Planning, Design and Access Statement

Tesco Stores Ltd

Wilthorpe Public House
Huddersfield Road
Barnsley
S75 1HA

May 2012

Prepared by

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This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Business or Associate Director.

DATE	ORIGINATORS	APPROVED
May 2012	Catriona Fraser Assistant Planner	David Brown Associate Director





Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of GL Hearn; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

1 INTRODUCTION

1.1 GL Hearn have been instructed by Tesco Stores Ltd to provide planning advice in respect of the proposed alterations at the Wilthorpe Public House within the jurisdiction of Barnsley Council.

1.2 The site subject of this application is the Wilthorpe Public House, Huddersfield Road, Barnsley, S75 1HA; this is intended to be occupied by a Tesco Express convenience store upon the basis that the existing use is no longer viable, and that the landlord has no intention of trading as a public house in the furture.

1.3 The application seeks permission for the installation of 1no. condenser unit and 3no AC units.

1.4 It is important to highlight that the principle of an A1 use is not to be disputed given that planning permission is not required to change the use from Use Class A4 to Use Class A1 as this is deemed Permitted Development.

1.5 It is also important to identify that the 'end user' or occupier is not a material consideration and that competition is not a land use planning matter.

1.6 The Planning, Design and Access sets out the description of the site, its brief planning history and the relevant planning policy framework pertinent to the proposal. This statement sets out the design concept utilised in the scheme and design and access issues relevant to the proposals.

- Application Forms and Land Ownership Certificates (Including Notice 1)
- Agricultural Holding Certificate
- Plans and Elevations (Archers Architects)
- Cheque pertaining the application fee (£170)

2 SITE AND SURROUNDINGS

2.1 The site subject of this application is the Wilthorpe Public House, Huddersfield Road, Barnsley. The sites current use is a Public House (Use Class A4).

Figure 1: Aerial Photograph of Site



2.2 The site is located in an out-of-centre location and is positioned within a predominantly residential area. The site backs on to an area of open space, while the front opens out onto Huddersfield Road.

2.3 The building extends to a maximum of two storeys and is formed of brickwork and tile.

2.4 The building does not lie within a conservation area, nor is the building listed, however it is considered to be heritage value.

2.5 The building is set within a relatively large plot of land, the car park which is located to the east of the main building has approximately 12 car parking spaces. To the rear of the main building is garden space.

2.6 Vehicular access to the site is currently taken from two points on Huddersfield Road, to the north east and west of the building.

3 SITE HISTORY

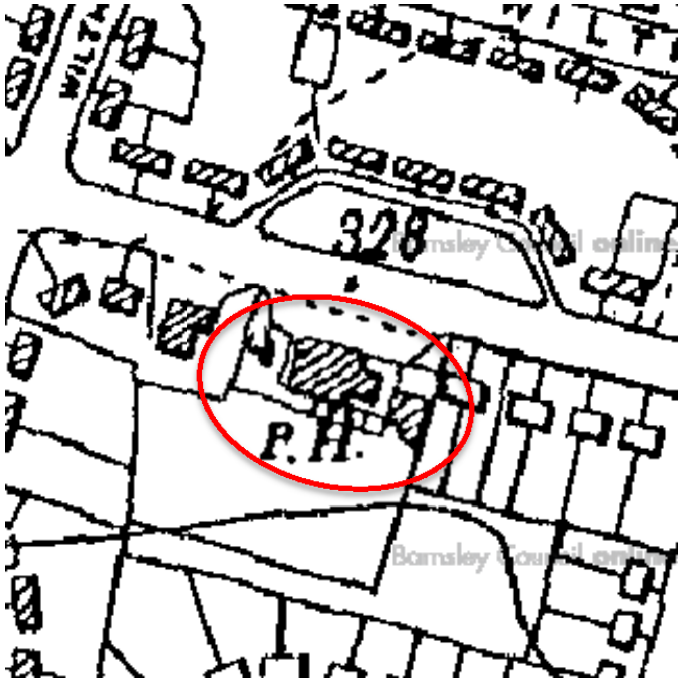
3.1 A planning history identified the following historical planning application:

- 2007/1281 – Erection of two canopies to main entrance doors of Public House (GRANTED – 29/08/2007)

3.2 The planning history relating to this site is limited insofar that only one recent planning application exists on Council's records.

