
2022 0978 (Listed Building Consent)

Blackrose Pubs

The provision of street art in the recess located at the side entrance on Royal Street

11 Church Street, Barnsley, S70 2ED

Site Location and Description

The application relates to 11 Church Street which operates as the White Bear pub. The premises has frontages onto Church Street and Royal Street and the pub has recently extended into 11 Royal Street. On the opposite side of Royal Street are flats in converted and new build accommodation. On the opposite side of Church Street is the Town Hall and its landscaped grounds.

The White Bear is listed grade II and 11 Royal Street is treated as listed by close historical association.

The site is also within the Regent Street/Church Street/Market Hill Conservation Area.

Site History

2022 0220 and 0343 – advertisement and listed building consent for signage

2021 1471 and 1474 – planning permission and listed building consent to change the use of 11 Royal Street to drinking establishment with external and internal alterations.

2007 – permission for illuminated signs

Proposed Development

The applicant seeks permission for the display of a piece of street art in a recessed area on the Royal Street frontage. The street art is already in place. The application is supported by a heritage design and access statement and has been amended by the submission of an updated photo of the street art.



Policy Context

Decisions on listed building consent applications should have special regard to the desirability of preserving the building or its setting or any features of special or historic interest which it possesses. Decisions in Conservation Areas should pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

The new Local Plan was adopted at the full Council meeting held on 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

The site is within an area allocated as Town Centre (and specifically The Lanes) within the Local Plan Policies Map and is also within the Market Hill Conservation Area, where the following policies are relevant:

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.

BTC20 The Lanes – all new development must have an active frontage at ground level; supports shops, financial/professional, food and drink and non residential institutions at ground floor level; new development must conserve and enhance the specialist nature of this area and be appropriate to the character of the area; Mandela Gardens must be maintained as public open space.

Policy SD1 Presumption in favour of Sustainable Development – indicates that we will take a positive approach reflecting the presumption in favour of sustainable development in the National Planning Policy Framework and that we will work proactively with applicants to find solutions to secure development that improves the economic, social and environmental conditions in the area

Policy GD1 General Development – sets a range of criteria to be applied to all proposals for development.

Policy D1 High Quality Design and Place Making – indicates that development is expected to be of high quality design and to reflect the distinctive, local character and 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 T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

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.

Para 195 Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Supplementary Planning Documents (SPD):

Advertisements SPD – offers guidance to anyone seeking to display an outdoor advertisement and in particular cautions against cluttered advertising and excessive illumination.

Consultations

Conservation – The street art has already been installed and is reasonably low key and will be contained within an alcove. This space was previously painted in white with an anthracite doorway and was of little heritage value. The artwork is of a relatively restrained nature and size, and given the easy reversibility causes little harm and I raise no objections,

Ward Councillors – No response

Representations

The application has been advertised via letters to neighbours, press and site notices inviting comments between 27 September and 27 October 2022; no representations have been received.

Assessment

Principle

The proposals relate to signage on a building which is in an authorised use as a drinking establishment. The proposals therefore relate to an authorised use and the principle is acceptable subject to consideration of details.

Design and heritage considerations

The application proposes alterations to a listed building in a designated conservation area. The street art is already in place and is considered to cause little harm to the alcove where it is displayed, being an area of the building that is of little heritage value.

It is concluded that the design of the artwork safeguards the special interest of the listed building and the special character of the Conservation Area. It is therefore concluded that the proposal is in compliance with the requirements of Local Plan Policies HE1, HE2, HE3 and D1, national policy and the statutory tests set out in the 1990 Act.

Highway safety considerations

It is considered that the proposed sign is acceptable from a public safety perspective and in accordance with Local Plan policy T4 – New Development and Transport Safety. It is concluded that the proposed signs would not be prejudicial to public highway safety.

Conclusion

As displayed, the artwork safeguards the special interest of the listed building and the special character of the Conservation Area and is considered acceptable from a design and public safety point of view.

Recommendation Grant