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## Ref 2022/0521 Full Planning & 2022/0543 Listed Building Consent Applications

Applicant: Mr Anthony Baker (The Civic)

Description: 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

Site Address: The Civic, Hanson Street, Barnsley, S70 2HZ

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### Site Description and Background

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 located in this area including the Town Hall and St Marys Church. The Civic opened in 1878 and was partly funded by public subscription and partly funded by Henry Harvey, a local industrialist and Quaker who believed in education and social reform. Originally, it was known as the Barnsley Mechanic and Institute Public Hall. The building was grand and the spaces within voluminous. From the beginning the intention was to provide ordinary people with the means to have access to and engage with science, culture, and the arts. 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 GF 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 but remained at the heart of community life in Barnsley. 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 we see today. 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 conservation work. The recession halted the full development of the Civic, the result being that the historic frontage facing Eldon Street is rarely used barring a small entrance for (now vacant) Council offices. The heritage assessment of the building has found its external condition in its areas of historic interest to be considered 'fair' but there are isolated areas which are deteriorating towards poor condition.



### Proposed Development

The proposed development seeks to revitalise the Civic and bring all of its internal space fully back into use. The main parts of the proposal involve the following:

*Eldon Street Facade:*

- Change of use to incorporate a box office and café/bar within the ground floor shopfronts facing onto Eldon St. This will include new shopfronts, proposed between the cast-iron pilasters (to be retained), which will be timber framed with double glazed units. Windows will be slightly recessed behind the existing pilasters and stonework and reflect the proportions of the building. Timber mullions and glazing bars will be used to break up the window into smaller compartments. New stall risers will be provided as a visual and structural base for the shopfront with a moulded projecting cill. The panelled timber riser will be sat on the existing plinth and finished with a sacrificial skirting detail.
- The existing security shutters will be removed and a new timber fascia is to be installed.
- The central entrance canopy will also be removed to reveal hidden details across the main entrance which will also be brought back into use.
- The existing pigeon nettings and fixings shall also be removed to lighten the building and will be replaced with 4no transmitters to deter birds from landing on the Eldon St Façade.
- General repairs and cleaning to the ashlar stonework

*Ground Floor Internal Alterations:*

- Primary access from Eldon Street to the Central Staircase will be opened up and the existing historic staircase will be brought back into use.
- Lift reconfiguration providing access to upper levels.
- Formation of two lettable spaces for a food and beverage (F & B), measuring 119.3sqm and 60.2sqm, respectively. Both of the units would be available as a lettable unit together or separately.
- The memorial situation in the entrance foyer is to be re-located opposite the new lift opening adjacent the historic staircase.

*First Floor internal alterations:*

- 2 proposed F & B space, measuring 102sqm and 60.8sqm, respectively which could be linked and served from the ground floor.
- Alterations to circulation space

*Second Floor Internal Alterations:*

- Office Space (measuring 188.1sqm) will be retained and refurbished
- New accessible entrance accessed from Eldon Street, separate to the operation of the Civic facilities.
- Alterations to circulation space

*Third Floor Internal Alterations*

- The floor will be opened up for the formation of a creation space (measuring 104.4sqm) and reception/refreshments (53.9sqm).
- New accessible entrance accessed from Eldon Street, with the facility used throughout the day and evenings.

- The historic staircase will be extended to allow public access to the theatre along with modifying the toilets and office space to the Hanson Street Building.
- Alterations to circulation space

## **History**

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) – Abandoned

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

## **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 (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan Allocation – The Lanes Town Centre District, Primary Shopping Area & Frontage (Eldon Street), Conservation Area (Regent St/Church St/Market Hill)

Relevant Local Plan Policies are:-

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.

#### 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.

#### Guidance

- Parking SPD

#### **Consultations**

*BMBC Drainage & Yorkshire Water* – No comment

*Highways DC* – The Travel Plan submitted is exactly the same as before and therefore it is recommended that the previous condition (attached to 2021/1045 and 2021/1048) is added to any forthcoming decision for this application.

Note - The agent submitted a revised travel plan, including monitoring – as

requested on condition 4 of the previous applications. Upon receipt and assessment of this information, colleagues in Highways did not object to the proposal and suggested a re-wording of the condition, alongside other conditions and informatives.

*Conservation Officer* - These applications follow approved applications 2021/1045 and 2021/1048 for a similar scheme but with some key differences this time around. The previous applications were approved and received support from me (on balance) but there were concerns over the third floor and the loss of historic legibility. Thankfully, this new proposal resolves these issues and concentrates the changes on the Eldon Street block - this proposal does not include changes to the western section of the Hall beyond a small new GF toilet provision. However, overall, this is in my view a superior scheme covering the stand alone works to the Eldon Street block which includes internal changes, conservation works and exterior repairs to this part of the envelope. Internally, the previous residential scheme has now been omitted on the third floor. This is welcomed as it avoids the compromise of the space that retains legible and historic features (including truss detailing and the overall openness of the space). It also avoids the concerns we had over the residential apartments being somewhat small and not benefiting from ideal levels of light ingress. The other floors in this new proposal include a primary entrance at GF to the central staircase from Eldon Street thus activating the Eldon Street block as the principal and public face of the building. This entrance allows access to two lettable spaces (café bar etc) either side of the main corridor which could be separate or one unit. The first floor is configured as a possible food and beverage facility that could be linked or could be separate to that of the GF. The second floor is retained as an office. Generally, my comments (beyond the concerns I raised over the residential element that is now omitted) are as before. For information I've included the suggested condition I attached to the 2021 application as much of this will still be pertinent and is required.

