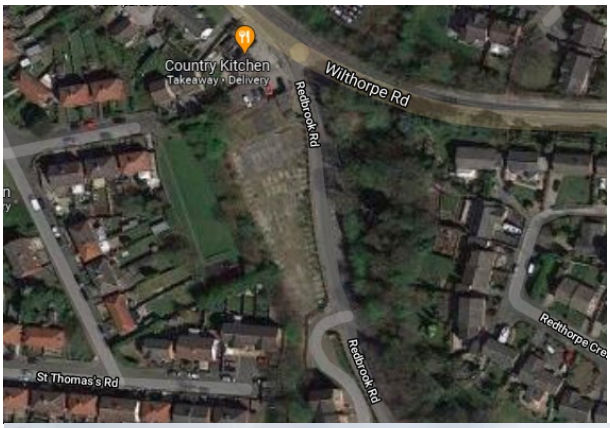
2022/0808

Applicant: Mr C Green
Description: Demolition of disused substation and erection of 1no detached two storey dwellinghouse with associated works including parking and landscaping
Address: Plot 9, Land off Redbrook Road, Gawber, Barnsley

Site Location and Description

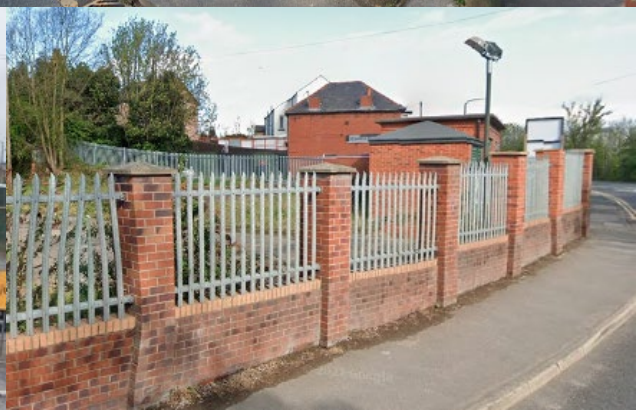
The application relates to a rectangular piece of land measuring approximately 380m2. The front part (east) of the site contains 2no. substation buildings. Both buildings are brick built with the larger of the 2 buildings have a flat roof and the smaller building having a hipped roof. The central part of the site has an area of hardstanding and the rear is vacant and overgrown.

To the South of the site is a triangular piece of land which was previously used for car storage and has recently been granted permission for 8no. dwellings. To the East of the site, beyond Redbrook Road, is a tree belt with residential properties, built on a higher level beyond. To the West of the site is a landscaped bank with an area of Greenspace and residential properties beyond. Immediately to the North of the site is a small car park associated with the neighbouring café and Hot food Takeaway.







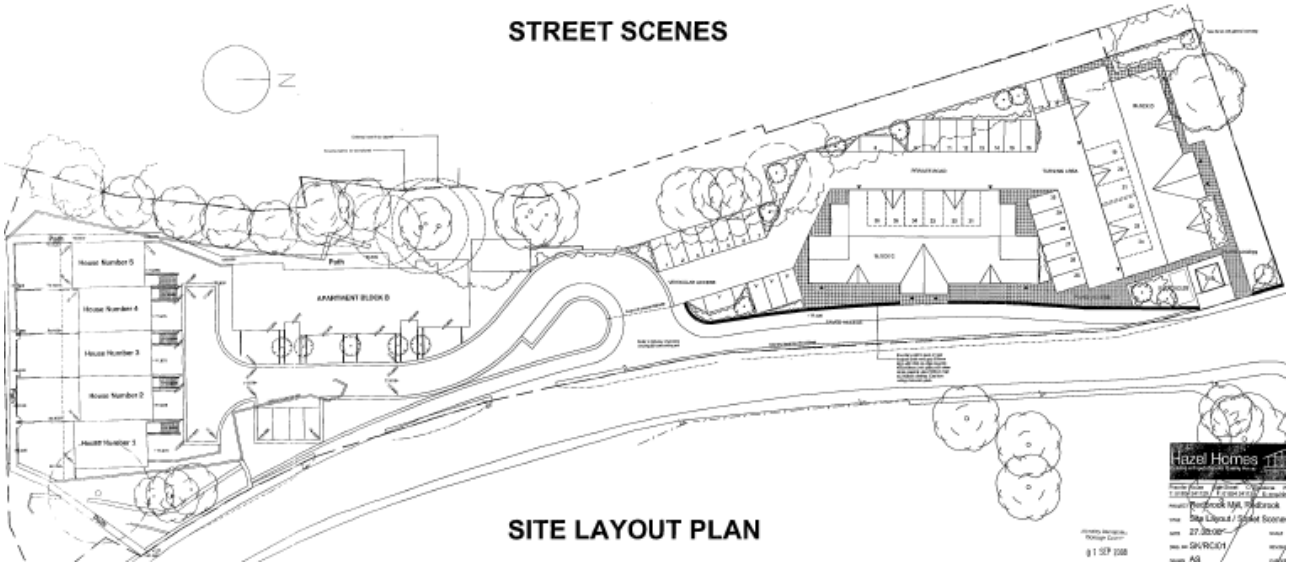


Site History

2005/0565 – Erection of 5, 3-storey townhouses, one 4-storey block of 12 luxury apartments and 3 and 4-storey block of 39 apartments with associated car parking – approved and partially built out



STREET SCENES



SITE LAYOUT PLAN

2015/0223 – Change of Use of land including laying of Hard Standing to allow for the storage of vehicles to be for a temporary period of 5 years and to be without prejudice to approved application Ref B/05/0565/DT – approved

2018/0972 – Variation of condition 1 of limited period planning permission 2015/0223 to enable permission to be carried out by Ford Retail Ltd instead of Pentagon – Change of Use of land including laying of Hard Standing to allow for the storage of vehicles – Approved

2021/0562 – Erection of 8no dwellings and associated works – approved subject to conditions



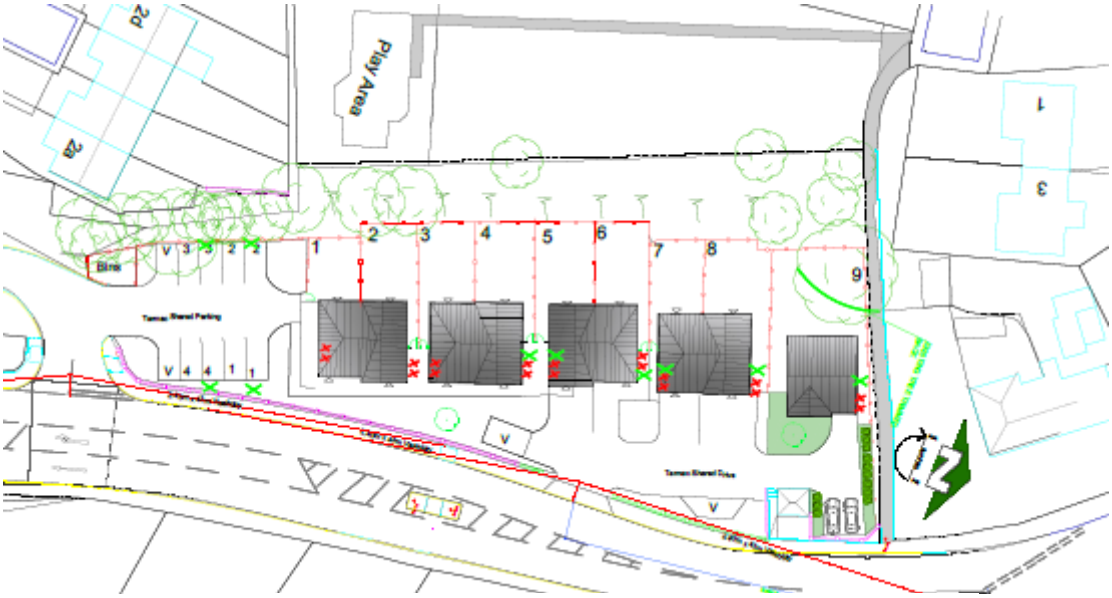


SREET SCENE (Beyond existing pier and panel wall at 2.2m High)

Proposed Development

The applicant seeks permission to demolish the larger of the 2 substations (which has been de-commissioned) and erect a 2 storey, brick built, detached dwelling with hipped roof. The dwelling would accommodate a lounge, an open plan living/dining/kitchen, study, utility room and WC on the ground floor and 4no. bedrooms (1no. en-suite) and a family bathroom on the first floor.

The property would be accessed via the vehicular access off Redbrook Road serving 4no. of the previously approved properties. 2 no. parking spaces would be provided to the front of the dwelling, adjacent to the remaining substation. To the rear of the property would be an enclosed garden area, backing onto the landscaped banking.







GROUND FLOOR PLAN FIRST FLOOR PLAN

Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless

there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

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 H6 'Housing Mix and Efficient Use of Land'

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 CC1 Climate Change

Policy CC2 Sustainable Design and Construction

SPD's

Those of relevance to this application are as follows:

-Designing of housing Development
-Parking
- Open Space Provision on New Housing Development

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 91 - 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.

Consultations

Drainage – no objections, Building Control to check

Highways – No objections subject to conditions

The Coal Authority – no objections

Tree Officer – No objections

SYMAS – No objections

Ward Cllrs – No comments

Representations

33 notification letters were sent to neighbouring properties and a site notice was erected within the immediate area. No letters of objection have been received.

Assessment

Principle of development

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.

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.

It should also be noted that the site formed part of an application for the erection of 5, 3-storey townhouses, one 4-storey block of 12 luxury apartments and 3 and 4-storey block of 39 apartments with associated car parking under reference 2005/0565. The 5no. town houses and

apartment block B have been built out, as such, apartment block C and D which were partially approved on this application site, and the neighbouring site, are extant and could still be built out. Furthermore, the immediately adjacent site has recently been granted planning permission for 8no. residential properties and this application site would form part of that development. As such, the principle of residential development on this site, and neighbouring sites, is long established.

The merits of the current scheme will be assessed under the headings below;

Residential amenity

The proposed dwelling would be on a similar building line as the 8no. dwellings previously approved on the immediately adjacent site. The dwelling I separated from the dwellings to the East by Redbrook Road and a tree bank and a separation distance in excess of 70m to the rear elevations of the dwellings, not to mention the significant level difference.

There are residential dwellings to the West of the site, however, again there is tree bank and the neighbouring properties are on a significantly higher level. There is also an area of green space between and a separation distance of circa 50m between the proposed and existing dwellings.

To the North of the site is a detached building which accommodates a café and a hot food takeaway. There are no windows on the elevation of the neighbouring building facing the site and the two sites are separated by a carpark and a separation distance over 13m. There are dwellings to the rear of the neighbouring commercial property, accessed off Mawfield Road but these do not directly face the site and are built on a higher level.

The proposed dwelling would sit further forward on its plot than the dwellings approved under application 2021/0562, however, the projection is not significant and the proposed dwelling is orientated directly to the North, as such, it would not significantly increase overshadowing or be an overbearing feature.

Given the above comments, the proposed dwelling would not significantly increase overshadowing or be an overbearing feature, in accordance with Local Plan Policy GD1. Furthermore, the modest 2 storey dwelling, along with the previously approved 2 storey dwellings, is far less imposing than the 2no. 3/4 storey extant apartment blocks.

The internal spacing of the proposed dwelling generally meets or exceeds the requirements of the South Yorkshire Residential Design Guide. The proposed private amenity space would be at least 60m2, in accordance with SPD 'Design of Housing Development'. It is noted that a retained tree would be relatively close to the proposed dwelling and provide some overshadowing to the dwelling and the garden area, however, future residents would be aware of the tree and as it is situated to the North West of the site there would still be reasonable light available.

It is noted that the dwelling would be located adjacent to a substation and commercial properties including a Hot food Takeaway, however, the impact on the proposed dwelling would be no greater than the previously approved apartments, the previously approved 8no. dwellings or the existing immediately adjacent residential properties.

