
Ref 2021/1009

Applicant: Trinity Academies Trust

Description: Erection of temporary extension to provide kitchen facilities in connection with new school occupation, new 2.4m high perimeter and 3m high internal fencing and removal of short section of retaining wall and railing within site to facilitate means of escape

Site Address: Eastgate House, 9 Eastgate, Barnsley, S70 2EP

Site Description

Eastgate House, formerly part of Barnsley College's Eastgate campus, comprises a split-level brick clad, concrete-framed building with a four-storey element fronting Eastgate and a perpendicular four storey element at a lower level to the rear. The building is of a modernist design, built around 1967 and has more recently been used for teaching purposes by Barnsley College.

The proposed site for the modular kitchen is to the south of the rear-facing block. It is set a full storey height below Eastgate and as such, is not visible from Eastgate to the west. To the east, the site opens up into a wider area of macadam-surfaced hardstanding which is enclosed by a mixture of brick walls, stone walls, and mesh fencing. To the south, the boundary with adjoining properties is formed of stone walls with palisade fencing above, along with the rendered gable of a storage facility.

The wider site lies between Eastgate and a public car park to the east. A service/access road running from east to west lies to the north of the site and north of this lies The Michael Young Arts Centre and associated car parking. The entire site falls quite significantly from west to east.

**Background**

In December 2018 a Secondary School Place Planning Cabinet Report (Cab.12.12.18/6) identified that there was demand for at least 774 secondary school places (87 in September 2020 plus 657 places between 2020-27). The following recommendations were therefore approved:

- That the Council continues to engage with, and support, Multi Academy Trusts that express an interest in opening a Free School within Barnsley.
- That the Council as a nominated eligible local authority applies to receive the new Presumption Free School Grant.

- That the Council supports the provision of temporary accommodation for the academic year commencing September 2020, which may be run by a Free School in the event of a Multi Academy Trust application being successful as a new Free School would not be built by this date.
- That in the event of a Free School application being unsuccessful, that the Council accommodate the demand for pupils in 2020 within its existing estate.

On the 18th March 2020, Cabinet approved a report (Cab.18.3.20/18) recommending a free school as the preferred use for the Keresforth Close site (which was allocated as a mixed use site in the Local plan) and that the site be transferred to the Secretary of State for Housing,

However, given the lead in times, including the need to obtain planning permission, it had already been recognised that a permanent school would not be available for use by September 2021 and so the DfE began working up a planning application for a temporary solution. Application 2021/0015 for a temporary school building on land off Keresforth Close was submitted and approved, unfortunately, due to unforeseen circumstances this permission could not be implemented, as such, alternative premises were sought, hence the reason for this application and the works outlined below.

Proposed Development

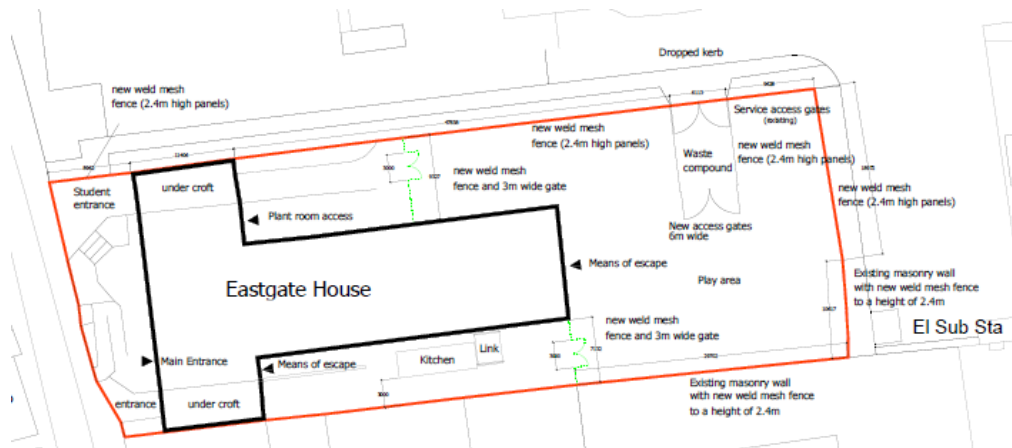
Due to an increasing demand for student places, there is a local requirement to provide suitable teaching and learning accommodation for 240 students over the next 2 years starting from September 2021. The current proposal would utilise a building formerly utilised by Barnsley College for educational purposes until such time as the permanent school is provided (anticipated September 2023 opening, subject to planning permission being forthcoming).

