

Public Document Pack

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 25 June 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

1. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest.

2. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 21st May 2019.

Planning Applications

Any planning applications which are to be the subject of individual representation(s) at the meeting will be dealt with prior to any other applications.

If you have any queries in respect of the planning applications included within this pack, or if you would like to register to speak at the meeting, please contact the Planning Department directly at developmentmanagement@barnsley.gov.uk or by telephoning (01226) 772593.

3. Glebe Farm, Silkstone (*Pages 7 - 14*)

4. The Permanent Building, Church Street/Regent Street, Barnsley S70 2EH - 2019/0186 and 2019/0188 - For Approval (*Pages 15 - 26*)

5. 2 Mary Close, Cundy Cross, Barnsley S71 5RA - 2019/1510 - For Approval (*Pages 27 - 32*)

6. 114 Wath Road, Elsecar, Barnsley S74 8JF - 2019/0473 - For Approval (*Pages 33 - 38*)

Planning Appeals

7. Planning Appeals - 1st to 31st May 2019 (*Pages 39 - 40*)

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), T Cave, Clarke, Danforth, Eastwood, Frost, Gillis, Gollick, David Griffin, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, Mitchell, Noble, Pickering, Richardson, Smith, Spence, Stowe and Williams

Matt Gladstone, Executive Director Place
David Shepherd, Service Director Regeneration and Property
Paul Castle, Service Director Environment and Transport
Joe Jenkinson, Head of Planning and Building Control
Matthew Smith, Group Leader, Development Control

Andrew Burton, Group Leader (Inner Area), Development Management
Bob Power, Senior Legal Officer (Locum)

Parish Councils

Please contact Elizabeth Barnard on email governance@barnsley.gov.uk

Monday, 17 June 2019

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 21 May 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present Councillors T. Cave, Danforth, Gillis, David Griffin, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Mitchell, Richardson and Spence

In attendance Councillor Pickering

1. APPOINTMENT OF CHAIR FOR THE MEETING

In the absence of Cllr D. Birkinshaw, a Chair for the meeting was elected from the floor.

RESOLVED that Cllr Richardson be appointed as Chair for the meeting.

2. Declarations of Interest

There were no declarations of pecuniary or non-pecuniary interest.

3. Minutes

The minutes of the meeting held on 16th April 2019 were taken as read and signed by the Chair as a correct record.

4. Land off Saunderson Road, Penistone - 2018/0800 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No 2018/0800** [Full planning application for the erection of 28 no. dwellings (amended plans) at land off Saunderson Road, Penistone, Barnsley S36 9DU].

RESOLVED that the application be approved in accordance with the Officer recommendation and subject to signing of Section 106 Agreement.

5. Fairfield, 2 Silkstone Lane, Silkstone - 2018/1082 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No. 2018/1082** [Demolition of existing dwelling and erection of new dwelling and detached garage at Fairfield, 2 Silkstone Lane, Silkstone, Barnsley S75 4DX.

Mr Richard Foster addressed the Board and spoke in favour of the Officer recommendation to approve the application.

Mr David Barron addressed the Board and spoke against the Officer recommendation to approve the application

RESOLVED that the application be approved in accordance with the Officer recommendation.

6. The Met Centre, Unit SU5, Cheapside - 2019/0373 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No 2019/0373** [Alterations to shop front at The Met Centre, Unit SU5 Cheapside, Barnsley].

RESOLVED that the application be approved in accordance with the Officer recommendation.

7. 25 Longside Way, Barnsley - 2019/0322 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No 2019/0322** [Enlargement of attached garage to front and removal of rear conservatory and replacement with single storey rear extension to dwelling at 25 Longside Way, Barnsley S75 2JL]

RESOLVED that the application be approved in accordance with the Officer recommendation.

8. 14 South Lea Drive, Hoyland - 2019/0181 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No 2019/0181** [Erection of single storey rear extension (Resubmission) at 14 South Lea Drive, Hoyland, Barnsley, S74 9NA].

Mr D. Ineson was scheduled to address the Board to speak against the Officer recommendation to approve the application but gave notice one hour before the meeting that he would not be attending.

RESOLVED that the application be approved in accordance with the Officer recommendation.

9. Planning Appeals - 1st to 30th April 2019

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2019/20.

The report indicated that 4 appeals were received in April 2019. One appeal was withdrawn and 5 appeals were decided in April 2019.

It was reported that 5 appeals have been decided since April 2019, 3 of which (60%) have been dismissed and 2 of which (40%) have been allowed.

Chair

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2019/0231

Applicant: Mr John Wooller

Description: Reserved Matters Application for the Erection of 3 Dwellings and associated car parking, garages and landscaping (Outline Application ref: 2017/1164).

Site Address: Land adjacent to Glebe Farm, Barnsley Road, Silkstone, Barnsley

The application is referred to the Board for determination by Cllr Barnard who objects to the application. 5 representations have been received from neighbouring residents. Silkstone Parish Council also object.

Planning History

2017/1164 - Erection of up to 3 no. dwellings and associated car parking, garages, access and landscaping including new vehicular access onto Barnsley Road (Outline with All Matters Reserved apart from access) – Approved at Planning Regulatory Board subject to conditions 6th April 2018.

Description

The application site is set off Barnsley Road, Silkstone. The site is a former paddock which is located to the south of Glebe Farm. The site is approximately 0.3 hectares in area and sits within the settlement boundary. A field gate access is set to the southern boundary with Barnsley Road and the front boundary is bounded by dry stone walls. The site gently slopes from the west to the east and is mainly laid to grass. There are a number of trees located within the site, mainly set along the eastern boundary of the site.

To the north, the site is bound by Glebe Farm house and to the east by an existing Bridleway known as the Silkstone Wagonway Walk, which provides access to Glebe Farm house from Barnsley Road. To the west of the site is the main residential area, with the rear gardens of the detached bungalows on Fall View cul-de-sac facing onto the site. To the south, the site is bound by Barnsley Road and beyond is Vicarage Farm Court, a residential street and Pot House Hamlet.

Proposed Development

The application is a reserved matters application for the erection of 3 dwellings, with layout, scale, design, external appearance and landscaping to be considered. The previous outline application for 3 dwellings under application ref 2017/1164 included the means of access only.

The site layout shows 3 dwellings, set in a linear pattern facing the east and west, with the private access road running to the west of the properties with parking and turning areas in front of each property. Due to the levels of the site, a cross section plan has been provided to show how the properties would sit within the site in relation to the existing dwellings set on Fall View.

The dwellings are two storeys in height with rooms within the roofspace. The dwellings have 6 bedrooms in total, with a bedroom within the attic. The dwellings are of a similar design to one another with pitched rooflines, stone heads and cills and a rear projecting gable element. The materials proposed are of a high quality pitched faced sandstone and a grey roof tile.

The properties have double garages attached and garden areas of over 10m in length at their largest measurement. Landscaping is proposed around the site, including a native hedgerow which is proposed to the western banking/boundary with Fall View.

