
2022/0659

Applicant: Waterton Academy Trust

Change of use from Class E(d) to Class F1(a) Provision of education facility, including external alterations to the building fabric and changes to the site layout consisting of a new external 2.4m high palisade fencing and new vehicular access and parking area (Amended Plans)

Athersley Youth Centre, Newstead Road, Athersley North, Barnsley, S71 3NA

Site Description

The application site is in reference to the former Athersley Youth Centre, off Newstead Road in Athersley. The site is accessed via a short (c.20m) shared access which serves the former centre and 2 residential properties. The site currently hosts a singular building, with a former access/driveway into the site in the North-West corner which leads to a MUGA to the rear/South of the building. The building is flat roofed, constructed from brick with the site split between urban fabric (the building) and green space (the area around the building).

The surrounding is largely urban fabric, mixed-used but predominantly residential. However, to the immediate South-West of the site is an existing education facility (Athersley Primary School) and to



the East of the access is a fairly large area of green space (Athersley Recreation Ground).



Relevant Site History

B/00/1037/BA – Erection of Palisade security fencing and formation of car park (Approved subject to conditions)

B/04/0849/ BA – Demolition of existing boiler house and erection of new boiler house, Sure Start building and external works (Approved with conditions)

2012/1191 – Formation of additional car parking spaces (Approved with conditions)

Proposed Development

The applicant is seeking approval for the change of use for the building into a special education and disabilities (SEND) facility and associated parking and other external alterations. The existing MUGA located in the South-West corner of the site will be removed and altered into a car park, with the existing gated access in the North-West corner reinstated to provide access into the newly formed parking area. The original application showed a replacement MUGA on site, but this was removed on the amended plans. The amended plans also altered the parking/highways arrangement which includes parking within the shared access area and a safe pedestrian walkway from Newstead Road with tactile paving.

The opening hours of the building/proposed use will be 07:30am-6:30pm which will be the earliest time that staff will arrive and leave. Pupils would attend the school in three phases:

- Phase 1 – 08:30 to 15:00;
- Phase 2 – 08:45 to 15:15; and
- Phase 3 – 09:00 to 15:30.

The educational facility will lead to the creation of a maximum of 30 Key Stage 2 pupils, which will be phased out as the following:

First year:

- 15 pupils;
- 5 teaching staff (1 to 3 ratio);
- 1 administration staff;
- 1 cleaner; and
- 1 caretaker.

Second year of opening (forecasted):

- 20 pupils;
- 7 teaching staff (1 to 3 ratio);
- 1 administration staff;
- 1 cleaner; and
- 1 caretaker.

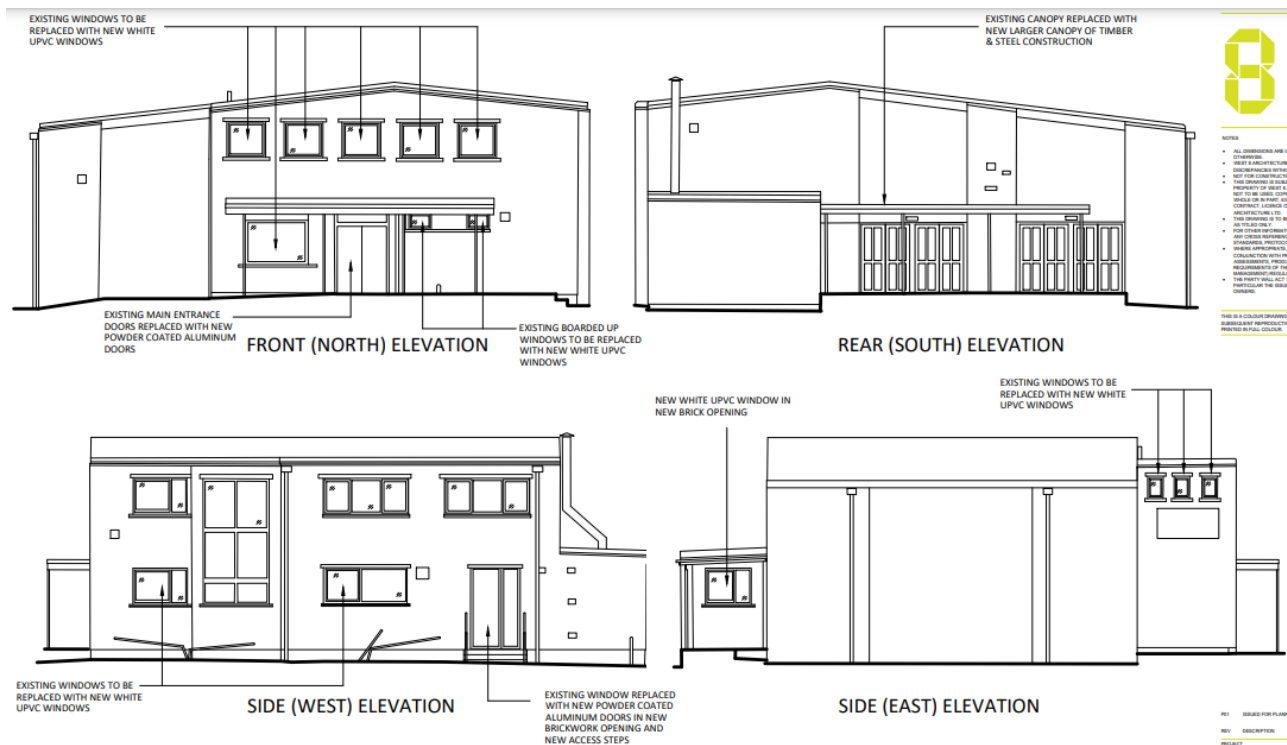
Third year of opening (forecasted):

- 30 pupils;
- 11 teaching staff (1 to 3 ratio);
- 1 administration staff;
- 1 cleaner; and
- 1 caretaker.

Proposed Site Plan:



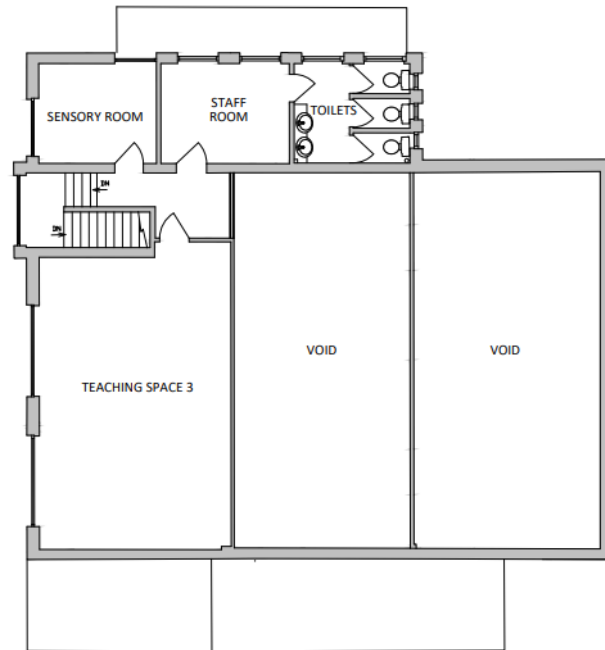
Proposed Elevations:



Proposed Floor Plans:



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

Policy Context

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 Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

In reference to this application, the following policies are relevant:

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T3: New Development and Sustainable Travel – New development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
- Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and
- Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. Travel plans will be secured through a planning obligation or a planning condition.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

I2: Educational and Community Facilities – The Council will support the provision of schools, educational facilities and other community facilities. New schools, educational and community facilities such as local shops, meeting places, sports centres, cultural buildings, public houses and places of worship should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling or public transport.

GS1: Green Space – The Council will work with partners to improve existing green space to meet the standards in our Green Space Strategy. Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks. Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or
- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

Supplementary Planning Documents

- Parking
- Section 278
- Sustainable Travel
- Open Space Provision

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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Consultations

Air Quality Officer – No comments received

The Coal Authority – No objection is raised to the application but recommended that the Coal Authority's standing advice is attached to any forthcoming decision notice, via an informative note.

Commercial Services – No comments received

Education Services – No comments received

Forestry Officer – If the palisade fence were 0.4m lower then it would be permitted development with the Council having no control over it. As long as the fencing is being done sympathetically with only localised excavations then it is unlikely that its construction would have a detrimental effect on the tree and the usual tree protection information is not deemed necessary in this case.

Highways DC – Initially requested further clarification and alterations, specifically to the parking layout, red line boundary and required swept path analysis for vehicles of various size. Additionally, other measures to ensure highways safety was requested such as a safe pedestrian walkway from Newstead Road into the site. Upon receipt of this information and amended plans, highways did not raise any objection subject to conditions.

Pollution Control – Initial response to original scheme: Given that the new MUGA is on the site of an existing sports field and the applicant has confirmed that the MUGA will not have associated lighting and will not be used outside the facility opening hours, it is suggested that a Noise Impact Assessment would not be required. Suitable conditions relating to the prohibition of lighting at the development and hours of use could be applied to the application which would remove/reduce the possibility for nuisance to be caused to nearby residents.

N.B. The proposed MUGA had been removed from the site on the amended plans and the above response is considered to be outdated.

SYMAS – The application site is partly within a Coal Mining Referral area, but this relates to the conjecture outcrop of the low risk Swinton Pottery coal seam. Also, the proposals do not include significant ground works in the referral area. If planning permission is granted, it is recommended that the coal authority standing advice is attached to the decision notice.

