

Mr R Price

Outline application (including details of access and layout) for 4 dwellings and associated works.

Land to the rear of 32 Queens Road, Barnsley, S71 1AR

Site Location & Description

The application site consists of previously developed land, though has been vacant since circa 2010. Historic mapping indicates that various garages and outbuildings were formally situated on the site, but these appear to have been demolished between late 2009 to early 2011. The site is located to the rear of No.32 Queens Road and to the east of the Harborough Hill Road. The site is roughly rectangular in shape and is enclosed by a green palisade fence. The site appears poorly maintained and detracts from the appearance of the area due to the informal vegetation which has grown through the hardstanding and the collection of litter. The site is currently accessed via a secure double gate on the western boundary.

The site is located off a private access drive which runs to the west of No.32 Queens Road and also serves the adjacent garages. A row of 9 detached single garages are sited to the west of the site (outside of the application site), facing towards the western boundary. The garages are prefabricated in style and sit on concrete bases.

Residential properties are located to the immediate north of the site with the northern boundary abutting the rear garden of No.15 Harborough Hill Road. The eastern boundary of the application site adjoins the south-western corner of the Queens Road Academy site. To the south, the site abuts the rear of No.32 Queens Road. This property is a detached Victorian dwelling finished in stone. The property benefits from traditional features including an original style chimney and bay window.

Queens Road has a varied character, though primarily consists of semi-detached and Victorian terraced dwellings. Other commercial uses are situated on the street including a dentist, car garage and offices. The properties to the north of the site on Harborough Hill Road have a more uniform character consisting of red brick semi-detached houses.

Due to the detached nature of No.32 and its physical separation from the western part of the street (due to the presence of the Academy access road) the application site appears fairly disconnected with Queens Road and more closely situated with the properties to the north.



Site History

2012/0747 - Erection of a Church and Community Centre with associated parking and landscaping works, GRANTED, 24/8/2012

2009/0627 - Erection of 2.45m high security fence, GRANTED, 6/7/2009

2007/0077 – Erection of 13 apartments in 2/3 storey block (Outline), GRANTED, 12/10/2007

B/02/1110/BA/AD - Display of non-illuminated advertisement panel, GRANTED, 29/8/2002

B/85/0510/BA - Conversion of four bedsitting rooms into six bedsits, GRANTED, 12/7/1985

B/83/1425/AD/BA- Fascia sign, GRANTED, 27/10/1983

B/83/1011/BA - Use of storage building for fitting, display and trade sales of car radios, GRANTED, 1/9/1983

B/82/1038/BA - Conversion of house to 4 bed sits and outbuildings to 3 storage units, GRANTED, 9/9/1982

B/82/1051/AD/BA - Two poster hoardings, REFUSED, 9/9/1982

B/81/0077/BA - Change of use from wet fish store to catering food preparation premises, GRANTED, 26/2/1981

Proposed Development

The application seeks outline permission for the erection of 4x dwellings including details of access and layout. The proposal has been amended, reducing the number of proposed dwellings from 6 to 4, and the application has been re-advertised to this affect.

The amended site plan (rev: P05) includes the layout of the proposal which indicates 2x pairs of semi-detached dwellings. Full details of the appearance/internal size of the dwellings would be

assessed at reserved matters stage as well as the scale and associated landscaping. Each dwelling has a private garden to the rear/side.

The development is accessed via the existing access to the side of No.32 Queens Road, with private off-street parking proposed to the front of the 4 dwellings as well as additional visitor spaces to be provided at the southern end of the site.

The existing garages to the west of the site are to be retained, and the existing access would continue to serve those and the proposed dwellings.



Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. 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.

Allocation/Designations

The site is allocated as Urban Fabric as defined in the adopted Local Plan, which has no specific land allocation.

The site is within a high risk development area as designated by the Coal Authority, and also within Flood Zone 1 (low risk). The Harborough Hill Air Quality Management Area (AQMA) is located to the approximately 13m west of the site.