Policy Context

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

The site is set within an area of Urban Fabric as allocated within the Adopted Local Plan.

The following policies are of relevance:-

GD1 General Development

H4 Residential Development on Small Non-allocated Sites

T4 New development and Transport Safety

Policy D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

BIO1 Biodiversity and Geodiversity

CC3 Flood Risk

SPDs

Following the adoption of the Local Plan on 3rd January 2019 a suite of 18 new and updated Supplementary Planning Documents have been prepared. These were adopted by the Council on 23rd May. The proposals have been considered in relation to the following SPD's:-

Designing New Housing Development.

In addition the Parking SPD that was adopted back in 2012 remains the most up to date policy document for assessing that issue.

Other Guidance

South Yorkshire Residential Design Guidance

NPPF

The National Planning Policy Framework sets out the Governments 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.

Consultations

Coal Authority – No objections

Drainage – No objections subject to conditions

Regulatory Services – No objection subject to conditions

Highways – No objections subject to conditions

SYMAS – No objections subject to conditions

Silkstone Parish Council have raised the following concerns:

a) Consider road safety shall be severely compromised by this development. The road in question leading out of Silkstone towards the A628 is downhill and is notorious for the speed of vehicles at this point. Additionally, traffic is already busy at this point from the Potting Shed Hamlet and Vicarage Farm Court.

b) The 'Waggonway' adjacent to the site of the proposed development is an area of historical importance. This land is the responsibility of the Parish Council on behalf of the community and therefore they have concerns that damage may occur as a result of the proposed development.

c) The development as presented does not seem to make provision for adequate parking of residents motor vehicles, nor visitors or contractors et cetera. The Parish Council are concerned that substantial traffic will be generated by the development for several years at least during the proposed works and thereafter a substantial traffic nuisance leading to road safety issues.

d) Residents of 'Fall View' have raised issues of nuisance due to the size of the proposed properties, most damaging of which could be the lack of enjoyment of light and associated privacy.

Ward Councillors - Cllr Barnard raised the following concerns:-

- It is asserted that the scale and presentation of the plans convey an impression of distances and proportions which are at variance with the reality.
- Size of the proposed buildings/overbearing impact
- The buildings would not be in-keeping with the style of the existing properties.
- Insufficient parking provided/impact on highway safety
- Concerns regarding the impact of the proposed hedge

Tree Officer – No objection subject to conditions

Yorkshire Water – No objections

Representations

5 representations have been received from neighbouring residents which raise the following objections:-

- Concerns regarding the height of the proposed dwellings
- The dwellings would be overbearing

- Visual impact due to large dwellings and out of scale with adjacent bungalows
- The proposed dwellings are 3 storey as there is a room within the roofspace
- Overbearing impact to adjacent dwellings
- Overshadowing/Loss of light to garden and homes
- Loss of privacy/overlooking impact
- Concerns regarding proposed hedge/planting adjacent to Fall View and future maintenance issues
- The distances between the dwellings shown on the plans does not appear to be accurate
- Any proposed street lighting on the access road would need to be considered in terms of the impact upon existing residents
- Highway safety and additional traffic from large dwellings
- Impact on the waggonway
- Potential pollution to Silkstone Beck from the soakaways
- Impact on existing soakaways
- Trees have already been felled on the site
- Impact during construction/traffic noise/disturbance
- Loss of view
- Concerns regarding the alterations to the banking for the access road and stability

Assessment

Principle of Development

The site is located within an area of Urban Fabric where Local Plan Policy GD1 applies. The principle of a residential development of 3 dwellings has already been established with the approved outline application. This application therefore only relates to the remaining reserved matters of the appearance, landscaping, layout and scale.

Residential Amenity

The Supplementary Planning Document 'Designing New Housing' provides guidance in terms of separation distances, in order to ensure that any new development does not cause significant impact by way of overlooking, overbearing and overshadowing of existing dwellings and their private gardens. As with all infill residential developments where they are adjacent to existing dwellings, it is recognised that there will be some impact on the residential amenity of existing residents of Fall View.

A number of objections have been received from neighbouring residents with regard to the impact on residential amenity and a loss of outlook, overbearing impact, loss of privacy and view. The submitted layout plan shows that the three new dwellings are sited comfortably on this plot and meet the minimum 21m separation distance required within the SPD in order to prevent significant overlooking or overshadowing impact.

In terms of the mass and scale of the properties put forward, the submitted cross section drawing shows that the site slopes from west to the east which will result in the new properties being set at a lower level than the bungalows on Fall View. The cross section demonstrates that the eaves height of the bungalows at a higher level than the proposed dwellings, and given the differences in levels, it is not felt that the proposed dwellings would be overbearing when viewed from Fall View. Furthermore loss of view is not a material planning consideration.

Concerns have been raised with regard to the construction period and impact on the adjacent dwellings. Whilst it shall not be possible to eliminate these disturbances the outline

planning permission requires a construction method statement to be approved by the Council prior to development commencing to limit the impacts.

The properties put forward meet the requirements of the South Yorkshire Residential Design Guide in terms of room sizes and garden areas. The proposal is considered to be acceptable when measured against the guidelines set within the SPD 'Designing New Housing Development' in terms of residential amenity and the proposal complies with policy GD1 of the Local Plan.

Visual Amenity

Objections have been received with regard to scale of the dwellings put forward. However Silkstone village features various sizes of dwellings, including detached, semi-detached and terrace properties of one and two storeys in height. A variety of materials can be seen within the village including, stone brick and render. The Vicarage Farm Court estate opposite is made of large detached houses that are of a similar scale.

The design and materials, including the use of coursed, pitched face sandstone and Marley Modern grey roof tiles are of a high quality and would complement the Pot House Hamlet adjacent and the traditional and more modern dwellings set close to the site.

There are no objections to size of the properties put forward given the overall size of the site. There are large two storey properties opposite the site on Vicarage Farm Court, and Glebe Farmhouse itself is a large traditional two storey dwelling. Whilst the proposal includes rooms within the roofspace, the roof heights are not excessive and are of a similar pitch to other properties within the village, including Glebe Farmhouse. The cross section drawing demonstrates that the properties would fit comfortably within the site and would be set at a similar height to Glebe Farmhouse. The proposal put forward is considered to be acceptable in terms of visual amenity in accordance with the SPD and Local Plan Policy D1.

Highway Safety

The means of access has been agreed as part of the outline planning permission and includes a requirement for a Traffic Regulation Order to be put in place to relocate the 30mph speed limit towards the junction with the A628 and the dragons teeth road markings. Highways have reaffirmed that they have no objections subject to these mitigation provisions.

The internal layout has sufficient parking and turning areas within the site and as such complies with the SPD 'Designing New Housing Development'. In addition there is sufficient space to allow for construction vehicles to be parked within the site during construction.

Concerns have been raised by objectors with regard to the impact of the proposal upon the Bridleway to the rear. There should be no significant impact upon this right of way as the properties would be accessed from a separate access off Barnsley Road.

Impact on Trees and Biodiversity

Concerns have also been raised with regard to the proposed landscaping at the site; in particular the proposed hedge located along the western boundary. This is due to the maintenance issues that may arise in the future. As a result the hedge originally proposed adjacent to the boundary with Fall View has been removed from the site plan and the agent has confirmed that this area of land would be divided boundary to boundary and give each plot owner given responsibility for the maintenance of their own plot. The proposals also involve the removal of some category C and U trees from the eastern boundary. The Tree

Officer has been consulted and considers that the proposals are acceptable, subject to the development being carried out in the accordance with the submitted arboricultural method statement.

Provision of mitigation/enhancements for biodiversity is taken care of by a condition on the outline planning permission which requires the recommendations of the Extended Phase 1 Habitat Survey Report and Biodiversity Enhancement Plan to be implemented as part of the development. The approved measures include tree planting, wildlife ponds, bat roosts, bird and insect boxes, and hedgehog shelters in accordance with Local Plan Policy BIO1.

Drainage

Concerns have been raised with regard to the impact of the proposal upon both surface water run-off and flood risk. However this is not one of the reserved matters under consideration and the assessment carried out at outline stage determined that the site is not located in an area where there is a heightened risk of flooding. However the standard condition was imposed requiring the development to be built with measures to limit surface water run off and to require that details proposals in relation to both surface water and foul drainage are approved prior to the commencement of development. The Council's Drainage Officer and Yorkshire Water have raised no objections to the development on that basis.

Conclusion

In summary the principle of a residential development of 3 dwellings has already been established by the existing outline planning permission. The scope of this application is therefore limited to passing judgement on the reserved matters of the appearance, landscaping, layout and scale of the development.

The assessment of these considerations has determined that the development can be absorbed by the site. This is taking into account the lower land levels than the adjoining bungalows that abut the site to the west and the proposed separation distances, which are acceptable in the context of the Designing New Housing Development SPD. The existing range of dwellings in Silkstone is mixed and similar large houses are located on the estate located immediately opposite the site on Vicarage Farm Court. It is therefore determined that the proposed dwellings would not be out of character. Furthermore no scale limit was imposed on the outline planning permission and the number of three properties applied for does not exceed those limitations.

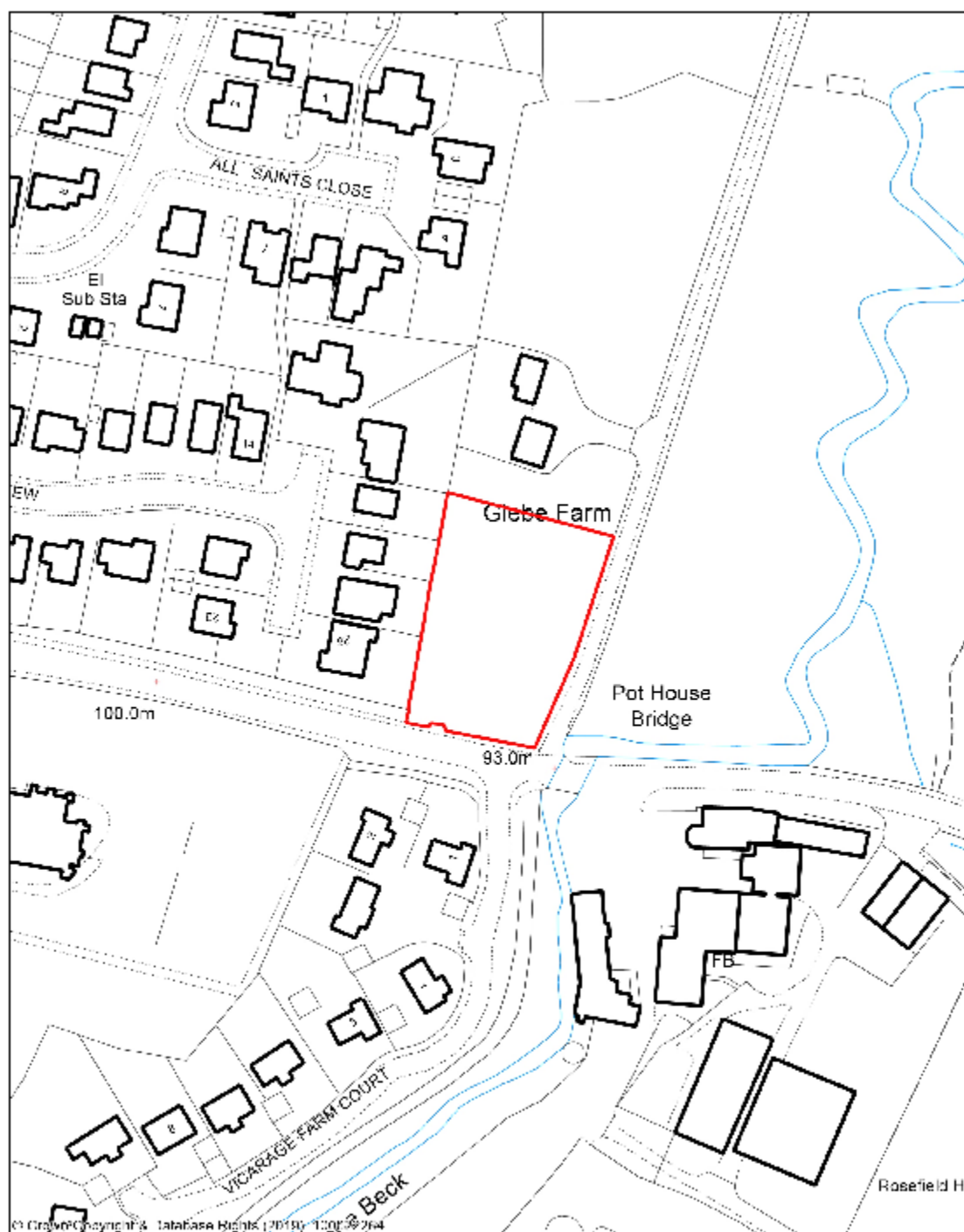
The assessment of the highway safety implications has already been carried out as part of the outline planning permission where means of access was applied for and successfully granted. This means that intervention measures are required on the network to safely accommodate the development in the form of relocating the 30mph speed limit towards the junction with the A628 and the dragons teeth road markings.

The development is also considered acceptable with regards to the implications for trees, which includes the removal of some low value specimens to allow for a better outlook from the rear of the properties. Overall the proposal meets the standards set within the SPD Designing New Housing Development in terms of residential amenity, parking and highway safety and as such is recommended for approval subject to conditions.

Recommendation

Grant approval of the reserved matters of outline planning permission 2017/1164 subject to conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 2 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 and the associated outline app 2017/1164.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos.2064/TP/001, 2064/TP/002 REV C, 2064/TP/003 REV A, 2064/TP/005, 2064/TP/006 REV A, 2064/TP/007 REV A, 2064/TP/008, 2064/TP/009, Arboricultural Impact Assessment dated 17th May 2019) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: Due to the constrained nature of the site and the proximity of the dwellings to the adjacent trees along the eastern boundary in accordance with Local Plan Policies GD1 and BIO1.
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 5 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.
- 6 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.



