
Application: 2023/0603

Applicant: Ms Fiona O'Brien (BMBC Urban Centre Projects)

Proposal: Erection of Public Art Column

Site address: Land at Barnsley Road, Penistone, Sheffield, S36 8HL

Site Description

The application site is in relation to a small area of greenspace located on Barnsley Road, the A628 in Penistone. The site is one of two similar sites on Barnsley Road, located between the railway bridge at the eastern gateway to Penistone and the junction of Barnsley Road and Well House Lane. Windermere Road separates the two areas of greenspace, officially recorded as Barnsley Road East and Barnsley Road West, with the application site, Barnsley Road West being the second site when approaching Penistone from the East. Beyond the extent of Barnsley Road West's aesthetic quality and environmental benefits, which includes acting as a buffer between the predominantly older houses on Barnsley Road and the contemporary housing estate leading off Windermere Road; the site along with the Barnsley Road East site do not appear to have any specific recreational function.

Unlike Barnsley Road East, which remains largely open, except for three modern lamp posts and a scattering of trees, the application Barnsley Road West, which slope southernly towards a denser tree line, is more cluttered with various signage and a contemporary transparent style bus shelter. Currently and excluding the large trees, the most prominent features of the application site would vary, depending upon which direction the site is approached. If approaching from the east (railway bridge), the area of planting on the corner of Barnsley Road and Windermere Road would be most prominent feature, with the backdrop of the bus shelter and signage. Due to its location, the existing Penistone stone sign (an older piece of heritage artwork), may be obscured from view until relatively close, due to the foliage of a large tree on the Barnsley Road East site. If approaching from Windermere Road, except from some street furniture on the application site, the planting on the corners of both green spaces, along with the Penistone sign would be most prominent feature. Finally, if approaching from the west (from the direction of Penistone Town Centre), the bus shelter along with other street furniture, including the blank side of multiple signage would be most prominent. The Penistone stone sign becomes more visible closer to Windermere Road.

Whilst not the most prominent feature of the proposed application site, but what is considered significantly important, is an historically listed Milestone. By its very nature, the Milestone is a small and unimposing piece of history but unfortunately broadly redundant for twenty first century usage. Despite its historical importance, both a contemporary transparent bus shelter and a generic BMBC 'Penistone' sign have previously been erected close to the milestone.



Existing Site Photos





Historic Milestone

Planning History

B/95/0672/PR: Installation of advertisement carousel to multiple bus shelter in Penistone, Oxspring and Bowe Hill – Approved 21st June 19995 [no longer in situ]

B/76/1991/PU: Conservation Consent [Historic, no further details available]

B/77/1996/PU: Historic, no further details available

Proposed Development

Initial Design

The applicant (BMBC Urban Centre Projects) seeks approval for the erection of a free-standing piece of public art in the form of a stone column. Originally the stone column was proposed to be constructed in granite style stone and to feature a small bronze sheep sculpture on top. In common with the previously approved Sheep sculpture artworks installed within Penistone, the original choice of a sheep on top of the column was in recognition of the Penistone's sheep farming heritage. Following both initial public and internal consultation with the Heritage and Senior Design Officers, it became clear that whilst public opinion was varied, alterations to the proposal would be appropriate to better reflect both Penistone's sheep farming heritage and better reflect local materials within the artwork.

Final Design Proposal

Following constructive discussions with the applicant and the artist, based upon feedback received, the proposal went through one significant design change and a second minor change for technical issues to ensure the long-term viability and hopefully reduced maintenance schedule of the column artwork.

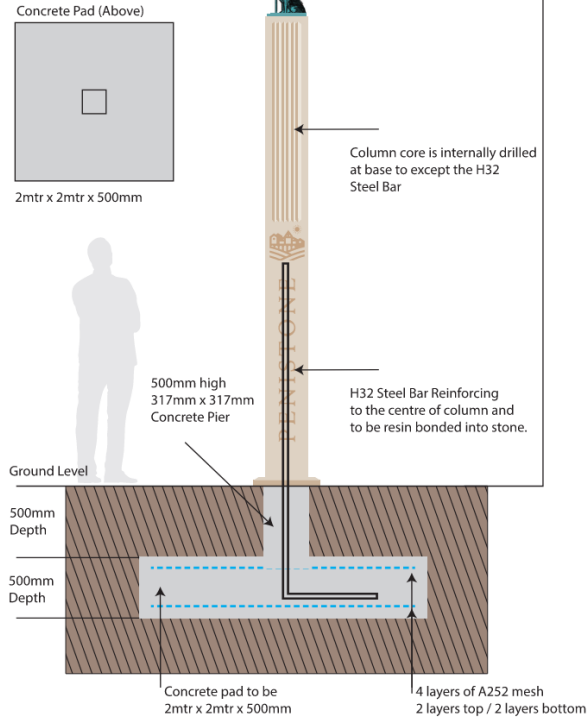
The proposal whilst maintaining its overall original design principle, would now be constructed of a more locally relevant material of sandstone, a material used in many buildings within Penistone. The statue on top of the column has been both redesigned and increased in size. The bronze sculpture is now a depiction of a farmer and their sheepdog.

In support of the application a brief heritage statement and a statement from the artist were provided. Additionally, and included below are a map indicating the updated location for the proposed sculpture,

relocating it further away from the Milestone, the penultimate design showing the foundation, the final slightly modified design (weep holes) and visualisations of how the column is proposed to look once in situ.

Foundation

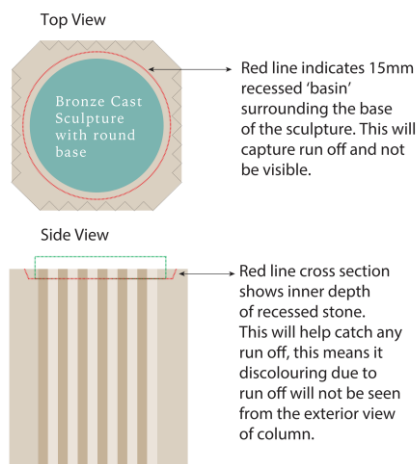
Structural engineers recommendations for column foundations. The foundations have been calculated to be strong enough to withstand a direct hit from a car. The internal steel bar will stop the column from breaking, similar construction to a lampost.



Weep Holes

The location is shown in red on the below drawings.

The foundry have suggested that the weep holes are located on the Shepherd at the elbows and the feet. The dog will have weep holes at the base of the front legs and at the back legs.





Heritage Statement, Site Location & Description from Applicant

The sculptures would be more contemporary in style but still figurative, the stone columns would then link back visually to the Barnsley Town Hall and Penistone memorials (vertical features) but represent Penistone industries of steel and farming rather than mining and glass.

This is a really nice location, as you drive (or walk) into Penistone from Barnsley you go under the bridge on the A628. At the other side is the Welcome to Penistone sign and also an old stone marker with the distances to Sheffield and Manchester. The column would nicely link to both these features and act as a further welcome highlighting the agricultural heritage with the bronze sheep sculpture.

Site Locations & Description

The site is a grassed area located to the right of the junction A628 and Windermere Road. The site features trees around the border.

There is a bus shelter and Penistone Town sign installed in this area.

The sculptural column would complement this area by being a welcome into Penistone on the A628 and highlighting the area thus drawing attention to the welcome stone which is not as prominent. The stone will complement the existing marker and hopefully draw people to take a closer look at the area and appreciate the stone marker more.

Artist's Statement

"On our tour, I noted that there wasn't a great deal of space in the centre or near the markets to place new pieces of public art that could be widely engaged with by the public, but then I started to think about more vertical structures or columns that can be visible from a distance and help to join the various sites in the town. These markers of stone and/or steel would have the Penistone marks carved/stamped into them showing the history of the town.

This series of vertical Penistone Hallmarks explore the idea of the creation of 21st-century marker/s based on historical town markers (https://en.wikipedia.org/wiki/Market_cross - these were structures used to mark a market square or centre of a market town, where historically the right to hold a regular market or fair was granted by the monarch, a bishop or a baron.) I think this approach responds to Penistone's rich heritage as a market town.

Existing markers

The above concept around reinventing a 21st-century market town marker fits in with the other aspect of my project, around placing 'hallmark' artworks onto the tops of the existing poles placed around the town.

I think using the existing heritage poles and installing new individual 'hallmark' metal artwork tops, makes use of something already there but which have become invisible to locals and to visitors, since their dark colours make them hard to spot. These metal artworks will be gold coloured and based on the history of the town, they will stand out from the dark green posts and also connect to the gold lettering on the signs.

The artwork consists of two 3mtr tall stone column carved from granite. The sculpture that has been specifically created to attach to the top of the column is bronze. The designs carved into the column

have been created through community consultation and represent the key features from the towns heritage. The top sculpture references the towns rich history in agriculture.

This position offers both pedestrians and road users the opportunity of seeing the artwork from the A628 on their entry into Pensitone. The column is also near to the Towns Welcome to Penistone sign so helps add an artistic/heritage focused element to the 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. 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.

Local Plan Policies

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.

HE1 - The Historic Environment: Positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley’s historic environment, especially for those assets which are at risk.

HE2 – Heritage Statements and General Application Procedures: Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the heritage significance of the site and its setting.

HE3 – Developments affecting Historic Buildings: Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building’s significance.

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.

Penistone Neighbourhood Development Plan

In 2013 our Community Led Parish plan was published. It detailed the needs and aspirations of the Community and covered all areas of development; social, economic, environmental and structural. It created objectives for the Parish Council and, to some extent, had a limited influence over planning matters.

NPPE

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.

Of particular interest in relation to this application would be paragraphs:

200. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

208. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Consultations

Conservation & Design:

Following initial consultation, the potential impact upon the Milestone, and its historic importance was identified by the Conservation Officer. Later in conjunction with the Senior Design Officer, the scale, design and material choices were queried. Following the penultimate redesign and slight location adjustment within the proposed site location, the conservation officer was satisfied with the proposals, as the artwork used local style materials for the column, the bronze statue had been improved and the location was further away and had less potential for impact upon the Milestone. The Senior Design Officer broadly

agreed but had a few technical design concerns, these were subsequently amended by the artist and are represented in the final design,

Forestry Officer: A discussion took place with the Forestry Officer who confirmed that the proposal would not pose any significant risk to the existing trees, due to the location of the proposal and the limited ground area of land area taken up by the installation.

Highways DC: The proposals do not adversely impact upon the highway and are therefore considered acceptable from a highway's development control perspective. No specific highways related conditions are deemed necessary.

Town Council: The Town Council were sent notification of the plans by email on 3rd July 2023 and again in February 2024. No comments have been directly received.

Local Ward Councillors: Following consultation, it was made clear that the all ward councillors had an united objection to the proposal and that they have already expressed their concerns to the applicant. Although the principle of public art seemed not to be in question, there was concerns over the financial impact of the proposal. I explained that such consideration was not a material planning condition, and such an issue could only be resolved by the applicants.

Following further consultation in February 2024, a ward councillor expressed their continued concern about the proposal.

Public Consultation

Initial Consultation Results

Due to a late realisation of the Milestone, there was two periods of public consultation in relation to the application. In total, 28 individual addresses nearby to the site area were consulted. Additionally, two site notices were posted, the first as the proposal may be of local interest and the second due to the realisation of the proposal being located within the curtilage of a listed structure (the Milestone).

From all consultation, which included comments in response to the site notices, a total of 43 comments were received from members of the public. Of the comments received which included online responses, emails, and letters, 22 objections were received, whilst there were 16 comments of support, and three neutral comments. There were obviously some outright objections to the proposal based upon the design and associated opinions of how the proposal may have a negative effect upon the town, however most objections, whilst querying the design or purpose of the proposal, were more concerned with the potential financial cost of the proposal and why the money could not be spent on other deemed essential issues such as road improvements. A few respondents queried the ongoing maintenance and potential for the site to be vandalised.

Consultation February 2024

Following on from initial consultation and the submission of design updates, new consultation letters were sent to neighbouring dwellings of the site, approximately 28 residential addresses and those who made comments previously. Additionally, a final site notice was posted adjacent to the site because of the historically listed Milestone. The final date for both consultations periods has now ended. There was a total of six public comments received. Three comments of support from three individuals at the same address

reconfirmed their support for the proposal. Two nearby residents reconfirmed their objections, raising concerns about potential vandalism and their desire for the sculpture, or in one objection anything, to be installed within the specified site, favouring just green space. Only one new objection was received from a nearby resident who despite the redesign was still not in favour of the proposal, again concerned about potential vandalism and is content with the existing Penistone sign within the site.

