2022/1313
Applicant: Fiona O'Brien (BMBC Urban Centre Projects Manager)

Proposal: Erection of 'Three Sheep Seats'

Site address: Children's Playground Within Penistone Recreation Ground at
Land adjacent Back Lane, Penistone, Sheffield S36 6AB

Site Description & Location

Penistone recreation ground is a large, predominantly open grass field recreation ground located between Talbot Road and Back Lane. The site is designated as local green space. Within the site is a children's play park, adjacent to Back Lane and a skate park at the opposite side of the recreation ground, adjacent to Talbot Road. Crossing through, between the recreation ground and Talbot Road is the Trans Pennine Trail.

The location for the proposal is with the children's playpark, which contains several pieces of existing children's play equipment.

Planning History

Relevant history:

2007/0857: Change of use from private land at the rear of Scholes Avenue into part of recreation ground – Approved 13th august 2007

B/03/2171/PU: Erection of single-storey pre-school with associated access, parking, and amenity facilities – Approved 6th May 2004 [Appears no to have been constructed]

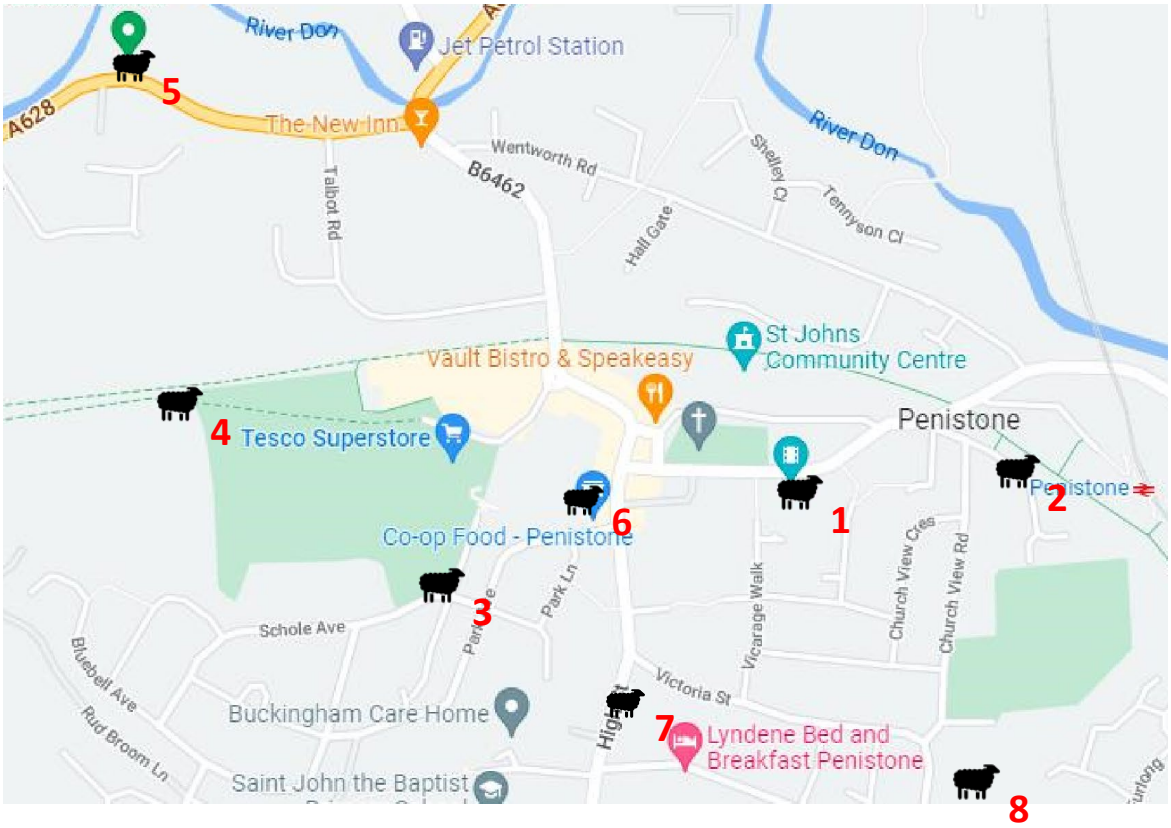
B/94/1231/PU: Formation of multi-user recreational routeway for walkers/ cyclists/horse riders - Former Woodhead Railway – Approved 30th November 1994

B/77/1513: Tipping on land and restoration of same for recreational use – Approved 15th December 1977

Proposed Development

The proposal is part of a wider scheme arranged by the BMBC Urban projects team to install eight pieces of new public artwork within the town of Penistone. Information from supporting documentation provided by the applicant, illustrate how the principle of such public artwork has been in place since 2019. The idea arose in collaboration with school children, taking inspiration from the temporary public art installation titled 'The Herd of Sheffield', which saw 58 large, brightly coloured elephant sculptures located citywide in 2016.

The proposal is to install a set of three functional pieces of public artwork titled 'Family Flock' within the area of the Children's play park. The proposed artwork is the third of a collection of eight sheep sculptures proposed to be located around the town of Penistone, indicatively shown as number 3 on the map below.