BARNSELY MBC - Regeneration & Property

Scale: 1:1250

2019/0186 and 2019/0188

Applicant: Adroit Consultation Limited

Description: **2019/0186** - Conversion of first and second floor into 14no apartments.
2019/0188 - Conversion of ground floor into 11no apartments, an A3 unit and a commercial (A1, A2, A3 & B1a) unit, including mezzanines.

Site Address: The Permanent Building, Church Street/Regent Street, Barnsley, South Yorkshire, S70 2EH

The application is referred to the Board as the recommendation is the subject of a proposed S106 Agreement. 2 representations have been received from members of the public (one in support and one expressing concerns).

Site Location & Description

The applications relate to the former Barnsley Building Society/Raley's solicitors, a high profile building located in the heart of Barnsley Town Centre on the corner of Church Street and Regent Street, opposite the Town Hall.

The building is of considerable stature owing to its corner location, its 3 storey size, architectural detailing and Yorkstone facing materials. It is not listed but is located in the Market Hill Conservation Area. It has now been stood vacant for a number of years since being vacated by Raley's. Internally the ground floor provides a former banking hall with high ceilings, original 1930's stained glass roof lights and marble wall coverings. The first and second floors are arranged as offices and boardrooms. The building was substantially refurbished in 2008.

The adjoining building to the north which most recently was home to Barclays Bank is Grade II listed. This is also stood vacant at the present time. Adjoining to the East, fronting Regent Street, is an estate agents which is grade II listed. Directly opposite the site to the West is Barnsley Town Hall, which is also grade II listed. To the South on Regent Street is an estate agent. Further down is a mixture of office buildings including estate agents and solicitors, a restaurant and former offices which have been converted into flats. At the base of Regent Street is the Transport Interchange.

Proposed Development

The applicant seeks permission to create 25no. residential units and 2no. commercial units within the Permanent Building. However, the proposal is split into 2no. applications:-

Application 2019/0186 relates to 14no. apartments on the first and second floors made up of 5no. studios, 5no. 1 bed units and 4no. 2 bed units.

Application 2019/0188 relates to the conversion of the ground floor into 11no. residential units made up of 3no. studios, 7no. 1 bedroom apartments and 1no. 2 bedroom unit. The majority of the properties would have a mezzanine level. The application also includes the creation of an A3 unit, with mezzanine level, to the North of the Main entrance and a commercial unit (A1, A2, A3 & B1(a)) within the centre of the building.

The applications will be assessed together under the headings set out below.

Policy Context

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

The site is located in the Courthouse Campus area of the Town Centre where the relevant site specific policy is BTC21. Acceptable forms of development in this area are listed to be as follows:-

- Education and community facilities.
- Offices.
- Developments designed to support the creative and digital industries.
- Residential development, including live-work units.
- Multi storey car parking.
- A new public park and improved public spaces.

In addition the following Local Plan policies are also relevant:-

TC1 Town Centres

TC2 Primary and Secondary Shopping Frontages

H1 The Number of New Homes to be Built

H6 Housing Mix and Efficient Use of Land

H7 Affordable Housing

HE3 Developments affecting Historic Buildings

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

SD1 Presumption in favour of Sustainable Development

LG2 The Location of Growth

GD1 General Development

D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

GS1 Green Space

BIO1 Biodiversity and Geodiversity

CC2 Sustainable Design and Construction

CC4 Sustainable Drainage System (SuDS)

Policy RE1 Low Carbon and Renewable Energy

I1 Infrastructure and Planning Obligations

SPD's/PAN's

Following the adoption of the Local Plan on 3rd January 2019 a suite of 18 new and updated Supplementary Planning Documents have been prepared. These were adopted by the Council on 23rd May. The proposals have been considered in relation to the following SPD's:-

- Financial Contributions for Schools
- Shop Front Design
- Design of Housing Development
- Open Space Provision on New Housing Developments
- Affordable Housing
- Heritage Impact Statements

In addition the Parking SPD that was adopted back in 2012 remains the most up to date policy document for assessing that issue.

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

Para 109 - 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 124 - 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

Affordable Housing Officer – No objections as the Officer accepts that the Vacant Building Credit can be applied to the proposals and that no affordable housing provision can be sought as a result.

Conservation – No objections.

Contaminated Land Officer – No objections

Drainage – No objections.

Highways – No objection. The low amount of parking provision proposed is considered acceptable by them because of the town centre location of the building.

Policy – No objections as the mix of uses proposes accords with those specified within this part of the town centre - BTC21 Courthouse Campus.

Pollution Control – Require conditions to ensure that the recommendations of the noise survey are implemented to prevent unacceptable levels of amenity caused by the night-time economy.

Civic Trust – Support the application as it would bring back into use an important building located within the town centre. They also comment that the apartments appear to be of a suitable size and incorporate provision of an internal lift and ramped pedestrian facilities to facilitate access by all potential user groups.

SY Police Architectural Liaison Officer – Raise no objections to the proposals in principle. However they have recommended that the applicant applies for Secured by Design and that the development includes access control and additional security requirements for buildings containing multiple dwellings or bedrooms.

Yorkshire Water – No objections.

Representations

Consultation letters were sent to neighbouring properties and a site notice was erected on Church Street, as well as press notices in the local newspaper for both applications. Two letters have been received as a result of the consultation, one raised concerns with the parking arrangements and area allocated for waste storage and the other offered support to bringing the building back in use, but wished to see additions such as external downlighting, a roof garden, provision of lighting to the rear and public toilets.

Assessment

Principle of Development

The site sits within the Courthouse Campus District of Barnsley Town Centre. The District is in a prime town centre location, situated close to the Transport Interchange and shopping area, and is currently inefficiently used. It also incorporates part of the Market Hill Conservation Area. Policy BTC21 'Courthouse Campus' sets out the types of development

that can be accommodated within the district, which includes residential and commercial development. This makes the proposed uses acceptable in principle.

The site is also within the Market Hill Conservation Area and immediately adjacent multiple Listed Buildings. As such, the development will be expected to protect or improve the character and/or appearance of the Conservation Area and Listed Buildings.

It should be noted that the building has been empty since circa May 2016. The property has been marketed since then and no offers for commercial use were received compared to 3no. conditional offers, subject to planning permission, for residential development. In such circumstances the national planning policy position is that decisions should support efforts to identify and bring back into residential use empty homes and other buildings in order to deliver new homes, in order to limit/reduce pressures on the release of greenfield and Green Belt land. The development would contribute towards those sustainable development objectives therefore.

Design & Visual Amenity

Local Plan policy H6 'Housing Mix and Efficient Use of Land' states 'Housing proposals will be expected to include a broad mix of house size, type and tenure'. The proposed scheme includes 8no. studios, 12no. 1 bedroom units and 5no. 2 bedroom units, as such, there is an acceptable mix in accordance with the policy.

No external alterations are proposed as part of the application and the proposed units would utilise the existing space and openings. There are numerous alterations provided internally but these would work with the existing building structure and openings. The mezzanines on the ground floor would be set back from the external elevations of the building so as not to cut across the openings or be highly visible from outside, as such, the character of the Conservation Area and neighbouring listed buildings would be conserved, in accordance with Local Plan policy HE3.

The building does not currently have large display windows at ground floor or a big interaction with the street scene, as some neighbouring commercial buildings do. As such, curtains/blinds and other residential paraphernalia within the windows would not have a negative impact on the visual amenity of the street scene. However, some public interaction with the building at street level with the building is desirable as that is an element associated with the building through its previous uses and is also reflective of neighbouring buildings at ground floor level. As such, the applicants have included an A3 use and commercial unit within the building to retain this interaction with the street.

The proposed commercial unit would be directly opposite the main entrance to the building which would be utilised by residents and the customers of the A3 unit and commercial unit. This would be glass fronted and flood the shared spaces with light given that it would be directly below the largest of the 3 existing glazed roof domes. The domes are an important feature of the building and the glazed walls would not only allow light through but also views to the dome.

Residential Amenity

The building is located within Barnsley Town Centre where there is noise and disturbance generated, including during the evenings and at weekends. The neighbouring uses are generally relatively low noise generating during unsociable hours such as the town hall, offices and estate agents. However, there are some pubs and restaurants within relative close proximity to the South of the site fronting Church Street and Market Hill. There is also a taxi rank immediately to the West of the building on Church Street which could generate noise and

disturbance during unsociable hours. Notwithstanding there have been a number of applications approved for residential development within the immediate area including Regents Court, Regent House, 9 Regent Street and Yorkshire House. In addition the application is accompanied by a noise survey which proposes that the rooms are fitted with sound reduction vents that would provide an alternative to opening windows to allow fresh air into them. This would enable noise levels to remain within acceptable limits. Also a condition is needed to agree details of suitable air handling plants for the commercial units to ensure that they would not harm residential amenity levels via causing unacceptable levels of noise or odour.

Given the separation distances to the existing residential units within the area, the creation of the habitable room windows would not increase overlooking to an unreasonable degree and the noise and disturbance generated by future residents would not reduce residential amenity for the existing residents within the area, or the users occupying neighbouring buildings.

In terms of the internal spacing for future residents, all units meet or exceed the requirements set out in the South Yorkshire Residential Design Guide. It is acknowledged that plot 8 is a studio with 35m² of living space, greater than the 33m² required. However, part of the living space is on a mezzanine, as such the floor space is split, not entirely in-line with the definition of a studio. Given the double height living area, and the mezzanine level being open to the living space, it would still be a sufficiently light and airy unit.

All units and all habitable rooms would be served by adequate openings providing reasonable levels of light and outlook. It is acknowledged that there is no external amenity space proposed as part of the development. Given the building is existing there is no opportunity to provide shared space and it would be difficult to retrofit balconies, not to mention the impact they would have on the Conservation Area and neighbouring listed buildings. However the building is located within Barnsley town centre where numerous facilities are within the immediate area, including leisure facilities and local parks/recreation grounds. The proposal is judged acceptable in context and as the development would make a financial contribution towards the enhancement of open space facilities off site (see Green Space heading).

The commercial unit in the centre of the ground floor is to have glass walling which would provide natural light to the shared corridors given there is an existing glazed dome above that unit.

In terms of the commercial units they would not conflict with the proposed residential use. There is an A3 use proposed adjacent to the main entrance to the building and the aforementioned unit in the centre of the building would be for A1, A2, A3 or B1a purposes.

Highway Safety

8 parking spaces are proposed to the rear of the building which utilises an existing parking area. Evidently this is less than the number of flats proposed. However there is no requirement to provide a parking space for each unit because of the Barnsley Town Centre location where the building is within walking distance of public transport and a number of services. It is highly feasible for residents to reside within the building and not require a car therefore. Highways have been consulted on the application and have raised no objections.

Open Space, education and affordable housing

Whilst the proposal has been submitted as two separate applications, that is not considered an acceptable way to bypass policies that require provisions relating to these matters that are based upon the overall number of dwellings proposed. Provision requirements have therefore been assessed as though this was a single application.

Green Space

Provision is required for all developments of 20 or more dwellings. As there is no opportunity to provide open space within the site, Supplementary Planning Document: Open Space Provision on New Housing Developments sets out contributions per dwelling for off-site provision of Green Space. In accordance with these calculations, the total contribution required for this development is £21,481.80. The developer has agreed to pay this amount and it will be subject to a S106 legal agreement.

Education

SPD 'Financial Contributions to Schools' states that financial contributions will be needed where a scheme provides 10 or more homes. However, the document goes on to state that single bedroom homes will not be required to provide a financial contribution as these types of homes are usually occupied by people who are unlikely to have dependent children of school age living with them.

The proposed scheme has 20 no. single bedroom homes and only 5 no. 2 bedroom units. The Education Officer considered the likely generation of pupils from the development to be too low to require a financial contribution.

Affordable Housing

Local Plan policy H7 'Affordable Housing' states that provision should be sought on all developments of 15 or more dwellings. 10% is the usual requirement in this area which would equate to 2 no. units. However no provision can be insisted in this case as the floorspace of vacant buildings can be offset against the affordable housing requirements by an equivalent amount. This national policy known as the Vacant Building Credit means that no affordable housing provision can be sought for the development.

Conclusion

This report presents Officers findings in relation to two separate planning applications affecting the same building. There is considerable overlap between the two in that overall they are about converting the building into flats, with the exception of two new A use commercial units that would be provided on the ground floor. This range of uses accords with the list of acceptable uses specified within Local Plan policy 'BTC21 Courthouse Campus' making the two applications acceptable in principle. In addition the development would bring back into productive uses an empty building, delivering a significant number of new homes on a previously developed site making it a highly sustainable form of development when also taking into account of its Town Centre location.

Overall it has been assessed that the design of the development has been approached in a sympathetic and sensitive manner, making an efficient use of the site and providing good quality residential accommodation. This would mean that the plans would conserve the heritage value of the Market Hill Conservation Area and setting of nearby listed buildings whilst safeguarding the amenity of existing residents and providing adequate levels of amenity for occupants of the proposed dwellings, subject to the provision of noise attenuation measures that would need to be guaranteed via the imposition of suitably worded conditions. The proposals are also considered acceptable in all other respects, including the amount of parking provision taking into account the ultra-sustainable location of the site in the heart of the town centre near to the Transport Interchange. It is therefore recommended that both applications are granted planning permission subject to the applicant entering into a 106 Agreement to secure the Open Space contribution detailed within the report.

Recommendation

Approve both applications subject to conditions & S106 Agreement (Provision of Greenspace contribution)

2019/0186

- 1 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.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Proposed First Floor Plan & Proposed Second Floor Plan dated 02.05.2019) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1.
- 4 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 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.
- 5 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

The scheme of works shall;

a) Be based on the findings of the noise impact report, reference NIA/8349/19/8285/v2/Church St, Barnsley, submitted with the application.

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Reason: In the interests of the amenity of the future residents of the scheme in accordance with Local Plan Policy Poll1 'Pollution Control and protection'.

2019/0188

- 1 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.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Proposed Ground Floor Plan & Proposed Mezzanine Plan dated 07.05.2019) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1.
- 4 The A3 use and commercial (A1, A2, A3 & B1(a)) unit hereby permitted shall be carried on only between the hours of 07.00 to 22.00 Mondays to Fridays, 08.00 to 22.00 on Saturdays and 09.00 to 20.00 on Sundays and 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.
- 5 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 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.
- 6 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

The scheme of works shall;

- a) Be based on the findings of the noise impact report, reference NIA/8349/19/8285/v2/Church St, Barnsley, submitted with the application.
- b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable

rooms.

Reason: In the interests of the amenity of the future residents of the scheme in accordance with Local Plan Policy Poll1 'Pollution Control and protection'.

- 7 Prior to the commencement of the use of the A3 and the other commercial unit, full details of externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details

Reason: In the interests of the amenity of neighbouring residents in accordance with Local Plan Policy Poll1 'Pollution Control and protection'.

PA Reference:-

2019/0186 and
2019/0188



BARNSELEY MBC - Regeneration & Property

Scale: 1:1250



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2019/0510

Applicant: Mr Hayward

Description: Single storey side extension.

Site Address: 2 Mary Ann Close, Cundy Cross, Barnsley, S71 5RA

The application is referred to the Board as the applicant is Committee Member. No representations have been received.

Site Location and Description

The application relates to a semi-detached bungalow located at the entrance to the cul-de-sac of Mary Ann Close, accessed off Robert Avenue and the A633 Rotherham Road in Cundy Cross. The dwelling sits on a corner plot and is of a brown brick construction contrasted with a principle elevation composed of buff brick. The orientation of the property is such that it faces south with the curtilage wrapping around the dwelling to the east and north with an attached dwelling, No.4 Mary Ann Close, being situated to the west. The main entrance to the dwelling is located on the side elevation and the roof of the bungalow is dual-pitched with a small chimney protruding from its forward slope.

Parking is accommodated both to the side of the dwelling and forward of the principle elevation. Pedestrian and vehicular access to the property is secured by a set of small white gates attached to a low-level brick boundary wall that fronts Mary Ann Close and Robert Avenue. The levels to the side of the property are tiered with the hardstanding that forms the parking area being set 0.8m higher than the side garden positioned more proximate to the highway. The side garden features a mixture of foliage which extends to the rear of the curtilage where a detached flat-roof outbuilding, in the form of a garage, is located. The garage is accessed from a separate opening on the eastern boundary.

The property is located on an estate made up predominately of bungalows, a number of which have been extended in a variety of ways.

Proposed Development

The applicant proposes to erect a single storey extension upon the eastern side elevation of their property. The extension would be composed of brown brick elevations and a concrete tile pitched roof that projects 3.25m in width from the existing side elevation. The addition would be 7.9m in depth with an eaves and total height of 2.3m and 5.3m respectively. A set of french doors are located upon the new rear elevation with the main entrance relocated from the side elevation to the new front elevation. The existing drain and inspection chambers that service the property are to be relocated to account for the siting of the new development.

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 Local Plan and Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Relevant Local Plan policies include:

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.

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.

SPDs

House Extensions and Other Domestic Alterations [2019]

Parking [2012]

SYRDG – South Yorkshire Residential Design Guide [2011]

NPPF

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. 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.

In respect of this application, the policies above are considered to reflect the NPPF with regard to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Representations

The application has been advertised by way of neighbour notification letters. No representations have subsequently been received.

Assessment

Principle of Development

The extension is proposed upon a dwelling within an area designated as Urban Fabric in the Local Plan Policies Map. This implies that the construction of extensions is acceptable where they do not impact detrimentally on the *residential* and *visual amenity* of the vicinity.

Residential Amenity

The proposal is located in a corner location adjacent to the junction between Mary Ann Close and Robert Avenue. The nearest properties No4 Mary Ann Close and No1 Robert Avenue, are highly likely to be unaffected by the proposal. More specifically, the former dwelling is attached to the applicant's property while the latter neighbour is positioned 14m away with the proposed extension maintaining this distance across the rear elevation as it does not extend beyond the existing rear elevation. On this basis the impact upon neighbouring residential properties is unlikely to be adverse owing to the orientation of the attached neighbour and the separation distance to No1 Robert Avenue. As such the development is considered to be in line with the SPD House Extensions and the Local Plan Policy GD1 relating to residential amenity.

Visual Amenity

The design of a single storey side extension should reflect the design of the existing dwelling in terms of roof style, pitch materials and detailing and should not have an excessive sideways projection (i.e. no more than half the width to the side boundary in a corner plot location).

It is confirmed, via the block plan, that the distance between the existing side elevation and the side boundary is 6.75m. The extension will project 3.25m to the east of the original side elevation and will thus retain a 3.5m gap to the side boundary. The proposal therefore complies with the recommendation outlined within the SPD House Extensions.

The proposal also does not include a setback from the original principle elevation. However the new front entrance would disrupt the join between new and old brickwork. The roof slope would possibly incur a join between old and new tiling, nevertheless, the benefit of having a continuous roof slope is weighed more favourably than the former issue. Irrespectively, the SPD does not require a setback for single storey side extensions.

The application form cites the use of red-brick in the construction of the addition, however any permission will be conditioned to require matching materials which should ensure that the brickwork resembles the colour and shape of that which constitutes the existing elevations.

The pitched roof form of the proposal matches that of the main dwelling and on this basis, as well as the points made above, the development is considered to be in line with the SPDs House Extensions and Parking, the South Yorkshire Residential Design Guide as well as Local Plan Policy D1.

Highways

Parking provision would be retained for a minimum of 2 vehicles within the site, which means that the amount of provision required by the SPD for a property of this size is comfortably satisfied.

Summary

On the basis of the above analysis, the proposed extension is deemed to be in compliance with the SPD House Extensions and Parking, the SYRDG and Local Plan Policy GD1 and D1 with respect to residential and visual amenity.

