

April 2020



ALISTAIR FLATMAN PLANNING
...a Positive Approach

PLANNING SUPPORT STATEMENT

Proposed Change of Use of Working Men's Club to Office (B1a)

Unit 1, Fountain Parade, Mapplewell, Barnsley

Booker Commercial Ltd

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1.0 Introduction

- 1.1 This Planning Statement relates to a full planning application submitted to Barnsley Council for Change of Use of Working Men's Club (D2) at Unit 1, Fountain Parade, Mapplewell to B1(a) office use.
- 1.2 The application is submitted on behalf of Booker Commercial Ltd.
- 1.3 The proposed office is to be used by an Educational Trust.

Background

- 1.4 Unit 1 has been operated for a number of years as a sports and social club for a number of years but has now been forced to close following numerous incidents of anti-social behaviour including drug abuse issues. This has resulted in the failure of a number of tenancies and the use is no longer considered viable in this location.
- 1.5 The owner of the unit (Booker Commercial) have had interest in taking the unit for B1 office use. The re-use of the unit is clearly preferable over having a vacant unit in this local centre. Policy I2 of the recently adopted Local Plan is noted and its desire to resist the loss of community facilities.
- 1.6 A pre-application enquiry was made to the Council in Feb 2020 regarding the change of use from D2 to B1a. The response highlighted the need to lodge an application and the relevant planning issues relating to uses in the local centre and loss of community facilities. These issues are addressed within the Planning Statement.
- 1.7 Furthermore, it is noted that there is provision within the GPDO (England) 2015 and the GPDO (England) Amendment 2016, the 2017 Amendment Order and the 2017 (No.2) Amendment Order for temporary change of use from D2 to B1 (Class D). The floor space restriction in the GPDO of 150 sqm is noted and understood that the current application comprises a floor area of 290sqm as the Education Trust request use of the whole building. However, it remains a material consideration that part of the building could be used as an office for 2 years without the need for planning permission.

Planning History

- 1.8 There is no recent relevant planning history for the site – the only application available on the Council's Public Access system was a 2013 application for new windows (LPA ref 2013/1075).

The Planning Application

- 1.9 This statement describes the application site and proposed development (Section 2) and identifies and examines the policy issues of relevance to the application, referring both to the relevant development plan and the advice of Central Government as set out and contained in the NPPF (Sections 3 & 4).
- 1.10 This statement will fully justify the development proposals for the subject site and will advance justification for the proposed development.
- 1.11 On the basis of the information provided in this statement, the associated supporting documents and on the application drawings, a presumption in favour of development can be maintained in this particular instance, the

application being fully in accordance with the advice of Central Government and relevant policies of the adopted Local Plan (Jan 2019).

- 1.12 The planning application is supported by a comprehensive package of information including:
- i. Completed application forms, with all certificates signed and dated;
 - ii. Architectural Plans prepared by Building Design Services; and
 - iii. Planning Statement prepared by Alistair Flatman Planning.

2.0 Site Location and Proposed Development

Site and Surrounds

- 2.1 The site, known as Unit 1, Fountain Parade, comprises the former sports and social club, now closed following a number of failed attempts to run a profitable business from the premises. Issues of anti-social behaviour and drug abuse have contributed to the failure of, and ultimate closure of, this unit. The building is red brick and part single, part 2 storey building forming the northern end of the parade of retail / commercial units within the local centre.
- 2.2 The site sits within Mapplewell Local Centre (as defined on Local Plan Map and Policy TC1).
- 2.3 The site sits in FZ1 and is not subject to any landscape, ecology or heritage designations.
- 2.4 Parking is available to the front of the unit and within the wider public car park serving the unit. Access to the site is taken from Spark Lane to the west.
- 2.5 The floor area of the building is 290 sqm (over 2 floors). GF currently comprises entrance, toilets, bar area, concert room, games room, office and beer store with landlord/lady flat at FF (accessed externally via stairs).

The Proposed Development

- 2.6 The Proposed Development comprises a full planning application for change of use of the unit from D2 to an office use – B1a. The applicant has had interest from an Educational Trust who are keen to take over the space.
- 2.7 The proposed change of use comprises internal alterations only to change concert / games room and FF to office space. The existing bar would be used as a kitchen area with the beer store used for storage and creation of internal stairs to FF office rooms.

