

Applicant: Mr Chris James

Description: Use of building as a bicycle sales and repair shop (class E) and associated external alterations including replacement shop front, re-pointing, removal of existing fire escape metal staircases to rear (2no), replacement windows, external doors, gutters and downpipes and a replacement roof including new gable to front above second floor and solar panels

Site Address: 12-14 Eldon Street, Barnsley, S70 2JB

### Site Location & Description

The application relates to a 3 storey stone fronted building facing Eldon Street within Barnsley Town Centre. The ground floor has a commercial unit with shop front opening onto Eldon Street and there is ancillary commercial accommodation on the floors above and below. Many of the adjacent structures are commercial and retail with subservient or residential accommodation above. The building is flanked by similar buildings and is enclosed to both sides. The building in its current form stands occupied to all floor levels though somewhat neglected and in a state of disrepair.

The main building was originally constructed as a YMCA towards the end of the 19th century and sits over three above ground stories with a basement throughout. There is also an additional building to the rear that is orientated at an angle to main building which is single storey with pitched roof and appears to have originally formed a worship space. These two buildings have been joined by a modern infill, single storey building with flat roof.

The construction consists of dressed coursed and embellished ashlar stone to the front facing elevation with fair faced brickwork and ashlar stone dressings to the side and rear elevations and the additional rear buildings. The roof is slate pitched with gable ends. There are some details that have been removed from the front elevation, most notably the stone pediment to the upper centre.

The building sits within the Regent Street/Church Street/Market Hill Conservation Area as well as a Heritage Action Zone (HAZ).

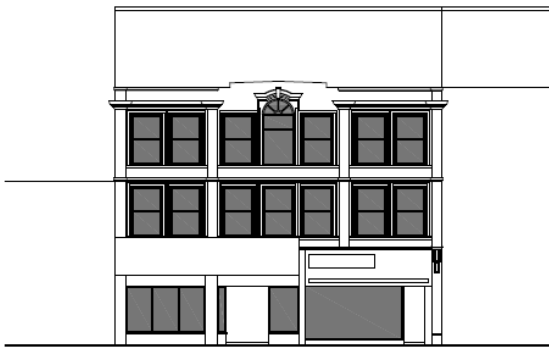


### Proposed development

The Applicant seeks permission to use the building as a bicycle sales and repair shop (class E) and associated external alterations including replacement shop front, re-pointing, removal of existing fire escape metal staircases to rear (2no), replacement windows, external doors, gutters and downpipes and a replacement roof including new gable to front above second floor. Solar panels are also proposed on the roof plain of the linked outbuilding to the rear.

It appears from the planning history off the site that all the current and previous uses of the building have fallen within the current class E, as such, given the proposal is for a retail use (Class E (a) – shop other than for the sale of hot food) no change of use would occur.

Existing Elevations



South Facing Elevation As Existing  
Scale: 1:100@A3



North Facing Elevation As Existing  
Scale: 1:100@A3

Proposed Elevations

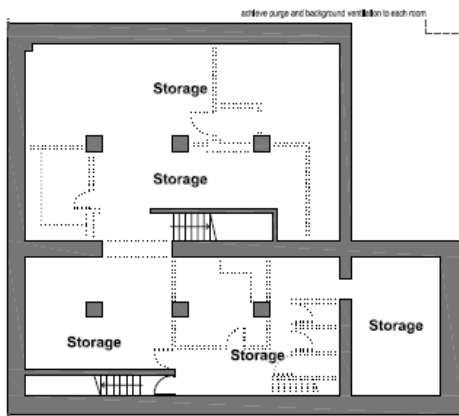


South Facing Elevation As Proposed  
Scale: 1:100@A3



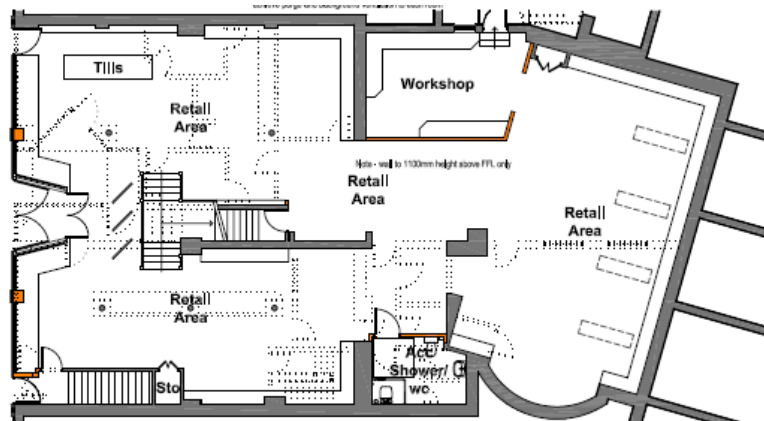
North Facing Elevation As Proposed  
Scale: 1:100@A3

Proposed Basement Plan

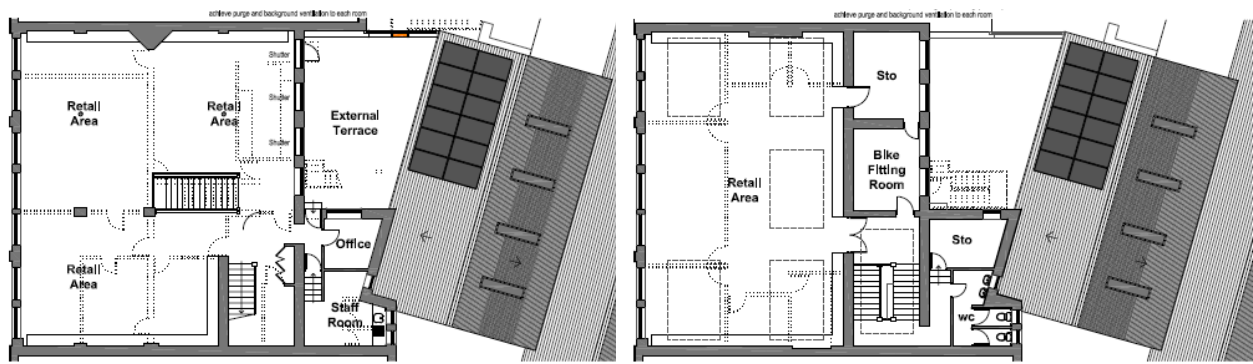


First Floor Plan

Ground Floor Plan



Second Floor Plan



## Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

The site is allocated as a Primary Shopping Area within the Lanes District of Barnsley Centre and also sits within the Regent Street/Church Street/Market Hill Conservation Area and Eldon Street Heritage Action Zone within the Local Plan Proposals Maps and therefore the following policies are relevant:

*Policy T4 New development and Transport Safety*

*Policy TC1 Town Centres*

*Policy BTC20 The Lanes*

*Policy GD1 General Development*

*Policy D1 High Quality Design and Place Making*

*Policy HE1 The Historic Environment*

*Policy HE 3 Development affecting Historic Buildings*

*Policy Poll1 Pollution Control and Protection*

*Policy LG2 The Location of Growth*

*Policy E4 Protecting Existing Employment Land*

*Policy CL1 Contaminated and Unstable Land*

## NPPF

The NPPF 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.

Paragraphs of particular relevance to this application include:

Para 81 – Planning policies and decision should help create the conditions in which businesses can invest, expand and adapt.

Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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.

NPPF para 200: Great weight given to an asset's conservation, irrespective of the degree of harm

NPPF para 194: Any harm to or loss of significance will require clear and convincing justification

NPPF para 206: LPA's should look for opportunities for development within conservation areas and within the setting of heritage assets that enhance or reveal significance

## **Consultations**

Conservation Area – no objections, supports the proposal

Regulatory Services- No Objections

Highways – no objections subject to an informative

Ward Councillors – No comments

## **Representations**

None

## **Assessment**

### Principle of Development

The site is within The Lanes area of Barnsley Town Centre. The Lanes is a small District defined by Church Street and Market Hill to the east, Regent Street to the north, and Eldon Street to the southern edge which creates a triangular shaped area. It forms part of the Conservation Area and has a generally good quality environment (with some opportunity for improvement). It has a close knit, finegrained character made up of a network of passages, and offers independent retailers including some very renowned and quality shops, as well as places to eat and drink. There are some very interesting buildings, including The Civic, a grade II listed building with a modern extension and Mandela Gardens Public Square.

Local Plan Policy BTC20 The Lanes states that all new development within the Lanes District must have an active frontage at ground floor level and that uses such as shops, financial and professional services food and drink, non-residential institutions would be acceptable. The building currently has an active frontage onto Eldon Street and the proposal seeks permission to make improvements to the shop front and active frontage inline with policy BTC20.

New development must conserve or enhance the specialist nature of this area by being of a size, scale, quality and design appropriate to the character of the area. The site also sits within a Conservation Area and HAZ As such the development must maintain or improve the setting. Part of the proposal is to reinstate some of the lost character to the external envelope of the building and create a shop front more befitting of the buildings character and age.

Local Plan Policy LG2 'The Location of Growth' states that priority will be given to development in Urban Barnsley. Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town. That is because it is the most sustainable location in spatial policy terms. The site is located within Barnsley Town Centre immediately adjacent to existing infrastructure and is within a sustainable location well positioned in relation to adjoining public transport and could generate linked trips. Substantial weight is afforded to the proposal being in accordance with local plan policy LG2, therefore.

Policy E4 'Protecting Existing Employment Land' goes on to state 'land or premises currently or last used for employment purposes will be retained in order to safeguard existing or potential jobs'. The proposal is to continue using the building for class E commercial purposes and is an arguably more efficient use of the space than in recent times.

Policy TC1 'Town Centres' states support will be given to maintaining and enhancing the vitality and viability of Barnsley Town Centre. Barnsley Town Centre is the dominant town centre in the borough. To ensure it continues to fulfil its sub regional role the majority of new retail and town centre development will be directed to Barnsley Town Centre.

The NPPF paragraph 81 states that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity'.

### Residential Amenity

The building is located within Barnsley Town Centre and currently accommodates commercial uses on the ground floor with ancillary commercial/office accommodation above. There are similar commercial/retail buildings adjoining the application building as well as opposite the site and to the rear. The proposal is to maintain the building for class E commercial uses and utilises all the floors for a bike sales business.

It is noted there are some residential properties within the immediate area, however, these predominantly sit above existing commercial units. Given the site is situated within the heart of Barnsley town centre, the proposed use of the building and the relatively modest external alterations proposed would not have a significantly detrimental impact on neighbouring residents or occupants of surrounding buildings. As such, residential amenity would be maintained, in accordance with Local Plan Policy GD1.

### Design & Visual Amenity

This proposal seeks approval for a number of internal and external alterations to the allow the building to be re-purposed as a bicycle sales and repair shop (JE James). The proposal is a key project of the Eldon Street Heritage Action Zone delivered in partnership between BMBC and Historic England.

The plans have been drawn up by Time Architects who have liaised with the HAZ Project Officer over the details and overall approach to the works. The building in question was the former C19 YMCA and sits in a prominent location at the western end of Elson Street just across from Burlington Arcade. Despite being somewhat dilapidated, the building has clear architectural and historic value. It is a late C19 building in ashlar of three storeys with generous timber sash windows set in deeply moulded rectilinear surrounds.

The top floor includes a central venetian arched window which has a projecting stylised hood mould. This was once topped by a large gable / pediment that include a central plaque, but this has now been removed. The façade also includes a projecting string course between the first and second floors and a deeply projecting at cornice above the second-floor windows.

However, the ground floor is heavily altered (mid to later C20) and shows a mixture of unsympathetic materials, details, scaling and signage. These include massively out of scale fascia's, fenestration and shopfront details / design that bear no relation to the proportion of features above and unsightly roller shutters. At ground floor little sign of original fabric is retained save for the scroll corbels either side of the building and a small projecting cornice between ground and first floor.

The proposal seeks permission for external repairs and internal changes that are broadly conservation driven. This includes essential works to the external envelope – roof, timber sub-structures, walls, windows, rainwater goods on a like for like basis (much as would be required with a listed building).

Internally, a new staircase is proposed but as this and the existing partitioning on the ground floor, first floor and second floor are not original this is a reasonable alteration. The new staircase does not impact on the external appearance (openings) and overall suits the need for more flexible open plan spaces for workshops and bicycle sales areas.

The other major changes of note include repaired and replaced windows, solar panels to the slope of the linked outbuilding, which is hidden from view, and ground floor shop front works which will re-incorporate the whole retail frontage into one using a sympathetic design and materials. Detailed plans have been submitted for the fascia design, shopfront, door and window details and the security gates which together should enhance the appearance of the building and re-instate its group value to the setting of the conservation area. Finally, the submitted plans show the re-instatement of the second-floor gable / pediment above the Venetian window. This would clearly be welcome and would re-instate the façade to its original appearance matching that of the one on the neighbour to the north (Eldon Buildings).

In summary, the proposals should elevate the contribution the building makes to Eldon Street and the wider conservation area and give the building a long-term sustainable use, in accordance with Local Plan Policies D1 and HE1 and paragraphs 195, 200 and 206 of the NPPF. The Councils Conservation and Heritage Action Zone Officers both support the scheme.

### Highway Safety

The site is located on Eldon Street Barnsley a retail/commercial road in the centre of Barnsley with a 20mph speed limit and is subject to waiting and parking restrictions with loading and disabled parking bays being located outside the site. The site is very close to the Barnsley Interchange and the services, amenities and facilities of Barnsley town centre in a sustainable location which complies with NPPF 9 Promoting Sustainable Transport policies and Barnsley Local Plan (January 2019) Policy T3 New Development and Sustainable Travel which will be acceptable.

The application proposes to provide a bicycle sales and repair shop which is unlikely to generate more vehicle movements than the existing use. Deliveries to the commercial use on the ground floor could be made from the existing loading bay directly outside the site. There is no in curtilage vehicular parking but given the town centre it is within a short walk to the transport hub and numerous on street parking spaces, surface car parks and multi storey car parks. As such, highway safety would be maintained in accordance with Local Plan Policy T4.

### Conclusions

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, HE1, GD1, D1

and T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay.

In addition, the site is considered to be suitable in spatial and sustainable development terms for the reason that it would involve the re-use of an existing building that is positioned well within Barnsley Town Centre.

The recommendation is one of approval therefore subject to the conditions listed below.

### **Recommendation**

**Approve** subject to conditions