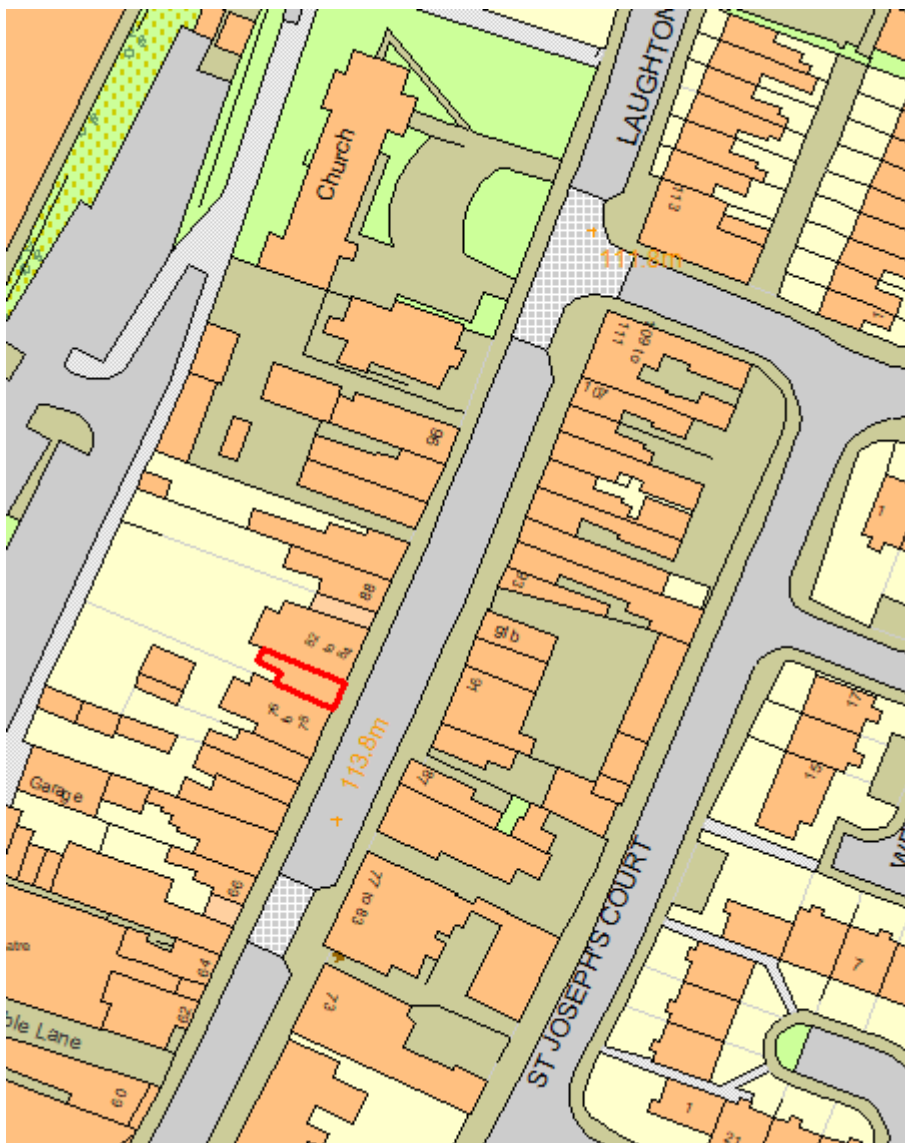


**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 12TH JANUARY 2023**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

Application Number	RB2022/1583 https://rotherham.planportal.co.uk/?id=RB2022/1583
Proposal and Location	Installation of new shop front at 80 Laughton Road Dinnington S25 2PS
Recommendation	Grant conditionally

This application is being presented to Planning Board due to the number of objections received.



Site Description & Location

The property is located within a predominantly retail area with a mixture of commercial premises on Laughton Road.

