

---

**2019/0754**

Mr Hussain

Change of use from former Public House to a restaurant use (A3) and 4no. residential apartments (C3).

Collingwood Hotel, Station Road, Bolton Upon Dearne, Rotherham, S63 8JA

---

Representations have been received from 4 local residents (3 raising concerns and 1 in support). Cllr Charlotte Johnson has expressed concerns associated with the site access and parking.

### **Site Description**

The Collingwood Hotel is a disused public house located at the junction between Furlong Road and Station Road in Bolton-upon-Deerne.

The building is set mostly over two storeys with a single storey section connecting the two-storey sections from east to west with a raised terrace located above. The building is accessed from Station Road and has been heavily altered through the introduction of casement windows, several new entrances across the ground floor of the southern elevation as well as the incorporation of painted render. The western section of the building remains externally faced in brick with a staircase upon its northern elevation opposite the staircase to the eastern building that is topped with a small conservatory style porch. The western building is characterised by a pitched roof, whilst the eastern building features a shallow hipped roof both finished with slate. The façade across Station Road and Furlong Road contain two fascia signs as well as a number of satellite dishes, spotlights and cabling. Highway footpaths abut the building across its southern and eastern elevations while a partially gravelled and tarmacked car park is located at its rear. The car park sits at a raised level with a large retaining wall acting as its eastern boundary which includes a brick-built bus-stop that encroaches into the envelope of the site. The western boundary of the car park features a combination of a palisade and closed boarded fence that separates it from the neighbouring residential gardens.

### **Proposed Development**

The applicant seeks permission to change the use of the public house (Use class A4) to a mixed use of a restaurant (use class A3) at the ground floor, alongside a conversion to 4no. residential apartments across both the ground floor and the first floor.

The restaurant would be approximately 220msqm in size with the ability to cater for between 50-60 customers at any one time and has the usual facilities required for such a use i.e. a kitchen, store, preparation area, service area and toilet facilities. The residential units are proposed as three two-bedroom apartments and one one-bedroom apartment. Flat one and flat two are located at the first floor of the eastern part of the building. Conversely, flat three and flat four are based in the western wing of the building with the former unit set at ground level and the latter set above at the first floor. The respective footprints of the residential accommodation are as follows:

Flat One - 62.9sqm – Two-bed  
Flat Two – 58.3sqm – One-bed  
Flat Three – 73.9sqm – Two-bed  
Flat Four – 75.6sqm – Two-bed

External modifications to the façade including the installation of windows in the southern gable of the western building, the removal of a number of redundant spotlights, repainting of the principle elevation as well as the creation of a staircase up to a separated terrace for flats two and four.

The car park would be altered to accommodate 4no. residential car parking spaces as well as 10no. restaurant parking spaces. The car park would further feature an approx. 65sqm private

residential amenity space upon its northern boundary which is for the use of flats one and three. Several bin stores and a bike storage unit are located upon the rear elevation of the building.

Four new full time jobs are likely to be created as a result of the proposed use as well as six part time positions. A design and access statement, planning statement and a sequential test have been submitted in support of the application.

Signage details are required to be submitted as a part of a separate planning application.

N.B. The application was originally proposed with 3no. retail units, 6no. apartments and 1no. studio

### Planning history

The planning history of the site is limited, with the last historic application being received in 1986 for the conversion of an unspecified outbuilding to accommodate a snooker room associated with the pub.

### **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 Local Plan is the Borough's statutory development plan which is supported by a series of adopted Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

### Local Plan

The new Local Plan was adopted at the full Council meeting held 3th 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).

Relevant Local Plan policies include:

GD1 – General Development

D1 – High Quality Design and Place Making

H4 – Residential Development on Small Non-allocated Sites

TC1 – Town Centres

POLL1 – Pollution Control and Protection

T3 – New Development and Sustainable Travel

T4 – New Development and Transport Safety

### 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.

### SPDs

- Designing New Housing Development (DNHD)
- Parking

### Other Material Considerations

South Yorkshire Residential Design Guide

### **Consultations**

*Highways DC* – No objections subject to amendment of junction. Highways DC are satisfied with the access arrangement following removal of a section of wall beside the entrance as well as the volume of parking on site given the nearby bus stop, train station and the surrounding residential area.

*Pollution Control* – No objections, subject to opening hours, deliveries and external plant details conditions.

*Yorkshire Water* – No response following 21 day consultation period.

*Highways Drainage* – Satisfied that the development can be addressed through building regulations.

*Ward Councillors* – Cllr May Noble raised the potential for archaeological findings on the site and for the western building to be retained. Andy Lines at South Yorkshire Archaeological Service was contacted with no response following 21 days which infers that the site is unlikely to be a site of interest. Cllr Charlotte Johnson requested the application be decided at Board owing to concerns associated with the vehicular access and parking.

*South Yorkshire Police Architectural Liaison Officer* – Recommendation of one informative.

### **Representations**

The application was advertised by way of a site notice and consultation letters which were sent to properties adjacent to the proposal site. Four representations have subsequently been received which highlight the following concerns/queries (Case Officer comments in italics):

- Representors queried the tenancy arrangements of the flats i.e. are the flats to be privately rented or socially rented. *Though the applicant is not obligated to disclose such information, they have stated that the residential units are to be rented privately through estate agents.*
- The local area has issues with overcrowded on-street parking and representors query how the development will impact this. Similarly a representor enquired as to the suitability of the pub's vehicular access in proximity to Station Road's junction with Furlong Road and whether any traffic measures will be introduced. Another representor cites that Furlong Road/Angel Street cannot cope with more traffic due to previous developments within the area.

- Loss of privacy to 14b Station Road.
- Noise and disruption will impact residents due to the conversion and refurbishment of the building.

The scheme is welcomed by one representor due to the building's current appearance and its ability to generate anti-social behaviour owing to it being unoccupied.

## **Assessment**

### Principle of Development

The building is designated within the Urban Fabric of the settlement forming Bolton-Upon-Dearne in the Local Plan Policies Map. Urban fabric is a designation which acknowledges that development has been established previously in a given area and that the principle of development is acceptable where it complies with the predominant use of the area and where the proposed use or development would not compromise or lower the amenity of uses or property within the locality.

With regard to the use of the premises, the building is considered wholly as an A4 drinking establishment but it is understood that the first floor of the eastern building has previously been utilised as residential accommodation. The proposed A3 restaurant lies approximately 500m outside Bolton-Upon-Dearne's local centre. Policy TC1 determines an A3 use as a 'town centre use' which requires a sequential assessment of sites when proposed outside of a local centre in order to ascertain whether there are suitable or viable units within that centre. This approach is applied to help to achieve the spatial strategy for the borough and to focus development on identified centres in the first instance. When considering edge-of-centre and out-of-centre sites, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored, in line with NPPF para 87.

A sequential assessment has been provided by the applicant which states that there are no available units in the Local Centre and a search conducted by the case officer corroborates the assessment's findings. Regardless, the proposed restaurant use conforms with the historic public house use of the site which has been operating outside of the Local Centre for over one hundred years. The site itself is also highly accessible, being set within an urban area 500m walking distance from the Local Centre and adjacent to a bus stop. Overall the impact of the proposal upon the spatial strategy and harm toward Barnsley Town Centre are likely to be marginal if not wholly negligible. As the site is a former commercial premises which lies empty and unmaintained, the reuse of the building is considered beneficial to the area and the wider town through its redevelopment. Likewise, the creation of four full time and six part-time jobs will be a boost to the local economy which further substantiates the proposal's benefits.

The redevelopment of the building meets the requirements of policy H4 subject to the residential amenity, visual appearance and road safety assessments discussed below.

Overall the proposal is considered acceptable in principle relative to Local Plan policies TC1 and H4 as well as the relevant policies within the NPPF.

### Residential Amenity

It is not anticipated that the use or alterations proposed would create unreasonable amenity issues for surrounding residential properties given the ample external separation distances between those dwellings and the existing building. Similarly, the position of existing windows and the

installation of new windows are unlikely to give rise to issues of overlooking or privacy loss as they do not outlook directly over private amenity spaces of nearby residential properties.

The private amenity space created within the northern aspect of the car park is located at least 12m from the habitable room windows at the rear of 14 and 14a Station Road and it is unlikely that it will be overlooked by 3 Furlong Road as only its side elevation faces the new outdoor area. The outdoor space within the car park is expected to be adequately provisioned at approximately 65sqm in area and shared by the occupiers of flats one and three respectively. The first floor terrace shared by flats two and four is similarly sized at 65sqm and overall the four flats will be endowed with 130sqm of private amenity space which far exceeds the 90sqm minimum required in the SPD. However the terrace is to be segregated to prevent privacy loss for the windows serving the bedrooms of each flat which would otherwise be 8.5m distant from one another and thus 3.5m below the minimum for habitable room windows which face one another. The terrace is to be segregated with an opaque boundary treatment which is to be conditioned as a part of an approval, if permitted. The western window to the open-living space within flat two looks directly across to the bathroom window of flat four. As flat four's bathroom window is not a habitable room, the risk to privacy loss is deemed to be low. The restaurant's kitchen window is to be obscure-glazed to prevent privacy loss for flat three's northern-most bedroom.

All of the residential units meet or exceed the overall internal space standards, room width ratios and heights recommended within the SYRDG.

The impact of the restaurant on the residential units and surrounding residential area have been assessed by pollution control and it is not anticipated to pose a high risk addition to the area which could cause a nuisance to future or existing residents. Pollution Control have recommended that opening hours are restricted by condition from 8am to 11pm seven days a week while deliveries should be restricted to between 8am and 8pm seven days a week. Indeed a restaurant use is less likely to produce anti-social behaviour than the current public house use while the precedent of residential accommodation has previously been established at the first floor of the property. A flue would be introduced externally beside flat two, but the details of any external plant would be reviewed by the LPA prior to installation to prevent noise issues from arising.

On the basis of the above assessment the proposal is considered to be in line with Local Plan Policy GD1 and POLL1 in relation to residential amenity. The usual working times condition is recommended to limit noise and disturbance during the construction phase.

### Visual Amenity

The premises are currently empty and advertised by way of a real estate hoarding and so reuse would prevent the unit falling into further disrepair. The benefits to visual amenity are likely to be positive in the round with the repainting and removal of redundant lighting, signage and satellite dishes across the principle elevations. Further to this, high quality aluminum glazing frames are to be installed at the ground floor restaurant while the new windows to the residential units are set to match the existing uPVC casement windows.

Overall the proposal is considered to be beneficial to the street scene and wider setting and is consequently determined to be in line with Local Plan Policy D1.

### Highways Considerations

The large parking area at the rear is to be retained and this would provide parking capacity for residents and the restaurant's customers within the curtilage of the site, should they arrive by car. Likewise, the car park can act as a turning circle for drop-offs by taxis while a lay-by is also situated on Station Road in front of the building. In terms of other modes of transport, the location of the proposed change of use is well provisioned with public transport services owing to the nearby bus stop and railway station and the proposal's residential situation should also reduce the

need for car journeys by encouraging journeys to be made by foot. In combination these other modes of transport should help reduce car dependence for the restaurant. Highways DC are satisfied that the 10no car parking spaces for the restaurant should prove sufficient for its needs to prevent an unreasonable level of on-street parking being created. It should be noted also that the pub could re-open to its former use or as a pub/restaurant without the need for any new planning permission.

The residential units would be supplied with 1no parking space each, in line with the recommendations in the SPD Parking. The applicant has indicated on the block plan and through supporting documentation that a galvanised steel shelter is to be introduced at the rear of the pub to allow for the secure storage of four bicycles to encourage sustainable means of transportation. Several bin storage areas have also been indicated on the block plan in line with Highway's DC comments.

A change that has been insisted upon by Highways consists of the removal of part of the existing boundary wall in order to make the site accesses wider. Highways DC recommended this amendment to allow better views of southbound traffic and pedestrians when exiting the car park. Views of north bound traffic are determined to be satisfactory as the access is located on the western side of the street which allows a view of traffic at the corner and junction where Furlong Road meets Station Road. On this basis, visibility across the junction is found to be adequate for the volume of development proposed.

Overall the proposal is determined to be in line with the requirements of Local Plan Policies T3 and T4 relating to New Development, Sustainable Travel and Transport Safety.

### Summary

It is recommended that the proposal is granted permission as the proposed development is judged acceptable in land use planning policy terms and in that changing from a pub to a restaurant and the provision of 4no flats is considered to be a suitable re-use of a prominent vacant building that is a Principal Town location. In addition it has been demonstrated that the proposals would make suitable amenity provisions for future residents and would not harm the amenity of existing residents. The proposals would see the existing vehicular access widened, which is sufficient for highways to be content with the development would be served by a suitable access and is a benefit considering that the pub use could re-open at any time without the need for planning permission. Also the 14 space car park would ensure that a reasonable level of in-site parking and dropping off space is provided for the future uses.

### **Officer Recommendation**

**Grant** subject to 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 and specifications as approved unless required by any other conditions in this permission.  
Plan Nos.

- Elevation and Floor Plans - YH/CH/0619-02- Rev 1C

- Proposed Block Plan - YH/CH/0619-04- Rev 1C

- Recommended Cycle Store Details and Specifications - Metal Bike Store 369

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

- 3 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected for the private outdoor amenity space and the first floor terrace shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be opaque and completed before the development is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making .**
- 4 The restaurant use hereby permitted shall be carried on only between the hours of 8am to 11pm Monday to Sunday and on Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**
- 5 Deliveries shall only take place between the hours of 0800 & 1800 Monday to Friday and 0900 & 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development and POLL1 Pollution Control and Protection.**
- 6 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials 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: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**
- 7 Upon commencement of development, full details of both hard and soft landscaping works to the shared outdoor amenity space and raised terrace shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented prior to the occupation of the development.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Placemaking.**
- 8 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 9 The window on the western elevation of the building serving the restaurant kitchen facing the bedroom of flat three shall at all times be fitted with obscure glass and retained as such thereafter.  
**Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with Local Plan Policy GD1 General Development.**
- 10 Prior to occupation of the building, full details of any externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details  
**Reason: In the interest of visual and residential amenity in accordance with Local Plan policy Poll1.**

