

Application reference number	2026/0495
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Application Type	Full
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Proposal Description:	Front single storey extension to existing drinking establishment to provide ramped access.
Location:	The Mill, 10 Lower Castlereagh Street, Barnsley, S70 1AR

Applicant	Mr D Doci		
Number of Third-Party Reps	None	Parish:	None
		Ward:	Central

Site Description

The site is an existing mixed two and three storey flat roofed building of buff and red brick that fronts onto its own car park but has frontages onto Lower Castlereagh Street, Wortley Street and Westway. The building appears to have been used for a predominantly storage and distribution use with some retail. The car park adjacent to the building is currently in use as a public car park.

The site is in a mixed commercial area of the town with uses including churches, retail and hot food takeaway and surface car parks in the immediate vicinity.

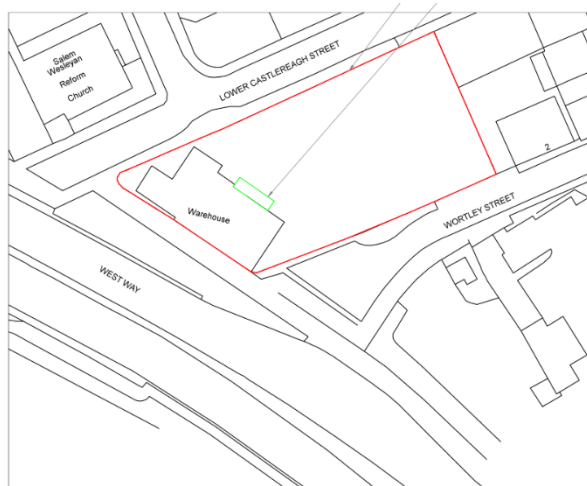
Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
B/95/0106	Change of use of former Royal Mail workshop to storage use and erection of boundary fencing	Approved
2020/0727	Demolition of workshop building to create surface car park	Approved
2021/0367	Change of use to mixed use E(b) and Sui Generis – food and drink for consumption on the premises and drinking establishment), extension to roof height of the building, side extension to accommodate toilets and storage, external stairwell for all 3 floors, changes to the external facing materials and fenestration details	Approved
2022/0555	Change of use of first floor to Shisha Bar/restaurant and associated external alterations including first floor balcony to front, roof terrace above second floor, fire escape staircase to side, glass parapet means of enclosure, second floor extension to side for storage purposes and lift shaft to side	Approved