South Yorkshire Police – No comments received

Superfast South Yorkshire – No objection but requested the condition relating to the development providing gigabit-capable full fibre broadband, Details of which should be submitted and agreed with the Local Planning Authority upon commencement.

Ward Councillors – No comments received

Representations

Neighbour notification letters were sent to neighbouring properties on two occasions, once for the original proposal and once for the amended proposal. Additionally, a site notice was placed nearby the site for the original proposal.

Original proposal:

Two comments were received from neighbouring residents which raised the following concerns:

- Potential overlooking into the neighbouring properties from the boundary wall previously being used by children to climb up.
- The increase in traffic to the site.
- Increase in noise and disturbance to the neighbouring residents.

Amended proposal:

One comment was received raising concerns that the development will lead to an increase in traffic on what is an already busy road and concerns that the development will lead to more children in the area which could lead to increased disturbance, noise and anti-social behaviour.

Assessment

Principle of Development

The site is split between Urban Fabric and Green Space, with the building itself lying on Urban Fabric land and the area around it being green space. Part of the site that is on green space will therefore be developed upon and removed, which requires compliance with Local Plan Policy GS1 and the Council's SPD for Open Space Provision. Local Plan Policy GS1 and the SPD seeks to protect areas of green space from development, particularly when a green space assessment indicates that there are current deficiencies in that area. In some instances, the Council may seek compensation to secure community benefit to outweigh the loss of green space. In this case, the existing green space on site is of poor quality consisting of a dated MUGA and overgrown grassed/green space to the rear and side of the building. It is also not freely open to the public with the site fenced and gated off. Further, not all of the site will be developed upon, rather the existing MUGA will be removed and replaced by an access/parking area with the total area to be hard surfaced measuring c.350sqm or 0.035 hectares. The Council's SPD requires compensation to be paid per hectare of green space which is lost and the calculations therefore relate to a nominal fee which would be due in compensation. Given that the proposed use is a community use, with an area of green space retained on site, the loss of the small area of green space on site is not considered to detrimentally affect the amenity of the surrounding area/residents and its loss is acceptable given the new proposed use. It is the Local Authority's opinion that the nominal compensation fee in this case is unnecessary. Further, there are several pockets of nearby green spaces nearby which are to be retained and unaffected by the proposed development. Most pertinently, there is Newstead Road allotments and Newstead Road recreation ground immediately adjacent to the site which measure 0.57hectare and c.1.15 hectares, respectively. The recreation ground is freely open to the nearby residents, and it is felt that there is not a deficiency of this type of open space in the area.

Local Plan Policy I2 supports the provision of schools, educational facilities and other community facilities. New schools should be located centrally to the communities they serve and in places where they will be accessible by walking, cycling and public transport. The proposed development is in a high density largely residential area with other community uses nearby and the proposed development is considered to be in compliance with Local Plan Policy I2.

The proposed development is therefore considered to be acceptable in principle, in compliance with Local Plan Policies I2, GS1 and the SPD for Open Space Provision.

Visual Amenity

The building is not being significantly altered externally with minor changes proposed such as replacement windows, an additional window situated on the Eastern elevation at ground floor level (serving the proposed calm room), existing window to be replaced by an access door serving the proposed kitchen area. Several of the existing windows are also being replaced by white UPVC, but are not being altered in shape or size. Additionally, the existing canopy located on the Rear (South) elevation is to be replaced by a larger canopy of timber and steel construction. All of these external changes to the building are required for the future operations of the building and to replace the now dated fenestration details/openings. The proposed external materials and alterations are considered to be respectful of the existing architectural and design quality of the building, without harming its character nor does it detrimentally impact the character of the area.

The wider site is being altered with the removal of the MUGA and creation of a parking space to the rear (South-West) of the site, with other alterations such as the creation of a safe pedestrian walkway from Newstead Road to the site. The access and parking area is to be hard surfaced with tarmac which is similar to the surrounding area and is suitable. All of these alterations are considered to be suitable.

The development includes additional palisade fencing located on the Western boundary line which will be an exact replica of the existing palisade fencing at a height of 2.4m and green in colour. This is clearly a continuation of the existing boundary fence and is acceptable in terms of design.

The proposed development is in compliance with Local Plan Policy D1 and is acceptable in terms of visual amenity.

