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**2023/1130**

Applicant: BMBC

Erection of single storey infill extension to south-east elevation of the building, external alterations to existing entrance, installation of cladding and render, new and replacement glazing, and roof covering. Internal refurbishment, creation of access and proposed new car park

1 Blucher Street, Barnsley, S70 1AP

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This application has been made on behalf of Barnsley Council. The delegation scheme is clear that applications by Barnsley Council may not be dealt with under delegated powers before members have had an opportunity to determine whether they wish to call in the application to Planning Regulatory Board, or to agree to delegate the decision to the Head of Planning

### **Site Description**

The site includes buildings accommodating the existing charities (YMCA and Chilypep), retail units fronting onto Pitt Street, an existing car park and an adjacent area of green space. The green space is covered in grass and has trees on it and abuts the pedestrian footway that gives access to a bridge over the adjacent Westway. The existing car park is accessed via an alley off Blucher Street and provides up to six parking spaces and a bin storage area. The eastern boundary of the area of green space is partly defined by the rear elevation of the Salem Wesleyan Reform Church – a grade II listed building. The application building group has frontages onto Blucher Street and Pitt Street.

### **Relevant Site History**

2018/1272 – Construction of car park and 2m high weld mesh fence (Approved with conditions)

2021/0404 – Erection of single storey extension to provide new disabled accessible entrance to community hall and sports centre. (Approved with conditions)

2022/0826 – Construction of car park and 2m high weld mesh fence (Approved with conditions)

### **Proposed Development**

The application proposes

- a small scale extension within the courtyard area of the site similar to the extension permitted in 2021.
- External alterations to the building including new cladding and render on all elevations, new and replacement windows, a new roof covering and new colour treatment to the Blucher Street entrance and within the existing courtyard area.
- Internal refurbishment
- Creation of a new access from the existing courtyard car park and a new car park on the existing green space, a revision to the previously permitted car park which secured retention of two of the trees on the site. As proposed the site would have a total of 12 parking spaces.

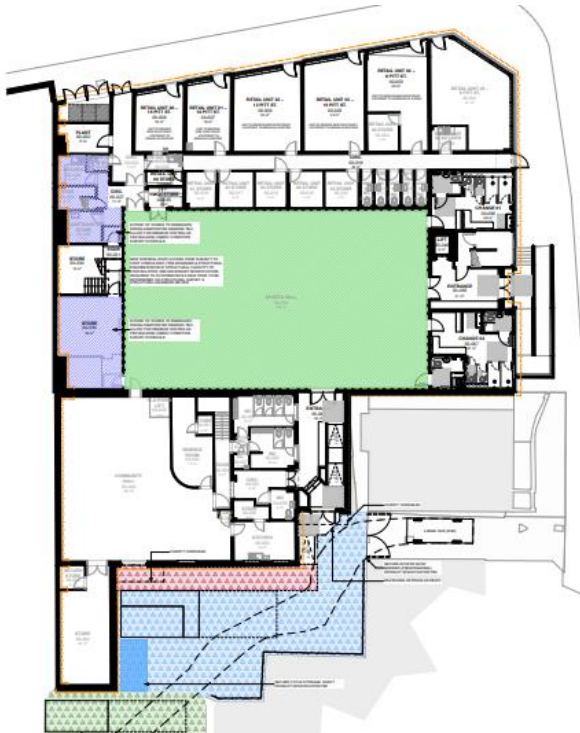
The external alterations are intended to secure improvements to the appearance of the building, to improve energy efficiency and to enhance the identity of the building. The proposed render will be an off white colour which is considered appropriate in the street scene.

The proposed car park will require demolition of part of an existing stone boundary wall (as previously permitted) between the existing and proposed car park areas. In contrast to the previously permitted scheme where some tree felling was agreed as a compromise, but two trees were proposed to be retained in the interests of the appearance of the area and the setting of the adjacent listed building, the current proposal is for all the existing trees to be removed. The previous scheme included the use of grasscrete in the interests of the appearance of the site and the health of the retained trees and the use of grass/gravel grid paving is proposed in the current scheme.

The application has been amended to remove the proposed bin store location from the new car parking area and instead to locate it inside the building with new access doors onto Pitt Street

The application is supported by a Design and Access Statement, a Noise Impact Assessment, a Tree Survey, and Ecology Note and a Construction Method Statement as well as several email exchanges

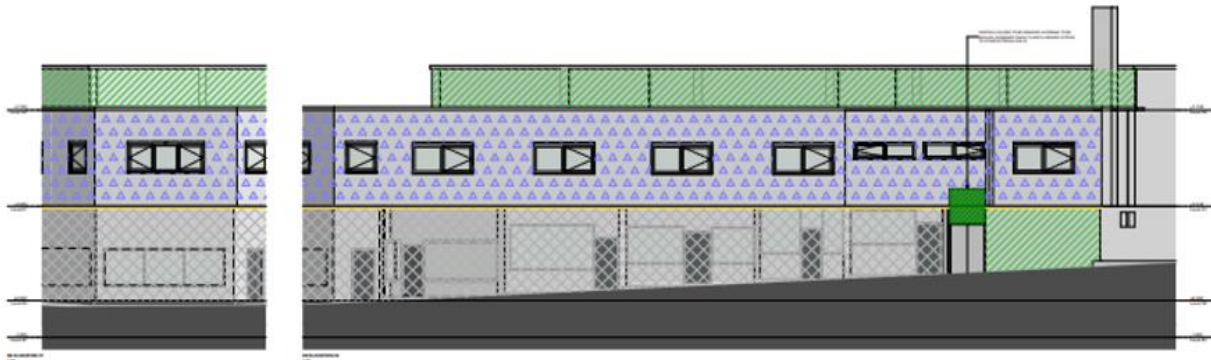
Amended proposed ground floor plan



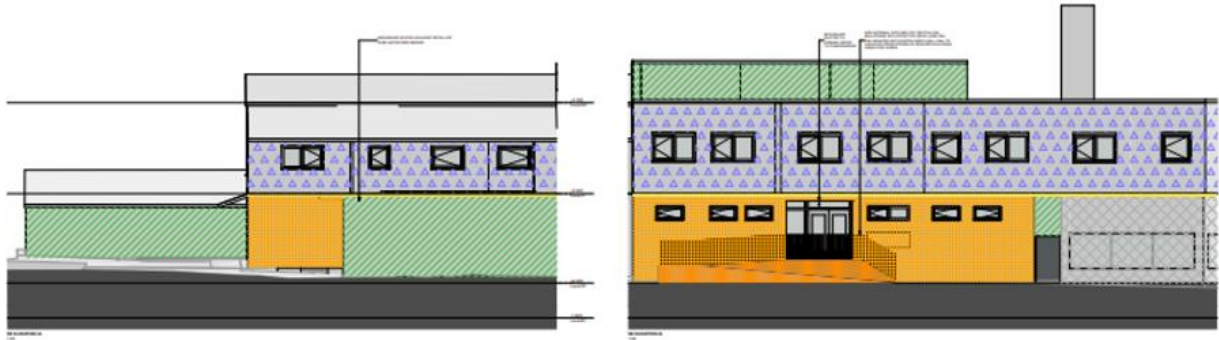
Amended Proposed site plan (car park extract)



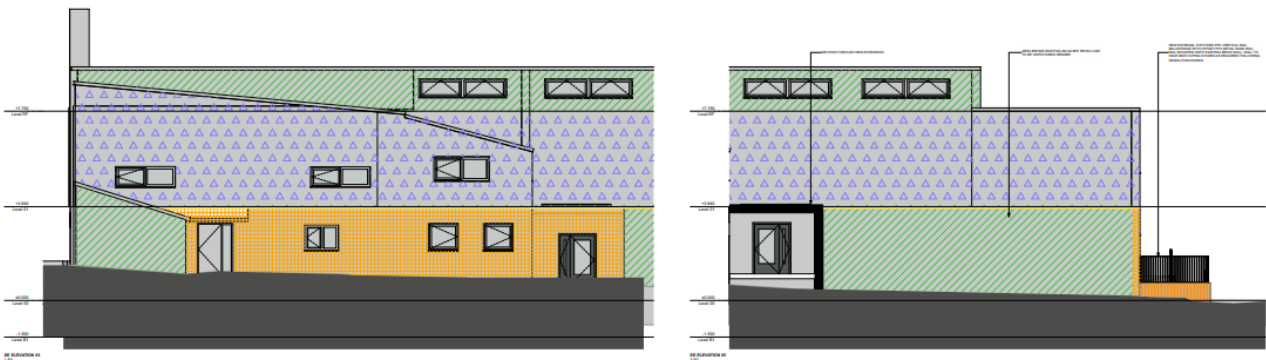
Pitt Street elevation including render at first floor level and no changes to shop fronts.



