

<b>Application reference number</b>	2024/0710
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<b>Application Type</b>	Outline
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<b>Proposal Description:</b>	Outline application for 1no detached dwelling with all matters reserved
<b>Location:</b>	2 Pickhills Avenue, Goldthorpe, Rotherham, S63 9JE

<b>Applicant</b>	Mr G Handley
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<b>Number of Third Party Reps</b>	Two	<b>Parish:</b>	N/A
		<b>Ward:</b>	Dearne North

### Site Description

The application relates to a parcel of land which currently forms the side garden of 2 Pickhills Avenue, which is located at the junction of Pickhills Avenue and Doncaster Road, Goldthorpe. The site is accessed from Pickhills Avenue which contains semi-detached and detached dwellings and is predominantly residential in nature.

The existing property is a red-brick semi-detached dwelling which benefits from a single attached side garage with a garden area to the north and west.

The site is bounded by a 1m red brick wall, a laurel hedging along the front eastern Pickhills Avenue boundary, and 1.8m close boarded fencing along the northern Doncaster Road boundary. A row of trees are located within the cemetery beyond the western boundary.

### Proposal

The applicant seeks approval for outline permission for the erection of 1no detached dwelling with all matters reserved.

The applicant has submitted indicative plans relating to access and layout to support the application. These plans have been used to assess the principle of development but have not been assessed in detail given the outline nature of the application.

Following an initial assessment of the plans submitted it was determined that the scaling of the proposed block plan was incorrect, and the correct scaling indicated that the site was not of a sufficient size to accommodate 2no dwellings. The applicant was asked to amend the plans to the correct scaling and remove 1no dwelling from the scheme



## Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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 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.

## Local Plan

The site is allocated as Urban Fabric and adjacent to an area of Green Space, as identified within the Local Plan Proposals Maps and the Green Space Register respectively and therefore the following policies are relevant: -

- Policy H4 Residential Development on Small Non-allocated Sites
- Policy H9 Protection of Existing Larger Dwelling
- Policy GD1 General Development
- Policy D1 High Quality Design and Place Making
- Policy T4 New development and Transport Safety
- Policy Poll1 Pollution Control and Protection
- Policy BIO1 Biodiversity and Geodiversity
- Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth  
Policy H1 The Number of New Homes to be Built  
Policy H2 The Distribution of New Homes  
Policy RE1 Low Carbon and Renewable Energy

Adopted Supplementary Planning Documents relevant to this application:

Design of Housing Development  
Parking  
The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework (NPPF) - December 2024

The National Planning Policy Framework 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. NPPF policies of relevance to this application include:

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

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

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.

Paragraphs 78 and 79 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Paragraph 96 Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

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 would be severe.

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.

Paragraph 136 Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

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.

Paragraph 187 Planning policies and decisions should contribute to and enhance the natural and local environment.

### **Relevant Consultations:**

Drainage – No objections; works to be checked by Building Control

Forestry Officer – No objections subject to conditions

Highways DC – No objections subject to conditions

Pollution control – no objections subject to conditions

Neighbouring Authority (Rotherham Metropolitan Borough Council) - No objections

Ward Councillors - No objections received

Yorkshire Water – No objections received

### **Representations**

Neighbour notification letters were sent to 4 surrounding properties, and a site notice was placed adjacent to the site.

2 representations were received in relation to the original description. The 2 representations raised the following material planning issues:

- Site is incapable of accommodating 2no dwellings of comparable design and size
- Impact on highway safety due to width of Pickhills Avenue and the proximity of the site with the junction with Doncaster Road
- Increase in traffic and parking due to 2no additional dwellings
- The design will not reflect the historical character of the original dwellings on Pickhills Avenue

The following matters were also raised, however these are not material planning considerations and as such are afforded no weight:

- Covenants in place on the property which restricts the building of additional dwellings at 2 Pickhills Avenue
- Damage to neighbouring boundary wall
- Low water pressure

Following the submission of an amended block plan, and subsequent amendment to the description, neighbours were reconsulted. No additional comments have been received

### **Assessment**

The main issues for consideration are as follows

- The acceptability of residential development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate

- Modest
- Limited
- Little or no

### Principle of development

The site is located within a wider allocation of Urban Fabric. The site is also located in a residential area and so it is therefore considered that redevelopment for housing is a compatible use. The site is located within the principal town of Goldthorpe, which is a priority location for housing growth.

Local Plan Policy H4 'Residential Development on Small Non-allocated Sites' states that proposals for residential development on sites below 0.4Ha will be allowed where the proposal complies with other relevant policies in the plan. These sites make a valuable contribution to the housing supply. Sites in towns and villages can offer good opportunities for providing houses where other people already live, near to shops and services. Developing these sites also reduces the need to provide new sites outside settlement boundaries. We will allow small scale residential development within towns and villages in line with other plan policies, including those protecting peoples living conditions, road safety and design.

