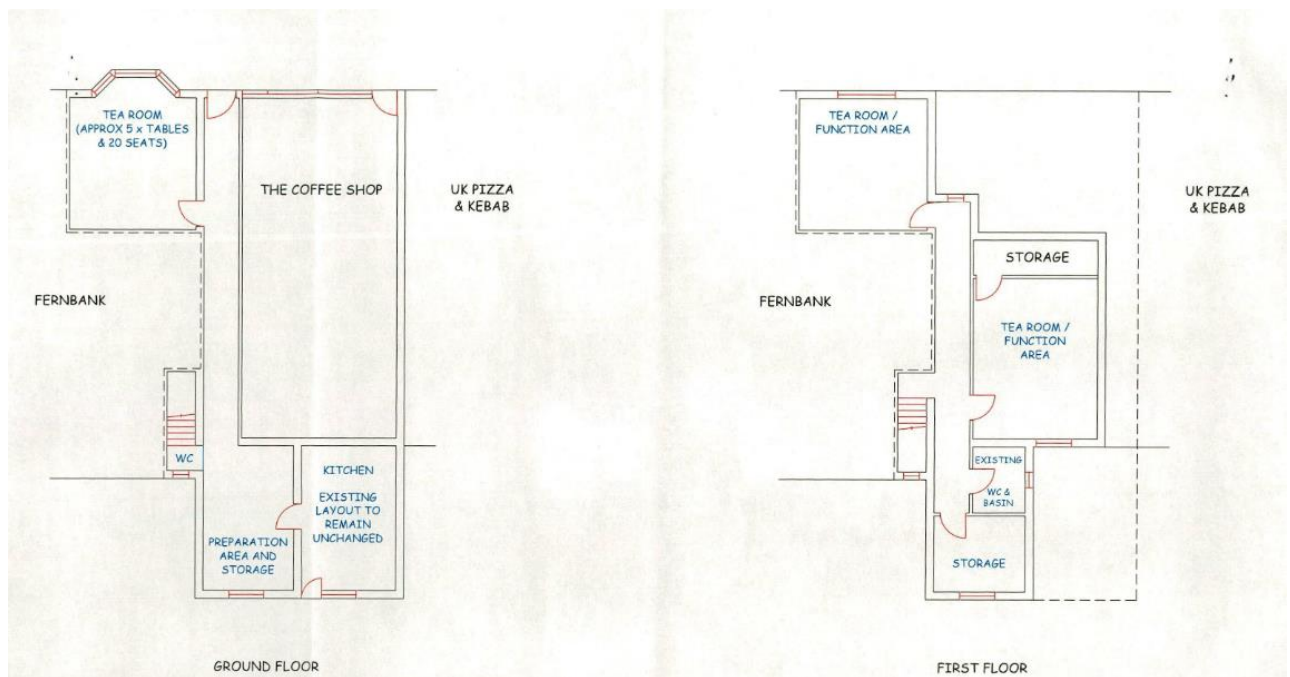
The applicant seeks permission to change the use of the building from a beauticians (Sui Generis) to tea rooms (Use Class E) adjacent to the existing Coffee Shop. The application form states that the existing internal layout will be retained with the use of the kitchen and bathroom areas as existing. A new WC is proposed to the ground floor. The remaining rooms will be used as dining/function rooms.

The application form states that the tea rooms would be open from 9am to 8pm Monday to Friday, Saturday 9am to 6pm and Sundays and Bank Holidays 10am to 6pm.

The applicant has provided a plan to show details of secure bicycle parking to the rear of the building and has agreed to provide 1 bicycle parking space in the form of a Sheffield cycle rack to the site forecourt.



Existing floor plan



Proposed Floor Plan

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.

Local Plan

Cudworth is a District Centre and within the Local Plan Proposals Maps the site is in the primary shopping area and is a primary shopping frontage therefore the following policies and information are relevant.

Cudworth is one of the smaller district centres with the main retail and service provision located along the main Barnsley Road. It is average in terms of vitality and viability. Its strengths include the amount of shopping floorspace, the absence of floorspace outside the centre, the lack of charity shops and good pedestrian flows and availability of public transport. Aims for the future of Cudworth are to improve the provision of leisure, cultural and entertainment activities, attract non-food multiple retailers, and to improve movement for pedestrians and cyclists. The strategic direction for Cudworth is to intensify, (that is to realise its potential within its existing boundaries by redeveloping and reconfiguring to intensify the level of current town centre uses).

Policy TC1 Town Centres - indicates that new retail development will be directed to centres in order to maintain and enhance their vitality and viability and that a sequential approach will be used to assess proposals for new retail and town centre development outside the designated centres.

Policy TC2 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 provided that within each primary shopping frontage ground floor uses

remain predominantly retail (Class A1) in nature. Provided that criteria is met, other uses may be acceptable especially where they diversify and improve provision provided that vitality and viability of the primary shopping area wouldn't be negatively affected.

Policy Poll1 Pollution Control and Protection – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution.

Policy SD1 Presumption in favour of Sustainable Development – indicates that we will take a positive approach reflecting the presumption in favour of sustainable development in the National Planning Policy Framework and that we will work proactively with applicants to find solutions to secure development that improves the economic, social and environmental conditions in the area

Policy GD1 General Development - sets a range of criteria to be applied to all proposals for 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 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.

Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a position approach to their growth, management and adaptation.

Consultations

Ward Members – No comments received

Highways – No objection subject to condition

Drainage – Details to be checked by Building Control

Yorkshire Water – No comments received

Pollution Control – This development is unlikely to have an adverse impact on health and the quality of life of those living and/or working in the locality, so approval is recommended.

Representations

Letters have been sent to surrounding properties and no comments have been received as a result.

Assessment

Principle of development

The site is set within the District Centre of Cudworth. The property is located within a primary shopping frontage where local plan policy TC2 indicates proposals for retail (A1 – A5 uses) will be allowed. The use proposed as a tearoom (use Class E), adjacent to the existing Coffee Shop, to provide a tearoom on the ground floor with further seating area to the first floor, providing an estimated 48m². In principle, the tearoom use is an acceptable use that would be expected to be seen within district centres.

As the property is located on a primary shopping frontage then the following policy is of relevance. Policy TC2 Primary and Secondary Shopping Frontages states that:-

‘Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres provided that: Within each primary shopping frontage in Barnsley Town Centre and the District Centres, ground floor uses would remain predominantly retail (Class A1) in nature. Other uses may be acceptable, especially where they diversify and improve provision in a centre, provided that it can be demonstrated that the vitality and viability of the primary shopping area concerned would not be negatively affected and that ground floor uses on the Primary Shopping Frontages remain predominantly retail (Class A1) in nature.’

In line with policy TC2 over 51% of the remaining buildings within the primary and secondary shopping frontages are predominately class A1 (now class E) in nature. The Local Plan states that the aims for the future of Cudworth are to ‘improve the provision of leisure, cultural and entertainment activities, attract non food multiple retailers, and to improve movement for pedestrians and cyclists.’ The proposed use would improve the vitality and viability of the primary shopping area, providing a service to visiting members of the public. In addition, the existing use is not a retail use, therefore the proposal would not result in the loss of a current retail use. The principle of the proposed tearoom use in this location is therefore considered acceptable in principle in line with policy TC2.

Residential Amenity

In terms of residential amenity, it is noted that the other parts of the building, known as Fernbank, will remain in residential use however as these will be separated and inaccessible from the rooms which will be in the tearoom use, by walls, a staircase and hallway. The existing kitchen and bathroom will be utilised. The proposed use should not generate a significant amount of noise and disturbance above the permitted beauty use and therefore the amenities of the occupiers of the dwelling will not be significantly affected.

Further to the above, the hours the business operates will be similar to the existing beauty use which includes 9am to 8pm Monday to Friday, Saturday 9am to 6pm and Sundays and Bank Holidays 10am to 6pm, with the exception of the use of the building on Sundays and Bank Holidays. Given the nature of the use and any other uses falling within the Class E use class, it should not cause any significant disturbance to the adjacent dwelling and these hours should be controlled by planning condition.

The Council’s Regulatory Services Section have not raised any objections in terms of any potential noise disturbance or smells. It is considered that the proposal would not have a significant detrimental impact on neighbouring amenities and is therefore in compliance with Policy Poll1 of the Local Plan.

Highway Safety

The site is located on Barnsley Road, a classified road with a 30mph speed limit where it passes the site. The site is located in the centre of Cudworth where a range of services,

amenities and facilities can be found. The site has no parking and no vehicular access with pedestrian access being gained from the footway on Barnsley Road.

In terms of parking requirements, the Supplementary Planning Document (SPD) Parking Table 1 requires that 1 parking space per 4m² customer area is provided although 1 parking space per 3 diners may be considered. The existing use would be likely to generate a parking requirement of 3 spaces per beauty therapist and therefore the proposed change of use is likely to generate an additional parking requirement of 3 or 4 spaces. However, the location of the site suggests that customers are likely to be passing or combining visits to the tea rooms with other trips, relying on on-street parking and the supermarket car park opposite the site. The applicant has submitted a Parking Survey dated 27 July 2022 in accordance with the Lambeth Methodology to mitigate the provision of zero parking which demonstrates that on street parking is available to accommodate the additional parking need generated by the proposal which will be acceptable.

In terms of cycle parking, the applicant has submitted details of proposals for 1 long term secure and undercover cycle parking space to the rear of the building. The Highways Officer has requested that 1 short term cycle parking space is provided for visitors and customers located in the private forecourt at the front of the site close to the entrance, in line with the requirements of the SPD Parking. The applicant has agreed to provide a cycle space in the form of a Sheffield type stand, details of which will be secured by condition.

The Council's highways section have no objections to the proposal. The premises has operated as a beauticians so it has previously generated its own deliveries and servicing arrangements for previous uses. In terms of any parking issues, whilst there is no parking spaces provided for the proposal, the building is located within the shopping/commercial area of Cudworth. There are also public car parks within a short walk from the site and there are regular bus services also within walking distance. Given the site is situated within a sustainable location, the proposal is therefore considered acceptable in terms of highway safety in compliance with Policy T4 of the Local Plan.

Recommendation

Grant subject to conditions