

2024/1068

Graham Oldfield

Change of use from hot food takeaway to micropub and associated works

20 Towngate, Mapplewell, S75 6AT

Background

The applications within the last 20 years are as follows:

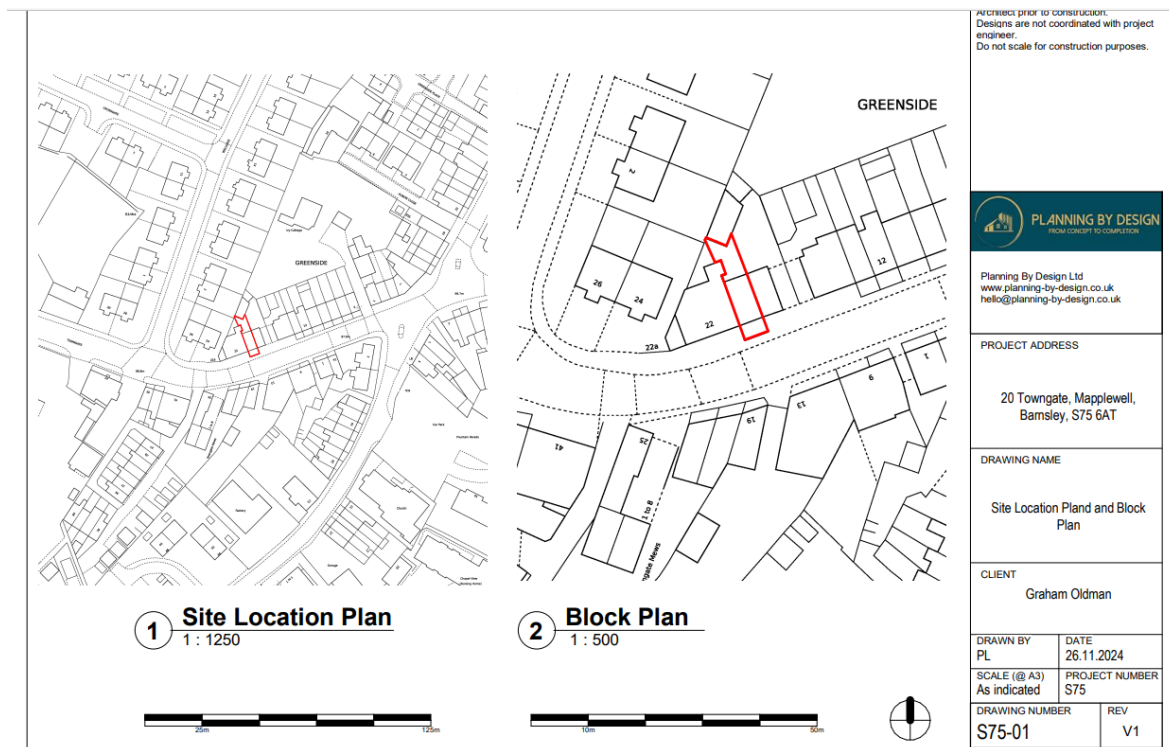
2024/1083 - Display of vinyl signage to front window – currently under consideration

