

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 27 October 2015
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), G. Carr, Coates, M. Dyson, Franklin, Griffin, Gollick, Grundy, Hampson, Hayward, Higginbottom, Leech, Makinson, Markham, Mitchell, Morgan, Noble, Richardson, Riggs, Spence, Stowe, Unsworth and R. Wraith

In attendance at site visit

Councillors D. Birkinshaw (Chair), G. Carr, Grundy, Hayward, Mitchell, Noble and R. Wraith.

21. MR S LUMB SENIOR LEGAL OFFICER

The Chair informed Members of the Board that this would be the last meeting to be attended by Mr S. Lumb, Senior Legal Officer, prior to him leaving the Authority to take up a new position in Leeds.

He, together with all Members, asked to place on record their thanks and appreciation for his hard work and dedication to the Council and particularly for his services to this Board. They gave him their best wishes for the future.

22. Declarations of Interest

Councillor Franklin declared a non-pecuniary interest in **Planning Application 2015/0711** as he is a Local Ward Member and **Planning Applications 2015/1073, 2015/1090** and **2015/1091** as he is a Berneslai Homes Board Member.

Councillor Stowe declared a non-pecuniary interest in **Planning Application 2015/0711** as he is a Local Ward Member.

Councillor Higginbottom declared a non-pecuniary interest in **Planning Application 2015/0894** as she is a Local Ward Member. With regard to **Planning Application 2014/0316**, Councillor Higginbottom informed the Board that she had only objected to the application because she mistakenly believed that the application could not be supported due to the potential obstruction to the footpath No. 9 which directly crosses the land. As she is now aware that there is a separate Public Rights of Way application dealing with that issue she intimated that she would be comfortable participating in the determination of the application.

Councillor Leech declared a non-pecuniary interest in **Planning Application 2015/0969** as he is a Local Ward Member.

Councillor Dyson declared a non-pecuniary interest in **Planning Application 2015/0462** as he is a Local Ward Member.

Councillor Riggs declared a non-pecuniary interest in **Planning Application 2015/1073** as he is a Local Ward Member.

23. Minutes

The minutes of the meeting held on 29th September were taken as read and signed by the Chair as a correct record.

24. Town and Country Planning Act 1990 - Part III Applications - Speakers/Site Visits

Planning application 2015/0711 - Regeneration of Hoyland Town Centre comprising of the redevelopment of land at Duke Street, Market Place and the Town Hall to provide a relocated open market, food store, 3 retail stores and 7 retail kiosks, toilet block, surface car parks and associated infrastructure and landscaping at High Street, Market Street and Duke Street, Hoyland.

RESOLVED that the application be approved as per officer recommendation and subject to additional conditions covering opening hours of store, re-use of gates and photographic survey of interior of parish church.

Planning application 2015/1073 - Erection of single storey extension to existing boiler house at Pollyfox Sheltered Housing. Dodworth, Barnsley.

Mr Mark Tillotson addressed the Board and spoke against the officer recommendation to grant the application.

Mr John Dowle (Agent) addressed the Board and spoke in favour of the officer recommendation to grant the application

RESOLVED that the application be approved as per officer recommendation. The Chair of Planning Board asked the highways officer to investigate and consider whether any improvements could be made to address the parking issues at the site.

Planning application 2015/0462 - Demolition of existing school and erection of 32 no. dwellings and associated infrastructure, Grove Street Junior and Infant School. Grasmere Road, Barnsley. S71 1ES

Mr Adam Murray addressed the Board and spoke in favour of the officer recommendation to grant the application

Mr Naylor addressed the Board and spoke against the officer recommendation to grant the application.

RESOLVED that the application be approved as per officer recommendation and subject to signing of Section 106 agreement and an additional condition to secure the siting of waste bins at the rear of properties where possible and that the condition/amendments relating to the re-siting of waste bins be expressly delegated to officers subject to approval of the Chair of Planning Board of the final wording of the said condition/layout.

Planning application 2015/0894 - Change of use from function room of a Working Men's Club (D2) to house in multiple occupation (C4) with associated external changes including erection of pitched roof with new openings, Great Houghton WMC, 20 High Street, Great Houghton, Barnsley S72 0AB

Mr Ryan Morley addressed the Board and spoke in favour of the officer recommendation to grant the application

Mr William Platts addressed the Board and spoke against the officer recommendation to grant the application.

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 Higginbottom and **SECONDED** by Councillor D. Birkinshaw, with voting being recorded as follows:-

In favour of the amendment to refuse the application:- Councillors D. Birkinshaw, G. Carr, Coates, M. Dyson, Gollick, Grundy, Hampson, Hayward, Higginbottom, Leech, Makinson, Markham, Mitchell, Morgan, Richardson and Spence.

Against the amendment to refuse the application:- Councillor Franklin.

Councillors Griffin, Noble, Riggs, Unsworth and R. Wraith abstained from the vote.

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

RESOLVED that the application be refused, against officer recommendation, due to the detrimental impact on the amenities of existing residents and future potential occupiers.

