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**2021/0959**

Applicant: BMBC Regeneration & Culture

Proposal: Proposed demolition of existing former public house. Partial removal of existing hard landscape and retention / repair of existing tarmac car parking area. Provision of new temporary hard-standing area (asphalt road planings + sub-base) to areas where building demolished and existing hard landscape removed. Retain existing stone wall and concrete / gravel hard-standing to front of site

Site Address: 38 Barnsley Road (The Horse and Groom Public House), Goldthorpe, Barnsley, S63 9NE

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No letters of objection received. This application is before Members as it is a Council application

### **Site Description**

The Horse and Groom is a former public house located on Barnsley Road, Goldthorpe. The building is a detached, brick built with a rendered frontage. The site is set off junction between Barnsley road and High Street. There is a very small ex-beer garden to the rear of the building.

The site is open with a lack of secure boundary treatments, with the exception of a dilapidated concrete wall on the western boundary line. The windows of the building are currently boarded up and the building has been subject to arson attacks and fly-tipping has occurred at the site. There are a number of trees along the boundaries of the site.

### **Planning History**

B/80/1750/DE: Formation of car park and vehicular access with associated landscaping (Approved with conditions)

B/82/0722/DE: Erection of private garage (Approved with conditions)

B/96/1246/DE: Formation of two new windows to public house (Retrospective) (Approved)

B/00/1380/DE: Erection of single-storey extension to public house (Historic – no decision notice on record)

2020/0325: Conversion of former public house into 11 no. flats – Refused for the following reasons:-

1. In the opinion of the Local Planning Authority, the proposed development does not provide a broad mix of residential types or tenures neither does it adequately reflect the market/community need in this area which would help create mixed and balanced communities contrary to Local Plan Policy H6: Housing Mix and Efficient use of land and paragraph 61 of the NPPF. Furthermore the proposal would result in an increase in smaller homes contributing to the imbalance in housing stock in this area and thereby failing to contribute to the sufficient range of homes required to meet the needs of present and future generations contrary to Paragraph 8b of the NPPF.

2. A number of the proposed room sizes and flats are not up to the minimum standards as expected within SPD: Design of Housing Development and the South Yorkshire Residential Design Guide (SYRDG). In the opinion of the Local Planning Authority, the proposed development does not provide adequate living and internal amenity space for future residents, contrary to SPD: Design of Housing Development and the SYRDG.
3. The site is very open and permeable with old dilapidated boundary treatment, in parts, with no improvements to the boundary treatments offered by the agent. In the opinion of the Local Planning Authority, the proposed shared private space will therefore be very open to the surrounding area, both visually and psychically, and will not uphold the expected level of safety, security or privacy expected of such areas, to the detriment of potential future residents, contrary to Local Plan Policy GD1: General Development.

## **Proposed Development**

The proposal involves the demolition of the public house and whilst not part of this application, it is the aspiration that the site could be developed for a new town square in the future and a further planning application would be submitted for its redevelopment. As part of this potential proposal, the Council has carried out the 'Goldthorpe Town Square Development Consultation' exercise in order to allow the public and interested parties to comment on what they would like to see as part of its redevelopment. The consultation document states:-

*'Goldthorpe has recently been successful in securing a grant from the Towns Fund. Included in the grant is an opportunity to improve the Public Realm by creating a Town Square. The old Horse & Groom pub is an old building which would be extremely difficult to bring back into use due to the materials used deteriorating in quality over time, and therefore not reaching regulation standards anymore. In addition to this, it has suffered two arson attacks, and has suffered further damage. For health and safety purposes, it isn't an option to keep the derelict and dilapidated building that was the Horse & Groom as it is. It is extremely run-down, and has become an eyesore, and the area will be much safer to the public once demolished.*

*However, as part of the demolition process, the sign from the pub, and the original stone that made up part of the walls will be salvaged so that the heritage of the pub can be remembered.'*

At this stage funding has been secured for the demolition and the applicant is proposing the removal of the public house, in order to make the site safe but to also improve the visual amenity of the site, as it is currently an eyesore. This is a short term /temporary finish as the site anticipated to be fully developed on permanent basis.

