

Public Document Pack

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 20 November 2018
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

1. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in respect of the under mentioned planning application(s).

2. Minutes (*Pages 3 - 4*)

To receive the minutes of the meeting held on 23rd October 2018.

Planning Applications

Any planning applications which are to be the subject of individual representation(s) at the meeting will be dealt with prior to any other applications.

If you have any queries in respect of the planning applications included within this pack, or if you would like to register to speak at the meeting, please contact the Planning Department directly at developmentmanagement@barnsley.gov.uk or by telephoning (01226) 772593.

3. 34 Gawber Road, Barnsley, S75 2AF - 2018/0994 - For approval (*Pages 5 - 12*)

4. St. John the Baptist Church of England Junior School, 82 High Street, Penistone S36 6BS - 2018/0727 - For approval (*Pages 13 - 22*)

Planning Appeals

5. Planning Appeals - 1st to 31st October 2018 (*Pages 23 - 26*)

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), Coates, M. Dyson, Franklin, Gollick, David Griffin, Hampson, Hand-Davis, Hayward, Higginbottom, Lamb, Leech, Makinson, Markham, Mitchell, Noble, Pickering, Richardson, Riggs, Saunders, Spence, Stowe, Tattersall, Wilson and R. Wraith

Matt Gladstone, Executive Director Place
David Shepherd, Service Director Regeneration and Property
Paul Castle, Service Director Environment and Transport
Joe Jenkinson, Head of Planning and Building Control
Matthew Smith, Group Leader, Development Control
Andrew Burton, Group Leader (Inner Area), Development Management
Bob Power, Senior Legal Officer (Locum)

Parish Councils

Please contact Elizabeth Barnard on email governance@barnsley.gov.uk

Monday, 12 November 2018

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 23 October 2018
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), Coates, M. Dyson, Franklin, Gollick, David Griffin, Hand-Davis, Higginbottom, Leech, Makinson, Markham, Richardson, Riggs, Saunders, Spence, Stowe, Tattersall, Wilson and R. Wraith

In attendance at site visit

Councillors D. Birkinshaw (Chair), Coates, Makinson, Richardson, Tattersall, Wilson and R. Wraith.

49. Declarations of Interest

There were no declarations of Pecuniary/Non-Pecuniary interest in respect of any of the items on the agenda.

50. Minutes

The minutes of the meeting held on 25th September were taken as read and signed by the Chair as a correct record.

51. Various sites at Wombwell - 2017/1264 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1264** [Various sites at Wombwell: Site A Land parallel to Ings Lane and south of Bulling ; Site B Land south of Aspen Grove, Fern Close, Celandine Grove, Maytree Close, Mulberry Close and Honeysuckle Close and land South of Doveside Drive/Everill Gate Lane, Wombwell, Barnsley].

RESOLVED that the application be granted in accordance with the Officer recommendation subject to an additional condition requiring a management plan establishing long term future maintenance responsibilities with full involvement of local residents.

52. Former William Freeman Site, Wakefield Road, Mapplewell, Barnsley S75 6DN - 2017/1718 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1718** [Residential development for up to 102 dwellings with associated infrastructure and access (Outline with All Matters Reserved apart from access) at former William Freeman Site, Wakefield Road, Mapplewell, Barnsley, S75 6DN.

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

53. Land off Wakefield Road, Mapplewell, Barnsley - 2017/1716 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1716** [Erection of food store with associated access and car park at land off Wakefield Road, Mapplewell, Barnsley]

RESOLVED that the application be granted in accordance with the Officer recommendation which includes amendments to conditions 2 (approved plans to include up to dale levels and landscaping plan) 4 (visibility splays reduced to 2.4 m x 90 m when speed limit altered to 30 mph and provision of central pedestrian refuges as part of the highway mitigation works; 15 (air quality impact plans pre-occupation); 5 (condition surveys pre- and post-completion) and deletion of conditions 13 and 19 as these are no longer necessary.

54. Jumble Lane Level Crossing, Kendray Street/Midland Street/Market Gate/Barnsley Town Centre S70 1DB - 2018/0989 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2018/0989** [Erection of new pedestrian footbridge and associated works and structures including alterations to public realm at Jumble Lane Level Crossing, Kendray Street/Midland Street/Market Gate/Barnsley Town Centre, Barnsley, S70 1DB].

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

55. Wombwell Main Community and Sports Association, Windmill Road, Wombwell, Barnsley S73 8PW - 2018/1149 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1149** [Proposed change of use to create junior training pitch including grading works at Wombwell Main Community and Sports Association, Windmill Road, Wombwell, Barnsley S73 8PW].

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

56. Planning Appeals - 1st to 30th September 2018

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2018/19. The report indicated that 6 appeals were received in September 2018. It was reported that 10 appeals have been decided since 1 April 2018, 6 of which (60%) have been dismissed and 4 of which (40%) have been allowed.

