

2024/0835 & 2024/0852

Mr David Lockwood

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

2024/0835 - Minor internal alterations to layout including fitting out to form bar, alteration to toilets and addition of 3no air chillers to north elevation

2024/0852 - Minor internal alterations to layout including fitting out to form bar, alteration to toilets and addition of 3no air chillers to north elevation (Listed Building Consent)

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.

Relevant Planning History

2024/0048 - 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 (Approved with Conditions)

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)

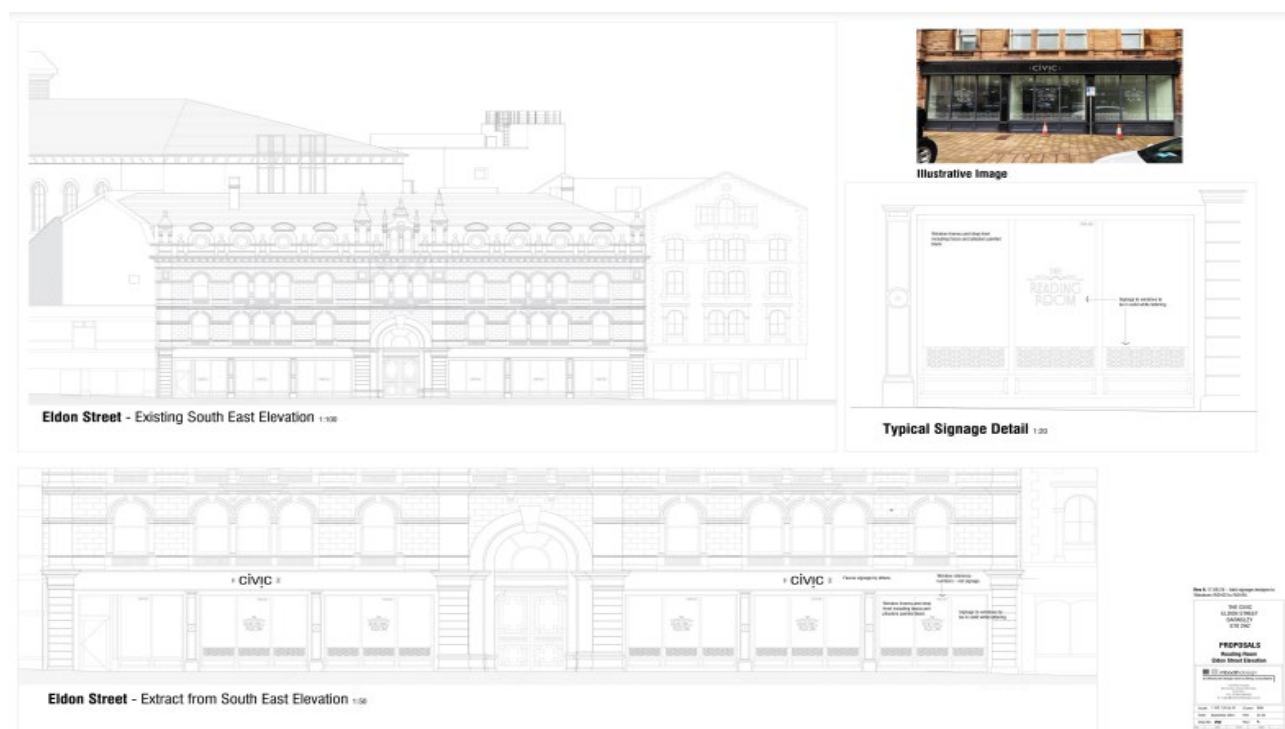
2011/0311 - Display of blue plaque to the Civic building (Listed Building Consent) (Approve with Conditions)

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 minor and non-structural internal alterations to a small part of the ground floor of the building including fitting out to form a bar, alteration to toilets and externally the addition of 3no. air chillers to the north elevation of the building.

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 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 capitalise on opportunities to reveal significance.

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 TC2: Primary and Secondary Shopping Frontages – Proposals for retail will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and District Centres.

Policy BTC1: The daytime and evening economies – We will work with developers and operators to diversify the daytime and evening economies (particularly early evening) Preference will be given to pubs, clubs, restaurants, cafés and nighttime entertainment uses.

Policy BTC5: Landmark Buildings (The Civic) – New development must be designed to enhance the settings of and safeguard views of landmark buildings. Development which adversely affects the setting of a landmark building will not be allowed.

Policy BTC20: The Lanes District – 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, food and drink for example restaurants, cafés and bars, and 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.

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 T3: New Development and Sustainable Travel – New development will be expected to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

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.

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 sections include:

- Section 7: Ensuring the vitality of town centres
- Section 12: Achieving well-designed and beautiful 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.

