BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0756

To Mr George Young
Gateway Plaza
PO Box 634
Barnsley
S70 9GG

DESCRIPTION Alterations to form individual retail units including provision of a platform lift, staircase and access WC.
LOCATION Building B2 Elsecar Heritage Centre, Wath Road, Elsecar, Barnsley, S74 8HJ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 July 2014 and described above.

The approval is subject on compliance with the following 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 (No. 14-01-1180-031) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 No construction or repair work shall commence until a representative sample of any new roofing materials, new facing stone or new brick has been submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with these details as approved.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Service Director Economic Regeneration, Development, Environment & Culture

Dated 23 October 2014

Development Service
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4 No development shall commence until a one-metre-square sample panel of repaired stonework and brickwork showing the pointing and coursing (where applicable) has been constructed on site and the details approved in writing by the local planning authority. Sandstone shall be coursed squared sandstone matching the existing in terms of colour, general grain size, type of face dressing, and method of coursing. The approved sample panel shall be retained on site until construction of the building has been completed.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

5 The coursed brickwork infill beneath the metal archway shall be re-built using reclaimed or handmade bricks of an appropriate type, to be agreed in writing by the LPA prior to the commencement of development. The face of the brick infill panel shall be set back from the front face of the surrounding stone by 50-75mm. Areas of blockwork infill to be replaced with matching brick as forgoing comment.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

6 The mortar mix for re-pointing shall be: 1:3 (1 part NHL3.5 lime: 3 parts washed river or grit sand). in all cases the mortar should be flush pointed then stippled back to reveal the texture of the aggregate and the arises of the stone blocks creating a gently convex joint to a maximum depth of 3mm. Defective or cement pointing should be raked out by hand. Grinders should not be used in order to avoid overcutting of stone blocks.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

7 Existing original timber or metal windows or doors shall be retained, repaired, single re-glazed and re-decorated. Any new proposed windows or doors shall match the existing design and profile in metal (Crittall) or timber. The proposed new windows and door frames shall be set in at least 75mm in the reveal and decorated in BS 4800: 14 C 39. Mastic / sealant between timber door / window frames and masonry shall be either burned sand mastic or genuine linseed oil putty.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

8 In the areas of the new shopfront, glazing and doors designs shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. The development shall proceed in strict accordance with these details as approved.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

9 The gutters shall be timber ogee section on rise and fall / spiked metal brackets with circular cast iron rainwater pipes complete with all stop ends, outlets, jointing seals and internal corners. Rainwater pipes shall include traditional collared connectors with hardwood bobbins and discharge shoe at outlet.
Reason: To safeguard the special architectural or historic interest of the building in accordance with Core Strategy policy CSP 30.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

2 The granting of planning permission does not effect 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

3 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.

4 The decision to grant planning permission has been taken having regard to the saved policies and proposals in the Barnsley Unitary Development Plan, the policies and proposals set out in the Core Strategy and to all relevant material considerations, including Supplementary Planning Guidance/Documents:

Core Strategy

Core Strategy Policy CSP 29 'Design' sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

Core Strategy Policy CSP 30 'The Historic Environment' Development which affects the historic environment and Barnsley's heritage assets and their settings will be expected to protect or improve the character and/or appearance of listed buildings.

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 outlined above are considered to reflect the advice in paragraph 129 (Conserving and Enhancing the Historic Environment), which states that '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) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'.

Furthermore, paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional'.

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

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