

Application reference number	2025/0448
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Application Type	Full
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Proposal Description:	Regrade of pavement levels to provide level threshold and create accessible entrance to the bank's existing entrance
Location:	26 Market Hill, Barnsley, S70 2QE

Applicant	Mrs J Carrington-Fallow
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Number of Third Party Reps	None	Parish:	None
		Ward:	Central Ward

Site Description

The application relates to the pavement to the front of the three storey, stone built, NatWest bank building which sits at the back edge of the footpath serving Market Hill within Barnsley Town Centre. The front entrance opens directly on to the pavement via a set of 2 steps. The building is adjoined to the Grade II Former Yorkshire Bank to the south, is surrounded by other listed properties and sits within the Regent Street/Church Street/Market Hill Conservation Area.

Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
B/03/2181/BA	Formation of access for use by the disabled	Refused February 2004
2014/1214	Display of 1 no. internally illuminated fascia sign, 1 no. internally illuminated and 1 no. non-illuminated entrance signs, and 2 no. illuminated name plates/ATM surrounds to Bank	Approved with conditions December 2014
2015/0974	Installation of new external ramp and steps to external front elevation of existing NatWest Bank.	Refused October 2015
2022/0818	Replacement of existing external signage with new branded signage, including new internally illuminated fascia with logo, new internally illuminated projecting signage and ATM surrounds (x2), new welcome sign (nameplate), new header sign and vinyl graphics to glazing	Approved with Conditions October 2022
2025/0287	Replacement surround at ATM	Approved with Conditions May 2025

Policy Context

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan

The site is located within the Market Hill Town Centre District and within the Regent Street/Church Street/ Market Hill Conservation Area within the Adopted Local Plan and as such the following policies are considered to be relevant to this application:

Local Plan Policy HE1 The Historic Environment
Local Plan Policy HE2 Heritage Statements and general application procedures
Local Plan Policy HE3 Developments affecting Historic Buildings
Local Plan Policy GD1 General Development
Local Plan Policy D1 High Quality Design and Place Making
Local Plan Policy BTC19 Market Hill District
Local Plan Policy T3 New Development and Sustainable Travel
Local Plan Policy T4 New Development and Transport Safety
Local Plan Policy SD1 Sustainable Development

National Planning Policy Framework (NPPF) (2024)

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

Chapter 9: Promoting sustainable transport
Chapter 12: Achieving well designed places.
Chapter 16: Conserving and enhancing the historic environment.

Relevant Consultations:

Conservation Officer – No objections
Highways DC – Objections – recommend refusal
Ward Councillors – No objections received

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 and Paragraph 5a of The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

The application was advertised on the Council website and a site notice was posted adjacent to the site; no representations have been received.

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (December 2024) at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The principle of the development
- The impact on the highway network and highways standards
- The impact on the character of the Conservation Area and Listed Buildings

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The site is centrally located within Barnsley Town Centre and falls within the Market Hill Town Centre District. As such, it is expected that development should support and maintain the town centre's sub-regional role as the borough's dominant centre. Support will be given to retail, but other suitable town centre uses will be supported with uses and development within the Market Hill District to have an active frontage at ground-floor level and conserves or enhances the character and appearance of the area. The proposed development is to

support a long-standing financial facility and none of the proposed alterations will change the character of the building or how it would interact with the surrounding area.

The site is in the Regent Street/Church Street/Market Hill Conservation Area, immediately adjacent to the Grade-II listed Former Yorkshire Bank to the south and with numerous listed buildings nearby.

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.

Highways Considerations

The applicant initially sought permission to regrade the footpath with the inclusion of steps within the public highway; following comments from Highways Development Control, amendments were sought as it was considered that the initial design would be unsafe due to there being no handrail or barrier between the proposed steps and the path. The proposal was considered disadvantageous to the Council as it introduced a significant trip hazard and narrowed the un-stepped path to less than 2.0m, which would create issues, in particular for disabled and visually impaired highway users.

The applicant subsequently submitted amended plans incorporating a full regrade of the footway as suggested by highways.

Whilst the amended plans removed the stepped section and incorporated a longer length of pavement regrading, the plans incorporate elements that exceed the recommended maximum gradient of 1:12, with a preferred being 1:20.

Section B.1.1.28 of the South Yorkshire Residential Design Guide (SYRDG) states that whilst it is preferable to have a level approach, where the topography prevents this, a maximum gradient of 1:12 is permissible on an individual slopes of less than 5 metres or 1:15 if it is between 5 and 10 metres, and 1:20 where it is more than 10 metres. Whilst overall the length is over 10m there are sections of the regrading which exceed the maximum gradient of 1:12. As such, this weighs considerably against the scheme which would remain unacceptable from a highways perspective and contrary to Local Plan Policy T4 New Development and Transport Safety.

In addition, whilst the applicant has the opportunity to resubmit drawings incorporating suitable gradient, the Senior Network Co-ordination Officer had raised concerns that the proposals would not be welcomed by the Council's Highway Network and Maintenance departments, and permission to carry out the work within the public highway would not be granted by the appropriate engineers as the scheme would introduce complications for the councils ongoing maintenance and utility works within the area.

Whilst the proposed works are required to meet DDA compliance they would be to the detriment of wider public safety and as such this carries significant weight against the application.

Visual Amenity and Impact on the Historic Environment

The applicant seeks permission to regrade the pavement levels to facilitate a level threshold at the building's existing main entrance to comply with DDA regulations.

The site is located within the Regent St, Church St, and Market Hill Conservation Area and contains several listed buildings along Market Hill including the adjacent Former Yorkshire Bank building currently occupied by Paddy Power.

The NatWest bank was constructed prior to the First World War in 1913 following the establishment of the former Yorkshire Bank in 1903. Whilst not listed, this building is considered a non-designated heritage asset that holds architectural significance within the Conservation Area and contributes to the collective value of the surrounding area.

The Conservation Officer has been consulted on the application and states that there have been numerous historical discussions regarding accessibility issues at NatWest Bank. Several proposals have been considered, including the installation of an external ramp within the public highway and internal modifications throughout the building to meet accessibility standards and to accommodate wheelchair users. However, these options were considered intrusive to the building and its surroundings from a Conservation perspective and that an alternative approach should be considered.

The current proposal seeks permission for the regrading of the pavement levels to the front of the NatWest Bank. The Conservation Officer finds these proposals the most viable and appropriate option overall in terms of the site's setting and built environment. The proposed works include regrading the existing pavement while reusing existing materials or replacements to match, to maintain the design of the pavement and the wider Town Centre public realm, thereby ensuring no visual or material changes apart from the level adjustments. As such the Conservation Officer considered that this proposal respects, and does not harm nor affect the Conservation Area or listed buildings in the area and as such preserves the character of the Conservation Area and nearby listed buildings.

Despite the sensitivity of the area, the proposed alterations to the pavement are considered a necessary alteration, and they are restrained in their impact, this carries significant weight in favour of the application. As such, the proposed development is in compliance with Local Plan Policies D1, HE1 and HE3 and is considered to be acceptable in terms of visual amenity and its impact on the historic environment.

Residential Amenity

The site is located within Barnsley Town Centre, which is predominantly commercial, however there are some residential units nearby at first floor level and above. The regrading of the footway is not considered to have a negative impact on the amenity of any surrounding residents, this carries significant weight in favour of the application and as such it is considered that the proposed development is in compliance with Local Plan Policy GD1 General Development.

Biodiversity

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the Planning Practice Guidance) are met. This application is exempt from the requirement to provide BNG as it meets the de minimis exemption where no more than 25 square metres of habitat will be affected.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location and would not impact on the character of the

conservation area, or upon residential amenity, and this weighs significant in favour of the application.

However, the proposal would have a negative impact on the highway to the detriment of wider public safety due to the varying gradients within the footways which carries considerable weight against the application. Whilst the proposal has benefits and would facilitate a level threshold to the building to comply with DDA requirements, these considerations do not outweigh the objections raised by highways and the impact on wider public safety.

Having balanced all material planning considerations, the proposal is considered to conflict with the development plan, and the objections to the proposal raised by highways outlined above are not outweighed by any positive aspects of the proposal.

The proposal is therefore, on balance, recommended for refusal

RECOMMENDATION: Refuse

Reason(s) for refusal

In the opinion of the Local Planning Authority, the proposed regrading of the pavement, by reason of its inappropriate, varied grading ratios within the adopted highway would fail to provide all users within and surrounding the development with safe, secure and convenient access and movement contrary to Local Plan Policy T4 New Development and Transport Safety.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.