

# Section 78 of the Town and Country Planning Act 1990

Appeal against the refusal of Planning Application Reference: 2022/0115

Appeal Reference: APP/R4408/W/24/3341097

Appeal by Network Space Developments Ltd

## **Statement of Common Ground – Heritage Matters**

Agreed between

Network Space Developments Ltd, Centrix House, Crow Lane East, Newton-le-Willows, WA12 9UY

And

Barnsley Metropolitan Borough Council, Westgate Plaza, Westgate, Barnsley, S70 2DR

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## **1.0 Introduction**

The purpose of this SoCG on heritage matters is for the Local Planning Authority and the Appellant and to agree a position regarding the impact on heritage with respect to this appeal. It is recognised that a SoCG is useful in focusing the issues which separate the parties and assisting the appointed Planning Inspector in reaching fully informed decisions expeditiously and without waste of public and industry resources.

This heritage specific Statement of Common Ground should be read in conjunction with additional SoCGs prepared and agreed by the Council and the Appellant.

## **2.0 Appeal reference.**

Planning Inspectorate reference: APP/R4408/W/24/3341097

Local Planning Authority Reference: 2022/0115

## **3.0 Site address.**

Land North of Shaw Lane  
Carlton  
Barnsley  
S71 3HH

## **4.0 Agreed description of development.**

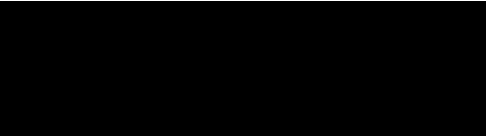
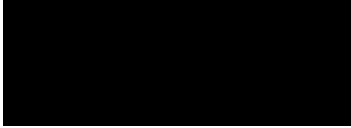
Residential development of up to 215 dwellings with associated car parking/garages, landscaping, public open space including both equipped and non-equipped areas of play, SUDS and drainage, with details of a new vehicular access onto Shaw Lane (Outline with all matters reserved apart from means of access)

**5.0 Areas of agreement and disagreement.**

Heritage related matters	
Topic	Comment
<b>Areas of Agreement</b>	
<b>The effect of the proposal upon the setting of heritage assets</b>	<p>The appeal site is outside the conservation area. The proposal requires the alteration of the junction of Shaw Lane, Fish Dam Lane and Church Street. The junction is within the conservation area. The introduction of the street paraphernalia associated with the junction amendments will cause direct non-substantial minor harm to the conservation area (a designated heritage asset). This is due to the additional street furniture and road markings. Some harm will also be caused to the setting of a number of individual historic buildings in the vicinity of the junction which are (individually) non-designated. These include:</p> <ul style="list-style-type: none"> <li>• The Wharnccliffe Arms</li> <li>• 2 Church Street</li> <li>• 3 Church Street (Ivy Farm House)</li> <li>• 4-8 Church Street</li> <li>• 5 &amp; 7 Church Street</li> <li>• 2-8 Manor Farm Close (a converted barn)</li> </ul> <p>Direct or indirect impacts such as the setting of a heritage asset is only of concern if it gives rise to an effect that harms the asset's significance.</p>
<b>The Carlton Conservation Area</b>	The Carlton Conservation Area is a Designated Heritage Asset and is the most significant of the heritage assets relevant to the Inquiry.

<b>The Wharnccliffe Arms</b>	The (former) Wharnccliffe Arms is considered to have a degree of individual architectural, and historic interest, and contributes to the wider group value and significance of the designated heritage asset – The Carlton Conservation Area.
<b>2 to 8 Church Street (inclusive) and 2-8 Manor Farm Close</b>	Are considered to have a degree of individual architectural, and historic interest, that contributes to the wider group value and significance of the designated heritage asset – The Carlton Conservation Area.
<b>Historic England Advice notes</b>	<p>The following Historic England advice notes are materially relevant to the appeal:</p> <p>Historic Environment Good Practice Advice in Planning Note 3 (HEAG 180 GPA3, Second Edition): The Setting of Heritage Assets</p> <ul style="list-style-type: none"> <li>• Historic Environment Good Practice Advice in Planning Note: 2 Managing Significance in Decision-Taking in the Historic Environment</li> <li>• Streets for All – Advice for Highway and Public Realm Works in Historic Places (HEAG149)</li> </ul>
<b>Policy HE1 of the adopted Barnsley Local Plan</b>	Policy HE1 is the overarching planning policy on heritage that requires developments conserve and enhance the significance and setting of the borough's heritage assets.
<b>Policy D1 of the adopted Barnsley Local Plan</b>	Policy D1 is the overarching planning policy for design that requires developments respect and reinforce heritage and townscape character, as well as complementing and enhancing the setting of distinctive places including conservation areas.
<b>Policy HE2 of the adopted Barnsley Local Plan</b>	Policy HE2 requires that proposals likely to affect known heritage assets are accompanied by a proportionate description of what contributes to their heritage significance.
<b>Heritage Impact Assessment NWS01.01 (Prospect Archaeology)</b>	The Heritage Impact Assessment (HIA) provided in support of application 2022/0115 describes the heritage assets likely to be affected by the development. It sets out the contribution of various assets and their heritage values within the conservation area that underpin its historic significance. The HIA concludes that the junction alterations will

	<p>introduce a minor negative impact on the conservation area and historic buildings in the area equating to less than substantial harm.</p> <p>The LPA agrees with this assessment.</p>
<p><b>Draft Scheme to mitigate the impact of the junction alterations on the conservation area and setting of other heritage assets</b></p>	<p>Discussion between the Appellant and the Council has resulted in draft proposals to mitigate the impact of the junction works. These include:</p> <ul style="list-style-type: none"> <li>• The works will be designed with due cognisance to Historic England's guidance in the document entitled '<i>Streets for All- Advice for Highway and Public Realm Works in Historic Places, 2018</i>'.</li> <li>• <b>Traffic signs and road markings</b> - to be kept to a minimum and in accordance with the Traffic Signs Road markings General Directive (TSRGD).</li> <li>• <b>Single stage crossings</b> – retaining the current design to provide straight across single stage pedestrian crossings.</li> <li>• <b>No pavement edge barriers</b> – avoid the use of guard railing and other physical barriers.</li> <li>• <b>Controller</b> - The traffic signal controller will be located at the back of existing footway and in a suitable safe and convenient location and designing them with raised relief panels deters flyposting.</li> </ul> <p>It is for the Appellant to demonstrate that the proposed mitigation can be secured through an appropriately worded condition.</p> <p>The Council considers that if the proposed mitigation can be secured there will be no harm to the conservation area.</p>

<b>Signed on behalf of Appellant</b>	<b>Signed on behalf of Local Planning Authority</b>
Hannah Richardson, Spawforth	Garry Hildersley, Barnsley Metropolitan Borough Council
	
Date: 08.07.2024	Date: 05.07.2024