

Application Reference Number:		2025/0150	
Application Type:		Full	
Proposal Description:		Installation of roller shutters, new windows and refurbishment of the existing windows	
Location:		17 Market Hill, Barnsley, S70 2PP	
Applicant:		Mr James Sixsmith	
Third-party representations:	None	Parish:	None
		Ward:	Central

Summary:

This planning application has been submitted by Mr James Sixsmith and seeks full planning permission for the installation of roller shutters, new windows and refurbishment of the existing windows. The development is required to provide extra security to the premises.

The site falls within the Regent Street/Church Street/Market Hill Conservation Area and is in town centre district 5 (Westgate/Churchfields) as allocated by the adopted Local Plan. Development comprising alterations to an existing building are considered acceptable in principle if proposals would not significantly adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved. Furthermore, alterations within a conservation area need to be deemed sympathetic to its setting and not harmful.

The proposal would have no adverse impact on highway safety, residential or visual amenity nor cause significant harm to the conservation area and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

Recommendation:

Approve subject to conditions

Site Description

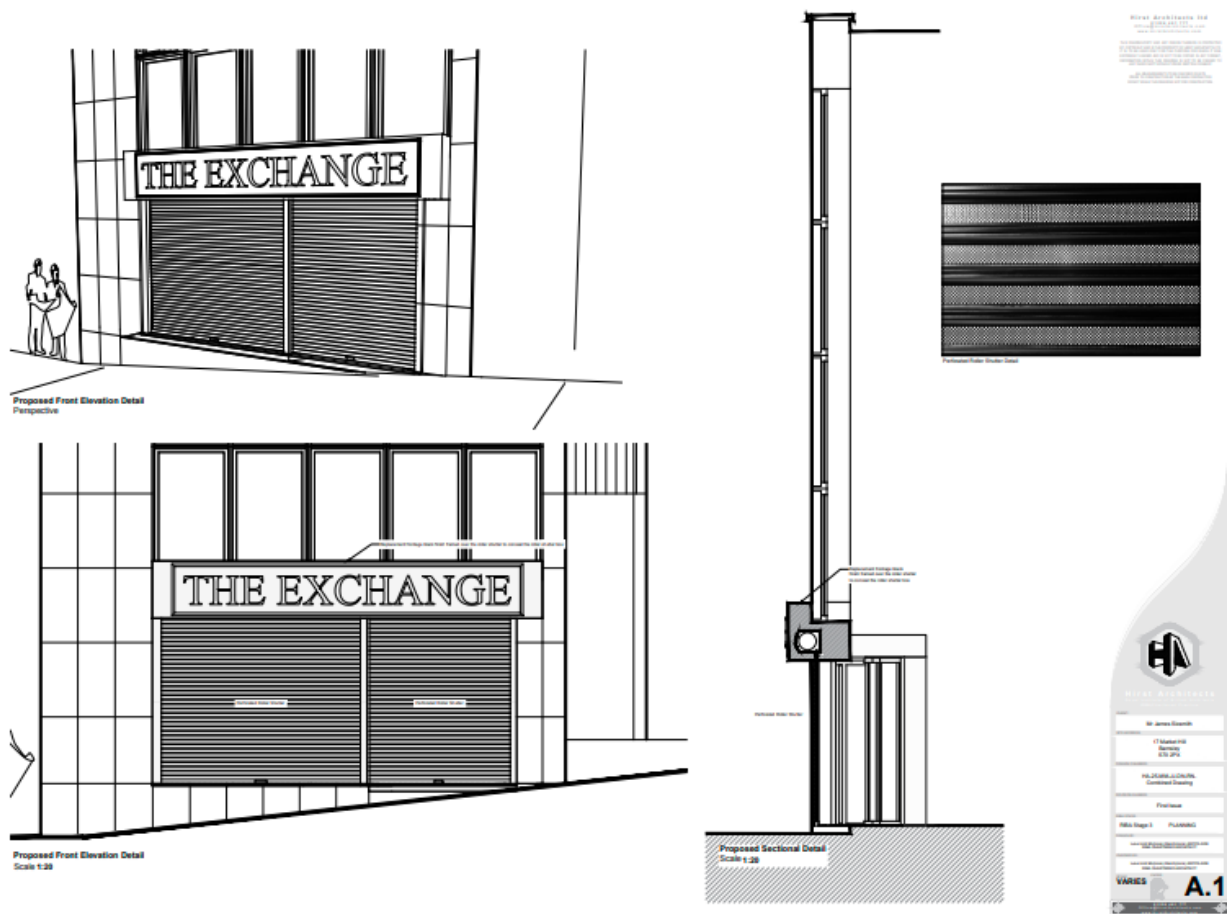
The site is located in Barnsley Town Centre on Market Hill which is in the Regent Street/Church Street/Market Hill Conservation Area. No. 17 is not a listed building however immediately adjacent it is 15 Market Hill and 19 Market Hill which are both Grade II listed buildings. Therefore, even though not listed there is still a historical setting. No. 17 was a former bank and now lies vacant. The front elevation of the building is almost entirely glazed, and the front entrance is concealed under the upper stories of the building.

