

BARNSELY METROPOLITAN BOROUGH COUNCIL**PLANNING REGULATORY BOARD****17th FEBRUARY 2015**63. **Present**

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

In attendance as observers: Councillors Miller and Shepherd (The Mayor).

64. **Site Visits - Declarations of Interest**

No declarations were made.

65. **Site Visits**

The Planning Regulatory Board made visits of inspection to the following site which was the subject of a Planning Application:

2014/1442 – Erection of 3 no. wind turbines with associated infrastructure including access tracks, control building, underground cabling and temporary construction compound. Land at Spicer Hill, Whitley Road, Whitley Common, Ingbirchworth, Sheffield, S36 9PA.

66. **Declarations of Interest**

Councillors M. Dyson and R. Wraith declared a Non-Pecuniary interest in **Planning Application No. 2014/1286** - Change of use of land to a private single family gypsy/traveller site including the siting of caravans, a utility block and formation of hard standing (retrospective) at land off Engine Lane, Ferrymore Way, Grimethorpe, Barnsley, S72 7BN as they were acquainted with the applicant.

Councillor Mitchell declared a Non-Pecuniary interest in **Minute 70 – change to staggered times at Horizon Community College** as she has a child attending the school.

Councillor Franklin declared a Non-Pecuniary interest in **Planning Application No 2014/0040** - Change of use from shop (A1) and Beauty/tanning salon to dwelling houses (C3) including window and door alterations and external finishes, hardstanding and boundary works at 40 Derwent Road, Athersley South, Barnsley S71 3QT.as he is a Director of Berneslai Homes.

67. **Minutes**

The minutes of the meeting held on 20th January 2014 were taken as read and signed by the Chair as a correct record.

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

- (i) **Planning Application No 2014/1442** – Erection of 3 no. wind turbines with associated infrastructure including access tracks, control building, underground cabling and temporary construction compound. Land at Spicer Hill, Whitley Road, Whitley Common, Ingbirchworth, Sheffield, S36 9PA.

Mr Glen Moon (Agent) addressed the Board and spoke in favour of the Officer recommendation to grant the application.

Ms Sarah Bird (Objector) addressed the Board and asked that the application be refused.

RESOLVED that the application be refused, against the Officer recommendation on the basis that the proposed development constitutes inappropriate development, no very special circumstances have been demonstrated and the adverse impacts of the proposed development significantly outweigh the benefits.

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

MOVED by Councillor Unsworth and **SECONDED** by Councillor Hand-Davis with voting being recorded as follows:

In favour of the amendment to refuse the application:-

Cllrs Birkinshaw (Chair), G. Carr, Clarke, Davies, M. Dyson, Franklin, Grundy, Hand-Davis, Key, Makinson, Mathers, Morgan, Perrin, Rusby and Unsworth.

Against the amendment to refuse the application:-

Cllrs Hayward, Higginbottom, Mitchell, Noble, Sim, Spence and Stowe.

Councillor R. Wraith abstained from the vote.

All councillors present at the time of the vote actually voted.

- (ii) **Planning Application No. 2014/0754** – Residential development of 67 no. dwellings and associated infrastructure. Land at Church Lane, Hoylandswaine, Barnsley.

Mr Mark Jones (Agent) addressed the Board and spoke in favour of the Officer recommendation to grant the application.

Mr J. Humphrey (Objector) addressed the Board and asked that the application be refused.

RESOLVED that the application be approved in accordance with the Officer recommendation subject to conditions and a S106 Agreement (Public open space, affordable housing, education, public transport and primary school car park).

- (iii) **Planning Application No. 2013/0960** – Residential development of 64 dwellings with associated garages/parking spaces, roads and sewers. Land off Lowfield Road, Bolton upon Dearne, Rotherham.

RESOLVED that the application be deferred to enable a site visit to take place.

- (iv) **Planning Application No. 2014/1232** – Demolition of existing built development and construction of retail units and erection of residential development of up to 35 no. dwellings (outline). Former Foulstone School, Nanny Marr Road, Darfield, Barnsley.

Ms Emma Gomersal (Agent) addressed the Board and spoke in favour of the Officer recommendation to grant the application.

RESOLVED that the application be approved in accordance with the Officer recommendation subject to completion of S106 agreement (Compensation for loss of Green Space) and conditions.

- (v) **Planning Application No. 2014/1285** – Change of use from A1 to dog grooming salon. 10 Market Street, Penistone.

Ms Julia Ogden (Applicant) addressed the Board and spoke in favour of the Officer recommendation to grant the application.

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

69. **RENEWAL OF THE ASHROYD & SHORTWOOD BUSINESS PARK LOCAL DEVELOPMENT ORDER 2012**

RESOLVED that this item be deferred for consideration at a future meeting.

70. **CHANGE TO STAGGERED TIMES AT HORIZON COMMUNITY COLLEGE, DODWORTH ROAD**

The Service Director, Economic Regeneration, submitted a report seeking approval for a proposed change to the staggered times in accordance with the officer recommendation.

RESOLVED that this item be deferred for consideration at a future meeting, to enable a meeting to take place between local Ward Members, the Police and the School.

71. **EXTINGUISHMENT OF PART OF PUBLIC FOOTPATH 60 BARNSELY BETWEEN EDGECLIFFE PLACE, SMITHIES AND THE JUNCTION WITH FOOTPATH 61, AND THE DIVERSION OF PART OF PUBLIC FOOTPATH 61 AND 60 BETWEEN RICHARD ROAD AND THE REAR OF THE TA CENTRE**

The Assistant Director, Highways, Engineering and Waste Management submitted a report seeking approval to extinguish part of public footpath 60 Barnsley between Edgecliffe Place, Smithies and the junction with footpath 61, and the diversion of part of public footpath 61 and 60 between Richard Road and the rear of the TA centre, both of which are affected by the Cypress Heights residential development.

RESOLVED that:-

- (i) 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 under section 118 of Highways Act 1980 for the extinguishment of part of public footpath 60 and under section 257 of the Town and Country Planning Act 1990 for the diversion of part of public footpath 61 and 60 as shown on the plan attached at Appendix A of this report;
- (ii) That 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 submit the Orders for confirmation by the Secretary of State or to confirm them himself in the event of there being no objections thereto.
- (iii) In the event the Orders are confirmed, 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.

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

The Development Service Director 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 Service Director, Development, details of which are contained in the schedule submitted:-

Planning Application No. 2014/1219 – Erection of 97 no. dwellings with garages including parking spaces together with the provision of associated roads, sewers and infrastructure. Land at Ellwood, Off Wilson Grove, Lundwood (subject to the completion of Section 106 securing financial contribution towards education and off-site public open space.

Planning Application No. 2014/1516 – Replacement and upgrade of A61 Birdwell Roundabout, realignment and upgrade of links to the A61 Sheffield Road and to Junction 36 of the M1, construction of a new balancing pond, to create a new roundabout junction to the east side of Birdwell Roundabout, carriageway realignment and tie-in to the A6135 Sheffield Road, construction of a new section of carriageway linking northwards, the creation of a second new roundabout junction connecting to Rockingham Roundabout, inclusion of new spurs at Roundabout 1 and Roundabout 2 to facilitate links for future development and the creation of an additional slip road exit lane off the M1 at Junction 36. Birdwell and Rockingham Roundabouts A6195, Dearne Valley Parkway, Birdwell, Barnsley.

Planning Application No. 2014/1286

Change of use of land to a private single family gypsy/traveller site including the siting of caravans, a utility block and formation of hard standing (retrospective). Land off Engine Lane, Ferrymore Way, Grimethorpe, Barnsley, S72 7BN.

Planning Application No. 2014/0040

Change of use from shop (A1) and Beauty/tanning salon to dwelling houses (C3) including window and door alterations and external finishes, hardstanding and boundary works. 40 Derwent Road, Athersley South, Barnsley S71 3QT.

- (ii) Details of the Planning Appeals received and decided between the period 1st January 2015 to 31st January 2015 be noted.

Chairman.....