Note - The agent questioned several points from the above heritage condition as some elements were not relevant anymore, and some of the required information/documents have already been produced. The agent submitted the stonework investigation report and façade, roof, drainage and tiled flooring condition survey to the LPA who consulted the Conservation Officer. No concerns were raised to the information provided and the condition has been re-worded accordingly.

*Historic England* – HE previously comments on the previous conversion scheme (2021/1045 and 2021/1048, in which support was made to the scheme albeit with some concerns over aspects of the proposed works. The proposed layout offers a considerably less invasive development of the Civic as compared with the previous proposals. The most positive aspect of the revised scheme is the omission of the residential aspects on the third storey. It is the view of HE that the revised development gives greater weight to the conservation of the Grade-II listed Civic Centre, taking up opportunities to enhance some of its special qualities. Consequently, the proposal is the preferred way forward and one that delivers public and heritage benefits in a manner that is more sympathetic to its architectural interest and history. The success of the scheme depends on the quality of the finished works which can be suitably controlled through the use of conditions. Historic England support the applications on heritage grounds which meet the requirements of the NPPF, in particular paragraph numbers 130, 197, 199, 200 and 202.

*Pollution Control* – No objection raised subject to conditions.

*Superfast South Yorkshire* – No comment

SY Police ALO – No comment

South Yorkshire Archaeology Service – No comment

*Enterprising Barnsley* – Supports the application

*Public Rights of Way* – A public right of way runs alongside the proposed development site. Safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time then a temporary closure must be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact [publicrightsofway@barnsley.gov.uk](mailto:publicrightsofway@barnsley.gov.uk).

Ward Councillors – No comment

## **Representations**

The application was advertised by neighbour notification, by site notice and press notice. No representations have been received.

## **Assessment**

### Principle of development and heritage

The proposal follows on from application references 2021/1045 and 2021/1048 (LBC) which were both approvals for a very similar development/refurbishment of the building. The main changes compared to the extant approval 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. Prior to this application, the extant proposal had undergone extensive and lengthy pre-application scrutiny with the applicant, BMBC Planning Officers, the Heritage Action Zone team members and Historic England. 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.

The feedback from the Conservation Officer and Historic England to the amended proposal has been very positive compared to the extant approval with the consensus that the omission of the residential aspect (as approved under 2021/1045 and 2021/1048) being the most positive aspect of the revised scheme. The omission of such means that the historic trusses on the third floor are no longer detrimentally impacted, which presented minor concern to the Conservation Officer and HE when

assessing the previous application. However, it was felt that the minor harm was weighed against the public benefits of the previous scheme and were considered acceptable subject to conditions. As mentioned above, the current scheme now focuses on a fluid and flexible mixed-use space containing offices, retail, restaurant/bar areas and changes to the internal circulation space and toilet provision. The existing theatre/performance space will be retained with access into it improved through the changes to the circulation space and staircase.

As part of the changes, the Eldon Street façade will be significantly changed at ground floor level with new retail openings/windows, the removal of the existing canopy and pigeon deterrent spikes, and the improvement of the access into the building. These are all seen as positive changes, improving the most prominent façade of the building, forming and further defining an active frontage on Eldon Street. The removal of the canopy reveals interesting details on the stonework whilst the pigeon deterrent spikes can be argued to be unsightly. These will be replaced by 4 x pigeon deterrent transmitters which are less intrusive and overall have a positive influence on the frontage of the building. There is also the formation of a primary entrance at ground floor level to the Central staircase from Eldon Street which activates the Eldon Street block as the principal and public face of the building. The entrance allows access to 2 x lettable spaces (café/bar etc) either side of the main corridor which could be separate or one unit.

The previous scheme included changes to the Mandala Gardens Elevation however these have also been omitted and there is no change to this elevation.

The omission of the residential aspect indirectly means that several conditions (some requiring additional detailed information) are no longer relevant or required. Since the previous decision, some of the required information from the heritage condition (condition 3 on the decision notices) has been undertaken and submitted. As such, the condition has been re-worded accordingly and the submitted revised information has been added to the planning file.

Generally, it is considered that the revised scheme has actively sought to alleviate the minor concerns with the Conservation Officer and Historic England had during the previous application stage. Primarily in regard to the impact on the third-floor historic trusses. The Conservation Officer and HE therefore support the scheme, highlighting the improvement in terms of quality in regard to conservation and its impact on the historic environment. The majority 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. Subject to conditions – which are carried forward and re-worded accordingly – the proposed development is considered to be in compliance with Local Plan Policies HE1, HE2, HE3, BTC20 and is in line with NPPF paragraphs 199, 200 and 202. The proposed development is considered to be acceptable in principle and in terms of its impact on the Historic Environment.

