
2021/0346

Applicant: Sharon Orwin & Peter Briggs

Description: Demolition of existing bungalow and garage and erection of detached two storey dwelling with attached double garage and associated works.

Address: 46 Foundry Street, Elsecar, Barnsley, S74 8EQ

Site Location and Description

The application relates to a detached, brick-built bungalow located at the head of Foundry Street, off Hill Street in Elsecar. The bungalow is positioned to the North East of the site and stands within a large plot of approximately 0.3Ha. The site is enclosed by vegetation to the Northern, Western and Southern boundaries. The site levels fall from North to South.

To the North and West of the site is a residential development which is currently under construction and was approved for 14 dwellings under application 2017/1617. To the East of the site is a detached, split level bungalow with former commercial buildings beyond. To the South are open fields.



Site History

2018/0941 - Demolition of existing dwelling and erection of 7no detached dwellings (Outline with all matters reserved) – Refused for the following reasons;

In the opinion of the Local Planning Authority the proposals would be out of character with the surrounding area by reason of the backland nature of the site and it being an isolated/island form of development that would be visually at odds with its open surroundings on 3 sides including areas of the countryside. In addition, it would fail to protect and improve the setting/historic landscape of the adjacent Elsecar Conservation Area and areas falling within the Elsecar Heritage Action Zone due to the number and type of dwellings proposed. Accordingly, the development is contrary to Core Strategy policies CSP29, CSP30 and paragraphs 127 (particularly part C) and 130 of the National Planning Policy Framework as it would not achieve the high standards of development that are expected that would respect heritage, townscape and landscape character.

The proposed development would give rise to conditions prejudicial to highway safety due to the restricted visibility at the proposed point of access onto Fitzwilliam Street classified road, and its inadequate width would lead to vehicles waiting or reversing out onto Fitzwilliam Street. Such conditions would be incompatible with the interests of road safety and the free flow of traffic, contrary to CSP 26.

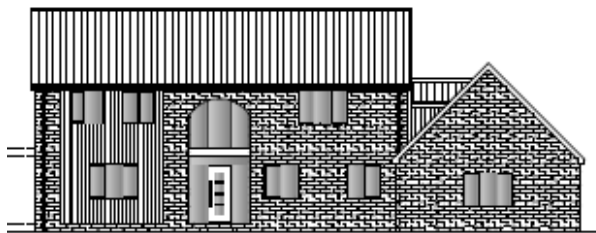
In the opinion of the Local Planning Authority, the proposed development is contrary to saved UDP Policy H8D, Core Strategy Policy CSP29 and the Council's Supplementary Planning Document 'Designing New Housing Development' , and saved UDP Policy H8A in that the proposed dwellings would be materially detrimental to the amenities of the adjacent properties by reason of a disturbance from increased residential activity. The proposal additionally would result in over development of the site, in that there is insufficient space to provide adequate private amenity space, and result in harm to the local environment or the amenities of existing residents, and create traffic problems contrary to the Council's Supplementary Planning Document, Designing New Residential Development and CSP29 of the Core Strategy

Despite requests for additional information the applicant has not submitted sufficient details to demonstrate that the site would not be adversely impacted by noise from the railway line and railway station and that it could be developed with appropriate mitigation measures and is therefore contrary to Core Strategy Policy CSP 40.

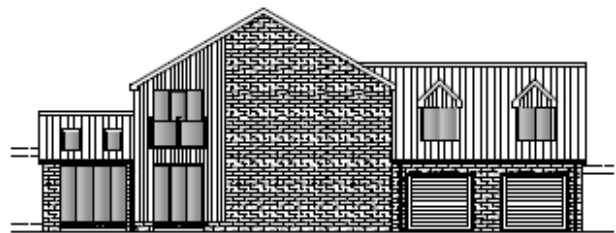
An appeal was also dismissed (Ref: App/R4408/W/19/3228709)

Proposed Development

The applicant seeks permission to erect an 'L' shaped, detached, 2 storey dwelling. The dwelling consists of a main 2 storey element with a 1.5 storey double garage off shoot. The dwelling would be positioned in the North Eastern corner of the site, set further back from Foundry Street than the current dwelling. The accommodation proposed includes a lounge, office, kitchen/diner, utility room and double garage on the ground floor and 4 bedrooms (2 en-suite) and a bathroom on the first floor.



FRONT ELEVATION (EAST)



SIDE ELEVATION (SOUTH)

EXTERNAL MATERIALS - Samples to be submitted & approved prior to commencement



WALLS - Stone



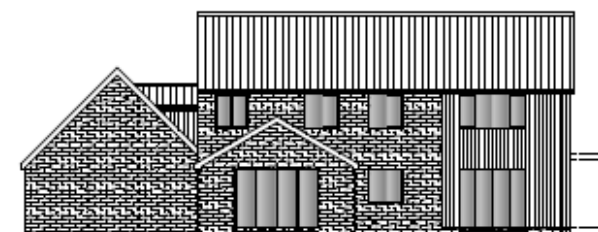
ROOFS - Slate (Natural Grey)



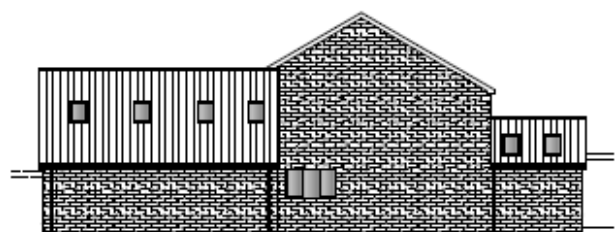
WALL CLADDING - Timber or UPVC to be agreed (Grey)



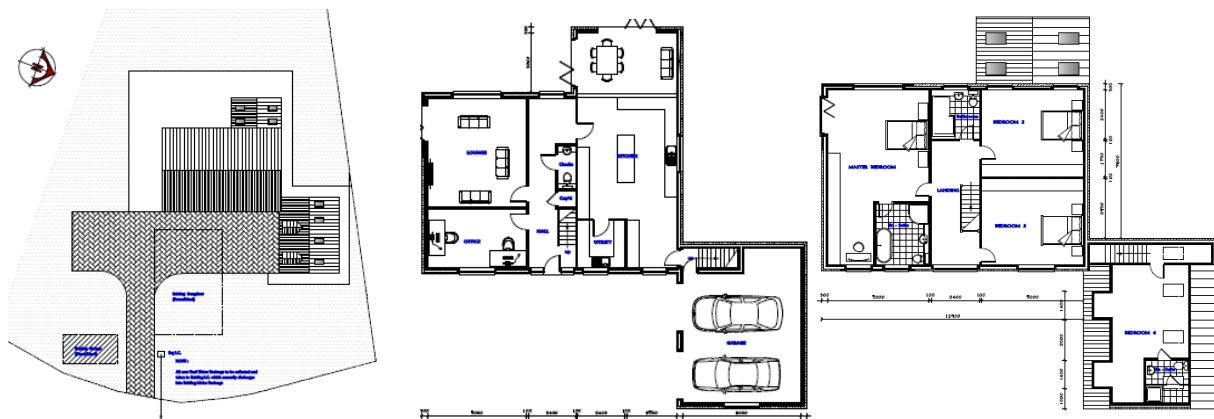
WINDOWS & DOORS - UPVC (Anthracite Grey or Black)



REAR ELEVATION (WEST)



SIDE ELEVATION (NORTH)



Policy Context

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy H1 The Number of New Homes to be Built

Policy H4 Residential Development on Small Non-Allocated sites

Policy H9 Protection of Existing Larger Dwellings

Policy HE1 The Historic Environment

Policy GS1 Green Space

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC1 Climate Change

Policy CC2 Sustainable Design and Construction

SPD's

Those of relevance to this application are as follows:

- Designing of housing Development
- Parking
- Open Space Provision on New Housing Development

Other

South Yorkshire Residential Design Guide

NPPF

The NPPF 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 the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 109 - 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 124 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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.

Consultations

Historic England – No objections – Councils Conservation Officer to provide comments

Highways DC – No comments

SYMAS – No objections subject to standing advice

Forestry Officer – No comments

Conservation Officer – No objections to the revised plans

Drainage – No objections, Building Control to check

Demolition – no comments

Ward Cllrs – one objection received, the main points of concern being the number of properties proposed and the impact on highway safety.