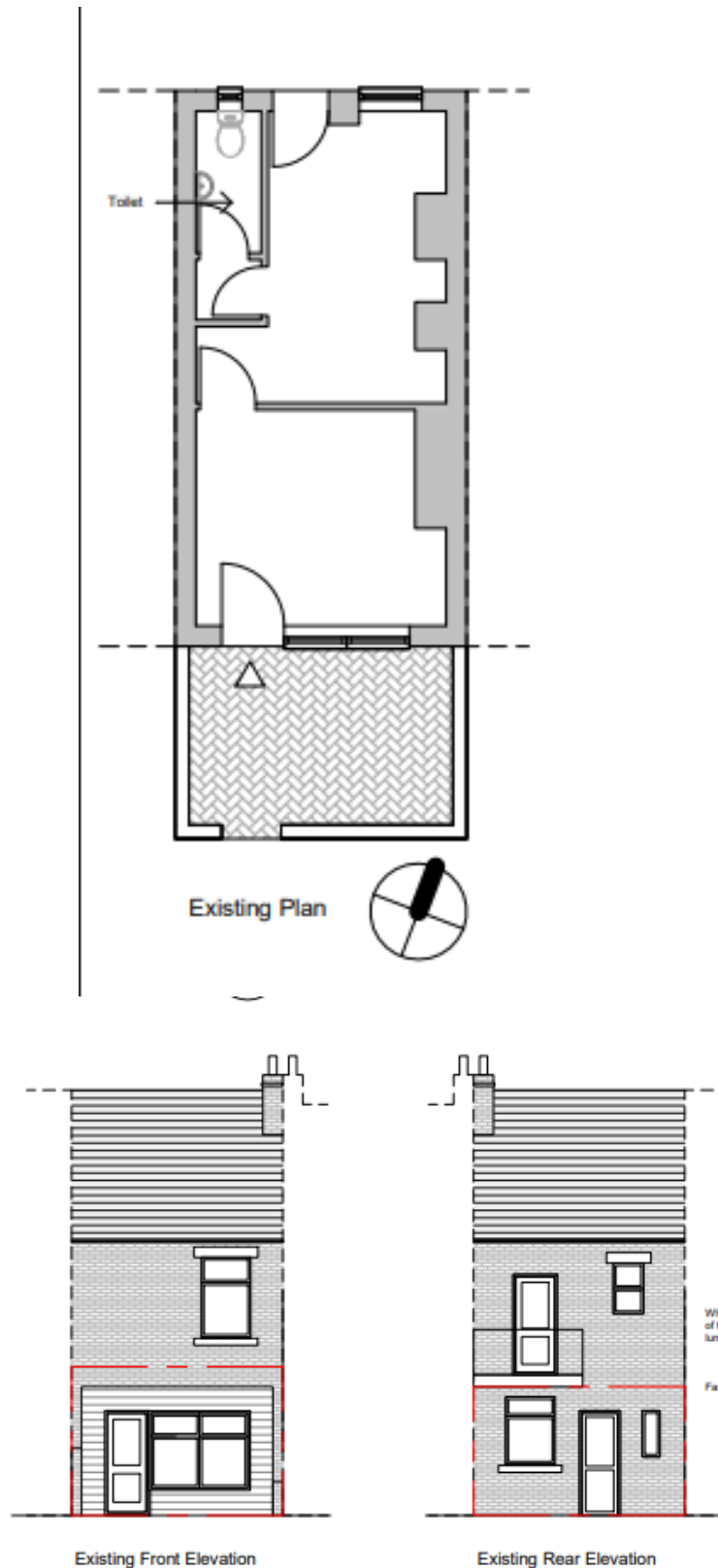
2022/0296 Change of use of ground floor to hot food takeaway and first floor remodelling to create flat (Amended Address) - Approve

Description

Number 20 Towngate is a mid-terraced property and is currently used as a dwelling. Planning permission was approved in 2022 for the change of use of the ground floor to hot food takeaway and first floor flat. The ground floor permission was never implemented however the upper floor flat has been. The property is situated between a convenience store and a beauty salon and is located within the principal shopping/commercial area, within the Local Centre of Mapplewell. There are a number of uses along this terrace row including a café, sandwich shop and a beauty salon amongst others.

There are residential uses within this locality, and evidence of residential uses located above commercial properties. The property has an existing rear yard area and an external staircase which leads to the first floor flat. To the front the property has a low brick boundary wall which is to be retained as part of the proposal. The front of the property has black UPVC cladding around the door and window similar to that of neighbouring properties.