Visual Amenity

As outlined above, there is an extent permission for 2no. apartment blocks on the site with associate parking courts. The multi storey apartment blocks would be far more imposing on the streetscene that the proposed, modest 2 storey dwelling and adjacent approved 8no. 2 storey dwellings.

As with the approved 8no. dwellings the proposed dwelling would front Redbrook Road and would also share a driveway with 4no. of the approved dwellings and, as such, would be incorporated as part of the dwelling which is also by the same applicant and architect. It is noted that the proposed dwelling is detached while the approved dwellings are semi-detached, however, it has a very

similar design in terms of appearance and scale and would also utilise the same materials, as such, it would sit comfortably alongside the approved dwellings, in accordance with the SPD and Local Plan Policy D1.

The side elevation of the proposed dwelling would be close to the site boundary and would be visible from Redbrook Road and the adjacent car park. However, the neighbouring property would limit views and the side elevation would be partially obscured by the proposed boundary treatment and landscaping. In addition, the dwelling would have a modest hipped roof that would slope away from the boundary. As such, it would not be an overly prominent feature on the streetscene, in accordance with Local Plan Policy D1.

The proposed parking spaces for the dwelling are located adjacent to the highway, in a prominent location, and are separated from the proposed front elevation by the driveway. However, the spaces would be obscured by the retained substation and also there is ample space to the front of the dwelling for soft landscaping which would soften the areas of hard landscaping.

The dwelling would have pedestrian access to the rear garden area which would allow wheelie bins and recycling contains to be stored away from public vantage points and prominent locations.

Highway Safety

The proposed dwelling, identified as Plot 9, would join Plots 5-8 and be the fifth dwelling served off the private drive approved under permission 2021/0562. The layout of this additional plot includes adequate parking and turning provision and does not adversely impact upon the approved layout for Plots 5 to 8.

The proposals are therefore considered acceptable from a highways point of view and Highways DM have raised no objections subject to the conditions required for application 2021/0562 being carried over.

Coal Mining

The application site falls within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Specifically, the Coal Authority records indicate that a thick coal outcrop may cross through the application site.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site. This information has been used to inform a Coal Mining Risk Assessment (or equivalent) (May 2021, prepared by MDJA) to accompany the planning application. In addition, a Phase II Ground Investigation (May 2021, prepared by MDJA) is also provided as part of the application documentation.

The Phase II Ground Investigation Report relates to the immediately adjacent site and was commissioned following the approval of the 8no. dwellings. It is able to identify that the rotary boreholes encountered made ground, underlain by a sequence of predominantly mudstone to a maximum proven depth of 30m.

Three bands of coal were also encountered across the site. The report identifies that all three were of poor quality and containing dirt bands. The shallowest coal seam occurred at around 6m to 7m depth and was typically 0.5m thick. A second seam occurred at around 12m to 14m depth, and was typically 0.6m thick. The deepest coal was encountered at between 21m and 23m depth and was typically 0.8m thick.

No evidence of workings were found in the coal seams. The report author identifies that this is most likely due to the poor quality of the coal which resulted in the coal having no economic value. No further remediation or mitigation is therefore recommended.

The Coal Authority and SYMAS concur with the findings and raised no objections or require any further investigations.

Trees

The application has been accompanied by a Tree Report. The majority of the trees surveyed lie along or just beyond the site perimeter, although, T8, which is a category B Oak tree, does sit in the North Western corner of the site. However, the plans demonstrate that the root protection area and canopy sit outside of the footprint of the proposed dwelling and the tree is to be retained. The site layout notes some pruning works are proposed to provide some additional clearance, however, the Tree Officer has stated that these works should not prove detrimental to the tree.

It should also be noted that the extant permission for the apartments also showed that tree to be retained, however, the building footprint was far larger and closer to the tree than the currently proposed dwelling. As such, the dwelling as proposed would have a more limited impact on the tree than what could be built out.

An Arboricultural Method Statement has been submitted and this will be conditioned.

Conclusion

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

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.

As such, 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, H2, GD1, G1, D1 and 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

Grant planning permission subject to conditions: