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**2019/0637**

Mr W Hague

Erection of 4 no. dwellings and associated works

Former Burton Grange Nursery, Abbey Lane, Lundwood, Barnsley, S71 5QD

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### **Site Location and Description**

The application relates to a vacant plot adjacent to the Grade I Listed Monk Bretton Priory. The site was previously used as a nursery school, which has since been demolished and remains undeveloped. The plot sits at a lower level to the highway and is bordered by palisade fencing and overgrown hedges. To the eastern boundary is a public footpath that runs behind the dwellings on Land Crescent.

The southwestern part of the site lies within the Scheduled Ancient Monument Area, and the Listed Buildings comprising the Gatehouse to the Priory (Grade I) and the Priory Administrative Building (Grade I) lie approximately 16m from the southern boundary of the site.

The area around the site is predominantly residential; characterised by detached bungalows, some of which have dormers within the roof plane. To the north of the site are two storey semi-detached properties.

### **Background**

2017/1702 – Erection of 1 no. detached dwelling house with provision of integral garage, parking area and access approved 30/4/18

2018/0741 – Erection of detached dormer bungalow with associated integral garage – approved 21/8/18

2018/0980 - Detached dormer bungalow with provision of integral garage – approved 19/10/18

### **Proposed Development**

The application has been amended several times since its original submission which originally was for 5 no dwellings comprising 4 no two storey and 1 no bungalow.

Following objections from Historic England extended negotiations have been undertaken and this full application has been reduced in scale and redesigned. The applicant now seeks permission to erect 4 no. dwellings, comprising 1 pair of two storey semis (each with 3 bedrooms) fronting Lang Avenue, and two no detached bungalows, each with two bedrooms. A double garage provides for one parking space for each bungalow. The application differs from previous approvals in that it is for several dwellings and extends beyond the hardstanding area of the ex-nursery into the playing field area. For plots 1 and 2 the Materials are proposed to be of brick to match existing dwellings to Lang Avenue with artificial riven slate to roof, whilst for plots 3 and 4 the materials are proposed to be coarse grit sandstone to match traditional walling to Monk Bretton Priory with artificial riven slate to the roof, with windows set in reveal.

### **Policy Context**

The new Local Plan was adopted at the full Council meeting held 3rd 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).

Policy H1 The Number of New Homes to be Built

Policy H4 Residential development on Small non-allocated sites

Policy T3 New Development and Sustainable Travel  
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 GS1 Green Space  
Policy HE1 The Historic Environment  
Policy HE6 Archaeology  
Policy BIO1 Biodiversity and Geodiversity  
Policy CC1 Climate Change  
Policy CC4 Sustainable Drainage System (SuDS)  
Policy RE1 Low Carbon and Renewable Energy  
Policy I1 Infrastructure and Planning Obligations

The site is allocated as Urban Fabric and School Grounds (Greenspace)  
The site lies within the Dearne Valley Green Heart Nature Improvement

#### SPD's

Design of Housing Development  
Open Space Provision on New Housing Development  
Parking

#### 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:

Section 16 – Conserving and Enhancing the Historic Environment - states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected; the level of detail should be proportionate to the assets' importance. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Substantial harm to or loss of a Grade I listed building should be exceptional.

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

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

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

These policies are considered to reflect the policies 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**

Biodiversity – no comments received

Conservation – following the deletion of the plot closest to Monk Bretton Priory there are no objections subject to conditions

Contaminated Land – no objections

Highways Drainage – no objection subject to conditions

Highways DC – no objection subject to conditions

Forestry Officer – no objections

Pollution Control – no objections

Public Rights of Way – no objection subject to informatives

Historic England - Following the deletion of the plot closest to Monk Bretton Priory there are no objections

South Yorkshire Archaeology Service – there may be archaeological implications, a condition is proposed

Yorkshire Water – no comments received

Ward Councillors – Councillor Ken Richardson has inquired about what S106 payments there will be for loss of greenspace and where it will be spent., Councillor Victoria Felton has no objections but considers that archaeological investigation should be undertaken to determine if there are archaeological remains within the site.

## **Representations**

The application was advertised in the local press, by site notice and by neighbour letter. Following several iterations and improvements to the proposal, a second full consultation was undertaken in November following the receipt of the latest amended plans. In total two letters of representation were received from the same resident. Concerns raised include traffic congestion, impacts of traffic on parking and access to existing dwellings, detriment of the landscape.

## **Assessment**

### Principle of Development

The site is allocated as Urban Fabric in the Local Plan and part of the site is also allocated as green space on the Green Space Register. Planning permission has been recently granted for 2 dwellings on the majority of the site which has established that residential development is acceptable in principle.

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.

