

BARNSELY METROPOLITAN BOROUGH COUNCIL**PLANNING REGULATORY BOARD****23 SEPTEMBER 2014****30. Present**

Councillors D Birkinshaw, G Carr, Davies, M Dyson (meeting only), Franklin (meeting only), Grundy, Hand-Davis, Hayward (meeting only), Higginbottom (meeting only), Leech (meeting only), Makinson (meeting only), Morgan, Noble, Perrin (meeting only), Rusby, Sim, Spence, Stowe (meeting only), Unsworth (meeting only) and R Wraith

31. Site Visits - Declarations of Interest

No declarations were made.

32. Site Visits

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

2014/0474 – Erection of 301 dwellings with associated public open space, landscaping, access, parking and ancillary works – Land North of Wilthorpe Road, Redbrook.

2014/0372 and 2014/0587 – Formation of a raised garden area (retrospective), raised decking and screen fencing and remedial landscaping works to embankment – 20 Ladyroyd, Silkstone Common.

33. Declarations of Interest

Councillor Franklin declared a non-pecuniary interest in Planning Application No 2014/0735 in relation to him being a Member of Berneslai Homes Management Board.

Councillor Unsworth declared a non-pecuniary interest in Planning Application No 2014/0293 in relation to the applicant having visited his Ward Surgery.

34. Minutes

The minutes of the meeting held on 2 September 2014 were taken as read and signed by the Chair as a correct record.

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

- (i) Mr P Thornton (Agent) addressed the Board and spoke in favour of the Officer recommendation to approve **Planning Application No 2014/0474** – Erection of 301 dwellings with associated public open space, landscaping, access, parking and ancillary works – Land North of Wilthorpe Road, Redbrook.

RESOLVED that the application be approved in accordance with Officer recommendation, subject to-

- (a) Section 106 Agreement with an amendment to Condition 9 for the provision of a roundabout in place of a right turn lane;
- (b) consultation with Education to consider utilising some of the Sustainable Transport Contribution to benefit walking and cycle routes to local schools as part of the Section 106 Agreement; and,
- (c) the position of the LEAP be assessed to ensure it is well placed and not near to the road.
- (ii) Mr J Powers (Objector) addressed the Board and spoke against the Officer recommendation to approve **Planning Application No 2014/0372** – Formation of a raised garden area (retrospective) raised decking and screen fencing – 20 Ladyroyd, Silkstone Common.

RESOLVED that the application be refused against Officer recommendation on the grounds of the overbearing impact on neighbouring properties and inappropriate encroachment into greenbelt land.

In accordance with agreed protocol, a recorded vote was taken on this planning application with the amendment to refuse the application being:-

MOVED by Councillor Davies and **SECONDED** by Councillor Noble with voting being as follows:-

In favour of the amendment to refuse the application:-

Councillors G Carr, Davies, Franklin, Grundy, Hand-Davis, Leech, Morgan, Noble, Perrin, Rusby, Unsworth and R Wraith.

Against the amendment to refuse the application:-

Councillors D Birkinshaw, Hayward, Higginbottom, Makinson, Sim, Spence and Stowe.

- (iii) Mr J Powers (Objector) addressed the Board and spoke against the Officer recommendation to approve **Planning Application No 2014/0587** – Remedial landscaping works to embankment – 20 Ladyroyd, Silkstone Common.

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

- (iv) Mr Simms (Applicant) addressed the Board and spoke against the Officer recommendation to refuse **Planning Application No 2014/0293** – Erection of detached dwelling with ancillary workshop space for educational and therapeutic care (resubmission) – Lakeside View, Penistone.

RESOLVED that the application be deferred for a site visit by Members of the Board.

- (v) Mr D Mason (Applicant) addressed the Board and spoke against the Officer recommendation to refuse **Planning Application No 2014/0781** – Erection of 2 No detached dwellings and associated works (resubmission) – Land adjacent 344 New Road, Staincross.

Mr S James (Objector) addressed the Board and spoke in favour of the Officer recommendation to refuse the above application.

RESOLVED the application be approved against Officer recommendation.

In accordance with agreed protocol, a recorded vote was taken on this planning application with the amendment to approve the application being:-

MOVED by Councillor Spence and **SECONDED** by Councillor Noble with voting being as follows:-

In favour of the amendment to approve the application:-

Councillors G Carr, Davies, M Dyson, Franklin, Grundy, Hand-Davis, Hayward, Higginbottom, Makinson, Morgan, Noble, Perrin, Rusby, Sim, Spence, Stowe, Unsworth and R Wraith.

Abstention:- Councillor D Birkinshaw.

36. 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:-

2014/0735 – Erection of 6 No dwellings – Land off Cobcar Lane, Elsecar (subject to additional Highways Conditions).

2014/0510 – Variation of Condition 2 of application 2010/0878 (Erection of dwelling with garage) to allow changes to design and scale of development (Amended Plans) – Land adjacent Hall Bungalows, High Street, Thurnscoe.

2014/0454 – Demolish existing derelict building and replace with a new dwelling – Scout Dyke Reservoir, Huddersfield Road, Penistone.

2014/1019 – Erection of ball stop fencing – King George Park, Tinker Lane, Hoyland Common.

- (ii) the following application be refused:-

2013/1067 – Erection of 500Kw single wind turbine (60m to hub and 87m to tip blade) with associated access track, substation and compound – Moor Lane, Great Houghton.

- (iii) details of the Planning Appeals received and decided between the period 1-31 August 2014 be noted.

37. Extinguishment of Footpath Nos 68 and 69 Barnsley between Bakewell Road and Matlock Road, Athersley

The Assistant Director, Highways, Engineering and Waste Management presented a report for consideration to:-

- (a) rescind a previous approval of the Planning Regulatory Board (Minute No 10 – 24 June 2014), which approved the extinguishment of Public Footpath No 68; and,
 (b) extinguish the same path previously considered and the extinguishment of an additional footpath, No 69 Barnsley.

RESOLVED that:-

- (i) the decision recorded in Minute No 10 at the meeting of the Planning Regulatory Board on 24 June 2014 be rescinded;
- (ii) in exercise of Statutory Powers, the Council makes Public Path Orders under the provisions of Section 257 of the Town and Country Planning Act 1990 and Section 118 of the Highways Act 1980, for the extinguishment of the Public Footpaths shown on the plan attached at Appendix A to 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 them himself in the event of there being no objections thereto; and,
- (iv) in the event the Orders are confirmed, the Director of Legal and Governance be authorised to make a Definitive Map and Statement for the area.