

Conservation Comments Response

Introduction

Comments as part reproduced below were received 19/05/23 undated by Tony Wiles (TW) including Pre-application advice provided Sept 2022 also by TW. This response aims to address the outstanding objections to the application from BMBC Design & Conservation as follows. All images included taken from public property, the applicant's private property and/or access or courtesy of Google Maps & Streetview 2023 ©.

Comments received 19/05/23

Subject: 2023 0165 Erection two Storey Dwelling Land Rear of 207 – 209 Manchester Road Thurlstone

Recommend: Refuse due to harmful impact on the setting of Thurlstone Conservation Area, as well as other designated and undesignated heritage assets.

The main issue to be considered from a heritage perspective in the determination of this Planning Permission application is: -

- Whether or not the proposal would preserve or enhance the character or appearance of the conservation area
- Whether or not the proposal would harm the heritage significance or impact on the setting of a designated asset or other asset of demonstrable heritage significance.

Pre-Application Advice

"I recall we had a pre-application submission for this site previously (unrelated to this pre-application request or the application 2023-0165 Note added by JFM) and I remember we advised we had concerns relating to the setting of the conservation area and the grade II listed church, the overall visibility of the site and possible negative intrusion into the setting. I've looked at this afresh and I am afraid I do still have concerns. The site is to the rear of 207-209 Manchester Road and is just outside the conservation area being north of its boundary by circa 10m (so is very close). The grade II listed St Saviours Church (<https://historicengland.org.uk/listing/the-list/list-entry/1151827>) is also 30m southwest of the site. There is some screening by trees to the southern edge of the site but overall, I am concerned that the elevated plot and steepness of the slope at the location proposed for development will render the building quite visible. The degree of visibility is in itself not an issue, but this coupled with the proposed design is a cause for concern. From High Bank looking south the dwelling appears fairly restrained and could quite easily (with the correct methods and materials) fit in well. However, owing to the steeply sloping site, the southern elevation is propped up on stilts and would probably appear more akin to three storeys overall. The design is not especially sympathetic in terms of the heritage setting with a double full width balcony on the ground floor (would appear akin to a first-floor level) and

first floor (akin to second) floors, deeply overhung with full width canopies supported on poles. Primarily in this setting of the adjacent conservation area and the listed building I feel this has no precedents in the immediate neighbourhood and could look very out of place. I'd also be wary of the views from further afield on the other side of the valley and the general level of sympathy with the local and historic vernacular."

The design submitted in this application is substantially different and is generally more restrained than the one submitted at pre-app. The use of more conventional forms, details, and materials are an improvement. The scaling of some of the fenestration is on the excessive side with large floor to ceiling glazing not being the norm in the conservation area. However, the overall design of the envelope, the use of re-constituted stone, slate and Artstone detailing is a relative positive in this setting. In isolation I would have few problems over such a design, however the impact in this location is critical to understand. Due to the elevated nature of the site and the impact this will have on the setting of the former Wesleyan chapel, the listed St Saviours Church, and the wider conservation area I'm afraid I do have concerns. This relates to the overbearing nature and scale of the south facing elevation, its glazing, and the degree of visibility and the relative isolation of the development when viewed from the south. I am aware there are dwellings to the east along High Bank Lane that are suggested to be similar in terms of their setting and impact. These include 155 to 161 High Bank which are historic and include an element of three storeys. I'm also aware of the recent development on land adjacent to 149 High Bank. This dwelling appears as a single storey structure when viewed from High Bank Lane but extends to two storeys to the south owing to the gradient. However, I would argue these houses are located much further east towards the historic core of the settlement and are 170m east of the proposal site. They represent the natural continuation of the pattern of historic development travelling east to west from the junction with Hedge Hill Road. It is also worth noting existing development stops at number 161 with a significant pinch point on High Bank Lane at number 157. Importantly, the road continues to rise towards the west as it traverses the slope and as a result, the proposal site is more elevated and more visible. Further differences include the sensitivity of the heritage setting already described (including that of St Saviours and the Methodist Chapel at 213). This setting goes beyond simple intervisibility and includes views from Manchester Road where the proposal site and the designated NDHA can be seen together. Consequently, I would suggest the setting and the impact of development is substantially different here and (on balance) this amounts to less than substantial harm. However, any harm requires clear and convincing justification and given the purely private benefit of the development I feel this is not demonstrated. A tandem concern relates to the question of the precedent which could be created if this application were approved. This may result in further proposals for backland developments to the rear of Manchester Road which would significantly alter the character of the conservation area as a result.

In conclusion, I'd suggest the application is not in accordance with S.66(1) or S.72(1) of the LB Act, para. 199 and 200 of the Framework, Local Plan policies HE1 and HE3, or NDP BE2 and should be refused.

Response to comments

Initial points

- The conservation aspects of the pre-application advice by TW does not relate to the conservation comments most recently received by TW, yet the setting of the application site remains unchanged.
- The conservation area (CA) does not abound the application area. The application area is at closest 13.5m away from the CA. The proposals that would alter the application area are in excess of 25m away from the CA. There is a retained hedge line in excess of 2.4m between the application site and the CA.
- The most recent comments reference "the impact this will have on the setting of the former Wesleyan chapel", the Wesleyan chapel or possibly the Wesleyan church is approximately a quarter mile away from the site, next to the James Durran works, has no connection or visibility to or from the site.
- The comments also highlight the importance of the former Primitive Methodist Chapel, an item which was excluded from the pre-application advice provided by TW in Sept 2022. From the latest comments the property has been proposed as a Non Designated Heritage Asset (NDHA) even though the former Chapel has no published Historic Environment Record (HER) and is not listed as an NDHA under the Penistone Neighbourhood plan. Further to this, the former chapel property and structure has been extensively altered by the occupiers since being converted to residential use. The chapel, featuring none of its original windows, previously had uPVC timber effect half height windows and now has had the windows converted to full length glazing Juliet balcony doors with safety railings. The property has also been extended to the rear via (presumably) GPDO rights. The material alterations are to such a degree that very little of the heritage of the building remains save a few features, not even its original built plan form remains. With reference to Planning Practice Guide "A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets." Under the Penistone Neighbourhood plan this building was not identified as a NDHA for the above reasons.

- The alterations to the Chapel, which are directly visible, immediately adjacent and within the conservation area are deemed of far more significant, lasting and serious harm to the designated historic assets (DHA) in my opinion than those proposed within the application.



Specific response to comments

- 1) Whether or not the proposal would preserve or enhance the character or appearance of the conservation area.
 - a) The application site is wholly outside of Thurlstone conservation area, within the urban fabric of Thurlstone and already under residential use.
 - b) The primary concern at pre-application stage was *"The degree of visibility is in itself not an issue, but this coupled with the proposed design is a cause for concern."* TW Sept 2022
 - c) Therefore, in keeping design changes have been made to suit the conservation areas and therefore preserve the character of the area, as were suggested during pre-application consultation for the development of the site.
 - i) These are namely that the proposal is a two storey form of construction, set at an upper level from Manchester Road due to the natural topography of the area, as is historically typical along the valley corridor, and that of the wider Thurlstone area see below.



- ii) In keeping materials and details have been used to suit the conservation area local vernacular. These are namely that the proposals are stone (or reconstituted stone)