Representations

A site notice was erected on Hill Street/Foundry Street and 3no. neighbouring properties were sent notification letters. As a result of the consultation exercise 1no letter was received. The comments were supportive of the application subject to stone being used in the build.

Assessment

Principle of development

The site is allocated as Urban Fabric within the Local Plan. Local Plan policy H4 'Residential Development on small Non-allocated sites' states 'proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies within the plan.

All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Given the site is adjacent to a Conservation Area and within Elsecar Heritage Action Zone Barnsley Local Plan Policy HE1: The Historic Environment is relevant. This policy positively encourages developments that help in the management, conservation and understanding of the historic environment.

Local Plan Policy H6 'Housing Mix and Efficient Use of Land' states a density of 40 dwellings per hectare net will be expected in Urban Barnsley and SPD 'Design of Housing Development' states infill development should not be piecemeal so as to prejudice potential comprehensive development of a larger area of land. It is noted that this application is for 1no. dwelling on a plot which could accommodate further development, however, it is replacing an existing dwelling and, as outlined above in the planning history section, given the access and sensitivity of the site it is not capable of accommodating comprehensive development. As such, the proposal would simply be a replacement and not piecemeal.

It should also be noted that the Council currently has a 5-year housing land supply, as such, there is no justification for developments which do not meet all the relevant policies and guidelines.

Residential amenity

The proposed dwelling would be located in the North Eastern corner of the site and would have a greater separation distance from 44 Foundry Street than the existing dwelling. It is noted that the proposed dwelling would be built on a higher level than the neighbouring bungalow, however, the proposed separation distances would meet or exceed those required in SPD 'Design of Housing Developments' and the proposed habitable room windows would not directly face the neighbouring habitable room windows or private amenity space.

The site to the North is currently being developed for 14no dwellings, however, the closest residential property on that site is over 60m from the proposed dwelling and built on a higher level.

In terms of the amenity for the future residents of the development, the dwelling exceeds the internal spacing requirements of the South Yorkshire Residential Design Guide and the external amenity areas far exceed the requirements of SPD 'Design of Housing Development.

Visual Amenity/Heritage Impact

In terms of the historic context, Foundry Street was established in 1869 when a new iron foundry was opened by Davy and Lax. The partnership did not last long, but foundries continued to operate on the street until the mid-20th century. These made kitchen ranges, stoves, sanitary castings and cast drain covers that are still seen throughout the conservation area.

There was originally a row of terraces on the south side of the street; however, these were demolished after suffering subsidence during the second half of the 20th century. The adjacent fields next to the proposed development site were once part of a model farm, established by the Earl Fitzwilliam in the mid-19th century as part of the planned village development. The fields and land to the south of Foundry Street form an important green space and an open but visually sensitive part of the setting of the historic village and its conservation area.

Foundry Street itself and the area of Stubbin Bottom was considered in detail as part of a proposed Local Plan allocation that covered fields to the west Elsecar. An assessment was carried out by ArcHertiage on behalf of the Council and Historic England to understand the true significance of this area. At the Local Plan examination in public the land immediately to the north, west and south was discussed in detail. As a result, the Inspector's report on the Barnsley Local Plan challenged an existing housing allocation (H2) within the area immediately north and west of Foundry Street.

The modern development referred to above (2017/1617) was subject to similar site constraints as this current application and this was ultimately reflected in the final design. Much work was invested into guiding the design of this development due to the clear intervisibility to and from Foundry Street, the Inclined Plan (now on the local list) and the setting of the Elsecar Conservation Area. Another important output of the HAZ included a design study of Elsecar produced by Historic England. This is an important document that also analyses the spatial context and puts forwards broad design proposals for the site that respond sympathetically to the setting.

Based on the above, recent work has enhanced understanding of the value and historic significance of the area around Foundry Street. This work has demonstrated the need for new development to be thoroughly reflective of the local character. Moreover, it has highlighted the need for close attention to be paid to appropriate architectural styles, design, massing and materials. However, above all it is important to point out how critical this is given the visibility of this site. Views in and out of the site including views from the south and the west are extremely important as is underlined by the various reports referred to above.