The site is situated adjacent to the Grade I Listed Monk Bretton Priory; as such the proposal must preserve/enhance the appearance and character of Monk Bretton Priory as well as not have a detrimental effect upon the amenity of nearby properties

## Impact on Heritage Assets

Monk Bretton Priory contains two Grade I Listed Buildings, the Administration Building and the Gatehouse; which are both located close to the southern edge of the site. Both these buildings and the wider site as a whole are of historic importance. This site is Medieval and nationally significant due to its heritage of undoubted high value both above and below ground.

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

- Whether or not the proposal would harm the heritage significance or impact on the setting of a designated asset or other asset of demonstrable heritage significance

In terms of the impact on the special character and appearance of a Listed Building, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

Paragraphs 190, 193, and 194 of the NPPF also comment on the need to give weight to the impact of the proposal on the setting of any historic assets. This advice is also re-iterated as part of Local Plan Policies HE1 and HE3.

In terms of assessing the impact on the Priory and its historic assets both Historic England and the Council's Conservation Officer have been involved in the development of the scheme as it has progressed through the planning system.

Initially both Historic England and the Conservation Officer objected to the proposal which when submitted was a larger scheme and included a fifth dwelling situated much closer to the boundary of Monk Bretton Priory. This, it was felt, increased the impact on the setting of the Scheduled Monument and the Grade I Listed Administration Building to the Priory. As a result, Historic England considered this would reduce the openness to the north of the Priory site and unit 5 would result in housing development encroaching further towards the boundary of the scheduled monument. A reduced scheme was subsequently submitted which omitted unit 5, effectively moving the development away from the historic buildings, and reduced unit 4 to a bungalow to create a more modest scene when viewed from the Priory and its grounds. As a result both the Conservation Officer and Historic England withdrew their objections and the proposal is considered to be in accordance with the NPPF and Local Plan Policy HE1, HE3 and HE6.

In terms of archaeology, the South Yorkshire Archaeology Service considers that there will be archaeological implications as a result of the proposal. However, no objection is raised, subject to a condition requiring a detailed scheme of archaeological investigation. This addresses the concerns of Councillor Victoria Felton. The proposal is therefore considered to conform to Local Plan Policy HE6

## Design / Visual Amenity

There are a mix of property styles and ages within the immediate area, including single and two storey semi-detached and detached properties, as such, there is no particular architectural style to follow.

The proposed dwellings are relatively simple in design and respect the character of the surrounding dwellings. Plots 1 and 2 (a pair of semis) face Lang Avenue and have a simple pitched roof design and frontage with modest dormers to rear. The walls are proposed to be facing brick to match existing dwellings in the area. The size, orientation and character of these two plots

are similar to the surrounding properties and are therefore considered to be suitable in this location.

The two single storey detached dwellings of plots 3 and 4 are equally modest, but with a front porch and two bedrooms each. External materials are proposed to be of coarse gritstone to match traditional walling to Monk Bretton Priory and pitched roofs to be in artificial riven slate. These two dwellings lie closest to the abbey boundary but are modest and set well back from the boundary to minimise impact on the setting of the Listed buildings and the Priory.

Parking is within plots, with one visitor parking space provided, the access road and parking being screened from the Priory by plot 4. A double garage in gritstone is proposed to provide one garage space each for plots 3 and 4.

The driveways and bin and recycling containers are to be stored away from public vantage points. The plot as a whole is set back from the highway and would not be readily visible within the street scene and would have no greater impact when viewed from the Priory than the previous nursery school.

Overall the modest scale and simple design, with carefully thought out orientations, layout and good quality materials present an acceptable scheme in design terms on this plot close to these historic assets.

### Green Space

Part of the site is allocated as school grounds (green space) and policy GS1 will, therefore, apply. In accordance with Policy GS1 we will only allow development proposals that result in the loss of green space where there is a surplus or compensation is provided. As the site is still considered to perform a Natural Area green space function it is afforded a degree of protection and a presumption against development.

Given the above, and in line with policy GS1, compensation for the loss of the area of green space would be required which could include off site replacement or a financial contribution. As there is no surplus greenspace in the area, the adopted Supplementary Planning Document (SPD) Open Space Provision on New Housing Developments calculates the contribution to be made for loss of Green space which is calculated as £125,640 per hectare of green space that will be lost to development. The application site which lies within this green space is 0.092ha and as such the pro rata contribution would be £11,558.88. This would be payable through a S106 legal agreement. The applicant is agreeable to this.

### Residential Amenity

Following the submission of amended plans the internal space standards generally accords with the South Yorkshire Residential Design Guide. Although the bathrooms in plots 1 and 2 are small this is countered by an en-suite and an additional toilet downstairs.

