
2022/0994

Applicant: Simon Sangha

Repair and refurbish block of historic buildings including replacement shop fronts at ground floor level for retained use class E shop units, conversion of the first and second floors into 6 no. flats, window repairs, removal of plastic masonry paint to expose coursed sandstone on Eldon Street façade, replacement downpipes and associated works

Harral Building, 32-38 Eldon Street, Barnsley, S70 2JB

Site Description

The application site is in relation to the former Harral jewellery building located at 32-38 Eldon Street South in Barnsley Town Centre. The building is situated on the corner of Eldon Street and the Victorian Arcade, and is a three-storey building with retail units at the ground floor and disused ancillary space at the first and second floors. The site is located within the Regent Street/Church Street/Market Hill Conservation Area, in close proximity to the Grade-II listed Civic (15m to the North). The site is also in close proximity to the Glassworks Development with the Lightbox (library) situated 19m to the South, across the road. Part of the Eldon Street façade contains an historic clock (on the second floor of no. 32 Eldon Street).

The building is one of the key Town Centre buildings. It is not listed but is an historic building which is located in a prominent town centre location. The external façade of the building is now in a fairly poor state, particularly the Eldon Street elevations with the external materials now clearly dated, with paint and masonry peeling and discoloured in large sections.





Planning History

B/86/0426/BA – Change of use of shops/offices to estate agents, rent collection office, building society agency (Refused)

B/86/0877/BA – Change of use to estate agency, rent collection service and building society agency (Historic)

B/87/1259/BA/AD – Illuminated fascia sign (Historic)

B/91/0805/BA/AD – Illuminated shop sign (Approved)

2016/0045 – Proposed change of use from Shop and Offices (A1 & B1) to Cafe and Non-residential institution and offices (A3, D1 and B1) for salvation army purposes (Approved with conditions)

2017/1189 – Change of use of 1st and 2nd floor offices to 6 self-contained apartments (Prior Notification; withdrawn)

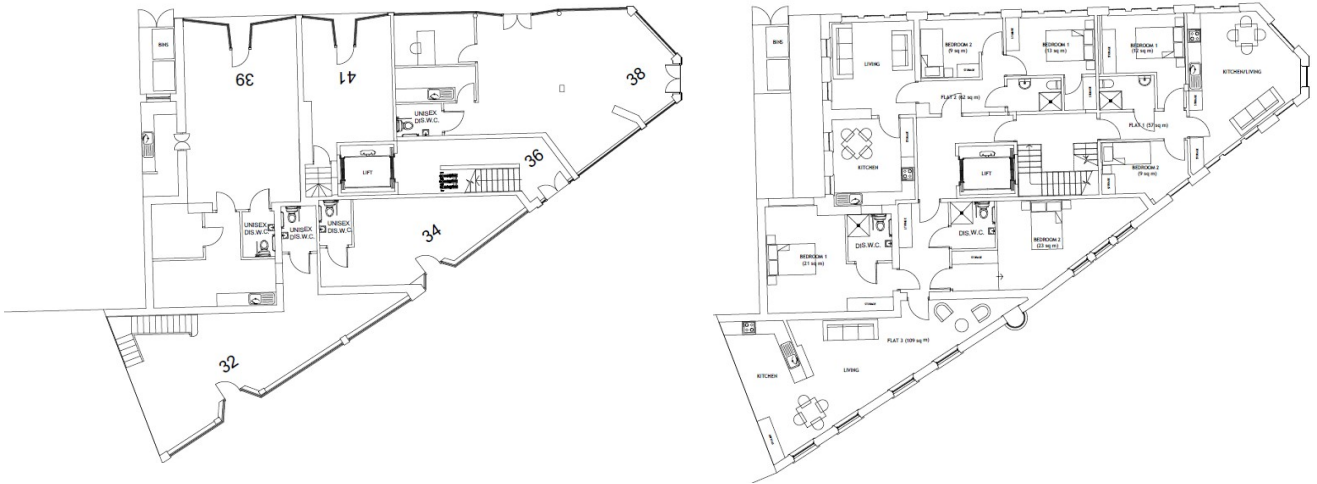
Proposed Development

The application is a key part of the Eldon Street Heritage Action Zone (HAZ) development in which funding has been received to restore several historic town centre buildings. and seeks to make the following alterations to the building:

1. Conversion of the first and second floors of the building to residential. An amended plan has been received which show that the first and second floors will contain 3 x 2-bedroomed flats each. All flats now have storage, with a bin store and cycling storage of the building
2. Replacement shop fronts at ground floor level for retained Use Class E units, including shopfront and signage redesign
3. Repair and replacement of windows
4. Removal of plastic masonry paint to expose coursed sandstone on Eldon Street façade
5. Replacement downpipes

The overarching goal of the proposed works is to repair and refurbish the historic building block and bring the first and second floor into use.