Foundry Street (although somewhat unkempt with some derelict buildings) is a street of high individual historic significance and is important to the setting of Elsecar.

Initially the submitted proposal included a design that was quite out of keeping with the local building vernacular and showed little regard for the local character. However, the scheme has since been comprehensively redesigned on the advice of the Conservation Officer. As a result, the form, scale, design and materials of the dwelling are now complimentary in this historic setting, and also reflect the proposed dwellings on a neighbouring site, currently under consideration under application 2021/0313.

It should also be noted that the existing building on the site is a relatively modern brick addition to Foundry Street and offers little to the visual amenity. Arguably, the proposed dwelling, in terms of its design and materials, compliments the historic setting and sits more comfortably with the surroundings. The proposed dwelling is larger than the one it replaces but is 'L' shaped and sits further back on the plot and closer to the side boundary.

Given the above, the revised scheme now sits more comfortably within the historic setting and the Conservation Officer has subsequently removed his objections to the scheme. As such, the visual amenity of the area and the setting of the Conservation Area and HAZ would be maintained, in accordance with Local Plan Policies D1 and HE1.

Highway Safety

The proposed dwelling would be a replacement of an existing bungalow, as such, there would be no significant increase in vehicular movements compared to the existing situation. There is ample in curtilage parking provided, in accordance with SPD 'Parking' and there are also turning facilities to allow vehicles to enter and exit the site in a forward gear.

Furthermore, as outlined in the Site History section above, one of the reasons for refusal of the more comprehensive development of the site was;

'The proposed development would give rise to conditions prejudicial to highway safety due to the restricted visibility at the proposed point of access onto Fitzwilliam Street classified road, and its inadequate width would lead to vehicles waiting or reversing out onto Fitzwilliam Street. Such

conditions would be incompatible with the interests of road safety and the free flow of traffic, contrary to CSP 26'.

The proposed replacement of the dwelling would not result in intensification of Foundry Street, or additional dwellings, and highway safety would be maintained to a reasonable degree, in accordance with Local Plan policy T4.

Trees/Landscaping

The site is not subject to any TPO's and sits outside the Conservation Area. The proposed building would be positioned closer to the Northern boundary than the existing dwelling where there are some relatively small trees and hedges. However, only the rear elevation of the garage would project into the canopy and root protection areas which could result in some loss or require works to those trees. The remaining trees and hedges surrounding the site would be retained.

Furthermore, a pre-commencement condition would be imposed to submit further details regarding the proposed tree works and protection for existing trees.

Given the above, a refusal due to the impact on a very small number of trees/vegetation in this instance would not be warranted.

Conclusion

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the revised scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Grant planning permission subject to conditions

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.*
- 2. The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos.2021-62-1, 2021-62-2, 2021-62-3 & 2021-62-4) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.*
- 3. No construction work will commence until a representative sample of the roofing materials and facing stone has been submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with these details as approved.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment.*

4. Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making
5. Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1.
6. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To safeguard the character and setting of the Conservation Area and HAZ, in accordance with Local Plan Policies D1 and HE1
8. Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
9. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

10. *The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.*

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

11. *All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.*

Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

12. *Rooflights shall be conservation specific, vertically emphasised with a single vertical divider and decorated black.*

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment.

13. *Rainwater goods and guttering shall be black.*

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment.

14. *No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:*

Arboricultural Method Statement

Tree protective barrier details

Tree protection plan

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

15. *Upon commencement of construction works, details of an electric vehicle electric vehicle charge point shall be submitted and approved in writing by the LPA. The EVCP will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.*

Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 – New Development and Sustainable Travel.

16. *The existing dwelling on the site shall be demolished and all debris and material associated with the demolition removed from the site prior to the occupation of the dwelling hereby approved.*

Reason: In the interest of visual amenity, residential amenity and Highway safety, in accordance with Local Plan Policies D1, HE1, GD1 and T4.

17. The attached double garage and rooms in the roof space above shall be used incidentally to, and in association with, the approved dwelling house and shall at no time be severed therefrom to form a separate residential unit.

Reason: In the interests of residential amenity, visual amenity and highway safety, in accordance with Local Plan Policies GD1, D1, HE1 and T4.