
Application number: 2024/0664

Description: Change of use from bookmakers (Sui generis) to tanning salon (Use Class E)

Location: 8 - 9 Market Place, Cudworth, Barnsley, S72 8LX

1. Site Location & Description

The site is located within Cudworth however, it is not located within the district centre, however it is adjacent to the centre. The direct surrounding is predominantly residential, with the mix of dwellings types ranging from terraced, semi-detached and flats. Cudworth has direct travel routes to Barnsley town centre and the surrounding areas.

2. Proposed Development

2.1. Consent is sought for the change of use from bookmakers (Sui generis) to tanning salon (Use Class E), located at 8-9 Market Place, Cudworth, Barnsley, S72 8LX. The applicant would like to make small changes to the elevations including the shop/commercial frontage and the removal of windows to the rear. The materials to be used would match the existing, however the wooden window frames would be removed and replaced with white UPVC frames. The applicant is also proposing internal changes to allow for the business use to operate.

2.2. The applicant has proposed the following operating hours:

- Mon to Friday 9am to 8pm
- Saturday 9am to 5pm
- Sunday 10am to 4pm#

2.3. The applicant has already begun internal changes to renovate the property, and this was confirmed when the Planning Officer went and visited the site.

3. Planning History

3.1. No recent or relevant site history.

4. Policy Context

4.1. 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 in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

4.2. The Local Plan review was approved at the full Council meeting held 24th November 2022.

4.3. 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.

Local Plan

4.4. The site is allocated in the Local Plan for employment use. In addition, the following Local Plan policies are relevant to this site: -

- SD1 Presumption in favour of sustainable development
- GD1 General Development
- LG2 The Location of Growth
- E1 Providing Strategic Employment Locations
- E3 Uses on Employment Land
- T3 New Development and Sustainable Travel
- T4 New Development and Transport Safety
- D1 High Quality Design and Place Making
- Poll1 Pollution Control and Protection

SPD

- SPD: Parking

4.5. These policies are considered to reflect the Principles in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

National Policy

4.6. 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.

5. Consultations

5.1. Highways – Acceptable, subject to condition

5.2. Drainage – No objections.

5.3. Regulatory Services – No objections.

5.4. Yorkshire Water – No objections.

6. Representations

6.1. The application was advertised by individual neighbour notification letter and by site notice. No comments have been received as a result.

7. Assessment

Principle of development

7.1. The building is adjacent to the district centre of Cudworth but lies within the urban fabric. The site was a bookmaker which would fall under Sui Generis whilst the tanning salon use would fall under Use Class E. Whilst the site is outside the district centre, it has been used as a historic commercial use. The proposal is therefore acceptable in principle, subject to policy GD1 and the impact of the proposal upon visual amenity and highway safety.

Residential Amenity

7.2. The site is adjacent to the district centre but lies within the urban fabric. The site is surrounded by residential properties which are typically terraced, semi-detached and some flats. The Council's Regulatory Services Officer has stated that they raise no objections to the scheme subject to the following condition:

- During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

The judgement of the Regulatory Services Officer is sound and as such the condition will be attached to protect the amenity of residents if approval is granted.

7.3. It should be noted that the change from Sui Generis to Use Class E would mean that the site could be redeveloped into a different use under Use Class E which could have a detrimental effect on residential amenity of those around the site. As such an appropriate condition shall be attached ensuring that the site cannot be changed within Use Class E without permission.

Visual Amenity

7.4. The applicant is applying for a change of use to the building and has stated that there would be minimal changes to the elevations of the building. However, it should be noted that the applicant has indicated that there would be advertisement/signage. This would not be granted under this application if it was found to be acceptable, a separate advertisement/signage application would need to be made.

7.5. The applicant has stated that there would be changes to the front and rear elevations, the front elevation is to be renovated, whilst the applicant is also seeking to remove windows and replace the current wooden frames with UPVC frames in white. The applicant has stated that all materials used are to match the existing building. The removal of the windows to the rear would be a welcomed addition as currently the windows are sporadic, this would create a more uniformed look which would be more visually appealing. Therefore, the changes to the elevations would not cause a detrimental effect on visual amenity, rather improve it.

Highway Safety

- 7.6. The applicant has not proposed extending the property and as the site is already a commercial use it is unlikely to have a detrimental impact on highway safety or increase the number of visits to the site. The Council's Highway Officer has been consulted on the scheme and has no objections to the scheme.

Other

- 7.7. Yorkshire Water has been consulted and have confirmed that they hold no objections to the scheme.
- 7.8. The Council's Drainage Officer has also been consulted and have confirmed that they hold no objections to the scheme in respect to land drainage.

8. Conclusion

- 8.1. The development is considered to be acceptable in this location due as it was previously used for a commercial use, and it is directly opposite a district centre. The development is unlikely to cause a detrimental impact to residential and visual amenity to nearby residential properties. An appropriate condition has been attached to ensure highway safety. As such the development should be approved subject to conditions.

Recommendation

Approve subject to conditions