3.0 Planning Policy Review

National Planning Policy Framework (Feb 2019)

- 3.1 The National Planning Policy Framework (revised Feb 2019) sets out the government's planning policies for England and how these are expected to be applied. The National Planning Policy Framework must be taken in to account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 3.2 Set out below is a summary and assessment of the relevant sections of the NPPF.
- 3.3 The National Planning Policy Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. The guidance advises that the policies in paragraphs 1-211 taken as a whole constitute the government's view on what sustainable development in England means in practice for the planning system.

Achieving Sustainable Development

- 3.4 Paragraphs 7, 8 and 11 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 3.5 Paragraph 11 sets up the presumption in favour of sustainable development stating:

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Building a strong, competitive economy

- 3.6 Chapter 6 of the NPPF relates to the economy and economic growth.#
- 3.7 Para 80 advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The current sports and social club use is not a viable business and the applicant has been unable to secure a new tenant. In addition, previous tenants have defaulted on agreements leaving the applicant financially out of pocket. This has had a detrimental economic impact on their business and threatens the ongoing viability of this parade within the Local Centre. These scenarios are contrary to the clear aspirations of the NPPF which seek to encourage economic growth.

- 3.8 Paragraph 83 makes reference to avoiding loss of community facilities – this however refers to rural areas – the application site sits in the Local Centre of Mapplewell and so the aspirations of para 83 in terms of protecting loss of community facilities is not relevant in this case.

Ensuring the vitality of Town Centres

- 3.9 Chapter 7 of the NPPF advises that 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.
- 3.10 Chapter 7 seeks to encourage the town centre first principles for town centre uses.
- 3.11 Mapplewell is a designated Local Centre and the application site sits within this designation.
- 3.12 Annex 2 of the NPPF sets out the definition of main town centre uses which includes office uses.

Promoting Healthy and safe communities

- 3.13 Chapter 8 of the NPPF advises that planning policies and decisions should aim to achieve healthy, inclusive and safe places. Paragraph 92 is relevant and is copied below:

To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

- 3.14 Part 'a' is noted in terms of reference to public houses as a community facility whilst part 'c' is considered to be relevant in the assessment of this planning application. This will be assessed in Chapter 3.

Compliance with the NPPF

- 3.15 Assessing the proposed dwelling against the main objectives of the NPPF, it is clear the scheme accords with the overarching approach to planning in that:-
- The site sits within a designated local centre and the proposed office use is a suitable town centre use. As such the proposal is consistent with guidance set out regarding enhancing vitality and viability of town centres (Chapter 7);

- The loss of the current community use will not reduce the community's ability to meet its day-to-day needs given the availability of other public house / drinking establishment uses within Mapplewell (para 92)

From the foregoing assessment of the proposed development it is considered that the proposal is wholly consistent with this national guidance. As such, the presumption in favour applies and the application should be approved.

Statutory Development Plan

- 3.16 The Development Plan for Barnsley comprises the adopted Local Plan (Jan 2019). The proposal comprises change of use from D2 to B1a (office) use with no external alterations.
- 3.17 Policy TC1 and supporting text at para 15.9 confirms Mapplewell as a Local Centre.
- 3.18 As such the relevant policies are set out below:
- Policy SD1 – Presumption in favour of sustainable development
- Policy TC1 – Town Centres – The policy seeks to maintain and enhance the vitality and viability of the following hierarchy of town, district and local centres. The policy confirms that Local Centres serve smaller catchments and development will be expected to meet the needs of the local area.
- Policy I2 – Educational and Community Facilities – policy states that such uses 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 facility.
- 3.19 Furthermore, when considering the supporting text to Policy TC1, para 15.1 confirms offices as a town centre use (as does the footnote to Policy E3 (page 51, footnote 4), where offices are confirmed as a Town Centre use).
- 3.20 These Local Plan policies are considered in the next section.

