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**Ref 2022/1117 (planning application) and 1118 (listed building consent)**

Applicant: Mr Simon Sangha

Proposal: Creation of new access door to front

Address: 23 Church Street, Barnsley, S70 2AH

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**Site Description**

The application site is a grade II listed building which fronts onto Church Street. It is three storey and rendered with a slate roof.

The application site was previously used as a single planning unit together with no's 25 and 27 as a Barclays Bank but has been vacant for some time. Units 25 and 27 have since been used for retail and as a drinking establishment.

The site abuts the Permanent Building which is predominantly in residential use with permission for a retail unit on the Church Street frontage.

The site is within the Regent Street/Church Street/Market Hill Conservation Area and there is a listed K9 telephone box at the corner between 23 Church Street and the Permanent Building.

**Proposed Development**

The proposals as originally submitted sought listed building consent and planning permission for the creation of a new access door (in place of an existing window) on the front elevation and a new window in the side elevation.

The application is supported by a Heritage Statement which amongst other things records the previous existence of a traditional shop frontage including a window on the side elevation of the building and an ornate doorway with a Victorian top and a pillar stone surround.

The application has been amended to include more details of the proposed alterations to create a door on the front elevation; and to delete the proposal for a new window in the side elevation.

**Existing Elevations****Proposed Elevations**



The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration that must be taken into account where it is relevant to a planning application.

The application site is in the designated Regent Street – Church Street Market Hill Conservation Area and The Yards area of the Town Centre as designated in the Local Plan

The following policies are relevant:

#### Local Plan

**Policy GD1 General Development** – Development will be approved subject to assessment against a range of criteria, including if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

**Policy 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.

**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 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.

**BTC21 Courthouse Campus** – we will allow education and community facilities; offices; development designed to support the creative and digital industries; residential development including live-work units; multi storey car parking; and a new public park and improved public spaces.

#### 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.

The NPPF advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (para 126), that great weight should be given to a heritage asset's conservation, irrespective of the degree of harm (para 199) and that any harm to or loss of significance will require clear and convincing justification (para 200)

#### **Consultations**

**Conservation and Design Officer** – The main issue to consider in determination of these applications is whether or not the proposed alterations would harm the special character or historic interest of, or impact on the setting of, the Listed Building. The Planning (Listed Building and Conservation Areas) Act 1990 sets the requirement for special regard to be given to the desirability of preserving the building, its setting or any special features.

This application re-introduces changes to number 23 which I had concerns over when they were included in the 2020 scheme, given the quality of the design and detailing and poor quality of the plans. The shopfront window is extremely plain in design, lacks the period design of the previous shopfront shown on the photo in the Heritage Statement and illustrates little quality of design. The proposed doorway also lacks the detailed and quality plans required. Revised elevation plans at 1:20 (or 1:10) and sections at 1:5 would be required.

Three further reconsultation responses: the plans remain insufficiently detailed for us to understand and agree the impact on the listed building. The information is insufficient. The plans are far too simple, not of the required scale, and give no understanding of the style or door furniture and I do not feel that there is reasonable justification for the new side window.

Final reconsultation response: The plans have not really changed, and the level of detail is no better.

**Highways Development Control** – no objections

**Ward Councillors** – no comments received

## **Representations**

The applications were advertised by way of site and press notices (23 December to 13 January) and consultation letters which were sent to units/properties near to the proposal site. No letters have been received.

## **Assessment**

### Principle

The proposal for the proposed alterations is acceptable in principle subject to assessment of matters of details below. The building has permission to be used as a retail shop under the 2020 permission, with access via a shared lobby with no 25.

### Heritage

Despite several emails to the agent advising that the submission lacks the detail and the quality of design required for a proposal such as this on a listed building, the proposals remain unacceptable. The proposal lacks the justification required and it is concluded that the impact on the listed building, and the setting of other listed buildings in the wider conservation area is unacceptable.

### Conclusion

The proposal would be significantly harmful to the architectural and historic significance of 23 Church Street, to the setting of other listed buildings and to the wider Conservation Area. It is concluded the great weight must be given to the harm to the significance of the listed building, its setting and the Conservation Area and that the proposal would be contrary to the expectations of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the development plan as a whole.

## **Recommendation**

### **Refuse**

