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**2021/1513**

Applicant: Mr John Watts

Description: Variation of condition 10 (Highway improvement works) of planning permission 2019/0052 to enable changes to previously approved details- Erection of 5 pairs of semi-detached houses (10 dwellings in total) with car parking, landscaping and accesses plus widening of the adopted highway

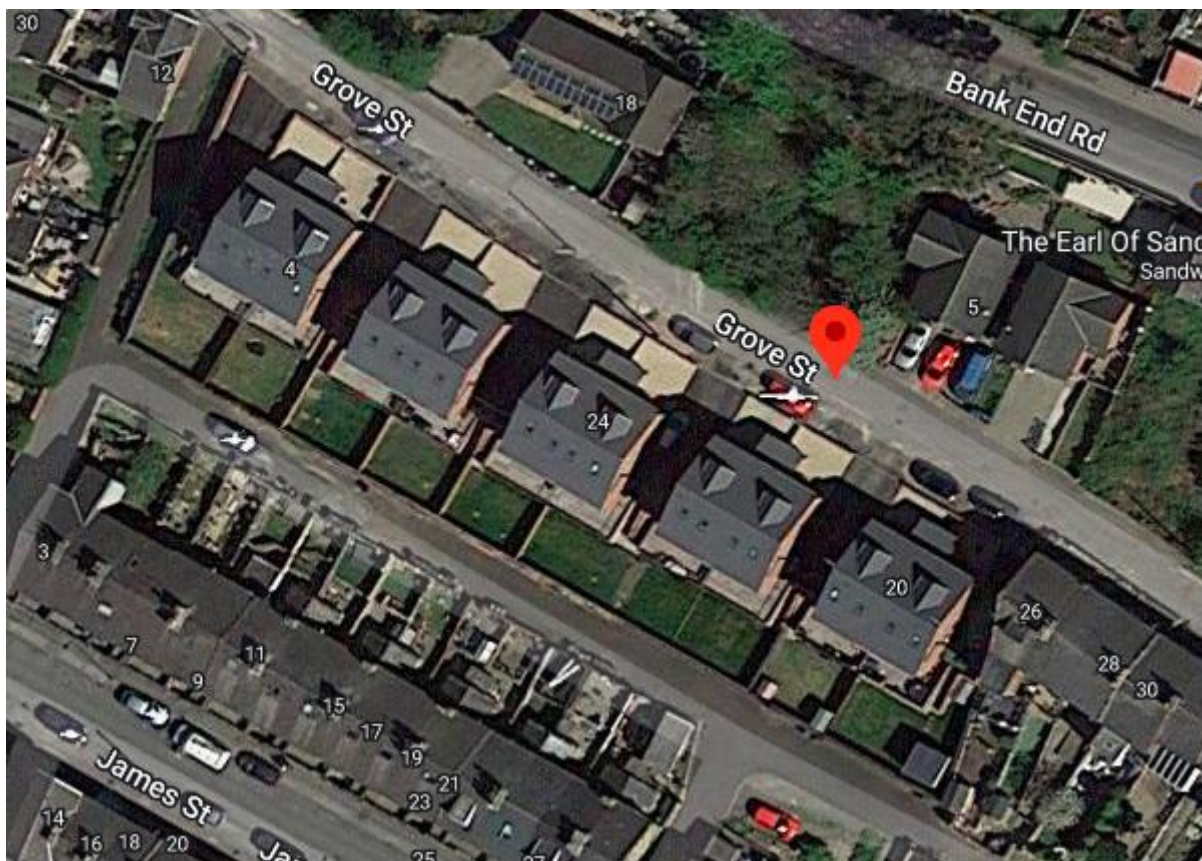
Site Address: Vacant land to North-West of number 24 Grove Street, Worsborough, Barnsley, S70 4SN

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### Site Location and Description

