
2024/0112

Mr and Mrs Sue and Chris Barton

Erection of 1no. dwelling.

Land to the South of 52 Tower Street, Worsbrough Common, Barnsley, S70 1QS

Site Location & Description

Tower Street is characterised by a long row of Victorian 2-storey stone fronted terraced properties with one detached stone fronted dwelling located at the end (No.52) which is set slightly back from the building line. The traditional terraces immediately face the footway with no frontage gardens. The parking provision is on-street along both sides of the road and each property has a rear garden which can be accessed from an alleyway behind. No.52 does have a garden to the front along with a driveway which provides parking for 1 vehicle and a detached single garage.

At the very south end of Tower Street are 5x detached dwellings (Nos. 1-5 The Heights), which were constructed in recent years and face northwards along the street (planning permission: 2017/1116). These properties are 3 storey in height and are also finished in stone, albeit a lighter colour than the traditional terraces. All 5 of the properties share an access at the southern end of Tower Street, with a parking area arranged to the front of each dwelling.

Planning permission has been granted (reserved matters ref: 2021/0943) on the land directly opposite the application site, to the south of No.63, for the erection of one dormer bungalow with associated parking and landscaping. This permission has been implemented, with the footings being completed, though construction appears to have paused with limited-no progress being made within the last year.

The street has a steep topography, with the southern end of the Tower Street being much higher than the northern end.

The application site is located at the southern end of Tower Street, sandwiched between No.52 and to the north of Nos.1 and 2 The Heights. The site is fairly square in shape and extends to circa. 0.09ha (including the highway improvements land). The site sits at a higher level than the road and is currently accessed via a temporary ramp of clay and soil at the north-western corner, though the ramp lies outside of the applicant's ownership and instead provides additional off-street parking for No.52. The site was historically used as allotments but now appears untidy with litter collecting in the informal scrub and vegetation which has grown on the site. Trees and large shrubs are located at the north-west corner between the ramp and the grass verge.

The site is not defined by any formal boundary treatment, with the banked material primarily indicating the boundary. A tall stone wall is located along the northern boundary which encloses the parking for the dwellings to the north. To the east the site borders residential gardens associated with Nos. 16 and 17 Columbia Street.

The southern section of the street (including that adjacent to the application site) is not an adopted highway. The carriageway up to Nos. No.52 and No.57 Tower Street, and the footway to

the front of Nos. 59-63 is adopted highway but the carriageway to the north of this is privately owned by multiple landowners and is currently in a poor state of repair. The width of the road narrows at the northern end, adjacent to the application site meaning it is only wide enough for 1 car, and has no defined footway. The outline planning approval for the dormer bungalow (ref: 2020/0684) included a condition which requires the section of the road immediately adjacent/parallel to that site to be improved prior to occupation, however given the early stage of construction, these works have not been carried out.

Planning permission for 2 dwellings was previously granted at the application site (ref: 2018/1399) but this permission was not implemented and has since lapsed. The submitted information suggests that the previous permission required substantial excavation works. Previous to that, an application for one house was refused, as set out in the planning history below.



Relevant Planning History

Application Site:

2018/1399 - Erection of 2 no. detached dwellings, GRANTED SUBJECT TO S106, 4/2/2021

2017/1398 - Erection of no 1 detached dwelling house (Outline with all matters reserved) (Amended Plans) REFUSED, 26/2/2018

2007/0547 - Residential Development of 2 dwellings (Outline) REFUSED, 24/5/2007

B/97/1519/BA - Erection of dwelling, REFUSE, 29/1/1998

Site Opposite:

2021/0943 - Erection of one dormer bungalow with associated parking and landscaping (Reserved Matters of Outline planning permission 2020/0684 seeking approval over layout, appearance and landscaping)

2020/0684 - Erection of one dormer bungalow with associated parking and landscaping (Outline seeking approval over scale and means of access), GRANTED, 10/12/2020

Site to South:

2017/1116 - Erection of 5 detached houses with integral garages and associated access road, driveways and landscaping, GRANTED, 21/11/2017

Proposed Development

The proposal has been amended numerous times during the assessment of the application, particularly in regard to the proposed highways access/arrangements. The application seeks full planning permission for the erection of 1 detached dwelling which the applicant has described as a 'Passivhaus' type building, which is a certification of energy-efficient style of homes.

