



**THE FORMER HOPE INN,
CUNDY CROSS, BARNESLEY**
PLANNING, DESIGN AND ACCESS
STATEMENT (INCLUDING SEQUENTIAL
ASSESSMENT AND TREE SURVEY) –
REV 1 (12.11.2020)

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Appendices

- Appendix 1:** Existing condition photographs taken May 2020 (pre repair works undertaken in July/August 2020)
- Appendix 2:** Sequential Site Proformas
- Appendix 3:** Tree Survey

1. Introduction

- 1.1 This Planning, Design and Access Statement as been prepared by the Applicant's appointed Agent, Gavin Lowe. It forms part of an application to Change the Use of the existing derelict and dilapidated former Hope Inn Public House into to a high quality sliding wardrobes retail showroom (within existing building) with workshop extension to the rear, together with a residential flat at first floor where one of the business owners intends to reside to provide further security to the property.
- 1.2 The description of development for the proposed development is as follows:

“Change of Use of A4 public house to wardrobe showroom and workshop at ground floor (sui-generis¹) along with erection of a single storey 100 sq. m ground floor extension to the rear and Change of Use of first floor to 1 No. C3 residential flat.”
- 1.3 The overriding purpose of the application is to ensure that a successful, growing local business can continue to trade and to grow within the Barnsley borough and to renovate and repair, to bring back into use a property which has been subject to repeated vandalism, arson and theft since its closure in May 2019. The proposals will not only ensure the property is made safe and secure, but radically improve its currently dilapidated internal and external appearance.
- 1.4 This application should be read in the context that the applicant's business is required to vacate their current premises in Carlton, Barnsley in January 2021 and have searched extensively across the Barnsley borough for a commercial property which meets all their business requirements but to no avail. Prior to the opportunity to secure ownership of this property, the business was considering relocating to a property in Wakefield, West Yorkshire, however as the proprietors are residents of Barnsley, it is their strong preference to be able to continue to grow their business within the town. The subject site enable them to do this
- 1.5 Sliders Wardrobes is a family run business which was established in Barnsley in 2009. The business has grown through regular repeat business and word of mouth due to the quality of the products and service. Sliders have remained in Barnsley up to the present day.
- 1.6 The owner of Sliders is Mr Callan Rowe. Both Callan and his father Steven Rowe (The Applicant) live on Rotherham Road, a short walk from the Hope Inn and have witnessed first-hand the deterioration of the property since the public house closed in May 2019. What is clear from their experience and recent site inspections undertaken, is that the lack of security and the lure of an empty property, has promoted anti-social behaviour with the property receiving repeated vandalism attempts. The most serious incidents have been arson attempts which have resulted in serious fire damage to the structure and finishes within the property. Lead flashings have also been stolen from the roof which has led to serious water damage within the first floor residential area.
- 1.7 The proposed changes to this property will allow the local business to expand allowing the potential employment of more people in due course following the hopeful development of a modern and professional combined showroom and workshop facility. The prominent roadside position will allow

¹ Following the changes to the Use Classes Order on 1 September 2020, both of these uses (if separate A1 and B1c respectively, will fall within the new Class E.

the integration of an accessible showroom for customers, hopefully increasing business and thus allowing the business to expand and hopefully employ more local people in due course.

1.8 Since the feedback from the Pre-Application was received, the Applicant has, in an attempt to avoid further vandalism, arson and water damage to the structure, purchased the property, secured it and removed the main fire and water damaged finishes. Repairs have been made to the roof to make this element watertight.

1.9 This Full Planning Application follows a Pre-Application made with the same intentions as this application and it seeks to address all comments/ requirements noted in the response received by email dated 30 June 2020.

1.10 This Statement is structured as follows:

- Section 2: Provides a description of the application site and its surroundings.
- Section 3: Sets out the detail of the application proposals.
- Section 4: Contains an overview of relevant national and local planning policies and guidance.
- Section 5: Sets out Design and Access details for the proposed development.
- Section 6: Sets out the proposed development's compliance with the sequential approach to site selection.
- Section 7: Outlines the overall acceptability of the proposed development in planning terms taking account of the Development Plan and provides overall conclusions.

