
2022/1307

Applicant: Mr Janos Taller

Description: Erection of 2no detached two storey dwellinghouses and associated works

Site Address: 1 Grove Street, Worsbrough Dale, Barnsley, S70 4SN

Site Location and Description

The application relates to a triangular piece of land located between Bank End Road and Grove Street. The site is largely overgrown and slopes from the Northern boundary down to the Southern boundary. The site is relatively open to Grove Street but is separated from Bank End Road by a stone boundary wall. The site was previously the garden area associated with the detached dwelling immediately to the East.

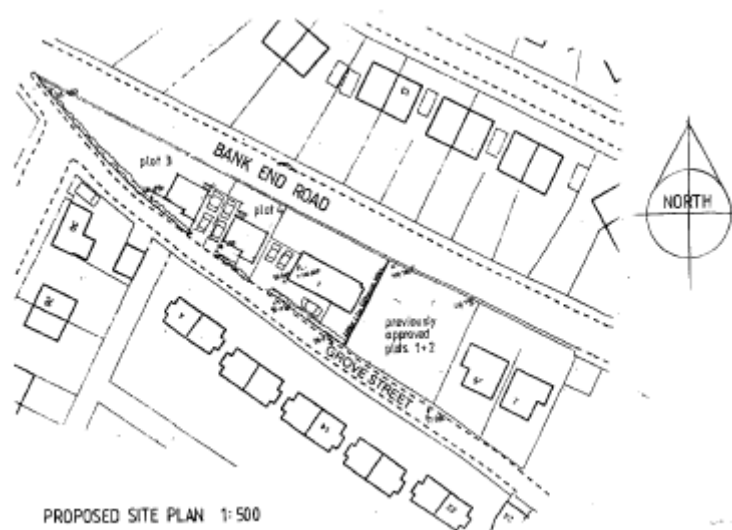
The surrounding area is predominantly residential in nature with properties directly opposite Grove Street, including 5 pairs of recently constructed 2.5 storey dwellings. There are also semi detached dwellings on a higher level to the North which front Wellington Crescent and back onto Bank End Road.

Site History

2007/0676 – Erection of 3no. dwellings – approved

2008/0547 – Erection of 2no. detached dwellings - approved

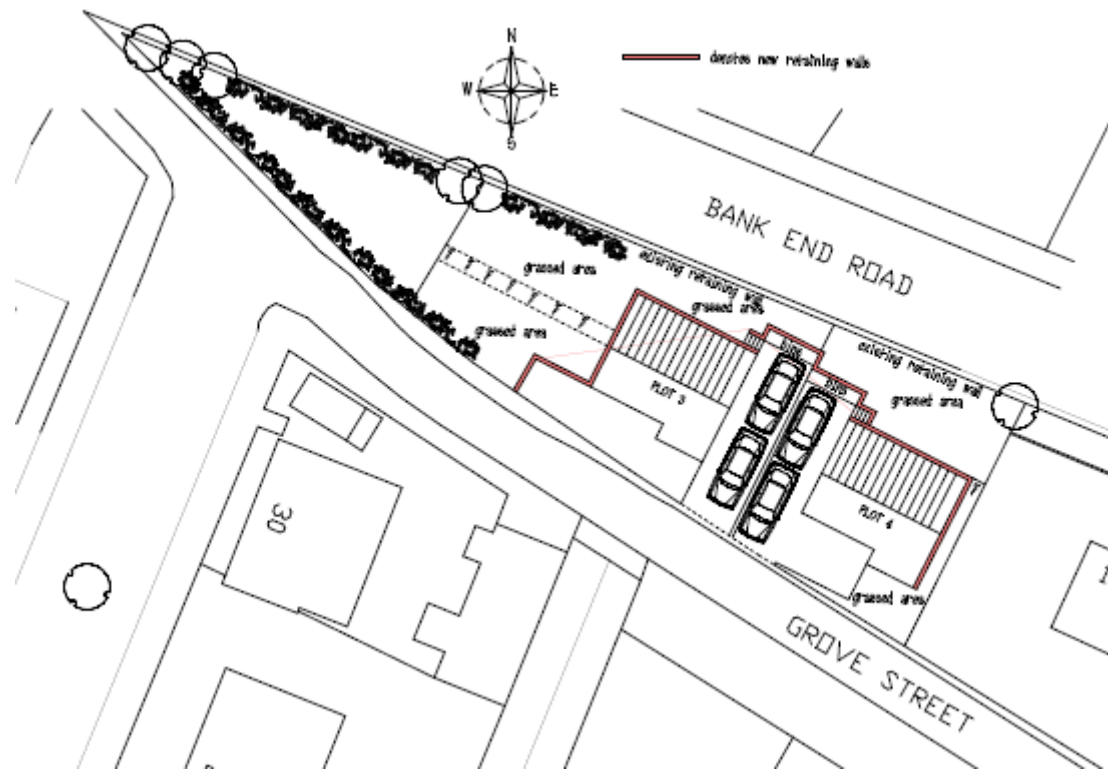
2011/0427 – Erection of 2no. detached dwellings (2008/0547 Extension of time limit) – Approved



