2022/1045

Javed

68A Summer Lane, Barnsley, S70 2NW

Alterations to external fire escape staircase to rear (Retrospective)

Site Description

The premise forms an end terrace at the junction of Summer Lane and Newton Street and is currently occupied by a hot food takeaway with a residential flat located above. There is an existing fire escape to the first floor that has been extended.

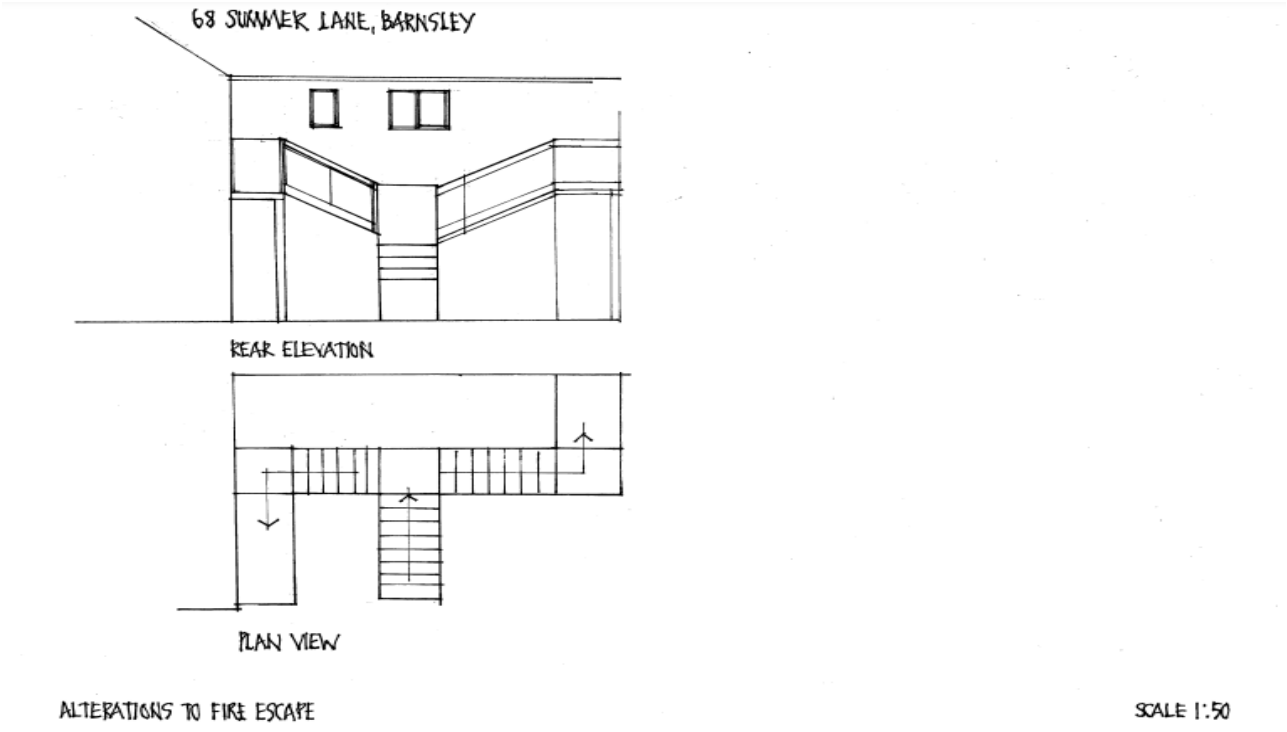
Planning History

B/84/1518/BA - Change of use from betting shop to cafe/snack bar (Historic)

2018/0684 - Erection of two storey extension to rear/side (Approve with Conditions)

Proposed Development

The applicant is seeking approval for retrospective alterations to the external fire escape staircase to rear of the building.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise. The recently revised National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

Local Plan Allocation – Urban Fabric

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 that must be taken into account where it is relevant to a planning application.

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

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy D1: High quality design and place making – Supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that *"development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes"*.

Consultations

Kingstone Ward Councillors were consulted and provided no response.

Representations

Neighbour notification letters were sent to surrounding properties, one comment was received in relation to trespassing on the premises and ongoing legal matters.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing and housing with commercial frontage. Extensions and alterations to buildings are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Visual Amenity

The alterations are to an existing fire escape and are not deemed harmful to the street scene of Summer Lane and Newton Street where the rear elevation of the building is partially visible. The fire escape is screened from the street scene by the building it serves. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Residential Amenity

There will be no significantly detrimental impact upon residential amenity. Although a raised platform the structure is not to be used as a balcony and serves an access like the existing fire escape. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Highway Safety

There will be no impact upon highway safety.

Recommendation

Approve with conditions