The photograph below offers an indication of how the artwork would look. Family Flock would probably be some of the most vivid of the proposed artwork but still retain the overall monotone colour of the collective set of Penistone Sheep artwork.

Sheep Seats – 500mm tall – 1.75m Between Each Sheep

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 was adopted in January 2019 and is also now 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 and 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.

<u>Penistone Neighbourhood Development Plan 2018 – 2033</u>

BE4: Local Green Spaces
The following areas are designated as Local Green Spaces, where there will be a presumption against all development except in very special circumstances:

(3) Penistone Recreation Ground

LE1: Increase the vitality of Penistone town centre

LE4: Increase tourism and the local visitor economy

Visitor attractions and facilities that offer opportunities to interpret, conserve and enhance the area's local heritage and landscapes.

<u>Local Plan</u>

Policy 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.

Policy 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.

Policy GS1: Green Space: 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.

Policy E5: Promoting Tourism and encouraging Cultural Provision We will promote tourism and encourage the growth and development of cultural provision

Policy 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.

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.

Consultations

Highways DC - As the proposed artwork would be erected within a children's playground "it does not adversely affect any sight lines/visibility nor does the location appear to impede any pedestrian movements". As such Highways had no objection and do not require any specific conditions to be added.

Penistone Town Council – Have objected to all the sculptures on the following grounds:

- Their view is that the sculptures are "hideous" and in their opinion fear they may cause Penistone to become a "laughing stock"
- There is an allegation of no consultation was made with the community regarding the design or suitability of the proposed statues.
- Following on from lack of alleged lack of community involvement, the council believe the Penistone Sheep were imposed upon them.
- There is concern about potential graffiti appearing on the structures and ultimate responsibility for maintenance.
- There is a concern about public liability insurance, if for instance a child hurts themselves.
- They believe the Principle Towns Funding could have been better spent.

The above comments were passed on to the applicant to respond to. The issue of the appearance of the structures will be addressed in the main body of the report. The applicant has provided evidence that community consultation, including with children of the community was undertaken in or prior to 2019. The concern over graffiti and public liability

are genuine concerns but beyond believing the statues would be solidly constructed and installed correctly, as the plans suggest, ongoing maintenance and liability is not a planning consideration. Finally, again the allocation of finance is not a planning issue, but whilst there will be a cost to the installation of the structures, artwork such as the Penistone sheep may also have potential to boost the local economy

Representations

Neighbour notification letters were sent to surrounding properties and a site notice placed nearby. No comments were received.

Assessment

Principle of Development

The proposed artwork, comprising of three, modest in size, sheep sculptures are integrated within an area already utilised as a children's play and features several pieces of equipment. As such there would be no or an insignificant amount additional harm caused to the living conditions or residential amity of current or future residents of the area. Equally, because of its modest size and location on the edge of the local green space, the sculpture does not impact upon the openness or functionality of the green space. It can be considered as a small scale facility that supports the open space and therefore would not be considered contrary to Local Plan Policy GS1, or the Penistone Neighbourhood Plan.

Visual Amenity

The artwork appears to have been considerately designed and constructed in subtle and sympathetic monochrome colours which not only reflect its subject but helps ease the structure within the sensitive location of a historic market town.

It is recognised not everybody would appreciate the design or obtain pleasure from the artwork but hopefully the principle of providing public artwork or the reflection of Penistone's agricultural history within the artwork may help appease those who do not instantaneously appreciate the works.

In comparison to both the elephant artworks which inspired the Penistone Sheep and other recent art installations across Barnsley, the sheep artworks are smaller, more subtle and in the case of this specific sculpture doubles up as a practical piece of much needed seating within the area. Additionally, as the proposed artwork incorporates an important part of Penistone's History and reflects specifically to its proposed siting, the proposed development is considered to be in compliance with Local Plan Policy D1: High Quality Design and Place Making and Policy HE1: The Historic Environment.

Tourism & Town Centre Vitality

Of the proposed Penistone Sheep Sculptures, those proposed for this location have probably the greatest community benefit but on their own, the least potential benefit of

encouraging economic spend or tourism numbers. However when taken in consideration of the whole collection of Penistone Sheep, although not providing a direct or immediate economic boost, the collective Penistone Sheep have the potential to encourage both residents and tourists alike to explore Penistone and its cultural and retail assets whilst appreciating or at least viewing the artwork.

Although in commonplace with any initiative to increase the vitality of a town centre or to attract increased numbers of tourists, results are not guaranteed, the proposals do support Penistone Neighbourhood Development Plan policies LE1: Increase the vitality of Penistone town centre, LE4: Increase tourism and the local visitor economy and Local Plan Policy E5.

Impact on Highways Safety:

As the proposed artwork would be erected within a children's playground it does not adversely affect any sight lines/visibility nor does the location appear to impede any pedestrian movements. As such Highways had no objection and do not require any specific conditions to be added.

Impact on Residential Amenity:

As outlined in the principle of development, there is no impact on residential amenity.

Conclusion

As has been documented above, the proposal is considerately designed and sited to enhance the recreation ground, particularly the children's playground area. It is not considered to be of detriment to highway safety, neighbouring amenities or the green space. The scheme is therefore considered acceptable.

Recommendation

Approve subject to conditions: