

2023/1033

Mr Barrie Murphy

Variation of condition 2 of application 2020/1473 (Erection of 5no. dwellings) to allow for changes in house design of plots 1 and 5

Land to the rear of Lesmond Crescent, Middlecliffe, Barnsley, S72 0EZ

Site Description

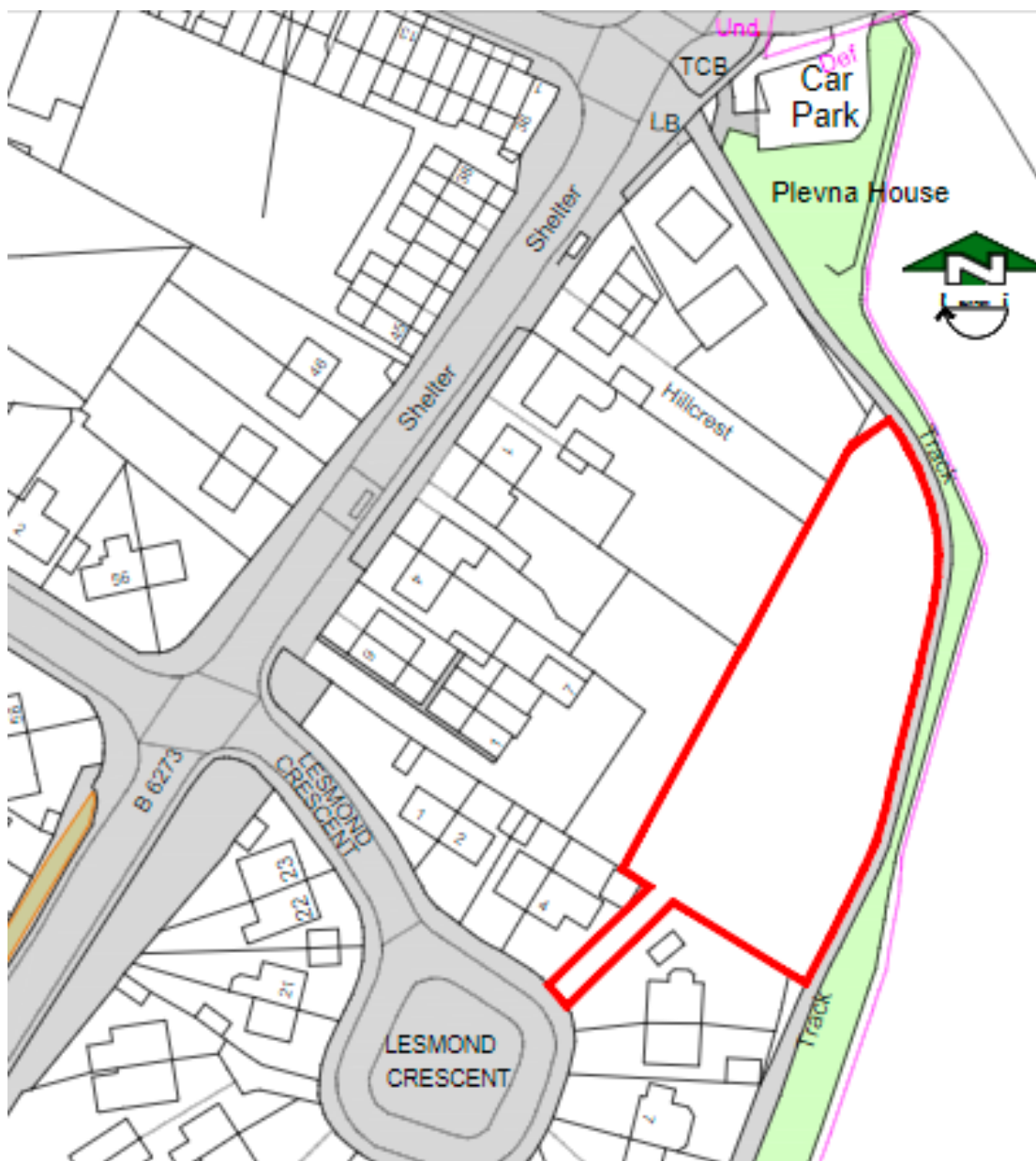
The site is approximately 0.27 hectares, located off Lesmond Crescent, accessed via an existing drive / field access between no.4 and no.5 and to the rear of houses on Rotherham Road in Middlecliffe.