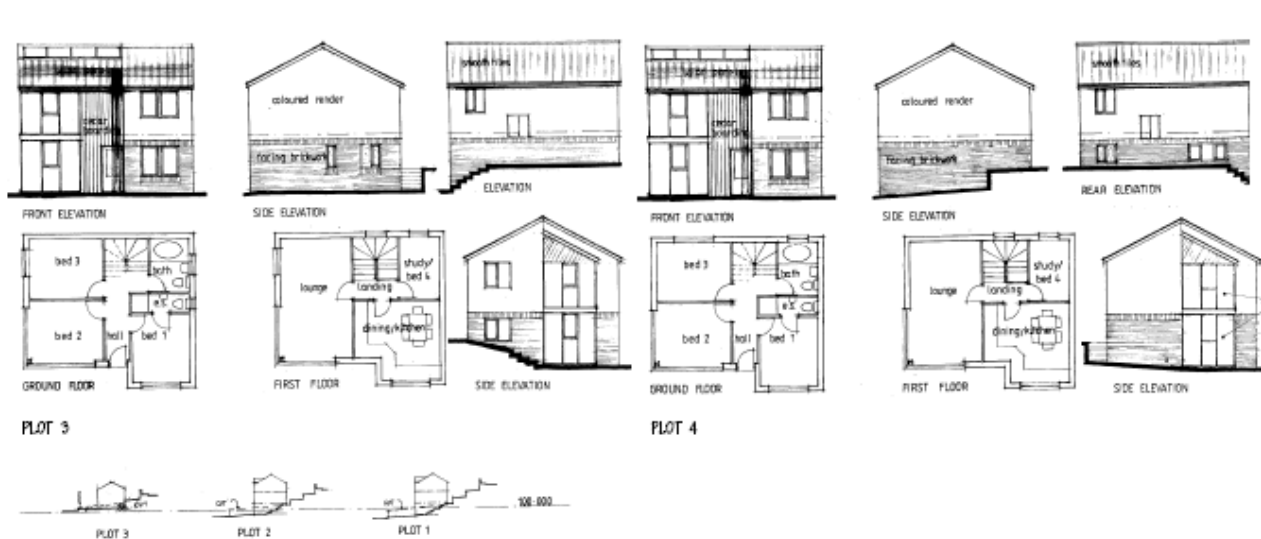
Proposed Development

The applicant seeks permission to erect 2no. detached dwellings. Both dwellings would have accommodation over 2 floors and include a lounge, kitchen diner, and study/bedroom 4 on the ground floor and 3 bedrooms (1 no. en-suite) and a bathroom on the first floor. Both properties have 2no. tandem parking spaces adjacent to the side elevations. Plot 4 has a raised rear garden area and plot 3 has a small rear garden and a triangular tiered side garden.

Site Plan



Elevations & Floor Plans



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 within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy H1 The Number of New Homes to be Built

Policy H4 'Residential Development on small non-allocated sites'

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

Policy I2 Educational and Community Facilities

SPD's

Those of relevance to this application are as follows:

- Designing New Residential Development
- Parking
- Sustainable Travel

Other

South Yorkshire Residential Design Guide

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 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 130 – sets out the requirements for development in terms of layout and design.

Consultations

Highways – No objections subject to conditions

Biodiversity – No objections

SYMAS – No objections subject to condition

Coal Authority – No objections subject to condition

Ward Councillors – No comments

Representations

9no. letters were sent out to neighbouring properties and a site notice was erected within the immediate area. 2no. letters of objection have been received. The main points of concern are;

- Overlooking/loss of privacy
- Height of dwellings
- Increase in traffic on a narrow road
- Increased pressure on parking

Assessment

Principle of development

The site is located within Worsbrough which is part of Urban Barnsley. The significance of the site being located in Urban Barnsley area 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.

The site is allocated as Urban Fabric within the Local Plan. Local Plan policy H4 'Residential Development on small non-allocated sites' states 'proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies within the plan. SPD 'Design of Housing Development' states that infill development should be orientated to have a frontage to the existing public highway and reflect the building line and spacing within the immediate area.

All new dwellings proposed 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, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Permission has previously granted on the site for 2no. very similar properties, however, it should be noted that those applications were determined prior to the adoption of the current policies and guidelines, as such, those applications do not set a precedence and this application will be assessed against the most upto date policies under the headings set out below.

Design / Visual Amenity

Inline with SPD 'Design of Housing Development' the proposed dwellings would have a frontage to the existing public highway and the space between the dwellings reflects the prevailing character of the streetscene.

Grove Street is made up of differing styles, ages and sizes of properties including individually designed detached houses, traditional stone terraced dwellings and recently constructed semi detached dwellings. As such, there is not a set architectural language for the proposed development to adhere to. However, the dwellings are 2 storeys in height, consistent with the neighbouring properties, have a similar scale and take design cues from neighbouring dwellings such as the materials and front projections. As such, the proposed dwellings would sit comfortably within the streetscene, in accordance with Local Plan Policy D1.

