2024/0048

Mr Alan John Taylor

The Civic, Barnsley Civic Enterprise, Hanson Street, Barnsley, S70 2HZ

Variation of condition 2 of planning application 2022/0521 : (Refurbishment of existing building to create new multi-purpose units at ground and first floor available for retail, consumption of food mostly on the premises and drinking establishment or offices purposes (Use Classes E (a), E (b) E (g) (iii) and Sui Generis), refurbished office space on second floor, creation space on third floor and associated external alterations including new shop fronts and theatre access on Eldon Street frontage, reconfiguration of lift and toilet facilities) to make a minor amendment to the third floor plans and shop front details

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Site Description

The Grade II listed Barnsley Civic Hall is located within the Regent Street / Church Street / Market Hill Conservation Area. The Civic Hall is one of a number of Barnsley's most prominent buildings in this area including the Town Hall and St Marys Church.

The Civic opened in 1878 and originally, it was known as the Barnsley Mechanic and Institute Public Hall. The building was grand and the spaces within voluminous. The top floor of the Eldon Street block once housed an art school with offices, a reading room, library, and lecture theatres below with shops to the ground floor frontage. To the rear, was the main auditorium which was a vast and impressive civic space. The building was subsequently gifted to the people of Barnsley and became the Harvey institute. The building became a theatre in the 1960's however, a period of decline culminated in 1998 when the building was closed to the public.

In 2009 The Civic re-opened following extensive and far-reaching alterations to accommodate the Assembly Room auditorium and art gallery spaces. Unfortunately, these changes represent only part of the total package of works that were planned with three floors within the building remaining unfinished and the Eldon Street frontage looking tired and in need of work.

Planning History

2023/0124 - Details of condition 3b (Full details and a scope of works of the stone repairs and replacements supported by a detailed methodology statement) of 2022/0521 - Refurbishment of existing building to create new multi-purpose units at ground and first floor available for retail, consumption of food mostly on the premises and drinking establishment or offices purposes (Use Classes E (a), E (b) E (g) (iii) and Sui Generis), refurbished office space on second floor, creation space on third floor and associated external alterations including new shop fronts and theatre access on Eldon Street frontage, reconfiguration of lift and toilet facilities (Approve)

2022/1041 - Details of conditions 3a (conservation condition survey), 3c (pigeon deterrent strategy), 3d (shopfront repairs and refitting at ground floor level to Eldon Street) and 10 (gigabit-capable full fibre broadband) of application 2022/0521 - Refurbishment to create new multi-purpose units for retail, consumption of food, drinking establishment or offices (Approve)

2022/0521 - Refurbishment of existing building to create new multi-purpose units at ground and first floor available for retail, consumption of food mostly on the premises and drinking establishment or offices purposes (Use Classes E (a), E (b) E (g) (iii) and Sui Generis), refurbished office space on second floor, creation space on third floor and associated external alterations including new shop fronts and theatre access on Eldon Street frontage, reconfiguration of lift and toilet facilities (Listed Building Consent) (Approved with Conditions)

2021/1048 - Conversion of vacant building spaces into various uses on all 4 floors including café bar, multipurpose rooms including flexible events space, rehearsal and green rooms, facilities including changing rooms, kitchen, toilets and plant, new office accommodation including booking office, 7no residential apartments and associated external alterations and repairs including new shop fronts on Eldon Street (Listed Building Consent) (Approved with Conditions)

2021/1045 - Conversion of vacant building spaces into various uses on all 4 floors including café bar, multipurpose rooms including flexible events space, rehearsal and green rooms, facilities including changing rooms, kitchen, toilets and plant, new office accommodation including booking office, 7no residential apartments and associated external alterations and repairs including new shop fronts on Eldon Street (Approved with Conditions)

2011/0311 - Display of blue plaque to the Civic building (Listed Building Consent) (Approve with Conditions)

2010/0132 - Installation of new shopfront and signage (Listed Building Consent) (Approve with Conditions)

2006/1407 - Retrospective Application for Removal of Ornate Ceiling to the Lower Library (Listed Building Consent)

B/04/0733/BA & (0734/BA/LB) – Refurbishment, alteration and extension to provide offices, retail, design centre, assembly room, and case and erection of new pavilion (Planning Permission and Listed Building Consent) (Approved with Conditions)

Proposed Development

The applicant is seeking approval for a minor amendment to the third-floor plans and shop front details. On the third floor plans a corridor is to be blocked up and a door introduced adjacent office 303. On the shop front details there is a minor change to the fascia panel to be set vertical.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now 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 and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 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 Allocation – The Lanes Town Centre District, Primary Shopping Area & Frontage (Eldon Street), Conservation Area (Regent St/Church St/Market Hill)

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).

In reference to this application, the following policies are relevant:

Policy TC1 – Town Centres
Policy TC2 – Primary and Secondary Shopping Frontages
Policy BTC1 – The daytime and evening economies
Policy BTC3 – Public Spaces
Policy BTC5 – Landmark Buildings (Including the Civic)
Policy BTC20 – The Lanes District
Policy HE1 – The Historic Environment
Policy HE3 – Developments affecting Historic Buildings
Policy GD1 – General Development
Policy T3 – New Development and Sustainable Transport
Policy T4 – New Development and Transport Safety
Policy D1 – High Quality Design and Place Making
Policy Poll1 – Pollution Control and Protection

BTC20 Policy Wording and Supporting Text

All new development within the Lanes District must have an active frontage at ground floor level.

The following uses will normally be allowed at ground floor level:

- Shops
- Financial and professional services (for example, estate agents, employment agencies and advice bureaus)
- Food and drink for example restaurants, cafés and bars
- Non-residential institutions including museums, art galleries and exhibition space

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. Mandela Gardens must be maintained as public open space and no development that would harm its function and quality will be allowed.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places – The Government attaches great importance to the design of the built environment. 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. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 139 states that *"development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes"*.

Consultations

Central Ward Councillors were consulted and raised no objections.

The LPA's Conservation Officer was consulted and raised no objections.

Representations

Neighbour notification letters were sent to surrounding properties a site notice posted and press notice issued, no comments were received.

Assessment

Principle of Development Impact upon Listed Building and Conservation Area

The proposal follows on from applications 2021/1045, 2021/1048 (LBC) and 2022/0521 which were approvals for a very similar development/refurbishment of the building. The main changes from 2021/1045 include the removal of the residential units at the third floor and an emphasis to create a more 'fluid' and flexible, mixed-use space available to let. Specifically, to this variation from 2022/0521 are minor changes to the third-floor plans, shop front design and fascia.

The principle of amendments to the Listed Building have previously been established under application 2022/0521. This application will simply assess the proposed amendments following on from the approval of application 2022/0521 under the following headings. The principle of the development will not be revisited.

Impact upon Listed Building, Conservation Area and Visual Amenity

The site sits within a Conservation Area, as such, paragraph 205 of the NPPF requires Local Planning Authorities to Identify and take into account heritage significance including the setting and the effect of a proposal. Great weight is given to an asset's conservation, irrespective of the degree of harm. Any harm to or loss of significance will require clear and convincing justification.

The works are in part (the Eldon Street frontage conversions) funded under the Eldon Street Heritage Action Zone. This is the largest element of the grant scheme. Broadly speaking, the proposal can be broken down into two elements which correspond to the two differently orientated parts of the building. The main historic frontage (that fronts Eldon Street) and the spaces immediately behind this constitute one distinct part of the building. To the rear of this, the attached larger Civic spaces that terminate on Hanson Street, but face Mandela Gardens are the other. The Civic is listed at grade II and forms an extremely important landmark on Eldon Street which forms the southern edge of the Regent Street – Church Street – Market Hill Conservation Area. The façade that faces across onto the new Glassworks retail development is also a critical interface between the historic core of the town and the new market and retail area.

With regards the change to the fascia panel no concerns are raised because the fascia was vertical for at least some of its life, probably only being angled in the mid-later C20. Today there is an existing steel angle at the bottom and behind the fascia perhaps inserted in 2007 which dictates how far outboard the bottom of the fascia can be. Rather than increasing the projection at the top to achieve an angled fascia, there is no problem in simply setting this vertical. In all it looks much neater.

The internal changes to the third floor include minor alterations to the Hanson Street side of the building, blocking off a doorway and introducing a new door in the vicinity of Office 303 and creation space 301. These are all alterations to moder fabric and of no concern.

The revised scheme from that of 2022/0521 raises no concerns regarding the impact upon the heritage asset. The LPA's Conservation Officer supports the scheme, highlighting the improvement in terms of quality regarding conservation and its impact on the historic environment. Most of the alterations are internal with the Eldon Street façade being improved significantly in terms of access and improving the active frontage onto Eldon Street. The proposed development is considered to be in compliance with Local Plan Policies HE1, HE2, HE3, BTC20. The proposed development is considered to be acceptable in principle and in terms of its impact on the Historic Environment.

Residential Amenity

The proposed changes from 2022/0521 will cause no increase in impact upon residential amenity.

Highway Safety

The proposed changes from 2022/0521 will cause no increase in impact upon highway safety.

Recommendation

Approve with conditions