Enterprising Barnsley were consulted and raised no objections.

Highways Development (DC) were consulted and raised no objections.

Historic England were consulted and raised no objections.

Pollution Control were 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

The proposal follows on from applications 2021/1045, 2021/1048 (LBC), 2022/0521 and 2024/0048 which were approvals for development and refurbishment of the building. Therefore, the principle of amendments to the listed building (The Civic) have previously been well established. 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 Lanes Town Centre District. As such, Local Plan Policies TC1: Town Centres and BTC20: The Lanes District 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 uses expected in The Lanes District to be shops, financial and professional services, food and drink for example restaurants, cafés and bars, and non-residential institutions including museums, art galleries and exhibition space.

The proposed development and fitting out of a bar is therefore acceptable because bars are listed within the policy as an acceptable use in the district. Additionally, the proposal will support the ongoing development of The Civic, but also helping to create future employment opportunities and contribute to the ongoing revitalisation of Barnsley's visitor and nighttime economy.

Given the above the proposal is deemed acceptable in principle proving that it is not also detrimental to visual amenity, residential amenity and highway safety as well as the impact upon the listed building and the Regent St/Church St/Market Hill Conservation Area.

Impact upon Listed Building, Conservation Area and Visual Amenity

The site sits within a Conservation Area and is also a listed building, 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 justification.

This application follows the recent works approved under 2021/1045 & 1048 and 2022/0521 & 0543 and 2024/0048. The changes to these ground floor spaces were part funded by BMBC and Historic England as part of the recently completed High Street Heritage Action Zone (HSHAZ).

The Civic was a key element of the HSHAZ with the intention and general principle of the conversion of these ground floor units to a café / bar being included from the beginning. These applications cover fit out and minor alterations to the ground floor spaces on the Eldon Street elevation to accommodate the new use as a bar.

Currently, the ground floor spaces in this part of the building are completed to a basic, empty standard as the lettable space was always intended to receive further minor alterations to accommodate the needs of a tenant. The proposed changes include the rooms either side of the main entrance but there are no changes to the southern lobby area or stairwell. The bulk of the internal changes (seating and decoration etc.) involve only modern fabric. A new bar and partition wall between the store and wash up area is proposed as is a small change to the toilets. Again, this raises no issues as it is a modern part of the building with no heritage interest.

There are some external changes including signage and the chiller units on the northern elevation. The signage is restrained and totally reversible, and the design is in keeping with the building. The chiller units on the northern elevation are clearly modern and in isolation not complementary. However, this is a part of the building that contributes much less to the significance of the listed building, being already heavily altered. Moreover, a substantial amount of modern equipment and services are already present on this part of the building. Consequently, on balance the proposed chillers will make little difference and are not harmful. To mitigate cumulative visual impact and harm these have been painted black to reduce their visibility.

The LPA's Conservation Officer supports the proposed scheme and as most of the alterations are internal the proposed development is considered to be in compliance with Local Plan Policies HE1 and HE3. The proposed development is considered to be acceptable in principle and in terms of its impact on the historic environment and visual amenity.

Residential Amenity

There will be no significant impact upon residential amenity as a result of the proposed works as there are no dwellings within the immediate vicinity of the proposed development.

Highway Safety

There will be no significant impact upon highway safety and no objections are raised from a highway's perspective. This part of the overall larger Civic building fronts onto Eldon Street, the proposals involve the carrying out of minor internal alterations to create a large generally open plan bar. The proposed floor plan indicates that a mix of fixed and loose seating is to be provided which would accommodate approx. 100 customers.

The site has no off-street parking provision, and none is proposed; however, being situated within Barnsley town centre at a distance of approximately 75 metres from the interchange, the site benefits from excellent links to public transport facilities. Therefore, the location is considered to be sustainable; this complies with NPPF 9: Promoting Sustainable Transport policies and Barnsley Local Plan (January 2019) Policy T3 New Development and Sustainable Travel.

The entirety of The Civic building, which this site forms part of, has recently undergone extensive refurbishment works approved under App. No. 2022/0521. A Travel Plan formed part of the approval for the refurbishment scheme, the applicant for these current proposals (as a potential tenant) is therefore obligated to operate, and where necessary implement measures, in accordance with the Travel Plan.

With regards to servicing arrangements, the aforementioned Travel Plan refers to the Hanson Street entrance/exit being utilised as a service 'back of house' access (post refurbishment) with the loading and unloading of deliveries taking place only via this route. The reasons for this are unclear given that a 12-metre-long loading bay is situated directly outside the building along the Eldon Street site frontage and could be utilised for the unloading of deliveries to the proposed bar. With regards to refuse collection, it is assumed that the existing arrangements will remain in place for the proposed development.

Recommendation

Approve with conditions