2021/1471 (Planning Applications) and 1474 (Listed Building Consent)

Blackrose Pubs

Change of use of retail unit (class E) to drinking establishment (sui generis use class) and associated external reconfigurations to create new partially open drinking area including removal of former hairdressers shopfront, new balustrades and doors (Planning Application)

Change of use of retail unit (class E) to drinking establishment (sui generis use class) and associated external reconfigurations to create new partially open drinking area including removal of former hairdressers shopfront, new balustrades, doors and internal alteration (Listed Building Consent)

11 Royal Street and 11 Church Street, Barnsley, S70 2AB

Site Location and Description

The applications relate to 11 Royal Street which was formally a hairdressers and to 11 Church Street which is operating as the White Bear public house. The hairdressers fronts onto Royal Street but is visually and physically linked to 11 Church Street which has frontages onto both Church Street and Royal Street.

The White Bear is listed grade II and 11 Royal Street is treated as listed by close historical association.

11 Royal Street has been vacant for some time.

On the opposite side of Royal Street are four storey residential flats permitted and built around 18 years ago

The site is also within the Regent Street/Church Street/Market Hill Conservation Area.

Photo showing 11 Royal Street



Proposal

The proposal involves the change of use of the ground floor from the existing hairdressers use to use in connection with the existing White Bear pub at 11 Church Street (the first floor above the hairdressers is already in use as a function room in connection with the pub). The proposal also involves removal of the existing UPVC shopfront and alterations to the shop front area which will result in a largely open drinking area, as well as other minor alterations to the interior and exterior of the property.

The applications have been amended to address the design comments of the Conservation Officer including

- Cladding the existing roller shutter housing to form a new wooden fascia (which will accept a new fascia sign)
- New wooden stallriser
- Amended metal balustrade and wooden drinks shelf with central escape gates at the shopfront
- Shopfront painting including the existing render at ground floor, the roller shutter and the 'garage' lettering.



The proposal has further clarified

- The use will be controlled by a noise management plan which includes
    - The use of best available techniques to reduce noise
    - No music, speakers or televisions permitted in the area.
    - Doors between the permitted area and the existing public house to have automatic closers
    - CCTV installed to cover the external space for supervision and regular patrols by staff
    - Doorman to be provided on busy days (also a licensing requirement)
    - Opening hours 10am to 10pm
- The method of cleaning the white tiles on the façade (submitted method statement)

Policy Context

Planning decision 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 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).

Local Plan

The site is allocated as a Town Centre (and specifically is within The Lanes) within the Local Plan Proposals Maps. It is in the primary shopping area and is a listed building within the Regent Street/Church Street/Market Hill Conservation Area and therefore the following policies are relevant:

Policy TC1 Town Centres - indicates that new retail development will be directed to centres in order to maintain and enhance their vitality and viability and that a sequential approach will be used to assess proposals for new retail and town centre development outside the designated centres.

BTC20 The Lanes – all new development must have an active frontage at ground level; supports shops, financial/professional, food and drink and non residential institutions at ground floor level; new development must conserve and enhance the specialist nature of this area and be appropriate to the character of the area; Mandela Gardens must be maintained as public open space.

Policy BTC1 - **The daytime and evening economies** – we will work with developers and operators to diversify the daytime and evening economies (particularly early evening) with preference given to uses which meet a range of criteria. Planning permission will be given to a range of leisure uses provided they meet a range of criteria.

Policy HE1 The Historic Environment – indicates that we will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment and will support proposals which conserve and enhance the significance and setting of the borough's heritage assets.

Policy HE3 Developments affecting Historic Buildings – Proposals involving historic buildings should conserve and where appropriate enhance, respect historic precedents, and capitalise on opportunities to reveal significance.

Policy Poll1 Pollution Control and Protection – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution.

Policy GD1 General Development - sets a range of criteria to be applied to all proposals for development.

Policy SD1 Presumption in favour of Sustainable Development – indicates that we will take a positive approach reflecting the presumption in favour of sustainable development in the National Planning Policy Framework and that we will work proactively with applicants to find solutions to secure development that improves the economic, social and environmental conditions in the area

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.

Para 86 - Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Para 195 Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Para 185 – Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment.

Consultations

Conservation – No objection to change of use. The main issue in determination of the Listed Building Consent application is whether or not the proposed alterations would harm the special character or historic interest or impact on the setting of the Listed Building.