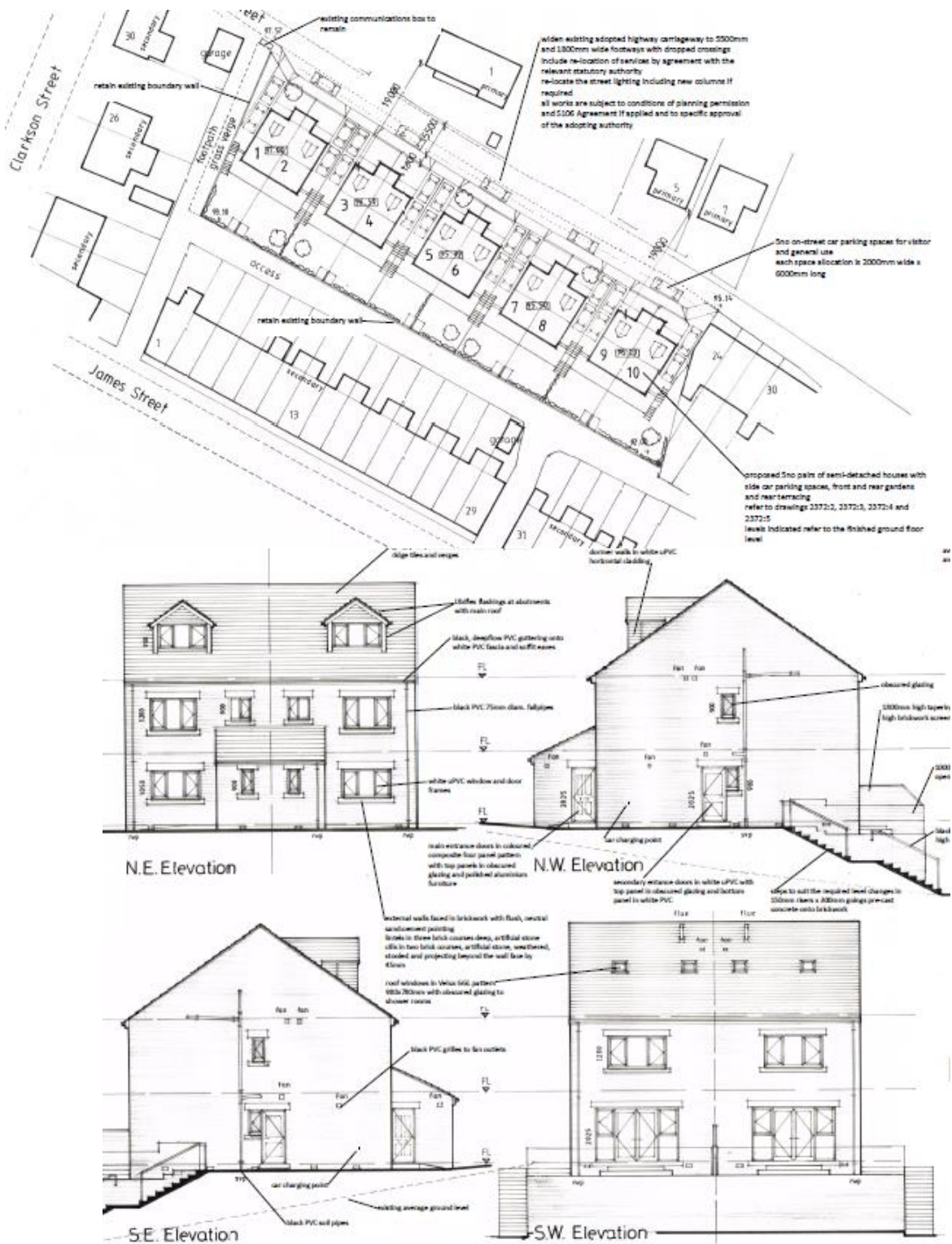
The application relates to a site which is rectangular in shape and recently undergone construction for 5 pairs of semi-detached dwellings approved under application 2019/0052. The site measures circa 0.2 Hectares and slopes from North to South and West to East. It fronts Grove Street to the North and backs onto an access road serving the properties on James Street to the South. Historical mapping shows that the site previously accommodated 5no. semi-detached properties (10 dwellings in total).

The immediate area is predominantly residential in nature with detached properties opposite Grove Street, 2 storey terraced properties to the South, fronting James Street, terraced properties to the East, fronting Grove Street, and semi-detached properties to the West, fronting Clarkson Street.



### Site History

2019/0052 - Erection of 5 pairs of semi-detached houses (10 dwellings in total) with car parking, landscaping and accesses plus widening of the adopted highway – approved subject to conditions



2019/0555 - Approval of conditions 3 (external materials), 5 (CMS) , 9 (drainage), 10 (highway improvement works) and 11 (Highway condition survey) of planning permission 2019/0052 - Erection of five pairs of semi-detached houses (10 dwellings in total) with car parking, landscaping and accesses plus widening of the adopted highway - approved

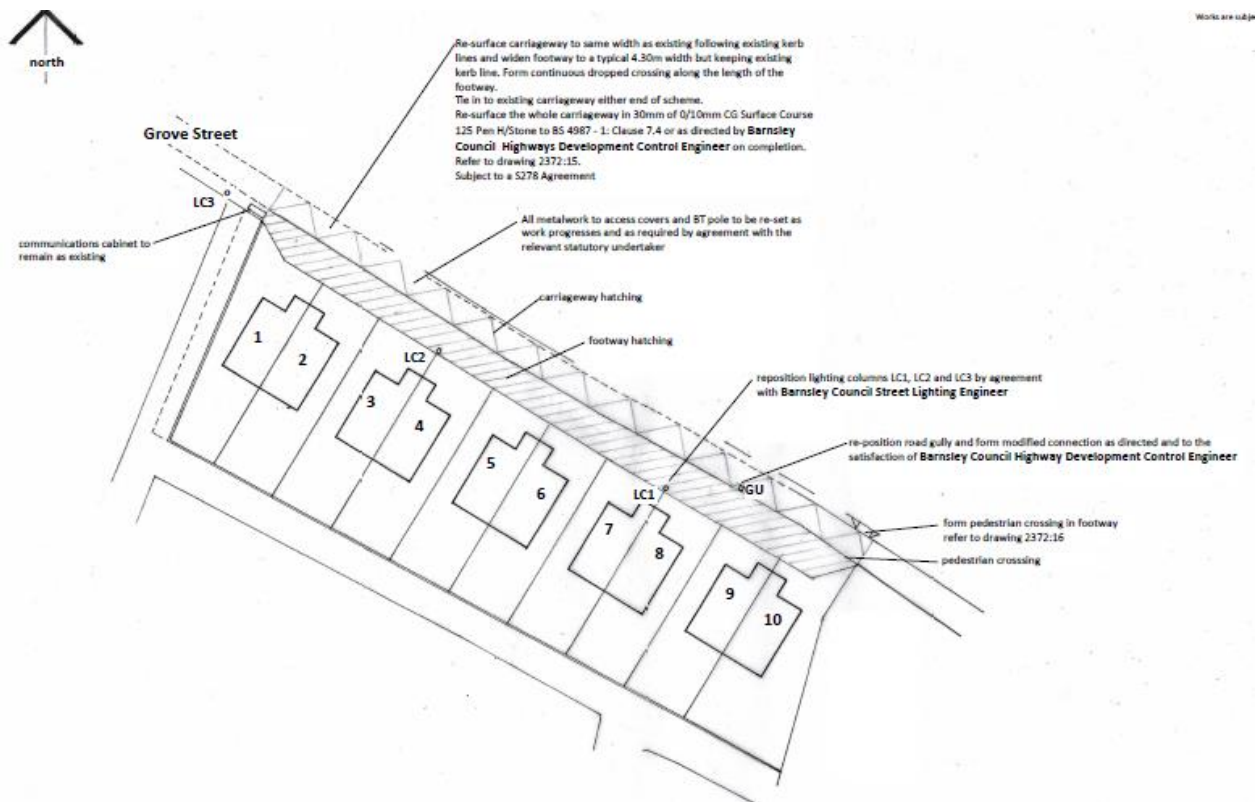
### Proposed Development

Condition 10 of application 2019/0052 states;

Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- " Provision of a 5.5m wide carriageway;
- " Provision of a 1.8m footway'
- " Provision of/any necessary relocation of street lighting;
- " Provision of/any necessary relocation of highway drainage;
- " Any necessary resurfacing/reconstruction

Following on from the conditions found on site and correspondence with Highways it was not possible for the above highway improvements works to be secured. As such, the applicant now proposes amendments to the highway works, which includes resurfacing the road to continue the current width, rather than the 5.5m proposed, as well as widening the proposed footway at the expense of the previously approve visitor parking layby.



## Policy Context

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 H3 Uses on Allocated Housing Sites

*Policy H6 Housing Mix and Efficient Use of Land*

*Policy H7 Affordable Housing*

*Policy T3 New Development and Sustainable Travel*

*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 GS1 Green Space*

*Policy BIO1 Biodiversity and Geodiversity*

*Policy CC2 Sustainable Design and Construction*

*Policy CC4 Sustainable Drainage System (SuDS)*

*Policy RE1 Low Carbon and Renewable Energy*

*Policy I1 Infrastructure and Planning Obligations*

### SPD's

Those of relevance to this application are as follows:

- Designing New Residential Development
- Open Space Provision on New Housing Development
- Parking

### 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 93 - 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**

Highways – No objections following amendments

Ward Councillors – No comments

## **Representations**

44 neighbouring properties were consulted on the application via letter and there was also a site notice put up and a press notice in the Barnsley Chronicle. As a result of the consultation exercise, 1no. letter has been received. The main points of concern are:

- Restricted access to neighbouring driveway

## **Assessment**

### Principle of development

The dwellings approved under application 2019/0052 have already been built out and are not under consideration again, this application relates to the amendment of the previously approved highway works on Grove Street. As such, the amendments to the scheme should not reduce highway safety or create traffic problems, in accordance with Local Plan policy T4.

### Design / Visual Amenity

The proposed amendments to the road and pavement would not significantly impact the design or visual amenity of the development, as such the comments on application 2019/0052 are still relevant;

*As outlined above, the site previously accommodated 5no. pairs of semi-detached dwellings on a similar footprint as the proposed layout. It is acknowledged that the dwellings would be set back further on their plots than the terraced row to the East but this allows for a small buffer garden to the front which aids to soften the development and create a more attractive streetscene.*

*There are a mix of property styles and ages within the immediate area, including 2 storey terraced properties to the East and South, more recently constructed detached dwellings to the North and a mix of detached, semi-detached and terraced dwellings fronting Clarkson Street to the West. As such, there is no particular architectural style to follow.*

*The proposed dwellings are relatively simple in design and take a number of cues from the properties within the surrounding area, in order to harmonise and sit comfortably within the streetscene. It is acknowledged that the dwellings incorporate front dormers which are not common within the immediate area but they are relatively modest, pitched roof additions and sit within the roof plain, in accordance with the SPD. Furthermore, the surrounding properties could build dormers in the rear roof plains without planning permission and, given the road layouts and rear access road, would be prominent within the streetscene.*

*The dwellings incorporate porches on the front elevations which are not unusual in the area, however, it is noted that the front entrance doors are on the side elevations of the porches rather than the front, this is more unusual. The reason for this is to get a level access into the property*

*from the driveway and also to accommodate a WC in the porch. The front elevation of the porch does incorporate a window so would not result in a blank elevation facing the streetscene.*

*Each dwelling would incorporate 2no. off street parking spaces. These would be to the side of the dwelling so as not to create a car dominated streetscene/frontage. It also allows the amount of hardstanding to the front of the dwellings to be reduced and provides space for soft landscaping. In addition, the driveways to the side allow for bin and recycling containers to be stored away from the streetscene and public vantage points.*