The site is broadly rectangular in shape, there are houses to two sides and open fields beyond. A track runs along the northern and eastern boundaries, accessing a Yorkshire Water facility to the south.

There is a mature hedgerow along the north and eastern boundaries.

Middlecliffe consists of a variety of different designed dwellings, with bungalows and two storey properties, some with hipped and pitched rooflines and dormer windows with flat and pitched roofs feature within the street scene.

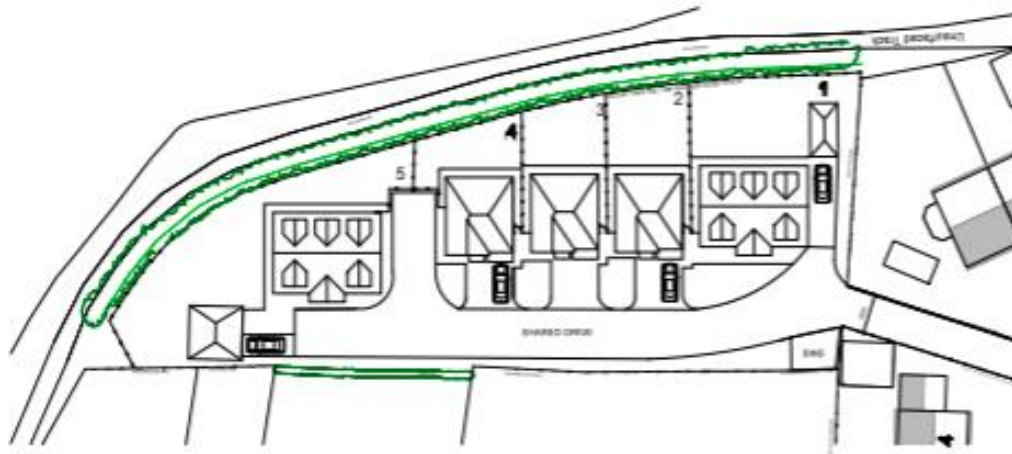




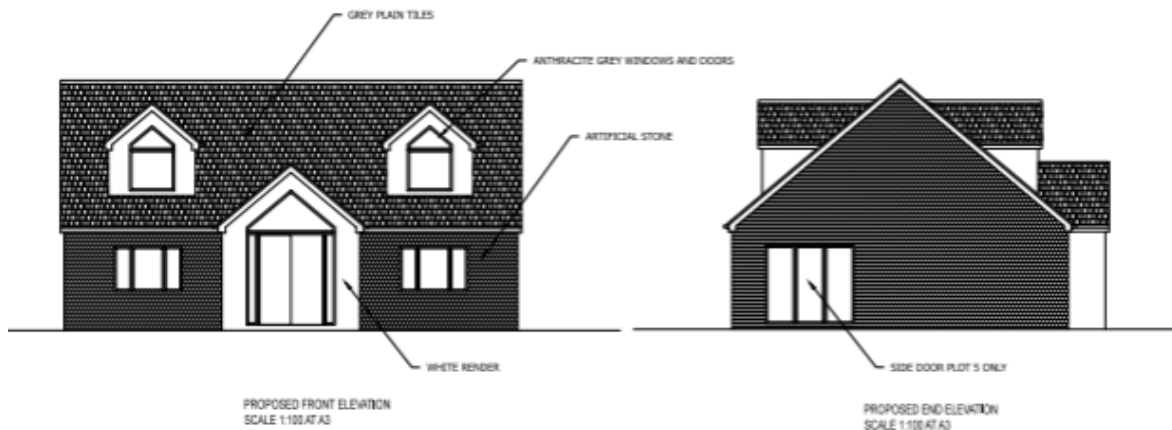
Proposed Development

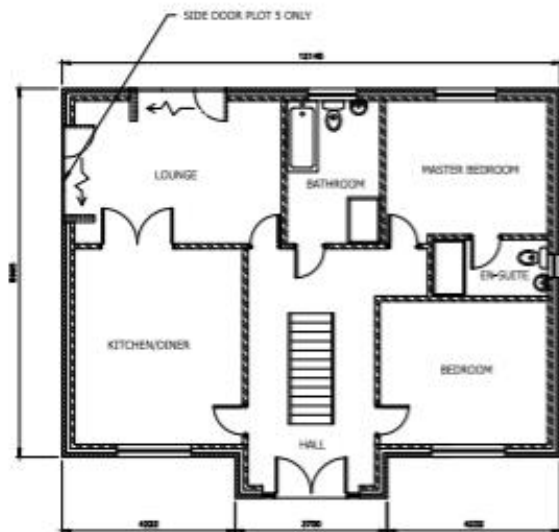
The application is for a variation of condition 2 of approved application 2020/1473 (Erection of 5no. dwellings) to allow for changes in house design of plots 1 and 5. The changes include the change from hipped roof bungalows to pitched roof