1.11 This Planning and Retail Statement is supported by the following Appendices:

- Appendix 1: Existing condition photographs taken May 2020 (pre repair works undertaken in July/August 2020)
- Appendix 2: Sequential Site Proformas
- Appendix 3: Tree Survey

1.12 This Planning, Design and Access Statement should be read in conjunction with the following documents submitted with the application (all documents prepared by Lateral unless otherwise stated):

- Covering letter;
- Application forms and ownership certificate;
- The following plans and elevations:
 - Dwg No 001 – Existing Ground & 1st Floor
 - Dwg No 002 Rev A – Proposed Ground & 1st Floor
 - Dwg No 003 Rev A – Existing Elevations
 - Dwg No 004 Rev B – Proposed Elevations

- Dwg No 005 – Existing Roof Plan
- Dwg No 006 Rev A – Proposed Roof Plan
- Dwg No 007 Rev A – Site Location Plan
- Dwg No 008 Rev B – Proposed Site Plan

1.13 An application fee of £1,386.00 has also been paid separately via the Planning Portal and has been calculated as follows: -

Change of Use – A4 to A1 £462.00

Single Storey Extension - 100 sq.m £924.00 (£462 x 2)

Total application fee £1,386.00

2. Site Location and Description

- 2.1 This section describes the site's location, its surroundings, and the specific characteristics of the site itself. This description should be read in conjunction with drawing 007 Rev A – Site Location Plan.

SITE LOCATION

- 2.2 The site is located within the Cundy Cross area of Barnsley, in close proximity to the villages of Monk Bretton and Lundwood to the North East and North West respectively. The site is located approximately 2.3km west of Barnsley Town Centre. The centre of the site is based at latitude 53.55608177381905 and longitude -1.445977680082886.