Chair

2018/0994

Applicant: Mr Dilip Dhanak – Precious Homes

Description: Change of use of dwelling to residential family support centre, erection of a two storey rear extension and split level part single storey/part two storey side extension

Site Address: 34 Gawber Road, Barnsley, S75 2AF

Representations have been received from 10 households along with an 18 signature petition of which 2no residents submitted individual letters of representation. Councillor Lofts has requested that the application be heard by Planning Regulatory Board due to the concerns of the residents in relation to parking and impact on residential amenity.

Site Location and Description

The applicant property is a two storey detached dwelling, attached to the neighbouring property 32 Gawber Road by a garage extension. The dwelling is constructed from red brick with a grey tiled roof and occupies a corner plot at the junction of Gawber Road and Prince Arthur Street which runs along the rear of these properties.

The building is two storeys at the front elevation and three storeys at the rear. It is bounded by a red brick wall approximately 1.8m in height with an access taken from Prince Arthur Street. The neighbouring properties 30 and 32 Gawber Road were subject to similar applications in 2009 which were approved.

Relevant History

2009/1093 – Change of use from residential to residential family care centre and erection of single storey rear extension – 30 Gawber Road – Approved December 2009 by the Planning Regulatory Board

2009/1381 – Change of use from residential to a residential family care centre.
(Retrospective) – 32 Gawber Road – Approved December 2009 by the Planning Regulatory Board.

Proposed Development

The applicant seeks permission to change the use of the premises from a Dwellinghouse (Use Class C3) to a Residential Institution (Use Class C2) to provide a family support centre for vulnerable people to care for their children. The applicant wishes to provide additional accommodation and therefore proposes to convert no.34 into a similar facility to their existing premises at nos. 30 & 32. This proposal will provide a five bedroom facility. No internal openings to connect these premises to the existing use at 30 and 32 Gawber Road.

The applicant also proposes the erection of 2no. two storey extensions, one to the southern side elevation and one to the south western corner of the building. The existing garage at ground floor is to be extended to the full depth of the property and be converted to a family contact centre. Below this at the rear an extension is proposed measuring 4.2m by 2.7m at lower ground level to accommodate a baby play area accessed from the lounge area.

The two storey extension to the south western corner of the building is to provide an extension to the dining/ kitchen area at lower ground floor with an office at ground floor level. A rear single storey pitched roof extension is proposed to be added to allow an additional lounge and shower room and the existing hard standing at the rear would be utilised to provide 2 no off-street parking spaces. Furthermore 3 no off street parking spaces are shown at the front of the property.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicated otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and saved Unitary Development Plans policies, the Council has also adopted a series of Supplementary Planning Documents and Supplementary Guidance Notes, which are other material considerations.

Barnsley Unitary Development Plan Saved Policies

Policy H8 indicates that areas defined on the proposals map as housing policy areas will remain in predominantly in residential use. Other uses will only be permitted where they are compatible with a residential area and other policies of the plan scale.

Barnsley LDF Core Strategy

CSP 26 – New Development and Highway Improvement – states that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP 29 – Design – states that high quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley. Development should enable people to gain access safely and conveniently.

CSP 40 – Pollution Control and Protection – states that development will be expected to demonstrate that it is not likely to result in an increase in air, surface water and groundwater, noise smell, dust or other pollution which would unacceptably affect or cause a nuisance to the surrounding environment.

SPDs/SPGs

Supplementary Planning Document – House Extensions

Supplementary Planning Document – Parking

The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework

The National Planning Policy Framework sets out the Governments planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Local Plan

The emerging Local Plan has now reached a very advanced stage with a consultation on main modification to the plan commencing in July 2018. The consultation follows confirmation from the Local Plan inspector that the plan is capable of being found sound. This by no means represents the Inspectors overall judgement, which will not be known until the final report is issued and the examination closes. However, it does mean increasing weight can be given to the policies contained within the document although, in accordance with paragraph 48 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

By virtue of the fact the policies have been tested at examination, they have been scrutinised in relation to their degree of consistency with the NPPF and it is therefore highly likely that they are sufficiently compliant. However, it will not be possible to conclude whether many of the objections have been resolved until the inspector has considered the responses to the consultation on modifications and the final report is published. The extent to which weight can be attributed to the Local Plan policies will therefore vary on a case by case basis taking into account the relevant policies and the significance of any unresolved objections.

Policies of relevance in the emerging Local Plan would be:

Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy Poll1 Pollution Control and Protection

The emergent policies of the Local Plan that are attributable to this development are GD1 and D1. In general they resonate with the requirements of Core Strategy Policy 29.

Consultations

Highways DC – No objections subject to conditions

Pollution Control – No objections

Ward Councillors – Cllr Phillip Lofts request the application be determined by PRB due to residents' concerns in relation to highway safety and residential amenity.

Childcare Services – No comments have been received.

Children and Adolescent Care Homes – No comments have been received.

