
2018/0362

Applicant: Bros Prop Ltd, c/o Space Studio Ltd

Description: External alterations including partial demolition works, formation of new building entrance, other fenestration changes and alterations to external parking and manoeuvring areas

Site Address: Barnsley Mencap Centre, Burton Road, Monk Bretton, Barnsley, S71 2JS

8 Letters of representation have been received, 5 of which are standard letters

Councillor Sheard Objects

Background and Description

The site currently comprises a single storey red brick building with metal profile pitched roof, and with flat roofed porch extensions to the front and an attached garage to the rear. A small car park lies to the west with the Sun Inn immediately beyond. Residential dwellings lie immediately adjacent to the east, with the garage to no. 264 immediately next to the boundary. Its owners are a charity (Mencap) and the site is currently used as a community centre for the charity.

The site lies on the north side of Burton Road, Monk Bretton opposite the entrance to Littleworth Lane.

Site History

2016/0147 – Change of use to a trading area for motorcycle sales, repairs and MOT test centre with ancillary works was refused for the following reasons in May 2016

1. The site lies within a larger area designated as a Housing Policy Area on the approved Barnsley Unitary Development Plan. It is considered that the proposed introduction of a mixed motorcycle repairs and sales use would be materially detrimental to the amenity of the occupiers of adjacent residential properties by reason of the associated noise and general disturbance it would create from the resultant activities taking place, this would be contrary to Saved UDP Policy H8B and Core Strategy Policy CSP40 (Pollution Control and Protection).
2. The proposed development fails to provide sufficient and suitable accommodation within the site for parking, loading/unloading and turning of vehicles in connection with the proposed use. Consequently, the proposal would be likely to result in increased vehicles manoeuvring and parking within the highway to the detriment of the safe and free flow of traffic on the highway to both vehicular traffic and pedestrians and contrary to Core Strategy Policy CSP26.

2016/1475 – Change of use to A1 retail, including part demolition of a single storey element with new shop front, car parking and associated works was withdrawn by the applicant in March 2018

Proposed Development

The applicant seeks permission for the alteration to the external appearance of the building by re-configuring the building entrance, which includes removing a section of the south east corner of the building measuring 3.1m by 3.1m.

The works outlined in the application form also include the removal of the UPVC conservatory and brick built extension along the eastern elevation and re-configuration of the parking and turning areas.

Policy Context

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 development plan consists of the Core Strategy, saved Unitary Development Plan policies and the Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Emerging Local Plan

The emerging Local Plan has now reached a very advanced stage with a consultation on main modification to the plan commencing in July 2018. The consultation follows confirmation from the Local Plan inspector that the plan is capable of being found sound. This by no means represents the Inspectors overall judgement, which will not be known until the final report is issued and the examination closes. However, it does mean increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

By virtue of the fact the policies have been tested at examination, they have been scrutinised in relation to their degree of consistency with the NPPF and it is therefore highly likely that they are sufficiently compliant. However, it will not be possible to conclude whether many of the objections have been resolved until the inspector has considered the responses to the consultation on modifications and the final report is published. The extent to which weight can be attributed to the Local Plan policies will therefore vary on a case by case basis taking into account the relevant policies and the significance of any unresolved objections.

Policies of relevance are as follows:

Policy GD1 – General Development
Policy D1 – High Quality Design and Place Making

Core Strategy

The following Core Strategy Policies are of relevance to this application:-

Policy CSP 26 states that development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

Policy CSP 29 sets out the design principles and states that high quality development will be expected that respects heritage, townscape and landscape character.

In the Unitary Development Plan the site is allocated as a Housing Policy Area, where the following saved policies are of relevance:

Policy H8B - Planning permission will be granted for small scale, non-residential uses in housing policy areas, and for the expansion of existing uses, if :

a) there is no unduly harmful impact on the amenity of neighbouring and nearby residents by way of noise, disturbance, loss of privacy, traffic congestion or other forms of nuisance

b) there is no unduly harmful visual impact on the character of the residential area; boundary trees, hedges and walls should be retained wherever possible; and the design of new buildings, or extensions should be to a good standard, relating to existing buildings in terms of appearance, siting, scale and materials

c) there is no conflict with public safety on the highway and there is satisfactory provision where necessary for off-street parking, servicing and manoeuvring areas. where parking is to be provided in any area fronting a highway that area should be provided with soft landscaping and screening where possible

Consultations

Highways DC – No objections

Representations

Councillor Sheard – Objects to the Planning Application as it is on a dangerous corner and considers there would be a health and safety risk for cars entering and exiting the site.

8 letters of objection have been received from local residents, five of which are identical though from different addresses. The issues raised are summarised as follows:

- Road safety, fast road, blind bend, insufficient parking, junction with Littleworth Lane, accident blackspot, impact on pedestrians crossing access, overspill onto adjacent highway and layby
- Effect on air quality
- Noise pollution

Assessment

Principle of development

The site is within a housing policy area where the underlying policy is for such areas to remain in predominately residential use. Planning permission will be granted for small scale, non-residential uses in housing policy areas, where it can be demonstrated that, there is no adverse impact upon amenity, there is no unduly harmful visual impact on the character of the residential area and there is no impact upon highway safety. In this case the use of the building is established and the application does not propose any change in use. As such consideration can only be given to the impact of the external alterations on residential and visual amenity, and highway safety.

Visual Amenity

The applicant seeks permission to make external alterations to the building, including a new building entrance which requires the demolition of a small section on the front south east corner of the premises. Other external changes include the demolition of the conservatory and brick extension and the addition of external glazing to the eastern elevation. These changes will reduce the footprint of the building and are considered to be minor alterations that would not have a detrimental impact on the character of the area and as such is considered acceptable and in compliance with Core Strategy Policy CSP 29.

