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**2024/0083**

Applicant - Mr Samuel Shaw

Proposal – Demolition of 25 and 27 Millhouses Street and erection of 4 no. detached dwellings with integral garages (outline application including appearance and scale)

Address – 27 Millhouses Street, Hoyland, Barnsley, S74 9BQ

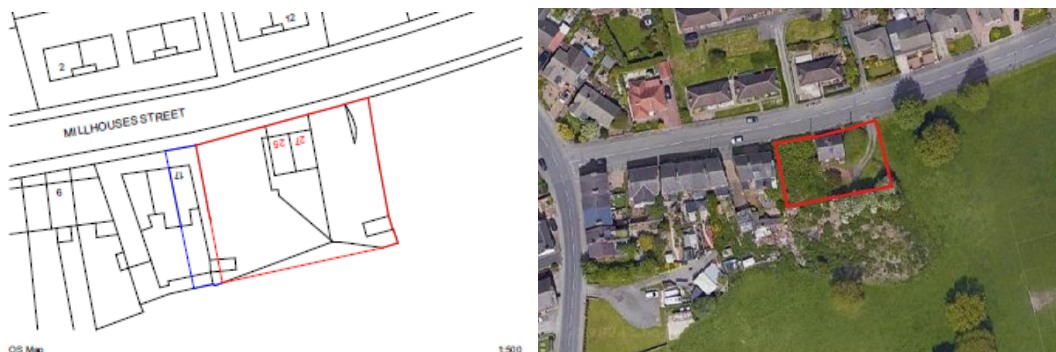
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## Description

The site is rectangular in shape, measures approx.. 911m<sup>2</sup> and sits to the South of Millhouses Street in Hoyland. Centrally within the site, and fronting the highway, are a pair of vacant semi detached dwellings which are on a lower level than the highway. Vacant land and gardens surrounds the dwellings which is currently unkempt and overgrown. Vehicular access to the site is taken from Millhouses Street to the North Eastern corner which leads to the rear of the dwellings via a partially unmade track.

There are neighbouring 2 story dwellings to the West of the site with bungalows located directly opposite. To the East and South of the site is a large recreational ground. There is some hedging to the front of the site and trees/bushes to the rear boundary adjacent to the recreational ground.

## Redline Boundary



## Site History

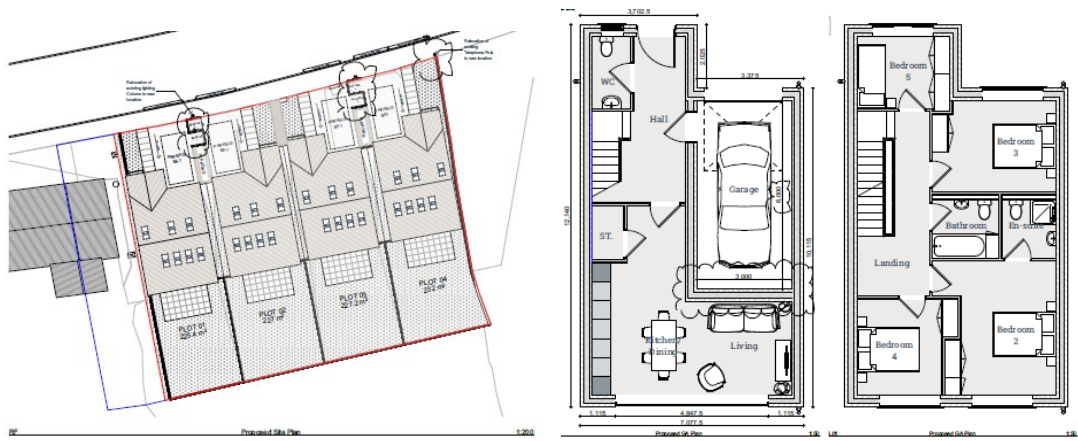
Pre-application advise was previously provided under reference number 2020/ENQ/00894 which was for 'demolition of 25/27 Millhouses Street and construction of 5no. dwellings.

## Proposed Development

The applicant seeks permission to demolish the 2no. existing semi detached dwellings and outline permission (including appearance and scale) for the erection of 4no. detached, 2 storey dwellings. The dwellings would front Millhouses Street and take vehicular and pedestrian access from it.

Each dwelling would have an open plan living/dining/kitchen, WC and integral garage at ground floor level, four bedrooms and a bathroom at first floor level and an ensuite bedroom within the roofspace.

2no. in curtilage parking spaces are proposed, 1no. on a driveway to the front of the dwelling and 1no. within the integral garage.



## **Policy Context**

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now 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 and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering 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. The next review is due to take place in 2027 or earlier if circumstances, require it.

The site is allocated as Urban Fabric and is within the Dearne Valley Green Heart. Green Space adjoins the site to the East and South.