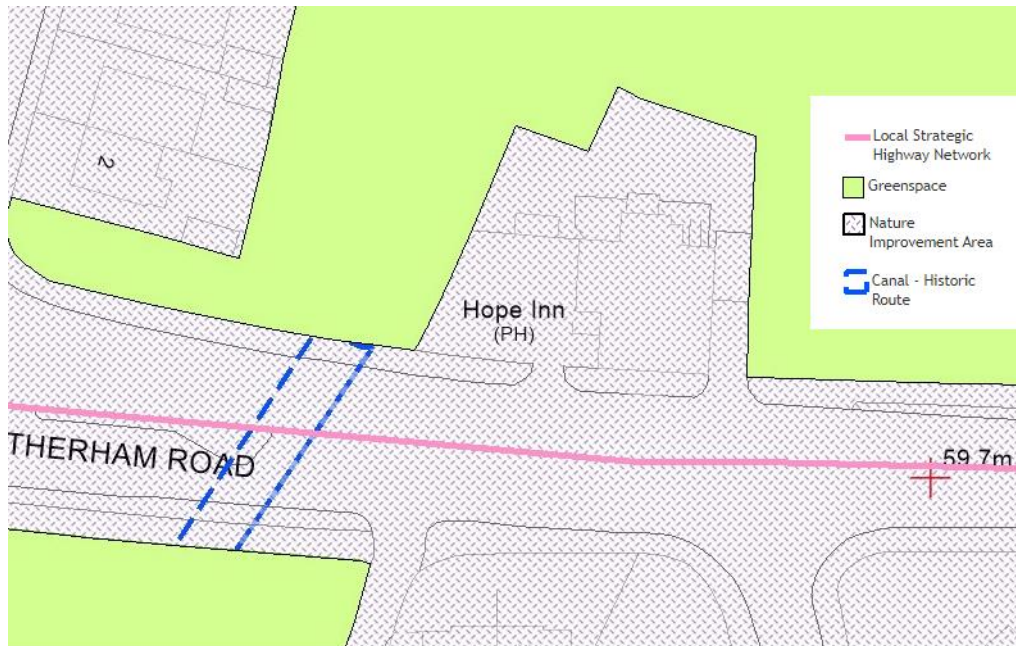
SITE HISTORY

- 2.3 The Hope Inn was built in the late 19th Century and operated as a public house until May 2019 when it closed for business.
- 2.4 Since the closure of the Hope Inn in May 2019, the site has been the subject of repeated break-ins, vandalism, arson (<https://www.thestar.co.uk/news/barnsley-pub-damaged-arson-attack-636724>) and theft which has left the building in a derelict, dilapidated, unsafe condition. Lead flashings have been removed and stolen during this period which has led to serious water damage at roof and first floor levels. The fire damaged rear extension was deemed to be structurally unsafe and has been demolished. Appendix A contains photographic evidence of the condition of the building in May 2020.
- 2.5 In July 2020, ownership of the property changed to Mr Steven Rowe (The Applicant) of 145 Rotherham Road, Monk Bretton, Barnsley. The purchase of the property was to ensure the property could be quickly secured and prevent further damage which could have led to a structural un-sound building.

SITE DESCRIPTION AND FEATURES

- 2.6 The site ownership extends from the frontage on Rotherham Road back towards the public green space to the rear. The full ownership extends to 0.447 acres.
- 2.7 The building itself extends across 3 floors – cellar, ground and first, with the public house area occupying ground only. The cellar and first floor are ancillary space to the public house. The first-floor area has been used as residential accommodation for the public house landlord.
- 2.8 The front edge of the building abuts the Rotherham Road public footpath. To the west is a customer car park and to the east is the public house delivery area.
- 2.9 To the rear of the building is a significant landscaped area which extends right back to the full extent of ownership. The property is bounded on the east by a stone wall which we believe is correctly positioned on the boundary. The property is bounded on the east by a metal fence; however, we believe that this fence line is not correctly positioned on the line of ownership.

- 2.10 Within the western fence line there resides 2Nr mature Beech tree which sits 11m from the western edge of the building. A Tree Survey is contained in Appendix 3 herein.
- 2.11 The Barnsley Allocation Plan allocates Greenspace to the North/ East and West of the building and its external areas (car park/ delivery/ loading). The Applicants design proposals take careful consideration of this allocation.



SITE SURROUNDINGS

- 2.12 To the south of the site lies the A633 Rotherham Road. To the North, East and West of the property is public greenspace with a public right of way which links Rotherham Road to Littleworth Lane to the North.
- 2.13 Beyond the greenspace are the residential streets Robert Avenue (approximately 60m to the west) and Jacques Place (approximately 45m to the east).
- 2.14 The property is faced by residential dwellings on Cherry's Road to the south.
- 2.15 To the south west is the River Dearne which is surrounded by public rights of way, all which link back to an access/ egress across from the property.
- 2.16 Approximately 300m to the East is Barnsley Plumbing Centre. A business which bought The Priory Arms public house under similar circumstances and successfully obtained permission to change it's use class.

SITE ACCESSIBILITY

- 2.17 The A633 Rotherham Road sits directly to the south of the property and provides access via means of a 2Nr footpath crossover. One serving the customer car park and one serving the delivery/ loading area. The arrangement of the dropped kerbs at the customer car park cross over currently only permits one car to access/ egress without mounting the raised public footpath.

- 2.18 A number of local bus services pass within a short walk of the site.
- 2.19 Barnsley is the nearest railway station to the site and is located some 1.4km from its western boundary.

PLANNING HISTORY

- 2.20 A planning history search identifies a number of historic applications/ approvals associated with the pub, the most recent being for an extension to the toilets in 2008 although there are no documents available online for this.
- 2.21 Planning Application reference 2020/0746 has recently been validated (4 August 2020). This is an application for

“Demolition of existing public house and erection of apartment block containing approximately 12no flats (Outline with all matters reserved apart from means of access)”

To note, since the submission of the above application, ownership of the property has changed to Mr Steven Rowe (The Applicant).

3. The Proposed Development

- 3.1 The subject application seeks the change of use of a public house to a wardrobe showroom with workshop extension to the rear. The application also seeks to change the ancillary public house residential space at first floor to a 2-bedroom residential flat. The description of development for the proposed development is as follows:

“Change of Use of A4 public house to wardrobe showroom and workshop at ground floor (sui-generis) along with erection of a single storey 100 sq. m ground floor extension to the rear and Change of Use of first floor to 1 No. C3 residential flat.”

- 3.2 The rear fire damaged rear extension will be demolished to make way for single storey, modern workshop 100 m sq. extension constructed in materials to complement the existing retained building. The size of the workshop extension has been designed to sit out with the allocated “Greenspace” to the rear.
- 3.3 The workshop and showroom use are intrinsically linked with the showroom only displaying products developed and assembled in the adjacent workshop. As a result these uses need to be on the same site for business viability and therefore means the proposals are for a mixed sui-generis use rather than a predominantly retail use given that the showroom takes up slightly more space than the workshop.
- 3.4 The proposals seek to retain as much of the historic public house envelope as possible, with all main features (window/ door and signage positions) remaining as existing. A high specification sliding wardrobe showroom is proposed within the existing building envelope at ground floor only. This will be accessed by customers from the front entrance.
- 3.5 It is proposed that the existing side fire escape will become the residential access/ egress with the introduction of wall infills at ground floor level creating a separate ground floor residential access route.
- 3.6 The first-floor residential layout will remain as existing but will be completely renovated to a reasonable specification. It is the intention of the business owner to reside in the residential flat to provide additional security to the property given its recent history of vandalism, arson and theft. The first floor accommodation will therefore operate in a similar manner to the previous pub’s landlord flat although due to the nature of the proposed new ground floor use, it is not considered that this residential use will be entirely ancillary to the ground floor sui-generis mixed showroom and workshop use and therefore will form a separate C3 use. In reality however, the flat will operate in the same manner as would a landlord’s flat as part of the existing pub use.
- 3.7 Vehicular access and parking for customers and the resident remain in their current locations to the west of the building, however The Applicant wishes to widen the access to allow 2 cars to pass on/ off Rotherham Road which will improve safety and avoid potential queuing at the Highway. A total of 6Nr spaces will be provided – 4Nr standard customer bays, 1Nr disabled bay and 1Nr

residential bay. The Applicant intends to clearly delineate these bays as shown on the proposed drawing.

- 3.8 A loading area remains in its current location to the east of the building with a roller shutter door positioned on the side of the workshop extension to provide efficient loading/ unloading.
- 3.9 The green space to the rear of the property will remain as existing and will provide ample amenity space for the residential use.
- 3.10 As detailed in Appendix 3, there are 2Nr mature trees near to the development. It is proposed that these are retained.
- 3.11 The application proposes to clean up the existing, retained elevations as much as possible, however the front elevation will receive white render to cover the poorly applied paint finishes which cannot be removed without permanent damage to the existing materials.

4. Planning Policy Context and Assessment

- 4.1 This section provides a review of relevant planning policy and guidance at the national and local level in so far as it is material in assessing the proposed change of use from a A4 public house to wardrobe showroom and workshop at ground floor (sui-generis).
- 4.2 Section 38(6) of the 2004 Planning and Compulsory Purchase Act stipulates that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This effectively places the development plan as the starting point for the consideration of the planning application but allows planning applications to be approved if they do not fully accord with the development plan if there are other benefits or material considerations that outweigh this non-compliance.
- 4.3 The development plan for Barnsley is the Local Plan which was adopted in January 2019 and therefore is relatively up to date. It should be noted however that from 1 September 2020, changes to the use classes order will mean that a number of uses will be combined into a new 'E' use class. This includes both A1 retail uses and B1 business uses. Due to this, a number of the policies within the plan that refer to these uses and treat them differently could arguably be out-of-date to a degree. The proposed development would no longer be a sui-generis mixed A1 and B1 use but would be an 'E' class commercial, business and service use. It is relevant to note that the government's intention in creating this new use class is to promote the development of E use classes and make it easier to secure permission for such uses and to provide flexibility to move between uses within the class. It is evident that the purpose of this is to promote economic activity and facilitate the growth of businesses during these difficult economic times. The review of Local Plan policy below should be considered in this context.

- 4.4 Policy SD1 of the Local Plan outlines the Borough's presumption in favour of sustainable development. As the proposal brings back into use a derelict previously developed site to create jobs and promote economic growth, it is considered to represent sustainable development.
- 4.5 Policy GD1 sets out the general principles for development in the Borough including a number of criteria that if met, will result in approval of planning applications for development. These include:
- Ensuring proposals do not result in a significant adverse impact upon residential amenity;
 - That proposals are compatible with surrounding land uses;
 - Landscaping proposals improve the setting of buildings;
 - Adequate access is provided; and,
 - Existing trees are retained where possible.
- 4.6 It is considered that the proposal complies with these requirements and therefore complies with Policy GD1 of the Local Plan.
- 4.7 Policy LG2 sets out the priority locations for growth in Barnsley including urban Barnsley as the first priority being expected to accommodate significantly more growth than other towns in the Borough. The proposal falls within urban Barnsley and therefore is strongly supported by Policy LG2.
- 4.8 Policy H1 identifies that at least 21,546 new homes will be delivered in the Borough over the plan period with Policy H2 identifying that 43% of these will be provided in urban Barnsley. The proposal results in the creation of one additional residential unit therefore contributing towards meeting this target.
- 4.9 Policy D1 sets out the design quality and place making expectations, particularly taking advantage of and reinforcing the distinctive local character and features of Barnsley. Sliders Wardrobes pride themselves on their quality products and service and the showroom, both internally and externally has to be a representation of the business itself. The key approach to retain the existing building, car park and delivery position will ensure that the property's character and features are retained. The proposals sit within the allocated "greenspace" to the rear and seeks to retain all existing connections/ access/ egress from the surrounding roads and footpaths. The proposals seek to utilise materials in-keeping with the existing building and neighbouring/ facing properties.
- 4.10 Policy TC1 of the local plan relates to town centres and sets out that a sequential approach will be applied to new retail and town centre development. The proposal is for a sui-generis commercial mixed use at ground floor level and therefore the requirement to undertake a sequential test does not apply. However, as this has been requested during pre-application discussions, a sequential test has been undertaken and is considered in further detail in the following section of this statement. This demonstrates that notwithstanding that there is no requirement to undertake a sequential assessment, there are no suitable and available sites within the local area that could reasonably accommodate the proposed development even when allowing a reasonable degree of flexibility.

- 4.11 Policy GS1 of the local plan sets out the standards in the Green Space Strategy. The Applicant, who lives nearby on Rotherham Road, appreciates the value of Green space and his proposals have been carefully designed to avoid encroachment into the “greenspace” to the North/ East and West of the building and external areas. It is intended that the greenspace to the North of the building will provide the external amenity for the residential flat. In addition, the Applicant proposes to retain the mature trees which sit near to the property.
- 4.12 Policy CC1 of the local plan seeks to reduce the causes of and adapt to the future impact of climate change. These proposals re-use almost all the existing building and its associated car parking and delivery areas, therefore reducing greenhouse gas emissions generated through major construction activities. The Applicants ability to locate his business in this sustainable location also provides opportunity for employees to walk, cycle or use the good public transport links to this place of work.
- 4.13 Policy Poll1 of the local plan states that 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.

The Applicant acknowledges the presence of residential streets Robert Avenue (approximately 60m to the west) and Jacques Place (approximately 45m to the east). Residential properties are also situated across the A633 Rotherham Road to the south.

The proposed showroom environment will be quiet given the nature of its operation and will present minimal noise (certainly much less than its present use).

The workshop operation will generate minimal noise and the construction of insulated cavity walls and roofs, with minimal areas of doors and windows will provide sufficient noise attenuation. Any minor noise breakout would be further mitigated by the background noise from the busy A633 Rotherham Road to the south.

Minor amounts of dust can be generated during the production process in the workshop and this will be removed local to the equipment within the workshop area.

The residential flat is situated above the footprint of the showroom therefore there is no risk of noise/ vibration transfer from the workshop.

- 4.14 Policy I2 of the Local Plan relates to community facilities and identifies that such uses, which includes pubs, will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or an alternative community use. It is relevant to note that the policy and its supporting text do not identify any specific requirements that need to be met to demonstrate that the premises are no longer required by the existing or alternative use.
- 4.15 The property has been vacant since May 2019 and has not received any expressions of interest to be re-used as a pub or alternative community facility. The pub ceased trading because it was no longer viable to operate on this basis despite being capable of being operated as a pub at this time. Due to the significant vandalism that has occurred at the property over the past 14 months, it would now take a significant investment to bring the building back into use for any purpose, especially a

pub. Given the pub's previous failure, it is extremely unlikely that any party would be able to secure this investment. Indeed, advice has been sought from local Agents who confirm that interest in the property for re-use as a pub or alternative community facility would not be forthcoming.

- 4.16 The pre-application response from Barnsley Council's planning policy team suggested that a period of marketing may be a useful exercise in demonstrating the lack of interest in bringing the pub back into use. However, the local Agent has confirmed that this marketing period would be of little value as the previous lack of interest in re-using the property for such purposes would almost certainly be likely to re-occur and therefore marketing the property would only seek to delay refurbishing the derelict building and bringing it back into productive use to help allow a local business grow. It is surely the case that during these difficult economic times, this should take precedence over a potentially arbitrary marketing exercise that would be extremely unlikely to result in any realistic interest in re-using the building as a pub.
- 4.17 It is worth noting that the nearby Hoyle Mill Inn (150 Pontefract Road, Barnsley, S71 1HU), has been marketed by numerous agents for over a year and is yet to sell.
- 4.18 As identified above, the development plan for Barnsley is the 2019 Local Plan. Each of the relevant policies has been considered above. For a proposal to be considered in general accordance with the development plan, it does not need to comply with each and every facet of it. Overall, the proposal complies with the overwhelming majority of local plan policies. Whilst it arguably has not been demonstrated beyond all possible doubt that the building is no longer required by the existing or an alternative community use as per policy I2 and therefore it could be suggested that there is a degree of conflict with this policy, it is considered that this is outweighed by the overall compliance with the remainder of the plan and by other material considerations as identified in the concluding chapter of this statement.

5. Design and Access

- 5.1 This section of the Statement sets out the relevant design and access characteristics of the proposed car showroom use. It has been prepared in accordance with the CABI guidance 'Design and Access Statements: How to Write, Read and Use Them'. This section provides a summary of the proposed development as usually considered within Design and Access Statements. These areas are covered in turn below. As the application is in outline with all matters reserved, a number of the matters considered below will be assessed in further detail through the subsequent applications for the approval of reserved matters.

USE

- 5.2 The proposed development will accommodate a retail wardrobe showroom and associated workshop (sui-generis) on what is a relatively standalone plot in Cundy Cross, Barnsley. It will be used for the display wardrobe products. The proposals incorporate the re-use of existing car parking and loading facilities external to the building. The proposals also incorporate the change of use of the first floor area to a residential flat.

AMOUNT

- 5.3 The proposed building including the workshop extension, extends to 365 sq. m (3,928 sq. ft.) across ground and first floors and the site accommodates 6 car parking spaces. The site area extends to 0.447 acres.
- 5.4 The showroom/ workshop area equates to 255 sq m.
- 5.5 The residential unit equates to 110 sq m.

LAYOUT AND SCALE

- 5.6 The plans and elevations show the scale of the proposals and seek to retain the scale and arrangement which can be seen from the A622 Rotherham Road. Access to the site will be provided from the footpath crossovers on Rotherham Road.
- 5.7 The proposed extension is single storey only, reducing the visual impact to the residents on Robert Avenue and Jacques Place.

LANDSCAPING

- 5.8 The Landscaping and Trees to the North, East and West of the Building, car park and loading will be retained and maintained.

APPEARANCE

- 5.9 The elevational proposals seek to retain as much of the historic features of the building as possible. All elevations will be cleaned, repaired and windows will be replaced throughout. Due to poorly applied paintwork to the front elevation, the proposal is to apply white render.

5.10 The Applicant intends to apply signage in the same locations as existing. The approval for these will be sought under a separate advertisement consent application.

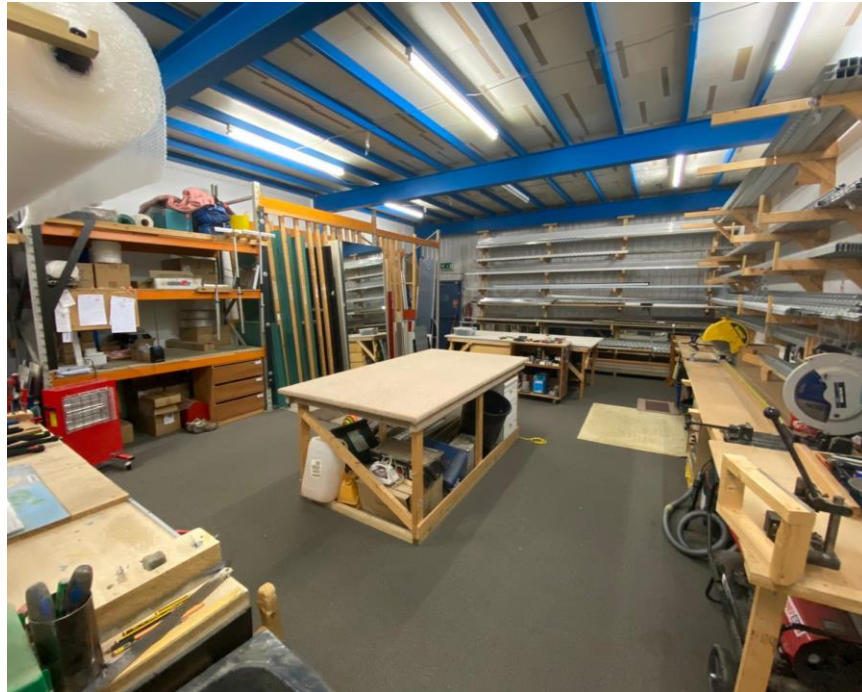
5.11 The rear extension will be constructed in materials to closely match the existing building, namely: -

- Weathered red brick
- Marley modern roof tiles

5.12 The internal appearance of the showroom will be of high quality, of a similar standard to the images shown below: -



5.13 The workshop to the rear will be of a modern standard similar to that shown on the image below: -



5.14 The residential flat at first floor will receive a full refurbishment including new fixtures and fittings throughout, all to a good standard.

VEHICULAR AND TRANSPORT LINKS

5.15 The site itself will be served directly off the A633 Rotherham Road as per the existing arrangements.

5.16 There are local bus routes in close proximity with stops on the A633 Rotherham Road.

INCLUSIVE ACCESS

5.17 It is the intention for the development to be fully accessible and promote access for all as strongly as possible.

NOISE BREAKOUT MITIGATION

5.18 The majority of operations in the rear workshop will be carried out with hand tools rather than heavy noisy machinery. These operations are primarily cutting and polishing glass.

5.19 The rear extension is primarily constructed of solid external cavity wall construction and a tiled insulated pitched roof. There are no windows and only 2 doors (fire escape and roller shutter).

5.20 Doors will be kept closed during any operations which create noise.

5.21 The external walls to the workshop will be constructed in traditional cavity walling including 100mm thick concrete blockwork, 50mm insulation, 50mm cavity, 102.5mm brickwork.

- 5.22 The insulation which will be used in the cavity wall construction and the roof construction will be 50mm thick Rockwool RWA45 Acoustic Sound Insulation. This product has been specified to mitigate any noise outbreak from within the workshop.
- 5.23 The roller shutter door will be a Hormann 42mm insulated door, again providing mitigation to any potential noise outbreak from the workshop.
- 5.24 Given the nature of the operations within the workshop we consider these measures to be sufficient to avoid any noise issues with nearby residents.

6. Sequential Assessment

- 6.1 Policy TC1 of the Barnsley Local Plan requires that a sequential approach will be applied to new retail and town centre development. The proposal is for a sui-generis commercial mixed use at ground floor level and therefore the requirement to undertake a sequential test does not apply. The workshop and showroom use are intrinsically linked with the showroom only displaying products developed and assembled in the adjacent workshop. As a result these uses need to be on the same site for business viability and therefore means the proposals are for a mixed sui-generis use rather than a predominantly retail use given that the showroom takes up slightly more space than the workshop.
- 6.2 However, as this has been requested during pre-application discussions, a sequential test has been undertaken and is considered in Appendix 2 herein. This demonstrates that notwithstanding that there is no requirement to undertake a sequential assessment, there are no suitable and available sites within the local area that could reasonably accommodate the proposed development even when allowing a reasonable degree of flexibility.

7. Development Assessment and Conclusions

- 7.1 The subject application seeks the change of use of a public house to a wardrobe showroom with workshop extension to the rear. The application also seeks to change the ancillary public house residential space at first floor to a 2-bedroom residential flat. The description of development for the proposed development is as follows:

“Change of Use of A4 public house to wardrobe showroom and workshop at ground floor (sui-generis) along with erection of a single storey 100 sq. m ground floor extension to the rear and Change of Use of first floor to 1 No. C3 residential flat.”

- 7.2 Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires that Planning Applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Development Plan compliance should be considered on the whole with a proposal not having to conform to every facet of the Development Plan to be considered in general accordance with it. Furthermore, a judgement should also be made as to how ‘up-to-date’ the Development Plan is in the context of the National Planning Policy Framework.
- 7.3 It is considered that the Development Plan for Barnsley is broadly up to date albeit this document does not reflect the forthcoming changes to the use classes order.
- 7.4 Overall, the proposal complies with the overwhelming majority of local plan policies. Whilst it arguably has not been demonstrated beyond all possible doubt that the building is no longer required by the existing or an alternative community use as per policy I2 and therefore it could be suggested that there is a degree of conflict with this policy, it is considered that this is outweighed by the overall compliance with the remainder of the plan and by other material considerations, most significantly that:
- The development represents the efficient use of previously developed land;
 - The site is situated within the urban area of Barnsley – the priority location for new development in the Borough as identifies in the Local Plan;
 - The proposals will bring back into use a derelict building that has been the subject of significant vandalism with substantial investment in the fabric of the existing property and the new-build extension;
 - The application would result in the creation of one new residential unit helping to contribute to Barnsley’s local housing targets;
 - The scheme will support six full-time equivalent jobs;
 - The proposals will support the growth of a local business allowing them to stay in the Borough and to boost local economic growth during difficult times.

- 7.5 It is clear from the above that the proposals generate a number of significant benefits that clearly and demonstrably outweigh any perceived minor conflict with elements of Policy 12 of the Local Plan.
- 7.6 As a result, it is considered that the subject application should be approved.