
Ref 2023/0344 – Planning Application

Applicant: Paula McGowan

Proposal: Building alterations associated with a change of use from a former betting shop to a coffee shop and tearoom

Address: Land adjacent Gawber Road Working Men's Club, 113 Gawber Road, Old Town, Barnsley, S75 2PR

Planning History

No planning history relevant to this building

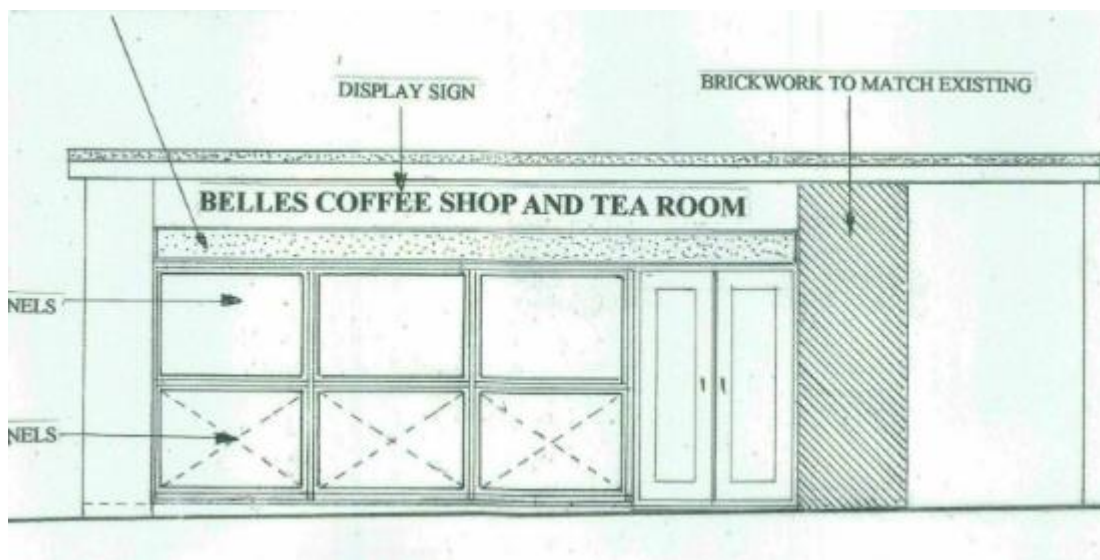
Site Description

The application relates to premises that have a frontage onto Gawber Road. Google Street view show that the premises have been used as a betting shop since at least 2008. The building is located within the car park of Gawber Road Working Men's Club. The building is single storey, brick built, partially wooden clad and flat roofed with felt. Other than the adjacent the Working Men's Club and the nearby hospital, the area is wholly residential.