Local Plan Policy H9 'Protection of Existing Larger Dwellings' states that development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. The size of the host dwelling is unclear in terms of the number of bedrooms, on the assumption it is currently a 3-bedroomed property which could be considered a larger home through modification, in this instance the development of the side garden is considered acceptable as the proposal would add to the existing housing stock and the garden areas of both the host property and proposed property are proposed to have gardens well in excess of the 60m<sup>2</sup> required in SPD 'Design of Housing Development'.

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. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below.

### Residential Amenity

The SPD states that the distance between facing habitable room windows should be 21m, the distance between a habitable room window and a blank gable wall should be 12m and that habitable room windows at first floor level and above should be a minimum of 10m from the boundary of any private garden which they would face.

It is acknowledged that the indicative distance between the rear elevation of the dwelling and the boundary of the rear garden is reduced to approximately 5m due to the depth of the site. SPD paragraph 4.4 states *Proposed habitable room windows at first floor level and above should be a minimum of 10 metres from the boundary of any private garden which they would face. A reduced distance may be accepted for bungalows provided they meet garden size standards and ensure adequate levels of amenity for occupants in terms of outlook, privacy and daylight.* In this instance, given that there are no residential properties located beyond the rear boundary and that the area of the rear garden exceeds the requirements for dwellings of this size, and that the depth is comparable to the existing dwellings along the western side of Pickhills Avenue, the reduced garden depth of approximately 5m is considered acceptable.

The plot is considered a sufficient size to accommodate a dwelling of the indicative proportions put forward without impacting on the amenity of surrounding properties. 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 and as such this carries significant weight in favour of the proposal.

#### Scale, Design and Impact on the Character

As mentioned previously, this outline application is with all matters reserved, and therefore a full assessment of the design of the proposed dwellings would be made at the reserved matters stage.

It is acknowledged that the western elevation of the indicative siting is located within close proximity of the northern boundary, however the parcel of land located between the site boundary and the Doncaster Road highway is to remain undeveloped and the inclusion of suitably designed landscaping would lessen the impact of the proposal on the Doncaster Road street scene.

Nevertheless, the application is at outline with all matters reserved and the design and appearance, siting and layout would be evaluated later. However, it is considered that suitably designed dwellings could be achieved in line with Local Plan Policy D1, which carries significant weight in favour of the development.

#### Highway Considerations

The site is positioned on Pickhills Avenue, a residential cul-de-sac in Goldthorpe; this is considered to be a sustainable location with access to local amenities and good public transport links.

Although this is an outline application with all matters reserved, highways raise no objection to the development subject to the inclusion of conditions. The indicative siting suggest the appropriate levels off-street parking provision can be provided for both the existing and proposed dwelling. However, the indicative layout is shown as being achieved by extending the existing dropped kerb vehicular access, moving it closer toward the Pickhills Avenue junction with Doncaster Road. This would be too close to the priority junction and would likely lead to vehicle conflict; the access is already closer than the separation distance of 20m that should ordinarily be provided, it would not be acceptable to move the access closer. However, access into the site would need to be confirmed and fully assessed at reserved matters stage.

Notwithstanding the above, the proposals are acceptable in principle from a highways development control perspective. It is therefore considered that the proposed development is in line with the Council's SPD for Parking and Local Plan Policy T4: New Development and Transport Safety and is acceptable in terms of highways safety.

#### Impact on Geodiversity and Biodiversity

National requirements have seen the introduction of Biodiversity Net Gain (BNG). In England; BNG is mandatory under the Town and Country Planning Act 1990, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality habitat than before a development. These regulations were introduced on 12th February 2024 and applied to any application submitted after this date.

Whilst this application was submitted after this date, there are exemptions which can be applied; one of which is an exemption where the development the development would impact less than 25 square metres of the garden area (not including hard surfaced areas or areas occupied by buildings). This scheme would comply with this exemption.

## **PLANNING BALANCE & CONCLUSION**

In accordance with Paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for residential development in the Local Plan and this weighs considerably in favour of the application. In addition, the amendments that have been undertaken have shown that a suitable layout can be achieved that would be reflective of the character of the area and safeguard neighbouring properties through appropriate separation distances and this weighs significantly in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions and holistically this weights moderately in favour of the application.

Having balanced all material planning considerations, the positive aspects of the proposal outlined above are not outweighed by any other materials planning considerations and as such the proposal is therefore, on balance, recommended for approval subject to the conditions listed below.

### **Recommendation**

**Grant planning permission subject to conditions.**

### **Justification**

## **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application.

The initial assessment of the plans indicated that the scaling of the block plan was incorrect, and the correct scaling indicated the site was not large enough to accommodate 2no dwellings, and it was requested that the development be reduced to 1no dwelling.

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**