25. Town and Country Planning Act 1990 - Part III Applications

The Head of Planning and Building Control submitted a report on applications received for consideration together with an update regarding cumulative appeal totals.

RESOLVED that:-

- (i) the following applications be granted, in accordance with officer recommendation and subject to the Conditions outlined in the report of the Development Service Director, details of which were contained in the schedule submitted.

2015/0823 - Variation of condition 1 of planning permission 2011/1248 – extension of time limit to complete work on site, former Carlton Colliery. Shaw Lane, Carlton, Barnsley. S71 3HJ

2014/0316 - Erection of a detached dwelling with attached garage, access and parking, land adj. Old Hall, 1 High Street, Great Houghton, Barnsley. S72 0EN

2015/0919 - Erection of single storey classrooms extension, formation of car parking and alterations to bus turning area, Wombwell Park Street Primary School. Park Street, Wombwell, Barnsley. S73 0HS

2015/1102 - Erection of two storey rear extension to school, Cudworth Churchfield Primary School. Snyderdale Road, Cudworth, Barnsley. S72 8JR

2015/1090 - New entrance canopy and re-order of entrance area. External re-contour and landscape including demolition of garages, new access and new parking area, Hudson Haven. Upton Close, Wombwell, Barnsley. S73 8EZ

2015/1091 - Display of externally illuminated totem sign (1.1m in height), Hudson Haven. Upton Close, Wombwell, Barnsley. S73 8EZ

2015/0969 - Erection of steel container, Laithes Lane Memorial Field, Athersley South, Barnsley.

- (ii) consideration of **Planning Application 2015/0779** - Removal of condition 1 of application 2011/1157 to allow permanent use of site for a gypsy family, Whitegate Stables, Common Road, Brierley, Barnsley – be deferred pending a site visit
- (iii) in respect of the report regarding the Trustees of Boulder Bridge Lane Trust v. the Council, application for a certificate of appropriate alternative development pursuant to the Land Compensation Act 1961, the Head of Planning and Building Control be authorised to issue a S.17 Certificate, confirming that, if the land subject of the application for a Certificate of Appropriate Alternative Development were not acquired by the Council in exercising its Compulsory Purchase Powers, planning permission would NOT have been granted for any other use.
- (iv) Details of the Planning Appeals received, decided and withdrawn between the period 1st to 30th September 2015 together with the update on cumulative appeals be noted. 12 appeals have been decided since 1st April 2015, 10 of which (83%) were dismissed, 2 of which (17%) were allowed to date.

26. Public Footpath Diversions - public footpath no. 3 Crow Edge

The Assistant Director, Highways, Engineering and Transportation presented a report regarding an application to divert a section of Dunford public footpath no. 3 between the A616 and Bents Road at Crow Edge.

RESOLVED

- (i) That, in exercise of statutory powers, the Council makes a Public Path Order under the provisions of section 119 of the Highways Act 1980 for the diversion of Dunford footpath no. 3 as shown on the plan attached to this report.
- (ii) That the Director of Legal and Governance be authorised to publish the Order and to confirm it himself in the event of there being no objections thereto.

- (iii) That In the event objections are received which cannot be resolved, the Director of Legal and Governance be authorised to submit the Order to the Secretary of State for confirmation and to take all necessary steps to support the Order at any public inquiry, informal hearing or written representation as necessary
- (iv) That 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.

27. Public Footpath Diversions - public footpath no. 19 Hemingfield

The Assistant Director, Highways, Engineering and Transportation presented an application to divert Wombwell public footpath no. 19 between Tingle Bridge Lane and Cemetery Road at Hemingfield.

RESOLVED

- (i) That, 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 diversion of Wombwell footpath no. 19 at Strafford mine workings.
- (ii) That the Director of Legal and Governance be authorised to publish the Order and to confirm it himself in the event of there being no objections thereto.
- (iii) In the event objections are received which cannot be resolved, the Director of Legal and Governance be authorised to submit the Order to the Secretary of State for confirmation and to take all necessary steps to support the Order at any public inquiry, informal hearing or written representation, as necessary.
- (iv) That 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.

28. Public Footpath Diversions - public footpath no. 40 north of the Dearne Valley Parkway at Birdwell/Rockingham

The Assistant Director, Highways, Engineering and Transportation presented an application to divert Worsbrough public footpath no. 40 north of the Dearne Valley Parkway at Birdwell / Rockingham and a proposal to stop up part of Tankersley footpath no. 11 to the south of the Dearne Valley Parkway at the same location.

RESOLVED

- (i) That, 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 119 of the Highways Act 1980 for the diversion of Worsbrough footpath no. 40 and under section 118 of the Highways Act 1980 for the extinguishment of Tankersley footpath no. 11.

- (ii) That the Director of Legal and Governance be authorised to publish the Orders and to confirm them himself in the event of there being no objections thereto.
- (iii) In the event objections are received which cannot be resolved, the Director of Legal and Governance be authorised to submit the Orders to the Secretary of State for confirmation and to take all necessary steps to support the Orders at any public inquiry, informal hearing or written representation as necessary
- (iv) That 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.

Chair