
2019/0612

Applicant: BMBC Stronger Communities

Description: Proposed New Car Park

Site Address: Darton Park, Church Street, Darton, Barnsley

This application is presented to Members as the Council is the applicant. 6 letters of objection have been received from local residents. One of the letters is signed by 11 residents who live in the flats on Church Close. In addition a petition set up by local residents against the proposal has been signed by 29 people.

Site Location and Description

Darton Park is a large park located to the south of Darton and east of the main A637 Barnsley Road. It includes a bowling green, tennis courts, play area and skate park surrounded by open greenspace. Access into the park is from Barnsley Road and Church Street.

The site is located in the northern part of Darton Park, to the rear (east) of All Saints Church. To the east is the River Dearne, beyond which is Darton Business Park. To the north there is a block of flats on Church Close and the Darby and Joan Club. To the north east is the Co-op with car parking and a residential property. As well as the Church to the west is a commercial property.

The park narrows here and there is an existing access from Church Street, via the Co-op car park. The land is relatively flat and grassed with trees around the boundaries.

Proposed Development

It is proposed to create a car park to service the park with access along the existing access from Church Street. The car park is rectangular in shape and would provide 33 spaces along with circulation areas. It would be hard surfaced in tarmac to highway specifications with drainage provided as required. In addition the access road surface would be improved with appropriate road markings to allow for pedestrian access. Amended plans have been submitted during the course of the application being considered. For this reason second consultation process was undertaken.

Planning History

N/A

Policy Context

Planning decision 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 new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan Policies

The site is allocated is located in the Green Belt in the Local Plan where GB1 applies, protecting the Green Belt in accordance with National Planning Policy. It is also allocated as green space where Local Plan Policy GS1 applies.

Other relevant policies include:

SD1 – Sustainable Development
GD1 – General Development
LG2 – The Location of Growth
T3 – New Development and Sustainable Travel
T4 – New Development and Transport Safety
D1 – High Quality Design and Place Making
BIO1 – Biodiversity and Geodiversity
GB3 – Changes of use in the Green Belt
CC1 – Climate Change
CC2 – Sustainable Design and Construction
CC3 – Flood Risk
CC4 – Sustainable Drainage Systems (SuDs)
RE1 – Low Carbon and Renewable Energy
Poll1 – Pollution Control and Protection

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.

Paragraph 143 is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Whilst paragraph 144 states that: *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations”*.

Paragraph 145 includes various exceptions to what is inappropriate development and includes: *‘the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it’*

Consultations

Biodiversity Officer – No objections subject to a condition being imposed requiring the implementation of the mitigation measures proposed in the ecology survey.

Drainage – The site is in flood zone 2 and a flood risk assessment has been provided. No objections subject to conditions and consultation with Yorkshire Water.

Trees – No trees require removal or pruning to facilitate this proposal and any incursions into the rooting areas are minor enough as to not require any specialist methodologies. As such there is no objection to the proposal subject to compliance with the arboricultural method statement provided.

Highways – No objections, subject to conditions

Parks – Have already been consulted on the proposal by the applicant and have no issues or concerns.

Pollution – No objection.

PROW – No objection.

Yorkshire Water – No objections subject to a condition.

Representations

The application has been advertised by way of a press advert, site notice and properties within the vicinity have been consulted directly in writing. 6 objections, including a letter signed by 11 of the residents of Church Close and a petition with 29 signatures have been received. In summary the main concerns are as follows:-

- It is asserted that the proposal is not necessary.
- The access is used by pedestrians and children and the increased traffic will be dangerous.
- There is already too much traffic in the village.
- Location – The proposal is considered to be too close to the children's play area.
- The access, though the Co-op and past existing houses and the Darby and Joan club is unsuitable.
- The access is not wide enough and two cars cannot pass, increasing the risk to pedestrians.
- Loss of trees and hedges.
- Impact on biodiversity.
- Concerns that the car park would encourage antisocial behaviour.
- Impact on nearby residents from traffic, noise and possible anti-social behaviour.
- Encourages car use which is not sustainable, would impact on air quality and is in conflict with the Councils policy to encourage healthy lifestyles and reduce obesity.