The dwelling would be centrally positioned within the plot, though sited perpendicular the street. The proposed dwelling is arranged over 2-3 storeys with the main living accommodation and one bedroom at ground floor level and 3 further bedrooms at first floor level. A utility and entrance hallway are proposed at the lower ground floor level accessed via the driveway.

The dwelling has a contemporary design with various roof lines and pitches. The pitched roof will mostly be finished in steel sheets, though the eastern roof slope will be slate. The walls are a mixture of coursed gritstone and steel cladding. A flat roof would be installed above the lower ground and first floor hallway. Solar PV panels are proposed along the roof ridge, with square or vertical shaped windows on each elevation.

The red line boundary has been amended to alter the proposed highways access. A side-by-side driveway has been proposed in the north-western corner of the site which would adjoin the unadopted section of Tower Street. The application site includes a 14.3m stretch of Tower Street to the front of Nos.59-63, which the applicant is proposing to improve up to an adoptable standard. The access ramp which currently provides access to the site is excluded from this application.

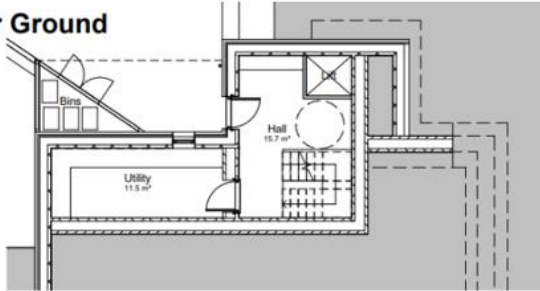
The proposed garden would be to the south but wrap around the eastern elevation. Landscaping would be added along the western slope of the site. The submitted site plan (Rev: E) suggests that the majority of the trees in the north-west corner would need to be removed to facilitate the proposed access/driveway.

The application site boundary includes a sliver of land to the west of the site, which overlaps the application site/proposed highway improvements associated with the approved bungalow opposite. The submitted site plan annotates this as '*land left free to facilitate future adopted highway 2020/0684*'.

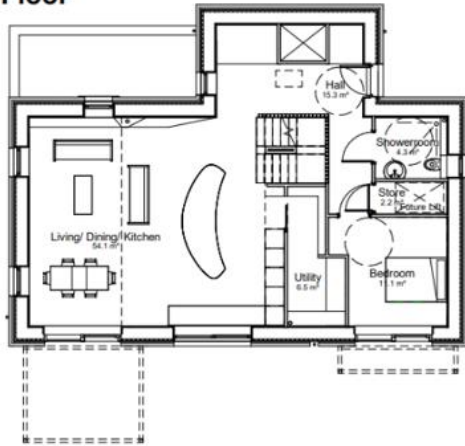
The site plan does not include details of proposed boundary treatments to enclose the residential plot.



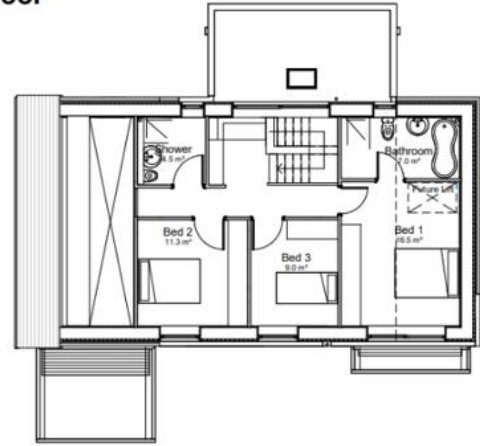
Lower Ground
1 : 100



Ground Floor
1 : 100



First Floor
1 : 100



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 entire site is designated as Urban Fabric as defined in the adopted Local Plan, which has no specific land allocation. The southern half of the site is also allocated as Allotments.