Proposed ground floor and first floor plans:



Proposed Second Floor Plan and site layout plan:



New shopfront design:



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. The Council has also adopted a series of 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 3rd 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 – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1: High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

TC1: Town Centres – Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of centres: Town, District and Local. Barnsley Town Centre is the dominant town centre in the Borough. To ensure it continues to fulfil its sub regional role, the majority of new retail and town centre development will be directed to Barnsley Town Centre.

BTC1: The daytime and evening economies – Planning permission will be granted for pubs, clubs, restaurants, cafes and night time entertainment use in the Town Centre provided that they:

- Add to the range and diversity of uses on offer and increase customer choice;
- Do not harm amenity or give rise to increased noise, disturbance, or antisocial behaviour;
- Can be adequately accessed, serviced and ventilated; and
- Are designed with public safety, crime prevention and the reduction of anti-social behaviour in mind.

BTC3: Public Spaces – New development must make a positive contribution to public space through its design, siting and use of materials.

BTC13: The Glassworks including former TEC building and CEAG site – Support will be given to the following types of development:

- Retail, including a department store
- Offices
- Leisure
- Food and drink; and
- Car parking
- Residential development where it would support the vitality and viability of the town centre.

BTC20: The Lanes District – All new development within the Lanes District must have an active frontage at ground floor level. New development must conserve or enhance the specialist nature of this area by being of a size, scale, quality and design appropriate to the character of the area.

HE1: The Historic Environment – we will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's Historic environment, especially of those assets which are at risk.

HE2: Heritage Statements and general application procedures – Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the site and its setting.

HE3: Developments affecting Historic Buildings – Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance.

T3: New Development and Sustainable Travel – New development will be expected to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in section 12 (achieving well-designed places), especially paragraph 134, which state that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

Paragraph 194 requires developers to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance.

SPDs/SPGs

- Design of Housing Development
- Parking
- Shopfronts

Other material considerations

South Yorkshire Residential Design Guide - 2011

Consultations

Conservation Officer – Support is given to the application which are a key part of the Eldon Street Heritage Action Zone which has been discussed at length with colleagues in the HAZ team. The works are explained, justified and evidenced in crystal clear detail via the plans, the extensive and excellent heritage impact assessment and the engineers report that explains the shopfront deflection and the bressummer beam arrangement that is highly unlikely to fail. I also note the detail of the shop front works and the re-instatement of the shop unit on the Arcade which is much welcomed and if implemented would avoid further enforcement action. Regarding the proposed internal partitioning, I can imagine there may some minor concerns over adherence to internal space standards. However, what I would say is that the arrangement as proposed retains the bulk of the original partitioning and avoids additional and harmful internal opening up that would deviate from the existing. Happy to discuss this if it is a problem but the main matters of heritage interest are clearly the external works, shopfront treatments and the overall repair to the envelope which is necessary, justified and welcome.

N.B. The Conservation Officer has informally consulted on the amended scheme (verbally) and whilst the amended scheme removes an internal wall, the benefits to internal room sizes/space was clear and necessary to facilitate the scheme going ahead without significant changes.

Drainage – No objection raised.

Highways DC – Requested further information in regard to the site hosting a bicycle store. Upon receipt of an amended plan, no objection was raised to the application.

SYMAS – No objections raised to the proposals as the site is not located in a coal authority referral area and in any case is largely exempt from the coal mining risk assessment requirements.

Superfast South Yorkshire – *Further details are required prior to first occupation which refer to the site hosting the facilities for superfast broadband capabilities.*

Pollution Control – A noise impact assessment was submitted to support the application, no objection was raised subject to a condition which ensures that the mitigation measures described in the NIA are complied with.

Public Rights of Way – No comments; the arcade is adopted by Highways.

Yorkshire Water – No comment

Ward Councillors – No comments

Representations

Neighbour notification letters were sent to neighbouring properties and a site notice was placed nearby; no comments were received.

Assessment

Principle of Development

The site is centrally located within Barnsley Town Centre and falls within the Lanes District. As such, Local Plan Policies TC1: Town Centres and BTC20: The Lanes are relevant which generally expect development to support and maintain the Town Centre's sub-regional role as the Borough's dominant Centre. All new development within the Lanes District must have an active frontage at ground floor levels, and must conserve or enhance the specialist nature of this area by being of a size, scale, quality and design appropriate to the character of the area. Additionally, the site is located within the Regent Street/Church Street/Market Hill Conservation Area, immediately adjacent to the Grade-II listed Civic Centre (15m to the North) alongside several other less significant listed assets nearby. The impact on this area will place an increased emphasis on a very high level of design and this will be assessed in greater detail in the sections below.