Assessment

Principle of Development

The applicant has provided a planning statement setting out the rationale for the proposed car park. It forms the first step in a wider investment strategy for Darton Park which has been identified through the BMBC Principal Towns Project consultation which identified that the park does not fulfill its potential or offer enough facilities to attract people to the area. In addition to the car park proposed, a masterplan for the park has been produced with improvements including: picnic areas, covered seating, improved play and youth facilities and better paths.

A review of other potential sites available within the vicinity of the park has been undertaken in accordance with green belt policy and the requirements for a sequential assessment in relation to flood risk. The park is accessible from Church Street (via the Co-Op car park) and from the main Barnsley Road (A637). However, the A637 is unsuitable due to traffic levels and speeds along this route. In addition the levels here are such that access and any car park would be on a slope. All the potential sites identified are either in use / unavailable or are too far from the park to act as a car park associated with it. It is important to also note that all other available sites within the immediate area are located in the green belt and within flood zone 2. It has therefore been demonstrated by the applicant that there are no suitable alternative locations for the proposed car park.

With regards to the need for the car park, the applicant has stated in their planning statement that the park is one of 24 key parks within the Barnsley Borough and is therefore a priority for improvement. The car park is necessary to maximise access to facilities in the park for older people, disabled people and families. This has been identified through the consultation process

which included local residents, businesses and Ward Members. The car park would serve the park as well as the adjacent All Saints Church and Bowling Club. In addition, it is expected that linked trips to shops located on the high street will occur. The formation of car parks to serve local parks is not unusual and there are various examples in the borough. Whilst sustainable travel modes are encouraged there remains a need to provide facilities for private motor vehicles and increasing access to the park in this way would encourage residents less able to walk and cycle to access the facilities here.

Therefore, it is accepted that the proposed would create a car park for use by people accessing the park and is an exception under paragraph 145 of the NPPF and Local Plan Policy GS1 being a small scale facility provided in connection with the existing use of the site. The level of development proposed is limited to the creation an area of hard standing with a knee rail around the perimeter and two lighting columns. As such the openness of the Green Belt is largely preserved and there is no conflict with the purposes of including land within it. The proposed is acceptable in principle on the basis of all the above.

Residential and Visual Amenity

There are some residential properties located close to the site, the nearest being the flats off Church Close which back onto the proposed car park. Residents have raised concerns about the impact of the proposed on their amenity both in relation to the outlook from their garden and associated with noise and disturbance from the car park itself. However, there is a buffer around the car park and the existing trees are retained. This would screen much of the view of the car park, mitigating the impact.

The use of the car park is expected to be linked directly to the use of the park and as such is likely to be mostly during daylight hours. In this respect noise disturbance is also not anticipated to have a significant impact.

The potential for anti-social behaviour in this location exists already and the proposed includes new lighting to ensure maximum visibility.

Highways

The layout shows a proposed new car park with the existing approach lane widened to approximately 5.0m and reconstructed to the east of the day centre for distance of approximately 70m to facilitate two-way vehicle access to the proposed car park. Included, also, are additional drainage, lighting, markings, signage and new landscaping features.

There would be an increase in movements with additional conflicting movements, notably at the north towards Church Street where there are number of commercial and residential uses and within Church Street, but this is unlikely to be materially significant. The additional movements are more controllable on event days and it is expected that there could be a reduction in the search time and direction of travel to find a parking space.

Provision of bicycle parking and seating areas is recommended to encourage sustainable travel. However, whilst not part of this proposal it is acknowledged that these can be provided as part of the wider improvements to the park. Therefore there are no objections on highway safety grounds.

Conclusion

The proposed is to improve the facilities in relation to an existing outdoor recreation use and as part of a wide investment programme to encourage use of the park. Therefore the proposed is acceptable in accordance with NPPF para 145 and Local Plan policy GB1 and GS1 and the wider aims of the Local Plan.

