

Application reference number	2025/0339
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Application Type	Full
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Proposal Description:	Replacement of existing, and installation of new drainage lines and resurfacing and the replacement of existing hard surfaces within the Heritage Centre.
Location:	Elsecar Heritage Centre, Wath Road, Elsecar, Barnsley, S74 8HJ

Applicant	Nicola Staniforth on behalf of BMBC		
Number of Third Party Reps	1	Parish:	None
		Ward:	Hoyland Milton

SUMMARY

The application has been submitted by BMBC and seeks full planning permission for the replacement of existing, and installation of new drainage lines and resurfacing, and the replacement of existing hard surfaces within the Heritage Centre.

The development is to replace existing drainage lines and the installation of 1no new drainage line within the Elsecar Heritage Centre complex, to improve drainage of the site. The works also include the resurfacing of the existing hard surfaced areas within the site.

Amended plans have been submitted as part of the application following initial objections from Yorkshire Water.

The development site falls within the Elsecar Heritage Centre, within the Elsecar Conservation Area. Development comprising the replacement of existing drainage lines and the resurfacing and replacement of existing hard surfaces within the Heritage Centre complex are considered acceptable in principle, if it would be appropriate in scale and respectful of local character and will conserve and enhance the significance and setting of the borough's heritage assets. Any proposal will also be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

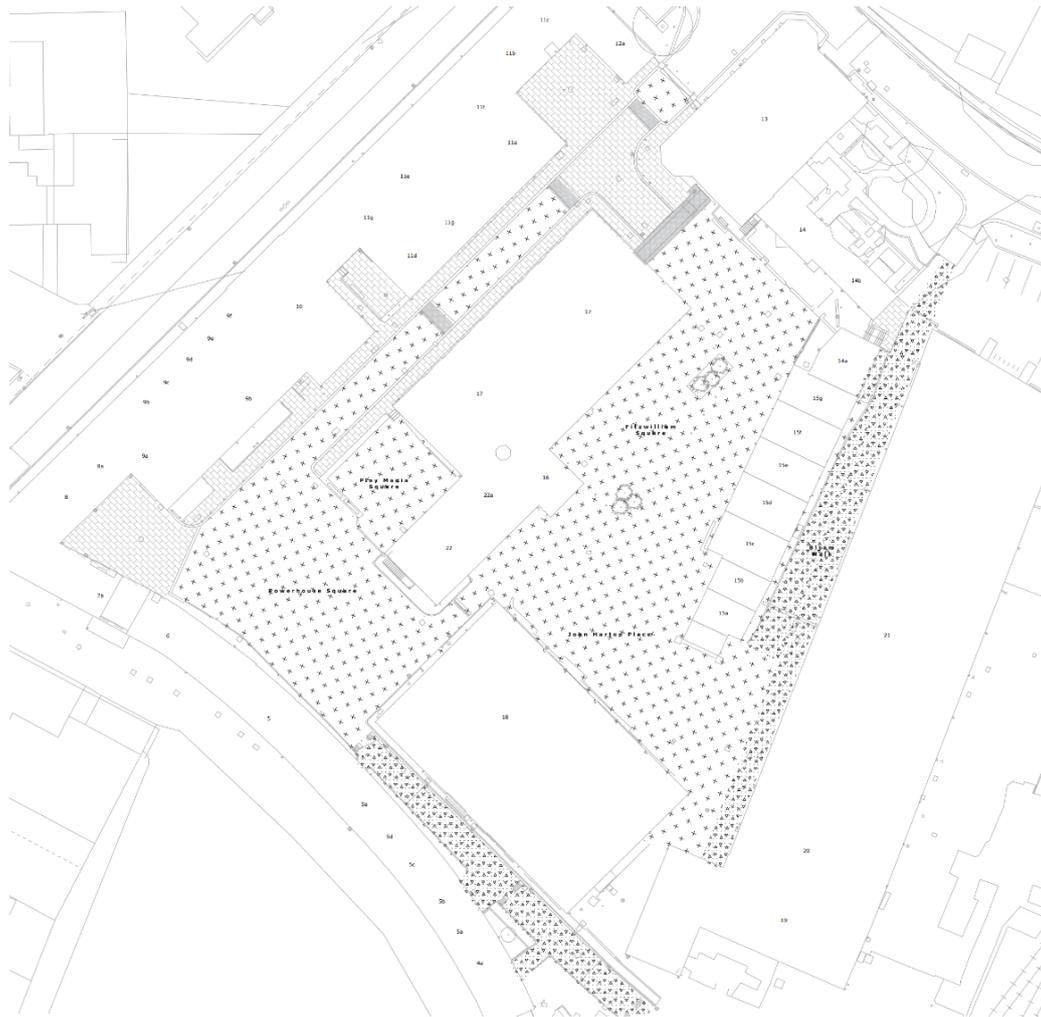
There are no outstanding consultee objections or concerns.