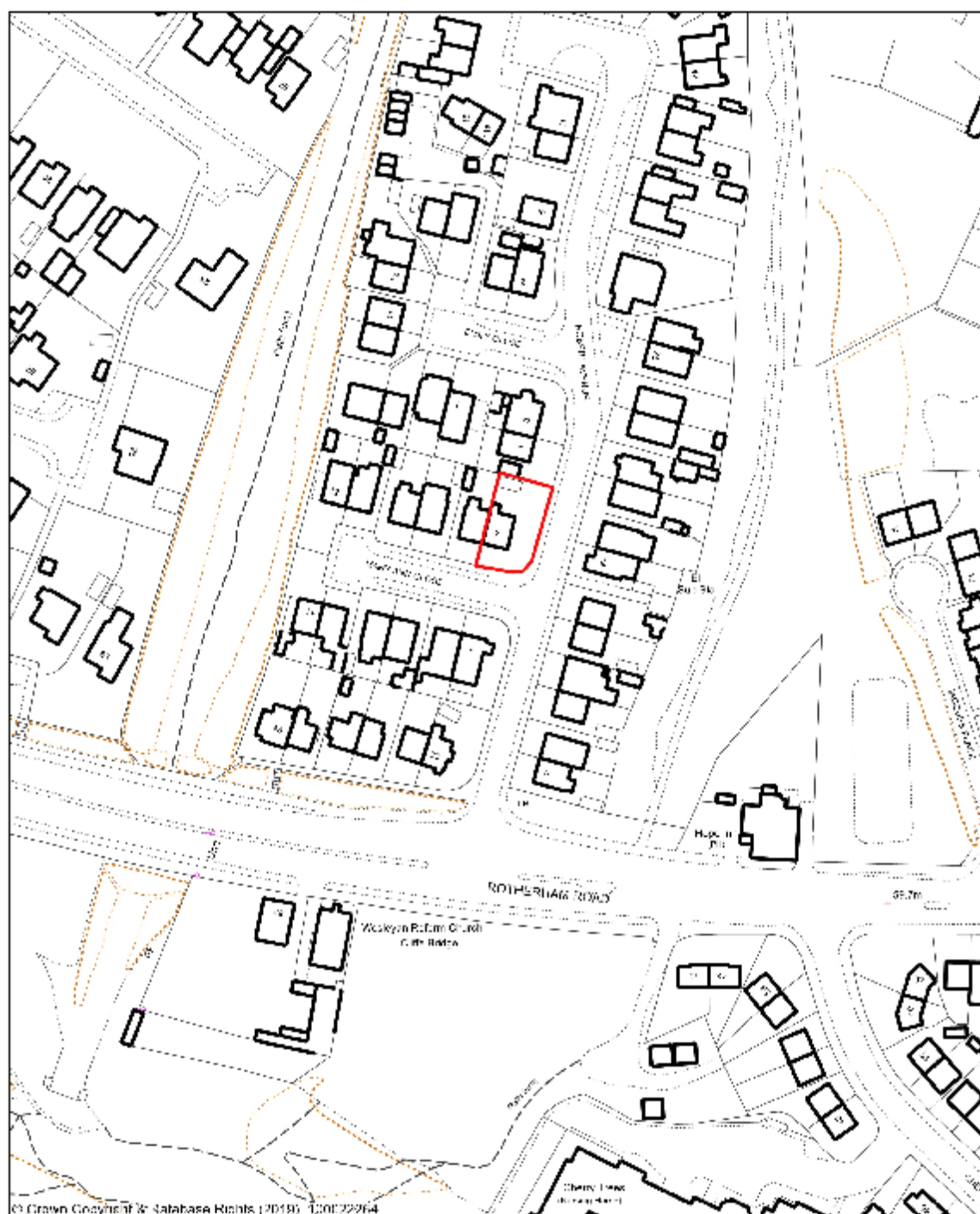
Recommendation

Grant subject to conditions:-

- 1 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.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 The external materials shall match those used in the existing building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

PA Reference:-

2019/0510



BARNSELY MBC - Regeneration & Property

Scale: 1:1250



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2019/0473

Applicant: Mr Mark Denman

Description: Alterations to listed building including repair and repointing of external stonework and replacement of ground floor windows and doors.

Site Address: 114 Wath Road, Elsecar, Barnsley, S74 8JF

The application is referred to the Board as the applicant is related to an Officer working within the Council's planning team. No representations have been received.

Site Description

The application relates to a stone built dwelling situated along 'Reform Row' (Grade II listed) which lies within the Elsecar Conservation Area along Wath Road. The terraced cottage is constructed from local honey coloured sandstone walls and welsh slate roofs with timber box guttering and iron downpipes. The row of properties is the longest listed terrace in Elsecar and is situated close to the Elsecar Heritage Centre. Directly across Wath Road from the property is a parking area for a local coach firm.

Proposed Development

The applicant is seeking Listed Building Consent for alterations and repairs to the dwelling. The proposed works are:

- Repair and replacement of sandstone to front and rear elevations involving the repointing with a lime/mortar mix.
- Replacement of the front external door
- Replacement of the ground floor windows at both front and rear elevations

The replacement windows and doors would be of hardwood oak material to closely match as possible to the existing building and surrounding properties.

Relevant Planning History

2017/1013 – Replacement door and windows (Listed Building Consent) – 108, 110, 116, 118, 128, 132, 134, 138, 142, 144, 146, 148, 150, 152, 154, 156 and 160 Wath Road, Elsecar, Barnsley, S74 8JF. Approved with conditions 27th September 2017.

Policy Context

Local Plan Allocation – Conservation Area

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently revised NPPF does not change the statutory status of the development plan as the starting point for decision making.

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved

policies from the Unitary Development Plan (adopted 2000) and the Core Strategy (adopted 2011).

Adopted Local Plan Policies

Local Plan Policy D1 – High Quality Design and Place Making supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the Borough. Policy D1 States that development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

Local Plan Policy HE1 – The Historic Environment states that development which affects the historic environment and Barnsley's heritage assets and their settings will be expected to protect or improve the character and/or appearance of Conservation Areas and Listed Buildings.

Local Plan Policy HE3 – Developments affecting Historic Buildings states that proposals involving additions or alterations to listed buildings should seek to conserve and where appropriate, enhance that building's significance. In such circumstances proposals will be expected to:

- Respect historic precedents of scale, form, massing, architectural detail and the use of appropriate materials that contribute to the special interest of a building.
- Capitalise on opportunities to better reveal the significance of a building where elements exist that detract from its special interest.

Supplementary Planning Documents

Supplementary Planning Document (SPD) - House Extensions sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals for should:

- I. Be of a scale and design which harmonises with the existing building
- II. Not adversely affect the amenity of neighbouring properties
- III. Maintain the character of the street scene and
- IV. Not interfere with highway safety.

NPPF

Paragraph 184 of the NPPF states that Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 192 states that, in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

These policies are considered to reflect principles set out in the revised NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

Consultations

Conservation Officer – No objections subject to conditions

Representations

Notification letters were sent to surrounding properties and a site notice was posted at Wath Road on 15/4/19. No comments or representations were received.

Assessment

Principle of Development

Alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties. The repairs to the stonework and the replacement of external doors and windows do not require planning permission. However the application seeks listed building consent as it relates to one of the terraced dwellings that comprises 'Reform Row' which is grade II listed. In such circumstances proposals are required to conserve the elements which contribute to its significance in order to be judged acceptable.

