

---

2020/1143

Mr Michael Grain

Erection of 7no dwellings and associated works including parking area and conversion of existing ambulance store into home office

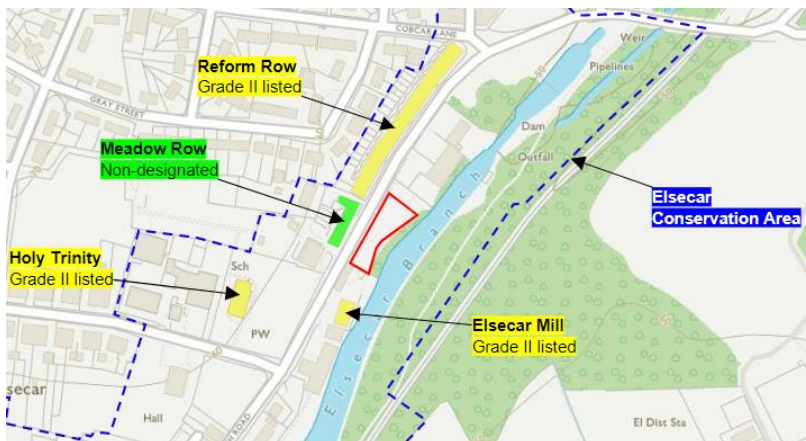
Grays Coaches, Wath Road, Elsecar, Barnsley S74 8HF

---

A site notice was erected on Wath Road and neighbouring properties were sent notification letters. In addition, given the number of changes to the plans, neighbours were also re-consulted for a further 14 days to give them the opportunity to comment on the plans currently under consideration. As a result of the consultation exercise 11no. objections were received on the first consultation round and 2no. on the second.

### Site Location and Description

The application relates to an irregular shaped piece of land located to the South East of Wath Road in Elsecar. The land measures approximately 0.2Ha and was most recently used by a coach business to store the vehicles. The site is currently vacant and mainly made up of compacted hardcore and hardstanding. There is 1no. brick built, single storey building to the North East of the site which is a locally listed former ambulance store. There are 3no. trees within the site boundary but the majority are located outside of the Eastern and Southern boundaries.



Wath Road runs along the Western boundary of the site with Listed terraced, stone-built properties directly opposite. Beyond the tree belt to the East is Elsecar Canal and the Trans Pennine Trail. To the North of the site are commercial buildings with associated car parking. To the South of the site is a former mill building and its associated outbuildings which is now used by a business which supplies materials and equipment for glass working.

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





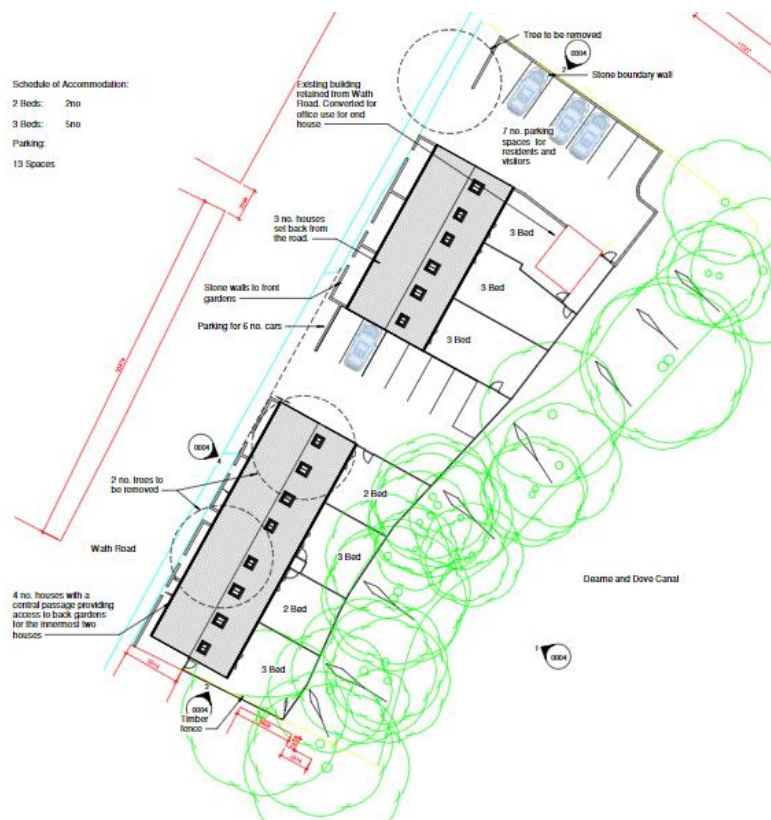
## Proposed Development

During the course of the application the proposals have been amended a number of times with the initially proposed 9 dwellings being reduced to 7 and the parking arrangements being significantly changed, as well as the overall detailed design of the house types.

The applicant now seeks permission for 7no dwellings arrange in 2no. terraced blocks, 1no. block containing 4 dwellings and the second containing 3 dwellings. There would be 2no. 2-bedroom properties and 5no. 3-bedroom properties with accommodation arranged over 3 floors. The second floor would be within the roof space. Each property would have a buffer garden to the front, enclosed by a low stone wall. To the rear the properties would have enclosed garden areas with pedestrian access.

Parking would be provided by 2no. parking courts. 1no. to the North of the site containing 7no. spaces and 1no. located in between the 2no. terraced rows containing 6no. spaces.

The existing locally listed ambulance store would be retaining and incorporated within the curtilage of the Northernmost plot and converted into a home office for the occupants of that dwelling.





North West Elevation to Wath Road  
100



## Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the adopted Local Plan and Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Documents, which are other material considerations.

The site is designated Urban Fabric and Conservation Area and Wath Road has the status of Local Strategic Highway Network on the Local Plan proposals maps. It is also located adjacent to an area of Green Space in the form of the Elsecar canal corridor. 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 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
- Trees and Hedgerows
- Walls and Fences
- Biodiversity and Geodiversity
- Elsecar Conservation Area Design and Maintenance Guide

### 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.

The National Planning Policy Framework (NPPF) paragraph 190: Identify and assess heritage significance including the setting and the effect of a proposal

Para 199: Great weight given to an asset's conservation, irrespective of the degree of harm

Para 200: Any harm to or loss of significance will require clear and convincing justification

Para 206: LPAs should look for opportunities for development within conservation areas and within the setting of heritage assets that enhance or reveal significance

#### Planning (Listed Buildings and Conservation Areas) Act 1990

In terms of the impact on the character or appearance of a designated conservation area, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states:

In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

#### **Consultations**

Drainage – No objections subject to standard condition

SYMAS – No objection subject to condition for investigative works

Biodiversity – No objections subject to conditions

Air Quality Officer – No objections subject to EVCP condition

Highways – No objections following the revisions to incorporate 2no. parking courts, subject to conditions.

Historic England - Historic England has no objection to the application on heritage grounds. But if we are minded to approve the application in its current form the Council is asked to consider whether it meets the requirements of paragraphs 130, 199 and 206 of the NPPF.

Yorkshire Water – No objections subject to conditions

Environment Agency – Having reviewed the amended documentation listed below, along with the submitted flood risk assessment (FRA) we are in a position to remove our objection to the proposal on the basis that these documents indicate that the new properties will be wholly within flood zone 1. However they note that an existing building is to be retained in the curtilage of the end plot to be converted as a home office ancillary to the main dwelling. This area of the site is within in flood zone 2/3 and a flood alert area. We therefore recommend that the following condition is imposed to ensure no future ground floor sleeping accommodation in this building: *There shall be no ground floor sleeping accommodation within the converted ambulance store building for the lifetime of the development.*

SFSY – No objections subject to conditions

Tree Officer – Some concerns regarding the growth of the trees outside the site and potential shading but no objections to the revised plans, subject to conditions.

Regulatory Services – No objections subject to conditions

Conservation Officer – The Conservation Officer has been involved with the amendments and alterations to the proposals throughout the application process. He has raised no objections to the amended plans subject to conditions.

