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2024/01067

Mr P Kirby

Land adjacent 60 Coronation Drive, Birdwell, Barnsley, S70 5RL

Erection of 1 no detached dwelling (Outline application with access and layout considered at this stage).

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### Site Description

The application relates to plot of land at the corner of Coronation Drive and Worsbrough Road which forms part of the existing domestic curtilage of 60 Coronation Drive. The development site comprises areas of grass and hardstanding. It is set below Worsbrough Road and is accessed from Coronation Drive and is bounded by a stone wall and vegetation to the north, east and south. The surrounding area is principally residential characterised by two-storey detached and semi-detached dwellings of a similar scale and slightly varying appearance and detached bungalows. The site is located close to the outer edge of the surrounding built environment with St Mary's Cemetery and Green Belt land to the north-east.



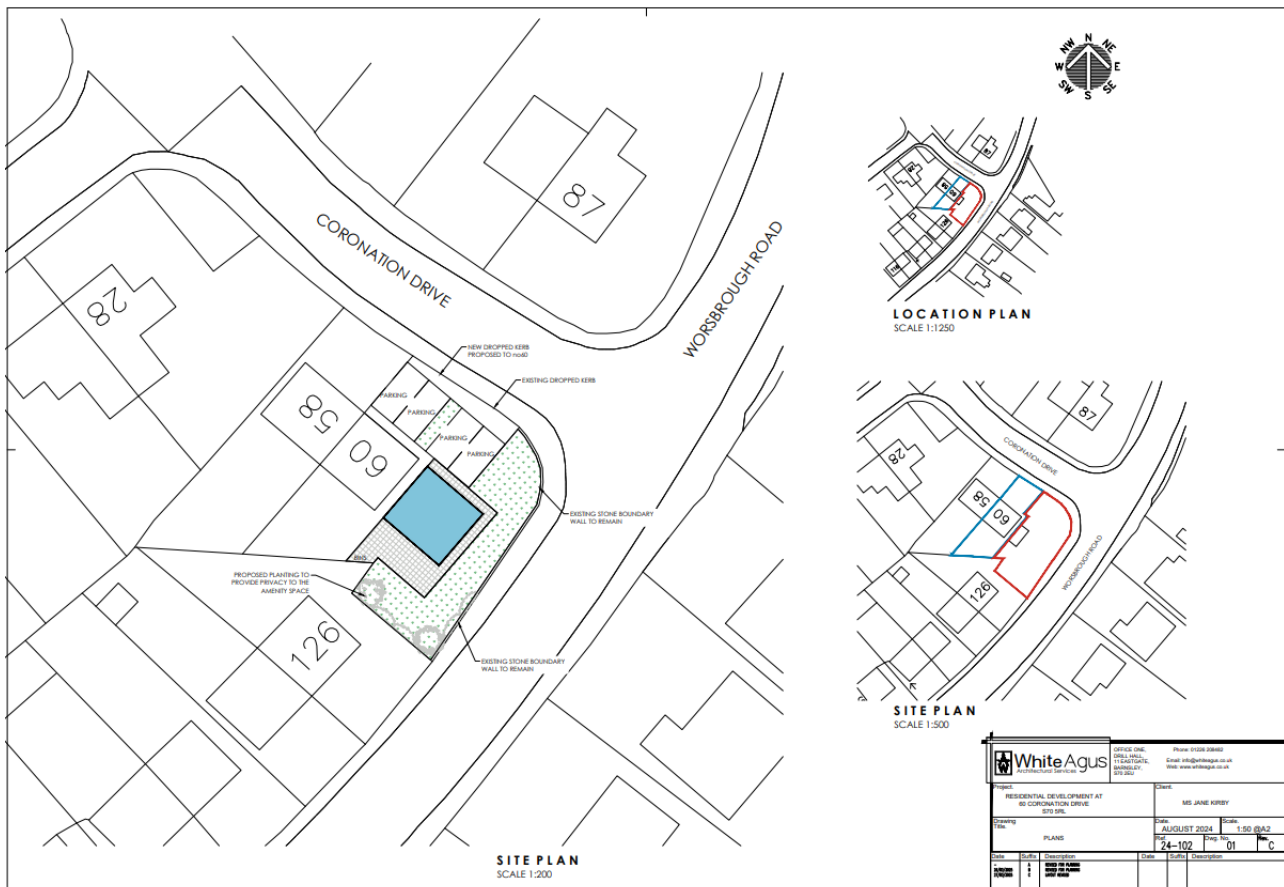
## Planning History

There is no planning history associated with the development site.

## Proposed Development

The applicant is seeking outline approval for the erection of a two-storey detached dwelling with all matters reserved except for access and layout. Access would be off Coronation Drive and an existing private drive would be used. A new drive would be formed and a dropped kerb installed to the front of 60 Coronation Drive. The site plan shows that the proposed dwelling would be detached, located centrally within the site and built up to the north-west party boundary. Private amenity space would be located to the south within the site and planting would be used to provide privacy to this space.

During the application process, the site layout was amended to increase the achievable separation distance between the proposed dwelling and 126 Worsbrough Road by reducing the footprint of the proposed dwelling. The parking spaces were also separated to avoid a continuous strip.



## Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review, which is due to take place in 2027, or earlier, if circumstances require it.

### Local Plan Allocation – Urban Fabric

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. In reference to this application, the following policies are therefore relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy H1: The Number of New Homes to be Built.***
- ***Policy H4: Residential Development on Small Non-allocated sites.***
- ***Policy LG2: The Location of Growth.***
- ***Policy GD1: General Development.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy T3: New Development and Sustainable Travel.***
- ***Policy T4: New Development and Transport Safety.***
- ***Policy D1: High quality design and place making.***
- ***Policy BIO1: Biodiversity and Geodiversity.***
- ***Policy CL1: Contaminated and Unstable Land.***

### Supplementary Planning Document(s)

- ***Trees and hedgerows (Adopted May 2019).***
- ***Design of Housing Development (Adopted July 2023).***
- ***Walls and Fences (Adopted May 2019).***
- ***Biodiversity and Geodiversity (Adopted March 2024).***
- ***Sustainable Travel (Adopted July 2022).***
- ***Parking (Adopted November 2019).***

### National Planning Policy Framework (December 2024)

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant sections include:

- ***Section 5: Delivering a sufficient supply of homes.***

*Paragraph 61. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an*

area's identified housing need, including with an appropriate mix of housing types for the local community.

– **Section 9: Promoting sustainable transport.**

*Paragraph 116. 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, following mitigation, would be severe, taking into account all reasonable future scenarios.*

– **Section 11: Making effective use of land.**

*Paragraph 124. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.*

*Paragraph 130(c). Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).*

– **Section 12: Achieving well designed places.**

*Paragraph 131. The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*

*Paragraph 135. 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<sup>51</sup>; and where crime*

and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

*Paragraph 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

*a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*

*b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

– **Section 15: Conserving and enhancing the natural environment.**

*Paragraph 187(e). Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.*

*Paragraph 187(f). Planning policies and decisions should contribute to and enhance the natural and local environment by: remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

*Paragraph 196. Planning policies and decisions should ensure that:*

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

*Paragraph 197. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.*

Other Material Consideration(s)

- **South Yorkshire Residential Design Guide 2011 (SYRDG).**
- **Planning Practice Guidance.**

## Consultations

Biodiversity	<i>No objections subject to conditions.</i>
Highway Drainage	<i>No objections.</i>
Highways Development Control	<i>No objections subject to conditions.</i>
Mining Remediation Authority	<i>No objections subject to conditions.</i>
South Yorkshire Mining Advisory Service	<i>No objections subject to conditions.</i>
Pollution Control	<i>No objections subject to conditions.</i>
Yorkshire Water Services Ltd	<i>No objection subject to conditions.</i>
Local Ward Councillors	<i>No comments.</i>

## Representations

Neighbour notification letters were sent to surrounding properties. A site notice was placed nearby, expiring 7<sup>th</sup> February 2025. No representations were received.

## Assessment

### Principle of Development

Local Plan Policy H4: Residential development on small non-allocated sites, sets out that 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.

The principle of development is underpinned by Policy H4 subject to compliance with other relevant policies in the plan. The development site is in an area that is principally residential, which comprises a mix of two-storey detached and semi-detached dwellings and detached bungalows. The proposal for the erection of a two-storey detached dwelling would maintain an appropriate housing mix within the local area, and as such, the use of the development site for residential uses would be in-keeping with the local character.

The Design of housing development SPD has a dedicated section regarding development on corner sites which establishes that such development can be particularly difficult to design sensitively, and in addition to general criteria, proposals should usually be designed in compliance with the criteria for infill and backland development. The proposed development is aligned with the characteristics of infill development. The section for infill development requires proposals, amongst other things, to comply with external spacing standards.

Considering the above, the principle of development is considered acceptable, subject to compliance with other relevant policies in the plan and all other material considerations.