The site is within a high-risk development area as designated by the Coal Authority, and also within Flood Zone 1 (low risk).

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 14- Meeting the Challenge of Climate Change, Flooding and Coastal Change

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 GS1: Green Space

Policy CC2: Sustainable Design and Construction

Policy RE1: Low Carbon and Renewable Energy

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

Sustainable Construction and Climate Change, July 2023

Open Space Provision on New Housing Development, July 2023

Trees and Hedgerows, May 2019

South Yorkshire Residential Design Guide, January 2011

Consultations

Local Ward Councillors- No formal comments received.

Drainage- No objection, no conditions requested.

Pollution Control- No response.

Highways DC – Objection, concerns regarding the proposed works to the highway and associated land ownership issues. Without the highway being adopted, the development would exceed the maximum number of dwellings which can be accessed via a private drive. Addressed further below.

Asset Management- The applicant requires the consent of the Council and other landowners to undertake the proposed improvements works. No evidence to suggest whether consent has been sought is included within this application. The granting of any rights to undertake works on the land would be subject to a payment of an appropriate fee representing the increase in land value associated with the granted rights. Also raised concerns regarding whether retaining structures would be required along the western boundary and the impact this would introduced upon the right of access along Tower Street.

Biodiversity – No objection subject to conditions relating to the implementation of the recommendations included in the submitted Ecological Impact Assessment. The application was submitted prior to the small sites metric coming into force, therefore BNG requirements do not apply.

Coal Authority – No objection based on the submitted Phase 2 Coal Mining Risk Assessment, informative provided.

South Yorkshire Mining Advisory Service – No objection based on the conclusions of the submitted Phase 2 Coal Mining Risk Assessment.

Forestry Officer- The submitted Arboricultural Impact Assessment does not reflect the amended proposal/site layout and therefore the full implications upon trees cannot be assessed.

Representations

This application has been advertised in accordance with the Development Management Procedure Order (DMPO) 2015. The application has undergone three rounds of publicity following amendments to the development, application site boundary and description, as follows:

First Round (original submission)

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 18/3/2024
- Site Notice displayed adjacent to the site- consultation expiry date: 2/4/2024

1 letter of support was received, including the following comments:

- Supports the site being tidied.

1 letter of objection was received, raising the following concerns:

- Concerns regarding height of property;
- Impact upon views/outlook

Second Round (amended plans)

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 23/5/2024
- Site Notice displayed adjacent to the site- consultation expiry date: 30/5/2024

1 new letter of objection was received in response to the 2nd round of publicity, raising the following concerns:

- Impact/intrusion upon right of access along Tower Street.

Third Round (amended red line, description and plans)

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 21/6/2024
- Site Notice displayed adjacent to the site- consultation expiry date: 21/6/2024

No additional comments were received in response to the third round of publicity.

The comments received will be addressed below.

Assessment

Principle of Development/Loss of Green Space

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.

The application site falls within urban fabric as defined in the adopted Local Plan, which has no specific land allocation. New buildings are considered acceptable in urban fabric 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.

The southern part of the site is also designated green space (allotments) as defined in the adopted Local Plan. Local Plan Policy GS1 is therefore most relevant and states:

Proposals which result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

- *An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or*
- *The proposal is for small scale facilities needed to support or improve the proper function of the green space; or*

- *An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.*

Paragraph 4.2 of the Open Space Provision on New Housing Developments SPD states: *When we receive a planning application to redevelop green space for an alternative use we will undertake a green space assessment to determine the level of provision within the area. In some instances, material considerations may indicate approval for development on green space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the green space... In instances where the Council deem it appropriate to seek a financial contribution towards improvements of an existing facility nearby, the contribution will be calculated at £125,640 per hectare of green space that will be lost to development.*

A Green Space assessment has not been submitted with this application, however it is recognised that the allotment use has not occurred at the site for many years, with the vast majority of this designation having been lost/eroded by the adjacent developments described above. The loss of the allotments was considered to be acceptable as per the assessment for the previous (now lapsed) permission subject to a S106 Agreement securing a financial contribution for replacement facilities. Taking into account the use of the site and the previous permission, the principle of residential development at the site is therefore considered to be acceptable subject to suitable compensation being secured via a S106 Agreement, as well as compliance with the policies/considerations included below.

Design & Impact Upon Appearance of Surrounding 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.

NPPF Paragraph 139 states 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.

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 Design of Housing Development SPD (adopted July 2023) includes criteria for infill development at section 24. The SPD states that infill development should comply with the following:

- Dwellings should be orientated to have a frontage to the existing public highway. Sides and backs and garages should be sensitively located so the frontage of the new development integrates with the existing street scene.
- The space between the proposed dwelling and the adjacent dwellings should reflect the prevailing character of the street.

- The siting of the dwelling should reflect the building line of the dwellings on the same side of the street.
- Architectural features, fenestration and materials should reflect the positive elements elsewhere on the street.

The proposal includes the erection of 1x detached dwelling which would be sited perpendicular to Tower Street. The dwelling would be split level, to utilise the change in levels and minimise any excavation. The overall appearance of the dwelling has a contemporary style finished in gritstone and metal cladding, with steel roof sheeting. Slate roof tiles are proposed on the front roof slope.

The street facing elevation lacks interest and appears uninviting, consisting of three narrow vertical windows and the side elevation of the hall and bin store. The lack of frontage entrance is not reflective of the street scene, whereby the adjacent properties consist of a more traditional layout in which the principal elevation faces onto the street. Instead, the proposed doorway is located on the eastern facing elevation and therefore cannot be seen from the street.

It is recognised that the proposal includes minimal exaction, however the change in levels at the ground floor level adds to the inconsistency within the street scene. The properties along Tower Street (including the approved bungalow opposite) are accessed at ground floor/street level, whereas this dwelling would be sited at a raised level. The elevated design of the dwelling would create a dominating and imposing impact upon street scene and upon the bungalow opposite in particular.

The overall design, form and appearance of the proposed dwelling fails to take into account the traditional characteristics of the neighbouring properties and street scene. The dwelling is an unusual shape, consisting of various roof lines and ridges, and includes multiple finishing materials, which adds to the harm which would be introduced upon this uniform street scene.

It is recognised that the windows have been positioned to take into account energy efficiency, however the lack of openings on the frontage elevations further detracts from the appearance of the dwelling. The northern elevation in particular appears abnormally blank with the majority of the windows at second floor level only.

The proposed finishing materials also fail to replicate the surrounding building materials or traditions. As described above, the street scene consists of stone built properties, meaning the proposed use of steel cladding and sheeting would be a new introduction to the street scene. The use of such modern materials sandwiched between the traditional stone neighbouring dwellings would draw further attention to the site and emphasise its uncharacteristic features. In attempt to overcome the concerns raised, the applicant has proposed slate tiles on the front roof slope only. However, the use of the so many finishing materials increases the unsympathetic appearance of the dwelling and empathises its failure to integrate within the traditional street pattern. The proposal is discordant with the SPD in this regard by failing to include architectural features and materials to reflect the positive elements on the street.

The properties along Tower Street have a consistent street pattern which consist of street facing dwellings with private gardens to the rear. However, the proposal includes a dwelling positioned perpendicular to the highway with a southwards facing garden which would be parallel with the street rather than to the rear. The proposal therefore fails to accord with design criteria included at

Section 24 of the SPD which requires dwellings to be orientated to face the highway and be sited to reflect the prevailing character and building line of the street.

The applicant has suggested that the proposal meets the criteria of para 139(b) of NPPF which supports outstanding or innovation designs which promote high levels of sustainability. Apart from the proposed dwelling including solar panels and south facing habitable rooms, it is unclear what other features the proposal includes which would qualify it as an outstanding or innovative design. On this basis, the proposal is not considered to accord with this policy and this justification is therefore disregarded.

It is recognised that the application site currently appears unsightly and is poorly maintained, and therefore the principle of redevelopment at the site is welcomed. However, given the traditional setting of the site and the uniform street pattern, the introduction of a contemporary style dwelling would appear incongruent within the street scene. The previously granted permission (albeit now lapsed) included 2x 3-storey dwellings with one roof line and traditional style windows with buff coloured stone. The previous proposal is considered to be more in-keeping with the street scene than the development hereby proposed.

In summary, the appearance, design and overall massing of the proposed dwelling is not appropriate within this uniform street and would appear alien in comparison to its immediate neighbours. The use of multiple external materials; elevated height; alternative siting/orientation and use of blank and uninteresting elevations emphasise the proposal's incongruous appearance. The proposal does not positively respond to the local building traditions and would draw attention to the site rather than appear in-keeping. The proposal is therefore discordant with NPPF Paragraph 135, Local Plan Policy D1 and the Design of Housing Development SPD.

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.

The proposal would provide acceptable levels of residential amenity in terms of both internal and external space standards and separation distances. The majority main habitable rooms would be positioned on the southern elevation facing towards the existing dwellings at Nos.1-2 The Heights. However a separation distance of 25m can be achieved which therefore exceeds the 21m requirement specified at section 4.2 of the Design of Housing Development SPD.

There would be two habitable room windows, which serve the living/dining area, on the eastern elevation which would face towards the partially constructed bungalow. Again, acceptable separation distances would be achieved thus no harmful overlooking would be introduced.

The proposed private garden exceeds the required size and suitable separation distances would be provided between the garden boundaries to ensure that no harmful overlooking of neighbouring outdoor amenity space would be introduced.

In summary, it is not considered that the development would have a harmful impact in terms of overlooking and/or overshadowing of neighbouring properties. Similarly, the future residents of the proposed dwelling would have acceptable levels of residential amenity. However, the acceptable impact upon amenity does not overcome or outweigh the concerns raised above in regard to design.

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 highways arrangements have been amended on numerous occasions in attempt to overcome the Highways DC Officer's concerns. The development includes two off-street parking spaces which would be positioned at the north-western corner of the site, accessed directly off Tower Street. This accords with the parking standards included in the SPD and is therefore acceptable.

As mentioned above, the southern end of Tower Street is not formally adopted. The adopted carriageway ends in line with No.52 and No.57 Tower Street, though the footway to the front of Nos. 59-63 is adopted. The southern part of Tower Street therefore constitutes as a private drive as defined in the South Yorkshire Residential Design Guide (SYRDG). Paragraph B.1.1.9 of the SYRDG states that shared private drives may give access to a maximum of 5 dwellings.

The unadopted section of Tower Street already provides access to the 5 dwellings at the southern end of the street, and therefore the development of the proposed dwelling (in the absence of the proposed improvement works) would exceed the maximum number stated in the SYRDG. The Highways DC Officer confirmed that the development therefore cannot be supported without the carriageway being improved to an adoptable standard.

The proposal has been amended to include improvement works to a 14.3m stretch of Tower Street to the north-west of the application site between the adopted carriageway and the proposed off-street parking spaces. This land is not in the applicant's ownership.

Although land ownership is not a material planning consideration, it is prudent for the LPA to take into account the likelihood of the development being implementable or where it impacts the compliance with adopted policies. Information provided by the Council's Asset department indicate that there are a number of ownerships in relation to the land in question, including the Council, the adjacent developer and a substantial section of unregistered land (which would be deferred to the adjacent frontages). The applicant would be unable to undertake the proposed improvements works without a formal agreement being entered into by all the landowners.

The applicant has provided no evidence to demonstrate whether the owners of this land would agree to the proposed works and the Asset's team have confirmed that no formal communication between the applicant and the Council has taken place in this regard. There would also be fees associated with any granting of the necessary rights. The Highways DC Officer has therefore maintained their objection to the application on the basis that the proposed means of access may not be achieved due to the various uncertainties associated with the proposal.