The application is being presented to Members due to it being a Council proposal.

The proposal will have no adverse impact on highway safety, residential or visual amenity and is considered to be acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

Recommendation: **GRANT Planning Permission subject to conditions**

Proposed site plan



Site Description

Elsecar Heritage Centre consists of the workshops previously established as part of the coal mining and iron making heritage under the Fitzwilliam Estate of the late 18th and 19th centuries. Following the closure of the last coal mine in 1984, the workshops were purchased by Barnsley Metropolitan Borough Council from British Coal in 1988. The site was re-opened in the early 1990s as the Elsecar Heritage Centre.

The site is bounded by B6097 Wath Road to the north-west, Distillery Side to the north-east, the former railway line to the east and Forge Lane to the south. Single storey workshops are located along the north-western and southern boundaries, creating an enclosure along these boundaries.

A public house, residential properties and car parking and village hall and residential properties are located to the south-west and north-west respectively. Overspill car parking is located to the north and residential properties and the former railway line to the north-east, with woodland and agricultural land beyond.

The site contains a number of Grade II*-listed buildings of great heritage significance as well as the former ironworks which is a scheduled monument; the centre is noted for its group value. The site consists of numerous buildings, with the exception of the buildings located

along the southern and northern boundaries, one of the largest building is what is referred to as Building 20/21 which is used as an events space, this is located between the main area and the railway line. The site is now a popular visitor attraction containing independent shops, studios, galleries and cafes.



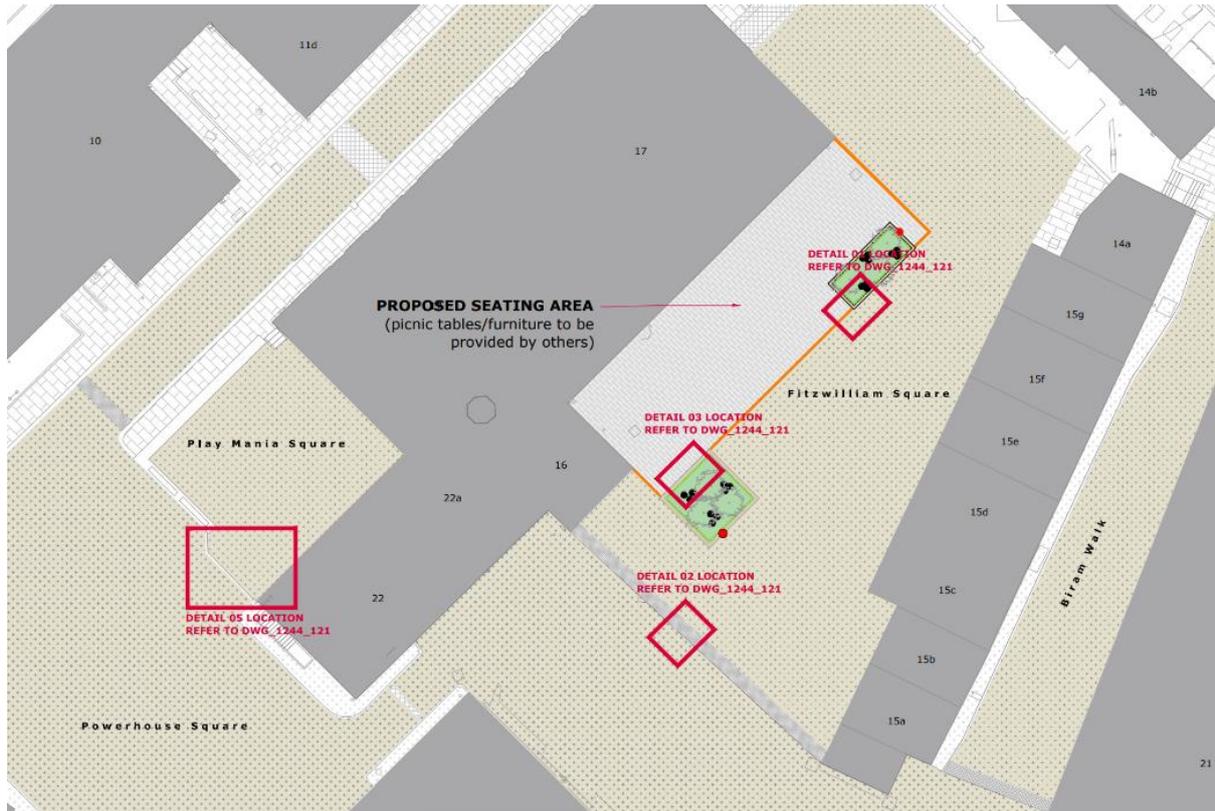
Relevant Site History

There is an extensive planning history associated with the Elsecar Heritage Centre. However, the most relevant applications are:

