
2022/1298

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

Proposal: Erection of free-standing piece of public art (Billy and Kes Sculpture)

Site address: Greenspace located at the corner of Hoyland Road and Stead Lane, Hoyland Common, Barnsley, S74 0AA

One letter of support has been received from a resident and a letter of support has been received by Councillor Lamb at the time of writing. It should be noted however that 30th January is the deadline on the site notice for comments to be submitted. Any further representations that are received shall be brought to Councillor's attention during the course of the member consultation exercise.

Site Description

The application site is in relation to a small area of greenspace located at the corner of Hoyland Road and Stead Lane, Hoyland Common. The wider site contains several trees, a bus shelter and a Hoyland Common village sign constructed from stone. The site and immediate wider area is located in the Urban Fabric, but Hoyland Road serves as the key route into the local centre of Hoyland Common which begins circa 135m to the West. As such, Hoyland Road serves a mix of residential properties and commercial units.

There is a hard surfaced walkway through the site connecting the North-East of the site (off Hoyland Road) to the South-West of the site (Stead Lane), as well as 2 x metal benches – one facing onto Hoyland Road and one located in the middle of the site, facing North-West.

Application Site:



Nearby buildings - 78 Hoyland Road (Barry Hines former house with blue plaque) and the former Casper's fish and chip shop, Princess Street, which was used in the filming of 'Kes':



Planning History

None

Proposed Development

The applicant (BMBC Urban Centre Projects) seeks approval for the erection of a free-standing piece of public art/sculpture depicting Billy Casper and Kes from Ken Loach's 1969 film 'Kes' which is based on Barry Hines's 1968 novel 'A Kestrel for a Knave'. Incidentally, the site has been specifically chosen due to the close proximity of Barry Hines' former home at 78 Hoyland Road, adjacent to the site – circa 35m to the North-West. Additionally, there are other filming locations in close proximity – the most notable being the former (now closed) Casper's fish and chip shop which is named after the main character of the film, Billy Casper.

The public artwork will be located to the North of the site, in front of the existing Hoyland Common stone sign, and to the Eastern side of the existing bus shelter. The artwork will be sat on a square concrete base measuring 0.7m x 0.7m and has a total height of 2.08m measured from the concrete base. The base has a total height of 0.3m, with 0.22m of the base being underground. The base plate of the sculpture (square in shape – measuring 0.6m x 0.6m) is to be bolted to the concrete base below using 8 x bolts. The information submitted by the applicant has provided the following details for the sculpture itself:

The Billy and Kes statue is made from S275JR Steel at a thickness of 20mm. This was plasma cut from 20mm sheet and welded to the 20mm steel base. The steel sculpture was welded and all edges deburred. Then it was shot blasted to make a smooth surface before being powder coated with black weather resistant coating. The colour is matt black and is also coated with a anti graffiti coating.

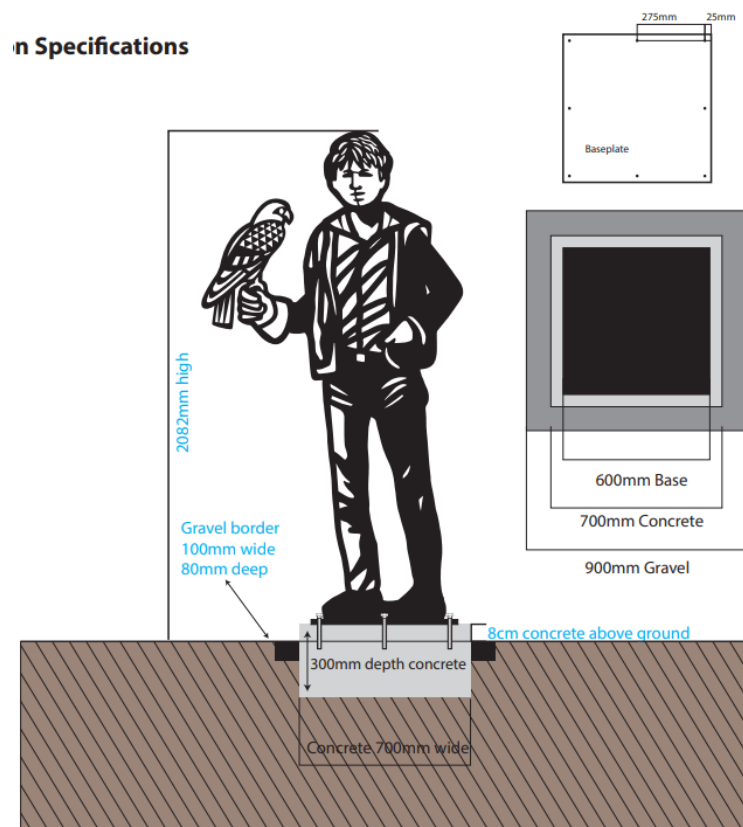
Proposed Site Plans:



Proposed Street Scene Image:



Proposed Sculpture specifications:



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

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 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

Forestry Officer – The documents provided have been assessed and whilst no tree survey has been provided, it is noted that the foundation details for the sculpture have been provided which they confirm the limited and very localised nature of the excavations required. The proposal is located in the rooting areas of trees however the details do show that only a very small area will be affected and to that end I can confirm that there are objections raised to the proposal in this instance. The proximity of the works to the trees however does mean that protective barriers will be required to prevent mechanical damage to the trees as well as to prevent the storage of material or mixing of concrete within the rooting areas and as such I would ask that the following condition be applied to the decision notice if permission is granted.

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

Ward Councillors – Cllr Lamb offered support to the application on the basis that it will improve the visual and cultural amenity of Hoyland Common.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice placed nearby and a site notice placed nearby; one comment was received raising support for the development stating that the sculpture will be fantastic for the Hoyland Common residents and its an honour to have the Kes Sculpture in Hoyland Common.

N.B. The consultation deadline expires on Monday 30th January 2023. Any further representations that are received shall be brought to Councillor's attention during the course of the member consultation exercise.

Assessment

Principle of Development

The application site is located in the Urban Fabric as allocated in the Local Plan. The application site is related to a small section of an undeveloped piece of green space, but the site is not on the Council's formal green space register. The development does not intend on changing the use of the small piece of green space or change how it functions with the surrounding area. Therefore, formal assessment against Local Plan Policy GS1 is not necessary. The proposed development is not a significant development and does not seek to introduce a new use to the land or change how it functions within the area. As mentioned above, it has been partially chosen due to the proximity of Barry Hine's (writer of *A Kestrel for a Knave*) former house and various filming locations for the *Kes* film, including the former Caspers (now closed) fish and chip shop located on Princess Street to the West of the site. It is considered that this is clearly a well thought out, appropriate and culturally significant position in the Borough, aimed at instilling civic pride in the area of Hoyland Common. The proposed development is considered to be acceptable in principle.

The application is BMBC-related application submitted and will be fulfilled by colleagues in Urban Projects.

Visual Amenity

First and foremost, the proposed artwork is clearly designed to represent local culture and this is somewhat evidenced by the letters of support that has been received for the development, by a resident and a local councilor.

The sculpture itself is constructed from steel, powder coated with matt black weather resistant and anti-graffiti coating. The chosen materials are considered to be suitable for the area, and clearly some thought has gone into the longevity of the sculpture with appropriate coating properties. This will ensure that the

sculpture will be more likely to withstand the test of time and remain high quality throughout the lifetime of development.

The sculpture is fairly modest in size, with a height of 2.08m when measured from the concrete base and whilst it's situated in a public area, facing onto the busy A-road, it will not act as a dominant or incongruous feature in the streetscene and will contribute to a high-quality public realm, by introducing a piece of art which celebrates local culture. The proposed development is considered to be in compliance with Local Plan Policy D1: High Quality Design and Place Making and is acceptable in terms of visual amenity.

Impact on Highways Safety:

The sculpture is situated in close proximity to the adjacent highway – Hoyland Road – and is in close proximity to the nearby bus shelter. However, the development is small scale with a maximum height of 2.08m and is set back from the road/pavement by circa 3m. Highways DC have been consulted on the proposal and have not raised any objection to the proposal stating that it does not adversely impact the highway and is therefore considered acceptable from a Highways perspective. No specific conditions have been recommended by highways and the proposed development is considered to be acceptable in terms of its impact on highway safety.

Impact on Trees

The chosen position of the sculpture is in close proximity to a couple of trees on site, in particular a tree to the immediate East of the sculpture. The proposed positioning of the sculpture and the fact that the concrete base will dig down into the ground by 220mm means that there is potential for some damage to the roots of the trees.

The Tree Officer was consulted on the proposal and did not object to the proposal but noted that the sculpture did require some very limited and localised excavations and the proximity of the works to the trees will require tree protection measures to prevent mechanical damage to the trees. Also, the works should not result in the storage of material or mixing of concrete within the rooting areas and a condition has been requested by the Tree Officer to ensure that the trees are protected.

Impact on Residential Amenity:

No impact on residential amenity.

Recommendation

Approve subject to conditions