In summary, the proposed development includes unsatisfactory highways arrangements, and no evidence has been provided to demonstrate that the proposed improvement works can be implemented. Without the proposed improvements to Tower Street, the development would exceed the maximum number of dwellings which can be accessed via a private drive. The proposal is therefore contrary to NPPF Paragraph 115, Local Plan Policy T4 and the section 4B of the SYRDG.

Impact Upon Trees

Policy GD1 states proposals for development will be approved if existing trees are to remain on site and are considered in order to avoid overshadowing.

Policy BIO1 states development will be expected to conserve and enhance the biodiversity and geological features by protecting ancient and veteran trees.

Section 5.3 of the Trees and Hedgerow SPD (May 2019) states where trees are situated in close proximity to a proposed development a full tree survey is required. The survey should specify any works or pruning that is needed. Section 5.4 states that the submitted site plan must clearly indicate which trees are to be retained and which are to be removed.

Section 6.1 states that the tree survey should inform the layout and design of the development and should ensure that higher category trees are retained. Plans which show the retention of high value trees too close to buildings or roads will not be approved.

The original application submission included an arboricultural impact assessment (AIA) which states that trees T001, T008 and G001 are to be removed in order to implement the driveway (in its original position) and garden landscaping. T001 is an Ash species category B tree meaning it is of moderate-quality.

As explained above, the proposed development has been amended numerous times meaning the AIA does not accurately reflect the current proposal. The driveway is no longer proposed in the position described in the AIA and therefore the Forestry Officer cannot fully assess the potential impact upon trees.

The proposed driveway is now proposed within close proximity to trees T003, T004 and T008 with the site plan (Rev E) indicating that these will be removed. However, the submitted AIA report states that no works are proposed to T003 and T004 but this is based on the previous site layout. The AIA has not been updated to reflect the amended proposal and therefore the full impact upon T003 and T004 is unknown. It is also unclear whether the works proposed on the trees impacted by the original layout has now changed. Insufficient information has been provided in this regard.

Conclusion

The principle of residential development at the application site has previously been established, though the previous permission was granted subject to a S106 Agreement being entered into to secure financial compensation for the loss of Green Space. Any approval at this site would therefore require a similar legal agreement.

Although residential development has been considered acceptable previously, the development hereby proposed is substantially different in terms of design, appearance and orientation. The proposed dwelling is a unique design which consists of various external materials and does not reflect the uniform building traditions which are apparent in the street scene. The dwelling would be orientated differently to existing properties along Tower Street and have a dominating appearance upon the street scene due to its elevated position and use of incongruous materials.

The blank elevations, together with the varying roof lines, would further detract from the traditional appearance of the street. Overall, the design and appearance of the proposed dwelling does not reinforce the local character or building pattern and is therefore contrary to Local Plan Policy D1, NPPF Paragraph 135 and the adopted Design of Housing Development SPD.

It is recognised that Section 9.30 of the Sustainable Construction and Climate Change Adaptation SPD encourages the development of Passive House designs '*where possible*'. However, in this instance the energy efficient design of the proposal is not considered to outweigh the harm introduced upon the street scene.

The application site is currently accessed via a private drive due to the southern end of Tower Street being unadopted. The SYRDG states that a maximum of 5 dwellings can be accessed via a private drive and the development of this site for residential uses would exceed this threshold. In attempt to overcome the objection raised by the Highways DC Officer, the proposal has been amended to include a section of carriageway. However, this land is not within the applicant's ownership and no evidence has been provided to indicate that appropriate consent can be secured to undertake the proposed works. The Highways DC Officer is therefore not convinced that appropriate highways arrangements can be implemented, resulting in the proposal being discordant with Local Plan Policy T4 and NPPF Paragraph 115.

Insufficient information has been provided in regard to the impact upon trees. The submitted AIA relates to the original proposal and has not been updated during the course of the application. The full impact upon trees cannot be assessed, meaning the proposal is therefore contrary to Local Plan Policy BIO1 and the Trees & Hedgerow SPD.

In conclusion, the development is unacceptable and is therefore refused.

Recommendation

Refuse.