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
2023/1045	Comprehensive refurbishment of Building 13, Building 20 and Building 21, and development of the public realm (Listed Building Consent)	Approved with Conditions January 2024
2024/0376	Layout amendments to Building 13 following the approval of application 2023/1045 'Comprehensive Refurbishment of B13, 20 and 21 and development of Public Realm Elsecar Heritage Centre, (Listed Building Consent)	Approved with Conditions July 2024

Proposal

The applicant seeks permission for the replacement of existing drainage lines and the installation of new drainage lines within the Elsecar Heritage complex, to improve the overall



Policy Context

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan was adopted in January 2019 and is 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 which 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 identified as Urban Fabric within the adopted Local Plan and as such the following policies are considered to be relevant to this application:

- Local Plan Policy HE1 The Historic Environment.
- Local Plan Policy HE3 Developments affecting Historic Buildings.
- Local Plan Policy HE4 Developments affecting Historic Areas or Landscapes.

Local Plan Policy GD1 General Development
Local Plan Policy D1 High Quality Design and Place Making
Local Plan Policy T4 New Development and Transport Safety Policy
Local Plan Policy D1 High Quality Design and Place Making
Local Plan Policy POLL1 Pollution Control and Protection
Local Plan Policy SD1 Sustainable Development

National Planning Policy Framework (NPPF) (2024)

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. NPPF policy of relevance to this application includes:

Chapter 2: Achieving sustainable development.
Chapter 4: Decision-making.
Chapter 12: Achieving well designed places.
Chapter 16: Conserving and enhancing the historic environment.

Relevant Consultations:

Biodiversity – No objections. No habitats of value or built structures would be impacted by the development and therefore no ecological reports are required.
Conservation Officer - No objections. It is considered that the works will enhance the setting of the listed buildings and the wider Conservation Area.
Forestry Officer – verbal comments received-no objection to development subject to the inclusion of tree protection measures
Highways Drainage – No objections received.
Historic England – No comments to make. Historic England have been consulted at pre-application stage and as part of the Scheduled Monument Consent process and all requirements have been met.
Mining Remediation Authority – No objections. Whilst the development is located partly in a Mining Remediation Authority High Risk Planning Referral area, a Coal Mining Risk Assessment does not accompany the application, in this instance it is considered that it would not be proportionate to the level of development.
South Yorkshire Mining Advisory Service – No objections. The comments of the Mining Remediation Authority are reiterated and it is noted that the proposals are exempt from the Coal Mining Risk Assessment requirements as they involve minimal ground works (repaving) and drainage repairs/amendments.
Yorkshire Water – No objections
Ward Councillors – No objections received.

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

The application was advertised on the Council website, 2no site notices posted adjacent to the site and the application was advertised in the press; one letter of comment has been received from a property owner on Distillery Side. Concerns are raised that the property will suffer the most from any additional runoff into Distillery Side.

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (December 2024) at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The principle of the development
- The impact on the historic character of the area
- The impact on the highway network and highways standards
- The impact on the existing trees
- The impact on neighbouring residential properties

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The development site falls within the Elsecar Conservation Area, and the proposals will affect listed assets and their setting within the Elsecar Heritage Centre. Development comprising the installation of drainage is considered acceptable in principle if it would be respectful of local character and will conserve and enhance the significance and setting of the borough's heritage assets. Any proposal will also be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people

The development does not seek to change the overall use of the site, or to construct new development, and as such the principle of development is considered acceptable subject to the assessment against other relevant policies below.

Impact upon Character and Appearance of Conservation Area

This application relates to public realm and drainage improvement at Elsecar Heritage Centre.

Currently, the areas of public realm around the site are a mixture of tarmac, concrete and setts (laid in the 1990's). Various repairs have added to the sense of a patchwork of mismatching surfaces with all areas believed to be covered by modern materials. They relate poorly to the significance of the site, are confusing in terms of historic legibility and are a mix

of modern materials that do not enhance the setting of the historic buildings or the Conservation Area.

The resurfacing works now proposed are part of a wider package of works that includes replacing the drainage system which is currently deficient and has been the source of many problems over the years. Above ground, the areas of tar spray and chip are similar to before, supplemented with the retention of existing York Stone and granite setts. The new seating area to the south of Building 17 in Powerhouse Square is to be covered with Clay Duct bricks which are considered sympathetic to the setting. Overall, the general approach to unify the existing concrete and tarmac jigsaw is welcomed and will substantially improve the setting of the listed buildings.