Given the previous use of the building, no change of use would occur, however, this application seeks temporary approval for the addition of a modular kitchen to the south elevation of Eastgate House on behalf of Barnsley College. The building will be occupied temporarily by students from the newly formed Trinity Academy St Edwards until a permanent school is provided.

The proposal is for a temporary kitchen to serve a new intake of 120 Year 7 Secondary pupils in September 2021 and a further 120 pupils in September 2022. Approval is sought for the temporary kitchen for a two-year period until August 2023, after which the kitchen building will be removed, and the areas affected will be returned to their original condition.

In addition, the application seeks approval for the erection of perimeter fencing to the rear hardstanding to provide security for the occupants of the school.

It should be noted that due to the time constraints involved, in order for the building to be ready for the new academic year, some of the works have already begun or been completed, as such, this application is part retrospective.



Policy Context

The site is within the Courthouse Campus zone of Barnsley Town Centre, as set out in the Local Plan. The site is within the Regent Street/Church Street/Market Hill Conservation Area. There are also listed buildings along Eastgate to the South of the Site. The following policies are relevant.

Local Plan

- Policy GD1 – General Development
- Policy GD2 – Temporary Buildings and uses
- Policy T3 – New Development and Sustainable Travel
- Policy T4 – New Development and Transport Safety
- Policy D1 – Design
- Policy HE1 – The Historic Environment
- Policy CC1 – Climate Change
- Policy CC2 – Sustainable Design and Construction
- Policy BI01 – Biodiversity and Geodiversity
- Policy Poll1 – Pollution Control and Protection
- Policy RE1 – Low Carbon and Renewable Energy
- Policy BTC21 – Courthouse Campus

SPD's

- Parking
- Residential Amenity and the Siting of new buildings
- Sustainable travel

NPPF

The NPPF 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.

Paragraphs of relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 95 - notes that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- Work with schools' promoters to identify and resolve key planning issues before applications are submitted.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 199 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Consultations

Regulatory Services – No objections

Highways – No comment

Conservation Officer – No objections

Ward Cllrs – General comments from a Cllr regarding the handling of the previous temporary school application (2021/0015) and the suitability of Eastgate House for the temporary school.

Representations

None

Assessment

Principle of Development

Paragraph 94 of the NPPF notes that Local Planning Authorities should take a proactive, positive, and collaborative approach to meeting the requirement of there being a sufficient choice of school places available. Further to this, paragraph 94 also states Local Authorities should *“give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”*.

Local Plan Policy 12 ‘Educational and Community Facilities’ states ‘we will support the provision of schools, educational facilities, and other community facilities. New Schools...should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport.

The supporting text to policy 12 sets out that one of the borough’s ambitions is to invest in education and skills to support the development of the economy and increase educational attainment. It is important that everyone has access to a good education.

Policy GD2 provides specific support for temporary buildings especially where it can be demonstrated that urgent accommodation is needed pending the completion of a permanent building. In this case, the proposed temporary buildings associated with a temporary school is essential in order to provide school places to children from September 2021 onwards, in advance of the completion of a permanent school.

Given the comments above, the principle of development of temporary buildings and associated work for a temporary school is acceptable, given the urgent need for additional school places within the Borough and the national aim of delivering additional school places as identified in the NPPF. It should also be noted that the building has previously been used for educational purposes, therefore, no change of use is occurring. The additional temporary accommodation and associated works are only required to make the building fit for the temporary use. Furthermore, the site sits within the Courthouse Campus Zone of Barnsley Town centre where one of the accepted uses set out in policy BTC21 is ‘Education and Community Facilities’.