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 plans and specifications:
 - Darton Car Park - Red Line Boundary
 - Darton Car Park - Proposed Works
 - Arboricultural Method Statement AWA2564AMSas approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 No development shall take place until:
 - (a) Full foul and surface water drainage details and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

 - (b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

 - (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;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.
Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

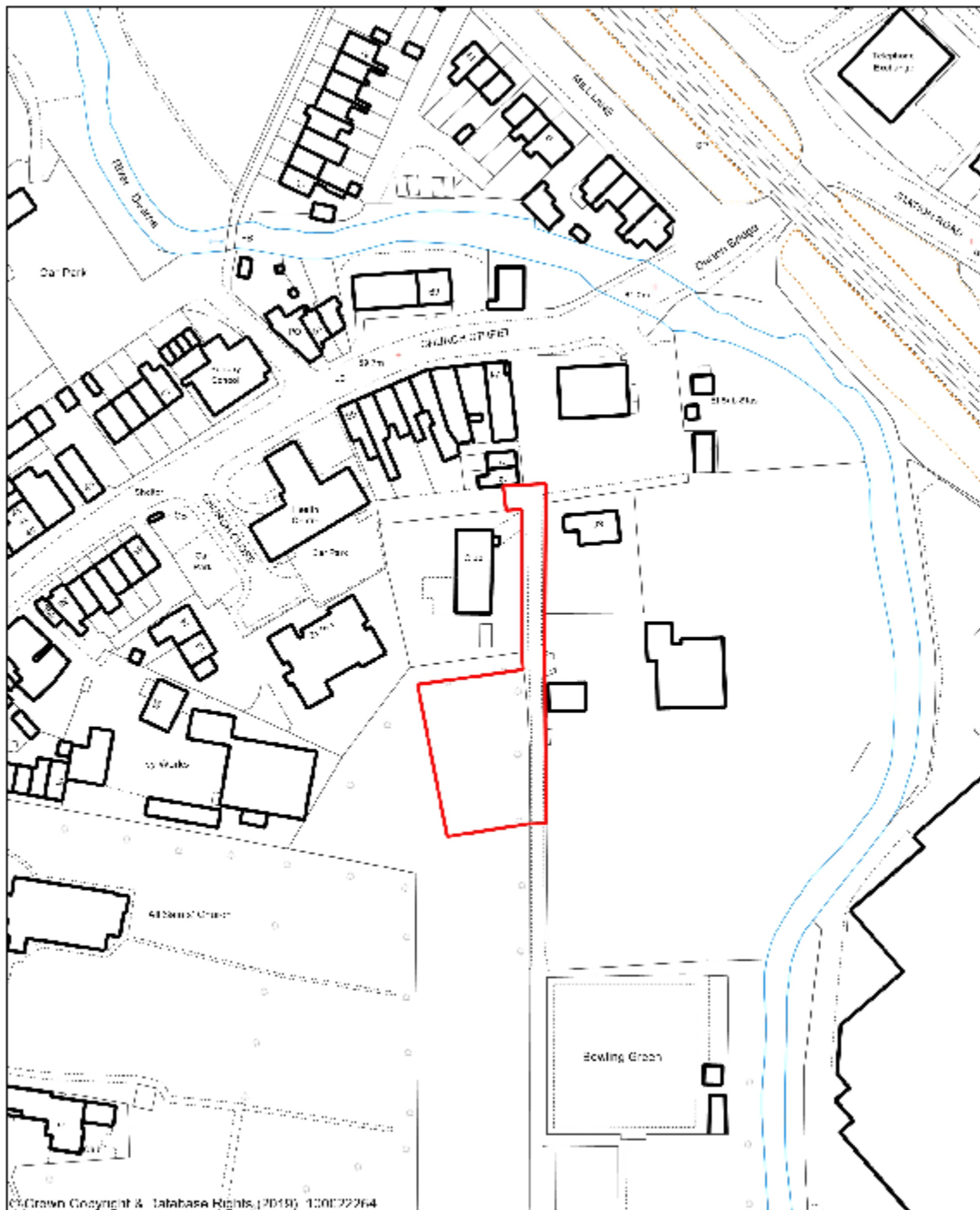
- 4 No construction works in the relevant area (s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority .
The details shall include but not be exclusive to the means of ensuring that access to the sewer (s) for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times .
Reason: In the interest of public health and maintaining the public sewerage.

- 5 Prior to the commencement of the use hereby permitted, the approach and on-site parking shall be laid out, surfaced, and drained in accordance with the approved plans and retained thereafter available for that specific use.
Reason: To ensure the permanent availability of the approach and parking in the interests of public safety.

- 6 Upon commencement of development full details of the mitigation measures identified in the Ecological Survey (Ref:MBE/ECO2019/20), including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.
- 7 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 8 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

PA Reference:-

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