Some initial concerns over materials and design approach to new outdoor area relating to the listed building.

Externally the works propose the removal of the existing upvc shop front windows and door; formation of a semi open seating area and a new access from within the existing trade area; installation of a new balustrade/drinks shelf detail to the shopfront and repainting of the building. This area of the building is much later than the core historic building and combines a frontage of shops adjacent to the garage entrance that once serviced the garage to the rear which is believed to be early C20. The shopfronts have been unsympathetically altered to the existing arrangement. The existing shop unit is of no merit either stylistically or materially and I would not propose the retention of this on heritage grounds. The proposed total removal of the shop unit and breaking through (the rear wall) to allow access to the function room behind does include retention of the shell and rusticated piers and the historic tiles.

The external works have been amended to include traditional stallrisers and boxing to the fascia area in front of the roller shutter; and a more substantial and higher quality balustrading and handrail; and the use of a darker red paint colour and the proposal to include tile cleaning which is a positive enhancement to the appearance of the building.

Internally, the works propose to convert the shop unit into a pub trade area and also cosmetic alterations to areas that are almost exclusively modern and of little merit or value to the significance of the listed building.

Pollution Control – This development has the potential to have an adverse impact on health and the quality of life of those living and/or working in the locality. It is not possible to fully assess the new use of the proposed outdoor area. Pollution control will use licensing if there is a problem after this proposal is implemented, for example to reduce the hours that

the area can be used. It is concluded that the attached noise management plan is adequate to reduce any impact, so approval with a condition requiring the submitted noise management plan to be adhered to is recommended.
Air Quality – no response
Ward Councillors –No responses.

Representations

The application has been advertised via letters direct to neighbours (inviting comments between 13 December and 3 Jan) and in response to amendments to the site area and address, inviting comments between 21 Feb and 7 March The application has also been advertised by site and press notices (reflecting the listed building and Conservation Area location) for the periods 21 December to 12 January and 17 December to 7 January respectively.

No comments have been received.

Assessment

Principle of development

The proposal is for a main town centre use which national and local planning policy supports in this town centre location. BTC20 The Lanes policy is also supportive of pub uses. The principle of the change of use is therefore acceptable.

Detailed consideration needs to be given to the proposed alterations and the potential impact on residential amenity.

Heritage – Listed Building and Conservation Area

The White Bear is a grade II listed building but No 11 Royal Street is also considered to be listed by attachment, given the age of the building, the historical functional relationship, architectural quality and the conservation area setting.

Bringing the building back into beneficial use is supported. Given the assessment that the quality of existing UPVC shopfront is of no merit either stylistically or materially there is no objection to its removal on heritage grounds. The proposed has been amended to include retention of the shell and rusticated piers and the historic tiles as well as the addition of traditional stallrisers and boxing to the fascia area in front of the roller shutter; a more substantial and higher quality balustrading and handrail; and the use of a darker red paint colour. In addition, the proposal includes tile cleaning which is a positive enhancement to the appearance of the building.

Internally, the works propose to convert the shop unit into a pub trade area and also cosmetic alterations to areas that are almost exclusively modern and of little merit or value to the significance of the listed building.

It is concluded that the alterations will have a limited impact on the historic significance of the building and will preserve the special interest of the listed building and the conservation area and therefore accord with national and local policy in relation to heritage assets. Conditions are imposed to ensure that the tile cleaning and the shopfront alterations are carried out in the manner propose before the commencement of the use hereby permitted.

Residential Amenity

The nearest residents are the residential flats on the opposite side of Royal Street. Pollution Control advise that the proposed pub use and the open aspect of the unit during opening hours (proposed to be 10am and 10pm) are considered to have the potential to have an adverse impact on health and the quality of life of those living and/or working in the locality. However, Pollution Control further advise that since the use hasn't commenced, it is not possible to fully assess the new use of the proposed outdoor area and that they will use licensing if there is a problem after this proposal is implemented, for example to reduce the hours that the area can be used It is concluded that the attached noise management plan is adequate to reduce any impact, so approval with a condition requiring the submitted noise management plan to be adhered to is recommended. For clarity a further condition restricting the opening hours to those specified in the noise management plan is recommended.

Recommendation
Grant subject to conditions