All new buildings must ensure that overall standards of residential amenity are provided or maintained to an acceptable level for existing and future neighbouring residents and land users. In addition, development will only be granted where the development would

maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Given the site is within a Conservation Area, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Design

The proposed temporary modular kitchen building would be located adjacent to the large, multi-storey southern elevation. Visibility from public vantage points would be limited given the location, position and size of neighbouring buildings and the distance of the building from public rights of way and adopted highways. The building would also be on a lower level than East Gate and obscured by mature trees when viewed from County Way and its associated car parks.

Furthermore, the building is of a very modest size measuring 8.6m long and 2.85m wide with a flat roof. The kitchen would be accessed from the existing building by a modest 'link' measuring 2.7m x 3.6m. As such, the building would not be a prominent feature on the streetscene or detrimental to the visual amenity of the area, in accordance with Local Plan Policy D1.

It should also be noted that the building is only required for a temporary period of circa 2 years at which point a more permanent school should be available. The building would be removed from the site and the site restored to its previous state.

In addition to the building, new fencing and compounds are proposed. The majority of the fencing on the Northern and Eastern boundaries would replace the existing fencing which in some parts is in a state of disrepair or damaged. The proposed fencing is paladin mesh fencing which is powder coated green. The fencing would sit comfortably within the area, despite its prominent locations and would reflect the fencing being replaced, as well as similar fencing within the area. The replacement of the existing damaged fencing would contribute positively to visual amenity.

In terms of the compounds, they would comprise of similar fencing panels and would be located within the site, away from prominent public vantage points.

Given the comments above, the visual amenity of the area would be maintained or enhanced, in accordance with Local Plan Policy D1.

Residential Amenity

The closest buildings to the application site are generally commercial or educational in nature. However, it is noted there are some residential properties along Eastgate. In any case, the location of the temporary building would not reduce amenity levels of the users of adjacent buildings. Furthermore, the proposed fencing is a predominantly like for like replacement of previous boundary treatments and is mainly paladin, mesh fencing which allows views and light through.

It is noted that the temporary building would be used as a kitchen which would generate some noise and disturbance through activity and plant/machinery. However, a technical

report including acoustic data has been submitted alongside the application. Regulatory Services agree with the data within the report and have raised no objections to the proposal.

It should also be recognised that no change of use is taking place as the building was previously used by Barnsley College as classrooms and educational facilities.

Highways

As outlined above, no change of use is taking place and the proposed amendments are relatively minor only adding a small amount of floorspace. Servicing and access arrangement would remain as exist. It is noted that there are limited on site parking spaces, however, this reflects the current situation and as was the case when previously used for educational purposes. Furthermore, the site is within Barnsley town centre, a short distance from the transport interchange and adjacent to numerous surface car parks.

Granted the building was previously occupied by older college students and the current use would be for younger secondary school pupils, who may be more reliant on parent drop offs. But as outlined above, the change of use is not up for consideration and the building is within a highly sustainable location.

Heritage

The site is just within the Regent Street/Church Street/Market Hill Conservation Area. As the Conservation Officer states, this area contributes little to the overall Conservation Area. The proposed building is also set on a lower level than Eastgate, is modest in size and predominantly obscured by existing buildings from the wider conservation area, and it is only required for a temporary period of 2 years.

The other works such as the fencing are more visible from Eastgate and the wider Conservation Area, but they replace existing damaged fencing and would make a positive contribution to the streetscene and the Conservation Area, in accordance with Local Plan Policies D1 and HE1. The proposed green colour would also sit comfortably within the surroundings.

Conclusion

The need to provide additional secondary school places across the central planning area attracts great weight, particularly in the context of a lack of alternative sites being available. Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of a temporary planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Grant subject to conditions

The temporary Kitchen building and its associated 'link' shall be removed and the land restored to its pre-development state prior to the 2023/2024 academic year.

Reason: In the interests of the visual amenities of the locality, residential amenity and highway safety, in accordance with Local Plan Policies D1, GD1 and T4.

The development hereby approved shall be carried out strictly in accordance with the plans (Nos 1010-P01, 1011-P01, 1012-P01, 1013-P01 & 1014-P01) and specifications as 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.

The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.