



BARNSLEY
Metropolitan Borough Council

**Planning & Building Control Service
Development Management**

**Westgate Plaza
PO Box 603, Barnsley, S70 9FE
Head of Service: Joe Jenkinson**

Sam Harper
First Plan
Broadwall House
21 Broadwall
London
SE1 9PL

Our ref: 2021/ENQ/00621
Your Ref: 2018/1569
Date: 27th October 2021
Enquiries to:
Direct Dial: 01226 772108
Email: richardgilbert@barnsley.gov.uk

Dear Sir/Madam

**RE Section 96A Non-Material Amendment Application to Planning Permission
Ref 2018/1569 – For External Alterations**

**Location – Unit R4 (Nando's), The Glassworks Development, Kendray Street,
Barnsley, S70 1SE**

I refer to the above referenced application for a non-material amendment to planning permission reference 2018/1569.

This non-material amendment application seeks to make an alteration to the seating area in front of the Class E restaurant unit by removing the glass balustrade and erecting new planters, awning frame and lighting in permanent positions which shall surround the outdoor seating area where movable tables and chairs are to be placed for restaurant patrons.

Given that the glass balustrade extends across the full length of the building and provides consistency across all of the shopfronts in this location the LPA consider the proposed works as not constituting a non-material amendment as they present a material change to the appearance of the R4 unit of the Glassworks development. By consequence the LPA recommend that the proposed development is submitted as a full planning application for the works specific to Unit R4. To clarify, I can confirm that your **non-material amendment is not considered acceptable.**

In respect of advice for submission of the full planning application, the design of the Glassworks has been carefully scrutinised and moulded by a design panel over many years at significant development cost to the Council and therefore preserving the appearance of the buildings and their impact upon the quality of the wider streetscene is of the utmost importance to the LPA. It is noted that the colours for the planters and awnings are not provided and it is a concern that the colour scheme may not accord with the light tones of the Portland stone and gold cladding present across the structural frame of the building. This is not to say that darker colours cannot be used, but they need to be 'light-touch' so as not to dominate the ground floor and make too large a contrast.

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Likewise given discussions with Highways Colleagues for an external seating area for another neighbouring unit within the same building, I am aware that the seating area may not have been stopped up as an adopted highway due to the presence of services beneath. There is therefore the potential for an objection to be raised by the Highways Authority for placement of permanently fixed objects in the adopted highway and it may be necessary to alter the design significantly to make it mobile with retractable awnings and mobile planters that are not permanently affixed to the ground. The awning would need to be minimalist and sympathetic to the façade of the building while ideally placed so that it does not project from elevation significantly.

The planters will need to sit behind and interact with the existing balustrade as the loss of the glazed railings, which are a consistent feature in the area, will not be accepted.

Overall the main thrust of the application is that the seating area needs to be considerably designed and integrated with the shopfront façade while also being movable to meet the requirements of the utilities present underneath. It is appreciated that branding image is necessary for your client, however their branding will need to respond carefully to the aesthetic of the building as this will be important in gaining approval of permission.

This decision letter only relates to the non-material amendment. It is not a reissue of the original decision notice for application 2019/1573 which still stands. The two documents should be read in conjunction.

Yours sincerely

Richard Gilbert

For and on behalf of:
Joe Jenkinson BA (Hons) MSc
Head of Planning and Building Control
www.barnsley.gov.uk/developmentmanagement