Residential Amenity

The site is located within what is a largely a residential area with neighbouring properties in all directions with the exception of the South which is occupied by a primary school. Indeed, the access to the site is shared with

another residential property (School House). The last known use of the building was for a Youth Centre which included a MUGA to the South-West corner of the site which bordered onto several residential properties. The existing use of the building therefore had a level of noise and disturbance with no set limitation on the hours of operation. The proposed change of use of the site is for educational purposes which are largely limited to standard teaching hours. The applicant has confirmed that staff will arrive no earlier than 07:30am and leave no later than 6:30pm, which is typical for an educational facility. Whilst the proposed use will bring a level of noise and disturbance, it will clearly be similar to the existing neighbouring primary school to the South and colleagues in Pollution Control have not objected to the scheme. The MUGA on site is to be removed and was originally intended to be replaced, elsewhere on site, but the amended plan has removed this. This is a benefit to the scheme as MUGAs generally have noise and lighting issues and this is no longer a consideration to residential amenity. The staggered times of pupils arriving and leaving will reduce the noise impact and general disturbance to neighbouring properties.

The proposed development is considered to be in compliance with Local Plan Policy GD1 which seeks to protect the amenity of existing and future residents, and the proposed development is considered to be acceptable in terms of residential amenity.

Highway Safety

The site is accessed off Newstead Road, which is classified road, running North to South, with a roundabout to the North-East of the site. Access into the site itself is shared with a neighbouring property (School House), from the East to the frontage of the building (facing North). The proposed development seeks to reinstate a former gated access to the North-West which runs to the side (West) of the building into a newly formed parking area to the rear/South-West of the building. The car park to the rear will hold 5 parking spaces including a disabled bay and an EVCP. The area will include a loading/turning area and a waiting area. A pedestrian walkway with tactile paving will be formed between the parking area and the rear of the building. Additionally, a separate parking area will be formed to the East of the site, between the building and the road, including a disabled bay. A pedestrian walkway will be formed along the front of the secondary parking area to the East of the building, forming a direct and safe link from Newstead Road to the site. This will create 9 parking spaces in total in 2 different areas in the site. Other associated works are included which require works to be undertaken to the adopted highway, such as a passing place. A transport statement has also been provided which clearly indicates the number of staff, and how the pupils will arrive and leave the facility at staggered times. This will reduce the potential intensification of the access and impact on the local highway network.

The amended plans feature significant alterations from the original plans on the basis of comments/concerns raised by colleagues in Highways DC, who raised no objections subject to conditions and an informative in regard to the requirement for the developer to enter into a section 278 agreement with highways which will be covered through a planning condition. It has been acknowledged that there is an existing use to the site and whilst the proposed use is more regular and intensive, the net result is an additional 9 parking spaces on the site and improvements to the highway to make it safer for users. This exceeds the guidance within the Council's Parking SPD which requires 1 parking space per 3 teaching staff and 1 space per non-teaching staff. The teaching staff will be 11 with non-teaching staff being 3 which requires 5 parking spaces on site. This is achieved through the proposed development and highways alterations.

The Council has an adopted Section 278 SPD which provides guidance for developer in the Section 278 Agreement Procedures with the Council and associated costs.

The proposed development is acceptable in terms of highways safety.

Sustainable Travel

The Council's Sustainable Travel SPD states that the requirements for the provision of Electric Vehicle Charging Points now falls under The Building Regulations 2010 Approved Document S Infrastructure. The Site Plan shows that one EVCP will be formed in the rear car park.

Conclusion

The proposed development seeks to change the use of Athersley Youth Centre, located off Newstead Road in Athersley South. The site is split between Urban Fabric (the building itself) and Green space (the area immediately around it), and lies within a predominantly residential area, albeit Athersley Primary School lies to the immediate South. Part of the land which is located within the area classed as green space will be

developed upon to make way for an access, parking area and pedestrian walkway – with an existing MUGA being removed from the site. The loss of the green space is considered acceptable as it would relate to 0.05 hectare and there would be a nominal compensation fee due to the Council for its loss. Additionally, immediately adjacent to the site is Athersley Recreation Ground which comprises 1.15 hectares and is freely open to the public, which the site in contrast is not. Local Plan Policy I2 also states that the Council supports applications for new educational and community facilities within the Borough. As such, the proposed development is considered to be acceptable in principle.

The educational facility will be relatively small scale in terms of pupil numbers (maximum 30) and staff number (maximum 11) and the operational hours of the building are considered to be typical of an educational facility and appropriate – 07:30-6:30pm on weekdays. It should be noted that teaching times is limited to 08:30am-3.30pm with pupils arriving and leaving in staggered manner. These opening hours will be conditioned, and the proposed development is in compliance with Local Plan Policy GD1. Colleagues in Pollution Control did not object to the proposal and stated that a noise impact assessment was not necessary in this case. Colleagues in Highways also requested further information and alterations to the parking layout, access and the formation of a safe pedestrian walkway from Newstead Road into the site. Upon receipt of an amended plan and transport statement, highways raised no objection subject to conditions, including an informative relating to a Section 278 agreement.

The proposed development is in compliance with all relevant Local Plan Policies and SPDs and is recommended for approval, subject to conditions.

Recommendation

Approve subject to conditions