Externally, the gardens are generous in size to plots 3 and 4. Although plot 3 does not meet the minimum 10m to rear boundary, there are no residential dwellings to the rear, being separated from the highway by the access road to the Priory, and screened by an existing stone wall. Plots 1 and 2 have rear gardens which modestly exceed the minimum requirement for private amenity space.

The distance to the southern boundary and boundary treatment of 1.8m timber fence will protect residential amenity of existing residents and maintain residential amenity for both proposed residents and existing residents on Lang Avenue.

Overall the residential amenity levels of existing and proposed residents would be maintained to a reasonable degree, in accordance with the adopted SPD and Local Plan policy GD1.

## Housing Mix

Although only a small development of 4 dwellings, a mix of house types is proposed comprising, a pair of three bed, two storey semidetached and 2 no 2 bed detached bungalows. Overall the proposal is considered to comply with Local Plan policy H6

## Highways Safety

The amended layout has responded to initial concerns raised by the Highways Officer who is now satisfied that the scheme provides a suitable access and parking facilities. Whilst the shared private drive is slightly narrower than ideal when perpendicular parking is proposed, the driveways are widened in order to provide additional manoeuvring space. The addition of four dwellings is not considered to have a significant impact on the surrounding highway network and, despite concerns raised by the objector, the Highways Officer has no objections subject to conditions. As such the proposal is considered to be in accordance with Local Plan Policy T4 New development and transport safety.

## Trees

An updated arboricultural impact assessment has been submitted to reflect current proposals, which shows that there are no substantial or good quality trees on the site that would be impacted by the development, and the boundaries in the main comprise overgrown hedgerows. The Forestry Officer has inspected the plans and raised no objections and no conditions are proposed, the proposal is therefore considered to be in accordance with Local Plan Policy BIO1.

## Ecology

The site lies within the Dearne Valley Green Heart Nature Improvement Area and a biodiversity net gain is required. Implications for biodiversity are considered to be low as there are no significant trees affected and much of the site is already hardstanding. In this case it is considered appropriate to attach a condition that gains biodiversity gains through incorporating the use of bat boxes, bird boxes and improving accessibility for hedgehogs.

## Conclusions

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the proposal which provides a small scheme of mixed dwellings within a sustainable location. Whilst the site lies in a sensitive location adjacent to the historic Monk Bretton Priory Scheduled Monument, with its Grade I Listed gatehouse and administrative building, the proposal is considered to be of sensitive design, high quality materials and of minor impact on the historic landscape in this location. There are no objections from Historic England, the South Yorkshire Archaeology Service, Conservation Officer or Highways, subject to conditions in some cases. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

**Recommendation:** Approve subject to conditions and subject to a S106 legal agreement for the payment of £11,558.88 compensation for loss of Green Space.

- 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:  
19012-002 REV C Schematic Site Layout Plan REV C amended plan rec'd 29/10/19  
19012-004 REV C Schematic Proposals Plots 1 and 2 amended plan rec'd 29/10/19  
19012-005 REV A Schematic Proposals Plots 3 & 4 amended plan rec'd 29/10/19  
19012-006 Schematic Proposals Garages amended plan received 23/8/19  
Phase 2 Arboricultural Report by Wharnccliffe Trees and Woodland Consultancy, dated 9 December 2019

**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 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- 1 The programme and method of site investigation and recording.
- 2 The requirement to seek preservation in situ of identified features of importance.
- 3 The programme for post-investigation assessment.
- 4 The provision to be made for analysis and reporting.
- 5 The provision to be made for publication and dissemination of the results.
- 6 The provision to be made for deposition of the archive created.
- 7 Nomination of a competent person/persons or organisation to undertake the works.
- 8 The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

**Reason: In the interests of archaeology in accordance with Local Plan Policy HE6.**

- 4 No development shall take place until

(a) Full surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

(b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways  
and

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways, are all approved in writing by the Local Planning Authority.

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC4.**

5 Upon commencement of development details of the proposed external materials for all plots shall have been submitted to and approved in writing by the Local Planning Authority. For plots 3 and 4 and the garages the following design specifications shall be adhered to:

- The facing stone shall be coarse grit sandstone, matching traditional walling in the vicinity and similar to that of the adjacent Monk Bretton priory in terms of colour, general grain size, type of face dressing, and method of coursing.
- The roof will be covered by good quality artificial riven slates laid in courses with matching ridges bed in mortar.
- Pointing shall be recessed 2-3mm to a gently concave joint (not strap pointed).
- Gutters to be ogee section on brackets with circular rainwater pipes and downpipes all in black
- Windows, doors, and frames shall be decorated anthracite grey and mounted at least 75mm in the reveal
- Rooflights to be genuine conservation style rooflights, vertically emphasised with black framing, a single vertical divider, and low in profile

**Reason: In the interests of the historic environment and in accordance with Local Plan Policy HE3 and HE4**

6 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**

8 On commencement of development, ecological mitigation and enhancement measures, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall include measures to provide a "hedgehog highway", bird and bat boxes, and shall thereafter be implemented in accordance with the approved details.

**Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.**

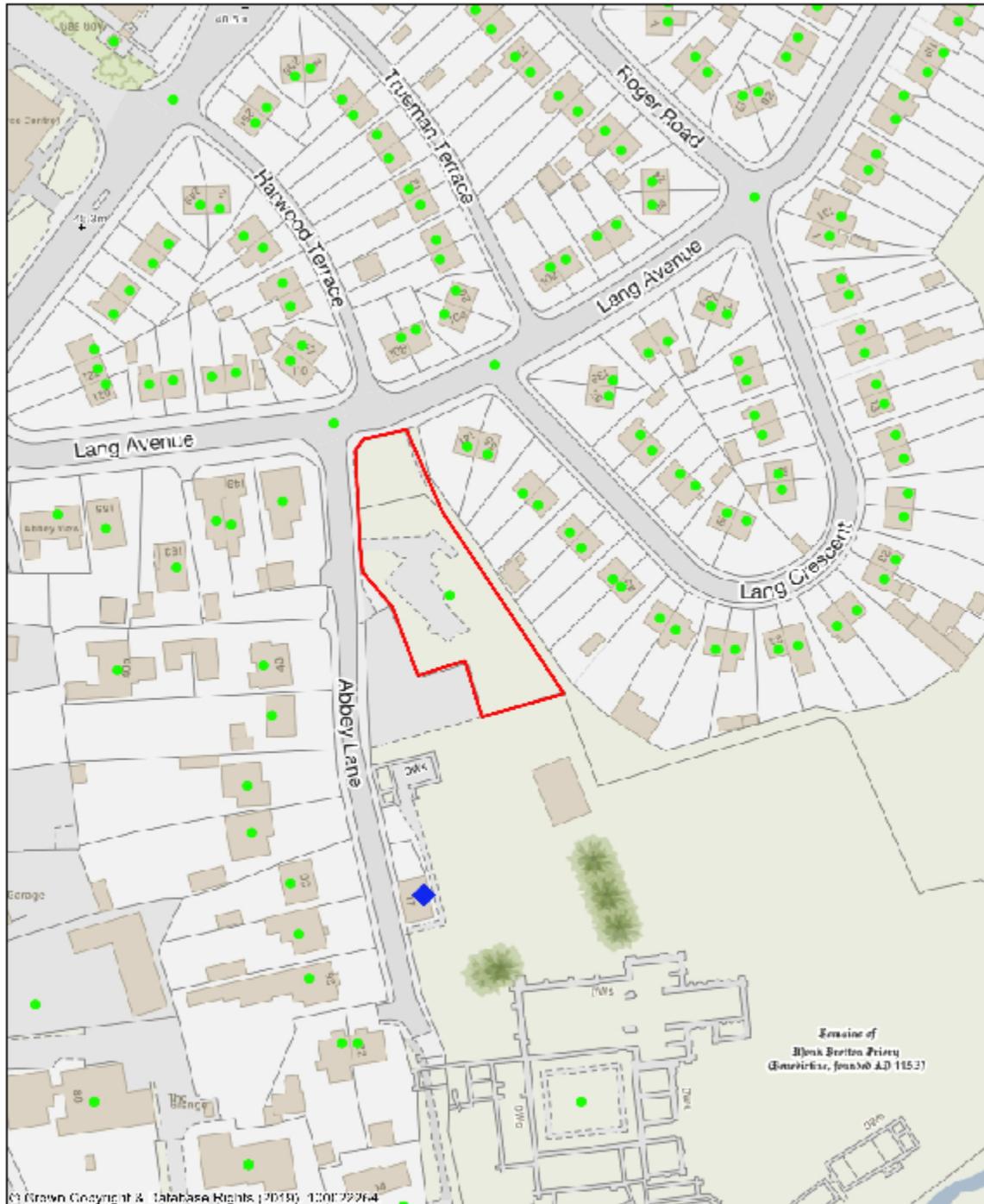
9 Prior to the occupation of the development hereby approved a written scheme shall be submitted to the Local Planning Authority detailing the design and construction of the crossing over the footpath/verge. The scheme will need to be approved in writing by the Local Planning Authority and shall thereafter be implemented in full prior to the occupation.

**Reason: In the interests of new development and transport safety in accordance with Local Plan Policy T4.**

- 10 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.**
- 11 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 12 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.**
- 13 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.  
**Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.**
- 14 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.  
**Reason: In the interests of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**

PA Reference:-

2019/0637



**BARNSELY MBC - Regeneration & Property**



Scale: 1:1250