

September 2017

**PROPOSED DEVELOPMENT**  
At  
**Upper Milshaw Farm**  
**DESIGN & ACCESS STATEMENT**



T J Cotes Limited

24th September 2017

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# Design and Access Statement

Dated: 24th September 2017

<b>Applicant:</b>	Mrs C Whitaker & Mr I Turner
<b>Proposed Development:</b>	Demolition of Farmhouse and Hall, erection of two new dwellings, link extension to farmhouse, amended window design and erection of two double garages (Amendment to Planning Consent 2017/90561)
<b>Site Address</b>	Upper Milshaw Farm, Milshaw Lane, Victoria, Hepworth, Holmfirth, HD9 7TR

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2. Proposal
3. Purpose of Development
4. Site Description
5. Planning Policy Context
6. Design Principles
7. Consultation
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## Appendices:

Design & Access Statement dated 19/07/17 (Planning Consent 2017/90561)

## **1 Introduction**

1.1 This Statement has been prepared and submitted as a requirement of Section 62 of the 1990 Town and Country Planning Act as amended by Section 42 of the 2004 Planning and Compulsory Purchase Act.

1.2 It has been prepared in accordance with “Guidance on the Requirements of Validation” March 2010 published by the Department for Communities and Local Government and incorporates the overarching principles set out in the National Planning Policy Framework (March 2012)

1.3 This statement should be read in conjunction with our Design & Access Statement for application 2017/90561 which is attached in appendix 1.

## **2 Proposal**

2.1 The proposed development is submitted as an amendment to planning consent 2017/90561 which was approved on 19th July 2017. Permission was granted for the demolition, re-build and extension of the farmhouse; demolition and re-build and extension of hall to form two dwellings and formation of retaining structures.

2.2 Permission is now sought for alterations to the existing permission to include:

- [The erection of two double garages, and](#)
- [A link extension to the Farmhouse](#)
- [Amended design for the farmhouse including new window openings.](#)

## **3 Purpose of Development**

3.1 The application is an amendment to planning consent 2017/90561 as described above. The alterations proposed under this application result from the applicant wishing to make amendments to the proposed design in order to accommodate their personal requirements.

## **4 Site Description**

4.1 The site comprises a range of traditional farm buildings located on an elevated site east of Hepworth and extends to 0.71 hectares It has a southerly aspect and faces across a deep clough towards Victoria, with expansive views to the west and south-west towards the Pennine ridge.

*Continued on Page 4*



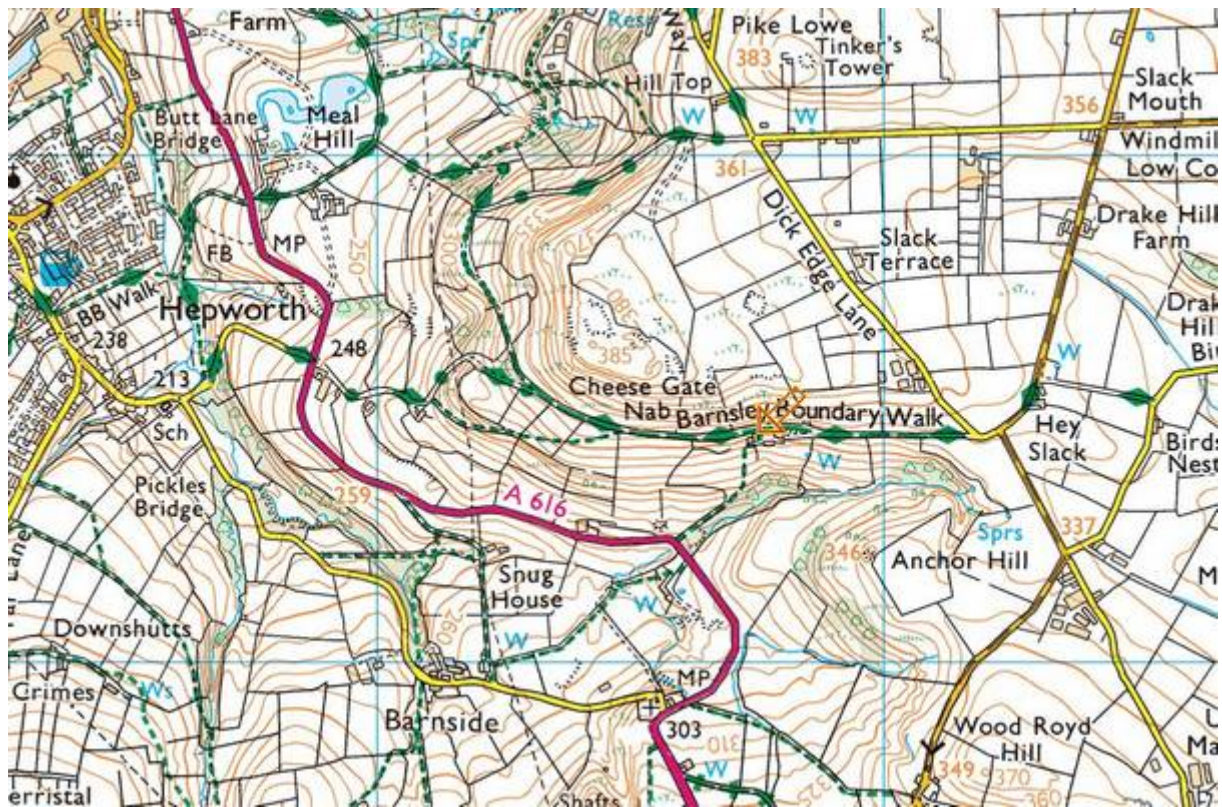


Figure 1: Proposed site and surrounding area (not to scale)



Figure 2: Aerial image of Upper Milshaw Farm (as existing)

4.2 The site is accessed by a private track from Milshaw Lane. This track is also a bridleway and forms part of the Barnsley Boundary walk for part of its length. A definitive footpath also runs across the site to join the bridleway as it runs along the valley side above the site. It is proposed to divert this path as part of our overall scheme and steps have already been taken to submit an application for a Diversion Order under s119 of the Highways Act 1980. scheme and steps have already been taken to submit an application for a Diversion Order under s119 of the Highways Act 1980.

4.3 There are 3 traditional buildings plus a range of small modern farm structures annexed to them. These buildings are grouped around an unmade courtyard, on a level platform of land cut into the hillside. None of the buildings are listed but one – Building 1 (Upper Milshaw Hall no. 9547) - is noted as a building of local interest on the HER register. Consent was previously granted earlier this year (2017/90561) to demolish, rebuild and extend both the farmhouse and the hall to form two new dwellings.

#### 4.4 Site Details

- Grid Reference: SE 177 064
- Easting: 417773 // Northing: 406448

## 5 Planning Policy Context

5.1 Consideration has been given to national, regional and local planning policy & guidance in the preparation of our development proposal.

## 6 Design Principles

6.1 Our key aim is to design a development that respects its exposed and elevated rural location and is sympathetic to the local vernacular, retaining as much of the existing buildings as possible and through renovation and improvement and the use of traditional materials create a development of high quality that sits harmoniously in the Pennine landscape.

6.2 Design has been influenced by the following principles: -

- To meet our client's brief to create 2 family homes
- To retain the remote and isolated character of the site
- To be sympathetic to its elevated and prominent location; but
- To take advantage of its south facing aspect and its expansive views to the south and south-west
- To create a development that respects the local vernacular as far as practically possible in terms of design, layout and use of traditional materials but also incorporates contemporary design features.
- To take account of local site characteristics and constraints, including topography, means of access, local footpaths, existing boundary treatments and vegetation.

## 7 Consultation

7.1 Pre-application discussions were held with Neil Bearcroft (Development Management). Amended drawings were submitted for initial advice of the Development Management Team to obtain feed-back regarding the scale, form and design of the proposed link extension and garages.

7.2 Neil Bearcroft advised that the proposed garage to the farmhouse was too high to the eaves and recommended that the height of the building be reduced so it was clearly subservient to the host building. These recommendations have been incorporated into our submission drawings.

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7.3 Neil Bearcroft was also concerned that the proposed new architectural windows proposed to be incorporated in the new rear extension to the farmhouse were quite prominent, particularly at first floor, given its elevated position in Green Belt.

7.4 However, we feel that the proposed window design incorporates a contemporary design feature into the building that complements the existing building and enhances the overall design quality of the property. It takes advantage of and frames a panoramic view across the Pennine Landscape and maximises the amount of natural sun-light from its southerly aspect. The building is not listed and is not in a conservation area. There are other similar examples that have been granted consent locally and we consider that the proposal raises the standard of design, is innovative and visually attractive, whilst at the same time is sympathetic and reflects the character of the surrounding area in line with Chapter 7 (Requiring Good Design) of the National Planning Policy Framework.

## **8. Amended Design**

8.1 Our amended design incorporates a new single-storey glazed link connecting the existing farmhouse to a new single storey double garage. The farmhouse will be constructed of natural stone to match the existing building.

8.2 The glazed link is small and simple in design and the use of glass means that you can still read the original form of the existing farmhouse and it gives the impression of clearer separation between the original building and the new garage extension.

8.3 The amended design also incorporates a new double garage for the hall. This will be roughly located in a similar position to a third dwelling which was previously granted consent in 2016 (reference 2016/92046). Under this application consent was also granted for a detached garage at the east side of the hall but this is no longer required. The footprint of the two proposed garages is smaller than that previously granted under our previous consent in 2016 for a third dwelling and garage serving the Hall.

8.4 The south and west elevations of the proposed new farmhouse have been amended to incorporate feature windows at ground and first floor level to take advantage of the extensive views. It includes a full height feature window on the western gable of the side extension to the farmhouse that extends into the apex up to the roof ridge. The window is a series of glass panels broken by two horizontal oak beams which act as transoms. The southern elevation contains a similar style window with oak detailing extending right up to the eaves.

## **9 Access**

### Vehicular access & Parking

9.1 The site is accessed from Milshaw Lane via an unsurfaced farm track leading directly to the site. This track is a public bridleway for part of its length. Modest improvements will be made to the track to improve access along its length and make it suitable for regular use by motor vehicles. Improvements will include widening at certain points to create passing places and widening the track as it enters the site adjacent to the Hall to create enough room for two vehicles to pass when accessing and egressing the main courtyard. The track will also be resurfaced with either crushed stone and/or scalplings.

9.2 Internally within the site turning facilities have been created along with parking for visitors and residents.

*Continued on Page 7*

### Pedestrian Access

9.3 Access to the site for pedestrians will be via the farm track and be shared with vehicles.

### Footpaths

9.4 A definitive footpath crosses the site. It connects the bridleway which runs immediately north of the site to the A616 close to Lower Milshaw Farm. It runs down a steep embankment and across the yard in front of the farmhouse and into the fields below. There is no evidence of the path on the ground as it passes through the farmyard and locals say it hasn't been used for many years. In fact, a route directly up the embankment as shown would be very difficult to access for walkers and would be clearly unsafe. An informal alternative route is now used by walkers about 100m west of the definitive route, but this is not ideal.

9.5 It is proposed to divert the definitive path under s119 of the Highways Act 1980. A convenient and safer route has been identified to connect with the bridleway to the west of the site. Discussions have been held with Giles Cheetham, PROW Officer and proposals for a formal Diversion Order have been submitted and is currently out to consultation with user groups.

### Refuse Collection

9.6 Discussions have been held with Stephen Cartwright, Environmental Services. He confirms that Upper Milshaw Farm currently receives a direct wheelie bin collection from the property. He recommends that once the renovation of the Hall and construction of a third dwelling is complete that a shared bin be located at the corner of Milshaw Lane/ Dick Edge Lane to serve both properties.

### Access for All

9.7 The courtyard area will be landscaped and the private paths leading from here to each property will give level access to each dwelling. Care will be taken to avoid obvious hazards for people with sight difficulties. Internally, care has been taken to design layouts that minimise circulation areas and all primary rooms have been designed at ground floor level. Door widths of 826mm minimum (775mm clear opening) have been recommended throughout.

### Designing out Crime

9.8 Consideration has been given to crime prevention when designing layouts, access improvements, landscaping and lighting.

9.9 It is proposed that the private track will be secured with electric gates and cameras. The yard will be lit and lights will be positioned so as not to create shadow/ dark areas particularly close to entrances and doorways. The site will be fenced and care will be taken not to introduce large areas of planting close to properties where intruders can hide. All properties will be fitted with intruder alarms. Doors and windows will meet current recommended security standards

## **Appendices:**

**Design & Access Statement dated 19/07/17  
(Planning Consent 2017/90561)**



# DESIGN AND ACCESS STATEMENT

Dated: 31<sup>ST</sup> January 2017

<b>Applicant:</b>	Mrs C Whitaker & Mr I Turner
<b>Proposed Development:</b>	Demolition, reconstruction and extension of Upper Milshaw Farmhouse and Upper Milshaw Hall to form 2 dwellings, and formation of retaining structures
<b>Site Address:</b>	Upper Milshaw Farm, Milshaw Lane, Victoria, Hepworth, Holmfirth HD9 7TR

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# 1 Introduction

- 1.1 This Statement has been prepared and submitted as a requirement of Section 62 of the 1990 Town and Country Planning Act as amended by Section 42 of the 2004 Planning and Compulsory Purchase Act.
- 1.2 It has been prepared in accordance with “Guidance on the Requirements of Validation” March 2010 published by the Department for Communities and Local Government and incorporates the overarching principles set out in the National Planning Policy Framework (March 2012)

# 2 Proposal

- 2.1 Full planning consent is sought for the following:
- **Demolition, re-construction and extension to Upper Milshaw farmhouse and attached barn (Building 2) to form a new dwelling**
  - **Demolition, reconstruction and extension of Upper Milshaw Hall and attached laithe (Building 1) to form a new dwelling**
  - **Improvements to an existing access, construction of a new retaining wall, diversion of a footpath and associated landscaping.**
- 2.2 The proposal will also involve the demolition of the following ancillary buildings as part of the overall scheme:
- A flat roofed rear extension to Upper Milshaw farmhouse
  - A steel-framed and roofed hay shelter and store.
  - A small store adjacent to the Farmhouse barn

# 3 Purpose of Development

- 3.1 Upper Milshaw Farm has been jointly acquired by Mrs Clare Whitaker and Mr Ian Turner who have family connections. It is intended to renovate the farmhouse to provide a family home for Mr Turner who is a partner in nearby Martin’s Nest Farm.
- 3.2 The farmhouse and hall and attached buildings are in a serious state of dis-repair and both traditional stone buildings suffer from serious structural defects.

- 3.3 The land that formed part of the original agricultural holding has been annexed to nearby Martin's Next Farm which is jointly owned and managed by Mr I Turner (the joint applicant) and his family and abuts the boundary. The buildings are now in the ownership of Mrs C Whitaker (the other joint applicant).

## 4 Site Description

- 4.1 The site comprises a range of traditional farm buildings located on an elevated site east of Hepworth and extends to 0.71 hectares. It has a southerly aspect and faces across a deep clough towards Victoria, with expansive views to the west and south-west towards the Pennine ridge.

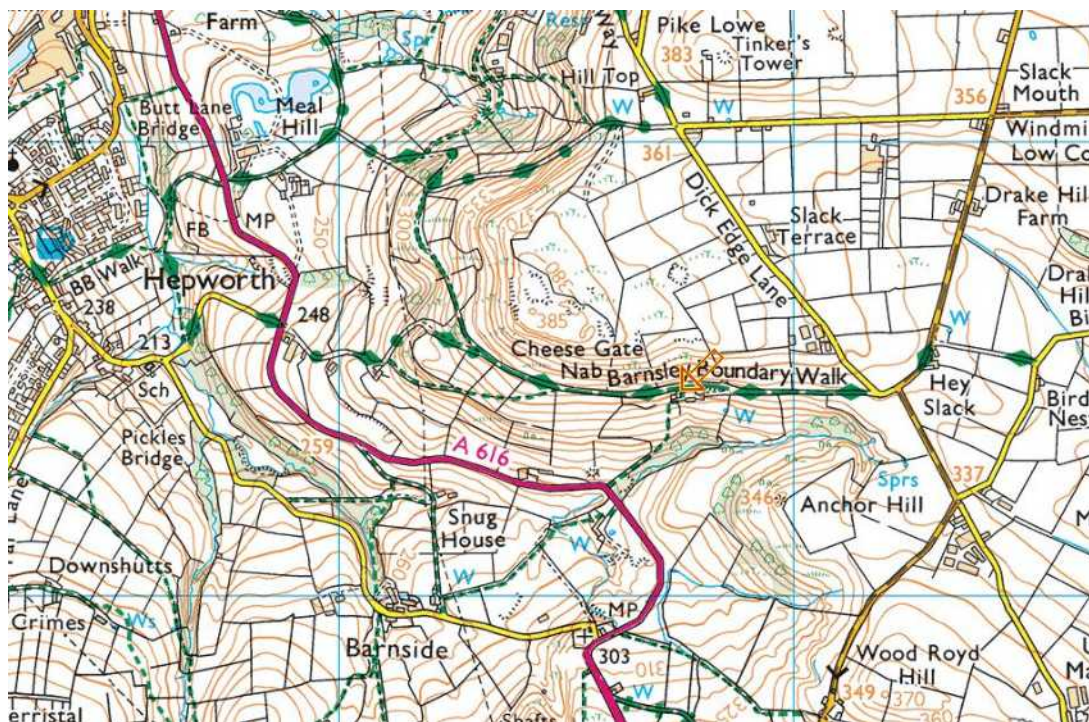


Figure 1: Proposed site and surrounding area (not to scale)

- 4.2 The site is accessed by a private track from Milshaw Lane. This track is also a bridleway and forms part of the Barnsley Boundary walk for part of its length. A definitive footpath also runs across the site to join the bridleway as it runs along the valley side above the site. It is proposed to divert this path as part of our overall scheme and steps have already been taken to submit an application for a Diversion Order under s119 of the Highways Act 1980.



Figure 2: Areal image of Upper Milshaw Farm (as existing)

- 4.3 There are 2 main traditional buildings plus a range of small modern and traditional farm structures annexed to them. These buildings are grouped around an unmade courtyard, on a level platform of land cut into the hillside. None of the buildings are listed.

#### 4.4 Site Details

Grid Reference: SE 177 064

Easting: 417773 Northing: 406448



Building 1 (Hall & attached barn – previously used an agricultural building)



- 4.5 This building comprises Upper Milshaw Hall (the front section facing east along Milshaw Lane) and a barn attached to the rear. There is a modern hay barn consisting of a steel frame and a steel sheet roof attached to the front elevation of the Hall.





- 4.6 The 'Hall' part of the building is in serious disrepair and although from the external stonework it appears to be in a solid condition, internally the stonework has been damaged by water penetration and subject to movement. The floor and roof timbers are also rotten and are beyond repair. The range to the rear (the barn) is also in a poor structural condition. A steel-framed hay store is currently attached to the front elevation. A structural report and timber survey has been carried out and these accompany our application. The building has a total footprint of 287sqm and a cubic area of 1585cu.m

## Building 2 (The Farmhouse and attached barn)



- 4.7 This is a traditional longhouse built in stone with a stone slate roof. The building has been extended to the rear and there are other modern structures attached to the barn. Both gable ends have serious structural problems and tie-bars have been installed sometime in the past to try and brace the gables in an attempt to stabilize them. There has been movement in the roof and structural defects identified in the north and west walls as well as poor foundations. This property faces east, inwards into the site and has a small garden to the rear which faces south and west. The building occupies a total footprint of 223sqm and a cubic area of 1146cu.m

## **5 Planning Policy Context**

- 5.1 Consideration has been given to national, regional and local planning policy & guidance in the preparation of our development proposal. A full description of all the relevant policies are contained in our separate Planning Justification Statement.

## 6 Design Principles

6.1 Our **key aim** is to design a development that respects its exposed and elevated rural location and is sympathetic to the local vernacular, including the use of traditional materials create a development of high quality that sits harmoniously in the Pennine landscape.

6.2 **Design** has been influenced by the following principles: -

- To meet our client's brief to create 2 family homes
- To retain and enhance the character and appearance of the Hall and the farmhouse and attached barn
- To retain the remote and isolated character of the site
- To be sympathetic to its elevated and prominent location; but
- To take advantage of its south facing aspect and its expansive views to the south and south-west
- To create a development that respects the local vernacular as far as practically possible in terms of design, layout and use of traditional materials
- To take account of local site characteristics and constraints, including topography, means of access, local footpaths, existing boundary treatments and vegetation.

## 7 Design Process – Our approach and methodology

7.1 Our appraisal was undertaken in three stages. These are outlined as follows: -

### Stage 1: Initial Assessment

7.2 This was undertaken as a first step in order to formulate a clear understanding of the site. It involved desk top surveys, information gathering, mapping the client's ownership and an initial site visit. It included an initial assessment of policies in the local development plan as well as supplementary guidance. It also involved pre-application discussions with the local authority to clarify specific issues relating to the site and the principle and scale of development in the green belt. This stage helped identify potential site constraints and helped formulate our design principles for the site, as well as an initial development brief.

### Stage 2: Detailed Survey

7.3 On completion of our clients brief the following surveys were commissioned to provide an accurate picture of the site. This involved: -

- A measured survey of existing buildings
- A topographical survey of the site

- A timber survey
- A structural survey
- An ecological assessment including an initial bat survey
- A mining assessment

### Stage 3 Detail Design

- 7.4 Information gathered from stages 1 & 2 were used to inform the detail design stage and to amend and modify our client's brief. A series of existing and proposal drawings were produced and these were refined in consultation with both our design team and client.

## **8 Consultation**

- 8.1 Pre-application discussions were held with Neil Bearcroft (Development Control, Kirklees MC) and initial consultation has taken place with our own specialist consultants (as detailed below) to assist in the design and development process. In addition, discussions have also been held with Giles Cheetham, Public Rights of Way Officer, Kirklees Council.

- 3DVS (Landscape and Visual Impact),
- Bradbury PM Limited (Planning Consultants)
- M J Coates Limited (Architect & Design Consultants)
- RDF Ecology (Ecological Consultants)
- Gibson Design Consultancy (Structural Engineer)
- Abbeydale (Building & Environmental Consultants)
- S R Surveyors (Timber specialists)

## 9 Main Aspects of Design

### Use

- 9.1 The land and buildings when in use originally formed part of an agricultural holding exceeding 5 hectares (i.e. Class A under Part 6 of the Town & Country Planning (General Permitted Development Order) 1995). As we understand it the farmhouse (Building 2) was occupied as a dwelling house up until about 2 years ago, and since then it has been vacant. The Hall and attached barn (Building 1) has been in use as an agricultural building for many years and it is understood was last used as a livestock building.
- 9.2 It is proposed to demolish, re-construct and extend both the hall and the farmhouse (along with its attached barn) to create two new dwellings.

### Amount

- 9.3 The table below shows the floor areas and cubic areas of both the existing and proposed buildings. These figures include ancillary buildings attached to the main structures.

	Hall (Building 1)	Farmhouse & barn (Building 2)
Existing Footprint (m2)	287	223
Proposed footprint (m2)	198	269
Existing Cubic Area m3)	1585	1146
Proposed cubic area (m3)	1379	1678

### Layout

- 9.5 The layout of the principle buildings on the site will remain the same and these will be served by the existing farm track. It will be widened at a pinch point adjacent to Building 2 (Hall) to make it easier for vehicles to pass and manoeuvre in and out of the entrance to the site. The use of suitable boundary treatments and a contrast of hard and soft landscaping will separate the vehicular areas from the private amenity spaces beside each dwelling.
- 9.7 Presently, a definitive footpath runs across the site and in front of the gable end of the farmhouse (building 2). This needs to be diverted in order to rebuild and extend the gable end. This is discussed further in section 10 below).

### Scale

- 9.8 The overall scale of the development is considered to be modest. The extensions are deemed to be of an appropriate size and scale so they do not overwhelm the character and appearance of the existing buildings and remain consistent with the local vernacular.
- 9.9 Where possible extensions to the primary buildings have been designed on or close to the footprints of existing extensions and structures.

### Appearance

- 9.10 The current buildings are in a state of disrepair and suffer from serious structural problems. It is proposed to demolish the farmhouse and hall and re-construct them as existing.
- 9.11 It is proposed to extend the south gable of the farmhouse and construct a larger extension at the rear but in doing so retain its character as a traditional 'longhouse'. Old unsightly extensions and farm structures will be demolished.
- 9.12 Modest extensions and alterations are proposed to the laithe attached to the Hall, along with a new porch.
- 9.13 All extensions are of a scale proportionate to the existing buildings and subservient to them. Natural stone and stone slate will be used to match the existing. Window openings and stone details have been designed to match those on the existing Farmhouse and Hall, where necessary matching the proportions of the existing 2 and 3 light mullion windows.
- 9.14 New windows and doors will be in timber
- 9.15 The proposed new dwelling will be constructed in matching natural stone, re-using part of the materials recycled on site.

### Landscaping

- 9.16 Some engineering works are required to level the site and to create a clear and safe working area to re-build the gable end of the barn attached to the Farmhouse and to carry out repairs to the Hall. The old dry stone retaining wall that was unsafe has been removed and remedial works carried out to the embankment. It is proposed to construct a new concrete retaining wall along the line of the existing and this will be faced in stone.



- 9.17 The access into the site will be widened and the whole area hard-landscaped which will be porous and self-draining. This hard landscaping will help delineate between shared and private areas and this will be complemented by soft landscaping to provide private amenity space for each dwelling.

## **10 Access**

### Vehicular access & Parking

- 10.1 The site is accessed from Milshaw Lane via an unsurfaced farm track leading directly to the site. This track is a public bridleway for part of its length. Modest improvements will be made to the track to improve access along its length and make it suitable for regular use by motor vehicles. Improvements will include widening at certain points to create passing places and widening the track as it enters the site adjacent to the Hall to create enough room for two vehicles to pass when accessing and egressing the main courtyard. The track will also be resurfaced with either crushed stone and/or scalplings.
- 10.2 Internally within the site turning facilities have been created along with parking for visitors and residents.

### Pedestrian access

- 10.3 Access to the site for pedestrians will be via the farm track and be shared with vehicles.

### Footpaths

- 10.4 A definitive footpath crosses the site. It connects the bridleway which runs immediately north of the site to the A616 close to Lower Milshaw Farm. It runs down a steep embankment and across the yard in front of the farmhouse and into the fields below. There is no evidence of the path on the ground as it passes through the farmyard and locals say it hasn't been used for many years. In fact, a route directly up the embankment as shown would be very difficult to access for walkers and would be clearly unsafe. An informal alternative route is now used by walkers west of the definitive route, but this is not ideal.

- 10.5 It is proposed to divert the definitive path under s119 of the Highways Act 1980. A convenient and safer route has been identified to connect with the bridleway to the west of the site. Discussions are currently taking place with Giles Cheetham, PROW Officer and a meeting has already been held on site to examine the proposed diversion route. A formal Diversion Order will be made shortly. A map showing the route of the present definitive path is shown on a map in section 11.

#### Refuse Collection

- 10.6 Discussions have been held with Stephen Cartwright, Environmental Services. He confirms that Upper Milshaw Farm currently receives a direct wheelie bin collection from the property. He recommends that once the development is completed a shared bin be located at the corner of Milshaw Lane/ Dick Edge Lane to serve both properties.