Residential Amenity

The building is located within a housing policy area, however given the minimal external alterations to the building, which result in a reduction in footprint, the changes proposed are considered not to have a detrimental impact on residential amenity by means of overshadowing, overlooking or loss of outlook and therefore is considered accepted and in compliance with Saved UDP Policy H8B.

Highway Safety

The proposed development does not result in the loss of off street parking or a requirement for additional provision given the reduction in the footprint of the premises. Furthermore the proposed development slightly increases the amount of on site vehicular parking and manoeuvring areas. The demolition of the corner of the building immediately at the back edge of footway benefits particularly pedestrian intervisibility. Given that the existing access is to remain unchanged it is considered that the proposal would not have a detrimental impact upon highway safety.

Other issues

It is noted that the objection letters make reference to the potential change of use to A1 and the concerns over the impacts this would have in particular relating to noise, pollution and highway safety. It has to be emphasized that a change of use does not form part of this application. However, Members should be aware that under Part 4 Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 the applicant can change up to 150 square metres of the building from its current D1 use to an A1 use for a period of up to 2 years without needing to apply for planning permission. The applicant could undertake this change in use at any time and only needs to notify the local planning authority of the date the use will commence and what use it will be. Whilst this is a temporary permission, its implementation would not preclude the applicant from applying for a permanent permission at a later date. As such, whilst the concerns of the residents in relation to parking and highway safety are acknowledged the change in use of the premises to A1 for two years would be permitted development.

Conclusion

The proposed scheme for external changes is considered in line with relevant local and national policies and is not considered to be detrimental to visual amenity, residential amenity, or highway safety.

Recommendation

Approve with Conditions

- 1 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.

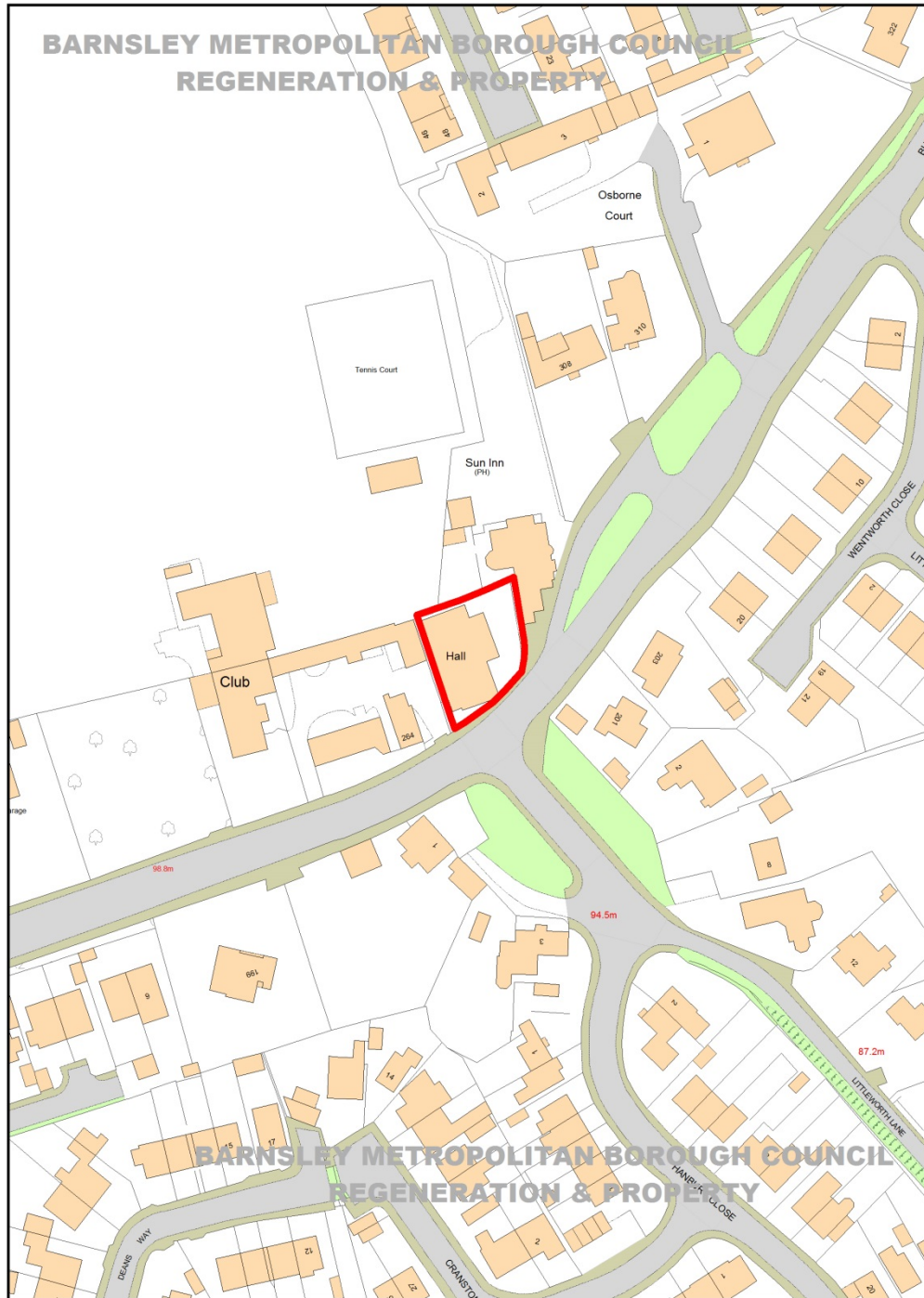
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (A18-121/05 Rev B, A18-121/06, A18-121/07 and A16-172/05-1) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

- 3 The external materials shall match those used in the existing building.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

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