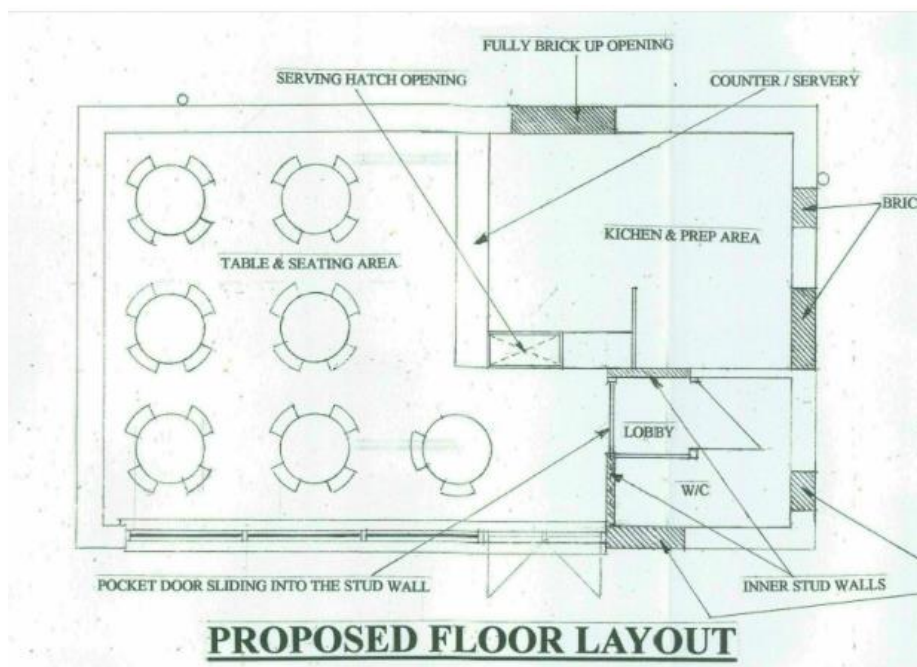
Proposed Development

The applicant seeks permission for alterations associated with the change of use of the former betting shop to a coffee shop and tearoom. The alterations as originally proposed showed the creation of larger windows and bricking up of part of the existing wooden clad frontage, but the applicant has requested to use painted wood instead of new brickwork, coloured anthracite grey to match the colour of the new windows. The applicant has also clarified the intended opening hours – 7.30 to 6pm Monday to Friday, 8 to 6 Saturday and 9 to 5 Sunday; and the means of dealing with fumes from cooking bacon and sausage sandwiches in the morning, which will be a 'high speed oven' which doesn't require a ventilation canopy. At other times of the day the menu is intended to be sandwiches and cakes.

The proposed shopfront:



Proposed ground floor plan



Policy Context

Planning decisions 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 Local Plan was adopted by the Council in January 2019. The Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

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

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

Local Plan

The application site is in an area designated as Urban Fabric in the Local Plan. The following policies are relevant:

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 – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

Policy D1 High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy Poll1 Pollution Control and Protection – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution.

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 126 indicates that 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

Paragraph 185 indicates that planning policies and decisions should ensure that new development is appropriate for its location and should avoid noise giving rise to significant adverse impacts on health and the quality of life.

Consultations

Pollution Control – Confirm that the proposed ventless cooking equipment looks to be a suitable option for the type of cooking intended; and that the proposed hours wouldn't be expected to be a problem.

Ward Councillors – No response.

Representations

The application was advertised by way of a site notice (26 April to 19 May) and letters sent to properties adjacent and near to the proposal site. No comments have been received.

Assessment

Principle

The existing use of the premises as a betting shop appears to be lawful. The change of use of a betting shop to any use in Class E (which includes use as a café or restaurant) is permitted development subject to the condition that written notification is provided to the local planning authority of the date on which the use of the building will change. The applicant has indicated that the use will change in the summer. An informative is recommended advising the applicant of the need to provide written notification of the date on which the use of the building will change.

Accordingly, the application considers the proposed alterations associated with the permitted change of the use of the building, which are acceptable in principle subject to assessment of detailed considerations

Residential Amenity

The proposal is in an area that is predominantly residential, albeit with the adjacent working men's club and the hospital opposite. The applicant has proposed opening hours which are considered to be reasonable and a method of dealing with fumes that is considered acceptable. Conditions are recommended restricting the opening hours as proposed and indicating that if external extract ventilation/flue is required, the details must be agreed in writing by the Local Planning Authority first. It is concluded that subject to these conditions the proposal is unlikely to adversely affect the amenity of those living and working in the area and in compliance with Local Plan Policy GD1

Design

The design of the proposed shopfront alterations included new window arrangement and, originally, included small areas of new brickwork to match the existing brickwork. The applicant has request to substitute the proposed brickwork with cladding in a colour to match that of the new windows. Either option is considered acceptable, and a condition is recommended accordingly. The proposals are considered to be in compliance with Local Plan Policy D1.

Conclusion

The proposal is considered to be acceptable in principle in this residential location subject to the recommended conditions which seek to ensure that the business hours are reasonably controlled and that the alterations are suitably finished.

Recommendation

Grant subject to conditions