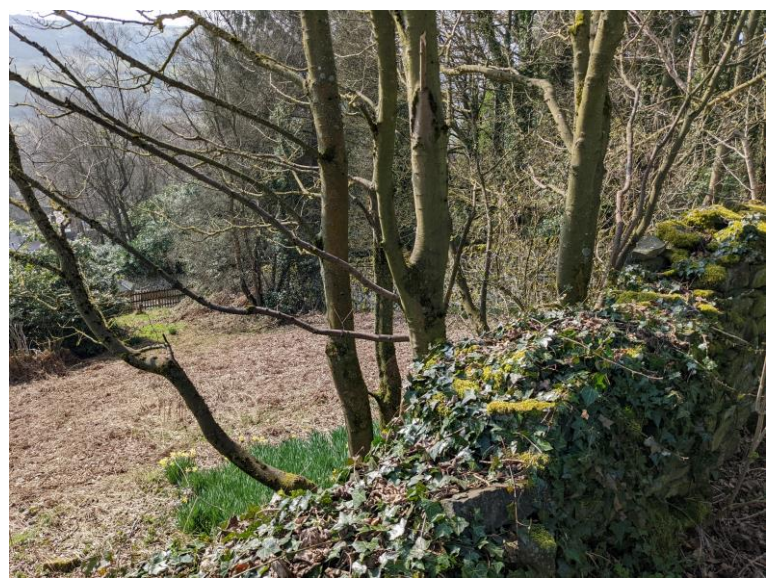


built, with a slate roof and stone feature cills and lintels, as is typical of both historic and recent construction.

- d) Precedent of recent development on the rear gardens of Manchester Road backing onto High Bank Lane and directly addressing the conservation area has already been set and has can be seen below in the extract of the Thurlstone conservation area map with residential new and historic properties addressing the CA boundary directly. No further precedent can be set, see below extract of Thurlstone Conservation Area with residential development along High Bank Lane directly addressing the CA. The urban fabric of Thurlstone is defined as such for development, outside of the conservation and in accordance with NPPF para 11 "Plans and decisions should apply a presumption in favour of sustainable development."



- 2) Whether or not the proposal would harm the heritage significance or impact on the setting of a designated asset or other asset of demonstrable heritage significance
- a) The application site is wholly outside of Thurlstone conservation area, within the urban fabric of Thurlstone and already under residential use.
 - b) The application site and setting of the DHAs are not visible from one another and vice versa. See below view of the application site (during winter) and further photo across to St Saviours church, completely obscured by the substantial, mature & protected stand of trees & vegetation.



- c) *“This setting goes beyond simple intervisibility and includes views from Manchester Road where the proposal site and the designated and NDHA can be seen together.”* TW May 2023. The degree of visibility has been ruled out an issue in advice previously provided by TW but further to this the application, the site is heavily shielded from view by the existing development along Manchester Road & the established mature trees surrounding the site and the DHAs, as has been demonstrated in this application. The application site is not visible from the setting of the DHAs, namely the Church or Vicarage and therefore not within their settings. The site is visible from the proposed NDHA which has been shown to not be of published significance (see Penistone Neighbourhood Plan Appendix 3) due to the detrimental alterations (see previous images) and moreover of significant harm to the DHAs and their setting.





- d) The application site is not easily visible from long distance vantage points, namely across the valley, as has been demonstrated in this application, as this was also highlighted as an initial concern during pre-application consultation. Therefore the intervisibility of the whole setting of the application site, the DSAs and the proposed NDHA is drawn into question. Application site highlighted in red below.



- e) *"(on balance) this amounts to less than substantial harm. However, any harm requires clear and convincing justification and given the purely private benefit of the development I feel this is not demonstrated."*
- i) With reference to NPPF para 202, with less than substantial harm being demonstrated (see above), "this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." The public benefit is sustainable development and creation of an additional domestic residence, of which there is a vast under provision within the country and inline with BMBCs Housing Strategy 2014-2033 primary goal of "Support new housing development". The land is currently designated for residential use, with a sustainable location within Thurlstone, therefore its optimum and continued use is for residential use.
- f) With reference to NPPF para 206 - "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that

preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

- i) Notwithstanding the application site is outside of the CA, there is clear contravention to the spirit of the NPPF paragraph in the response provided. New proven, reflective, sensitive and historically sympathetic development has been proposed in this application and paragraph 206 has been disregarded. Furthermore, the conservation area has been artificially extended and the late identification of a proposed NDHA after the initial setting had been advised upon has been used as a means to prevent development for reasons unknown.
- g) With reference to BMBC Policy HE1 – “Supporting proposals which conserve and enhance the significance and setting of the borough’s heritage assets, paying particular attention to those elements which contribute most to the borough’s distinctive character and sense of place.” The initial proposals following receipt of advice have been brought inline with the local vernacular of the area and the wider Thurlstone CA as has been illustrated. The application seeks to add a dwelling to an already established and sustainable community within the urban fabric of the settlement, create a modest addition to the available dwellings in Thurlstone. That said, the application site is outside of the CA and not easily visible within the wider context due to the natural topography of the land and therefore of no conceivable harm.

Conclusion

It is my conclusion that the comments raised by BMBC Conservation & Design by TW have been addressed by the additional information provided in this response. The applicant however remains open to further design changes to the proposals to provide a more historically sympathetic design, for example a reduction of the “full height glazing”, even though the proposed NDHA features this to its principle and DHA facing elevations. However the applicant refutes the position that the Primitive Methodist Chapel should be proposed as an NDHA for the aforementioned grounds.

Appendix

BMBC Policy Reference

Policy HE1 The Historic Environment We will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley’s historic environment, especially for those assets which are at risk This will be achieved by:- a. Supporting proposals which conserve and enhance the significance and setting of the borough’s heritage assets, paying particular attention to those elements which contribute most to the borough’s distinctive character and sense of place. These elements and assets include:- The nationally significant industrial landscapes of the Don Valley which includes Wortley Top Forge and its associated water management system. Elsecar Conservation Village, its former ironworks and its workshops which were once part of the Fitzwilliam Estate. A number of important 18th and 19th century designed landscapes and parks including Wentworth Castle parkland (the only grade I Registered Park and Garden in South Yorkshire), and Cannon Hall Park. The well preserved upstanding remains of the Cluniac and Benedictine monastery at Monk Bretton. 18 designated conservation areas of special

and architectural interest including three town centre conservation areas, as well as large areas incorporating Stainborough Park, Cawthorne, Penistone and Thurlstone. The 17th century Rockley Blast Furnace and its later engine house. Gunthwaite Hall Barn, a large 16th century timber framed barn. Barnsley Main Colliery Engine House and Pithead structures. The 17th century Worsbrough Mill (the only historic working water mill in South Yorkshire). 156 Adopted Local Plan 14 . Historic Environment Relatively widespread evidence of pre-historic settlements, and occupation which are often archaeological and below ground but sometimes expressed as physical or topographic features. The boroughs more rural western and Pennine fringe characterised by upland and (often) isolated settlements or farmsteads surrounded by agricultural land and dominated by historic and vernacular buildings built from local gritstone. b. By ensuring that proposals affecting a designated heritage asset (or an archaeological site of national importance such as a Scheduled Ancient Monument) conserve those elements which contribute to its significance. Harm to such elements will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in exceptional circumstances where there is a clearly defined public benefit. c. By supporting proposals that would preserve or enhance the character or appearance of a conservation area. There are 18 conservation areas in the borough and each is designated for its particular built and historic significance. This significance is derived from the group value of its constituent buildings, locally prevalent styles of architecture, historic street layouts and its individual setting which frequently includes views and vistas both into and out of the area. Particular attention will be given to those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance. d. By ensuring that proposals affecting an archaeological site of less than national importance or sites with no statutory protection conserve those elements which contribute to its significance in line with the importance of the remains. In those cases where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, an understanding of the evidence to be lost must be gained in line with the provisions of Policy HE6. e. By supporting proposals which conserve Barnsley's non-designated heritage assets. We will ensure that developments which would harm or undermine the significance of such assets, or their contribution to the character of a place will only be permitted where the benefits of the development would outweigh the harm. f. By supporting proposals which will help to secure a sustainable future for Barnsley.

NPPF Reference

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly

affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.