#### Access for All

- 10.7 The courtyard area will be landscaped and the private paths leading from here to each property will give level access to each dwelling. Care will be taken to avoid obvious hazards for people with sight difficulties. Internally, care has been taken to design layouts that minimise circulation areas and all primary rooms have been designed at ground floor level. Door widths of 826mm minimum (775mm clear opening) have been recommended throughout.

#### Designing out crime

- 10.8 Consideration has been given to crime prevention when designing layouts, access improvements, landscaping and lighting. However, the extent and number of measures included is limited because this is primarily a renovation of existing, traditional buildings rather than a new-build scheme.
- 10.9 Having said this it is proposed that the private track will be secured with electric gates and cameras. The yard will be lit and lights will be positioned so as not to create shadow/ dark areas particularly close to entrances and doorways. The site will be fenced and care will be taken not to introduce large areas of planting close to properties where intruders can hide. There are no flat roofs where intruders can gain easy access to first floors and the new single storey extensions have been positioned away from the embankment and retaining walls to restrict easy access to these buildings. All properties will be fitted with intruder alarms. Doors and windows will meet current recommended security standards

## 11 Environmental Assessment

### Background

- 11.1 The site is a previously developed site in greenbelt. The landscape has no special designation that affords it any greater protection but it is an area of pleasant countryside on the edge of the Pennine Hill close to Hepworth village.

### Landscape Impact

- 11.2 The redevelopment of Upper Milshaw farm using traditional materials and bringing it back into a viable use will make a positive contribution and lead to a strengthening of landscape character.

### Visual Impact

- 11.3 The removal of unsightly modern farm buildings and structures and the general tidying up of the site will improve its visual appearance. Extensions are modest and in keeping in terms of scale and appearance of other similar traditional farm complexes in the area.
- 11.4 The new retaining wall which replaces a smaller, non-performing drystone wall will be more visible from across the valley to the south. However, this will be off-set by the demolition and removal of the more prominent, flat-roofed agricultural building supported by buttresses. The new retaining wall will be faced in traditional materials and its height kept to a minimum. New planting will be introduced to help soften the taller sections and reduce visual impact. The use of traditional materials for building construction and for hard landscaping will help assimilate the new structures into the existing landscape.

### Ecology

- 11.5 An ecological assessment which includes a bat roost risk assessment has been carried out by RDF Ecology. It was suspected that some of the vacant farm buildings (and in particular the farmhouse) may be a suitable habitat for a bat roost.
- 11.6 The report concludes that the traditional farm buildings are of low to medium risk of accommodating a bat roost. It recommends that in accordance with guidance further bat survey work be carried out to determine whether any of the buildings contain a bat roost.
- 11.7 It also recommends that the removal of trees and the demolition of buildings be carried out outside the bird breeding season unless this is done following a survey by a qualified ecologist prior to commencement and given the all clear.

### Heritage Assets

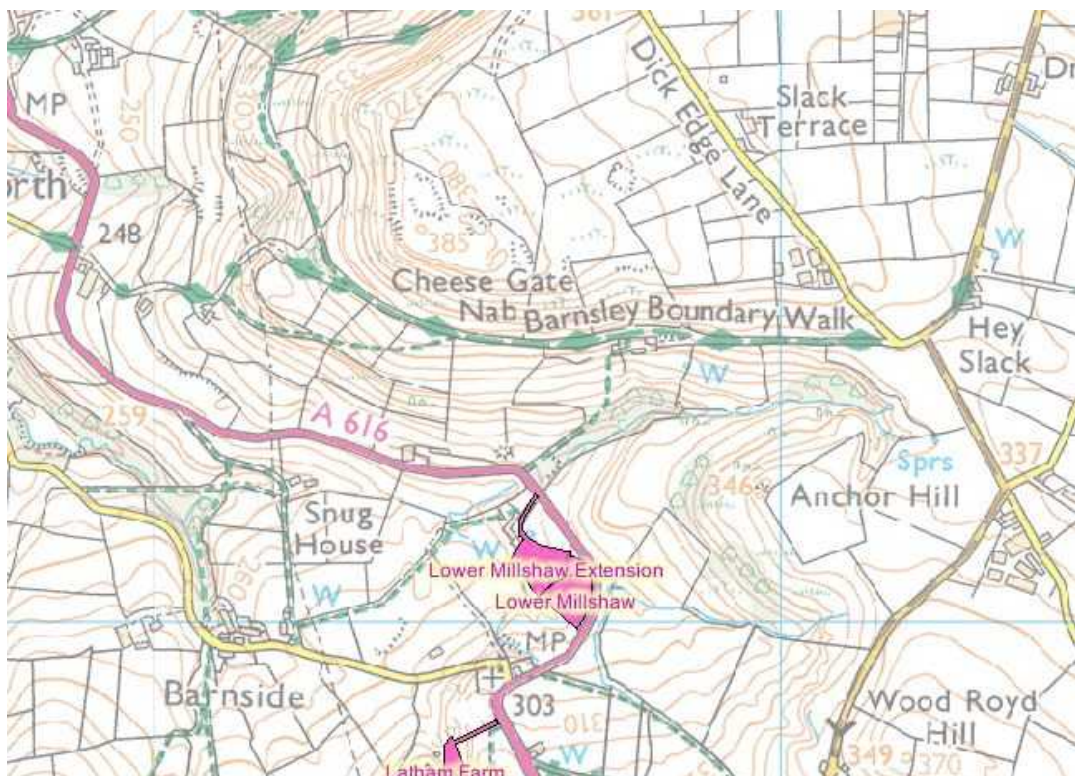
- 11.7 None of the buildings are listed and there are no listed buildings or scheduled ancient monuments close to the site.
- 11.8 It is proposed to demolish and re-construct the building as existing. The unsightly hay shed attached to it will be removed.

