
2021/0313

ATTA Properties Ltd
Erection of 2no. detached dwellings and associated works
Land at Hill Street, Elsecar, Barnsley, S74 8EF

Site Location and Description

The application relates to an 'L' shaped site to the West of Hill Street in ELsecar. The site measures circa 1260m² and is mainly laid to grass with some trees/bushes on the Northern and Western boundaries. The site slopes gradually down from North to South.

To the North of the site is the Crown Inn Pub and its associated beer garden and parking area with Foundry Street Beyond. To the South is a detached bungalow and to the South West are open fields. Beyond the western boundary is a tree belt and Hill Street runs along the Eastern boundary. The surrounding area is predominantly residential in nature.

The site is allocated as Urban Fabric within the Local plan. It is just outside the Elsecar Conservation Area but is within the Elsecar Heritage Action Zone (HAZ).



Proposed Development

The applicant seeks permission to erect a detached, 3 bedroomed, stone built, 1.5 storey dwelling to the front of the site facing Hill Street and a detached, 4-bedroom, 2 storey, stone-built dwelling with double garage to the rear of the site at 90 degrees to the road. Both dwellings would have off road parking for 2no. vehicles and associated garden areas.

Following comments from the Conservation Officer the scheme has been revised during the course of the application to reduce the number and size of the rooflights proposed. The scheme no incorporates conservation style rooflights.





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

Para 111 - 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 126 - 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

BMBC Highways – No objections subject to conditions

BMBC Drainage – No objection Building Control to check

BMBC Forestry Officer – Concerns given proximity to offsite trees – conditions recommended

The Coal Authority – No objections

SYMAS – No objections

Conservation Officer – No objections subject to conditions

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

Representations

A site notice was erected on Hill Street and 14no. neighbouring properties were sent notification letters. As a result of the consultation exercise 1no letter of support has been received.

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.

The site is not allocated as Green Space or on the Green Space register, but it does currently function as green space and contributes to the visual amenity of the area, as such, Local Plan policy GS1 is relevant.

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

It is noted that the development of the site would introduce noise and disturbance onto an undeveloped site through residential and vehicular activity, however, only 2no. properties are proposed and given the nature of the area and neighbouring uses noise levels would not be significantly increased.

There is an existing bungalow to the South of the site which is built on a lower level. The proposed 1.5 storey dwelling would sit immediately adjacent to that dwelling and be built on a higher level; however, the proposed front and rear elevations would not significantly project beyond the neighbouring front and rear elevations and the dwelling would be orientated to the North. As such, it would not significantly increase overshadowing or be an overbearing feature, in accordance with Local Plan Policy GD1.

The proposed 2 storey dwelling would be to the rear of the existing bungalow but would not be directly beyond the rear elevation or rear boundary. It would be partially sunk into the slope to reduce its impact and predominantly the side elevation of the proposed dwelling would be visible. It would also be orientated to the North West of the bungalow. As such, it would not significantly increase overshadowing or be an overbearing feature.

In terms of privacy levels, the proposed habitable room windows would not directly face the existing neighbouring habitable room windows and the required separation distances set out in the SPD would be met.

A 2-storey pub building with associated residential accommodation sits adjacent to the Northern boundary, however, only the side elevation faces the application site and the pub sits on a higher level, as such, residential amenity levels would be maintained.

With regards to the future occupants of the site, both properties exceed the internal and external spacing requirements of the South Yorkshire Residential Design Guide. It is noted that a section of the rear elevation of the 1.5 storey dwelling falls short of 12m from the side elevation of the 2-storey dwelling to the rear. However, the room that is served in that part of the building is dual aspect and the associated windows only partially face that side elevation, as such, the residential amenity of the future residents would be to a reasonable degree.

Visual Amenity/Heritage Impact

The conservation area and its boundary currently follow the pattern of historic development on the east side of Fitzwilliam street and was designated in 1974. However, recent research and understanding has come forward as part of the Elsecar Heritage Action Zone. This has provided much information that has enhanced the appreciation of the significance of the area around Stubbin Bottom. This work has highlighted the value of the landscape and buildings to the west of Elsecar including the former model farm that was close to the site and the Inclined Plane to the south west.

Moreover, it is highly likely much of the area around Hill Street and Foundry Street will come into the conservation area when it is re-appraised. Even so, at this moment in time the proposal site is well within the setting of the conservation area being so close and on land historically associated with the Fitzwilliam Estate. The Crown is also locally listed being a pub of historic merit whose setting needs to be consider.

Importantly there is also a high degree of visibility of this plot both from Fitzwilliam Street and from viewpoints in the landscape to the west. As a result of this, new development must be reflective of the local character and close attention needs to be paid to appropriate architectural styles, design, massing and materials.

In terms of the scheme, the Conservation Officer did have some minor concerns related to the fact there are two dwellings proposed for such a tight site. However, to a degree the designs and layout of the dwellings offset this with the one on the street frontage being much smaller and of a scale in keeping with the street. The 1.5 storey dwelling follows the pattern of the street and would sit as a mid-point in terms of height between the adjacent pub and bungalow. The frontage of the bungalow would also sit on a similar building line as the adjacent properties and allow for soft landscaping to be retained to soften the proposed front elevation and also act as a nod to the existing green space.

To the rear the dwelling is larger and appears to be designed like a converted barn. The barn is relatively low slung with the dwelling to the frontage that preserves the building line and looks within scale and of a design not out of keeping.

These are contemporary designs, but there is enough restraint to not appear intrusive. The dwelling to the rear is partially dug into the gradient and hides its mass and scale by careful breaking down of elements with the use of a catslide roof.

The conservation officer has requested the materials for the development include natural sandstone and natural slate on the roof and that all materials will require physical samples, this will be conditioned.

Limited information on landscaping has been submitted with the application so as to protect the landscape setting to the rear / west, a detailed landscape plan including particulars of planting, screening and boundary treatments to all elevations will be needed with particular emphasis on the west and southern aspects, again this will be conditioned.

Highway Safety

Both properties would utilise a single access point off Hill Street on a relatively straight section of road, albeit it opposite the junction with Church Street. Both properties to either side of the site have access points from Hill Street, although they do not have the same turning and manoeuvring space available as the application site.

Both properties would have at least 2no. off road parking spaces, with the 2-storey property also having a double garage, in accordance with SPD 'Parking'. Both properties would also have adequate turning and manoeuvring space to allow vehicles to enter and exist the site in a forward gear.

At the request of Highways DM, following initial concerns, the applicant submitted full details of visibility plays and swept paths. Speed surveys have also been submitted to ensure the visibility distances are adequate. The set back of the boundary wall ensures that vehicles accessing and egressing the first plot are able to do so unincumbered and there is sufficient room to the rear of the site for a fire appliance to gain access and turn if needed.

Having assessed all the information Highways DM have raised no objections to the scheme subject to conditions. As such, highway safety would be maintained, in accordance with Local Plan Policy T4.

Green Space

As outlined above, this site is not allocated as Green Space and it does not appear on the Green Space Register, but it does appear to be functioning as greenspace, as such, Local Policy GS1 is relevant. It is a local open space that makes a significant contribution to the appearance of the area in providing views. However, it should be noted there is another similar (but larger) area further up the hill next to the Fitzwilliam Arms which fulfils the same function, plus there is a large park directly opposite the site and a break in development with views over the Green Belt to the South of the site.

SPD 'Open Space Provision on New Housing Developments' states that if there is already adequate provision of Green Space within an area, material considerations may indicate approval for development on Green Space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the Green Space. As set out in policy GS1 compensation could include off site replacement or financial contribution.

In this instance it is considered that there is sufficient existing provision of Green Space within the area, as such, the loss of this Green Space could be accommodated, subject to a compensation payment. That payment equates to £125,640 per Hectare, therefore, in this instance given the site is 0.126Ha the payment would be £15,830.

Trees/Landscaping

The Trees on the site are not subject to a TPO and the site sits outside the conservation Area.

The tree survey revealed 21 items of woody vegetation, comprised of 20 individual trees and 1 hedge. All surveyed trees and groups are retention category 'C'. The significant tree cover is comprised of the trees located at the north and west boundaries, including trees situated within the boundary of the adjacent pub and trees at the edge of the woodland. The central area of the site contains nothing of arboricultural significance, consisting of grass and occasional areas of dense bramble.

The Tree report highlights the need to remove 6 trees, including T1 and T2 which are the cherry trees adjacent to Hill Street which do have some amenity value. However, the report states these trees have limited long term value due to poor maintenance. The tree report does highlight that, in terms of mitigation, there is opportunity for replacement tree planting. The site plan demonstrate

space for tree planting on the Northern Boundary to off-set some of the loss, and, landscaping and tree protection conditions are proposed at the request of the Tree Officer.

Mining

The application site falls partly within the defined Development High Risk Area (DHRA); therefore, within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to development proposals. The Coal Authority records indicate that the Barnsley coal seam has been worked at shallow depth beneath the southern part of the application site.

The planning application is accompanied by a Coal Mining Risk Assessment report (13 January 2021, prepared by Lyons CMC). Based on a review of appropriate sources of coal mining and geological information, the report concludes that it is unlikely that workings in the Barnsley coal seam are present at a depth that would cause stability issues to the proposed development.

The report goes on to state that *“As the depth of the workings are based on an estimation, the only way to ultimately prove the situation would be to undertake 1 or 2 boreholes to the seam/workings within the site itself, to confirm that there is (in this instance) 28m or more of competent natural strata. In the absence of such an investigation it may be accepted by the authorities to offer some further mitigation of the slight risk by including an element of strengthening in foundations, such as strengthened strip footings for example.”*

On the basis that built development will be located within the Development Low Risk Area, the Coal Authority and SYMAS wish to raise no objections to the proposal.

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 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 condition and S106 Agreement