National Planning Policy Framework – December 2023

The National Planning Policy Framework (NPPF) was revised in December 2023, replacing the previous versions. The NPPF is a material consideration when assessing planning applications. The following sections are relevant to this application proposal:

Section 5 – Delivering a Sufficient Supply of Homes

Section 9- Promoting Sustainable Travel

Section 11- Making Effective Use of Land

Section 12- Achieving Well-designed and Beautiful Places

Section 15- Conserving and Enhancing the Natural Environment

Barnsley Local Plan

The following Local Plan policies are relevant:

Policy GD1: General Development

Policy D1: High Quality Design and Place Making

Policy SD1: Presumption in favour of Sustainable Development

Policy T4: New Development and Transport Safety

Policy LC1: Landscape Character

Policy POLL1: Pollution Control and Protection

Policy H1: The Number of New Houses to be Built

Policy H4: Residential development on small non-allocated sites

Policy BIO1: Biodiversity & Geodiversity

Policy CL1: Contaminated and Unstable Land

Policy CC3: Flood Risk

Supplementary Planning Documents

The Council have adopted SPDs to provide further guidance about the implementation of specific planning policies in the Local Plan. The adopted SPDs should be treated as material considerations in decision-making and are afforded full weight. The following SPDs are relevant to this proposal:

Parking, November 2019

Sustainable Travel, July 2022

Design of Housing Development, July 2023

Residential Amenity and the Siting of Buildings, May 2019

South Yorkshire Residential Design Guide, 2011

Biodiversity & Geodiversity, March 2024

Development on land affected by contamination, November 2019

Consultations

Air Quality Officer – No response, covered by Pollution Control.

Local Ward Councillors- No comments.

Coal Authority – No objection subject to pre-commencement condition relating to the submission of an intrusive site investigation and pre-occupation condition relating to the submission of declaration to confirm that the site is made safe and stable.

Contaminated Land – No response.

Drainage- No objection subject to pre-commencement condition relating to drainage details.

Pollution Control- No objection subject to pre-commencement condition relating to the submission of a noise impact assessment and a construction method statement. Additional condition attached regarding hours of construction.

South Yorkshire Mining Advisory Service – No objection subject to condition relating to the submission of further site investigations. However the requirements of the suggested condition are considered to be covered by the Coal Authority conditions mentioned above, and therefore those proposed by SYMAS have been disregarded.

South Yorkshire Police – No objection subject to informative relating to secure design features.

Waste Management- No response.

Yorkshire Water- No objection subject to conditions attached relating to separate foul/surface water drainage systems and submission of surface water drainage details.

Highways DC – No objection, the development exceeds the parking requirements set out in the adopted Parking SPD and would be accessed via a shared drive arrangement. Condition attached relating to the surfacing of relevant areas.

Representations

Two rounds of publicity have been carried out following amendments of the description and the proposal. This application has been advertised in accordance with the Development Management Procedure Order (DMPO) 2015, as follows:

First Round- Original Proposal

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 31/5/2024
- Site Notice (public interest) displayed adjacent to the site- consultation expiry date: 3/6/2024

Second Round – Amended Description/Plans

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 28/8/2024
- Site Notice (public interest) displayed adjacent to the site- consultation expiry date: 30/8/2024

2 neighbours have provided comments in objection to the development, the concerns raised are summarised:

- Concerns regarding land ownership/impact upon garage access;
- Disturbance during construction period;

The representations above will be addressed below.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation. New buildings are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety and accord with the relevant policies quoted below.

Policy H4 Residential Development on Small Non-allocated Sites states that proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies in the Plan. It would also be a relatively small but valuable windfall site and would contribute to the Councils overall housing targets.

The application site is 0.1ha in size and therefore Policy H4 applies. The surrounding area consists of a mixture of uses, though residential properties immediately about the site. The principle of residential development at this site is therefore considered to be acceptable subject to the considerations as follows.

Design, Appearance & Impact Upon Character of Area

NPPF Paragraph 135 relates to high quality design and states that developments should function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; maintain a strong sense of place whilst optimising the potential of the site and create places which are safe and inclusive and promote well-being.

Local Plan Policy D1 states that development is expected to be of high-quality design and should respect and reinforce the distinctive, local character and features. Development should contribute to place making and make the best use of materials, as well as display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangements of materials, colours and details.

The proposed development seeks outline permission for 4x dwellings including layout details. This means the appearance and scale of the dwellings are to be assessed at reserved matters stage. However, the proposed site plan does include layout details, which indicates that the development would consist of 2x pairs of semi-detached dwellings.

Semi-detached properties are characteristic within the local street scenes and therefore the proposed layout is considered to be suitable. Similarly, the proposed dwellings will include private

rear gardens with driveways/gardens to the front, which is in-keeping with the surrounding built form. The overall layout of the development is considered to be reflective of the local character and is therefore acceptable.

Impact upon Residential Amenity

Local Plan Policy GD1 states that proposals for development will be approved if there are no significant adverse effect on the living conditions and residential amenity of existing and future residents. Proposals should be compatible with neighbouring land and should not significantly prejudice the current or future use of neighbouring land.

Local Plan Policy POLL1 states that development will be expected to demonstrate that there would be no unacceptable affect or cause a nuisance to the natural and built environment or to people.

As mentioned, the internal layout and appearance of the dwellings will be assessed at reserved matters stage. This includes the position of windows in terms of possible overlooking and the scale/height of the dwellings in regard to any overshadowing.

Nevertheless, the proposed layout does indicate that suitable separation distances can be achieved in accordance with the Design of Housing Development SPD. There are no residential properties directly to the rear of the site or to the front which would be significantly harmed by the development.

The proposal has been amended to ensure that all the properties have suitably sized private gardens which achieve the required standards. Each dwelling will have a footprint of 62sqm which is reasonable for a good sized 2/3 bedroom family home.

It is noted that uses other than residential are located within close proximity to the site, including offices and a primary school. However, none of these uses generate significant volumes of noise or disturbance which would cause unacceptable harm upon future residents at this site. The eastern boundary does abut the access into the adjacent school site, but again vehicle usage on this access is not considered to be substantial.

It is noted that concerns have been raised regarding possible disturbance during the construction period. Whilst noise/dust can occur during construction, this impact is considered to be short term and not detrimental to adjoining amenity. Nevertheless, the Environmental Health Officer has proposed a condition which restricts construction hours to 0800- 1800 Monday to Friday, 0900- 1400 on Saturdays and at no time on Sundays or Bank Holidays to minimise any harm during unsociable hours. A construction method statement also needs to be submitted prior to development commencing to further regulate/assess any disturbance caused by construction traffic/activities.

It is noted that the application site is located within close proximity to Harborough Hill Road, which is a main traffic route into the town centre. To prevent significant noise disturbance upon future residents, a noise impact assessment is to be submitted to demonstrate that suitable internal noise levels can be achieved.

A full assessment in terms of any overlooking/overshadowing impacts upon residential amenity will be carried out at reserved matters stage. However, it is considered that the application site can

accommodate the proposed number of dwellings whilst protecting existing and future residential amenity, subject to strict accordance with the attached conditions.

Highway Considerations

NPPF Paragraph 115 states that 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.

Local Plan Policy T4 states that new development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. It follows on state if a development is not suitably served by the existing highway or would add to problems of safety or the efficiency of the highway, developers will be expected to take mitigating action to make sure the necessary improvements go ahead.

Table 1 of the Parking SPD (November 2019) sets out the adopted parking standards for new developments.

The proposed development includes two off-street parking to the front of each dwelling in addition to 3x visitor spaces at the southern end of the site. As mentioned in the Highways DC Officer's comments, the proposed number of parking spaces therefore exceeds the requirements of the Parking SPD and is acceptable.

The South Yorkshire Residential Design Guide Section 4.B.1.1.9 states that unadopted shared private drives may give access up to a maximum of 5 dwellings. The initial proposal included 6 dwellings which was therefore discordant with this guidance. The proposal has since been amended to 4 dwellings meaning the shared private drive arrangement is acceptable. The proposed access arrangements are acceptable. The principle of 4 dwellings does not require the road to be brought up to an adoptable standard and sufficient vehicle turning space can be accommodated.

The site plan has also been updated to include swept path analysis/vehicle tracking which indicates that fire/delivery vehicles have sufficient space to turn within the site. Nevertheless, given the private drive status of the access, refuse vehicles would not enter the site to collect waste and residents would need to take their bins to the adopted highway on Queens Road.

It is noted that neighbour representations have been received raising concerns regarding access to the existing garages and potential conflict. Potential access/land ownership issues are not material planning considerations so long as the development accords with the relevant SPD/design guidance. The private drive will only serve 4 residential dwellings and therefore the road will remain in private ownership and not need to be brought up to an adoptable standard. Nevertheless, the proposed site plan indicates that sufficient space to the front of each garage will be retained and as mentioned, suitable turning space would be provided.

On this basis the development is acceptable in terms of highways impacts subject to the condition attached relating to surfacing of driveways.

Coal Mining Impacts

NPPF Paragraph 189 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability. This includes risks arising from former activities such as mining and any proposals for land remediation. Planning decisions should ensure that adequate site investigations information is available to inform assessments.

Paragraph 190 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Local Plan Policy CL1 states that development which would be affected by land stability issues must be accompanied by a report which shows that investigations have been carried out to work out the nature and extend of the issues and possible effect it may have on the development and its future users. The report shall set out detailed measures to allow the development to go ahead safely including addressing the land stability issues resulting from former coal mining activities.

The application site is located in a high-risk development area as defined by the Coal Authority mapping. The application has been supported by a Coal Mining Risk Assessment which has been reviewed by both the Coal Authority and the South Yorkshire Mining Advisory Service.

The findings of the assessment are considered to be acceptable, subject to a pre-commencement condition being attached which requires the submission of an instructive site investigation. This will then be reviewed by the Coal Authority prior to any development occurring on site. Following this, the pre-occupation condition then requires the submission of a declaration which would need to confirm that the site has made safe and stable. Subject to these conditions been attached, the development is acceptable in terms of coal mining risk.

Drainage/Flood Risk

NPPF Paragraph 165 states that inappropriate development in areas at risk of flooring should be avoided.

Paragraph 166 states that advice from relevant flood risk management authorities such as lead local flood authorities and internal drainage boards should be taken into account.

Local Plan Policy CC3 states that new development should not be permitted where there would be an unacceptable risk of flooding.

Both Yorkshire Water and the Council's internal drainage department have reviewed the application submission and raised no objection subject to relevant conditions being attached. The development is therefore acceptable in terms of drainage/flood risk.

Conclusion

The principle of residential development in this location is acceptable. Existing residential properties adjoin the site to the north and south, with other dwellings located within close proximity. Whilst uses other than residential are prevalent within the street scene and adjacent to the site, these uses are not considered to significantly harm future residential amenity.

This application seeks outline permission with details of layout and access. The proposed site layout is acceptable consisting of 2x pairs of semi-detached properties which is reflective of the surrounding character/building pattern. The site can comfortably accommodate the proposed number of dwellings as well as associated garden space and off-street parking.

The proposed access arrangements are acceptable. The principle of 4 dwellings does not require the road to be brought up to an adoptable standard and sufficient vehicle turning space can be accommodated. It is noted that concerns have been raised regarding access to the adjacent garages, however these fall outside of the application site boundary and given the private drive nature of the access, these concerns have been disregarded. Issues regarding land ownership/accessibility arrangements is a civil matter rather than a material planning consideration. The Highways DC Officer has reviewed the application and has no objection in this regard.

Overall, the development will provide 4 family sized dwellings in a sustainable location, close to the town centre and transport links. The site is currently vacant/under utilised, and the development will improve the overall appearance of the site and provide much needed housing and would be a relatively small but valuable windfall site and would contribute to the Councils overall housing targets.

The development is therefore acceptable.

Recommendation

Approve with conditions