*The site slopes down from North to South which results in a raised deck to the rear of the property and a garden at lower level. The rear of the property is visible from the access road serving the properties fronting James Street. The rear boundary would incorporate the existing wall with a mesh fence a top. This would be softened by planting to the rear of the plot. The proposed raised decking would not be overly prominent as it would have a glazed balustrade rather than a solid one.*

### Residential Amenity

The amendments to the road and pavement would not significantly impact residential amenity, as such, the previous comments on application 2019/0052 are still relevant;

*Given the slope of the site, the proposed dwellings would sit on a higher level than the properties to the South that front James Street. The proposed rear elevations contain habitable room windows and there is also a raised deck area that would have views of the neighbouring properties and their associated private amenity spaces.*

*The proposed windows and decking would be in excess of 10m from the rear boundary of the properties to the South, in accordance with SPD 'Designing New Housing Development'. The proposed windows and raised deck would be in excess of 21m from the main rear elevation of the properties to the south, again in accordance with the SPD.*

*It is acknowledged that the majority of these properties have single storey rear extension which would fall short of 21m. However, these rooms are generally served by 1no. modest window which sits considerably below the level of the site and even below the level of the service road to the rear of the properties. The sections provided with the application demonstrate this. As such, the proposed windows and decking would provide very limited views of these windows and would not increase overlooking to an unreasonable degree.*

*Plot 1 would have its side elevation to the rear of properties fronting Clarkson Street to the West. The distance between the proposed side elevation and existing rear elevations is circa 16m, fare in excess of the 12m required in the SPD.*

*The proposed front elevations would front the properties to the North of Grove Street. The existing properties are built on a higher level and the separation distance would be circa 19m which accords with the SPD for dwellings across a highway.*

*As a result of the comments above, the residential amenity levels of existing residents would be maintained to a reasonable degree, in accordance with the SPD and Local Plan policy GD1.*

*In terms of the future residents of the scheme, the internal space standards generally accords with the South Yorkshire Residential Design Guide. It is acknowledged that the kitchen falls short of the requirement but when combined with the adjacent utility room it exceeds it. The garden area to the rear is terraced but there is a usable raised decking area immediately adjacent to the rear elevation and then a gradually sloping lawned area below. As a result of the comments above, the residential amenity levels of future occupant would be to a reasonable degree.*

### Highways Safety

The applicant still proposes 2no. parking spaces per dwelling which is in line with SPD 'Parking'.

The main difference between the layout approved under application 2019/0052 and the current application is it is no longer proposed to widen the road to 5.5m, instead it will be maintained at the current width. Furthermore, the previous application had a small pavement and a visitor parking layby, these have been combined to create a wider footpath with dropped kerb along the site frontage.

The amendments have been devised following correspondence with BMBC Highways. Highways have raised no objections to the current layout following some amendments during the application process, the works will also be subject to a S278 agreement. As such, highway safety would be maintained, in accordance with Local Plan Policy T4 and the SPD.

### Coal Mining

The previous comments are still relevant;

*The application site falls within the defined Development High Risk Area; therefore within the 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 our information suggests that historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth.*

*The planning application is accompanied by a Summary of Coal Mining Site Investigation report (5 January 2019, prepared by Cromwell Mining Consultants). This document details and interprets the results of intrusive investigations carried out in order to assess whether or not the shallow unrecorded coal mining activity has taken place beneath the site, as identified in an earlier Phase 1 geo-environmental report as representing a possible risk to development at the site.*

*The submitted report indicates that five boreholes were drilled within the site to maximum depths of 30m bgl. The report indicates that whilst coal seams were encountered during drilling, these were found to be intact and unworked. On this basis, the report author is able to conclude at Section 3.4 in respect of shallow coal mining legacy that "there are no ground condition problems on the site and the foundations can be set on competent coal measures strata found at a depth of 1.2 metres."*

*South Yorkshire Mining Advisory Service and the Coal Authority have been consulted on the application and both agree with the findings of the submitted report.*

### Conclusions

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the revised scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

**Recommendation:** Approve subject to conditions