The following policies are of relevance:-

GD1 General Development  
H1 The Number of New Homes to be Built  
H4 Residential Development on Small Non-allocated Sites  
H6 Housing Density and Efficient Use of Land  
LG2 The Location of Growth  
GB1 Protection of Green Belt  
GB2 Replacement, Extension and Alteration of Existing Buildings in the Green Belt  
T3 New Development and Sustainable Travel  
T4 New development and Transport Safety  
I1 Infrastructure and Planning Obligations  
SD1 Presumption in Favour of Sustainable Development  
CC1 Climate Change  
CC3 Flood Risk  
CC4 Sustainable Drainage Systems (SuDS)  
D1 High Quality Design and Place Making  
Poll1 Pollution Control and Protection  
BIO1 Biodiversity and Geodiversity

### SPDs

The proposals have been considered in relation to the following SPD's:-

- Design of housing development
- Parking
- Trees and Hedgerows

### Other Guidance

South Yorkshire Residential Design Guidance

### NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable

development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 59 - 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

Para 65 - Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership

Paras 74-77 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 131 - trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 134 - '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.

## **Consultations**

Drainage – No objections subject to conditions

Biodiversity – No objections, subject to conditions, following the submission of the bat survey.

Highways – Initially raised concerns with the internal dimensions of the integral garages, however these were amended to 6m x 3m and Highways are now satisfied, subject to conditions, that 2no. parking spaces are provided per dwelling.

Superfast South Yorkshire – Broadband is now covered by Building Regulations

South Yorkshire Mining Advisory Service – No objections subject to CA standing advice.

The Coal Authority – No objections subject to an informative

Yorkshire Water – No objections subject to conditions

## **Representations**

The application was advertised by way of a site notice and neighbour notification letters were sent to 11no. surrounding properties. One letter of support has been received stating that the existing properties have been vacant and derelict for a number of years and the redevelopment of the site would be of benefit to the visual amenity of the streetscene.

## **Assessment**

### Principle of development

The site is located within the boundary of Hoyland which is a principal town. It is also within walking distance of the various facilities and services on offer within Hoyland town centre itself and is within close proximity to Elsecar train station. The significance of the site being within a principal town is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms, making it compliant with policies LG2 and H2. It would also be a relatively small but valuable windfall site, given the site currently accommodates 2no. vacant properties and 4no. larger detached homes are proposed.

In addition to the above all new dwellings 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. Development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety.

### Visual amenity

The site currently accommodates 2no. semi detached dwellings which have been vacant and partly boarded up for a number of years, resulting in a negative impact on the visual amenity of the streetscene. The remainder of the site is also overgrown and unkempt. Given the prominent location of the site, adjacent to Millhouses Street and bordering a public recreational ground to 2 sides, the site as it stands has a negative impact on the visual amenity of the streetscene. It is acknowledged that the 2no. semi detached dwelling could be brought back into use and the associated garden areas landscaped, however, given the dwellings have been empty for so long there is clearly a lack of appetite for this to occur.

The application is an outline, however, appearance and scale have been applied for. The applicant proposes 4no. detached, 2 storey dwellings with a frontage onto Millhouses Street. The dwellings would provide the same accommodation but they would be handed with plots 1 and 3 having the front projecting gable on the right and plots 2 and 4 having it to the left. This would add interest and variety to the streetscene despite the properties being essentially the same.

Although the properties to the North of the site are predominantly bungalows, the dwellings to the West, on the same side of Millhouses Street as the application site, have accommodation over 2/3 floors. The properties to the West generally have

smaller frontages and are semi-detached or terraced, however, the application site is on a lower level and the roof ridges would step down, ensuring they would not be overly prominent or dominant on the streetscene. The dwellings have accommodation over 3 floors but the second floor is within the roof space and is served by rooflights which are a common feature within the area. Furthermore, there are larger 2/3 story dwellings and apartment blocks to the East of the site.

The design of the dwellings would sit comfortably within the area and the front projecting gables are reflective of the bungalows opposite. It is noted that the dwellings are proposed to be constructed of brick, whereas the immediately adjacent dwellings to the West are stone fronted. However, the existing dwellings on the site are brick, as are the bungalows directly opposite, as such, the proposed materials would sit comfortably within the streetscene.

The current semi detached dwellings are also set down from the street and have limited interaction with it. The proposed dwellings would be on a similar level and, as such, there would be more of a connection with the streetscene, similar to the neighbouring properties, through the pedestrian and vehicular access points.

Parking for the dwellings would be to the front, but as the second space would be within the integral garage, the frontages would not be car dominant. Furthermore, each property would have a soft landscaped buffer garden to break up the hard landscaping.

Overall the proposal would sit comfortably within the streetscene and develop a vacant and partially derelict site which has had a negative impact on the streetscene for a number of years. As such, the development would comply with Local Plan Policy D1 and the SPD Designing New Housing Developments.

### Residential Amenity

The Supplementary Planning Document 'Design of Housing Development' provides guidance in terms of separation distances and other amenity requirements, in order to ensure that any new development does not cause significant impact by way of overlooking, overbearing and overshadowing of existing dwellings and their private gardens.