The ground floor of the building will remain unchanged in terms of unit size and all of the units will remain in Use Class E, with an active frontage. Residential development is not a use which is specifically referenced in BTC20: The Lanes as being acceptable, however the site is immediately adjacent to the Markets District/Glassworks. Local Plan Policy BTC13 relates to this area which states that Residential Development will be supported where it would support the vitality and viability of the Town Centre. Whilst this is a neighbouring area of the town centre, this would indicate that residential development in the first and second floors is considered to be appropriate as it supports the vitality and viability of the Town Centre, with the ground floor remaining an active frontage on all sides of the building.

The proposed development is considered to be acceptable in principle, in line with Local Plan Policies TC1, BTC13 and BTC20.

Visual Amenity and Impact on the Historic Environment

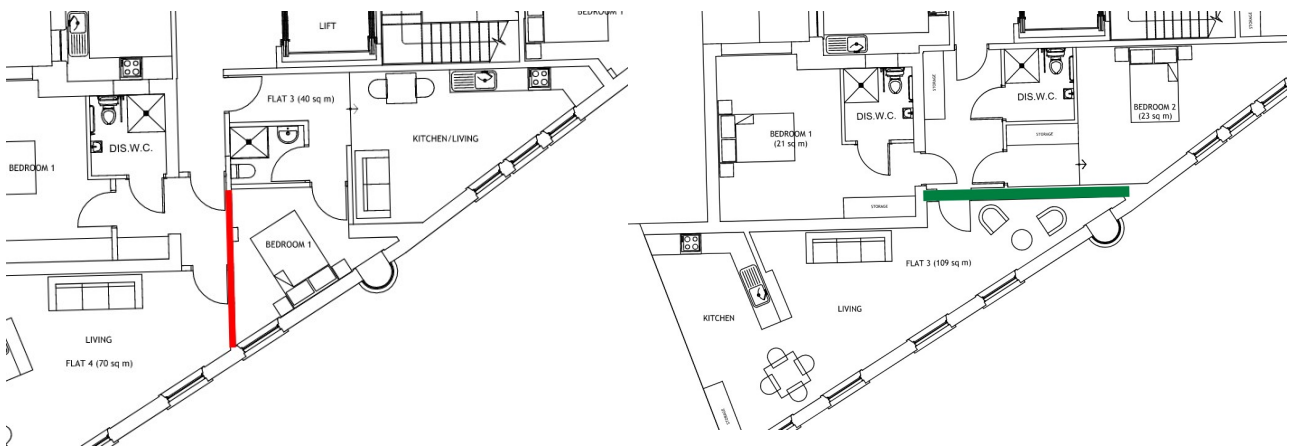
The overarching goal of the application is to refurbish and repair the external elevations/appearance of the building, which is in a key location in the Town Centre, within the Conservation Area and juxtaposed between the historic Eldon Street corner and the new Glassworks Development. The proposal is part of the Eldon Street HSHAZ partnership where funding has been acquired to restore historic buildings in the Town Centre, with the application site being singled out as one of the Town Centre's most important buildings. Whilst it is not listed, it is clearly an historic and architecturally important building, on a prominent corner in

the town centre. It is immediately adjacent to the Victorian Arcade and 15m from the Grade-II listed Civic Centre. The building is currently in a fairly poor state with the Eldon Street façade clearly dated with peeling paintwork and discolored masonry in large parts, with several of the shopfronts showing signs of deflection. The area in general would clearly benefit from the building's restoration and repair. The Conservation Officer has been involved in the project for some time and has outlined strong support for the application which is supported by an excellent heritage impact assessment and engineers' report explaining the shopfront deflection.

The external alterations to the building are largely considered to be a positive impact, with a very detailed heritage impact assessment and proposed plans/elevation drawings. The proposed development is in compliance with the SPD for Shopfronts and has clearly taken into account the good shopfront design principles in section 5.1 of the Shopfront SPD. The deflected shopfront units will be repair and restored, with a full engineer's report to support the development. The existing signage on the ground floor units are clearly modern, large and appear to unbalance the frontage of the units when viewed from Eldon Street. The development will amend the shopfront design, re-positioning the signage further up to integrate them into the building itself. This will add consistency to the shopfront units whilst respecting the historic building and area and are without a doubt an improvement.