Background

There is no recent planning history relating to the property, the last known use of the shop was as a charity shop within Use Class E(a).

Proposal

The proposal relates to the replacement of the existing full pane glazed shop front with a panelled window and new door in the same position.

The application also originally proposed the change of use from a retail store (Class E(a)) to a café/takeaway (Sui Generis use). However, though during the course of the determination of the application the applicant's agent has provided additional information which indicates that the use will be as a sandwich shop with some food eaten on the premises, and that the food that is to be taken away is brought in pre-cooked so there will be no actual cooking on site. The food would merely be re-heated by a microwave or an oven which has a carbon filter and does not vent externally. As such, no change of use would occur at the property.

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for Retail purposes and designated a Secondary Shopping Frontage in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):
SP55 'Design Principles'

Other Material Considerations

Supplementary Planning Document 6 'Shopfront Design'

STC2 'Shopfront Design in Dinnington Town Centre' of the Dinnington St Johns Neighbourhood Plan

National Planning Practice Guidance (NPPG)

National Planning Policy Framework: The NPPF (as revised) sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that: "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations

indicate otherwise” and that it is “a material consideration in planning decisions”.

The Local Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

The application has been advertised by way of a site notice along with individual neighbour notification letters to adjacent properties. In respect of the original proposal (which included reference to the proposed change of use which is no longer being considered) one letter of representation has been received from Dinnington Town Council which has been endorsed by 14 Parish Councillors. The objections raised can be summarised as follows;

- There are already far too many of this type of business on Dinnington High Street.
- Members and the public wish to see change to the appearance and range of businesses on Laughton Road (as evidenced in our Neighbourhood Plan) but this proposal is just another of the same type of business that already dominates that area of Dinnington.

No objections have been raised in respect to the alteration to the shop front.

One Right to Speak request has been received from the Town Council.

Consultations

RMBC Transportation Infrastructure Service: No objections.

Appraisal

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to –

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. – S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise – S.38 (6) PCPA 2004.

The only consideration in the determination of the application is the impact of the alteration of the shop front. The proposal consists of the replacement of the existing full pane glazed shop front with a panelled window and new door in the same position.

With regard to the shop front design Local Plan Policy SP55 'Design Principles' states: "All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions."

SPD6 'Shopfront Design Guide' states that the design should respect the character of the whole building with the fascia for the signage being of an appropriate size.

Policy STC2 'Shop Front Design in Dinnington Town Centre' of the Dinnington St John's Neighbourhood Plan states that:

Development proposals to alter, replace or introduce shop fronts will be required to be of high quality, contributing to an overall improvement in terms of urban design and architecture, by:

- a) being visually attractive;
- b) enhancing streets and spaces through quality design and architecture;
- c) promoting visual links between the interior of the shop and the street;
- d) being suitable in terms of crime prevention, community safety and security;
- e) having regard to the general principles and objectives as outlined in Section 5 Shop Front Guidance of the Dinnington Town Centre Design Support document (2018); and;
- f) having regard to the Rotherham Interim Planning Statement Shopfront Design Guidance (2006) or any subsequent replacement document.

The existing shop front is a basic shop window and door design and the proposed new shop front is a more detailed design retaining the simple fascia sign above which is considered to add more character to the streetscene. As such the proposed alterations to the shop front are considered to comply with the Policies and guidance set out above.

The comments raised by the Town Council relate exclusively to the change of use of the premises, though no such change of use is proposed in this instance, so these comments are not relevant to the determination of the current application.

Conclusion

In conclusion, the proposed alteration to the shop front are acceptable and the application is recommended for approval subject to the conditions set out below.

Conditions

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans (as set out below)

Drawing number 2A received 21 October 2022.

Reason

To define the permission and for the avoidance of doubt.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.

Informatives:

01

The granting of this planning permission does not authorise any signage to be erected. Such signage is controlled by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and a separate application for advertisement consent may be required.