

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING REGULATORY BOARD

24 JUNE 2014

1. Present

Councillors D Birkinshaw, G Carr (meeting only), Clarke (meeting only), Franklin (meeting only), Grundy (meeting only), Hayward (meeting only), Higginbottom (meeting only), Leech, Makinson, Mitchell (meeting only), Morgan, Noble, Perrin (meeting only), Richardson (meeting only), Rusby, Sim (meeting only), Spence (meeting only), Stowe (meeting only), Unsworth and R Wraith.

2. Councillor Peter Starling

The Chair reported, with deep sadness, the recent death of Councillor Peter Starling and Members of the Board stood in silence as a mark of respect.

3. Newly Elected and Re-Elected Councillors

The Chair welcomed newly Elected Councillors, Councillors Grundy, Unsworth, and Sim, together with re-elected Councillors to this, the first meeting following the Municipal and European Elections held on the 22 May 2014.

4. Site Visits - Declarations of Interest

No declarations were made.

5. Site Visits – 23 June 2014

The Planning Regulatory Board made visits of inspection to the following sites, which were the subject of Planning Applications:-

2014/0095 – Erection of 3 No dwellings and garages at land to the West of Wellhouse Lane and the North of Barnsley Road, Penistone.

2013/0785 – Residential development of 139 No dwellings with associated access, car parking and landscaping at land off Hartcliff Road, Penistone.

2013/1096 – Erection of 1 No 24.8(to hub) high wind turbine with a tip height of 34.5m at land associated with Pule Hill Farm, Rag Lane, Thurgoland.

2013/1006 and 2013/1007 – Residential development of up to 35 dwellings and public open space, including means of access (Outline) (2013/1006) and residential development for up to 41 dwellings, including means of access (Outline) (2013/1007) at land off New Road/Lidgett Lane, Tankersley.

2013/0544 – Conversion of the coal drops to shops/offices falling within Use Classes A1 to A5 inclusive. Erection of Combined A1 Shop and A3 Café to the rear of the coal drops. Conversion of Regency House to consulting rooms falling within Class D1, the demolition of the former workshop and erection of 13 No

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dwelling and two live work units Use Class B1/C3 (Resubmission) – Penistone Coal Drops, St Mary’s Street, Penistone.

2013/0543 – Demolition of former workshop building (Resubmission) – Penistone Coal Drops, St Mary’s Street, Penistone.

2013/0563 – Conversion of the coal drops to shops/offices falling within Use Classes A1 to A5 inclusive. Erection of combined A1 Shop and A3 Café to the rear of the coal drops. Conversion of Regency House to consulting rooms falling within Class D1, the demolition of the former workshop and erection of 13 dwellings and two live work units Use Class B1/C3 (Resubmission)(Listed Building Consent) – Penistone Coal Drops, St Mary’s Street, Penistone.

6. Declarations of Interest

Councillor Franklin declared a non-pecuniary interest in Minute No 10 in relation to him being a Member of Berneslai Homes Management Board.

7. Minutes

The minutes of the meeting held on 15 April 2014 were taken as read and signed by the Chair as a correct record.

**8. Town and Country Planning Act 1990 – Part III Applications
Speakers/Site Visits**

- (i) Ms J Hodson (Agent) addressed the Board and spoke in favour of the Officer recommendation to **approve Planning Application No 2013/1006 and Planning Application No 2013/1007** - residential development of up to 35 dwellings and public open space, including means of access (Outline) (2013/1006) and residential development for up to 41 dwellings, including means of access (Outline) (2013/1007) at land off New Road/Lidgett Lane, Tankersley.

Ms L Greaves and Ms C Smart (Objectors) addressed the Board and spoke against the Officer recommendation to approve the above applications.

RESOLVED that:-

- (a) **Planning Application 2013/1006** be approved in accordance with Officer recommendation and subject to the signing of a Section 106 Agreement; and,
- (b) **Planning Application 2013/1007** be approved in accordance with Officer recommendation and subject to the signing of a Section 106 Agreement.
- (ii) Mr A Flatman (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve **Planning Application No 2013/0785** - residential development of 139 No dwellings with associated access, car parking and landscaping at land off Hartcliff Road, Penistone.

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Ms J Farrar and Mr D Sissons (Objectors) addressed the Board and spoke against the Officer recommendation to approve the above application.

RESOLVED that the application be deferred to allow Officers to discuss with the agent/applicant the following:- the possibility of using Clarel Street as a permanent access to the site; the possibility of using Clarel Street as the access for construction of the site; the possibility of turning round the bungalows on plots 52–55 so they face the main road; and, the provision of soft boundary treatment with boundary to properties on Clarel Street.

- (iii) Mr M Jackson (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve:-

2013/0544 – Conversion of the coal drops to shops/offices falling within Use Classes A1 to A5 inclusive. Erection of combined A1 Shop and A3 Café to the rear of the coal drops. Conversion of Regency House to consulting rooms falling within Class D1, the demolition of the former workshop and erection of 13 No dwellings and two live work units Use Class B1/C3 (Resubmission) – Penistone Coal Drops, St Mary’s Street, Penistone.

2013/0543 – Demolition of former workshop building (Resubmission) – Penistone Coal Drops, St Mary’s Street, Penistone.

2013/0563 – Conversion of the coal drops to shops/offices falling within Use Classes A1 to A5 inclusive. Erection of Combined A1 Shop and A3 Café to the rear of the coal drops. Conversion of Regency House to consulting rooms falling within Class D1, the demolition of the former workshop and erection of 13 dwellings and two live work units Use Class B1/C3 (Resubmission)(Listed Building Consent) – Penistone Coal Drops, St Mary’s Street, Penistone.

Mrs C Baker (Objector) (not in attendance) – a written submission was read out to the Board by Matthew Smith, Planning Officer.

RESOLVED that:-

- (a) **Planning Application No 2013/0544** be approved as per recommendation, subject to the signing of a Section 106 Agreement and an additional Condition required to be imposed to ensure no barriers to vehicular traffic, in particular showground traffic, from being able to access the showground via the access road.
 - (b) **Planning Application No 2013/0543** be approved in accordance with Officer recommendation.
 - (c) **Planning Application No 2013/0563** be approved in accordance with Officer recommendation.
- (iv) Mr R Tomlinson (Objector) addressed the Board and spoke against the Officer recommendation to approve **Planning Application No 2014/0095** – Erection of 3 No dwellings and garages at land to the West of Wellhouse Lane and the North of Barnsley Road, Penistone.

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RESOLVED that the application be approved in accordance with Officer recommendation with the removal of Condition 11 (duplicated at Condition 17).

- (v) Mr S Milner (Agent) addressed the Board and spoke against the Officer recommendation to refuse **Planning Application No 2013/1096** - Erection of 1 No 24.8m (to hub) high wind turbine with a tip height of 34.5m – Land associated with Pule Hill Farm, Rag Lane, Thurgoland.

RESOLVED that the application be refused in accordance with Officer recommendation.

- (vi) Mr C Darley (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve **Planning Application No 2014/0198** – Erection of 13 detached dwellinghouses with associated access, car parking and landscaping – Land at Wellthorne Lane, Ingbirchworth.

RESOLVED that the application be approved in accordance with officer recommendation with additional Conditions from Yorkshire Water to be imposed.

9. **Town and Country Planning Act 1990 – Part III Applications**

The Assistant Director, Planning and Regulatory Services, submitted a report on applications received for consideration.

RESOLVED that:-

- (i) the following applications be granted, subject to the conditions outlined in the report of the Assistant Director, Planning and Regulatory Services, details of which are contained in the schedule submitted:-

2014/0097 – Retention of fixed building (saw shed) and erection of extension to existing fixed building (saw shed). Use of land for stockpiling of finished and unfinished stone products for a temporary period not exceeding three years. Use of land for collection of finished product for a temporary period not exceeding three years. Formalisation of temporary and permanent parking arrangements. Use of land for soil stockpiling and screening purposes for a temporary period not exceeding three years – Hillside Quarry, Cross lane, Thurlstone.

2014/0493 – Formation of access ramp – St John's Primary School, 82 High Street, Penistone.

- (ii) The following application be deferred as the Planning Board would like to request the agent to look at the provision of a footway through the site which would assist in providing a link between the site and the TPT and also prevent any problems with the scheme having to be re-designed if the DMMO application for the site is approved:-

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2014/0018 – Erection of 2 No detached dwellings – Land adjacent 11 Cross Lane, Royston.

- (iii) Details of the Planning Appeals received and decided between the period 1 April – 31 May 2014 be noted.

10. **Extinguishment of Footpath 68 Barnsley between Bakewell Road and Matlock Road, Athersley**

The Head of Highways, Engineering and Transportation presented a report for consideration of an application to extinguish Footpath 68 between Bakewell Road and Matlock Road, Athersley.

RESOLVED that:-

- (i) In exercise of Statutory Powers, the Council makes a Public Path Order under the Provisions of Section 257 of the Town and Country Planning Act 1990, for the extinguishment of the public footpath shown on the plan attached at Appendix to the report;
- (ii) The Common Seal of the Council be affixed to the Order and that the Director of Legal and Governance be authorised to publish the proposal and to submit the Order for confirmation by the Secretary of State or to confirm it himself in the event of there being no objections thereto; and,
- (iii) The Director of Legal and Governance be authorised to make a Definitive Map Modification Order to make the necessary changes to the Definitive Map and Statement for the area.

11. **Diversion of Footpath 22 Darton, North Gawber Development Site**

The Head of Highways, Engineering and Transportation presented a report for consideration of an application to divert Footpath 22 Darton at the North Gawber Development Site.

RESOLVED that:-

- (i) In exercise of Statutory Powers, the Council makes a Public Path Order under the provisions of Section 257 of the Town and Country Planning Act 1990, as amended by Section 12 of the Growth and Infrastructure Act 2013, for the diversion of the public footpath, as shown on the plan attached at Appendix A to the report;
- (ii) The Common Seal of the Council be affixed to the order and that the Director of Legal and Governance be authorised to publish the proposal and to submit the Order for confirmation by the Secretary of State or to confirm it himself in the event of there being no objections thereto; and,

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- (iii) In the event the order is confirmed, the Director of Legal and Governance be authorised to make a Definitive Map Modification Order and to make the necessary changes to the Definitive Map and Statement for the area.