4.0 Planning Assessment

- 4.1 This Chapter considers the principle of the Proposed Development and an assessment of the application against other policy requirements.
- 4.2 The two main issues relate to principle, namely suitability of the proposed use in the Local Centre and loss of a community facility (in this case sports & social club / public house).

Principle – Town Centre Use

- 4.3 The site comprises a former sports and social club (D2 use). The proposal seeks planning permission for change of use to office use (B1a).
- 4.4 The site sits within the Local Centre of Mapplewell.
- 4.5 Office uses are accepted as suitable town centre uses as demonstrated in NPPF definitions (Annex 2) and the Local Plan (para 15.1 and footnote 4 on page 51).
- 4.6 As such the proposed use is considered acceptable in this location.
- 4.7 The proposal is therefore consistent with the NPPF in terms of enhancing the vitality and viability of Town Centres and Local Plan Policy TC1

Principle – loss of community use

- 4.8 The NPPF seeks to resist the loss of community facilities with para 92 advising planning policies and decisions should 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs'. Local Plan Policy I2 reflects this guidance in that it states that such uses 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 facility.
- 4.9 The application site sits within the Local Centre of Mapplewell where there are a number of other drinking establishments (D2 uses) – namely Kings Head, Talbot Inn and Wentworth Arms. As such the loss of the application site would not reduce the community's ability to meet its day to day needs (para 92-c). In this regard it is considered the proposal is not contrary to the requirements of NPPF.
- 4.10 Local Plan policy I2 requires a demonstration that sites are no longer required by an existing or alternative community facility.
- 4.11 The current sports and social club has been subject to numerous incidents of anti-social behaviour and drug abuse such that its use is no longer viable. The previous two tenancies (dating from 2011) have been terminated with tenants owing monies (rent arrears) to the landlord (applicant). The current tenant similarly gave notice on the lease in August 2019 as they were unable to run the premises at a profit.
- 4.12 These debts / notice on tenancy have arisen as it has not been possible to operate the business profitably, the reasons as stated above, namely anti-social behaviour / drug abuse on the premises which severely restricts attractiveness of the business for wider customer base. The availability of 3 other public houses in the village both restricts the attractiveness of the application site as a viable community use / drinking establishment whilst also

demonstrating that local residents will continue to have alternative options for food and drink if the sports and social club is changed into office use.

- 4.13 In each case following change of / loss of tenant, the premises has been actively marketed by the applicant in local press, website and on site. The latest run of marketing commenced in Sept 2019 following notice given by last tenant. The marketing of the site has included:

- Press Notice – Barnsley Chronicle March 2020
- Booker.com Website
- To Let board on building – since Feb 2020
- To Let board at entrance to Fountain Parade – since Sept 2019

Photos of the above are found at Appendix 1.

- 4.14 Since Sept 2019 the only offer for the premises has been from the education trust seeking to use the premises as an office use.
- 4.15 Whilst the principles behind Policy I2 are acknowledged in terms of retaining available community uses for local residents, it is considered that in this case the loss of the sports and social club will not have a detrimental impact on provision of such community uses in Mapplewell. As such the weight that should be afforded to the policy should be limited in this case. It should also be considered that the use of the building as offices is an acceptable town centre use and one that sits comfortably with the mix of uses existing within Fountain parade.
- 4.16 In light of the above it is considered the change of use from D2 use to B1a office can be supported and the loss of community facility in this location will not be harmful to provision of such facilities within the local centre. A history of failed tenancies for the existing use together with lack of interest following recent marketing demonstrates the use is no longer required in this location.

Highways

- 4.17 The site is served by an existing car park. The size of the proposed use (c 290sqm) can be adequately served by existing parking provision. Furthermore, the site's local centre location makes it accessible by public transport as well as being within walking / cycling distance of any employees living within Mapplewell.
- 4.18 In terms of trip generation, it is considered the proposed dwellings will generate fewer movements than the public house use.
- 4.19 The proposed development will not give rise to any severe cumulative impacts in terms of safety or capacity.
- 4.20 In summary, the Proposed Development will not have a detrimental impact on the local highway network and is therefore in accordance with the NPPF and the Local Plan policy GD1.

Residential Amenity

- 4.21 The proposed office use is a B1 use class (B1a) and is therefore generally accepted as a use that can sit within residential areas. However, there are no known local residents close to the site. Those that do live close by will be less

impacted by the office use than the existing public house use. As such the proposal will be an improvement in terms of residential amenity.

4.22 The proposal is therefore consistent with Local Plan policy GD1.

4.23 Considering the above assessment and with regards the submitted plans, and technical reports, it is considered the proposal is consistent with relevant National and Local planning policies. As such there is no planning reason why planning permission should not be granted for the proposal.

5.0 Conclusion

- 5.1 This Planning Statement relates to a full planning application submitted to Barnsley Council for Change of Use of Working Men's Club (D2) at Unit 1, Fountain Parade, Mapplewell to B1 (a) office use. The application is submitted on behalf of Booker Commercial Ltd.

Background

- 5.2 Unit 1 has been operated for a number of years as a sports and social club for a number of years but has now been forced to close following numerous incidents of anti-social behaviour including drug abuse issues. This has resulted in the failure of a number of tenancies and the use is no longer considered viable in this building in this location.
- 5.3 The owner of the unit (Booker Commercial) have had interest in taking the unit for B1 office use. The re-use of the unit is clearly preferable over having a vacant unit in this local centre. Policy I2 of the recently adopted Local Plan is noted and its desire to resist the loss of community facilities.
- 5.4 A pre-application enquiry was made to the Council in Feb 2020 regarding the change of use from D2 to B1a. The response highlighted the need to lodge an application and the relevant planning issues relating to uses in the local centre and loss of community facilities. These issues are addressed within the Planning Statement.

Site and Surrounds

- 5.5 The site, known as Unit 1, Fountain Parade, comprises the former sports and social club, now closed following a number of failed attempts to run a profitable business from the premises. The building is red brick and part single, part 2 storey building forming the northern end of the parade of retail / commercial units within the local centre. Parking is available to the front of the unit and within the wider public car park serving the unit. Access to the site is taken from Spark Lane to the west.
- 5.6 The site sits within Mapplewell Local Centre (as defined on Local Plan Map and Policy TC1). The site sits in FZ1 and is not subject to any landscape, ecology or heritage designations.
- 5.7 The floor area of the building is 290 sqm (over 2 floors). GF currently comprises entrance, toilets, bar area, concert room, games room, office and beer store with landlord/lady flat at FF (accessed externally via stairs).

The Proposed Development

- 5.8 The Proposed Development comprises a full planning application for change of use of the unit from D2 to an office use – B1a. The applicant has had interest from an Educational Trust who are keen to take over the space.
- 5.9 The proposed change of use comprises internal alterations only.

Assessment

- 5.10 The two main issues relate to principle, namely suitability of the proposed use in the Local Centre and loss of a community facility (in this case sports & social club / public house).

Principle – Town Centre Use

- 5.11 The site comprises a former sports and social club (D2 use). The proposal seeks planning permission for change of use to office use (B1a).
- 5.12 The site sits within the Local Centre of Mapplewell. Office uses are accepted as suitable town centre uses as demonstrated in NPPF definitions (Annex 2) and the Local Plan (para 15.1 and footnote 4 on page 51). As such the proposed use is considered acceptable in this location.

