

Application reference number	2025 0729
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Application Type	Full planning permission
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Proposal Description:	Change of use from Estate Agent to Micro pub (Use Class Sui Generis) and associated works
Location:	145 Midland Road, Royston, Barnsley, S71 4BY

Applicant	Mr Lee Kilroy
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Number of Third Party Reps	1	Parish:	n/a
		Ward:	Royston Ward

SUMMARY

The application seeks full planning permission for the change of use of a former estate agents to use as a micro pub. The proposal is considered to be acceptable in policy terms being located within a designated District Centre within the Local Plan and is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the highway network or the wider character of the area subject to suitably worded conditions.

Recommendation: **GRANT Planning Permission**

Introduction

- The application seeks planning permission to change the use of an estate agents to a micro pub within Royston (Midland Road) District Centre.
- The application reflects the advice given in response to a pre-application enquiry.
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Site Description

The application site forms an end-terrace property within Royston (Midland Road) District Centre at the junction of Midland Road and First Avenue. The property has a corner access door with display windows on both the Midland Road and First Avenue frontages. Adjacent to the application site on Midland Road is a hairdressers. Adjacent to the application site on First Avenue is a block of garages. There is a pair of semi-detached houses on First Avenue opposite the block of garages. On the opposite corner of Midland Road/First Avenue is a hardware shop. On the opposite side of Midland Road are a range of commercial and residential properties. All the properties described here are in the District Centre boundary.

The application site has a rear yard accessed via First Avenue.

Proposal

The proposal is to change the use of a former estate agents to a micro pub. The submitted layout indicates that the proposed change of use only relates to the 60 sq. m ground floor and not the upper floor of the premises. The submitted application form specifies opening hours of 3pm to 8.30pm Monday to Friday; 1pm to 10:30pm Saturday and 1pm to 9pm Sunday/Bank Holiday and that the proposal will result in 2 FTE employees.

The application is supported by a Planning Statement, Noise Management Plan and Parking Transport Survey.

The Planning Statement specifies the opening hours as 5pm to 8.30pm Monday, closed Tuesday and Wednesday, 5pm to 9pm Thursday, 3pm to 10.30pm Fri, 1pm to 10.30pm Sat and 1pm to 9pm Sun. The statement also advises of a customer capacity of approximately 30 patrons; no external building works other than signage; low level background music will be played in the premises; deliveries will be in normal business hours and no Sunday deliveries; waste will be stored internally and only placed out during daytime hours; a cycle rack will be provided at the rear side.

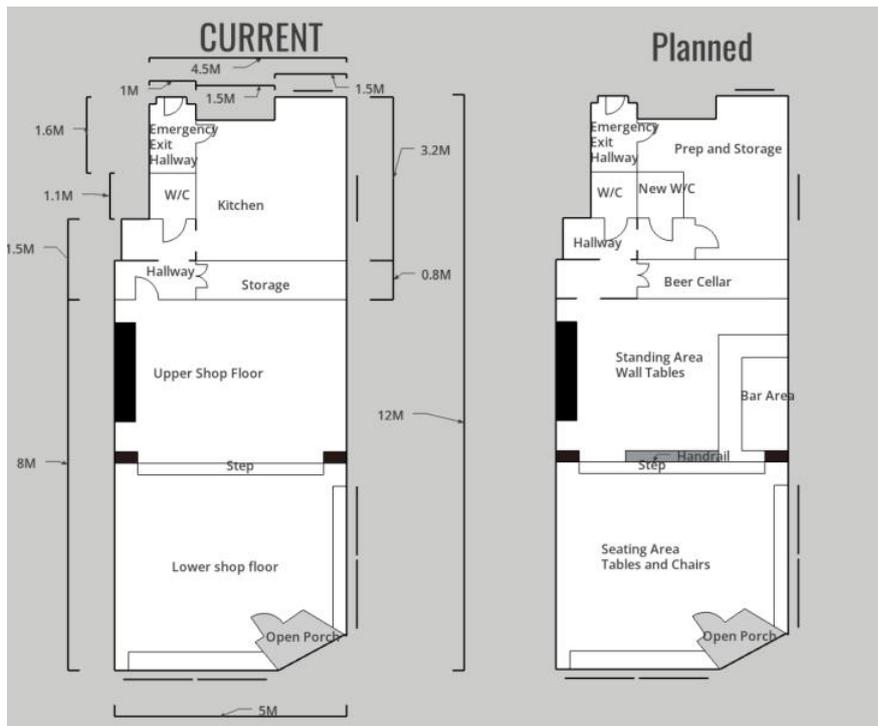
The Noise Management Plan sets out how the premises will be managed to ensure that the proposed use will not cause nuisance or disturbance; including that background music will be played at a low, conversational level; that there will be no live or amplified music events; that deliveries will be 7am to 9pm and not on a Sunday; no bottles/waste will be placed in the outside bins after 7pm.

The Transport Survey sets out that it is anticipated that most customers will walk to the bar; that they will promote the option to use the bus; and notes that the Midland Road is with double yellow lined (alongside the pub side of the road) or parking restrictions between 8am and 6pm Mon to Sat (on the opposite side of Midland Road). It notes the proximity of a public car park less than 2 minutes walk away (at the entrance to Royston Park). The Survey indicates that on an example Friday between 4pm and 8.30pm there would be parking spaces available in the vicinity at the bar opening times.

Site plan



Current and planned layout



Relevant Site History

Application Reference	Application description	Status
B/93/1294/RO	Conversion of first floor to 4 bedsits and erection of external meal staircase	granted
B/94/0167/RO	Change of use of existing flat to form four bedsits	withdrawn
B/99/0951/RO	Conversion of existing first floor flat to create two self-contained flats.	granted

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (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 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 which are a material consideration in the decision-making process.

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.

Local Plan

The site is identified as being within Royston (Midland Road) District Centre within the Local Plan and as such the following policies are considered to be relevant to this application:

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, including the development would not cause significant adverse effects on the living conditions and residential amenity of existing residents

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 relation to minimum levels of parking; provision of transport statements and of travel plans.

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.

Policy TC1 Town Centres – indicates that new retail and town centre 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.

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.

Policy I2- Education and Community Facilities – indicates that we will support the provision of such facilities, which should be located centrally to the communities they serve, and that such uses will be protected from development unless it can be demonstrated that the sites/premises are no longer required by the existing or an alternative community facility.

Adopted Supplementary Planning Documents relevant to this application:

Parking

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. NPPF policy of relevance to this application includes:

Paragraph 85 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.

Paragraph 116 - 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.

Paragraph 198 – Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment.

Relevant Consultations:

Highways DC – No objections

Pollution control – advise that the development has the potential to have an adverse impact on the health and quality of life of those living and/or working in the locality and recommend approval with conditions.

Ward Councillors – Councillor Makinson confirmed her support for the proposal.

Representations

Neighbour notification letters were sent to twenty-seven surrounding properties and a site notice was placed nearby.

1 representation was received from a representative of Barnsley CAMRA confirming their support for the proposal and noting that two clubs have recently closed in Royston.

Assessment

The main issues for consideration are as follows:

- The acceptability of the proposed use
- The impact on nearby residential properties
- The impact on the highway network and highways standards
- The impact on visual amenity

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The application site is within Royston (Midland Road) District Centre. Local Plan policy TC1 indicates that new retail development will be directed to centres in order to maintain and enhance their vitality and viability. The proposed micro pub is a main town centre use that national and local planning policy indicate is appropriate in a local centre. Local Plan policy I2 indicates that community facilities (which include public houses) should be located centrally to the communities they serve. The change of use is acceptable in principle subject to consideration of issues of impact on residential amenity, visual amenity, and highway safety, which are considered below.

The proposal will re-use an existing vacant shop. While modest, it will make a positive contribution to the vitality and viability of the centre and result in the employment of two (FTE) people. Significant weight is given in favour of the proposed use.

Residential Amenity

The application site is in District Centre where uses such as pubs will be encouraged to locate. The application is limited in scale as it only proposes to use the ground floor and not the upstairs areas of the building that will remain in residential use.

Pollution Control recommend approval subject to conditions to secure compliance with the submitted noise management plan and limiting the hours of any construction works associated with the change of use.

The submitted noise management plan includes details of how the premises will be managed to ensure that the proposed use will not cause disturbance or nuisance, including restricting hours of deliveries and disposal of bottles in the outside bins; and limiting any music played to background music played at a low conversational level. It is considered that subject to the conditions recommended by Pollution Control and further conditions limiting the opening hours; prohibiting live or amplified music; restricting alcohol consumption to within the premises; and to clarify that the use applies only to the area specified on the submitted application drawings, the use of the premises would not unreasonably affect local residents or businesses. Subject to these conditions, the proposal is in conformity with Local Plan policies GD1 and Poll 1 which seek to protect the residential amenity of existing residents and ensure that development will not cause unacceptable noise or other pollution to people. Moderate weight is given to this material consideration.

Highway Safety

The submitted parking survey indicates that nearby car parks were not full during the likely peak Friday afternoon and evening hours of opening; and that there was available space on-street and the submitted layout shows a refuse storage pad which is satisfactory. The submitted Planning Statement indicates that a cycle rack will be provided at the rear side of the application site and a condition is recommended to secure this. Reflecting the advice of the Highway Engineer, who notes that this is an existing commercial property in a commercial area, that there are no highway safety objections to the scheme and no specific highway conditions are deemed necessary, it is concluded that this modest proposal in a designated District Centre would not adversely affect highway safety and is in compliance with Local Plan policy T3. Moderate weight is given to this material consideration.

Visual amenity

The proposal does not indicate any external alterations to the building, other than signage (which is subject to the advertisement consent regime) and the proposed cycle storage provision in the rear side of the building. Subject to the condition previously mentioned to secure the provision of the cycle rack and an informative to advise the applicant of the potential requirement for advertisement consent, it is concluded that the impact of the proposal on the visual amenity of the building will be acceptable and in compliance with Local Plan policy D1. Modest weight is given to this material consideration.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for the proposed change of use

and this weighs considerably in favour of the application. Significant weight in favour of the application has been afforded to the potential economic benefits generated by the proposal.

The application reflects advice given at pre-application to address issues relating to noise and parking and this weighs in favour of the application

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions and holistically this weighs in favour of the application.

Having balanced all material planning considerations, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations.

The proposal is therefore, on balance, recommended for approval.

RECOMMENDATION

GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT

CONDITIONS/REASONS

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

REASON:

In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

02. The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission:

Block plan

Existing and Proposed Plans

Location Plan 2

Site Plan

REASON:

To ensure that the development is carried out in accordance with the application as approved.

03. Before the use hereby permitted commences a scheme for the parking of bicycles complying with LTN 1/20 Cycle Infrastructure Design shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first or brought into use and thereafter retained for this purpose.

Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3.

04. The Noise Management Plan dated 11.08.2025 and submitted with this planning application (or any update of it) shall be adhered to at all times. The document shall be maintained and not altered without the prior permission of the Local Planning Authority.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

05. During construction or demolition works, activity shall only take place 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
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1
06. The use hereby permitted shall be carried on only between the hours of 13:00 to 22:30 Monday to Friday; 13:00 to 22:30 Saturday and 13:00 to 21:00 Sunday.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1
07. Live or amplified music is prohibited inside or outside of the premises at any time.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1
08. Alcohol purchased at the premises shall only be consumed within the permanent structure on the premises.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1
09. The use hereby permitted only relates to the area specified on the approved proposed plan and there shall be no use by customers of the first floor or the rear yard area.
Reason: To ensure that the use takes the form envisaged by the Local Planning Authority when granting planning permission and in the interests of the quality of life of people living/and or working nearby, in accordance with Local Plan Policies D1 and POLL1.

INFORMATIVE

INFORMATIVE

01. The developer is advised that advertisement consent may be required for signage on the building.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

The above objections, consideration and resulting recommendation have had due regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.