The other external alterations are in relation to replacement and/or repair windows, removal of black plastic masonry paint, re-pointing of mortar, introduction of lead coated flashing along all parapets and other minor repair work to the external alterations. These are all considered to be important and necessary alterations to improve the external appearance of the buildings when viewed from the public realm and are acceptable.

The Conservation Officer did state in his response that ideally no internal walls should be removed to facilitate the development, however an amended plan was received which removed one partition wall on the first floor to amend the internal layout to create additional living accommodation for the flats. Also, a replacement wall will be erected in a similar location. The position of the wall can be shown on the below screenshot (red highlight) with the replacement wall shown with a green highlight. The Conservation Officer has verbally raised no objection to this despite the original comments given the benefits it will make to the amenity of future residents through increased room sizes.



The alterations allow for the original character of the building to be retained whilst supporting and enhancing the building's character in the Conservation Area. Historic features of the building such as the clockface and curved window on the Eldon Street façade is being retained through the proposed development.

The proposed development is therefore considered in compliance with Local Plan Policies D1, HE1 and HE3 and is acceptable in terms of visual amenity and its impact on the historic environment.

Residential Amenity

The proposed development includes the conversion of the first and second floors into residential flats. Initially 7 x 2-bedroom flats were proposed over the two floors which was subsequently reduced to 6 x flats with an amended plan submitted which altered the internal layout due to concerns raised in regard to the lack of internal space and awkward shape of several of the rooms/flats. Part of the amended scheme includes the removal of an internal partition wall an internal partition wall and amending some of the bedrooms from doubles to singles. 2 out of the 6 flats (flats 1 and 5) measure 57sqm which do not meet the minimum internal floor space expected for 2-bed 3-person flats (62sqm). However, the double bedrooms in

these units meets the minimum 12sqm and the open plan kitchen/dining/living rooms fall just short of the required 27sqm, at 26.5sqm. The flats have allocated storage areas and it is felt that this arrangement is acceptable given that the proposed development is a conversion of an historic building. The other flats meet the minimum internal space standards of 62sqm with flats 3 and 6 being significantly larger at 96.5sqm and 85sqm, respectively. The end result is a variety of dwelling sizes with the amended scheme being a much-improved scheme and is an acceptable arrangement, despite the slight shortfall of flats 1 and 5. This is largely due to the constraints of converting an existing, historic building which has an unusual shape rather than an attempt to max the development out unnecessarily.

The site is in the Town Centre, in close proximity to nearby late night uses such as restaurants, cafes, pubs and bars. A Noise Impact Assessment (NIA) has been submitted which has been assessed by colleagues in Pollution Control who has not objected to the proposal subject to a condition which requires the development to strictly adhere to the measures enclosed within the NIA.

The Council's mapping system shows that there are residential properties nearby, with the closest appearing to be on Eldon Street 50m to the North-East. However, the proposed development does not detrimentally impact the amenity of the nearby units through overlooking or leading to a significant level in noise and general disturbance.

The proposed development is in compliance with Local Plan Policy GD1: General Development, the SPD for New Housing Development and Poll1: Pollution Control and is considered to be acceptable in terms of residential amenity.

Highways Safety

The application site is centrally located, in close proximity to an abundance of public transport links with nearby services in walking distance. Most pertinently, Barnsley interchange is less than 200m to the North-East. The Parking SPD typically requires that all new residential development has at least 1 parking space per unit, with the exception of Barnsley Town Centre. Highways DC did not object to the proposal but requested further information in regard to a cycle storage unit in the site. Amended plans were submitted and the highways officer did not object to the proposal which is acceptable in terms of highway safety.

Flood Risk

The site is not in a defined flood risk zone and a flood risk assessment is therefore not required for this development.

Recommendation

Approve subject to conditions

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 amended plans (Dwg. nos. 132/P/103, 132/P/201 - Amended (Rev. A), 132/P/203, 132/P/204 and 132/P/206) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 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.

- 4 The use of the ground floor of the building shall be for purposes falling within Use Class E (Commercial, Business and Services) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose whatsoever, without planning consent from the Local Planning Authority first being obtained.
Reason: In their interests of Residential Amenity and Highway Safety, in accordance with Local Plan Policies GD1 and T4.
- 5 Before first occupation of the development hereby approved, the noise mitigation measures described in report 'Noise Assessment' produced by Noise Assess dated December 2022, ref: 13475.01.v1, shall be implemented, specifically relating to glazing and ventilation, so that the proposed residents are not exposed to noise which could have adverse impacts on health or the quality of life. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1
- 6 Prior to first occupation of the residential development hereby approved, details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1.

Informative(s):

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.
- 2 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk