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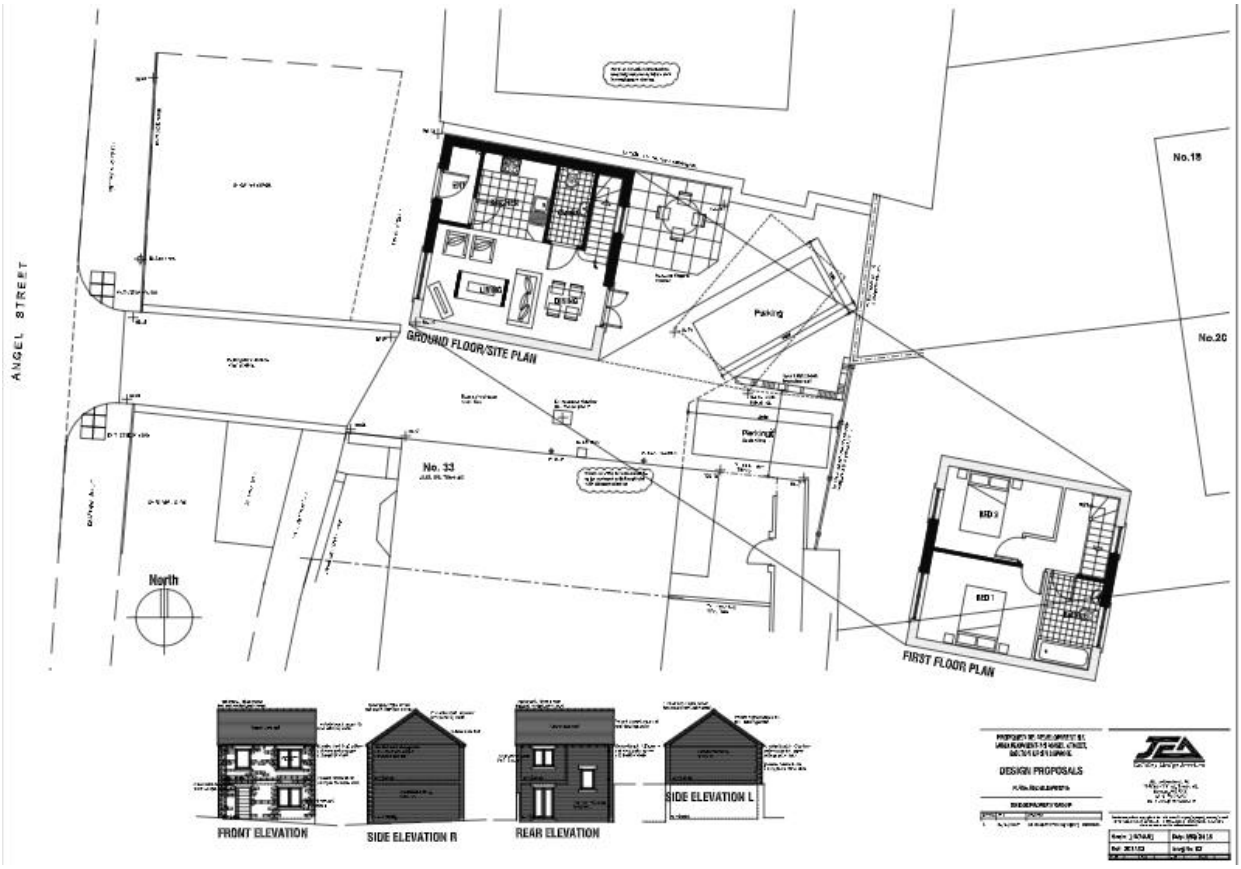
Mr and Mrs Johnson

Erection of 1 no. detached dwelling.

Land adjacent 33 Angel Street, Bolton upon Dearne, Barnsley

Planning History

2015/0982 – Erection of 1 no. detached dwelling – Approved with conditions



Site Description

Angel Street is a main road (B6098) that runs through Bolton Upon Dearne. The application relates to land to the side of number 33 which is set between two dwellings and is behind a wide grass verge. The site has a brick wall to the frontage and is a mix of hardstanding and grass surfacing.

The site is surrounded by residential properties. There is a dormer bungalow on the northern side of the site that has upper floor windows in the side, and a semi-detached stone house with one upper floor window overlooking the site to the southern side. There is a pair of semi-detached houses at the rear on Sheaf Crescent (numbers 18 and 20) and across the road are large three storey dwellings. The land to the north is at a higher level than the site and as such there is a retaining wall along this boundary. To the rear boundary is a large timber fence.

To the front of the site is a dropped crossing, serving side parking for no 33 Angel Street. Angel Street, which slopes downwards from north to south. The street scene is varied and contains traditional stone buildings with modern brick and rendered buildings.

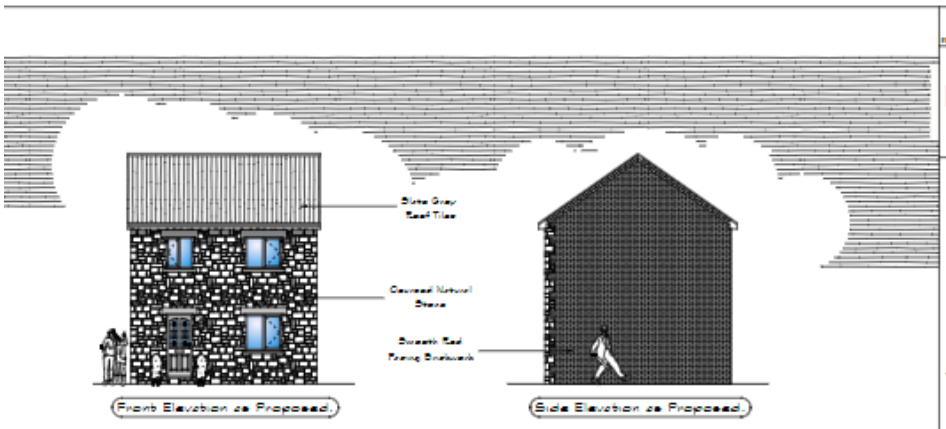


Proposed Development

The proposal involves the erection of a two storey, two bedroom detached dwelling. The property has been specifically designed for this plot and has its main upper floor habitable room windows to the front. The property has an open plan lounge/kitchen/dining room at the ground floor and two bedrooms and a bathroom at first floor with a rear facing window.

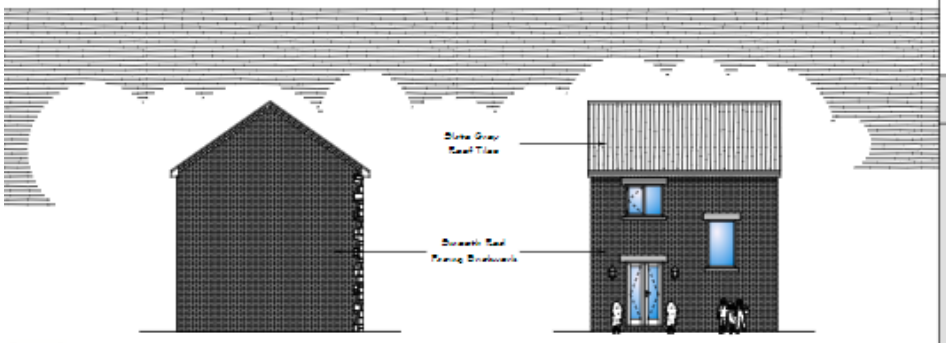
The site is accessed via Angel Street. A small rear garden is proposed to the rear with a parking space within it. The access also provides a parking space for number 33.

The plans show that the dwelling would be constructed of brick with a stone frontage and grey tiled roof.



Front Elevation as Proposed.

Side Elevation as Proposed.



Side Elevation as Proposed.

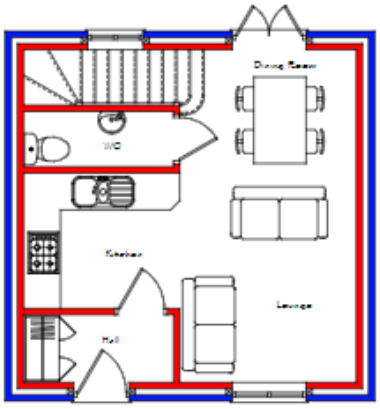
Rear Elevation as Proposed.

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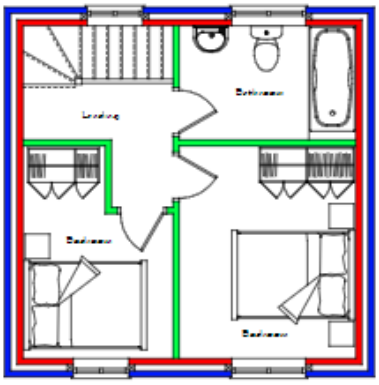
MG ARCHITECTURAL DESIGNS LTD

CLIENT:	Mr and Mrs Johnson.
SITE ADDRESS:	Land adjacent 22 Angel Street BOLTON UPON DEARNE. Barnsley. S63 0NA. South Yorkshire.
PROJECT:	Proposed Reinstatement to Erect a Single Dwelling.
SCALE:	1: 100 @ A3
TITLE:	Elevations as Proposed.
DATE:	FEBRUARY 2022

Drawing Number 22.05 Ref: JOHNSON



Ground Floor as Proposed.



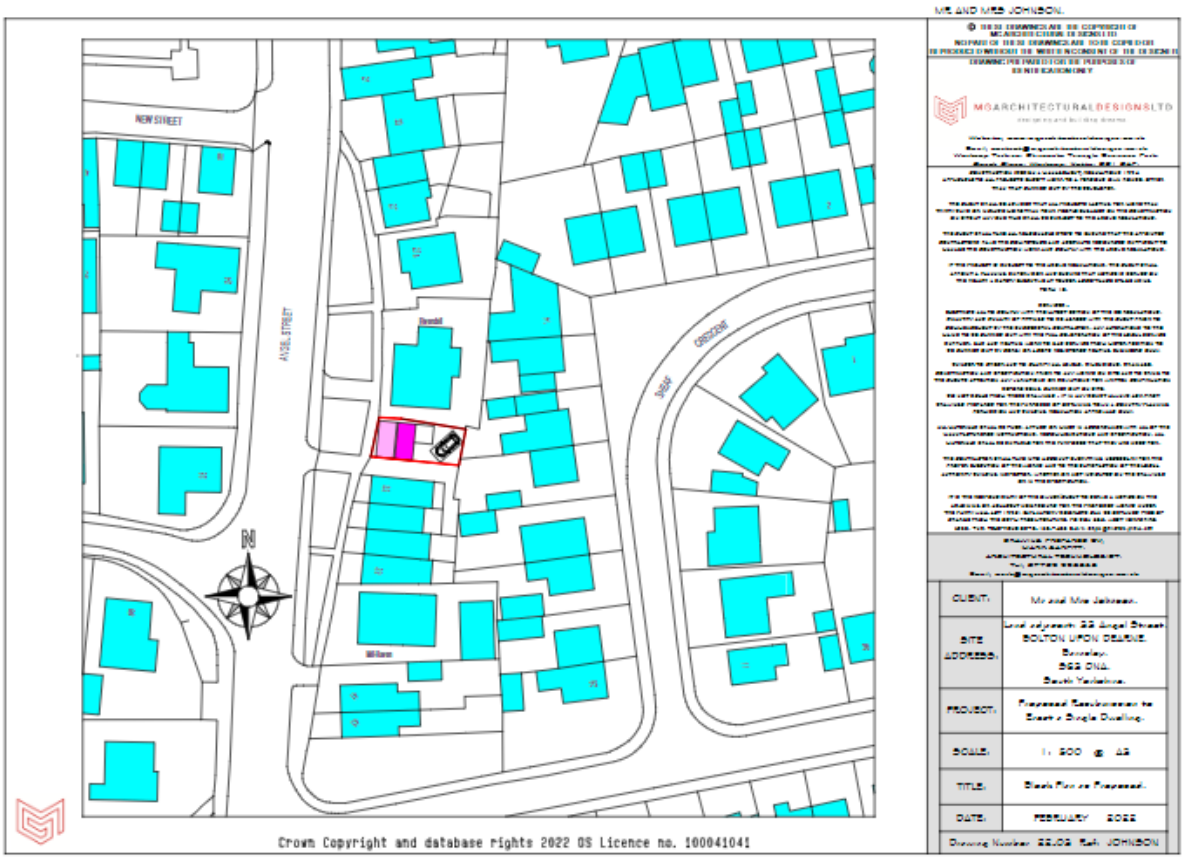
First Floor as Proposed.

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MG ARCHITECTURAL DESIGNS LTD

CLIENT:	Mr and Mrs Johnson.
SITE ADDRESS:	Land adjacent 22 Angel Street BOLTON UPON DEARNE. Barnsley. S63 0NA. South Yorkshire.
PROJECT:	Proposed Reinstatement to Erect a Single Dwelling.
SCALE:	1: 50 @ A3
TITLE:	Plans as Proposed.
DATE:	FEBRUARY 2022

Drawing Number 22.04 Ref: JOHNSON



Policy Context

The new Local Plan was adopted at the full Council meeting held on the 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Planning decision 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 site is set within Urban Fabric as shown on the Local Plan Maps, therefore the following polices are of relevance:-

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.
H4 Residential Development on Small Non-allocated Sites, proposals will be supported where they a located on previously or part developed land, are within a village, are accessible and have good access to a range of shops and services.
T3 'New Development and Sustainable Travel'
T4 'New Development and Transport Safety'
D1 'High Quality Design and Place Making'
Poll1 'Pollution Control and Protection'

<u>SPD's</u>

-Design of Housing Development
-Parking

Other

South Yorkshire Residential Design Guide

NPPF

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. 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.

Consultations

Highways – No objection subject to conditions

Yorkshire Water – No comments received

Drainage – Details to be checked by Building Control

Pollution Control – No objections subject to conditions

Representations

Neighbour notification letters have been sent to neighbouring properties and a site notice posted.

3 objections have been received raising the following concerns:-

- Impact upon the retaining boundary wall
- The plans submitted do not show an accurate representation of the property boundaries
- Insufficient parking
- Loss of light to home and garden
- Loss of value to the property
- Loss of privacy to home and garden
- Concerns regarding the right of way
- Proposal not in keeping with the appearance of surroundings

Assessment

Principle of development

The site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings, in this case the street is purely residential and as such the use of the site for residential uses would be in keeping with the locality.

There has been a previous planning approval at the site for a similar proposal under application ref 2015/0982, however development was not commenced within the 3-year time frame and this permission has lapsed.

Visual Amenity

This is an unattractive infill site and the development of the site with a suitably designed, stone fronted house would provide clear visual benefits. The design and scale of the dwelling is acceptable, and the proposed dwelling has coursed natural stone walling and natural slate roof to match the house to the south. The street scene is varied with a mix of detached, semi detached and terraced dwellings, therefore the proposed detached dwelling would not look out of place. The proposal is considered to be acceptable in terms of visual amenity in accordance with policy D1 of the Local Plan.

Residential Amenity

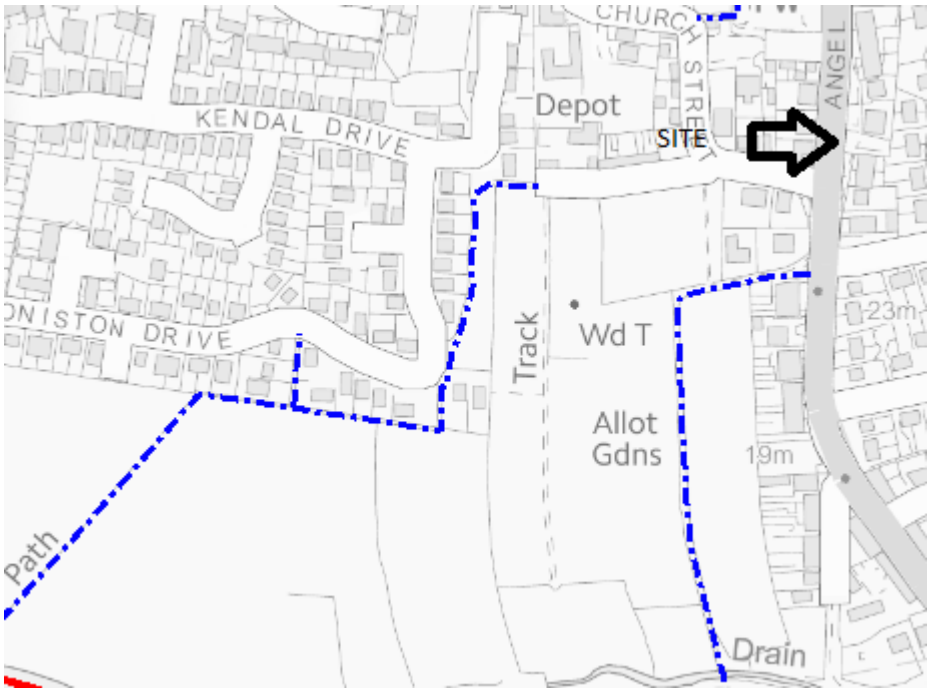
As this is an infill plot one of the main considerations would be the impact of the proposal upon the residential amenity of the surrounding residential properties. A planning application has been previously approved in 2016 at the site for a very similar development of a small two storey detached unit. The main differences between the previous application and the current application being that the dwelling is now slightly reduced in size by approximately 0.4m in length and width and the previous application proposed the siting of the dwelling at a slight angle with Angel Street, whereas the proposal is parallel with the street. The previous application was assessed against the planning polices at the time which included the Supplementary Planning Guidance – Design of Housing Development (now superseded by the Supplementary Planning Document – Design of Housing Development Adopted May 2019) and the South Yorkshire Residential Design Guide (2011). The policy within the SPG in terms of separation distances and amenity standards, that were in force at the time of the application, have not changed significantly within the current adopted SPD.

Concerns have been raised by the occupants of the adjacent dwellings in terms of overlooking/loss of privacy and a loss of light/overbearing impact. The proposed dwelling is set to the front of the site with a garden of approximately 8m in length. The properties to the rear of the site, numbers 18 and 20 Sheaf Crescent are set approximately 18m from the rear elevation of the proposed dwelling. These dwellings are set at a slightly higher level and there is a wall and fence above which provides screening to the rear boundary. To overcome the potential for overlooking, the upper floor habitable room windows are set at the front. The upper floor rear windows are to be used as a bathroom and staircase window which ensures that there will be no direct overlooking from habitable room windows. Whilst the proposal does not meet the recommended separation distance of 21m, given that the only habitable room window on the rear elevation is at ground floor level and will be screened by existing boundary treatments, this is considered to be acceptable. There are no windows proposed to the side elevations.

There are overlooking windows in the side wall of the adjacent dwelling which may result in some overlooking of the proposed dwellings amenity area; however, any potential occupant will have full knowledge of this matter when looking at the site prior to purchase/occupation. There could be a greater impact upon the outlook of the adjacent occupiers from this development given the side windows, however, these are side windows which are less protected than front and rear elevations and the windows already look onto adjacent properties, albeit at a greater distance. As such this is not considered to be of significance to prejudice the development of this land.

The objectors have also raised concerns with regard to a loss of light/overshadowing impact. As the dwelling would be located to the west of the dwellings at the rear, some shading could occur for a small period of the late evening but given the height and distances involved this impact would be limited and is not considered to be of significance to recommend refusal of the application. The property would be set at a lower level than the properties which face directly over the site to the rear therefore there should not be any significant overbearing impact. Any overshadowing of the neigbouring property to the north would be limited to the side gable of this dwelling and should not significantly impact the rear amenity area. The property to the south should not be significantly affected given the siting of the dwelling in relation to the path of the sun. The proposal complies with the SPD guidance in terms of the 12m separation distance to avoid any overbearing impact to the properties which face over the site to the rear.

The South Yorkshire Residential Design Guide provides technical requirements in terms of amenity spacing standards for both internal and external arrangements. The dwelling is approximately 58sqm internally. The SYRDG states that 2 bed dwellings should be a minimum of 62sqm, therefore the floor space of the proposed dwelling falls short by approx 4sqm. Externally a small rear garden is proposed of approximately 50sqm which is in line with the SYRDG guidance, however the usable rear garden area is reduced given that it is mostly taken up with parking. Whilst the garden area is small there will be still sufficient room for a table and chairs and to provide places to store bins and put up a washing line. It is also noted that neighbouring properties have small gardens so this would not be out of character with the surroundings. In addition, there is good walking access to informal open spaces as can be seen from the map below of nearby PROW:



As such, although the amenity space is not ideal, a refusal of permission on amenity grounds would be difficult to substantiate based on the points above and the previous approval. Permitted development rights will be removed to ensure adequate amenity space is maintained.

On balance, the proposal is considered to be acceptable in terms of its impact upon residential amenity.

Highway Safety

The Highways Officer has been consulted and has no objection to the scheme. The Highways Officer states:-

'Both no.33 and the proposed dwelling are 2 bedroom properties and as such require the provision of just one off-street parking space each as per the advice contained within the SPD: Parking. This is provided albeit the parking arrangements are somewhat cramped and will require the accurate parking of the vehicle belonging to no.33 so as not to prevent the access/egress to the parking space for the proposed dwelling.

With weight being given to the previous approval for a very similar scheme, these proposals are considered acceptable from a highways point of view.' The proposal is considered to be acceptable in terms of highway safety and sufficient parking is provided in line with the SPD Parking and in accordance with policy T4 of the Local Plan.

Other Matters

Other issues have been raised by objectors which include the impact of the proposal upon the adjacent boundary walls, boundary and land ownership concerns and rights of way. Matters such as land ownership and rights of way are separate legal issues and are unfortunately not material planning considerations that can be taken into account when assessing the planning application. Any damage during construction would be the responsibility of the developer.

Recommendation

Grant subject to conditions