3.3 A review of historical mapping however confirms that the building pre-dates 1947. In this respect it is reasonable to assume that the building pre-dates modern planning legislation. As such there would be no formal Decision Notice and thus no conditions that restrict the change of use allowances under the Use Classes Order 2010.

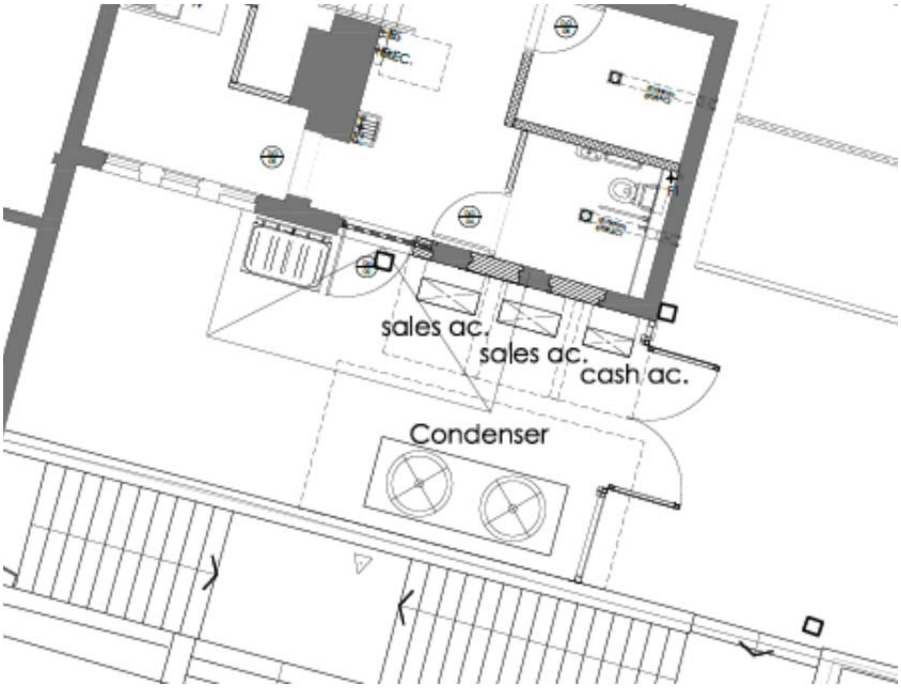
Figure 2: Historical Map (1948).



4 APPLICATION PROPOSAL

4.1 This planning application seeks permission to install 1 x 2 fan flatbed condenser unit, 2 x sales floor air conditioning units and 1 x cash office air conditioning unit.

Figure 3: Proposed Plant Site Plan



4.2 The equipment will be located within an existing service yard to the rear of the building

4.3 For further information regarding these units please refer to the supporting Rating Industrial Noise Affecting Mixed Industrial and Residential Areas Report (Noise Solutions – RF 84074).

5 PLANNING POLICY

National Planning Policy

5.1 The following national planning policy and guidance has been considered in respect of the application:

5.2 The National Planning Policy Framework (published on the 27th March 2012) sets out the Government's planning policies for England and how these are expected to be applied - paying particular regard to achieving sustainable development.

5.3 The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

5.4 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 14). For decision-taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - Specific policies in this Framework indicate development should be restricted

5.5 Like PPS1 the NPPF identifies that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

5.6 Paragraph 58 dictates that planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

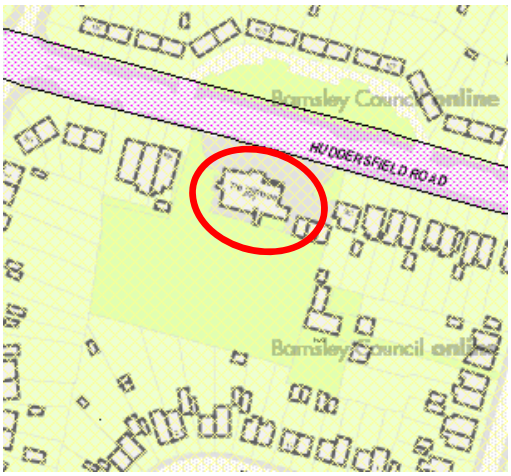
Local Planning Policy

5.7 Barnsley Council's statutory development plan consists of the Core Strategy (2011), the Barnsley Education Sites Development Plan Document (DPD) and the remaining saved policies of the Unitary Development Plan (2000).

Barnsley Core Strategy

5.8 The Core Strategy was adopted in September 2011 and forms the main document of the Local Development Framework. Relevant policies relating to the proposed development are set out below.

Figure 4: Extract of Proposals Map



5.9 The site is identified as being located within Urban Barnsley.

5.10 **Policy CP8** states that the Council will prioritise Urban Barnsley as a location for development to take place, this includes development such as shopping, leisure and business.

5.11 **Policy CSP29** focuses on good design principles and states that high quality development will be expected and should take into account factors such as landscape character including scale, layout, building styles and materials especially in and around Barnsley Town Centre.

Unitary Development Plan (Saved Policies)

5.12 **Policy BE5** of the UDP states that the Council will seek to enhance the quality of existing housing, industrial areas and commercial areas.

5.13 **Policy BE6** states that the Council will seek to achieve good design standards for all types of development, taking into consideration the following:

a. *"The quality of layout, and suitability of scale of the development*

b. *The use, quality and landscape treatment of open land within the site and the area around buildings*
c. *The standard of detailed design and facing materials of proposed buildings*
d. *The suitability of the whole development for its proposed context and its relationship with adjoining land uses."*

6 BENEFITS OF THE SITE

6.1 It is important to highlight that the principle of an A1 use is not to be disputed given that planning permission is not required to change the use from A4 to A1 as this is deemed Permitted Development. It is also important to identify that the 'end user' or occupier is not a material consideration and that competition is not a land use planning matter.

6.2 The development can be broken down into four key planning considerations, namely:

- The siting of the development;
- The design of the plant equipment; and
- The impact of the development upon the amenities of the immediate residential occupiers.

Siting

6.3 The proposed plant equipment will be enclosed at ground level within an existing service yard area.

6.4 In specific siting of the external plant is the most practical location as the units would not be visible from the public realm. The visual impact (from wider views) of this development is therefore considered to be immaterial.

Design

6.5 The design of the proposed plant equipment is restricted to a degree by its function. That said, the proposed plant equipment will appear commensurate to the size of the building and as such would not appear overbearing.

6.6 The A/C units themselves are small in scale and will measure a maximum of 970mm x 370mm x 1300mm in depth. The visual harm of the development (in terms of the design) is therefore considered to be negligible. This view is strongly reinforced in light of their specific siting and that the units would be enclosed by the existing service yard.

Impact Upon Amenity

6.7 The supporting noise survey highlights that the proposed plant will not adversely impact upon the amenity of the immediate occupiers and is in general accordance with BS 4142:1997 and Development Plan policy.

6.8 The noise survey was undertaken on 23 February 2012 between 01:00 – 02.00 and 22.00 – 23.00. The minimum night time background levels were found to be LA90,10mins 33 dB and the minimum evening background noise levels were found to be LA90,10mins 40 dB.

6.9 The noise emissions from the plant will result in a conclusion under BS4142:1997 of -12 dB during the night time period and -10 dB during the daytime period both of which fall below the -1 dB assessment level which indicates a level, in respect of complaints, is below 'marginal significance' and below 'complaints likely' respectively.

6.10 The noise survey demonstrates that the noise emissions from the plant will not have an adverse effect on the nearby residential properties and will be unlikely to give rise to complaints from the local residents. Noise Solutions would therefore recommend that planning permission is granted.

6.11 It is also important to highlight that the sales floor and cash office AC units shall only operate between 07:00 and 23:00 hours (7 days a week). Disruption to the immediate residential occupiers would subsequently be minimal, reinforced further as the noise associated with the units would be below the daytime and nightime background noise levels.

7 SUMMARY AND CONCLUSIONS

7.1 It is concluded that the development meets the requirements of national and local policy by providing a sympathetic and proportionate form of development that would not appear incongruous within the context of the site and would not adversely impact upon the amenities of immediate residential occupiers.

7.2 For the reasons set out in this statement, it is respectfully requested that planning permission is granted.