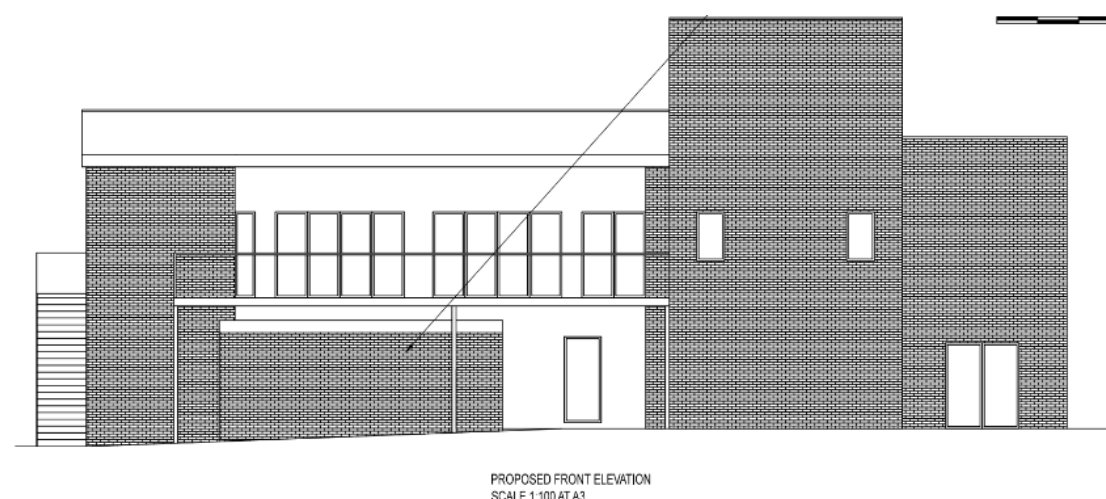
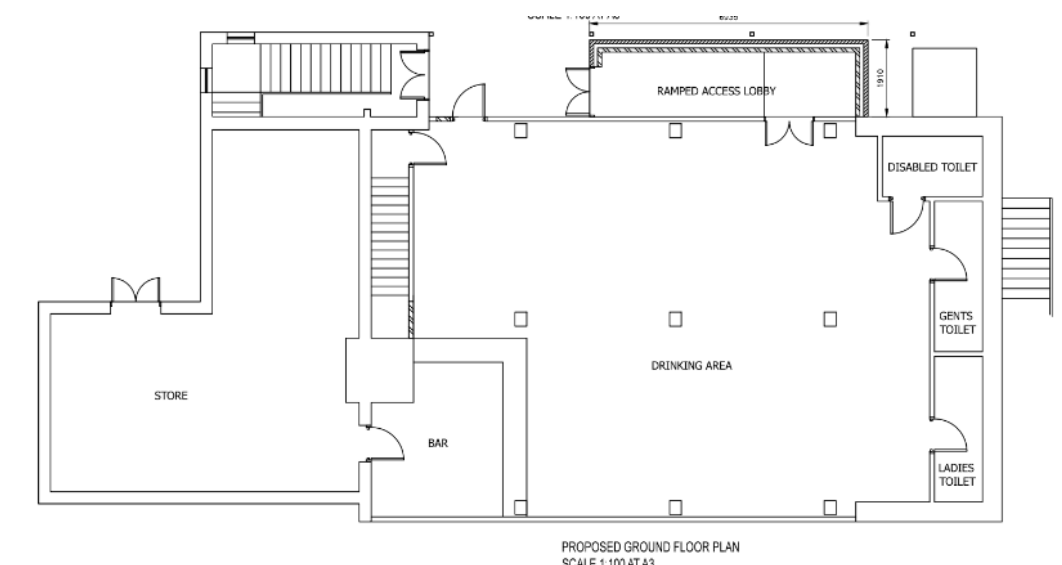
2022/1133	Variation of condition 12 (permitted opening hours) of permission 2022/0555 – change of use of first floor to Shisha Bar/restaurant and associated external alterations including first floor balcony to the front, roof terrace above second floor, fire escape to side, glass parapet means of enclosure, second floor extension to side for storage purposes and lift shaft to side	Approved
2023/0039	Discharge of conditions 3, 4, 6, 7, 8, 9 and 11 of 2022/0555	Approved
2023/0959	Change of use of first floor to Shisha Bar/restaurant and associated external alterations including first floor balcony to front, roof terrace above second floor, fire escape staircase to side, glass parapet means of enclosure, second floor extension to side for storage purposes and lift shaft to side. (re-submission of 2022/0555)	Approved
2024/0380	Change to vary conditions 2 (approved plans) and 12 (permitted opening hours) of planning permission 2022/0555 - Change of use of first floor to Shisha Bar/restaurant and associated external alterations including first floor balcony to front, roof terrace above second floor, fire escape staircase to side, glass parapet means of enclosure, second floor extension to side for storage purposes and lift shaft to side	Approved
2024/1053	Variation to conditions 2 and 4 of planning permission 2024/0380 to change the lift from brick to stainless steel and glass.	Approved

Proposal

The applicant seeks permission for the erection of a single storey front extension to existing drinking establishment to provide an enclosed ramped access. The extension is to measure 1.9m by 6.9m, is designed with a flat roof and is to be constructed from red brick to match the existing building.



SITE PLAN
SCALE 1:500 AT A3



Policy Context

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan was adopted in January 2019 and is 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 which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held on 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.

Local Plan

The site has no specific allocation within the Local Plan, however it is located within the Town Centre boundary, the Local Plan splits the town centre into nine districts with this site falling within the Southgate District. Therefore the following policies are relevant:

Local Plan Policy TC1 Town Centres
Local Plan Policy BTC17 Southgate District
Local Plan Policy HE1 Historic Environment
Local Plan Policy HE3 Developments affecting Historic Buildings
Local Plan Policy GD1 General Development
Local Plan Policy D1 High Quality Design and Place Making
Local Plan Policy T4 New Development and Transport Safety
Local Plan Policy POLL 1 Pollution Control and Protection
Local Plan Policy SD1 Sustainable Development

Adopted Supplementary Planning Documents

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPDs in this case is:

Parking

National Planning Policy Framework (NPPF) (2024)

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. NPPF policy of relevance to this application includes:

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development.

Relevant Consultations:

Conservation Officer – No objections.
Ward Councillors – No objections received

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

The application was advertised on the Council website, and a site notice was posted adjacent to the site; no representations have been received.

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (December 2024) at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The principle of the development
- The impact upon character and appearance of surrounding area, and impact on designated asset
- The impact on the highway network
- The impact on neighbouring residential amenity
- The impact on biodiversity

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

Offices, residential development, assembly and leisure uses, hotel, food and drink uses and car parking within the Southgate District. Retail development will be allowed on Market Street, Pitt Street and as part of a mixed use development at the former Co-op Pioneer site on Peel Street.

The use of the site has been established through the approval of previous permissions as outlined above.

In accordance with Local Plan Policy GD1, all new development must ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level for existing residents. In addition, development will only be granted where it would maintain visual amenity and not create traffic issues or reduce highway safety. An assessment of the proposals against those criteria and in relation to the other material planning considerations relevant to the assessment of the proposal and the relevant policies is set out below.

Impact upon Character, and Appearance of Surrounding Area and Impact on Designated Asset

The existing building has a somewhat utilitarian appearance that is considered to have a largely neutral impact on the setting of the nearby listed building. The previously approved extensions and alterations have been carefully considered, with amendments to ensure that as altered and extended the building will continue to have a neutral impact on the setting of the nearby listed building. The proposed extension is simple in form and appearance, proposed in brick to match the existing walls and would be finished with a flat roof. Given the very limited contribution that this part of The Mill makes to the setting of the listed building, together with the fact that the proposed extension would be partly screened by the northern

wing of The Mill. The Conservation Officer has been consulted on the application and raises no objection to the proposal subject to conditions. The carries significant weight in favour of the application and is considered acceptable and in compliance with Local Plan Policies HE1 and HE3.

The proposed enclosed ramped access extension is to be located on the north-eastern front elevation of the building facing into the existing car park.

The extension is designed with a flat roof which complements the design of the original building and is to be constructed from matching materials. Whilst the extension is located on the front elevation it does not pose a dominant feature within the street scene as it does not project beyond the extent of the existing balcony or the projection on the northern corner of the building.

It is considered that the inclusion of the extension would not be out of character and is compatible with the existing building; this carries significant weight in favour of the application and as such is considered acceptable and in compliance with Local Plan Policy D1.

Impact on the Highway Network and Highways Standards

The proposed extension does not result in the loss of off-street parking, nor a requirement for additional provision and as such would not have a detrimental impact on the highway network, and the safe and free flow of traffic; the carries considerable weight in favour of the application and as such is in compliance with Local Plan Policy T4.

Impact on Residential Amenity

The proposed extension is to be located on the north-eastern elevation and within the building line of the original building. The existing building would screen the proposed extension from the nearest residential properties which are located approximately 50m to the north-west. As such the proposal would not lead to an increase in overshadowing or reduce outlook. In addition, there are no windows proposed which would not increase overlooking. This carries substantial weight in favour of the application and as such complies with Local Plan Policy GD1 General Development.

Impact on Biodiversity

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the Planning Practice Guidance) are met. This application is exempt from the requirement to provide BNG as it meets the de minimis exemption where no more than 25 square metres of habitat will be affected.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location and would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

There have been no objections to the proposal from local residents, and an assessment of the proposal has demonstrated that there are no policy objections or material considerations which outweigh the benefits of the proposal.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions in some cases and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

RECOMMENDATION: Approve subject to conditions

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

Conditions

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:

Plan References

MDD001-001 Site Plans

MDD001-003 Proposed Elevations

MDD001-004 Existing and Proposed Floor Plans

Reason: To ensure that the development is carried out in accordance with the application as approved.

The external materials shall match those used in the existing elevations in terms of their type, appearance, colour and method of coursing.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.