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**2022 0220 (advertisement consent) and 2022 0343 (listed building consent)**

Blackrose Pubs

Display of various external public house sign adverts and associated illumination

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

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**Site Location and Description**

The applications relate to 11 Church Street, which operates as the White Bear public house and 11 Royal Street which the White Bear has recently extended into. The premises front onto Church Street and Royal Street where they adjoin restaurant and hairdresser uses. On the opposite side of Royal Street are flats in converted and new build accommodation. On the opposite side of Church Street is the Town Hall and its landscaped grounds.

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

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

**Site History**

2021 1471 and 1474 – planning permission and listed building consent to change the use of 11 Royal Street to drinking establishment with external and internal alterations.

2007 – permission for illuminated signs

**Proposed Development**

The applicant seeks permission for the display of various signs and lighting which are already in place.

On the Church Street Elevation there is a first floor hanging sign, and at the ground floor, individual letters fixed on runner bars over the door externally illuminated by a brass lantern an internally illuminated menu board a small brass plaque and uplighting flood lights.

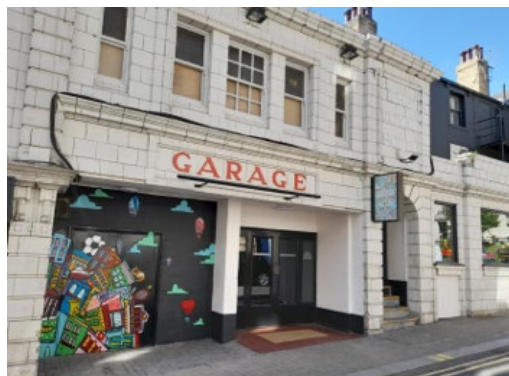


On the Royal Street Elevation, the existing 'garage' sign letters have been repainted red and a new projecting sign is displayed at ground floor. In addition, an existing first floor plaque is retained and a new White Bear logo has been sign written onto the lower gable.



The applicant has clarified that the paint colour used to repaint the 'garage' letters is not as shown on the proposed visuals, but is a deeper colour 3003 as recommended by the Conservation Officer.

In addition, there was sign writing on the shutter to no 11 Royal Street and graffiti/street art on the Royal Street frontage below the 'garage' lettering. A recent site visit has verified that the sign writing on the shutter has been removed. The agent has indicated that applications for advertisement consent and listed building consent for the graffiti/street art on the Royal Street frontage will be submitted.



## Policy Context

Decisions on listed building consent applications should have special regard to the desirability of preserving the building or its setting or any features of special or historic interest which it possesses. Decisions in Conservation Areas should pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Decisions on applications for advertisement consent are not determined under the S38/6 presumption in favour of the development plan. However, development plan policies are a

material consideration, and will inform consideration of the two principal issues of public safety and amenity

The new Local Plan was adopted at the full Council meeting held on 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).

### Local Plan

The site is within an area allocated as Town Centre (and specifically The Lanes) within the Local Plan Policies Map and is also within the Market Hill Conservation Area, where 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 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

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

**Policy D1 High Quality Design and Place Making** – indicates that development is expected to be of high quality design and to reflect the distinctive, local character and features of Barnsley.

**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 HE2 Heritage Statements and general application procedures** – indicates the requirement to include a heritage statement with relevant applications.

**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 T4 New development and Transport Safety** – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

## 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 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.

## Supplementary Planning Documents (SPD):

Advertisements SPD – offers guidance to anyone seeking to display an outdoor advertisement and in particular cautions against cluttered advertising and excessive illumination.

## Consultations

**Conservation** – Notes that the applications follow significant pre-application discussion with the applicant. On the whole the plans are as discussed and agreed but there are two minor points which I would like to raise. Firstly, I have previously requested that the originally proposed bright Signal Red (RAL 3001) is toned down and Ruby Red (RAL 3003) was agreed and supported, but the submitted plans seem to have reverted to RAL 3001. This needs to be amended. Secondly, the new fixings for signage and up lighting must (wherever it doesn't use existing fixings) be fixed to joints in the stonework (the mortar) to allow 100% reversibility in the future and avoid unsightly holes peppering the elevations.

**Highways DC** - The luminance of the proposed signage scheme is within recommended levels and will not adversely impact upon road users. The projecting items (a lantern and a pictorial sign) are well above the 2.3m head height clearance required. As such, the proposals are considered acceptable from a highways development control perspective.

**Ward Councillors** – No response

## Representations

The application has been advertised via letters to neighbours, press notices and site notices which were displayed between 19 April and 10 May; no representations have been received.

## **Assessment**

### Principle

The proposals relate to signage and lighting on a building which is in authorised use as a drinking establishment. The proposals therefore relate to an authorised use and the principle is acceptable subject to consideration of details.

### Design and heritage considerations

The application proposes alterations to a listed building in a designated conservation area. The design of most of the signs and the lighting reflects detailed design discussions before the applications were submitted and is broadly acceptable, subject to the clarification by the applicant that the proposed red colour on the plans is not what has been implemented. As the signs have already been displayed, it is not clear whether the Conservation Officers advice about the location of fixings has been adhered to, but it is not possible to now reverse the harm (if any) that has been caused to the stonework.

An additional sign (on the shutter to 11 Royal Street) has since been removed. A piece of street art has been added to the Royal Street frontage – the applicant was invited to include this in the current applications but has indicated an intention to submit separate advertisement and listed building consent application for this.

It is concluded that the design of the proposed and displayed signs and lighting safeguard the special interest of the listed building and the special character of the Conservation Area. It is therefore concluded that the proposals are in compliance with the requirements of Local Plan Policies HE1, HE2, HE3 and D1, national policy and the statutory tests set out in the 1990 Act.

### Highway safety considerations

As advised by highways development control, the proposals are considered acceptable from a highways development control perspective.

## **Recommendation**

**Grant** subject to conditions