Elevation to courtyard parking area and Blucher Street elevation including render at first floor and new tiled areas at ground floor.



Elevation to courtyard and existing parking area



## 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.

## Local Plan

The Local Plan was adopted by the Council in January 2019. Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The Local Plan review was approved at the full Council meeting held on 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.

The site is designated as within the Town Centre and also within the Southgate District of the Town Centre. 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.

Policy T3 New development and Sustainable Travel – expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians of cycles. Also sets criteria in relations to minimum levels of parking, provision of transport statements and of travel plan statements.

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.

BTC17: Southgate District – Development will be allowed for offices, residential development, assembly and leisure uses, hotel, food and drink uses and car parking within the Southgate District.

### Supplementary Planning Documents

- Parking
- Trees and Hedgerows

### 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.

Para 115 - 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 131 – 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 136 – trees make an important contribution to the character and quality of urban environments. Planning policies and decision should ensure that opportunities are taken to incorporate trees in developments and that existing trees are retained wherever possible.

Para 191 – Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment.

Para 203 – In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets

### **Consultations**

Conservation Officer – In the context of the setting of the adjacent listed building, the screening by trees and the materials and decoration used to create the car park are important. Additional planting should be secured to screen the development and preserve the setting and protect views of the listed building. Although the area behind the Salem Chapel doesn't contribute strongly to the significance, numerous parked cars with little or no screening or planting to soften the impact would still be harmful, although minor harm to the setting only.

Forestry Officer – The previous attempts to retain trees have been discarded and now require all four of the category B trees to be removed, rather than the two previously agreed. No justification is provided, and the application should be amended to retain the two previously agreed trees.

In response to reconsultation on the ecology note and the agents submission: The agent is suggesting that as the trees are not ancient or veteran their removal should be considered acceptable; because it was previously agreed some trees could be removed to facilitate the scheme they should be able to remove them all; and the new car parking would adversely impact on the trees previously proposed to be retained. As previously proposed and approved, the proposed load bearing construction and permeable surface would minimise any impacts. The responses ignores our Trees and Hedgerows SPD, industry wide guidance and the NPPF which seek the retention of trees. Our previous balanced proactive approach to

allow some tree removal to facilitate the scheme cannot be used to justify the clearing of the site. The submission does not detail why retention of the two trees is no longer considered possible.

Highway Drainage – No objections

Highways DC – The proposal includes a small increase in floor area of 35m<sup>2</sup> and increase from 4 to 12 in the number of parking spaces on site, which are accessed via a narrow (single vehicle width) alley between industrial and retail units on Blucher Street. Notwithstanding the slight intensification of use of the substandard access, the benefit of improved parking arrangements are considered to outweigh the relatively minor increase in vehicle movements, as previously approved. No objection subject to a condition requiring the parking area to be surfaced; the bicycle parking scheme to be implemented; and a construction method statement.

In response to reconsultation on a construction method statement, no comments had been received at the time of writing this report.

Pollution Control – no objections subject to conditions requiring a Construction Environmental Management Plan to be agreed and implemented; and to restrict hours of construction

In response to reconsultation on a construction method statement, it has been confirmed that this does not include much at all in the way of dust or noise management and is not acceptable.

Park Supervisor – No comments received.

Ward Councillors – No comments received

## **Representations**

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

## **Assessment**

### Principle of development

The proposal is for a small extension, external alterations and to provide an additional area of parking within the Southgate District of the Town Centre that will serve the YMCA building, which is used for a range of town centre uses which national and local planning policy supports in this town centre location.

The parking will be ancillary to the YMCA and Chilypep and not generally open to the public, the proposal is in line with Town Centre Policy BTC17 which allows for the creation of new car parking within the Southgate District.

The proposals are considered acceptable in principle subject to consideration of details.

### Visual amenity and impact on trees and the Historic Environment

The design of the proposed extension and alterations will have limited impact on the setting of the listed Salem Reform Church, subject to the imposition of conditions to ensure that the materials finishes are agreed.

The provision of additional parking will result in the loss of a small greenspace within the town centre which will have a moderately negative visual effect upon this location within the Southgate District. The area is not designated as greenspace in the adopted Local Plan but clearly functions as an informal greenspace.

There is a listed building directly adjacent to the site. The Conservation Officer has been consulted on the proposal and has expressed concern that the retention of existing trees, additional planting and the use of appropriate materials for surfacing the car park are all important to ensure that the development preserves the setting and protects the views of the adjacent listed building.

As currently proposed, all existing trees and shrubbery on site will be lost and the arboricultural officer has expressed concern that this lacks justification and conflicts with national and local policy which seek to retain trees wherever possible.

The applicant has indicated that the previously approved car parking layout is not capable of being used in full and that there are some structural/fabric issues being experienced by the listed church which may be exacerbated by retaining existing or planting new trees in the vicinity. However, no detailed evidence has been supplied to justify these positions.

Since the principle of development is considered to remain acceptable in principle but the details are not considered acceptable, it is recommended that planning permission is granted subject to a condition requiring that a revised parking scheme is submitted, securing retention of the two previously retained trees on site, with a revised parking layout.

The submission also indicates that the applicants have agreed in principle to replacement planting on a 2:1 basis either on or off site. Informal advice from the Parks Officer has advised that replacement planting should be secured on a 3:1 basis. Conditions are recommended to secure on and off site planting, and tree protection measures for the trees to be retained on site.

The loss of greenspace is regrettable two of the trees will be retained on site with a porous or permeable car park and to secure an onsite landscaping scheme of tree and shrub planting which will go some way to reduce the impact of the proposed car park.

On balance, and noting that the proposals overall will provide benefits for users of the building and subject to the recommended conditions, the proposal is considered acceptable in terms of visual amenity and in line with Local Plan Policies GD1, D1, TC1 and BTC17.

#### Residential Amenity

Whilst the proposal would result in an increase in traffic movements within and from the site, the number of parking spaces created is relatively modest and is within a dense urban area. As such, it is likely that an increase in parking provision would potentially have a somewhat detrimental effect on the amenity of the surrounding residential area – especially with regard to the residential apartments located upon Nelson Street due to the intensification of movements at the rear of this development. However, the Southgate district is predominantly commercial and is therefore subject to high levels of vehicular movement from both West Way and Pitt Street such that the levels created by the introduction of the additional parking spaces will not be likely to be significantly detrimental or harmful. Lastly there is also the potential for surrounding businesses to benefit from on-street parking spaces that are made available by YMCA users utilising the new off-street provision.

The proposals include alterations to the roof including the addition of access to the roof and provision of a balustrade. It has been clarified that this is just for maintenance access and a condition is recommended to clarify this and prevent use of the roof by building occupiers.

In summary, the proposal is considered acceptable in terms of residential amenity and in line with Local Plan Policies BTC17, GD1, and the SPD – Parking, subject to the imposition of suitable conditions. The submitted Noise Impact Assessment recommends that a Construction Environmental Management Plan would be required to deal with issues such as noise and dust management. Since Pollution Control have confirmed that the submitted Construction Management Statement does not deal with issues of dust or noise management, it is recommended that a pre commencement condition is imposed requiring a Construction Environmental Management Plan to be submitted, agreed and implemented, Further conditions are recommended requiring construction hours to be limited, and to limit hours of use of the car park as previously imposed.

#### Highway Safety

The provision of additional parking will extend an existing car park and maintain the use of the existing access, this will allow for the safe manoeuvring of vehicles. The spaces meet the standard set out in SPD - Parking and will not have an adverse effect on highway safety. The proposal is therefore considered acceptable. Conditions are recommended as recommended by the Highways Officer to require a Construction Method Statement and to require the car park and cycle parking to be provided.

#### **Recommendation**

**Approve** subject to conditions

