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Case Number	19/02983/FUL (Formerly PP-07997512)
Application Type	Full Planning Application
Proposal	Internal and external alterations to public house (Use Class A4) to form convenience store (Use Class A1) including demolition of existing single-storey side extension, smoking shelter and entrance porch and erection of new single-storey side extension, widening of existing access, reconfiguration of car park, part replacement of boundary fence and associated works
Location	The Phoenix Greengate Lane High Green Sheffield S35 3GS
Date Received	12/08/2019
Team	West and North
Applicant/Agent	Mr Jacob Russell
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

## **Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:

13698-DB3-B01-00-DR-A-90003 Rev D BLOCK AND LOCATION PLAN published 12/08/2019

13698-DB3-B01-00-DR-A-96001 Rev C EXTERNAL PLANT PROPOSAL;  
13698-DB3-B01-00-DR-A-90002 Rev K PROPOSED SITE PLAN;  
13698-DB3-B01-00-DR-A-20004 Rev F PROPOSED ELEVATIONS; and  
13698-DB3-B01-00-DR-A-20005 Rev G PROPOSED GROUND FLOOR PLAN published on 04/11/2019

Reason: In order to define the permission.

**Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

**Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

3. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

4. Any intrusive investigation recommended in the Coal Mining Risk Assessment shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced

5. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

6. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11

(Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

7. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

8. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

9. Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

Reason: In the interest of highway safety.

10. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

11. Notwithstanding the submitted plans, before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking

accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield Development Framework Core Strategy.

12. Before any above ground works commence, full details of the type and location of any trolley parking/storage shall have been submitted to and approved in writing by the Local Planning Authority, and provided in accordance with the approved details prior to occupation.

Reason: In the interest of highway safety.

13. Details of the new lighting columns shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation. The columns shall then be installed in accordance with the approved details and thereafter be retained.

Reason: In the interest of visual and residential amenity.

14. Before the use hereby permitted commences, the applicant shall submit for written approval by the Local Planning Authority a report giving details of the impact of light from the development on adjacent dwellings. The report shall demonstrate that the lighting scheme is designed in accordance with The Institution of Lighting Professionals document GN01: 2011 'Guidance Notes for the Reduction of Obtrusive Light'. The development shall be carried out and thereafter retained in accordance with the approved details. [The guidance notes are available for free download from the 'resources' pages of the ILE website.]

Reason: In the interests of the amenities of the locality and occupiers of adjoining property it is essential for these works to have been carried out before the use commences.

15. The development shall not be used unless the car parking accommodation has been surfaced and drained in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority, including details of markings to define a pedestrian route to the main entrance of the store.

Reason: In the interest of highway safety.

### **Other Compliance Conditions**

16. The development shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with the approved plans. Thereafter, all such areas shall be retained free of all

obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

17. The development shall not be used for the purposes hereby permitted unless the scheme of sound attenuation works detailed in the Noise Report dated 29.05.19; produced by Airtight and Noisecheck Ltd has been carried out as specified in the Report. Such works shall be thereafter retained.

Reason: In the interests of the amenities of occupiers of adjoining property it is essential for these works to have been carried out before the use commences.

18. No customer shall be permitted to be on the premises outside the following times: 0800 hours to 2000 hours Monday to Saturday and 1000 hours to 1600 hours on Sundays and Bank Holidays.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

19. All commercial deliveries shall be carried out in accordance with the Delivery Management Plan referenced 1905-083/DMP/01 October 2019 unless otherwise agreed with the local planning authority.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

#### **Attention is Drawn to the Following Directives:**

1. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6349  
Email: james.burdett@sheffield.gov.uk

3. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6136  
Email: dawn.jones@sheffield.gov.uk

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk)

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

5. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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## LOCATION AND PROPOSAL

The application site is located in High Green, on the western side of Greengate Lane which runs north-east to south-west from Mortomley Lane. The site lies within a designated Housing Area as defined in the Unitary Development Plan (UDP) and is surrounded on all sides by residential development, with local facilities including shops, green space, a business park and a primary school in the vicinity.