There are no neighbouring properties to the East and South of the site given the location of the recreational ground and the bungalows opposite are set back from the highway and separated from the site by Millhouses Street.

Plot 1 would be adjacent to the existing dwellings to the West and the rear elevation of the proposed dwellings would project beyond the existing neighbouring rear elevation, and associated rear extension, of the neighbouring dwelling. However, given the neighbouring rear elevation and garden are South facing, the increase in overshadowing would not be substantial enough to warrant refusal in this case. Furthermore, the proposed development would not significantly impact on outlook.

In terms of the future residents of the proposed dwellings, the internal spacing exceeds the requirements of the South Yorkshire Residential Design Guide and the rear garden spaces exceed the minimum 60m<sup>2</sup> set out in the SPD.

As such, overall the proposal is considered acceptable when measured against the guidelines set within the SPD Design of Housing Development in terms of residential amenity and the proposal complies with Local Plan Policy GD1 of the Local Plan.

### Highway Safety

Each property would have direct vehicular and pedestrian access from Millhouses Street similar to a number of dwellings within the immediate area, particularly to the East of the site. Each proposed dwelling would have 1no. in curtilage parking space to the front of the dwelling and one within the integral garage. As the internal space within the garage is 6m x 3m it is large enough to be classed as a parking area and not just a storage area. As such, each property has 2no. parking spaces which accords with SPD 'Parking'. Highways DM have been consulted on the application and have raised no objections subject to suitably worded conditions.

Consequently, there are no objections to the proposed development in a highway context, subject to conditions. The proposal is considered acceptable in terms of Highway Safety in accordance with the SPD and Local Plan Policy T4.

#### Drainage/Flood Risk

The Councils Drainage team have raised no objections to the proposal subject to a suitably worded condition. Similarly, Yorkshire Water have no objections subject to conditions.

#### Coal Mining Legacy

The application site falls marginally within the Coal Authority's defined Development High Risk Area (DHRA). The Coal Authority's information indicates that the Kents Thick coal seam is conjectured to outcrop at or close to the surface in the north western corner of the application site, dipping in a north westerly direction away from the site. This coal seam may have been worked in the past. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The proposed dwellings would be sited entirely outside the DHRA, i.e. within the Development Low Risk Area, with only a small portion of the frontage of the westernmost plot being within the DHRA. This element of the scheme is unlikely to require significant groundworks.

The application is accompanied by a Coal Mining Risk Assessment report (June 2022, prepared by G&M Consulting). Based on a review of relevant sources of coal mining and geological information, the report correctly notes that the Kents Thick coal is shown to outcrop on the northern boundary of the site and will therefore not underlie the main area of the site. As such, it concludes that the seam and any associated workings pose a low risk to development at the site, but points out that should the outcrop lie further south than indicated, there exists a risk that crop workings or bell pits may be present.

The report goes on to advise that intrusive investigations for geotechnical and geoenvironmental purposes should be extended to confirm the location of the Kents Thick coal outcrop. It recommends that a pre-construction site strip should be carried out and the sub surface examined for any evidence of disturbance that may indicate shallow mining, with foundation excavations also be examined for evidence of disturbance. It advises that any workings encountered would then need to be remediated.

Based on the information submitted, and the position of the proposed dwellings, both SYMAS and the Coal Authority do not deem it necessary for further investigations to take place or for these to be conditioned. In stead they have recommended a suitably worded informative.

#### Biodiversity

The application is supported by a Preliminary Roost Assessment (PRA) report, which details the findings of a building inspection in the interest of roosting bats. The buildings proposed for demolition have been assessed as having a moderate potential to support roosting bats and the report goes on to recommend two emergence/re-entry surveys as per the survey guidance. These surveys should follow methodologies set out within the recently updated guidance published by the Bat Conservation Trust (2023).

At the request of the Biodiversity Officer the relevant emergence/re-entry surveys have been carried out and submitted. No roosting bats were recorded and therefore no adverse impact upon such species as a result of the proposals is anticipated. The implementation of bat roost and bird nesting features on each of the proposed new dwellings will be conditioned

The proposal is therefore acceptable when measured against policy BIO1 and the Biodiversity/ Geological Conservation SPD.

### **Trees**

The tree survey revealed 5 items of woody vegetation, comprised of 4 individual trees and one group of trees and shrubs. Of the surveyed trees, 1 tree is category 'B' and the remaining trees and group are category 'C'.

Species diversity at the site is relatively poor, the dominant species are Hawthorn and Elder with occasional Sycamore and Yew. The site's trees have a good age diversity with a mix of semi-mature, early-mature and mature trees.

The majority of the trees and shrubs, including the category 'B' tree, are located adjacent to the rear boundary and the proposed dwellings would be out of the root protection areas. As such, the majority of the trees can be retained and incorporated within the development.

Suitably worded conditions will be recommended and landscaping will be assessed further at reserved matters stage.

### **Conclusion**

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, H1, H2, H6, GD1, I1, BIO1, T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay.

### **Recommendation**

Grant subject to conditions