The applicant is therefore seeking approval for the following works:-

- Demolish existing 2 storey building with pitched roofs in its entirety including cellar floor and walls. Remove existing foundations and reinstate disturbed ground to receive new temporary surface. Demolish existing out-building in its entirety and remove existing foundations.
- Remove existing concrete post and gravel board fence panels adjacent to the public footpath including bases to posts.
- Remove existing concrete block wall and remove all foundations.
- Remove obsolete traffic spikes and make good to disturbed tarmac.
- Remove existing paving and sub-base.
- Retain and protect existing brick high and low walls. Remove vegetation within walls and make good to walls and tarmac.
- Remove existing railings and paving slabs.

- Provision of new concrete edgings and haunchings to rear of existing pavement where wall removed.
- The proposal includes the partial removal of existing hard landscape and retention / repair of existing tarmac car parking area. Make good / reinstate all disturbed ground created by the above proposals.

Items to be retained:-

- Contractor to carefully remove / salvage existing post and sign and transport to BMBC Smithies Depot for re-use.
- Contractor to carefully dismantle + salvage for re-use walling stone /brick and plinth stones. Individual stones /bricks to be thoroughly cleaned of mortar. Contractor to carefully transport salvaged stonewalling to BMBC Smithies Depot. Contractor to place / suitably store stone at depot. Break up / remove any foundation and make good / reinstate disturbed ground.
- Retain and protect existing tarmac car park surface. Repair / Makegood to defective areas.
- Retain and protect existing all mature trees during demolition works.
- Retain existing bollards to front and rear entrance to site.

The applicant has submitted a Tree Survey, Arboricultural Impact Assessment, Ecological Survey and Bat Survey Report.

## **Policy Context**

The new Local Plan was adopted at the full Council meeting held 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).

The site is set within the District Centre of Goldthorpe and within a Primary Shopping Frontage.

In reference to this application, the following policies are relevant:

GD1: General development – Proposals for general development will be approved providing there is no significant adverse effect on residential amenity, highway safety, the current or future use of nearby land and it upholds good quality design in accordance with local plan policy D1.

SD1: Presumption in favour of sustainable development – The Council will take a positive approach to proposals that reflect the presumption in favour of sustainable development contained in the NPPF.

Policy TC1: Town Centres - Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of centres

Policy TC2: Primary and Secondary Shopping Frontages - Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres provided that: Within each primary shopping frontage in Barnsley Town Centre and the District Centres, ground floor uses would remain predominantly retail (Class A1) in nature.

Other uses may be acceptable, especially where they diversify and improve provision in a centre, provided that it can be demonstrated that the vitality and viability of the primary

shopping area concerned would not be negatively affected and that ground floor uses on the Primary Shopping Frontages remain predominantly retail (Class A1) in nature.

D1: High quality design and place making – This policy sets the overarching design principles for the borough. Development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of the local area.

T4: New development and highway improvement - New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

Poll1: Pollution Control and Protection - Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

I2: Educational and Community Facilities – The Council will support the provision of schools, educational facilities and other community facilities. New schools, educational and community facilities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship, should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport.

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.

BIO1 - Policy BIO1 Biodiversity and Geodiversity - Development will be expected to conserve and enhance the biodiversity and geological features of the borough

#### SPDs:

Trees and Hedgerows  
Biodiversity and Geodiversity

#### NPPE:

The NPPF 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.

## 8. Promoting healthy and safe communities

Para 93 - 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.

## Consultations

Ward Councillors – No comments received

Pollution Control – No objection subject to conditions

Drainage – No objection details to be checked by Building Control.

Yorkshire Water – No objections subject to condition

Highways DC – No comments received

Biodiversity Officer – No comments received

Tree Officer – No comments received

## Representations

Neighbour notification letters were sent to surrounding residents and a site notice placed nearby, no comments have been received.

## Assessment

Principle of development/Loss of Community Facility

The proposal involves the demolition of the public house which is a community facility. The site is also allocated as a District Centre and a Primary Shopping Area. Districts Centres have an important role serving localised catchments and meeting more local needs. To ensure they fulfil this role and continue to complement and support the role of Barnsley Town Centre, new retail and town centre development will also be directed to the District Centres.

The Local Plan text states:-

*Goldthorpe is one of the larger district centres with its main retail and service provision located along the main Barnsley and Doncaster Roads. It is average in terms of vitality and viability. Its main strengths are the number and type of shops, the good supply of offices, the absence of floorspace outside the centre, the variety of specialist and independent shops, the market, the availability of food shopping, good pedestrian flow and the availability of public transport. In order to improve the economic fortunes of Goldthorpe the aims are:*

*To improve the provision of leisure, cultural and entertainment activities. Enhance movement for pedestrians, cyclists and the disabled. Improve access to the main attractions and to enhance security. Address environmental problems and increase the quality of open spaces and landscaping.*

*In 2008 a masterplan was produced for Goldthorpe to improve the village centre and develop the vision provided within the Renaissance Market Town strategy for Goldthorpe. The masterplan was finalised in 2011. The objectives of the masterplan include improving public realm, new retail development and a public square, car park reorganisation and shop front refurbishment. As part of this work an economic study identified that Goldthorpe town centre has the potential to support a total of 40-50,000 sq ft of retail floorspace. This is less than the total retail floorspace in the town centre at present and it implies the need to consolidate and improve the retail offer and ensure its future viability and sustainability.*

In terms of the demolition of the public house, Policy I2 in the Local Plan states that public houses should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport. 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. With the previous refused planning application for the site's redevelopment for residential purposes in 2020, it was accepted that its loss as a community facility was acceptable. With the application, the agent provided information which indicated that the building was marketed for sale in September 2017 and no interest or bids were made. The building was then sold at auction in December 2019. The building has been vacant ever since and no objections have been received to this application for its demolition, therefore it has been demonstrated that the use of the building as a public house is no longer viable or required. It is the aspiration that the site will be used as a new Town Square, which could be used for markets/events etc, therefore would be of a community use and an appropriate use in the District Centre.

In addition to the above, the building has suffered arson attacks and has suffered further damage. The site is also subject to fly-tipping. For health and safety purposes, the applicant has stated that it is not an option to keep the derelict and dilapidated building. It is extremely run-down, and has become an eyesore, and the area will be much safer to the public once demolished. As part of the demolition process, the sign from the pub, and the original stone that made up part of the walls will be salvaged so that the heritage of the pub can be remembered. No objections have been received from members of the public or consultees for its removal. This is considered to be reasonable justification in order to allow for the removal of this particular community facility, in compliance with Local Plan Policy I2.

Visual Amenity

At this stage funding has been secured for the demolition of the building and the applicant is proposing the removal of the public house and make good of the surfacing in order to make the site safe, but to also improve the visual amenity of the site. The building is old, derelict and dilapidated and the removal of the building and improvements to the site would clearly be welcomed. This is a short term /temporary measure as the site anticipated to be fully developed on permanent basis. It is the aspiration that a further planning application is to be submitted for the potential future Town Square which, once in use, would be of benefit to visual amenity.

### Highway Safety

Highways DC have been consulted and have not objected to the proposal. Once the demolition is carried out the site will be left in a safe condition and as part of the proposal the plans show that the existing bollards to front and rear entrance to site entrance will be retained.

There is plentiful parking in the area for members of the public and the site will not be made into a formal car parking area. Any redevelopment of the site will be assessed as part of a separate planning application.

### Impact on Protected Species/Trees

The submitted Bat Survey has demonstrated an absence of bat roosting within the building and as such, the proposed demolition works present little risk of impacting upon bats or their roosts.

The applicant has submitted a Tree Survey and Arboricultural Impact Assessment. The trees are not formally protected by Tree Preservation Orders. The trees on site will be retained and protected during the demolition. No landscaping is proposed at this stage as the proposal is for a short term /temporary finish as the site. A formal landscaping scheme would be submitted with any future planning application for the redevelopment of the site.

### Conclusion

The removal of the public house is considered to be justified on safety and visual amenity grounds. The proposed temporary surfacing will make the site safe and level while a formal redevelopment proposal is made. The public house has been marketed for a reasonable length of time and there have been no objections received for its demolition. The proposal is considered acceptable in terms of policy I2 of the Local Plan subject to conditions.

### **Recommendation**

Approve with conditions