

Supporting Policy Statement and Summary of Proposals



Former Church / Chapel, Kingsway, Thurnscoe, Rotherham.

April 2008

Background

The Use Class status of dancing schools/studios has never been clear, although if the Elmbridge appeal decision is followed, such a use falls within Use Class D2. This view was supported in Bradford City Council in 1989 concerning a dance studio for children. Also in Bromley LB in 1998 a use termed a dance studio was found to be used for many other activities including singing, drama, aerobics etc. and as such was D2.

However, in Rotherham in 1990 use as a dance school, mainly for children, was felt to be D1. At the end of the day it needs to be determined whether the function of a dance school is an educational one, or a recreational one, and such a distinction may be a little difficult to draw.

For the purposes of this planning submission to Barnsley MBC it is considered that the proposed use is as an educational dance school, and hence D1 (Non residential Institutions) of the use classes order.

Currently the applicant operates from two Community Centres (St, Andrews and Prospect Road) in Bolton-on-Deane. The new studio, will allow Clayton School of Dance and Performing Arts to consolidate its existing operations by relocating to their own dedicated premises. The School of Dance is a well established and highly regarded organization, which offers great benefits and pleasure to many residents of the Dearne Valley.

The relocation and financial investment in the project also demonstrates that the School is fully committed to the area. The applicant's website (<http://www.csdance.co.uk/>) gives further background information and clearly shows that the Dance School is a very professional operation.

It should be noted that another dance school is located within the area, this establishment focuses on the teaching of Ballroom Dancing, Clayton School of Dance and Performing Arts specializes in the teaching of Ballet, which is unique to the area.

Relevant policies in the Barnsley Unitary Development Plan

The following subtext to the community section in the UDP is of note:-

Due to the size of most community facilities sites are not shown on the proposals map other than existing schools and the health centre in Thurnscoe. These, together with other facilities not identified will be protected by Policy CF2. New facilities will be encouraged in appropriate locations in accordance with Policy CF1.

Policy CF1 states the following:

The provision of community facilities will be encouraged where they:

- a) meet community needs.
- b) are convenient and accessible to pedestrians, cyclists and users of public transport.
- c) have adequate car parking and access arrangements.
- d) are compatible with adjoining uses and do not adversely affect residential amenity.

Housing policy H4

The sites shown as housing proposals on the proposal maps will be developed primarily for residential purposes.

Uses other than residential within such areas will only be permitted where :

- a) they comprise a use which is ancillary to the predominant use of the site for housing purposes but is integral with it, and
- b) they provide a service or other facility predominantly for residents of the site, and

c) they would cause no undue harm to residential amenity for reasons such as excessive noise, fumes, smells, car parking or servicing or highway congestion, and

d) they could be accommodated satisfactorily within the site without giving rise to unacceptable conditions of highway congestion or safety, particularly to pedestrians and cyclists.

Local Cultural Statement

Five Strategic Aims:

- Create Access and Enable Inclusion for all
- Encourage Participation and Celebrating Multiculturalism
- Encourage Creativity and Innovation
- Nurture Enterprise and Investment
- Strengthen the Image and Identity of Barnsley

The aim of the Local Cultural Statement is to bring together into one document the vision for the development of the cultural life of the borough for 2003-08. The Local Cultural Statement sets out the challenges we need to address and the opportunities there are to create a borough of which we can feel proud, which is beautiful and which offers its citizens opportunities to improve their lives and to prosper.



Summary and policy justification.

Amenity

Diminution of noise emissions from a dance/disco building itself is likely to be the first conditional priority of a local authority. Such is the importance of securing adequate noise attenuation that conditions specifying the actual noise levels permitted are often applied. However, by virtue of the detached nature of the building it is considered that no noise and potential for detriment to amenity will result. However, a condition to prevent the playing of amplified music or sound systems at the premises will be accepted. It is intended to use domestic audio equipment.

Hours of operation

The hours stipulated are unlikely to result in a loss of amenity to adjacent residents in Kingsway, the non-opening on Sundays / Bank Holidays and closing times of 3pm on Saturdays and 9pm during the weekday are of paramount significance. Clearly no amenity issues will evolve during unsociable hours.



Parking

The pattern of usage of dance studios/schools exhibits quite different characteristics from conventional dance/disco proposals. Indeed it should be noted that dropping-off and picking-up of children in the late afternoon period and early evening would be done quickly and the noise and hullabaloo usually associated with the more gregarious forms of entertainment for the young would not result.

In terms of any potential for parking the adjacent carriageway, which is above normal width and has unrestricted parking, will cater for the small increase in demand.

Land use

The change of use is acceptable in land use terms and will be ancillary to the predominant use of the wider area for housing, would cause no undue harm to residential amenity for reasons such as excessive noise, fumes, smells, car parking or servicing or highway congestion, and could be accommodated satisfactorily

within the site without giving rise to unacceptable conditions of highway congestion or safety, particularly to pedestrians and cyclists.

The scheme will also meet the aims and objectives of the Local Cultural Statement and its Five Strategic Aims highlighted earlier in the report.

Summary and conclusions

Having regard to local planning policy and all other material considerations, the following conclusions are drawn:

- (i) The application site is located within an established residential area. The dance school use proposed for the site is compatible with those for a residential area and the immediate vicinity and will introduce a use that can contribute to the Local Cultural Statement and offer a further community facility.
- (ii) The proposals are also in accordance with the adopted Barnsley Unitary Development Plan Policies CF1 and H4 in respect of community uses and alternative uses in residential areas.

Having regard to the above it is considered that planning permission should be granted for the proposed change of use of this former church building to a dance school and it is, therefore, requested that the Council support the planning application.