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Application reference number	2025/0119
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Application Type	Full
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Proposal Description:	Change of use of existing building to office space, the installation of a new glazed door and screen to the front southern elevation of the building, the reconfiguration of the existing parking spaces, erection of boundary fencing and gates, and erection of CCTV columns and re-location of lighting columns.
Location:	Car Park John Street Barnsley Barnsley, S70 1LL

Applicant	Mr P Castle on behalf of BMBC
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Number of Third Party Reps	None	Parish:	None
		Ward:	Central Ward

SUMMARY

The application has been submitted by BMBC and seeks full planning permission for the change of use of existing building to office space, the installation of a new glazed door and screen to front southern elevation of the building, the reconfiguration of the existing parking spaces, erection of boundary fencing and gates, and erection of CCTV columns and re-location of lighting columns.

The development is to re-locate the home to school service base from Smithies Depot to John Street due to health and safety issues at Smithies Depot; the intention is to source a new, permanent site for the home to school depot.

The site lies within the Southern Fringe District part of the Town Centre and is the subject of site-specific Local Plan Policy BTC16: Development Site 2 - Heelis Street / New Street / Gala Bingo / Burleigh Court Site as defined in the adopted Barnsley Local Plan. Additional information and clarification has been provided during the course of the application in relation to boundary treatment, site layout and minor alterations to the building.

There are no outstanding consultee objections or concerns.

The application is being presented to Members due to it being a Council proposal.

The proposal will have no adverse impact on highway safety, residential or visual amenity and is considered to be acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

Recommendation: GRANT Planning Permission subject to conditions

within the Southern Fringe Town Centre District, and as a Strategic Opportunity for Tall Buildings.

Permission is being sought to change the use of the existing building to office space, the installation of a new glazed door and screen to the front southern elevation of the building, the erection of boundary fencing and gates, the erection of CCTV columns, the re-location of lighting columns and the re-configuration of the existing parking spaces to accommodate 35 spaces for 5m long mini-buses and 35 spaces for 7.4m long mini-buses mini buses.

This application is being presented to Committee Members as the Council is the applicant, seeking permission to use the existing John Street Car Park as an operational base for the Home to School service due to capacity and health and safety issues at Smithies Depot, whilst a new, permanent site is sourced.

Site Description

The site is located on the periphery of the Town Centre, adjacent to the junction of West Way with Upper New Street, a location with excellent links to the surrounding towns and villages of the borough.

The site is occupied by a surface level, pay and display car park operated by the Council and a brick built, single storey flat roof structure which has been previously used as a drink and drug rehabilitation drop-in centre and a hair and beauty training centre; the building is currently vacant.

The site is bounded by West Way to the north, Upper New street to the west, John Street to the south and Burleigh Street to the east, with access only available from John Street which is a no through road. The site is enclosed by various boundary treatments, consisting of a boundary wall to the north-west, a part open frontage, and metal and paladin fencing to the south-west and paladin fencing to the north-east and south-east boundaries, with a small section of chain link fencing enclosing the south-eastern corner of the site at the junction of John Street and Burleigh Street. Trees are located along the north-eastern boundary, the south-eastern boundary and along the rear, north-eastern elevation of the building.

Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
2012/0196	Erection of new superstore with associated petrol filling station, car parking, access, servicing and landscaping	Approved with Conditions September 2012

Proposal

The applicant seeks permission to change the use of the existing buildings to office space, the installation of a new glazed door and screen to the front southern elevation of the building, the erection of boundary fencing and gates, the erection of CCTV columns, the re-location of lighting columns and the re-configuration of the existing parking spaces to accommodate 35 spaces for 5m long mini-buses and 35 spaces for 7.4m long mini-buses.

It is proposed to install green coloured paladin fencing to the south-western and north-western boundaries and is to be erected to a height of 2m. The fencing along the north-western boundary to be installed above the existing boundary wall at varying heights, to an overall maximum height of 2m. the fencing along the south-western boundary is to be

installed from ground level to a height of 2m and is to include an approximately 7.5m wide vehicular gate, with a separate pedestrian gate.