Assessment

Principle of development

The application site is located on land allocated as urban Fabric in the Local Plan. The site is one of two adjacent areas of largely undeveloped green space. Beyond its significance as local greenspace, there is no specific biodiversity or recreational function to the green space and the proposed development would not significantly alter this. Limited development of the site in the form of the stone Penistone sign and its standard metal counterpart have provided a precedent for use of the land as a gateway to Penistone, something the proposed development aims to replicate through a piece of public art. With a limited ground footprint, a similar purpose to existing development on the land and with no proposed change to the existing use of the land, formal assessment against Local Plan Policy GS1 is not necessary and the development is considered acceptable in principle.

Visual Amenity

The visual impact of the proposal is probably the key aspect of the development as it is undeniably large in relation to its height. Whilst there have been, as expected, several complaints about the proposal, visual amenity has not been the overwhelming concern of those opposing the development. Whilst the proposal may not be to the liking of those residents who have objected or in contrast of the liking of those who have posted comments of support, it is the impact upon the local area and population which must be assessed and not solely the aesthetics of the proposal, which like all pieces of artwork would be subjective.

In this instance, the proposal does not pose a significantly detrimental impact to either the site or the broader area. The proposal was initially designed to incorporate the local history of sheep farming in a piece of artwork, located on what is broadly an underused piece of local greenspace. The updated design and materials appear to better reflect the local area with both representative local materials being used for the column and a depiction of a farmer and their dog in bronze, rather than just a depiction of a solitary sheep. Except for proximity to nearby dwellings, and despite its size, the proposal would be unlikely to feature prominently within the Penistone skyline, in part due to the backdrop of quite high trees. In the final updated plan, specific measures have been included to additionally minimize the impact of the weather on the artwork, especially rain in relation to the bronze sculpture. In creating a more resilient piece of artwork, the artwork would hopefully remain looking at its best for as long as possible.

Residential Amenity

Whilst there would be no direct impact to residential amenity, such as overshadowing, there may be a small increase of visitors to the area to view the unique piece of artwork. Any increase in visitors to the area would be unlikely to cause a significant impact to local residents as the proposal is located on the opposite side of the road to their dwellings, for residents on Barnsley Road and a reasonable distance from the residents of the newer housing estate on Windermere Road and beyond. There were comments about vandalism or the security of the proposal, but as identified in the initial design specification, the column

would consist of a reinforced steel core, set into concrete, so would be very stable. Nothing can ever be vandal proof, but it would be hoped any such vandalism would be minimal. On a site visit there was no evidence of vandalism on any of the current street furniture, bus shelter, Penistone Stone sign or the Milestone.

Impact Upon the Milestone (Local Policies HE1, HE2 and HE3)

The setting of the proposal is located within the curtilage of a listed structure, however that said structure is the small Milestone located next to the bus shelter and generic metal BMBC Penistone sign. Despite the size of the Milestone, it is considered in a similar manner to more prominent listed buildings. In this instance though, as is sometimes the case, consideration of the Milestone appears to have been neglected or simply, overlooked as was initially and incorrectly perceived by the case officer writing this report. The effect of the historic oversight is however significant as the impact of the Bus Shelter and the metal sign appear to outweigh any harm which may potentially be caused by the installation of the proposed artwork column, especially as extra consideration has been given to using appropriate local stone within its design.

To help reduce the impact of the proposal on the Milestone, the exact location of the artwork has slightly changed from the original proposal to relocate it further away from the Milestone. With the new material choice, the impact of the proposal should be lessened and more in keeping with materials used within the local area.

Summery

Having considered all current information, including comments from consultees, ward members, and the public, along with comprehensive advice from the Conservation and Senior Design Officers, and having assessed the information against current local and national policy, as detailed above, I can not find any justification to refuse the application. In more detail, the proposal does not have any significant effect upon the residential or visual amenity of the area, it has a minimal impact upon the setting of a listed structure, but one which causes less harm than the existing features within the site location, and there is no impact on highway safety. Furthermore, the proposal does not impact upon the current or future use of the greenspace and as there is no substantial harm to the historical Milestone, in compliance with paragraph 208 of the NPPF, it may be considered that an optimal use of greenspace, which would be unlikely to be developed, may be for the installation of public art, for the benefit of the community. Finally from all assessment and comments received, there has been no material planning considerations of significant enough merit to be considered as grounds for refusal.

Recommendation

Approve with Conditions