
2024/1087

Mr Peter Briggs

46 Foundry Street, Elsecar, Barnsley, S74 8EQ

Demolition of existing bungalow & garage and erection of two-storey self-build dwelling with attached double garage and associated works (Re-submission of lapsed approval 2021/0346)

Site Description

The application relates to a plot located at the head of Foundry Street, off Hill Street and Fitzwilliam Street in Elsecar. The surrounding area is principally residential characterised by a mix of dwelling types of varying scale and appearance. To the east of the application site is a detached, split-level bungalow with former commercial buildings beyond. To the south are open fields. To the north, north-east and west of the application site is land that is designated as land to remain undeveloped due to the impact on the historic environment. The site is in the Elsecar Conservation Area. The dwelling to be demolished is a detached bungalow of a brick construction with a gable pitched roof with grey roof tiles. The dwelling is positioned to the north-east of the site and is enclosed by vegetation to the north, west and southern boundaries, and the site levels fall from north-to-south.

Planning History

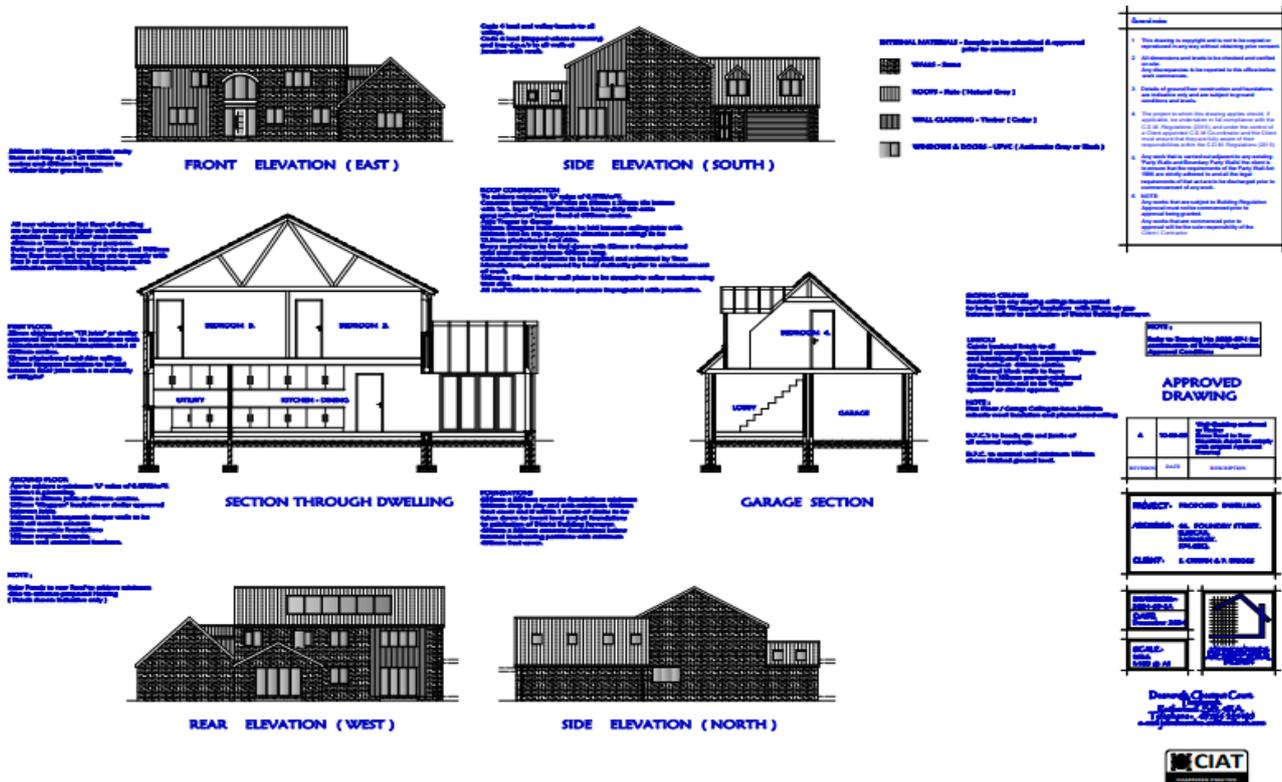
2018/0941 - Demolition of existing dwelling and erection of 7no detached dwellings (Outline with all matters reserved) (Refused)

2021/0346 - Demolition of existing bungalow and garage and erection of detached two storey dwelling with attached double garage and associated works (Approved with Conditions)

2024/0757 - Raising roof to create a dormer bungalow with 3no. side dormers and balcony to south-west facing elevation (Amended Description) (Approved with Conditions)

Proposed Development

The applicant seeks permission to erect an 'L' shaped, detached, two storey dwelling. The dwelling consists of a main two storey element with a one and a half storey double garage off shoot. The dwelling would be positioned in the northeastern 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 four bedrooms (two en-suite) and a bathroom on the first floor.



Relevant Policies

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 review was approved at the full Council meeting on 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 Allocation – Urban Fabric / Elsecar Conservation Area

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

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. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

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 H4: Residential Development on Small Non-Allocated Sites – Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies.

Policy H6: Housing Mix and Efficient use of land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Policy HE1: The Historic Environment – Positively encourage developments that help in the management, conservation and understanding of the historic environment.

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Policy BIO1: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Policy T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

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.

Supplementary Planning Documents

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019.

The most pertinent SPD's in this case are:

- Biodiversity
- Design of Housing Development
- House extensions and other domestic alterations
- Parking

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Other Guidance

- South Yorkshire Residential Design Guidance

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise.

In respect of this application, relevant sections include:

- Section 12: Achieving well-designed places
- Section 16: Conserving and enhancing the historic environment

Consultations

The LPA's Conservation Officer was consulted and raised no objections subject to conditions.

Contaminated Land were consulted and raised no objections.

Demolition was consulted and raised no objections.

The LPA's Forestry Officer was consulted and raised no objections subject to conditions.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Highways Drainage were consulted and raised no objections.

Hoyland Milton Ward Councillors were consulted and raised no objections.

Planning Policy were consulted and raised no objections.

Pollution Control were consulted and raised no objections subject to conditions.

Yorkshire Water were consulted and raised no objections.

Representations

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

Neighbour notification letters were sent to surrounding properties, a site notice posted near the site and a press notice issued, no comments were received.

Assessment

The main issues for consideration are as follows:

- The acceptability of residential development
- The impact on the character of the area
- The impact upon the Elsecar Conservation Area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards

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 site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings and in this case the street scene is largely residential, as such the use of this site for residential use would be in keeping with the locality. This weighs considerably in favour of the proposal.

Furthermore, all new dwellings must ensure that living conditions and overall standards of residential amenity are provided for or maintained to an acceptable level both for new residents and those existing. Also, development will only be granted where it would maintain visual amenity and not create traffic problems or reduce highway safety.

Also, 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. This weighs significantly in favour of the proposal.

Impact Upon the Elsecar Conservation Area and Visual Amenity

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 ArcHeritage 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 to the north 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 derelict buildings) is a street of high individual historic significance and is important to the setting of Elsecar.

The form, scale, design and materials of the proposed dwelling are complimentary in this historic setting. 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. The proposed design and materials are deemed sympathetic to the street scene, and it would not have a negative impact in terms of being an anomalous feature. This weighs significantly in favour of the proposal.

Landscaping and boundary treatments are not indicated on the submitted site plan and will therefore be dealt with via conditions. This has limited weight against the proposal. Given the above, the proposal sits comfortably within the historic setting and 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.

Residential Amenity

The proposed dwelling would be located in the northeastern 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. This weighs significantly in favour of the proposal.

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'.

Impact Upon Biodiversity

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geodiversity features by protecting and improving habitats; maximising biodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements.

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the PPG) are met. The PPG states that self-build and custom self-build applications are exempt and therefore a +10% net gain in biodiversity is not required in this instance. Nevertheless, the mandatory BNG conditions still apply, and the onus is on the applicant to appropriately discharge these conditions and demonstrate which exemption is met.

However, the standard biodiversity policies included in the adopted development plan are still relevant including the requirement for all new dwellings to include integrated bat and bird boxes as set out in the adopted Biodiversity and Geodiversity SPD. A condition has therefore been attached to this effect which requires details to be submitted prior to any above ground works. Overall, the biodiversity impacts weighs in moderate favour.

Impact Upon Trees

The site is not subject to any TPO's however the proposed building is positioned close to the northern boundary than the existing dwelling where there are some relatively small trees and hedges. 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. This weighs moderately in favour of the proposal.

Highway Safety

There will be no impact upon 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 Planning 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. This weighs significantly in favour of the proposal.

Conclusion

Having balanced all material planning considerations, the proposed dwelling is similar to that already approved and will not be significantly harmful to residential and visual amenity nor highway safety. The proposal will also not be harmful to the Elsecar Conservation Area. Therefore, the positive aspects of the proposal are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval.

Recommendation

Approve with conditions