2022/0037

Mr K Waddington

Erection of detached dormer bungalow with integral garage

Land adjacent 2 Cypress Heights, Smithies, Barnsley, S71 1WA

Site Location & Description

The site, which historically formed part of the rear garden of 29 Old Road, is located within a wider, established, modern residential area and is surrounded by a mix of residential properties consisting of semi-detached and detached dwellings of two storey construction. Whilst forming part of the rear garden of 29 Old Road, the site fronts onto Cypress Heights and is located adjacent to no 2, with access being taken from Cypress Heights, which falls north to south. The site has been cleared and levelled with a retaining structure erected along the rear eastern boundary of the site.



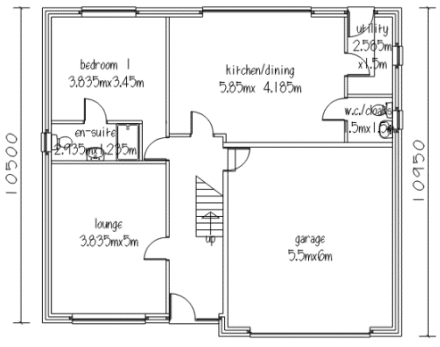


Site History

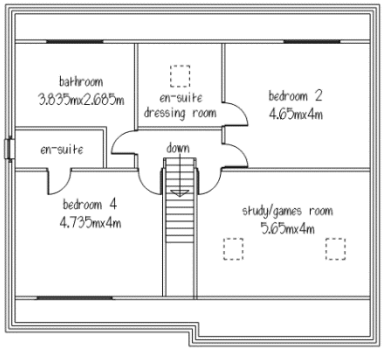
2015/1331 – outline planning permission with access and layout for the erection of 1no detached dwelling; with appearance, scale, and landscaping to be dealt with at reserved matters – approved February 2016
2018/0290 – Erection of 1no. detached dormer bungalow with integral garage – approved August 2018

Proposed Development

The applicant seeks permission to erect 1 no., 1 ½ storey, 3 bedroomed, detached dormer bungalow with a small forward gable projection. The dwelling would measure 10.5m deep by 12m wide; parking provision for 2no vehicles would be provided to the front of the dwelling, within the site curtilage.



GROUND FLOOR



FIRST FLOOR



FRONT ELEVATION



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.

Local Plan

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy H4 Residential Development on Small Non-allocated Sites
Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

Policy GD1 General Development
Proposals for development will be approved if, amongst others, there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

The supporting text to Policy GD1 states:
Further detail on some of these issues is set out in Policy D1 Design which sets the overarching design principles for the borough, and associated Supplementary Planning Documents on Residential Amenity and the Siting of Buildings, Designing New Housing Development and Advertisements.
We want to make sure that the living conditions and residential amenity of people are protected, that development is set within high quality landscaping and that land is used efficiently by making sure that new development does not reduce development opportunities on neighbouring land.
We will assess impact on living conditions and residential amenity in relation to:

- Noise, smell, dust, vibration, light, air, surface water, groundwater or other pollution and disturbance from any proposed activity, including traffic related noise and the comings and goings of visitors to premises particularly when late evening activity is involved.
- Planning conditions will be used to control the construction process.
- Overlooking and privacy.
- Outlook from dwellings including consideration of whether structures in close proximity to windows are considered visually over dominant. However, consideration does not extend to the protection of a person's particular view from a property as this is not a material planning consideration.
- Daylight/sunlight and overshadowing; and
- Landscaping and boundary treatments.

Policy D1 High Quality Design and Place Making
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.
Through its layout and design development should, amongst others contribute to place making and be of high quality, that contributes to a healthy, safe, and sustainable environment.

The supporting text to Policy D1 states:
Development should take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:

- Building for Life 12 (for residential developments of 10 or more dwellings).
- Secured By Design/ Safer Places- the Planning System and Crime Prevention.
- Manual for Streets (for residential developments).
- Manual for Streets 2- Wider Application of the Principles (which takes this guidance beyond just residential developments).
- The South Yorkshire Residential Design Guide.