### Flood Risk

- 11.9 The site does not fall in a river flood zone, a reservoir flood zone or a surface water flood zone as indicated on the Environment Agencies online GIS database.

### Ground Conditions and Contamination

- 11.10 There is no record of any ground contamination on or immediately adjacent to the site. The nearest landfill site lies about 0.3km south across a deep clough at Lower Milshaw Farm as shown below.



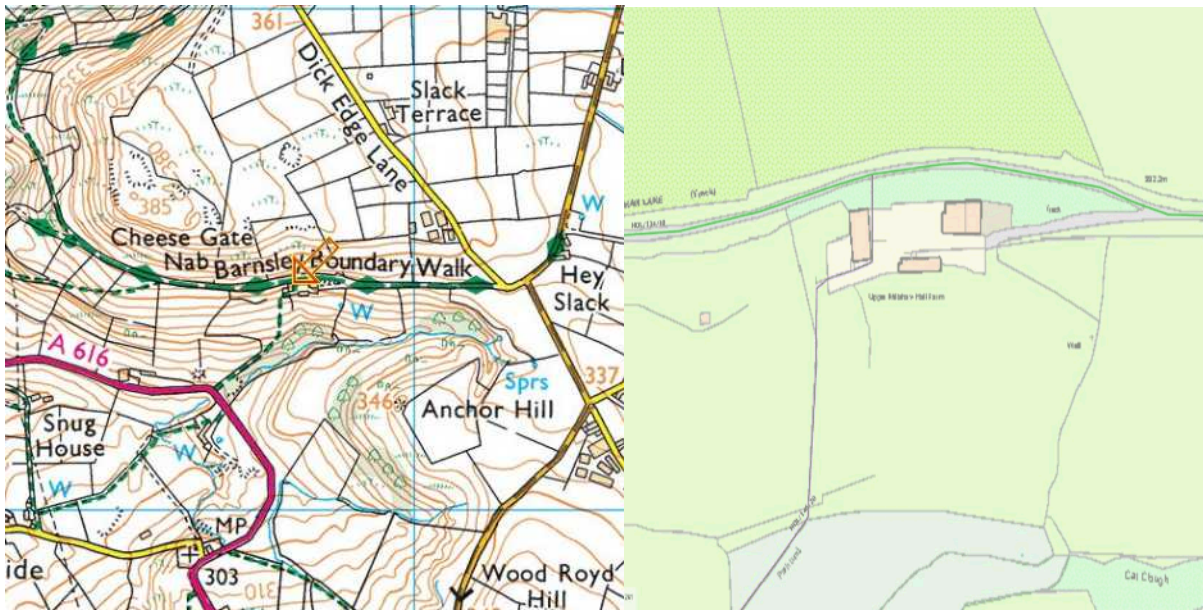
- 11.11 The site lies in an area identified as a mining risk. A Phase 1 Mining Assessment has been carried out by Abbeydale. The report confirms that there is a dis-used mine shaft on the west corner of the site close to Upper Milshaw farmhouse. A Phase 2 intrusive investigation has been carried out and no evidence of this mine shaft was found. This is detailed in the report.

- 11.12 The report also recommends that open hole drilling be undertaken to inspect the Upper Band Coal and underlying seatearth to determine whether any shallow mining has actually taken place at the site. It also recommends that there should be no soakaways onsite. These are all examined in the Phase 2 report.

#### Communications/ Services

- 11.13 There are no known services within the site

#### Public Rights of Way



- 11.14 A public right of way crosses the site. This connects with a bridleway that runs above the site to the north along the edge of the valley side which is also the route of the Barnsley Boundary Walk. It is proposed to divert the 'disused' section of the path in order to implement the proposed development and steps have been taken to do this under section 119 of the Highways Act 1980.