Both dwellings have a soft landscaping/garden area between the highway and the front elevation to aid soften the development and the parking for the dwellings is adjacent to the side elevation which avoids a car dominated frontage and streetscene and is also consistent with the neighbouring dwellings.

Although the dwellings would be adjacent to Grove Street and prominent from the site frontage, given the land levels, they would be partially built into the site with Bank End Road immediately to the North and Clarkson Street to the West both at a higher level which significantly reduces the prominence of the dwellings.

Both dwellings have pedestrian access to the rear which allows for bin storage away from the front elevation and the streetscene.

Residential Amenity

The front elevation of plot 3 (as it is labelled on the layout drawing) would fall short of a 10m separation distance to the side boundary of 30 Clarkson Street and its private rear amenity space beyond. However, the front elevation of plot 3 does not directly face the garden and instead faces the garage door of the outbuilding, as such, views would be at an angle. In addition, views from the ground floor windows would be obscured by the outbuilding and boundary treatments. As such, the angled and offset views from the second bedroom on the first floor would not significantly reduce privacy levels.

Plot 4 faces the front elevation of a pair of the newly built semi detached dwellings to the South of Grove Street and would be on a higher level. However, the separation distances are between 14m and 18m which is in accordance with the SPD when properties are separated by a road.

The dwellings would be immediately adjacent to the Existing detached dwelling on Grove Street, however, they would be on a similar building line, separated by a driveway and orientated to the North West, as such, they would not significantly increase overshadowing or be an overbearing feature, in accordance with Local Plan Policy GD1.

There are dwellings to the North of the site but they are a significant distance, separated by Bank End Road and built on a much higher level.

In terms of the amenity of the future residents of the properties, the internal spacing generally meets the requirements of the South Yorkshire Residential Design Guide. It is noted that the study/bedroom 4 falls short of the required 7m² for a single room but the requirements in terms of parking and gardens for a 3 and a 4 bedroom property are the same.

In terms of the garden areas, both properties have at least 60m² of useable garden space. It is acknowledged that it is a sloping site but level patio and grassed areas would be created through terracing.

Given the comments above, the amenity of existing and proposed residents would be acceptable and in accordance with the SPD and Local Plan Policy GD1.

Highways Safety

The gradient of the site is approx. 1:3 rising from front to rear. Grove Street is substandard in that it is approx. 3.6 metres wide with narrow footways to either side. To the West, the junction of Grove Street with Bank End Road is outstandingly substandard and left-in & right-out manoeuvres are impossible. The alternative route via Clarkson Street and High Street involves a similar but less extreme junction with Bank End Road. Access from the east via Grove St and Pantry Hill is by a steep gradient and tight right-angled bend.

However, this is an existing situation and Grove St serves a number of existing residential properties, including 10 recently constructed dwellings (where some improvements to Grove Street were made). Given the site has previous approval for 2no. dwellings and the small increase in dwellings proposed, the development would not significantly impact the existing situation and, as such, highway safety would be maintained.

Given the above, and the fact that 2no. parking spaces per property are incorporated, Highways DM have not raised any objections subject to conditions.

Mining

The Coal Authority records show that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these pose a potential risk to surface stability and public safety.

This application is accompanied by a Coal Mining Risk Assessment report (S140608) prepared by Solmek Ltd. The report has been based upon a review of coal mining and geological information, and concludes that potential unrecorded underground coal mine workings at shallow depth in a coal outcrop may be present beneath the site.

The report makes recommendations for ground investigations to be carried out on the site in order to establish the extent of any unrecorded shallow mine workings and to inform any remedial works and mitigation measures needed to ensure the site is safe and stable. Both the Coal Authority and SYMAS concur with the report findings and have raised no objections subject to a suitably worded condition requesting intrusive investigations.

Trees

A Tree Report was supplied during the course of the application. The proposal will require the removal of 5 surveyed trees (T6, T7, T8, T9 and T10). The tree survey notes that these are all category C trees and the Council's Tree Officer has concurred with this. The trees are in the main poor quality self-set specimens and as such there are no objections to their removal or to protect the trees to prevent removal.

As such there are no objections to the proposed works from an arboricultural perspective subject to a landscaping condition.

Ecology

An ecology survey report has been submitted with the application detailing the findings of a survey undertaken in March 2023 and a desk study. The report sets out that no adverse impacts upon designated nature conservation sites are anticipated as a result of the proposals, habitats on site are of limited conservation value and the use of the site by protected species, with exception to nesting birds, is unlikely. The Council's Biodiversity Officer agrees with this assessment and considers the report submitted to be satisfactory.

Recommendations within the report include precautionary working methods to avoid harm/disturbance to nesting birds, bats and Hedgehogs. This will be conditioned.

Conclusions

The application is considered acceptable in relation to the considerations set out in the assessment section of the report including highways matters, residential and visual amenity, trees and mining risk subject to appropriately worded conditions.

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, H4, D1, GD1 & 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. The recommendation is one of approval therefore subject to the conditions listed below.

Recommendation: Approve subject to conditions