### Visual Amenity

The scope of works will largely seek to maintain or improve the current aesthetic of the Civic and have been subject to close scrutiny by heritage and design experts. The new shopfronts will be to a heritage specification and seek to emulate the symmetry of the Eldon Street frontage, improving its role as an active frontage.

The removal of the canopy above the Eldon St entrance is acceptable as a canopy was not a part of the original building design and it will reveal hidden features on the

Civic's façade while removing unnecessary street furniture/clutter. The removal of the pigeon/bird netting on Eldon Street is also welcomed and supported with further details of the transmitters and the responsibility for sustaining their use being required by condition.

The majority of the changes are internal and have been covered in further detail in the above section.

Generally, it is considered that the development retains the historic character of the building whilst changes to the Eldon Street Façade will largely improve the visual qualities of the building, whilst making it more usable and accessible. The design is consequently found to be in accordance with the design principles and requirements set out in Local Plan Policy D1 – High Quality Design and Placemaking.

#### Residential Amenity

The residential units which were approved at the previous application stage has been omitted and there is no longer a need to assess the future living conditions of the proposed accommodation.

The Civic Centre is found firmly within Barnsley Town Centre which is rapidly changing, however the Council's mapping system indicates that there are currently no residential dwellings on the section of Eldon Street facing onto the building. However, this could be inaccurate and other Local Planning Policies (such as BTC13 – relating to the nearby Glassworks development) relating to the Glassworks development indicate that the Council would be receptive to residential accommodation in the nearby vicinity in the future. Notwithstanding this, it is considered that the proposed development/uses of the building (despite being mixed-use and flexible) is likely to present significant concern to existing or future residential properties nearby. There are other very similar uses nearby with late-night uses and the development is not considered to be out of place.

In light of the above, Officers' are satisfied that the proposal accords with the principles set out within LP Policies GD1 – General Development and Poll1 – Pollution Control and Protection with respect to residential amenity.

#### Transport Matters & Highway safety

Colleagues in Highways DC have assessed the proposal and raised no objection, however it was recommended that the conditions/informatives are carried forward from the previous approved applications. One of these was in relation to the submission of a detailed Travel Plan which include monitoring measures. The agent provided a revised travel plan which colleagues in highways assessed and considered appropriate. The condition was re-worded accordingly.

The site is located centrally within Barnsley Town Centre – 120m from Barnsley interchange (South-facing entrance) and 180m to the West-facing entrance of the interchange. As covered within the revised travel plan, there are no facilities within the site to cater for cycle storage facilities. However, the site is considered to be in a sustainable location with sustainable modes of transport in very close proximity alongside numerous car parks in or around the Town Centre. The Travel Plan indicated measures to increase visitors' awareness of the public transport links in the Town Centre such as public transport information such as train and bus timetables. This will be reviewed every 6 months. The removal of the residential units will also likely place less of a demand for on-site or off-site parking facilities.

Overall, the development is considered to be acceptable in respect of highways safety and is determined to be in accordance with Local Plan Policy T4 – New Development and Transport Safety.

### **Conclusion**

Overall, the proposed development is an important scheme that seeks to build on the success of the adjacent Glassworks development through enablement and full utilisation of an underused cultural space within Barnsley Town Centre. The Civic Centre has lacked an active frontage onto Eldon Street to the detriment of a significant area of public realm. The application seeks to address this through the provision of a modern mixed-use development that conserves the historic heritage of the building while also opening it up to greater public viewing. It follows on from two extant planning applications – 2021/1045 and 2021/1048 (LBC) with the main alteration relating to the removal of residential use at the third floor. Other changes have been made in comparison to the previous scheme such as the omission of alterations to the Mandala Gardens elevation, change of use to more flexible/fluid use classes and internal alterations to layout and circulation. The omitted elements are generally seen as positive amendments with both the Conservation Officer and Historic England indicating their support of the scheme, as it is an improvement from the extant approvals.

The conditions from the previous approval have been carried forward but re-worded accordingly as the agent has submitted further supplementary information, such as heritage reports and a Travel Plan. Other conditions from 2021/1045 and 2021/1048 (LBC) also referred to the residential units and have too been omitted as they are no longer relevant to the scheme.

This proposed development presents a flexible mix of uses on all of the floors with an emphasis made by the agent that the uses are required to be fluid to meet the needs of future tenants. The proposed uses are in compliance with Local Plan Policies, particularly those in relation to the changing nature of the Town Centre. In particular Local Plan Policy BTC20 relating to the Lanes part of the Town Centre. Additionally, other Local Plan Policies have been considered to have been complied with. On the basis of the above, the application is assessed to be acceptable subject to the conditions listed in the recommendation and is recommended for approval accordingly.

### **Recommendation**

Grant of planning permission and listed building consent subject to conditions.