The application seeks outline permission with access and layout being considered at this stage. As such, layout and external spacing standards and highways considerations are key elements of the principle of development and an assessment has been made with this in mind.

## Impact upon Residential Amenity

Development is acceptable if it would not have a significant adverse effect on the living conditions and residential amenity of existing and future residents and neighbouring properties. Development will also be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in pollution which would unacceptably affect or cause a nuisance to the natural and built environment or people.

Layout is under consideration at this stage and therefore, an assessment has been made regarding the ability of the proposal to achieve adequate external spacing standards and levels of residential amenity, including outlook and privacy considerations.

Paragraph 4(4) of the Design of housing development SPD sets out that 'proposed habitable room windows at first floor level and above should be a minimum distance of 10 metres from the boundary of any private garden which they would face'.

Paragraph 4(5) of the Design of housing development SPD states that 'walls without habitable room windows (usually side elevations) should be at least 12 metres from habitable room windows'.

Paragraph 4(7) of the Design of housing development SPD states 'distances between new buildings and existing dwellings may be relaxed depending on several factors including site level relationships, existing screening or landscaping and each case will be judged on its merits, but detailed information must be submitted to demonstrate that adequate levels of amenity would be retained for existing residents and provided for residents of proposed dwellings.

Paragraph 4(6) of the Design of housing development SPD states that the 'rear gardens for proposed dwellings should be at least 60 square metres for dwellings with three or more bedrooms. Smaller gardens may be acceptable on corner plots if privacy and daylighting can be maintained.

The proposed layout indicates that an adequate separation distance (21 metres or more) could be achieved between any potential principal habitable room windows on the north-east and south-east elevations of the proposed dwelling and the neighbouring properties opposite, in accordance with the Design of housing development SPD. However, the north-west and south-west elevations would achieve substandard distances, with the south-west elevation achieving approximately 6.9 metres to the south-west boundary and 9.6 metres to the side elevation of 126 Worsbrough Road, contrary to the Council's design guidance. Nevertheless, any potential habitable room windows on the south-west elevation of the proposed dwelling would face secondary windows on the side elevation of 126 Worsbrough Road. Such windows are not afforded the same protections as principal habitable room windows located on the front and rear elevations of adjacent neighbouring properties. Additionally, the NPPF and the Design of housing development SPD allows for some flexibility if living standards would be acceptable. In this instance, a flexible approach has been applied, and it is considered that the proposal could achieve reasonable levels of amenity, including privacy and outlook, for both the occupant(s) of 126 Worsbrough Road and the potential future occupant(s) of the proposed dwelling. However, further consideration would be given at reserved matters stage.

Whilst scale is not under consideration at this stage, an indicative visual model was submitted during the application process showing a two-storey detached dwelling, which would be located to the south of 60 Coronation Drive and to the east of 126 Worsbrough Road. Whilst some overshadowing could occur, the proposed dwelling would conform to existing building lines and would not extend beyond the rear elevations of both adjacent neighbouring properties. Any potential impact would therefore likely be limited to the side elevations of 60 Coronation Drive and 126 Worsbrough Road, affecting only secondary windows. Secondary windows located on side elevations of adjacent neighbouring properties are not afforded the same protections as principal habitable room windows located on the front and rear elevations. Further consideration would be given to scale and potential overshadowing impact at reserved matters stage.

The proposed layout indicates that planting would be utilised to provide privacy to the amenity space located to the south within the development site. It also indicates that the development site is capable of accommodating a garden of at least 60sqm whilst also maintaining a rear garden of approximately 60sqm for the occupant(s) of 60 Coronation Drive, in accordance with paragraph 4(6) of the Design of housing development SPD. Proposed planting behind the existing stone wall (to be retained) could provide adequate levels of privacy. Further consideration would be given at reserved matters stage.

The proposed layout indicates that the footprint of the proposed dwelling could achieve the minimum internal space standards of either a two-bedroom or three-bedroom dwelling as set out by table 4A.1 within the SYRDG. Full details of the internal layout of the proposed dwelling would require further consideration at reserved matters stage.

It is acknowledged that there could be some disruption and nuisance caused to people in the locality during construction and demolition works. However, any impact is anticipated to only be temporary and construction hours can be controlled by condition.