Overall, it is considered that the proposed alterations would have a positive impact and will enhance the setting of the listed buildings at Elsecar Heritage Centre and the wider Conservation Area. This carries significant weight in favour of the application and is in compliance with Local Plan Policies HE1, and D1; this carries significant weight in favour of the application.

Impact on Trees

Whilst there are no trees subject to a Tree Preservation Order, there are trees located within the site which is located within the Elsecar Conservation Area.

The works involve the replacement of existing foul and surface water drains and the installation of new foul and surface water drains. The location of the new drainage is not within an area that would impact the trees within the site.

The Forestry Officer has been consulted on the application and raises no objection to the development, subject to the inclusion of tree protection details to avoid material being stored under them or damage by mobile plant during operations. It is therefore considered that subject to the condition requiring tree protection, the proposed development overall would not have a detrimental impact on the wellbeing of the trees. This carries significant weight in favour of the application.

Residential Amenity

The works will be contained within the site and screened from the surrounding properties by the existing buildings. Nevertheless, the site is bounded by residential properties to the north, south and west, and whilst these dwellings are not located within close proximity, there is a potential that there would be an increase in noise and disturbance from the works proposed. Whilst temporary in nature is nevertheless considered prudent to include a condition limiting construction hours.

The applicant has requested an extension to the construction hours. These are generally limited to 8am to 6pm Monday to Friday whereas the applicant has requested an extension to 7am until 9pm Monday to Friday, on the basis that there will be less disruption and fewer safety risks to tenants and site visitors if certain activities and materials deliveries could be carried out outside usual working hours. It has been indicated in the Planning Statement that such activity would be "intermittent rather than daily and the areas which would be more disruptive to site visitors are the furthest away from the neighbouring residential properties". Whilst an extension to the construction hours is justified given the nature of the site, and the impact on visitors and tenants, it is considered that a blanket extension until 9pm could be onerous for the nearby residents. Therefore, in this instance a limited extension to the construction hours from 7am to 7pm would allow for greater flexibility during the construction phase without resulting in a significantly detrimental impact on the amenity

of the surrounding residents. The limited impact on residential amenity carries significant weight in favour of the application.

Comments have been made in relation to the properties on Distillery Side being affected by increased runoff as a result of the proposed works. In fact, the drainage works are being undertaken to improve both the surface and foul water drainage in the area would not have a detrimental impact on the properties which, at the closest point, are located approximately 60m from these dwellings.

This carries significant weight in favour of the application and in compliance with Local Plan Policy GD1 and POLL1.

Biodiversity

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the Planning Practice Guidance) are met. This application is exempt from the requirement to provide BNG as it meets the *de minimis* exemption where no more than 25 square metres of habitat will be affected.

Highway Safety

The proposed works do not result in the loss of off-street parking provision nor a requirement of additional provision and would not have a detrimental impact on the highway network or upon the safe and free flow of traffic; this carries significant weight in favour of the application and is in compliance with Local Plan Policy T4.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location and would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

The proposal would improve both foul and surface water drainage within this important historical centre and the associated surface improvement works would improve the existing patchwork of poor modern materials with a unified surface and ensure the retention and relaying of any existing quality materials where disturbed. Overall, it will improve the setting of the historic buildings and preserve and enhance the character of the Conservation Area, all of which carries weight in favour of the proposal subject to planning conditions.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

RECOMMENDATION

MEMBERS RESOLVE TO APPROVE THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

CONDITIONS/REASONS

01. 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.
02. The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission:
 084010-CUR-00-XX-RP-C-0002 Rev P01 Elsecar Heritage Centre Drainage Strategy
 084010-CUR-00-XX-SP-C-002 Rev P03 Drainage Specifications
 084010-CUR-00-ZZ-D-C-92201 Rev P09 Site Wide Drainage Option B
 084010-CUR-ZZ-XX-DR-C-91001 Rev P02 External Works Details
 1244_111 Rev D Hard Landscape and General Arrangement
 1244_112 Rev D Hard Landscape Edging and Drainage Layout
 1244_121 Rev C Hard Surface Interfaces and Details (sheet 1 of 3)
 1244_123 Rev A Hard Surface Interfaces and Details (sheet 3 of 3)
- REASON:
 To ensure that the development is carried out in accordance with the application as approved.
03. 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:
- Tree protective barrier details
 - Tree protection plan
- Thereafter all works on site shall be carried out in accordance with the approved details for the duration of the construction period.
 Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.
04. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0700 to 1900 Monday to Friday and between the hours of 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.
05. On commencement of engineering/construction, details of temporary lighting shall be submitted to and approved by the Local Planning Authority. Details shall include the location, orientation, angle, and luminance of the lighting and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. Thereafter the approved details shall be implemented in full.
 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

The above consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's right to respect for his private and family life, his home and his correspondence.