A local shopping parade, which accommodates of a small number of units including a vets and a convenience store, with residential accommodation on the first floor, is located diagonally opposite the site.

The site comprises of a two storey public house set back from the highway, with single storey extensions to each side. The building is largely finished in red facing bricks and render and the front elevation features a large gable with bay window and prominent chimneys. The main entrance to the public house is via a small porch located to the front of the south western extension. Residential accommodation is located on the first floor of the public house.

To the front of the public house is a hard surfaced car park, which is not formally laid out, a timber smoking shelter and a timber decked area consisting of outdoor seating. Adjacent the eastern elevation is a storage and refuse area. The perimeter of the site is bound by a low brick wall adjacent the highway and vertical timber fencing to the remainder of the site. Vehicular access to the car park is gained from Greengate Lane.

Planning permission is sought for internal and external alterations to the public house (Use Class A4) to form a convenience store (Use Class A1) including the demolition of the existing single-storey side extension, smoking shelter and entrance porch and the erection of a new single-storey side extension, widening of the existing access, reconfiguration of car park and part replacement of boundary fence.

## RELEVANT SITE HISTORY

07/02402/FUL      An application for the erection of a smoking shelter was granted on 01.08.07

## PUBLICITY AND SUMMARY OF REPRESENTATIONS RECEIVED

The application was publicised by posting site notices close to the site and by direct neighbour notification.

There have been 19 representations on the application.

16 letters of objection raised the following concerns:

- High Green has lost a number of pubs in recent years. Locals need the Phoenix and so the loss of this pub should be resisted.
- The development will create additional noise and disturbance from deliveries and vehicle movements.

- Additional traffic generated by the development would be a danger to pedestrians.
- Parking is already problematic on Greengate Lane. Additional parking demand generated by the development would make the situation worse.
- Proposed delivery times are between 8am and 10am, which is the busiest time on Greengate Lane.
- There are already a number of supermarkets in the vicinity and there is no need for another.

An objection has been received from the sub-tenant of the pub, who raised the following concerns:

- The pub has a number of games teams and clubs (pool and snooker teams and fishing clubs)
- The pub caters for various local events including parties and funerals.
- There is little assessment in the application regarding comparable facilities.
- Disagree with the supporting reports regarding the decline in barrel sales and they fail to mention increased sales in spirits and other goods.
- This has been our home and job for the last 16 years.

1 letter of support was received from the tenants of the pub, E.D Leisure Ltd who made the following comments:

- The pub industry is changing and we have seen a 30% loss in income in the last 3 to 4 years.
- The decreasing viability of the public house relates to falling customer numbers, reduced customer spending and the increased cost of utilities, rates and insurance.
- The tenancy ends in July 2020 and there is no intention to renew.
- We would prefer to see the building re-used rather than remain vacant.

1 neutral comment was received relating to the neighbour's ability to maintain the existing boundary fence.

In addition, Ecclesfield Parish Council raised concerns regarding car parking, traffic impact and the adequate provision of on-site turning for lorries. They ask that the Planning Committee fully consider these issues.

## PLANNING ASSESSMENT

### Principal of Development and Policy Background

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Council's development plan comprises of the Core Strategy (CS) which was adopted in 2009 and saved policies of the Unitary Development Plan (UDP) which

was adopted in 1998. The National Planning Policy Framework (NPPF) 2019 is a material planning consideration as specified in paragraphs 2 and 212.

The documents comprising the Council's development plan pre-date the NPPF, but paragraph 213 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF, and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF. The NPPF provides that the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

Development proposals should also be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This is referred to as the "tilted balance".

The proposal is for the change of use of the existing public house to a convenience store with associated extensions and alterations.

The key material planning issues for consideration in this instance relate to the loss of the public house and the appropriateness of the proposed retail use.

The UDP states that community facilities include community centres, drop in centres, meeting places, youth clubs, crèches, nurseries religious meeting places, non-residential schools and colleges, training centres, medical and health centres, toilets, libraries, information centres, lecture theatres museums and art galleries.

Policy CF1 of the UDP – Provision of Community Facilities – states that community facilities will be promoted.

Policy CF2 - Keeping Community Facilities - sets out that development which results in the loss of community facilities would be permitted if:

- the loss is unavoidable or equivalent facilities would be provided in the same area; or
- the facilities are no longer required; or
- where the change of use of the building is involved, equivalent accommodation would be readily available.

The explanatory text for policy CF2 describes community facilities as 'non-profit making' and also states that 'in the local area' is defined as being within 400m. While a public house is not defined within the UDP as a community facility, this definition has been previously used as a guide in considering other proposals relating to the loss of public houses.

The nearest pub is 482m away from the application site therefore, strictly speaking, the proposal fails to comply with CF2 (a) as it is slightly more than 400m away. Policies CF1 and CF2 of the UDP are saved policies, the most up to date planning guidance is contained within chapter 8 of the NPPF relating to promoting healthy and safe communities.

Paragraph 92 sets out that planning decisions should take account of the social recreational and cultural facilities and services the community needs, taking into account of:

- local strategies to improve health, social and cultural wellbeing for all sections of the community (local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship);
- guard against unnecessary loss of value facilities and services, particularly where this would reduce the community's ability to meet its day to day needs;
- ensure established shops and facilities are able to modernise and are retained for the benefit of the community;
- ensure integrated approaches to location of housing, economic uses and community facilities

#### Loss of the Public House

The application is supported by a number of specialist reports. The Viability Assessment sets out the economic viability of the public house and the issues surrounding the decline of the business over the years.

The public house is owned by the applicants, Punch Partnerships (PML) Ltd. The tenants of the pub are E.D Leisure Ltd. Ed Leisure Ltd sub-let the management of the public house. In their representation, E.D Leisure state that the sub-tenants have worked to maintain high standards and offered the community a range of activities, but that the last 3 to 4 years have seen a loss in trade of 30%. The pub is now operating at a loss most weeks and the business is no longer considered to be viable.

E.D Leisure Ltd's tenancy is due to end in July 2020 and they have confirmed that they have no intention of renewing.

A viability report was submitted by the applicant. It states that barrel sales (largely beer, lager and cider) have declined 27% in the last 4 years and notes that the British Beer and Pub Association's own statistics state that the national average is around 4.5%. Barrel sales at the Phoenix have therefore declined more than 6 times the national average.

The report also considers the potential options to diversify the public house. There is currently no commercial kitchen within the public house and its image and décor are in need of modernisation. There is potential that that a food offer might improve trade, however the report concludes that this would be a risky investment. The pub is situated in a residential area with little passing trade and its large footprint is excessive for its location and not optimal for operation.

The report also assesses the alternative offer for public houses in the area. There are 14 public houses within a 1.5 mile radius of the site. 3 of the 14 are within 0.4 miles of the Phoenix, 7 are comparable or larger in size and 8 offer food in addition to wet sales.

This range of alternative pubs is considered to meet the needs of the local community and it appears clear that barrel sales at the Phoenix are in decline. Moreover, the viability of the Phoenix is unlikely to change without significant investment and the current tenant has no intention of renewing the tenancy.

The agent has confirmed that the pub has not been marketed, as this may further its decline and income, neither has it been listed as an Asset of Community Value. It is therefore considered that, whilst a public house may contribute towards the social and recreational wellbeing of the local community as set out in the NPPF, policy CF1 does not define a public house as a community facility. Moreover, the public house is a business venture which, from the information provided, is not considered to be sustainable. Patronage of the public house has declined and this is confirmed in the financial figures set out in the report.

Given that there are 14 other public houses within a 1.6 mile radius of the site the loss of this facilities is unlikely to prevent the community from meeting its day to day needs as advised in paragraph 92 of the NPPF and it is reasonable to consider that, based on the information provided, the public house is not a facility valued significantly by the whole community. An alternative use for the site is therefore considered acceptable in this instance.

### The Proposed Use

The proposal is for the change of use of the public house to a convenience store (Class A1). The proposed operator is Heron Food and the development will deliver 2 full time jobs and 9 part time jobs (the public house currently employs 3 part time staff).

Retail use is classed as a main town centre use and, as the site does not lie within an existing shopping centre, the Local Planning Authority are required to apply the sequential test as set out in paragraph 86 of the NPPF. Only if sites are not available in centre, can out of centre sites be considered.

Policy S5 of the UDP sets out the key considerations for shopping development outside of the Central Shopping Area and District Centres. It states that retail development for food will be permitted at the edge of district shopping centres only where there is no suitable site within them.

Paragraph 87 of the NPPF states that when considering edge or centre proposals, preference should be given to accessible sites that are well connected with the town centre.

The applicant's agent has prepared a retail assessment based on agreed scope and criteria. The proposal is considered to be minor in scale and in an edge of centre location and it was concluded that a simple assessment of the existing retail units in

the Greengate Lane Neighbourhood Centre would be suitable to demonstrate that the proposals comply with Policy S5 of the UDP and the NPPF.

A retail impact assessment is not considered necessary as the proposal is less than 2,500m<sup>2</sup> of gross floor space.

The report assesses the requirements of the operator and the units reasonably available within the search area. There are 7 units within the Greengate Lane shopping parade, however none are available for acquisition or repurposing as a convenience store and only the Co-op food store has a tradeable floorspace considered close enough to Heron Food's requirements. The Co-op is both the owner and the occupier of their freehold, making it unavailable to any other party. It can therefore be concluded that there are no sequentially preferable sites to the Phoenix within the Greengate Lane Neighbourhood Centre or the immediate vicinity. The proposal for a convenience store will ensure that the local facilities and services are able to develop and modernise for the benefit of the wider community.

It is therefore considered that the proposed change of use to retail is acceptable in line with policy S5 of the UDP and paragraph 87 of the NPPF.

#### Highways and Transportation

The site lies in a designated Housing Area and policy H14 of the UDP expects new development to provide safe access to the highway network, appropriate off-street parking and to not endanger pedestrians, while policy T21 states that provision will be made for car parking to meet the operational needs of businesses.

Chapter 9 of the NPPF set out criteria for considering the highway and transport implications of proposed developments. Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The development includes fifteen formally marked out customer car parking spaces (two of which would be accessible spaces), two staff car parking spaces, six short-stay customer cycle parking stands and staff cycle parking contained within the building. The car parking accommodation is essentially a reconfiguration of the pub's car park.

There is a single point of vehicular access from Greengate Lane which is to be widened to allow articulated delivery vehicles to enter the site in a forward gear, before reversing to the service area, and then re-joining Greengate Lane in a forward gear. It is considered that delivery vehicles will have ample space to manoeuvre into the service area without the need to protect the car parking spaces. Deliveries will be made twice a day for 5 days and once a day for the other 2 other days. The refuse will be collected from the service yard within the site.

The existing pedestrian access is to be retained, preventing customers arriving at the store on foot from having to share the vehicular access. It is recommended that

zebra crossing style bar markings should be provided across the car park to guide pedestrians to the front entrance of the store, giving them priority over cars.

The Council parking guidelines recommend a maximum of 1 space per 20 sq.m gross floor area for this type of development (outside of the city centre), which equates to 19 spaces. The 17 spaces indicated on the submitted plans are therefore considered to be acceptable.

The transport statement submitted with the application has used the TRICS database to predict the number of vehicle trips likely to be generated during the peak periods, which suggests 34 in and 32 out during the weekday morning peak hour (8 – 9 am), 42 in and 38 out during the weekday evening peak hour (5 – 6 pm), and 27 in and 23 out during the weekend peak hour (12 – 1 pm). TRICS data for public houses suggests the weekday evening peak (5 – 6 pm) might be approximately half as busy as the convenience store while the Saturday peak is broadly the same. These flows are relatively light and it is considered that they can easily be accommodated within the store's car park.

Personal injury statistics for the past 5 year period in the vicinity of the site indicate that none have been recorded.

The site is sustainably located and has good accessibility by foot, cycle and public transport. Whilst there will be an increase in traffic movements during peak hours, it is considered that the cumulative impact on the highway network will not be severe.

The site is capable of being serviced within and the proposed widening of the existing access will be an improvement for vehicles entering and leaving the site. It is therefore considered the proposal is in compliance with policy CS53 of the Core Strategy, Policy T21 of the UDP and Chapter 9 of the NPPF.

#### Impact on Residential Amenity

Policy S10 of the UDP states that changes of use should not cause residents to suffer from unacceptable living conditions including air pollution, noise or other nuisance, while paragraph 91 (c) of the NPPF states that planning decisions should enable and support healthy lifestyles by, for example, the provision of local shops.

The proposal is accompanied by a noise assessment and a delivery management plan.

The proposed opening hours are Monday to Friday 0800hrs to 2000hrs and Sundays and Bank Holidays 0100hrs to 1600hrs. The opening hours of the existing public house are under the planning regime, however the pub closing time is stated as 2300hrs.

It is therefore considered that the opening hours are more sociable than those of the public house and as such will reduce potential amenity issues late in the evening.

The proposal also involves the installation of lighting - three columns to the front and 8 lights attached to the building, 4 to the front, 3 to the rear and one to the side on the south west elevation.

The Environmental Protection Service raise no objections to the proposed development subject to the imposition of conditions in relation to illumination levels, opening hours and adherence to the delivery management plan.

Several windows to the ground and first floor are to be removed and infilled with block and render. This will reduce the potential to overlook neighbouring gardens. The submitted noise assessment concludes that there will no significant impact in terms of noise and disturbance in comparison with the existing use and the slight increase in vehicle movements is not significant to result in an overall impact on air pollution.

It is therefore considered that the proposal will not have a harmful impact on the amenities of the occupiers of nearby properties and that the proposals are in line with the requirements of policy S10 and the NPPF.

#### Design and Appearance

Policy BE5 sets out the policy requirements in terms of building design and siting, in terms of physical design and functional user requirements.

The proposal involves the erection of a single storey extension with a mansard roof to the north east elevation. The proposal also involves new perimeter close board acoustic fencing and the removal of parts of the dilapidated boundary wall to the front as well as the decked area and planters.

The proposed extension is to be finished in red brick to match the existing building and will feature a matching hipped style roof. Its impact on the character and appearance of the area will be minimal.

The infilling of some windows on the front elevation of the building will reduce visual interest, but not to an extent that the overall impact will be harmful. The feature gable and chimneys are to be retained.

Any proposed signage will be subject to separate consent.

#### SUMMARY AND RECOMMENDATION

The proposed development involves the change of use of the existing public house to a local convenience store, including a single storey extension to the existing building.

The tenancy of the public house is due to end in July 2020 and a vacant site may potentially be a magnet for anti-social behaviour, to the detriment of the local community and residential environment.



It is considered that the loss of the public house has been justified on the basis that trade is in decline and that there are alternative facilities within the vicinity of the site. It has also been demonstrated that there are no alternative sites capable of accommodating the proposed retail use in, or closer to the local shopping area. The proposed use will not have a significant impact on the amenities of the occupiers of nearby properties and the design and appearance of the development is considered to be in keeping with the existing property and the character of the area. The proposal will create local jobs, contribute to improvements to the night time environment and will ensure that the local facilities and services are able to develop and modernise for the benefit of the wider community as defined by the NPPF.

In accordance with the relevant policies of the UDP, Core Strategy and NPPF the proposal is considered to be sustainable development and as such it is recommended that planning permission is granted subject to the following conditions.

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