2022/0747

Howarth Timber and Building Supplies

Erection of 3m high paladin fencing and gate at the Bingley Street site entrance

Howarth Timber, Barnsley, Stocks Lane, Barnsley, S75 2BL

Site Location and Description

The site is located at the junction of Stocks Lane, Summer Lane, and Bingley Street, and is surrounded to the north, south and west with residential properties.

Historical ordnance survey plans indicate a significant works building has been located at this site since at least the turn of the 20th Century.

The current building is constructed from red brick, with grey, metal profile sheeting at 'first floor' level and a metal sheeting roof and is located adjacent to the northern and eastern boundaries with Bingley Street and Summer Lane, respectively.

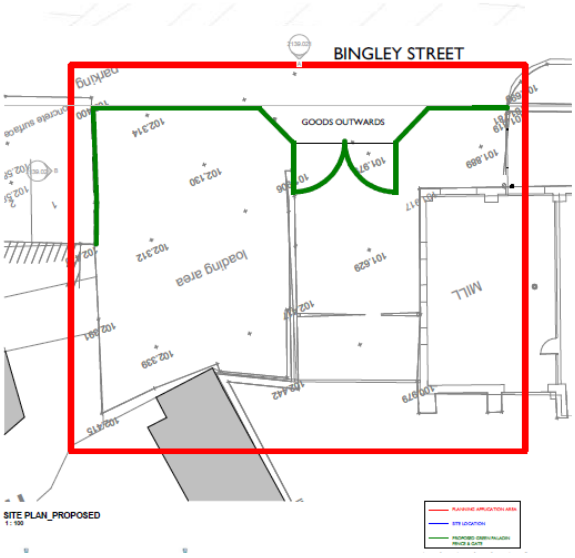
Access to the building and associated service yard can be taken from Stocks Lane and Bingley Street.

Planning History

B/76/2290/BA - Construction of new vehicular entrance, internal access way and improvements to existing staff toilet facilities
B/80/2173/A/BA - Shop sign
B/82/0555/BA - Erection of housing for tanalizing plant, erection of building for storing shavings and sawdust
B/99/0271/BA - Installation of new frontage to DIY sales area
B/99/0716/BA - Display of non-illuminated signs and poster panels
2006/0442 - Erection of single storey extension to builder's merchants to provide storage, trade sales and timber racking – Approved August 2008

Proposed Development

The applicant seeks permission for the erection of 3m high, green powder coated, paladin fencing extending 24.5m along a section of the northern boundary from the existing brick boundary wall towards the east, returning into the site, for 8.2m to meet the existing timber fencing. This will enclose part of the site currently open to Bingley Street.



GREEN PALADIN FENCING SYSTEM

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

The site is allocated as Urban Fabric within the Adopted Local Plan, which has no specific land allocation and therefore the following policies are relevant:

Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy SD1 Presumption in favour of Sustainable Development

National Planning Policy Framework 2021 (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. Where there are no relevant development plan policies, or the polices which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance

provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Consultations

Highways DC – No objections subject to conditions.
Ward Councillors – No comments received

Representations

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice. Five letters of objection have been received, 2 of which are duplicates of an earlier objection, and a 17-signature petition has also been submitted.
Representations have been made in relation to:

- Highway safety including
    - Increase in traffic
    - Danger to pedestrians
    - Parking issues
- Increase in noise
- Blocking out light
- Unsightly views of the service yard
- Damage to property

Assessment

Principle of development

The installation of boundary fencing is acceptable in principle, where satisfactory standards of design are achieved, where they do not have a detrimental impact on the character of the area, upon highway safety or the amenity of neighbouring residents.

Highway Concerns

The application proposes to provide fencing and gates to the site from Bingley Street, to enclose land which is currently within the applicant's ownership. The applicant has submitted a Highways Technical Note dated 31 October 2022 to address potential access issues, it states that a one-way system will be operated around the site with vehicles entering the site from Stocks Lane and exiting via Bingley Street, an access which is currently in use and has been historically. Plans have been submitted which indicates the swept path of a 12m rigid truck existing the site, Highways DC have been consulted on the application and have raised no objection, subject to the inclusion of conditions, to the proposed development in terms of its impact on highway considerations, given that the fence would not affect visibility for the users of the highway

The concerns of the residents in terms of highway and pedestrian safety have been taken into consideration, however, it is clear the residents have concerns with regard to the existing use of the site and the existing access onto Bingley Street which cannot be controlled through this application. It not considered that the inclusion of the proposed fencing would increase traffic, be a danger to pedestrians or result in parking issues on a highway with no parking restrictions. The inclusion of the proposed paladin fencing would provide sufficient visibility of the highway to ensure highway and pedestrian safety. In addition, the supporting statement and submitted plans would ensure that the access onto

Bingley Street is for egress only with no left turn and is indicated that road markings within the site to demonstrate one way vehicle movements with exit routes through Bingley Street.

Highways have requested the inclusion of several conditions, one of which includes the submission of a delivery management plan which would outline how drivers are informed of the entry exit system and should include, but not be restricted to, details of access, egress, and routes through the site with details of how delivery, collection and waiting will be managed.

As such it is considered that the proposed paladin fencing would not have a detrimental impact on highways and is acceptable and in compliance with Local Plan Policy T4

Residential Amenity

The proposed fencing is to be 3m in height and of Paladin construction, a rigid mesh design. Although objections have been received in relation to overshadowing, the proposed fence would not result in the overshadowing or loss of outlook from the surrounding dwellings given it allows clear visibility though the fencing and would be located approximately 20m from the rear elevation of the dwellings to the north-west.

Concerns have been raised in relation to noise from the site, it is not considered that the inclusion of the proposed fencing would increase noise levels from the site and as mentioned previously, the use of the site is an existing operation and is not under consideration as part of this application.

As such it is not considered that the proposed development would have a detrimental impact on the amenity of existing residents and is acceptable and in compliance with Local Plan policies D1 and POLL1.

Visual Amenity

The design and the green painted finish of the proposed fencing, which is to surround a commercial premises, is considered to be an acceptable colour and suitable for its location and in compliance with Local Plan Policy D1.

Other Issues

Comments have been made in relation to the views into the site and that the proposed paladin fencing would not screen this. The site is currently open which allows views into the site, the applicant has proposed paladin to enclose the site with fencing which provides sufficient visibility for users of the highway to ensure highway safety and the screening of the site is not a material consideration in this instance.

Damage to property not a material planning consideration, there is no reason off-site residential properties should be damaged as part of this proposal and is clearly as issue with how the site is run. However, this would not be a material planning consideration in the determination of this application.

Recommendation
Grant subject to conditions