Ward Cllrs – 2no. Councillors responded with concerns regarding the number of dwellings and also the parking situation. The Councillors have requested the provision of double yellow lined parking restrictions on the side of Wath Road where the development would take place and also that the application be considered by PRB Councillors.

## **Representations**

A site notice was erected on Wath Road and 25no. neighbouring properties were sent notification letters. In addition, given the number of changes to the scheme, neighbours were also re-consulted for a further 14 days to give them the opportunity to comment on the plans currently under consideration. As a result of the consultation exercise 11no. objections were received on the first consultation round and 2no. on the second. The main points of concern raised are:-

- Too many dwellings for the site
- Reduced highway safety
- Pressure on parking within the area
- Poor visibility
- Request parking restrictions to the front of the site
- Disrupt wildlife on the site
- Potential detrimental impact on Conservation Area
- Loss of/impact on trees
- Poor levels of residential amenity from the proposed garden areas
- Potential flooding

## **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.

Given the site is within 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.

In terms of the impact on the character or appearance of a designated conservation area, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states:

*In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

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.

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.

### Visual amenity/Heritage Impact

This application follows detailed pre-application discussions over the significance of the site and the need for an appropriate design for it. Following detailed discussions, the applicant engaged an accredited Conservation Architect which we advised might be helpful to better respond to the site constraints and produce a design that was more sympathetic.

The site is within the Elsecar Conservation area but is also a site that contributes to the setting of Reform Row (and other listed buildings in the vicinity). There is the potential to encounter archaeology on the land due to its relative undeveloped nature over time and the known uses and associations with Simon Wood Colliery (Simon Wood opened in the 1850's and closed in 1903, when production transferred to Elsecar Main).

The Elsecar conservation area extends along Wath Road and includes this proposal site as well as the cottages at Reform Row across the road. These are listed at grade II. The conservation area is designated for the historic and architectural group value of the buildings and the association with the Fitzwilliam family of Wentworth.

This site has never been extensively developed but we know it has had buildings on it that are visible on the 1892 map. There is also a later (1930's) red brick-built building on the site that was once the ambulance store for Simon Wood Colliery and this building is on the Elsecar Local List. The site has a close relationship with Simon Wood and a pedestrian bridge to the rear of the site once allowed access over the canal for residents of workers housing at Meadow Row and Reform Row. The bridge abutment is still visible on the west bank of the canal behind the site. Today, the trees strongly inform the character of the rear of the site and these are likely to be another significant factor in considering what development may be appropriate.

Currently, the site is relatively unkempt and does not contribute positively to the setting of the conservation area or the listed buildings. This said, any development of the site must respond sympathetically to all the constraints identified (not just heritage) to ensure it does not impact negatively.

Physically, when travelling north the road narrows around Elsecar Mill and this constrains the view. Moving parallel with the proposal site the view opens out. This opening out of the view is part of the reason why the site analysis that Historic England undertook proposed development should be staggered and set back. This was in order to not restrict the setting and ensure development does not increase the sense of a tunnel or a restricted view to the north.

In terms of setting, the cottages at Reform Row are especially important. Reform Row is a long curving terrace but is a relatively low scale building. The building is both narrow in span and low to the eave's height, with individual properties being small scale. The building is constructed of locally occurring sandstone with natural slate to the roof and has a variety of window styles including Yorkshire sliding sash and some Georgian bar. There are also some 20<sup>th</sup> century replacements. The row is fronted by a low stone wall that encloses small front gardens for all residents.

During the course of the application the heritage assessment has been re-written, and the Conservation Officer now agrees with its contents in terms of significance and impact. The design has been amended to ensure, despite the accommodation within the roof space, the eaves and ridge heights are now comparable to those of Reform Row. Moreover, the doors and fenestration proportions to the roadside are much more akin to the listed neighbour. Materials and details specified are traditional (timber doors and windows). Moreover, it is clear the design references aspects of adjacent but historic building stock. The layout of the development has also been amended (as requested) being set back from the road when moving north to ensure the current views are not overly constrained. Boundary walls (and walls more generally) are all stone, and the roofs of the dwellings are in natural slate.