Planning History

There are various planning applications associated with the site.

Application Reference	Description	Status
B/78/0058/A/BA	Illuminated fascia panel and projecting sign	Historic
B/78/0058/A/PR	Advance warning sign-board	Refused
B/82/1087/BA	Installation of external cash dispensing machine	Historic
B/85/0031/BA/AD	Two flag advertisements	Refused
B/98/1131/BA/AD	Display of illuminated signs	Historic
B/02/1485/BA/AD	Display of illuminated ATM collar surround	Historic
2006/1957	Internally illuminated signage	Refused
2007/0129	Display of internally and externally illuminated fascia and projecting signs (Resubmission)	Approved
2012/1248	Display of various illuminated and non illuminated signs to bank	Approve with Conditions
2015/0622	Installation of a new accessible access route and steps to the front of the existing building to permit disabled pedestrian access	Refused

Proposed Development



The applicant is seeking permission for the installation of roller shutters, new windows and refurbishment of the existing windows.

Relevant Polices

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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 – Regent Street/Church Street/Market Hill Conservation Area / Town Centre District 5 (Westgate/Churchfields)

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 SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

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 – Positively encourage developments that help in the management, conservation and understanding of the historic environment.

Policy HE3: Developments affecting Historic Buildings – Proposals involving historic buildings should conserve and where appropriate enhance, respect historic precedents, and capitalize on opportunities to reveal significance.

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Policy TC1: Town Centres – New retail and town centre development will be directed to centres 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.

Policy BTC18: Westgate/Churchfields – Within the Westgate/Churchfields District, priority will be given to office development but residential, shops, leisure and entertainment uses will also be acceptable.

Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019.

The most pertinent SPD's in this case are:

- Heritage impact statements
- Shop front designs

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

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
- Section 16: Conserving and enhancing the historic environment

Consultations

Central Ward Councillors were consulted and raised no objections.

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

Pollution Control were consulted and raised no objections.

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

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

Assessment

The main issues for consideration are as follows:

- The acceptability of the alterations
- The impact on the character of the host building
- The impact on the setting of the conservation area
- The impact on the setting of the adjacent listed buildings

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

The application site is in a town centre location where national and local policy indicates that main town centre uses will be directed in order to maintain the vitality and viability of centres. The site falls within the Westgate/Churchfields Town Centre District. As such, Local Plan Policies TC1: Town Centres and BTC18: Westgate/Churchfields are relevant which generally expect development to support and maintain the Town Centre's sub-regional role as the Borough's dominant Centre. Support will be given to retail, but other suitable town centre uses will be supported with the primary use expected in the Westgate/Churchfields District to be offices.

The proposed development whilst not for a change of use will help to bring a previously vacant building back into operation which is therefore beneficial to the vitality of the town centre. Alterations to the building are acceptable in principle if they would be of an appropriate scale and design and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and would not significantly impact on the setting of the borough's heritage assets.

Design, Heritage and Visual Amenity

This application seeks permission for new rollers shutters to the entirety of the ground floor frontage, new upvc windows behind this, and refurbishment of the first-floor windows and above. The building was formerly the TSB bank, but historically was part of Reynolds & Wadsworth Ironmongers (est. 1812) who occupied 15-19 Market Hill. In the 1960's 17 Market Hill was demolished and comprehensively redeveloped into the glazed and granite clad building we see today. The building is noted in the recently adopted conservation area appraisal and management plan as a negative element on Market Hill. To the north 15 Market Hill is listed at grade II.

Following the departure of TSB in circa 2021, the building has become somewhat dilapidated. The ground floor frontage windows have suffered repeated damage resulting in OSB boarding to protect them. The inset entrance to the right hand is now seen to encourage anti-social behaviour. The proposal to replace the existing ground floor shopfront and refurbish the upper storey window causes no concerns from the conservation area and adjacent listed building (setting) perspective.

The initial proposal caused concerns over the impact over the extended roller shutter and shutter box and precedent this may set. Whilst 17 Market Hill has little heritage value, the setting is still sensitive. The visual impact of the shutter box on the fascia as well as the extended shutter itself could have been significant and caused visual harm.

To mitigate this there has been an integration of the shutter into the fascia/signage area, so that when retracted it is less visible. This also requires a separate advertisement consent application separately. The shutter is to be decorated black to harmonise with the building frontage and the windows above. The amendments to the shutter therefore reduce the impact it has on the setting of the adjacent listed buildings and the conservation area therefore given the high quality of design and materials it is deemed that the proposal will not harm the adjacent listed buildings nor the conservation area. This weighs significantly in favour of the proposal.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

Recommendation

Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendment to roller shutter to reduce overhang and remove shutter box

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.