Policy T3 New Development and Sustainable Travel
Policy T4 New development and Transport Safety
Policy Poll1 Pollution Control and Protection

SPDs/SPGs
Supplementary Planning Document – Design New Housing Development
Supplementary Planning Document – Residential Amenity and Siting of Buildings
Supplementary Planning Document – Parking
The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework

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.

Chapter 12, Paragraph 130 states that:
Planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping.
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit.
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Consultations

Highways DC – no objections subject to conditions
Drainage – No objections happy for details to be checked by Building Control
Forestry Officer – No comments received, however no objections were raised to the earlier application
SYMAS – No objections
Coal Authority – No objections
Ward Councillors – no comments received

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was posted adjacent to the site; 2 letters of representation have been received in relation to:

- Lack of privacy
- Loss of views
- Impact on highway safety from construction vehicles
- Construction materials would be an eyesore
- Measurements on plan do not match what was agreed when the land was sold

Assessment

Principle of Development

The site is located within a wider allocation of Urban Fabric and is also located in a residential area, it therefore follows that redevelopment for housing is a compatible new use, in addition, the site is located within Urban Barnsley which is the focus for housing growth. The principle of residential development is considered acceptable where the proposal complies with the terms of policies GD1 General Development, D1 High Quality Design and Place Making and the Designing New Housing Development SPD.

Residential Amenity

The previous application 2018/0290 considered that the principle of development of the site for housing was regarded as acceptable given its approval, this scheme is a replica of that application, albeit a lapsed permission, with the exception of a slightly narrower site. The application red line boundary has been amended from that of the previous approval, due to the reported conflict with the previous owners of the site and the applicant. This amendment sees a reduction in the overall width at the rear of the site from 15.56m to 14.64m, however the footprint of the dwelling has not altered, this results in the dwelling being sited closer to the southern boundary with 29 Old Road.

The SPD Design of New Housing Development states that *'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of loss of outlook and in order to provide adequate amenity, development will be expected to comply with external spacing standards.* It states that a minimum distance of 12m should be maintained between habitable room windows and blank elevations, 21m should be maintained between facing habitable room windows and that dwellings should be sited with a rear garden at least 10m in length where it borders a private rear garden.

The proposed dwelling is sited on an east/west axis with the main habitable room windows being located on the western front, and eastern rear elevations. The siting and orientation of the dwellings is such that it complies with the external spacing set out in the SPD, in that 21m is maintained between the habitable room windows on the opposing existing dwellings and the habitable room windows on the proposed dwelling. Whilst there are no properties directly to the rear, a garden length of 10m in maintained which prevents increasing levels of overlooking to the

rear. The windows located on the northern side elevation facing 2 Cypress Heights are located at ground and first floor level and serve non-habitable rooms, bathroom and en-suite, and are generally fitted with obscure glazing, however a condition can be included to that effect. The windows located on the southern side elevation, would face towards 29 Old Road, however, these are located at ground floor level and again, do not serve habitable rooms and in addition the future boundary treatment would provide adequate screening of the amenity space beyond.

The dwelling is to front onto Cypress Heights and would be located within the building line of the adjacent dwelling, 2 Cypress Heights, therefore, whilst to the south of this property, the proposal does not project beyond its front or rear elevations and would not significantly increase levels of overshadowing to an unreasonable level. Likewise, the proposal is located to the north of, and at an angle to 29 Old Road, maintaining a separation distance in excess of 12m as outlined in the SPD between the habitable room windows on the northern elevation of 29 Old Road and the blank gable of the proposed dwelling; it is therefore considered that the proposal would not a significant detrimental impact on it by means of overshadowing or loss of outlook.

The South Yorkshire Residential Design Guide (SYRDG) is referred to in the Local Plan para 13.5, which states that development should take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:

- Building for Life 12 (for residential developments of 10 or more dwellings).
- Secured By Design/ Safer Places- the Planning System and Crime Prevention.
- Manual for Streets (for residential developments).
- Manual for Streets 2- Wider Application of the Principles (which takes this guidance beyond just residential developments).
- The South Yorkshire Residential Design Guide.