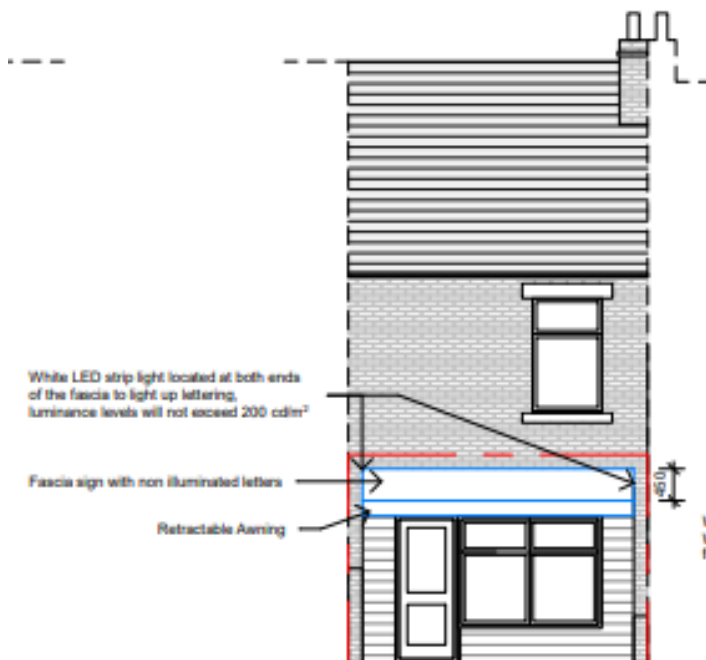
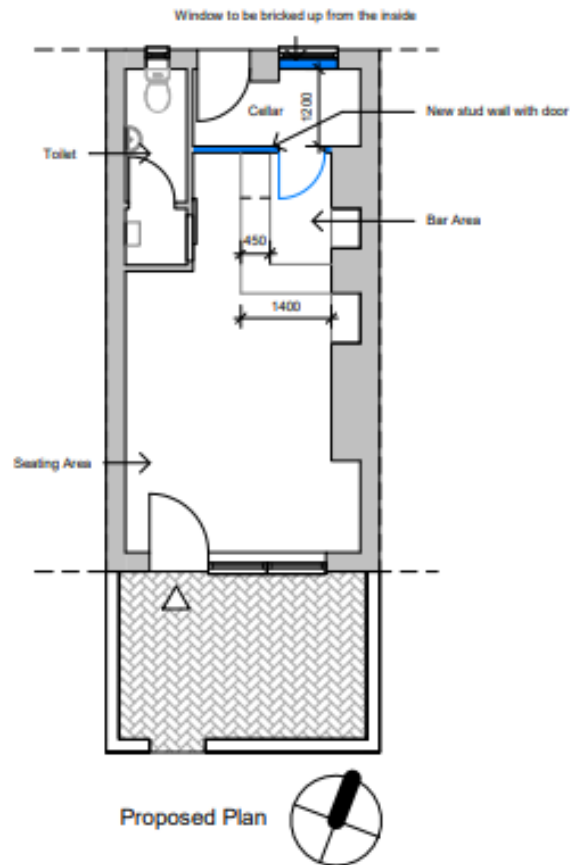


Proposed Development

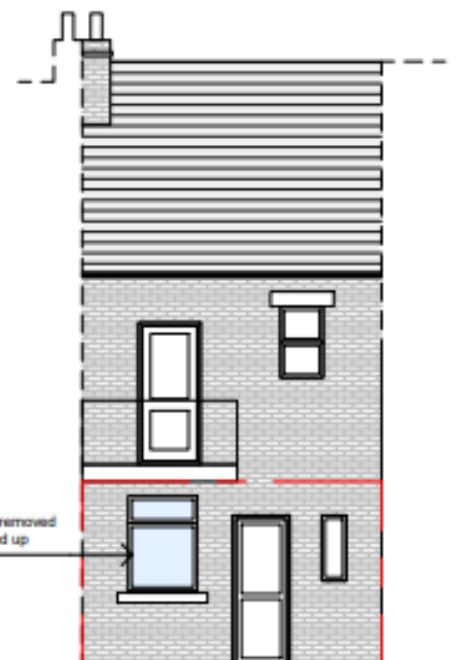
The proposal is for the change of use from Hot Food Takeaway to Micro Pub. The building was given permission to change the use to a HFTA within application 2022/0296 and create an upper floor flat. The upper floor was converted however the ground floor was not and therefore the last

existing use was a shop/ dwelling. The proposal is to change the use of the ground floor to a micro pub. The works involve bricking up the window at the rear, attaching a retractable awning on the front elevation, with the black cladding to remain. Internally the two existing rooms will become one large floor area with a small cellar located at the rear. The existing w/c will remain in situ. The proposed opening hours are 17:00 – 23:00 Thursday to Sunday and they also propose to open on Bank Holidays. 2 Full time employees will work within the establishment. It is proposed that the owner of the pub will reside in the upper flat.

It is noted that the original plans showed the front yard to be utilised by customers and tables and chairs were located within this area. This was deemed unacceptable in terms of noise impact to the local residential properties and as a consequence the tables and chairs have been removed, and this area will not provide space for outside drinking.



Proposed Front Elevation



Proposed Rear Elevation



Policy Context

Local Plan: District Centre/ Primary Shopping Centre

Planning decisions should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

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.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. 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.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 139 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Local Plan

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

Policy SD1: Presumption in favour of Sustainable Development

Policy GD1: General Development – sets out appropriate proposals for development.