Impact on Heritage Assets

The application is very similar to that made and approved under 2017/1013 that covered the other properties within 'Reform Row'. The door design and arrangement raises no concerns. The windows show a Yorkshire sliding sash arrangement as is currently in situ. As existing these have some historic value, but may not actually be original (far from it in fact). The conservation officer is of the view that the existing sliding sashes in place at number 114 are likely to be 20th Century and perhaps even later 20th Century additions. Despite this, the style is not untypical of buildings of this age, and clearly the proposal to replicate the existing style has good precedent. As such, in terms of the appropriateness and sympathy of the design they are generally in keeping and certainly would not harm the significance of the building. The plans show hardwood frames and true glazing bars finished with a lambs tongue moulding. These hold very slimline (4mm cavity) double glazed units which are finished with linseed putty that hides the synthetic frame sealant. These are as close to the original as modern windows can be in this scenario, and this replicates exactly what is in situ in the neighbouring properties. Whilst the space bar should ideally have been colour matched, the black bar proposed is not considered to be significantly detrimental to the character of the existing building.

Conclusion

In summary the weathered condition of the existing windows and doors has reached a point that replacing them is a necessity. The proposed replacements retain the same historic design principles as the existing versions, being of made up hardwood and sash window detailing. Furthermore the proposals have been designed to a specification that matches that approved for 17 other properties forming the same terrace ensuring consistency of approach. Additionally the repointing of the walls on the front and rear of the property would refresh the appearance of the building. Accordingly the proposals are considered to fully

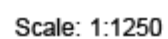
accord with the relevant local plan assessment policies, HE1 The Historic Environment and HE3 Developments affecting Historic Buildings.

Recommendation

Grant listed building consent subject to conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In accordance with Section 18 of the Listed Buildings Act 1990, as amended S51(4) of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Drawing Nos. NPS-DR-A-(00)-140 Rev. P2 and NPS-DR-A-(00)-141 Rev. P2) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 New and repaired sections of wall shall be constructed of random to slim coursed medium to fine sandstone similar to the existing in terms of colour, general grain size, and type of face dressing. The stone shall not be re-dressed but reclaimed, weathered, natural sandstone samples of which shall be submitted to and approved in writing by the local authority prior to the construction of the buildings. The repair and construction of this building shall only take place after a one-metre-square sample panel of repaired stonework showing the pointing and coursing has been constructed on site and the details approved in writing by the local planning authority. The approved panel shall be retained on site until the repair and construction of the building has been completed. Development shall be carried out in accordance with the
Reason: To conserve and enhance the significance of the heritage asset in accordance with Local Plan Policy HE1 'The Historic Environment' and Local Plan Policy HE3 'Developments affecting Historic Buildings'
- 4 The pointing mix shall be lime (NHL 3.5) aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints shall require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix shall be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2 or 3 mm.
Reason: To conserve and enhance the significance of the heritage asset in accordance with Local Plan Policy HE1 'The Historic Environment' and Local Plan Policy HE3 'Developments affecting Historic Buildings'

2019/0437



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BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 May to 31 May 2019

APPEALS RECEIVED

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2019/1308	Erection of café/restaurant with drive through facility (Use Classes A3/A5) and associated alterations to site layout Peel Centre, Harbrough Hill Road, Barnsley, S71 1JE	Written Representations	Delegated
2018/1328	Erection of detached dormer bungalow 11 Broom Croft, Stainborough Lane, Hood Green, Barnsley, S75 3EZ	Written Representations	Delegated
2018/0946	Demolition of existing dwelling and erection of 7no detached dwellings (Outline with all matters reserved) 46 Foundry Street, Elsecar, Barnsley, S74 8EQ	Written Representations	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in May 2019

APPEALS DECIDED

6 appeals were decided in May 2019

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2017/1675	Erection of 8 field shelters/stables (Retrospective) Land at Edderthorpe Lane, Priest Croft Lane, Darfield, Barnsley	Allowed	Delegated
2018/0946	Change of use of existing ground floor shop unit (Use class A1) and first and second floor office accommodation (Use class B1) to 8 bedroom house of multiple occupation (Sui Generis Use Class) 12 - 14 Eldon Street North, Barnsley, S71 1LG	Dismissed	Delegated
2018/1046	Erection of detached dwelling Land at Broomhill View, Bolton Upon Dearne, S63 8LB	Dismissed	Delegated
2018/1080	Erection of 2 detached bungalows Land to the Rear of 116 Churchfield Lane, Kexbrough, Barnsley, S75 5DN	Dismissed	Delegated
2018/1208	Erection of a timber single storey granny annexe for ancillary residential use associated with the dwelling 8 Orchard Close, Keresforth Hall Road, Kingstone, Barnsley, S70 6NF	Dismissed	Delegated
2018/1337	Erection of stone built detached summer house	Dismissed	Delegated

	to side of dwelling. Black Moor Farm, Black Moor, Snowden Hill, Barnsley, S36 8YR		
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2019/2020 Cumulative Appeal Totals

- 11 appeals have been decided since 01 April 2019
- 8 appeals (73%) have been dismissed since 01 April 2019
- 3 appeals (27%) have been allowed since 01 April 2019

	Audit	Details	Decision	Committee/ Delegated
1	2017/0994	Conversion of first and second floors in 27 residential apartments Hoyland Town Hall, High Street, Hoyland, Barnsley, S74 9AD	Dismissed	Delegated
2	2017/1463	Removal of condition 4 (Highway Improvement Works) of previously approved application 2014/1573 - Change of use from working mens club (D2) to a church (D1) Seventh Day Adventist Church, Doncaster Road, Kendray, Barnsley, S70 3HA	Allowed	Delegated
3	2018/0245	Erection of detached garage with store above and erection of boundary fencing and demolition of existing garage. 7 Burntwood Close, Thurnscoe, Rotherham, S63 0QQ	Allowed	Delegated
4	2018/0481	Erection of 1 no. detached dormer bungalow with side attached garage Land adjacent 1 Woodland View, Silkstone Common, Barnsley, S75 4SA	Dismissed	Delegated
5	2018/1374	Erection of brick outbuilding to the rear of dwelling (retrospective) 21 Kings Court, Wombwell, Barnsley, S73 0FB	Dismissed	Delegated
6	2017/1675	Erection of 8 field shelters/stables (Retrospective) Land at Edderthorpe Lane, Priest Croft Lane, Darfield, Barnsley	Allowed	Delegated
7	2018/0946	Change of use of existing ground floor shop unit (Use class A1) and first and second floor office accommodation (Use class B1) to 8 bedroom house of multiple occupation (Sui Generis Use Class) 12 - 14 Eldon Street North, Barnsley, S71 1LG	Dismissed	Delegated
8	2018/1046	Erection of detached dwelling Land at Broomhill View, Bolton Upon Dearne, S63 8LB	Dismissed	Delegated
9	2018/1080	Erection of 2 detached bungalows Land to the Rear of 116 Churchfield Lane, Kexbrough, Barnsley, S75 5DN	Dismissed	Delegated
10	2018/1208	Erection of a timber single storey granny annexe for ancillary residential use associated with the dwelling 8 Orchard Close, Keresforth Hall Road, Kingstone, Barnsley, S70 6NF	Dismissed	Delegated
11	2018/1337	Erection of stone built detached summer house to side of dwelling. Black Moor Farm, Black Moor, Snowden Hill, Barnsley, S36 8YR	Dismissed	Delegated