
2021/1602

Mr Satinder Paul Singh Samra

Partial demolition of existing single storey dilapidated retail store to the rear of property and proposed erection of single storey extension to create 1no new retail unit (Class E)

Hope Mills, Racecommon Road, Barnsley, S70 1BH

Site Location and Description

The site is a travel agent with a storage building to the rear. A travel agent is a use which previously fell under class A1 and now falls under use class E (c) (ii) professional services or (iii) any other services which it is appropriate to provide in a commercial, business or service locality. It is the retail storage building which it is proposed to demolish and rebuild as a new retail unit. The rear of the premises are surrounded by boundary walls on the south east and south west boundaries. The adjoining uses are residential (to the south-west) and commercial (car repair garages)

Google Street view of the frontage



Photos of the rear of the building





Site History

86/0283 – Change of use from storeroom to dog grooming parlour - granted

85/0401 - Conversion of 1st floor of shop/warehouse into light industrial workshops – granted

Proposed Development

The applicant seeks permission for the partial demolition of an existing storage building (one wall is retained) and erection of a single storey extension to be used as an independent retail shop.

The existing storage building has a monopitch/lean to form of room and is stated to have an internal floor area of 42.6 sq m.

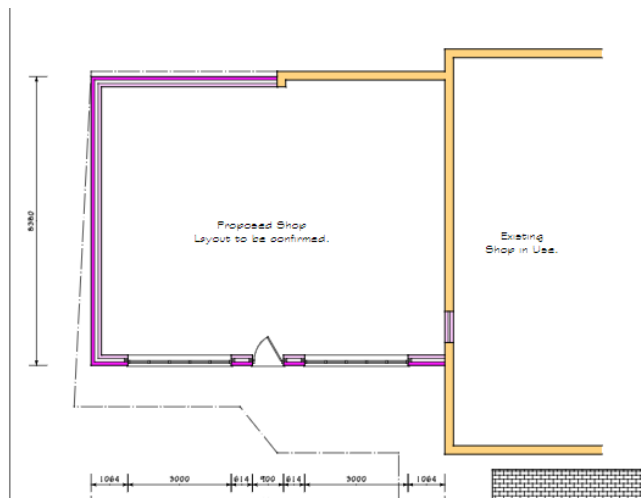
The proposed extension has a pitched roof and is proposed to have an internal floor area of 77.4 sq m, and to cover almost all of the rear yard. It is proposed to have red brick and slate/tiles to match the existing building. There is no off-street parking currently and this is no proposal to change this. It appears that the existing storage may have been used as a garage, but recent palisade fencing prevents any vehicles accessing the land/building. There is still pedestrian access from Racecommon Road.

In response to consultee comments and representations on the proposal, the agent has confirmed agreement to the condition recommended by Pollution Control and has confirmed that the existing boundary wall shall remain and not be affected by this proposal.

Proposed elevation drawings



Proposed block 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 on the 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

The site is within an area allocated as Town Centre (and specifically Southern Fringe) within the Local Plan Policies Map, where the following policies are relevant:

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.

BTC15 Southern Fringe – Allows for a range of uses including housing, offices, employment and commercial uses. We will allow small scale shops and services along the

Dodworth Road frontage. Developments will be allowed that would support the liveliness and economic strength of the town centre.

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.

Policy T3 New development and Sustainable Travel – expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relations to minimum levels of parking, provision of transport statements and of travel plan statements.

Policy D1 High Quality Design and Place Making – indicates that development is expected to be of high quality design and to reflect the distinctive, local character and features of Barnsley.

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.

Para 86 - Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Para 111 – Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Supplementary Planning Documents (SPD):

SPD Parking

SPD Sustainable Travel

SPD Residential amenity and the siting of buildings

Consultations

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Highways Drainage – I would confirm that in my opinion the details provided are sufficient and that I have no further observations to make with respect to land drainage. I am happy for the details to be checked by building control.

Pollution Control – The development has the potential to have an adverse impact on health and the quality of life of those living and/or working in the locality, so approval with conditions is recommended. Recommended condition to restrict the hours construction and deliveries of materials.

Highways DC – No response

Ward Councillors – No response

Representations

The application has been advertised via letters to neighbours and a site notice which was displayed between 21 December and 14 January; one representation has been received stating:

I am the adjoining neighbour listed as the garage and would like to confirm that the original boundary wall which belongs to myself will not be removed or built onto at all. Up to it not been utilised then I have no issues. Please can you confirm this is the case.

Assessment

Principle of development

The proposal relates to a site to the rear of a retail shop. The proposal is in a part of the town centre, Southern Fringe, where policy BTC15 states

- we will allow housing, offices, employment and commercial uses.
- we will allow small scale shops and services along the Dodworth Road frontage
- we will support development that would support the liveliness and economic strength of the town centre

The proposed use falls within the new use class E 'Commercial, Business and Service'. However, it does not appear that the proposed retail use is intended to be allowed by the first part of policy BTC15, since the policy goes on to specify that we will allow small scale shops and services along the Dodworth Road frontage. Nevertheless, given the final part of the policy allows development that would support the liveliness and economic strength of the town centre. It is clear that by virtue of the small size of the proposal it would not cause any harm to the core town centre (the primary shopping area and its primary and secondary shopping frontages). In addition, the proposal is in a peripheral part of the town centre where there are a range of retail and commercial uses which appear likely to meet the needs both of local residents and of the wider town. It is concluded that the proposal is in compliance with this policy as it would support the liveliness and economic strength of this part of the town centre without causing any harm to the wider town centre.

Design

The design and materials of the proposed extension are in keeping with the existing building and it is concluded that the proposal is in compliance with Local Plan Policies D1 and HE1. A condition is imposed to require the use of materials to match the existing building, as specified on the application form.

Highways safety

The proposal is in a town centre location where parking standards may be relaxed given the provision of public car parks and access to public transport. It is concluded that this modest proposal will not cause any harm to highway safety.

Residential amenity

The extension will extend the full length of the side boundary and above the height of the existing boundary wall. Because of the change in the alignment of the roof, there will by some measure be an improvement to the extent to which the neighbours are overshadowed by the first part of the extension as approximately 4.6 metres of existing side wall will be retained but lowered in part. The impact of the extension beyond the extent of the existing extension amounts to a projection of 5.6 metres but the impact is minimised by the existence of the boundary wall and will not be so harmful to the neighbour as to justify refusal. It is noted that the SPD on residential amenity and the siting of buildings indicates that compliance with the standards may be relaxed in town centre situations/higher density areas.

The condition recommended by Pollution Control is imposed (with the agreement of the agent) to ensure that work undertaken during construction does not cause unreasonable noise outside of normal working hours.

A further condition is recommended to limit the use of the extension to use as a retail unit (as applied for) within class E and for no other use in the class. A note is added to advise that the permission does not allow uses such as hot food takeaway.

Other

The agent has responded to the representation advising that ownership of the original boundary wall belongs to a neighbour and requesting confirmation that it will not be removed or built onto at all. The agent has confirmed that the existing boundary wall shall remain and not be affected by this proposal

Recommendation

Grant subject to conditions