3no CCTV columns are to be installed within the site, at the north-eastern and south-eastern corners, and centrally within the site. They are to be of a standard design approximately 4m in height. 3no existing lighting columns are to be re-located within the site to facilitate the re-lining of the parking spaces.

Policy Context

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan

The site is identified as Southern Fringe District within the Local Plan and as such the following policies are considered to be relevant to this application:

Local Plan Policy GD1 General Development

Local Plan Policy BTC11 Car Parks

Local Plan Policy BTC15 Southern Fringe

Local Plan Policy BTC16 Development Site 2 - Heelis Street / New Street / Gala Bingo / Burleigh Court Site

Local Plan Policy T4: New Development and Transport Safety Policy D1 High Quality Design and Place Making

Local Plan Policy SD1 Sustainable Development

Adopted Supplementary Planning Documents

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case is:

Parking

National Planning Policy Framework (NPPF) (2024)

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. NPPF policy of relevance to this application includes:

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development.

Relevant Consultations:

Forestry Officer – No objections; the fencing located adjacent to the trees is to be retained as existing, therefore there would be limited impact on the trees.

Highways DC – No objections subject to conditions.

Town Centre Car Parks – No objections; there is sufficient capacity within the town centre to absorb the displacement of users of the John Street car park.

Ward Councillors – No objections received

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

The application was advertised on the Council website and 2no site notices posted adjacent to the site; no representations have been received at the time of writing this report, however, the site notice does not expire until 1st April 2025. Any objections received will be reported verbally.

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (December 2024) at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The principle of the development
- The impact on the character of the area
- The impact on the highway network and highways standards
- The impact on the existing trees
- The impact on neighbouring residential properties

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate

- Modest
- Limited
- Little or no

Principle of development

The site is located within the Town Centre and within the Southern Fringe District; Local Plan Policy BTC15 states that certain types of development will be acceptable in this area which includes housing, offices, employment and commercial uses. Local Plan Policy BTC16 Development Site 2 – Heelis Street/New Street/Gala Bingo/Burleigh Court Site states that the authority will allow mixed used development which would include retail, residential, offices, and food and drink.

The site is occupied by an existing chargeable car park available to the public and single storey building. Permission is sought to erect boundary fencing, change the use of the building to office space, the erection of CCTV columns, the re-location of lighting columns and the re-configuration of the existing parking spaces for use by the Council.

As a home to school depot, solely for Council use, the development does not wholly meet the criteria of BTC15 or BTC16; however, it does not seek to change the overall use of the site for parking, or to construct new development, and the long term objective for the Council is to seek a long term solution for the parking of Home to School vehicles. As such the principle of development is considered acceptable subject to the assessment against other relevant policies below.

Impact upon Character and Appearance of Surrounding Area

The proposed paladin fencing is to be located along the West Way and John Street boundaries and whilst located in a prominent position it is to provide security by means of enclosure for the Home to School minibuses depot.

Paladin fencing features a unique fine mesh pattern with horizontal and vertical wires, grouped tightly, creating a striped effect that can diminish overall visibility while maintaining a strong, rigid structure to provide security to the site, preferable over the more dominant palisade fencing. Whilst the fencing is comprised of two lengthy (75m +) sections it has been designed to limit the impact on the surrounding areas in that the fencing is to be coloured green.

It is also proposed to install a new glazed door and screen to the front, southern elevation of the building. The style is considered to relate well to the rest of the building and would not detract from the character of it, or the surrounding area. The re-use of the building is welcomed, will help deter antisocial behaviour and will improve the overall visual amenity of John Street.

Overall, it is considered that the proposed alterations would have a positive impact on the character of the area and as such is in compliance with Local Plan Policy D1; this carries significant weight in favour of the application.

Highway Safety

The application seeks approval for the re-purposing of the existing John Street Car Park to a Home to School minibuses depot. The applicant advises within the Planning Statement that it is necessary due to lack of capacity and Health and Safety issues at the current depot located at Smithies. According to the statement, the present arrangement at Smithies Depot

poses a risk to safe vehicle storage and movement, together with concerns over the health and safety of staff who are working in increasingly confined spaces.

The John Street Car Park currently has a total capacity of 113 spaces including 8 electric vehicle charging points and the re-purposing seeks approval for 70 spaces to serve minibuses 7.4m long and 5m long, retaining the existing EV charging units for use by any electric vehicles within the fleet. The existing building within the site will provide an operation managers office, welfare facilities and storage.

The site will be served by the existing car park entrance with minor modifications to widen the access, in order to accommodate the new 7.5m wide, two leaf Paladin gate. It is intended that any staff cars will park in the bays as minibuses vacate the site. This will be managed internally within the site to avoid any impact on the adjacent highway network. As such, there are no objections to the proposal from a Highways Development Control perspective, subject to the inclusion of conditions.

In response to the application, the Councils Parking Services team have confirmed the carpark is only moderately used and have advised they are satisfied that there is sufficient capacity within the town centre parking provision to accommodate displacement of users of the car park. To further support the displacement the BMBC communications team are working on a series of educational resources to aid knowledge growth of the alternative spaces in the town centre.

Based on the above assessment it is considered that the proposed development would not have a detrimental impact on the highway network, the safe and free flow of traffic or upon town centre parking provision and as such is in compliance with Local Plan Policies BTC11 and T4; this carries significant weight in favour of the application.

Impact on Trees

The site is bounded by trees to the north-east, south-east and beyond the rear north-eastern elevation of the existing building which are to be retained. The forestry officer has been consulted on the application and raises no objection to the development. The erection of the new fencing is to be located on the boundaries where no trees are present, and where trees are present, it is not proposed to replace or alter the existing boundary treatment. It is therefore considered that the proposed development would not have a detrimental impact on the wellbeing of the trees and as such is acceptable; this carries significant weight in favour of the application.

Residential Amenity

As mentioned previously that site is located within the town centre and within an area which is predominantly commercial in nature. Whilst a residential multi-storey apartment block is located to the north-east of the site, it is not considered that the development proposed would significantly impact the amenity of the residents of the apartment block given the existing screening provided by boundary trees and similarity to the existing use of the site and that of neighbouring sites. The erection of the new boundary fencing is to be located along the north-western and south-western boundaries, the furthest from the apartment block.

The CCTV columns and re-located lighting columns have been located within the site to provide the required level of operational coverage, but without resulting in a detrimental impact on the amenity of the surrounding residents. As such the development is considered acceptable and in compliance with Local Plan Policy GD1 and POLL1; this carries significant weight in favour of the application.

Biodiversity

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the Planning Practice Guidance) are met. This application is exempt from the requirement to provide BNG as it meets the de minimis exemption where no more than 25 square metres of habitat will be affected.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location and would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

RECOMMENDATION

MEMBERS RESOLVE TO APPROVE THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

CONDITIONS/REASONS

01. 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.
02. The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission:
Location Plan
Site Plan – As proposed 1360-031 Rev D received 25th March 2025
Ground Floor Plan – As proposed 1360-033 Rev A
Boundary Elevation – As existing and Proposed 1360-034 Rev C received 26th March 2025
Sundry Details 1360-035 Rev B
Boundary Fence Plan 1360-036 Rev A
Planning, Design and Access Statement Rev B received 25th March 2025
REASON:
To ensure that the development is carried out in accordance with the application as approved.
03. The parking area shall be laid out and marked strictly in accordance with the approved site layout plan. All markings and any associated signage must, thereafter, be always maintained in a visible and functional condition to ensure continued safety, efficiency and useability of the site.

REASON:

To ensure compliance with the approved plans and that there are adequate parking facilities to serve the development

- 04. The use hereby approved shall not become operational until the vehicle parking area has been completed and thereafter kept free from obstruction and available for parking of vehicles associated with the development.

REASON:

To ensure that there are adequate parking facilities to serve the development

The above consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's right to respect for his private and family life, his home and his correspondence.

Appendix 1 – Site Layout:

