
2022/1091

Applicant: Mr Thomas McDonagh

New external ventilation extraction system

112 Towngate, Mapplewell, Barnsley, S75 6AS

Site Description

The application relates to 112 Towngate, which is a detached two storey commercial building located on Towngate in Mapplewell Local Centre. The majority of the building is red brick with a stone frontage, and metal roller shutter on the front, which covers an access door and window serving the ground floor unit. The building has two units, one on the ground floor, last used by Morriss' Fresh Fruit and Veg, and one at first floor, last used by The Mobile Tea Company. There is an external staircase attached to the rear elevation of the building.

Towngate is one of the principal routes through the centre of Mapplewell, partially connecting Darton (c.1km to the West) and the district centre. Towngate is therefore mixed use, comprised of a typical mixture of district and local centre uses such as public houses, a wide range of commercial/business units and also residential uses.



Planning History

B/97/1347/DT – Extension to plumber's depot, siting of two portable buildings and use of No. 112 first floor as office (retrospective) (Historic)

Proposed Development

The applicant is seeking approval for the installation of an external ventilation extraction system onto the Western-facing side elevation of the building, on the North-West corner. The unit is high level, as viewed on the external elevation, and projects upwards with a flue that is 1m higher than the roof ridge of the building. The majority of the external system is installed on the Western side elevation and amounts to a cylindrical pipe, fixed to the wall with anti-vibration mountings with 3 x acoustic silencers leading to the flue.

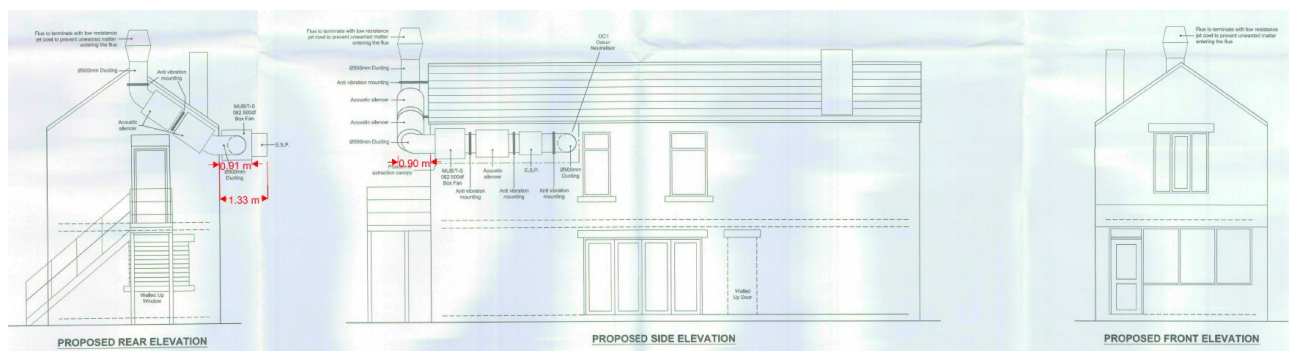
The main part of the extraction unit projects 900mm from the Western side elevation, with a small part (the ESG) projecting 1.3m. The unit also projects 0.9m from the North/rear elevation.

The development is to facilitate the change of use of the ground floor unit from retail (Use Class E) into a burger restaurant. This does not amount to development as the new use is also in Use Class E.

Proposed Site Plan:



Proposed Elevations:



Policy Context

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 development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to

coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). 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.

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

Pollution Control – Initially requested that the applicant submits a Noise impact Assessment to support the scheme. Upon receipt of this, no objection was raised by Pollution Control subject to the NIA being strictly adhered to.

Ward Councillors – No comments.

Representations

Neighbour notification letters were sent to neighbouring properties and a site notice was placed nearby; no comments were received.

Assessment

Principle of development

The application site lies in the Local Centre of Mapplewell, and therefore Local Plan Policy TC1 needs 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 is to facilitate the change of use of the building from a fruit and veg shop (retail) into a burger restaurant. Both of these uses fall within Use Class E and a material change of use/development is not being made to the site. As such, the proposed development is to support an established use class on the site and is required for environmental health purposes. The proposed development is in line with Local Plan Policy TC1 in that it supports the vitality and viability of the centre as it will facilitate the change of use, which will serve local needs without adversely impacting the town or other nearby centres.

Visual Amenity

The majority of the extraction ventilation unit is located on the Western side-facing elevation of the building, which is arguably the least visible elevation given that it faces away from the main part of the district centre, and there are several large trees to the immediate West of the site. The unit is high level, with the lowest point being 4.7m from ground level and the extraction unit has a length (4.12m) of less than a third of the Western elevation. As such, it is located at a height on the Western elevation which is not at immediate eye-level and is of a scale which will not dominate the Western elevation.

The unit then stretches to the rear (North) of the building which is not public facing and will have very little impact on the character of the building or the area. However, the unit does contain a flue off the Northern elevation which is 1m higher than the existing roof. The flue will therefore be slightly visible from the street but will mostly be screened by a mixture of the existing building, the neighbouring buildings, and the nearby trees.

It is also appreciated that the site lies within a local centre location with a wide variety of business/commercial units and this type of extraction/ventilation units is not uncommon. Indeed, the nearby Fosters Bakery (100m to the South-East) has similar infrastructure and flues which are visible from the road.

The proposed development is considered to be in compliance with Local Plan Policy D1 and is acceptable in terms of visual amenity.

Residential Amenity

The site is located in the local centre of Mapplewell which has a wide range of different use classes, but includes residential, as well as a residential care home to the immediate East. The ventilation system is located on a detached property which is 7m from the nearest boundary line (Western boundary shared with the care home). The ventilation system is not of a scale which would lead to significant amounts of overshadowing or loss of outlook to neighbouring residential properties, but systems such as these typically have a noise and general disturbance impact. Colleagues in regulatory services were consulted on the proposal and requested that a Noise Impact Assessment is submitted to support the proposal. Upon receipt of this, no objection was raised subject to strict adherence to the NIA (Ref. * Dated January 2023). This will be covered under a planning condition.

The proposed development is in compliance with Local Plan Policy GD1 and Poll1 and is acceptable in terms of residential amenity.

Highway safety

No impact on highways safety.

Recommendation

Approve subject to conditions