The retention and renovation of the locally listed Ambulance Store (Simon Wood) is also welcomed which will be re-purposed into the home office for unit at the northern end of the development. External works to this building with just windows and doors replaced to match the existing.

It is regrettable that the 2no. terraces have had to be split to incorporate a central parking court, as longer, or more closely related terraced rows are more reflective of Reform Row. However, the central parking court was necessary to incorporate the levels of parking required. It does also bring benefits in that the northern parking court does not need to be as extensive, views are provided through the site to the trees, parking can be set back from the highway with views obscured by the building and more space can be provided to allow views of the existing ambulance store to be retained.

It is noted there are no chimneys proposed to the roofs. Chimneys are a typical and characteristic feature of the Elsecar skyline and would have been beneficial to perhaps to bookend each gable at the very least. However, this was thoroughly considered by the applicant and their architect but they were difficult to include due to the internal layouts of the property and also the space required externally to incorporate them. The applicants have, however, amended the design of the dwellings to incorporate other details suggested by the Conservation Officer such as pointed verges rather than coped gables. As such, overall, the design of the properties are acceptable for the setting.

As outlined above, the properties have been set back from the back edge of the footpath serving Wath Road so as to provide small buffer gardens and allow for boundary walls, similar to those of Reform Row. They are low (circa 1200) in stone with half round toppers to match the development and neighbouring properties.

As set out above the Conservation/Listed buildings Officer has raised no objections to the scheme but has stated it would be prudent to condition some aspects of the development to ensure the development really fits into this setting.

### Residential amenity

It is acknowledged that the construction of 7no. properties on the site would result in some noise and disturbance through residential and vehicular activity. However, as stated above the last use of the site was for a coach depot, as such, the site did generate noise and disturbance previously. Furthermore, there are additional commercial uses to both side of the site and the surrounding area is characterised by dense, historic residential development, as such, the additional 7no. properties would not result in significantly levels of noise and disturbance within this setting.

There are no existing properties to the rear of the site and to both side boundaries are commercial properties. There are residential properties directly opposite the site but a road separates them from the application site and the separation distances are in accordance with SPD 'Design of Housing Development'.

In terms of the future residents of the site, the properties generally meet or exceed the requirements set out in the South Yorkshire Residential Design Guide. However, it is acknowledged that the majority of the garden areas fall short of the required 50m<sup>2</sup> for 2-bedroom properties and 60m<sup>2</sup> for 3-bedroom properties. It should be noted though, that the plot sizes follow the historic development pattern of the area and are comparable with the dwellings directly opposite. In addition, the properties back on to Elsecar Canal and the Trans Pennine trail and are a short walk from the award winning Elsecar Park.

It is noted that the trees beyond the North Eastern boundary of the site would partially overhang the proposed rear garden areas which would already have limited light due to their orientation. Although there could be some pressure from the future residents for the trees to be cut back in the future, there is adequate separation distance between the canopies and the rear elevations of the

properties, as such, this is considered to be acceptable on balance. Furthermore, future residents will be fully aware of the position of the trees and the impact this could have on the garden areas and outlook from the rear elevation windows.

### Highway Safety

The plans have undergone a number of changes throughout the application process following discussions with Highways Officers, especially, as a number of the concerns raised through the consultation process related to parking and highway safety. Parking to the front of the dwellings has been omitted and 2no. parking courts, one to the North of the site and one centrally between the two terraced rows, have been created.

The proposal now comprises 5no. 3 bed dwellings and 2no. 2 bed dwellings. The required parking provision of 12 spaces (1 space per 2-bedroom property and 2no. spaces per 3-bedroom property) plus 1 visitors space has been met, in accordance with SPD 'Parking', all spaces are of sufficient size and have adequate room to allow turning within the site.

Given the above, the Councils Highways Officer has no objections subject to conditions.

### Trees/Landscaping

There are only 3 trees within the site which need to be removed to accommodate the development, given the site is predominantly covered in hardstanding. The submitted tree report states those 3 trees are category C.