dormer bungalows, with rooms in the roof space. The properties have been designed with two dormer windows to the front elevation and 3 dormer windows to the rear.

Plots 1 and 5 are now proposed as dormer bungalows with 4 bedrooms, bathroom, kitchen diner and separate lounge. Both have bifold doors onto the garden, with plots 5 having them in the side, accessing the main garden area to the north, whilst plot 1 has them in the rear. Plot 1 has a detached single garage to the side and plot 5 a detached double garage.

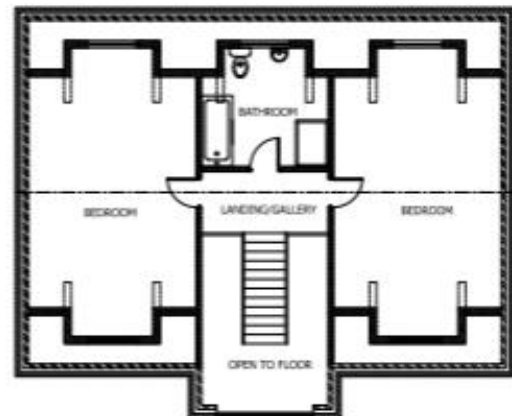


BLOCK PLAN OF SITE
SCALE 1:500 AT A3





PROPOSED GROUND FLOOR PLAN
SCALE 1:100 AT A3



PROPOSED FIRST FLOOR PLAN
SCALE 1:100 AT A3

History

B/86/0574/HR – Residential Development – Refused

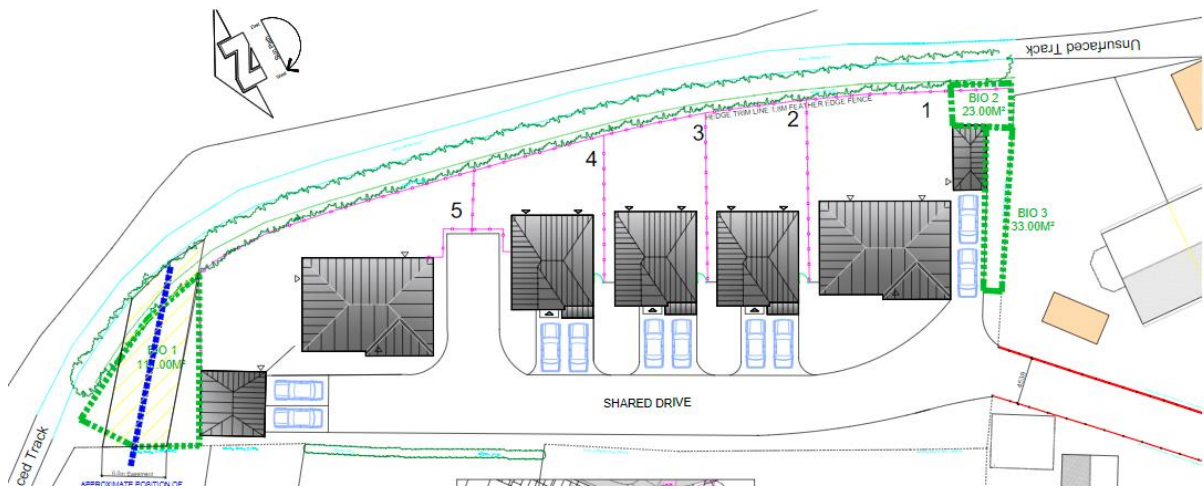
B/90/1073/HR - Erection of 3 No. detached dwellings with private garages (Outline) – Approved