Invariably this includes providing sufficient living conditions in line with Policy GD1 - General Development to ensure that the living conditions and residential amenity of people are protected. It is acknowledged that the South Yorkshire Residential Design Guide (SYRDG) applies specifically 10 or more dwellings, but in its introduction, it clarifies that many of the guidelines are also appropriate to smaller developments, and it provides a point of reference when assessing schemes of less than 10 dwellings.

With regards to the residential amenity of the future occupants of the proposed dwellings; the property is proportioned with the overall floor area of the property exceeding the technical guidelines set out in the SYRDG. The internal arrangement provides lounge, kitchen, and dining room, along with 1no bedroom at ground floor level with 2no bedrooms, family bathroom and office/games room within the roof space. Whilst the plans show that the rooms within the roof space exceed the requirements of the SYRDG, the limited head height has not been factored in. A brief calculation of the useable floorspace, factoring in suitable head height has been undertaken which suggests that suitable accommodation can be provided within the roof space without compromising the residential amenity of the future occupants. The SYRDG also states that dwellings with 3 or more bedrooms should have a private amenity space exceeding 60m2; the proposed dwelling is designed with a private amenity space well in excess of the 60m2 required. With regards to the residential amenity of the future occupants of the proposed dwelling, the unit is generously proportioned with the rooms provided meeting or exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide, in addition, the dwelling would have a private amenity space in excess of 60m2.

It is in this regard that the proposed development complies with SPD Designing New Housing development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Visual Amenity

Local Plan Policy D1 emphasises the importance of retaining the character of the area and protecting the street scene when considering proposals for new dwellings on small infill plots. There are large, detached properties located on the opposite side of the highway which have a footprint that is comparable to that of the proposed dwelling. Whilst most dwellings within the area are two-storey, the 1 ½ storey design of the proposal provides a balance between the two-storey dwelling to the north, and the two-storey dwelling to the south which is located at the slightly lower level.
Whilst there are no standard dormer windows within the street scene, there are examples of wall dormers, which sit partly within the wall and partly within the roof slope, in the properties opposite, it is considered that the inclusion of the standard, vertically proportioned dormer windows would not be out of character with the area and as such are acceptable.

As mentioned previously the site is located within a modern residential estate comprising of brick and rendered properties, the dwelling to the south, 29 Old Road, is the exception, which is constructed from stone. The application form indicates that the dwelling is to be constructed from red brick, which, given the dwelling would front onto Cypress Heights and read in conjunction with these dwellings, red brick is a suitable construction material, nevertheless there are various colourways to red brick and a condition would be included requiring material details to be submitted and approved prior to construction.

It is therefore considered that the proposed dwelling would not appear as an ad hoc addition in the street scene, and the proposal would be in accordance with Local Plan Policy D1.

Highway Safety

Highways have raised no objections to the development and the required number of parking spaces can be provided in accordance with the requirements of Supplementary Planning Document, Parking, in addition Highways are satisfied that the development can be absorbed on the local highway network without giving rise to any problems as such it is considered that the proposal is in compliance with Local Plan Policy T4.

Other Issues

Objections have been raised in relation to the measurements on plan not being as agreed at sale, the impact of construction traffic and the loss of a view.

The dwelling is located within the red line boundary and the ownership certificate has been signed. As such the Local Planning Authority must take this at face value and any dispute is a civil matter rather than a material planning consideration. Likewise, there is no right to a view; the application has been assessed against the relevant policies as outlined above in relation to residential amenity and the loss of a view is not a material planning consideration.

The highway is of a sufficient width to be considered as an adopted highway and it is the responsibility of the construction workers to ensure that they enter and exit the site, and park in a safe manner.

Conclusion

The plans are considered acceptable in terms of the scale and siting of the dwelling, the relationship with neighbouring dwellings in terms of not being injurious to the living conditions of adjoining dwellings and to Highway Safety. It is therefore considered that the proposal put forward complies with Local Plan Policies H4, GD1 and Poll1 and the guidance within Supplementary

Planning Document – Design of New Housing Development and South Yorkshire Residential Design Guide and is acceptable.

Recommendation
Approve subject conditions.