However, there are a number of category B trees immediately adjacent to the Eastern and Southern boundaries of the site which partially overhang the boundaries. The tree report also states a number of these trees are not yet fully matured and as such are likely to grow further within the site. The Councils Tree Officer was initially concerned with the proximity of the dwellings to the site boundaries and the category B trees. However, the development has been significantly amended and the reduction in units has allowed for separation from the trees, as such, the Tree Officer has no objections subject to conditions. As outlined in the residential amenity section above, there is some concern that future residents may request works to the canopies of the trees, however such works would require consent due to the trees being afforded protection by virtue of them being located in a Conservation Area.

### Biodiversity

The site largely comprises areas of hardstanding which have begun to be colonised by species typical of wasteland due to the site being disused. Habitats are therefore considered to be of limited value and a Preliminary Ecological Appraisal detailing a 'walkover' survey is therefore not considered necessary and the Bat Survey Report covering the building on site in the interest of roosting bats is considered sufficient.

Furthermore, a Biodiversity Net Gain calculation is not required for the site as loss of on-site habitats is considered to be relatively negligible; however, landscape proposals for the site should include appropriate planting, where possible with the aim of enhancing site biodiversity and providing linkages to the tree belt along the eastern boundary of the site and the adjacent canal. The proposals site is located within the Dearne Valley Green Heart Nature Improvement Area and therefore landscaping proposals should take this into account in order to address policy GI1 within the local plan.

The Bat Survey Report details surveys undertaken in August and September 2020, with no bats identified using the building on site for roosting purposes, through frequent commuting and foraging activity was recorded on site. Furthermore, the building is to be retained.

The Biodiversity Officer has raised no objections to the proposal subject to conditions requiring a construction Environmental Management Plan (CEMP) and a Biodiversity Enhancement and Management Plan (BEMP) to be submitted and approved in writing.

### Mining

The site is located within a Coal Authority coal mining referral area due the presence of shallow coal (Kents Thick coal seam). The site is therefore potentially at risk from coal mining legacy issues such as ground instability and potential gas migration if unrecorded coal mine workings are present.

The applicant has provided a coal mining risk assessment by Cape Site services Ltd ref CMRA00218. The report discusses the mining legacy risks and makes recommendation for site investigations to evaluate the requirement for any ground remediation/mitigation.

SYMAS have raised no objections to the proposal subject to a condition requiring further investigative work to inform any necessary mitigation measures.

### Drainage

The south-eastern boundary is formed by a steep slope down to the Dearne and Dove Canal. The canal lies approximately 5m below site level. The site itself is almost entirely formed with concrete hardstanding with the exception of a small, grassed area in the north eastern corner of the site.

The site itself is within Flood Zone 1 (low probability of flooding (little to no risk)), however, it is noted that the area adjacent to the canal to the Southeast is within Flood Zone 3 (High Probability (High Risk)). However, as outlined above the canal is circa 5m below the level of the site. The flood history map shows that the canal last flooded in 2007 but this did not affect the development site.

The application has been accompanied by a Flood Risk Assessment which concludes 'the site is not considered to be at risk of flooding from the canal'. For the site to flood the canal level would need to rise by 5m and, as the canal lies within a wide valley, with lower ground level to the east, there is no opportunity for the valley drainage to be significantly obstructed.

The Councils Highways Drainage Officers have raised no objections subject to standard conditions.

The Environment Agency are also content not to object to the application taking into account that all of the new dwellings would be built outside flood zones 2 and 3. However they do wish to see a condition imposing to ensure that the former ambulance store is converted to the stated purpose of a home office and does not include any sleeping accommodation because of it falling in those zones.

### Conclusion

Taking into account the relevant development plan policies and other material considerations it is considered that there are not any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the proposals taking into account the amendments that have been made to reduce the dwelling numbers and improve the layout and detailed design of the proposed dwellings. The proposal therefore complies with the development plan as a whole and the advice in the NPPF and is recommended for approval accordingly.

### **Recommendation**

Grant planning permission subject to conditions