B/00/0894/HR – Residential Development - 3 detached dwelling houses (Outline) - Approved

2019/0984 - Residential development of 8 no. dwellings (Outline with All Matters Reserved apart from access and layout) – Withdrawn

The withdrawn and refused applications both proposed access via Rotherham Road and the track to the north-east which is unsuitable for any increase in traffic

2020/1473 - Erection of 5no. dwellings (3no. two storey properties and 2no. bungalows) including garages and private drive – Approved subject to a Section 106 Agreement which required a financial contribution towards off site Biodiversity improvements



Plots 1 and 5 are approved as bungalows with plots 2-4 being two storey detached dwellings.



Front Elevation



Side Elevation



Side Elevation



Rear Elevation



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022.

The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

The site is located within the urban fabric of the village of Middlecliff as defined on the Local Plan Proposals Map.

SD1 'Presumption in Favour of Sustainable Development'.

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.

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states a further 200 dwellings in the villages and 566 dwellings across the Borough are added to the overall supply as a windfall allowance.

H4 'Residential Development on Small Non-allocated Sites' proposals on sites below 0.4ha will be allowed where they comply with other relevant policies in the Plan.

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure and a density of 30 dwellings per hectare is expected

H8 'Housing Regeneration Areas' The site is located in the Hoyland, Wombwell and Darfield sub area.

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

RE1 'Low Carbon and Renewable Energy'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

SPD's

- Design of Housing Development
- Parking
- Trees and Hedgerows
- Biodiversity and Geodiversity
- Sustainable Travel

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.

Consultations

Drainage - The conditions regarding drainage applied to the original application referenced above should be applied to this resubmission.

Highways - No objections subject to conditions

Pollution Control - No comments received

PROW: There are no recorded public rights of way on or adjacent to this site, an informative should be added to the decision notice.

Tree Officer – No comments received

Ward Councillors - No comments received

Yorkshire Water - No comments received

Legal Officer – DOV not required

Parish Council - We have no objections to the development - Barnsley Planning No. 2023/1033

However, the construction traffic will no doubt have a detrimental impact on the condition of the road surface of the crescent and the grassed centre if used as an access route. If so, is it possible to make a condition of approval that the entire crescent is resurfaced and any damage to the centre is repaired?

Representations

2 objections have been received which raise the following concerns:-

- Overlooking from windows to house and garden
- Lack of separation from windows
- Overshadowing impact
- Lack of suitable access
- Impact on the character of the area
- Allergy to chemicals/building materials

Assessment

The principle of the development has been established by the granting of planning permission under application 2020/1473 which is still valid. This application seeks to vary condition 2 of the approved application 2020/1473 (Erection of 5no. dwellings) to allow for alteration of the house design of plots 1 and 5, the changes of which have been assessed below.

Visual Amenity

The alteration to the approved plans involve the changes in house design of plots 1 and 5. The changes include the change from hipped roof bungalows to pitched roof dormer bungalows, with rooms in the roof space. The properties have been designed with two dormer windows to the front elevation and 3 dormer windows to the rear.

The design and proposed materials are in keeping with the area which is largely characterised by brick houses and bungalows with some render. Middlecliffe consists of a variety of different designed dwellings, with bungalows and two storey properties, some with hipped and pitched rooflines and dormer windows with flat and pitched roofs feature within the street scene. The proposed bungalows would fit in with the adjacent dwellings, and whilst there are no dormers in the immediate street scene, dormer windows can be seen on properties within the area, in particular properties set on Rotherham Road, some of which back onto the site.