Policy T4: New Development and Highway Improvement

Policy TC1: Town Centre

Policy TC2L: Primary and Secondary Shopping Frontages

Policy BTC1: The daytime and evening economies

POL1: Pollution Control and Protection

Policy T3: New Development and Sustainable Travel

Policy D1: High quality design and place making

SPD: Shopfront Designs

SPD: Parking

Consultations

Highways DC – No objections

Regulatory Services – No objections subject to conditions
Ward Members – No comments received
Drainage – No comments received
Yorkshire Water – No comments received

Representations

13 neighbour notification letters were sent to surrounding properties, a site notice was posted adjacent to the site, 3 objectors have the following concerns:

- Parking concerns
- Too many pubs within the area already
- Increased antisocial behaviour
- Loss of housing stock

Assessment

The proposal does not meet the threshold for an impact assessment requirement.

Policy TC1 Town Centres – states that Mapplewell is defined as a Local Centre. The Local 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 be directed to the district and local Centres. This will help to strengthen and protect their important roles and to reduce the need to travel to out of centre locations.

The change of use of the premises is considered acceptable where there is no detrimental impact on residential amenity by means of noise and disturbance, visual amenity or highways safety. The unit is located within the retail frontage where there are a mixed of uses, the proposed micro pub would fit with the character of the area and with an active frontage and can be used by members of the public which is considered to be acceptable in principle.

Visual Amenity

The proposal will see the rear window bricked up and a retractable awning fitted to the front of the property. As the awning is retractable this is not expected to be of visual detriment. The proposal will also have new internal vinyl signage installed on the front window and front door. The advertisement consent will be dealt with under application 2024/1083.

The site is located within a town centre location where shops and entertainment venues are acceptable. The site is located between retail establishments and is therefore not expected to appear injurious within this location. As a result, the proposal will have a low impact to the visual amenity of the area.

The proposal will provide a teatime and evening economy which would be visual compliant with the local area. Therefore, it is concluded that proposal is not expected to be at odds within the confines of the street scene in compliance with Local Policy.

Residential Amenity

The Council's Regulatory Services team have been consulted and have no objection to the proposal. The building is limited in size and the applicant has stated that the micro pub would not be in operation later than 2300hrs from Thursday through to Sunday and is expected to open on Bank Holidays. There will be no music played outside and there will be no outside seating available, which will work to ensure that residential amenity is protected. The internal music will be background only which will further protect residential amenity. The applicant has stated that the

owner of the business will reside in the upper floor flat. The applicant has stated that the downstairs area has a layer of soundproofing behind the plasterboard on each wall and the ceiling. This will help protect the occupiers of the upstairs flat in terms of noise impact. Delivery times will be conditioned to further ensure residential impact is kept to a minimum.

It is acknowledged that there are some residential properties within the vicinity with the closest being located above. It is also noted that the micropub would have a limited number of customers due to its size. Given the small scale proposal and the local commercial area location, where existing night-time economy uses are currently in operation, it is considered that the proposal would not have a significant detrimental impact on amenity of the local residents by way of noise/disturbance and as such is acceptable in compliance with Policy Poll1. Furthermore, conditions will be applied to the decision to ensure any potential impact is kept to a minimum.

Highway Safety

The proposals involve the change of use of the ground floor of no.20 Towngate from a hot food takeaway to a micropub, the use of the first floor as a residential flat is to remain unchanged. Although permission for the takeaway use was obtained quite recently under App. No. 2022/0296, the ground floor is vacant and not in operation as a hot food takeaway.

The site is located on the B6131 Towngate within the urban centre of Mapplewell close to a number of shops and services including another hot food takeaway on the opposite side of the road. The majority of properties within the vicinity of the site have no off-street parking provision and none is proposed for this site. Towngate is subject to waiting restrictions with no waiting permitted between the hours of 8am to 6pm. There is a short stay car park (Max. 3 hours) on Fountain Parade approximately 100m south-east of the site.

Given the proposed use as a micropub, it is likely that stock deliveries would be carried out by the owner using a private car in a similar manner to the permitted takeaway use. It is indicated by the applicant that there would be two members of staff, again this is considered to be little different to the takeaway use. In terms of the number of vehicular trips generated by the proposals, it is clear that the micropub would have a limited number of customers due to its size, of which presumably only a small proportion would be driving. Coupled with the sustainable local centre location, it is considered unlikely that the proposed change of use would have any increased impact upon the local highway in terms of both the number of vehicle trips generated by the site and the demand for parking spaces within the local area.

The Council's Highways Section has raised no objection to the proposal and given the previous commercial use and the sustainable location, the proposal is considered to be acceptable in compliance with Local Plan Policy T3 and T4.

Conclusion

It is considered that the proposed alterations would not have a detrimental impact on the wider street scene or residential amenity and as such is acceptable and in compliance with Local Plan Policy

Recommendation

Approve subject to conditions