

BARNSELY METROPOLITAN BOROUGH COUNCIL**PLANNING REGULATORY BOARD****15 JULY 2014**

12. **Present:** Councillor D Birkinshaw (Chairman), G Carr, Davies, M Dyson (Meeting only), Franklin (Meeting only), Grundy (Meeting only), Hayward, Leech (Meeting only), Makinson (Meeting only), Mitchell, Noble (Meeting only), Perrin, Rusby, Sim (Meeting only), Spence, Stowe (Meeting only) Unsworth and R Wraith.
13. **Site Visits - Declarations of Interest**
- There were no declarations of pecuniary or non pecuniary interest from Members in respect of items on the site visit.
14. **Site Visits**
- The Planning Regulatory Board made visits of inspection to the following sites, which were the subject of Planning Applications:-
- 2012/1009** – Erection of an industrial manufacturing unit (B2) and office block (Outline) - Land at Hazlehead Farm, Lee Lane, Millhouse Green.
- 2014/0429** – Residential Development of 163 dwellings (Amended Plans) - Former Kingstone School, Broadway, Barnsley.
- 2014/0075** – Use of Premises as retail food store with external alterations including reconfiguration of shop front incorporating new store entrance lobby, canopy and glazing installation of new mezzanine floor to support customer café and associated toilets; removal of existing garden centre and builder's yard; and reconfiguration of customer car park - B&Q, Bleachcroft Way, Stairfoot.
15. **Declarations of Interest**
- There were no declarations of pecuniary or non pecuniary interest from Members in respect of items on the agenda.
16. **Minutes**
- The minutes of the meeting held on 24 June 2014 were taken as read and signed by the Chair as a correct record.
17. **Town and Country Planning Act 1990 – Part III Applications**
Speakers/Site Visits
- (i) Mr B May (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve Planning Application No **2014/0075** Use of premises as retail food store with external alterations including reconfiguration of shop front incorporating new store entrance lobby, canopy

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and glazing; installation of new mezzanine floor to support customer café and associated toilets; removal of existing garden centre and builder's yard; and reconfiguration of customer car park at B & Q, Bleachcroft Way, Stairfoot, Barnsley

Ms K Tinsley (Objector) addressed the Board and spoke against the Officer recommendation to approve the above application.

RESOLVED that **Planning Application No 2014/0075** be approved in accordance with the Officer recommendation subject to an amendment to Condition 13 to exclude concession units from the net sales area figures and subject to referral to the Secretary of State.

- (ii) Mr M Clynch (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve **Planning Application No 2012/1009** Erection of an industrial manufacturing unit (B2) and office block (Outline) at land at Hazlehead Farm, Lee Lane, Millhouse Green, Barnsley.

RESOLVED that **Planning Application No 2012/1009** be refused contrary to the Officer recommendation on the grounds that the development would be inappropriate development in the Green Belt and the arguments put forward in favour of the proposal do not clearly outweigh the harm to the Green Belt.

In accordance with Standing Orders and the Members Planning Code of Conduct a recorded vote was taken on this item in view of the decision not to support the Officer recommendation.

In favour of the recommendation to refuse the application: Councillors D Birkinshaw, G Carr, Davies, M Dyson, Franklin, Grundy, Hayward, Leech, Makinson, Mitchell, Noble, Perrin, Rusby, Sim, Spence and R Wraith.

Against the recommendation to refuse the application: Councillors Stowe and Unsworth

- (iii) Mr A Flatman (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve **Planning Application No 2014/0429** Residential Development of 163 dwellings at Former Kingstone School, Broadway, Barnsley.

Mr A Thompson (Objector) was unable to attend the meeting and a letter of representation was read to Members of the Board by the Interim Head of Planning.

RESOLVED that **Planning Application No 2014/0429** be approved in accordance with the Officer recommendation subject to an amendment to Condition 5 to ensure that the Construction Method Statement makes provision for timings of deliveries, an amendment to Condition 9 relating to off site affordable housing being ring-fenced for bungalows and an additional condition requiring the provision of grit bins.

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- (iv) **RESOLVED** that consideration of **Planning Application No 2014/0035** Demolition of public house and outbuildings and erection of retail store (A1) with associated access and parking, Kings Head, Darton Lane, Mapplewell, Barnsley be deferred pending a site visit.

18. Town and Country Planning Act 1990 – Part III Applications

The Assistant Director, Culture and Regulation, 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, Culture and Regulation, details of which are contained in the schedule submitted:-
- 2014/0111** – Erection of a livestock and foodstore building (Part Retrospective) (Resubmission) – The Paddock, Underbank Lane, Stocksbridge, Sheffield.
- 2014/0018** – Erection of 2 No detached dwellings – Land adjacent 11 Cross Lane, Royston, Barnsley.
- 2014/0467** – Change of use of second floor from offices (B1) to D1 – Barnsley MBC, Wellington House, 36 Wellington Street, Barnsley.
- (ii) consideration of **Planning Application No 2013/1097** – Erection of single storey industrial unit B1(C), B2 and B8 use, partial use of the unit to be used as Sui Generis – dismantle and disposal of end of life vehicles, Land off Springvale Road, Park Springs, Grimethorpe, Barnsley be delegated to the Assistant Director (Culture and Regulation) to approve (in accordance with the recommendations detailed within the report) and subject to no adverse comments being received from a third party owner.
- (iii) details of the Planning Appeals received and decided between the period 1 June – 30 June 2014 be noted.

19. Extinguishment of part of Footpath 25 Hoyland Nether, Millhouses Street to Southlea Drive, Hoyland

The Head of Highways, Engineering and Waste Management presented a report on an application to extinguish part of Footpath 25 Hoyland Nether, Millhouses Street to Southlea Drive, Hoyland

RESOLVED that:-

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- (i) In exercise of Statutory Powers, the Council makes a Public Path Order under the Provisions of Section 118 of the Highways Act 1980, for the extinguishment of part of the public footpath No 25 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 Orders 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.

20. Extinguishment of Footpath 9 Great Houghton, High Street to Chapel Lane, Great Houghton

The Head of Highways, Engineering and Waste Management presented a report on an application to extinguish Footpath 9 Great Houghton between High Street and Chapel Lane.

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 part of the public footpath, as shown on the plan attached at Appendix A to the report;
- (ii) In exercise of Statutory Powers, the council makes a Public Path Order under the provisions of Section 118 of the Highways Act 1980, for the extinguishment of the remainder of the Public Footpath No 9 as shown on the plan attached at Appendix A of the report;
- (iii) The Common Seal of the Council be affixed to the Orders and that the Director of Legal and Governance be authorised to publish the proposal and to submit the Orders for confirmation by the Secretary of State or to confirm it himself in the event of there being no objections thereto; and,
- (iv) 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.