11 Upon commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

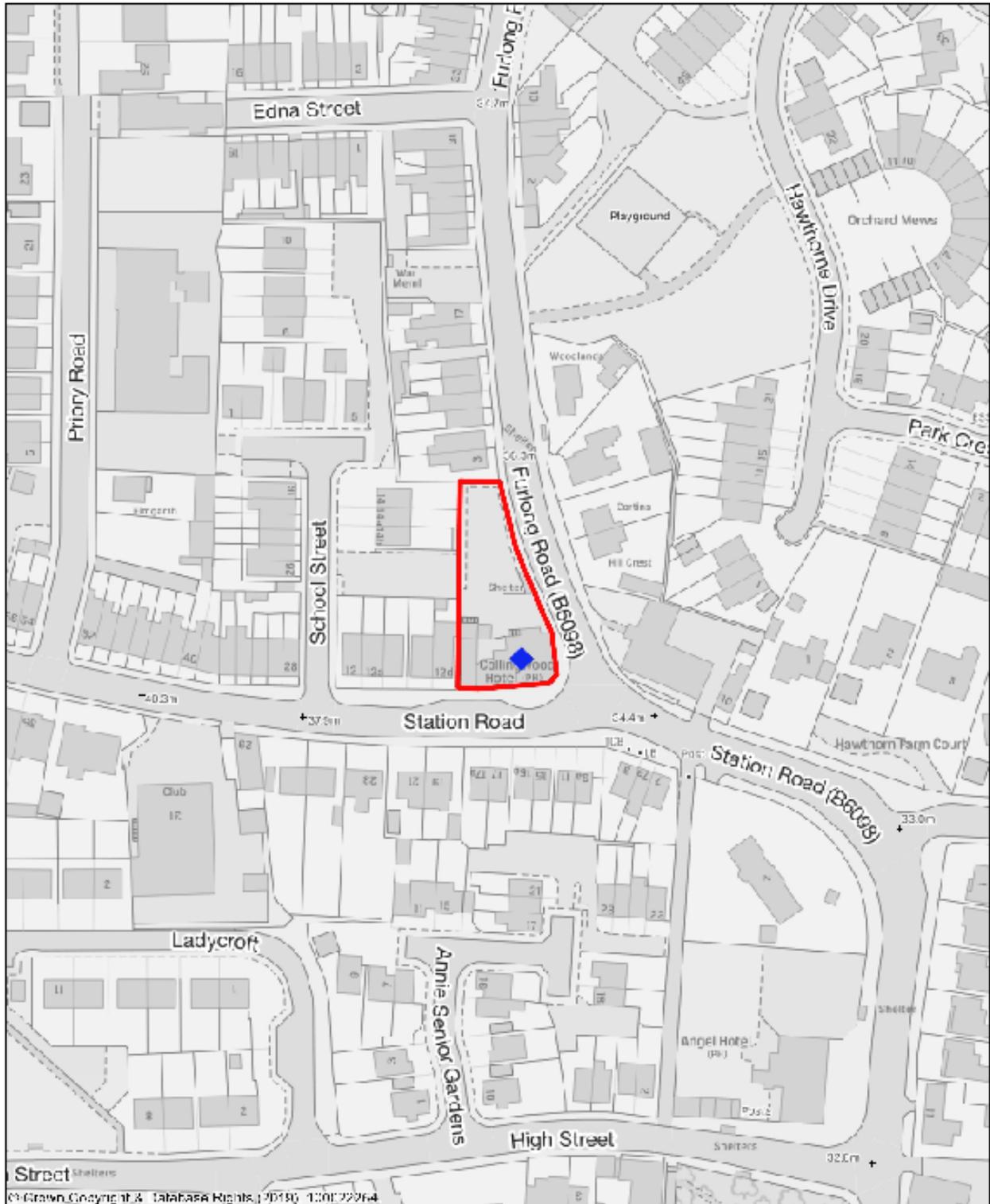
-Provision of bus stop clearway traffic signs and markings to the existing bus stop located north of the development access

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

**Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan Policy T4.**

PA Reference:-

2019/0754



**BARNSELY MBC - Regeneration & Property**



Scale: 1:1250