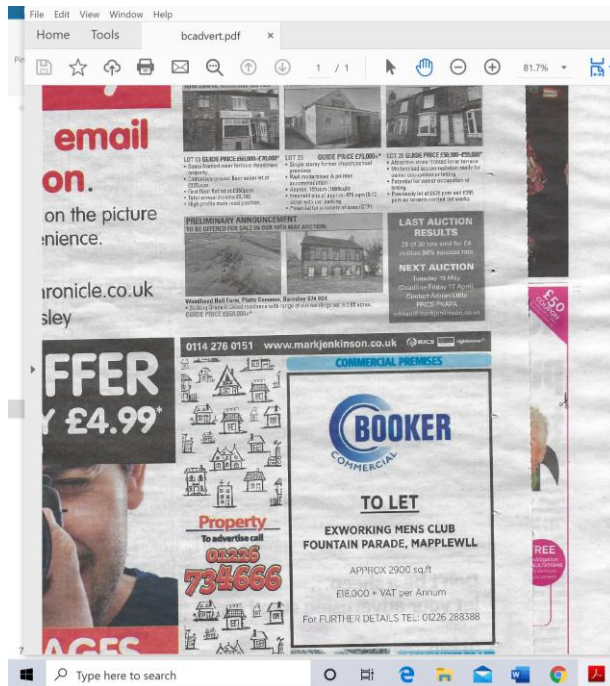
Principle – loss of community use

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- 5.14 The application site sits within the Local Centre of Mapplewell where there are a number of other drinking establishments (D2 uses) – namely Kings Head, Talbot Inn and Wentworth Arms. As such the loss of the application site would not reduce the community's ability to meet its day to day needs (para 92-c). In this regard it is considered the proposal is not contrary to the requirements of NPPF.
- 5.15 Local Plan policy I2 requires a demonstration that sites are no longer required by an existing or alternative community facility.
- 5.16 The current sports and social club has been subject to numerous incidents of anti-social behaviour and drug abuse such that its use is no longer viable, which severely restricts attractiveness of the business for wider customer base. The availability of 3 other public houses in the village both restricts the attractiveness of the application site as a viable community use / drinking establishment whilst also demonstrating that local residents will continue to have alternative options for food and drink if the sports and social club is changed into office use.
- 5.17 In each case following change of / loss of tenant, the premises has been actively marketed by the applicant in local press. Since August 2019 the only reasonable offer for the premises has been from the education trust seeking to use the premises as an office use.
- 5.18 Whilst the principles behind Policy I2 are acknowledged in terms of retaining available community uses for local residents, it is considered that in this case the loss of the sports and social club will not have a detrimental impact on provision of such community uses in Mapplewell.
- 5.19 In light of the above it is considered the proposed use is a suitable 'town centre' use and the change of use from D2 use to B1a office can be supported and the loss of community facility in this location will not be harmful to provision of such facilities within the local centre. A history of failed tenancies for the existing use together with lack of interest following recent marketing demonstrates the use is no longer required in this location.

- 5.20 In view of the above, it is considered the proposal satisfies national and local policy and represents a suitable development proposal for the site that addresses all the relevant and material considerations. In this context, the proposal satisfies Section 38(6) of the Planning and Compulsory Purchase Act 2004 and it is considered that planning permission should be granted.

Appendix 1 – details of marketing

Press Notice – Barnsley Chronicle March 2020



Extract from Applicant's website

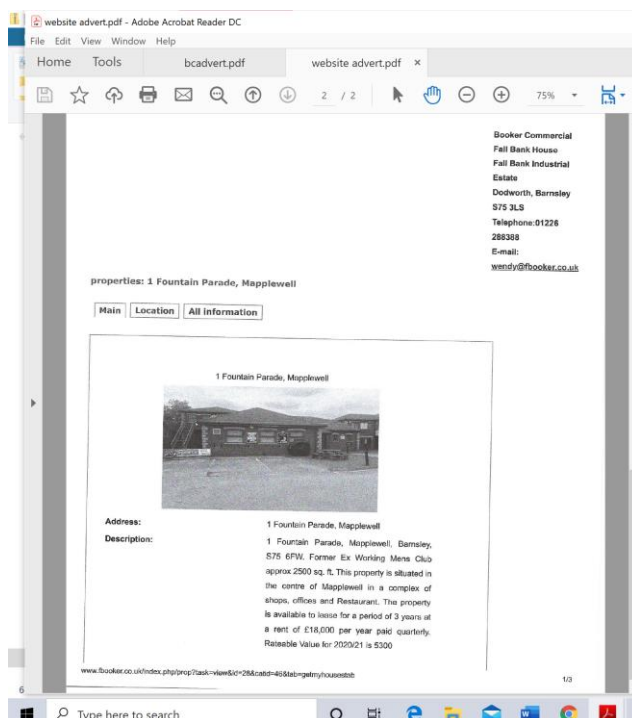


Photo of 'To-Let' board on site – since Feb 2020



Photo of 'To-Let' board at entrance to Fountain Parade – since Sept 2019