Subject to conditions and further consideration at reserved matters stage, this is considered to weigh significantly in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.*

#### Impact upon Highway Safety

The development is not considered to be prejudicial to highway safety; the development site benefits from an existing dropped kerb access and off-street parking arrangements off Coronation Drive. It is proposed that an additional dropped kerb would be installed and a parking area formed to the front of 60 Coronation Drive, which would provide satisfactory off-street parking arrangements for both 60 Coronation Drive and the proposed dwelling, in accordance with the Parking SPD and Local Plan Policy T4. Highways Development Control were consulted, and no objections were received subject to conditions.

Subject to conditions, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.*

#### Impact upon Visual Amenity

Development is acceptable if it would remain subservient and would be of an appropriate scale and design. Development should also provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces.

Outline approval is sought with layout and access considered at this stage. As such, the application is not supported by detailed floor plans and elevations and therefore, a full assessment has not been made regarding design and visual amenity. However, an indicative visual model was provided during the application process which shows a two-storey building, which would be in-keeping with the local character. Full details of scale and design and external appearance will require further consideration at reserved matters stage.

The proposed dwelling would maintain established building lines and the proposed layout shows the dwelling would adopt a footprint like that of adjacent properties.

The proposed layout shows that an existing stone boundary wall would be retained. However, some permitted development rights will be removed to avoid the erection of fences adjacent to this wall



amongst other things, in accordance with Local Plan Policy D1 and the Council's design guidance within the Walls and fences and Design of housing development SPDs.

The proposed layout indicates that planting would be implemented to the south in the development site. This is acceptable in principle; however, full details of landscaping will be considered at reserved matters stage.

During the application process, the proposed layout was amended to separate proposed car parking spaces to avoid the unacceptable formation of a continuous strip, in accordance with the Design of housing development SPD.

Subject to conditions and further consideration at reserved matters stage, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.*

#### Impact upon Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This application is subject to BNG.

This application is supported by a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain Assessment. It is stated that there would be a minor loss of vegetated garden – a low distinctiveness habitat. The size of the application site means that there is no opportunity to achieve a 10% net gain. A Statutory Biodiversity Metric for small sites has also been submitted which shows the development would result in a 37.43% net loss of habitat units and trading rules have not been met. The required 10% net gain will therefore need to be provided either through off-site mitigation or by the purchasing of units from a habitat bank provider and will need to be evidenced when discharging the Statutory Biodiversity Gain Plan condition.

The recommendations of the PEA and BNG Assessment are generally agreed with. However, details of the provision of integral bat and bird boxes within the proposed dwelling and hedgehog highways within boundary fencing should be provided. It is recommended that these details should be secured by condition, in accordance with the Biodiversity and Geodiversity SPD.

The Council's Ecologist was consulted, and no objections were received subject to conditions. This application is subject to the Statutory Biodiversity Net Gain and Gain Plan conditions. The Gain plan should be prepared in accordance with the ecological details submitted and evidence of off-site mitigation or the purchase of units from a registered habitat bank provider will be considered when submitted to the LPA for consideration to satisfy the relevant statutory condition(s).

*The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.*

#### Impact upon Contaminated and Unstable Land

The development site is within a development high risk area as identified by the Mining Remediation (Coal) Authority and therefore, the application is supported by a Coal Mining Risk Assessment.

The submitted CMRA has been considered by the Mining Remediation (Coal) Authority (MRA) and South Yorkshire Mining Advisory Service (SYMAS), who were consulted.

The MRA states that the authority's information indicates that the development site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depths,

and voids and broken ground associated with such workings may pose a risk to ground stability and public safety. The MRA states that the submitted CMRA reinforces the risks to ground stability posed by shallow coal mining workings and recommends the undertaking of an intrusive probe drilling investigation prior to development to ascertain the ground conditions and establish the presence or otherwise of mine workings and inform any necessary remedial works required. The MRA states that they concur with the reports' recommendations and intrusive site investigation works should be undertaken prior to development to establish the exact situation regarding coal mining legacy issues on the site. The MRA therefore raised no objections subject to conditions. SYMAS also raised no objections subject to conditions.

Subject to conditions, this is considered to weigh significantly in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy CL1: Contaminated and Unstable Land and is considered acceptable.*

#### Impact upon Drainage

Colleagues in Drainage have assessed the proposal and associated details and raised no objections and are happy for details to be checked during future regulatory stages. Yorkshire Water were also consulted and raised no objection subject to conditions.

Subject to conditions, this is considered to weigh modestly in favour of the proposal.

#### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal constitutes acceptable development in respect of highway safety and residential and visual amenity and would comply with national and local planning policies and guidance, although further consideration will be required at reserved matters stage.

**Recommendation -  
Approve with Conditions**