On this basis, the visual impact is judged to be acceptable against policy D1.

Residential Amenity

Within the development the separation distances between existing buildings and their private rear gardens to the development meet the standards required by the SPD, with the exception of plot 5 where the new first floor habitable room windows are approx. 9.3m from the rear boundary with the properties along Rotherham Road. Whilst this falls short of the recommended 10m distance to any rear garden boundary, the 0.7m is not a significant distance given that the gardens to the properties along Rotherham Road are approx. 40m in length, therefore there should not be any significant loss of privacy to these gardens. The separation from the new first floor windows to the habitable room windows of the adjacent properties of both plots also exceed the required 21m.

The design and layout locates the houses away from existing residential boundaries with the access driveway providing some buffer. The nearest property is plot 1 which is adjacent No.5 but they are located side to side with no windows in the side elevation other than a small bathroom window at ground floor level. The changes introduce windows at first floor level to plots 1 and 5, however the required separation distances to adjacent dwellings can still be maintained. The small increase in height should also not cause any significant overshadowing or overbearing impacts given the required separation distances are maintained.

Internally the proposed dwellings provide sufficient space to meet the spacing standards as set out by the South Yorkshire Residential Design Guide and all the plots have private gardens which also meet design guidance in the Design of Housing Development SPD.

On this basis the proposed changes comply with Local Plan Policy D1 and the accompanying SPD Design of Housing Development with regards residential amenity.

Highway Safety

The Highways Officer has been consulted and has no objections to the change in house types to plots 1 and 5. The site access is via an existing grassed field access off Lesmond Crescent. This is only wide enough for a single track / private drive and as a result the number of dwellings within the site is limited to 5. The width of the access has been clarified and is shown on the Layout Plan with Highways satisfied there is space within the site to maneuver.

As the site is accessed via a private drive, waste collection will be from Lesmond Crescent. Normally a bin store would be requested but there is insufficient space for this adjacent the highway. Whilst it is accepted that this may result in a high number of bins being on Lesmond Crescent on bin days, this would be limited to certain days and is not sufficient to justify a reason for refusal.

The proposed has not raised any objections from the Highways section and is therefore considered acceptable in highway safety terms and complies with Local Plan Policy T3 and T4.

Drainage/Flood Risk

There are no changes to the site layout with the exception of the changes to the plots 1 and 5 from bungalows to dormer bungalows. There is an existing culverted watercourse running through the site along the northern edge which is thought to be from some former mine workings. The culvert has been identified on the site layout plan and can be protected by a condition requiring a 3m easement.

Residents have previously reported some localised surface water flooding at peak rainfall periods and there is evidence of a low risk of this on the Environment Agency's Surface Water Flood maps. The applicant will have to provide a detail drainage strategy for the site which will be assessed by the Local Authority and Yorkshire Water with a requirement to adequately address surface water storage and release at a greenfield rate. This detail is secured by appropriate conditions.

Neither the Council's Drainage Section nor Yorkshire Water have raised objections to the scheme subject to the imposition of suitable conditions. In this respect the proposed will not exacerbate this existing situation as required by Policies CC3 and CC4.

Trees and Biodiversity

There are no significant impacts to the trees with the change in house types proposed. The previous application was approved subject to a financial contribution for the provision of off site Biodiversity enhancements which equates to £16,750. This was secured by the way of a Section 106 Agreement. The Legal Officer has been consulted and states that a Deed of Variation is not required as any changes made by way of a variation of condition are still subject to a clause within the original Section 106 agreement. On this basis the proposed complies with Local plan Policy BIO1 and the accompanying SPDs: Biodiversity and Geodiversity, and Trees and Hedgerows.

Other matters

Concerns raised with regard to allergies to building materials by an existing resident is unfortunately not a material planning consideration which can be taken into account when assessing the planning application.

Recommendation

Approve with conditions

2020/1473 Location Plan