Representations

The application was advertised by way of neighbour notification letters and the erection of a site notice. 10 households along with an 18 signature petition have been received, the reasons for which can be summarised as follows:

- Unfair on the residents who already deal with the issues in the area
- Increase in movements visitors/pick up/drop offs
- Issues regarding 'vulnerable adult'
- Impact on residential amenity by means of increased noise, loss of privacy and overlooking from the use and proposed extensions by means of overshadowing
- Concerns regarding protected species within the garden
- Removal of trees and greenspace
- Increase in this kind of facility in a residential area
- On street parking is a local problem with the visitors to the hospital and workers within the town centre using surrounding streets. The development will further burden this.
- Impact on safety of existing residents
- Increase in antisocial behaviour

Assessment

Principle of development

The site is located within a housing policy area where residential uses are considered acceptable. As the proposal still falls within a residential use class it is acceptable in land use planning policy terms. It has been established that such 'residential institutions' are compatible/suited to existing residential areas. Residential homes cover a number of uses including nursing homes, residential care homes and special needs group homes. It is considered that residential area and supported living schemes for people in ordinary housing in residential areas are acceptable provided that they do not have a detrimental impact on the amenity of neighbouring properties and the wider locality is not adversely affected.

Residential Amenity

Representations have been received raising concerns that the development will encourage anti-social behaviour within the locality and also increase crime levels. Anti-social behaviour is not inherent to the character of a children's/family home, and to all intents it is considered that the characteristics are much the same to that of a regular dwelling house. The residents who live in the facility do so as a family unit, whereby they have access to their own private bedroom but share a communal lounge, kitchen and dining area. It is also of note that the property would be staffed and a high level of supervision provided throughout the day. Therefore should any anti-social activities arise they are likely to be quickly controlled. In addition the applicant has stated that the facility does not accept residents who are using drugs or alcohol and their placement would be terminated if this was the case. As such it is not considered that the proposal would be detrimental to residential amenity on this basis.

With reference to the noise and disturbance, it would be difficult to sustain arguments/claims made within the representations that the facility will result in additional noise above that which could be associated a residential dwelling. Each family will include a young baby and a member of staff will remain overnight. In relation to increase in noise in relation to increased movements, the property is located in a heavily built up area, on a busy arterial route within the town centre. No significant disturbance associated with comings and goings to the property is expected therefore taking into account the existing high level of activity in the area and background noise levels.

The two storey extension which extends behind the existing garage is located on the southern side elevation and within the building line of the original dwelling and does not project closer to the rear boundary than the original dwelling. There are no windows proposed on the side elevation and there are no windows on the side elevation of the neighbouring building No 32, therefore it would not affect the amenity of the residents of the neighbouring property.

The two storey extension located on the south western corner would infill an existing gap and therefore would not extend beyond the existing side elevation or rear extension. As such it would retain existing separation distances between any facing habitable room windows of the proposed extension and surrounding residential properties.

It is considered that residents of the facility will be afforded with an appropriate level of amenity. The property is served with a large side garden and there are several sitting rooms and extensive kitchen/diner within the premises which will provide a typical home environment for the future occupants. In addition, the bedrooms and the communal areas such as the lounge and kitchen/dining area are well in excess of the specification as set out in the South Yorkshire Residential Design Guide for a new dwelling of this.

For the reasons above it is considered that the development adheres to Policy CSP 29 in that the amenity of existing neighbouring properties and the wider locality will not be adversely affected or impacted upon as a result of the proposals.

Visual Amenity

The addition of modest extensions to the side and rear of the property harmonise with the original dwelling and ensure the original dwelling remains the dominant feature. The extensions are to be constructed from materials to match the host dwelling with red brick for the outer walls, concrete tiles for the roof and white UPVC for the windows and doors. The side extension incorporates a pitched roof whilst the rear extension is designed with a lean to roof.

It is acknowledged that the extensions would be visible form public vantage points. However they are not considered to have a domineering appearance/presence within the street scene and as such the design is considered to be acceptable and in compliance with Core Strategy Policy CSP 29 and Supplementary Planning Document – House Extensions.

Highway Safety

The site is located with good access to the town centre, is within a short walking distance of local services and both Gawber Road and Summer Lane are served with frequent bus services. Concerns have been raised within the submitted representations that the development will be a further burden to the current on street parking problems. When assessing the impact on highway safety, the application cannot be refused on basis of the existing parking problems in the locality. It would therefore be necessary to demonstrate that the proposed use would significantly increase demand for parking over and above that associated with the current use.

In this instance the existing property is a large house with three parking spaces proposed to the front of the dwelling and two parking spaces available to the rear, which would be primarily used by staff. The applicant points out that residents rarely have cars and they are aware of only three residents in the last 15 years who have had a car whilst resident at the neighbouring facilities at Nos 30-32. As such it is not considered that the change of use would significantly increase parking problems and this is confirmed in the consultation response from Highways. Consequently, it is not considered that the development will adversely affect highway safety and as such is considered acceptable.

Conclusion

Overall it is considered that the proposal is compatible with a residential area, essentially comprising an extension of the same residential functions being carried out on the two neighbouring properties Nos 30-32 Gawber Road. The facility would be supervised by staff, is family and children orientated and the applicants have stated that they do not accept residents who are using alcohol or substances of any kind. As such there is no reasoning or evidence to determine that disturbance or anti-social behaviour issues would be a problem.

The proposed extensions are in keeping with the building and would not harm residential amenity compared with the existing relationships with neighbouring properties. The plans include the provision of 5 no off street parking spaces and it is considered that this would be sufficient to cater for the parking demand at the site which is mainly expected by staff and visitors rather than the residents themselves. The proposals are therefore assessed to be acceptable and are recommended for approval accordingly.

Recommendation

Grant subject to conditions:


- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (891-01 Rev A, 891-04 Rev A & 891-05 Rev A received on 19th September 2018) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

- 3 The external materials shall match those used in the existing building.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 4 The premises shall be used as a residential family care centre and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
Reason: The site consists of a property adjacent to dwellings with limited parking provision and the Local Planning Authority considered it is proper and reasonable to limit the use in the interests of residential amenity and highway safety.
- 5 The parking/manoeuvring facilities indicated on the submitted plan shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: to ensure that satisfactory off street parking/manoeuvring are provided in the interests of highway safety and the free and safe flow of traffic, and in accordance with Core Strategy Policy CSP26 - New Development and Highway Improvement.
- 6 Pedestrian intervisibility splays having the dimensions 2m x 2m shall be safeguarded at the drive entrances/exits such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highways
Reason: In the interests of road safety.
- 7 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
Reason: In the interests of road safety.
- 8 Any gates must be hung so as to open inwards into the site and not out onto the adopted highway.
Reason: In the interests of road safety.



BARNSELY MBC - Regeneration & Property

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NORTH
Scale 1: 1250

2018/0727

St John the Baptist C of E (Aided)

Proposed Car Park at Junior School

St John the Baptist Church of England Primary School, High Street Penistone, Sheffield, S36 6BS

11 representations were received to the original set of plans (8 objections, 1 comment and 2 letters of support). This resulted in a request from Cllr Griffin and Angela Smith MP for the application to be determined by the Board. Since then the plans have been amended. Notification letters were re-sent to all parties leading to 2 further representations.

Description

St John the Baptist Church of England Primary School is situated off an access road to the west of the main High Street, near to the centre of Penistone. The site is bounded by residential properties to the south off Clarel Street and High Street to the east. To the north is Buckingham Care Home and to the west is St John the Baptist Infant School. The existing school is a mix of two and single storey elements, constructed of brick with tiled and flat roofs. The school has a small car park to the rear.

The site for the proposed car park is set adjacent to the Youth Centre and is currently laid to grass, hosting a small football pitch. The site is identified on the Council's Green Space Register as GS 1784, Penistone Youth Centre Local Neighbourhood Green Space.

Proposed Development

The proposal involves the formation of a car park to the front of the school, set adjacent to the Youth Centre. The plans have been amended during the course of the application to provide a greater separation from the adjacent dwellings and a wider landscaped buffer to the eastern boundary with the properties on High Street. This reconfiguration has reduced the proposed land uptake which has been achieved in part by a change to a single access and exit arrangement instead of the previous dual access 'in' and 'out' and loop road arrangement.

The car park proposed has a total of 29 spaces which includes 2 disability spaces.

A Noise Impact Assessment has been submitted with the application at the request of the Council's Pollution Control Officer and a Phase I Habitat Survey and Bat Survey.

In support of the application, the application documents state: *'The existing car park to the south of the site has be altered to provide additional parking spaces for staff and visitors but this is now inadequate due to the newly increased size of the school population. There is currently an issue with congestion on the access road from High Street, obstructing access and visibility for vehicles and pedestrians. The proposal is to widen the footpath in areas to prevent local residents from parking on the access road. This will create an enhanced civic presence and in turn minimises the risk to pupils from passing vehicles, as is currently an issue and concern'.*

The access road will have traffic calming measures applied to alleviate congestion around access to the school, providing a safer environment for the pupils and staff.'

As the proposal results in a loss of an area of green space, compensation amounting to £18,000 is required, to be used to upgrade existing facilities in the locality which would need to be secured by a legal agreement.

Planning History

2017/0948 - Erection of two storey extension to school including some demolition works - Approved with conditions on the 23rd March 2018.

The associated plans were amended during the course of that application being considered with a version of the proposed car park adjacent to the Youth Centre, which is the subject of this application, being removed from the proposal. The plans proposed 6 additional class rooms and the formation/formalisation of 17 existing parking spaces within the car park set adjacent to the caretaker's house at the rear of the school.

Policy Context

UDP –Existing Community facility. The site is also on the Greenspace Register. The site is also set close to the Penistone Conservation Area to the east.

Local Plan – Urban Fabric

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The emerging Local Plan has now reached a very advanced stage with a consultation on main modification to the plan commencing in July 2018. The consultation follows confirmation from the Local Plan inspector that the plan is capable of being found sound. This by no means represents the Inspectors overall judgement, which will not be known until the final report is issued and the examination closes. However, it does mean increasing weight can be given to the policies contained within the document although, in accordance with paragraph 48

of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

By virtue of the fact the policies have been tested at examination, they have been scrutinised in relation to their degree of consistency with the NPPF and it is therefore highly likely that they are sufficiently compliant. However, it will not be possible to conclude whether many of the objections have been resolved until the inspector has considered the responses to the consultation on modifications and the final report is published. The extent to which weight can be attributed to the Local Plan policies will therefore vary on a case by case basis taking into account the relevant policies and the significance of any unresolved objections.

Core Strategy

Core Strategy Policy 26: New Development and Highway Improvement

Core Strategy Policy 29: Design Principles

Core Strategy Policy 30: Historic Environment

Core Strategy Policy 35: Green Space

Core Strategy Policy 40: Pollution Control and Protection

Core Strategy Policy 43: Educational Facilities and Community Uses

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Consultations

Penistone Town Council – Object. Loss of the few green spaces left in Penistone, impact on the local amenity, the plan does not show the houses on High Street.

Angela Smith MP – Raises concerns from Constituents with regard to the parking area to be created adjacent to the Youth Club and the loss of greenspace and requests the application is decided by the Planning Board.

Cllr Griffin – Requests the application is decided by the Planning Board.

Cllr Kitching – *'While it is never ideal to build car parks on green space I feel that the staff parking situation at St John's school is unsustainable and action needs to be taken. As a councillor I receive frequent complaints from the residents surrounding the school about staff and visitors parking in front of their homes. The driveway to the junior school is littered with cars, impeding visibility and creating safety issues for people attending both the school and the car home. I understand that all other options have been explored thoroughly. I also understand that a green space payment will be made and would like to see this spent in the immediate Penistone area, perhaps on the play area on the showground there.'*

Sport England – No objections (see assessment section covering Green space)

Highways – No objections (see assessment section covering Highway Safety)

Conservation Officer – No objection.

Biodiversity Officer – No comments received.

Planning Policy – See assessment section covering Green space

Pollution Control – No objections.

Drainage – No objection subject to condition

Yorkshire Water – No objection subject to condition

Representations

8 objections were received to the original set of plans based upon the following concerns:-

- Concerns regarding construction and highway safety
- Loss of green space and areas for children to play
- Penistone does not have enough green space
- Alternative sites need to be looked at
- Increase in noise, loss of privacy and exhaust fumes from the car park
- Subsidence issues
- Light pollution from car park
- Parking problems and more traffic
- Impact on wildlife
- Loss of privacy to home and gardens
- Potential for antisocial behaviour
- Removal of trees
- The proposed trees which are nice will have a detrimental effect on the water table or roots causing potential issues to the houses sitting on soil.
- Concerns that there is no gap as required in building regulations between boundaries and that of the car park
- Some of the houses have gated access on to the field which have been in place for many years which gave a right of way.
- The volume of traffic will increase as a result of more parking being available. As a result fewer children will walk to school or use public transport.
- The traffic is manageable

1 comment was received which states:-

- A better option would be to use the field at the side of the school accessed by Boggard Lane, the field is directly behind park avenue.

2 representations in support were received based upon the following reasons:-

- The green area around youth club is a very unused area.
- Children can play on the school fields instead
- The car park will hopefully remove cars from the access road
- It would be good to extend the school zone lines or double yellow lines

The following 2 comments have been received to the amended scheme:-

- Myself and my neighbours feel that our previously raised objections and potential solutions have still not been considered in this latest drawing. Grasscrete should have been considered to create a multi use area.
- Whilst the amended plans for this school car park are slightly better in terms of impact on residents property objection are still raised to the loss of the green space.

Assessment

Principle of development

The application provides additional car parking at the existing Junior School. Core Strategy Policy CSP43 supports the provision of schools, educational facilities and other community facilities. The proposal attracts support under this policy. However given that the site is on the Green Space Register consideration has also been given to whether development on the site can be supported (see below).

Highway Safety

The proposal would provide 29 additional car parking spaces at the school and 2 motorcycle spaces, accessed off High Street. Highways have been consulted and state:- *'There is extensive on street parking in the immediate vicinity of the site at school arrival and departure times, to the detriment of the free and safe flow of traffic on the highway. The proposed development will ease that situation. Consequently, there are no objections to the proposed development in a highway context, subject to conditions.'*

The proposal would provide much needed parking at the school and would improve the parking issues currently experienced during school drop off and pick up times. There are no suitable alternative sites within the site boundary which would allow for sufficient parking provision, therefore the proposal is considered to be acceptable in terms of highway safety in accordance with policy CSP26 of the Core Strategy.

Green space

The site of the proposed car park is identified on the Council's Green Space Register as GS1784, Penistone Youth Centre Local Neighbourhood Green Space. Core Strategy Policy CSP35 states that we will only allow development proposals that result in the loss of green space where there is a surplus or appropriate replacement provision is made.

Planning Policy state that an initial assessment shows that GS1784 is currently functioning as green space and a number of objections have been received with regard to the loss of this space and the recreational facility it provides. Penistone is generally deficient in all types of green space and this area is particularly deficient in accessible Local Neighbourhood Green Space such as that provided by GS1784. In terms of the loss of the playing field, Sport England have been consulted and state: *'The proposal is for a car park at a junior school and is located on an area of grass playing field which forms part of the overall playing field unit. The area has a small football pitch marked on it. However, due to the size of the area it is incapable of accommodating the smallest pitch to FA recommended sizes, it is fenced off and divorced from the main playing fields and is therefore unlikely to provide significant benefit to formal sport. Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:*

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- *reduce the size of any playing pitch*
- *result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*
- *reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*

- *result in the loss of other sporting provision or ancillary facilities on the site; or*
- *prejudice the use of any remaining areas of playing field on the site.*

This being the case, Sport England does not wish to raise an objection to this application'

Whilst the loss of this small area of green space is regrettable it is considered that the justification exists to allow the proposed development given the above comments by Sport England and the compelling need and associated benefits of providing additional car parking provision at the school. However this position is dependent upon compensation being secured in the form of a commuted sum amounting to £18,000 that would be used to upgrade existing facilities in the locality at a location such as Penistone Recreation Ground (GS351) or an alternative location within a kilometre of the site, as per the requirements of Policy CSP35 of the Core Strategy. This shall require a S106 Agreement.

Residential Amenity

The original plans for the car park were designed with minimal separation to the boundary with the existing residential properties located to the east and south of the site on Clarel Street and High Street. The plans have since been re-designed to include a separation. This would see the provision/retention of a green edge around the car park and the provision of new tree planting to act as a screen.

Furthermore the assessment has concluded that there are no significant noise considerations to take into account of. This is evidenced in the form of a noise survey which advises that an adverse noise impact at neighbouring residential properties is unlikely and that no specific mitigation measures should be required to control noise from vehicle activities. The majority of vehicular activity would occur within the day-time hours; namely at the start and end of the school day (08:00 - 09:15, 15:00 - 17:00), on a daily occurrence from Monday – Friday, however it is anticipated that the school caretaker will open up the car park at approximately 07.30 with the latest member of staff leaving at approximately 19.00, with the exception of the occasional parent's evenings and school governor's meetings. In terms of the management of the car park, appropriate fencing/gating at the site entrance will be controlled by the school caretaker to manage traffic flow accordingly. Details have also been supplied with the means of lighting of the car park and the lights will be installed to the latest Light Pollution Guidance and on an automated timer to correspond with the main hours of use and daylight hours. Taking those considerations into account the Pollution Control Officer has no objections to the application and has not raised any concerns with regard to light or air pollution.

Objections have been raised from neighbouring residents with regard to a loss of privacy to homes and gardens to properties on High Street and Clarel Street. The land is publically accessible at all times given its use as an area of green space. The nature of the car park would mean that there would be increased activity, however this would be mainly at drop off and pick up times only and would be quiet during the evenings and weekends. Due to this it is not felt that the car park would impact upon the privacy of adjacent residents to a significant degree. Screen planting is proposed along the boundaries and details of which will be required to be submitted as part of a landscaping scheme.

Concerns have been raised with regard to noise and disturbance during construction however subject to conditions regarding construction hours and as such it is considered that the proposals are acceptable from a residential amenity perspective in accordance with Policy CSP40.

Visual Amenity

The site is set close to the Penistone Conservation Area. However it would be screened by properties along High Street and would not have any significant impact upon its setting in accordance with policy CSP30 of the Core Strategy. The Conservation Officer raises no objections.

Whilst the proposal would result in a loss of a grassed area, the proposal includes landscaped areas which would help to soften its appearance. The car park would be screened from the main High Street and would not have a significant impact upon visual amenity, subject to the submission of a landscaping scheme. The proposal is therefore considered acceptable in terms of policy CSP29.

Biodiversity

Concerns have been raised with regard to the impact upon wildlife and bats. A Phase I Habitat Survey and Bat Survey have been submitted with the application which has assessed the whole school site. It concludes that the site contains habitats of low ecological value and that there is negligible potential risk of supporting bat roosting sites. It states *'The site is already heavily developed, containing school buildings, large areas of hard standing and amenity grassland. This significantly lowers the ecological value of the site. The trees, scrub and pond on site have some potential to support protected species such as nesting birds and amphibians, though the development could likely occur without affecting these habitats.'* The proposal is therefore considered to be acceptable in accordance with policy CSP36 of the Core Strategy.

Conclusion

Overall the proposed car parking facility is considered acceptable in planning policy terms having regards to the relevant planning policies and material considerations including policies CSP43 & CSP35. Primarily this is due to compelling need and benefits associated with the provision of additional parking facilities of the site. Notwithstanding this position is dependent upon a figure of £18,000 being secured as compensation for the loss of the green space, which would be used to upgrade existing facilities in the locality. The effect of the development on other material considerations including visual and residential amenity and highway safety has been considered. However no adverse impacts have been identified which would outweigh the benefits associated with the development. Accordingly the officer recommendation is one of approval.

Recommendation

Grant subject to conditions and S106 Agreement (compensation for loss of green space):

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved (Nos PEN-AHR-XX-00-DR-A-90-001, PEN-AHR-XX-00-DR-A-90-002, PEN-AHR-XX-00-DR-A-90-003 Rev D, Proposed Lighting Scheme J17006/E/102 Rev C) unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

- 3 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 4 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

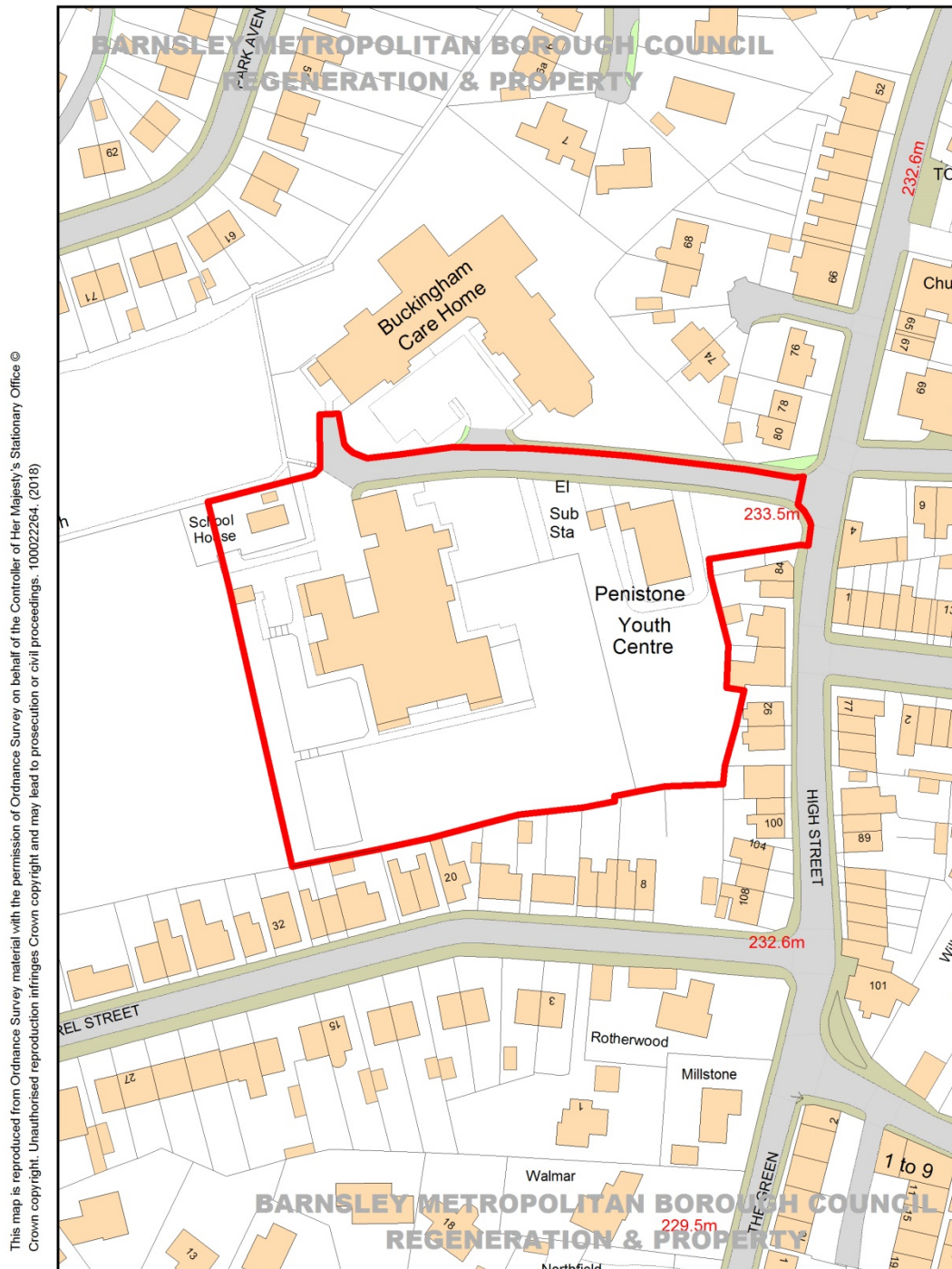
- 6 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

- 7 Sight lines, having the dimensions 2.4m x 43m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 8 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 9 Prior to the development being brought into use a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented.
Reason: In the interests of highway safety in accordance with policy CSP26 of the Core Strategy.
- 10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-
- The parking of vehicles of site operatives and visitors;
- Means of access for construction traffic;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Measures to prevent mud/debris being deposited on the public highway.
Reason: In the interests of highway safety in accordance with policy CSP26 of the Core Strategy.
- 11 No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure that the site is properly drained.
- 12 The development shall not be brought into use until details of car park signage have been submitted to, and approved in writing by, the Local Planning Authority and the approved scheme fully implemented.
Reason: In the interests of highway safety in accordance with policy CSP26 of the Core Strategy.
- 13 Any gates at the site entrance shall be set back at least 5m from the access road to allow a vehicle to wait clear of the access road whilst the gates are being opened / closed.
Reason: In the interests of highway safety in accordance with policy CSP26 of the Core Strategy.

**BARNSELY MBC - Regeneration & Property**

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 Barnsley, S70 9FD
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Scale 1: 1250

Item 5

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 October 2018 to 31 October 2018

APPEALS RECEIVED

7 appeals were received in October 2018:

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2018/0011	Formation of vehicular access including lowering of kerb 28 Bridge Street, Penistone, Sheffield, S36 6AJ	Written Representation	Delegated
2018/0029	Removal of condition 5 (Public Open Space) of 2016/0288 as varied by application 2017/0206 - Residential development (Outline) Land at Sandygate Lane, Stairfoot, Barnsley, S71 5AW	Written Representation	Delegated
2018/0300	Erection of 1 no. detached dwellinghouse (Outline) Land adjacent Broadacres, Keresforth Hall Drive, Barnsley, S70 6NH	Written Representation	Delegated
2018/0481	Erection of 1 no. detached dormer bungalow with side attached garage Land adjacent 1 Woodland View, Silkstone Common, Barnsley, S75 4SA	Written Representation	Delegated
2018/0706	Proposed demolition of stables and erection of 1no dwelling Land at Bar Lane, Mapplewell, Barnsley, S75 6DQ	Written Representation	Delegated
2018/0888	Erection of 1no dwelling (Outline with all matters reserved apart from means of access) Rear of 7 - 29 May Terrace, Barnsley, S70 6HS	Written Representation	Committee
2018/1018	Conversion of garage into 1no dwellinghouse 16 Moorland Avenue, Barnsley, S70 6PQ	Written Representation	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in October 2018

APPEALS DECIDED

1 appeal was decided in October 2018

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2017/1587	Change of use from agricultural building to dwellinghouse (C3) (Prior Notification - Change of Use) Agricultural Building, Land at Low Mill Lane, Off Fall Head Lane, Silkstone, Barnsley, S75 4LB	Dismissed	Delegated

2018/2019 Cumulative Appeal Totals

- 11 appeals have been decided since 01 April 2018
- 7 appeals (64%) have been dismissed since 01 April 2018
- 4 appeals (36%) have been allowed since 01 April 2018

Audit	Details	Decision	Committee/ Delegated
2017/1342	Erection of detached double garage to dwelling. Rowethby, 41 Intake Lane, Gawber, Barnsley, S75 2HX.	Allowed	Delegated
2017/0245	Erection of 1 no. detached dwellinghouse. Upper Belle Clive Farm, Hartcliff Road, Cubley, Barnsley, S36 9FE	Dismissed	Delegated
2017/1054	Variation of condition 1 of planning permission 2016/0169 to enable plot substitutions on plots 10 and 11 to dormer bungalow, change of house types on plots 12 and 13 and removal of condition 12 (surface water run off rate reduction amount) - Development of 12 dwellings in total (amendment to planning permission 2016/0169) Land at Wentworth Street, Birdwell, Barnsley, S70 5UN	Allowed	Delegated
2017/0721	Residential Development (outline) Land at Lakeside View, Huddersfield Road, Penistone, Barnsley	Dismissed	Delegated
2017/0088	Residential development of 21 dwellings (Outline including means of access) Land South of New Smithy Avenue, Thurlstone, Barnsley, S36 9QZ	Allowed	Committee
2017/0118	Erection of rear extension to retail unit and conversion of upper floor to single unit of accommodation 29-31 New Street, Barnsley, S70 1RZ	Dismissed	Delegated
2017/1196	Retention of beer garden and new car parking spaces to rear of public house (amended details to application)	Allowed	Committee

	2015/1162) The Cross Inn, 7 Summer Lane, Royston, Barnsley, S71 4SE		
2017/1285	Erection of 3 no. commercial units - Use classes A1 (Retail), A2 (Professional Services), and B1a (Offices) Land Bmbc Asset ID E00045, Milton Road, Hoyland, Barnsley, S74 9BN	Dismissed	Delegated
2017/0800	Erection of 1 no. holiday villa Windy Bank Hall, Hill Top Farm, Hill Top Lane, Green Moor, Sheffield, S35 7DQ	Dismissed	Delegated
2017/0898	Formation of car park and associated access/egress Land to the north of Old Mill Lane, Old Mill Lane, Barnsley	Dismissed	Delegated
2017/1587	Change of use from agricultural building to dwellinghouse (C3) (Prior Notification - Change of Use) Agricultural Building, Land at Low Mill Lane, Off Fall Head Lane, Silkstone, Barnsley, S75 4LB	Dismissed	Delegated

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