
2022/0924

Applicant: Rob Palin

Development: Variation of condition 2 (approved plans) of planning permission 2020/0587 to enable changes to the floor plans and elevations - Erection of two storey detached dwellinghouse with attic living space and attached double garage and associated works

Address: Lands rear of 8 Lee Lane, Royston, Barnsley, S71 4RT

Site History

B/89/2021/RO – Residential Development – Outline – No Decision Notice on Record

2020/0587 – Erection of two storey detached dwellinghouse with attic living space and attached double garage and associated works (Approved with conditions)

2021/0423 - Discharge of conditions 4 (trees), 5 (landscaping), 8 (EVCPs), and 10 (boundary treatments) of planning permission 2020/0587 - Erection of two storey detached dwellinghouse with attic living space and attached double garage and associated works (Approved)

Site Description

The site is a 1515sqm parcel of land situated between 8 and 10 Lee Lane to the south and 8 Tanfield Close to the north. The footprint of the site is rectangular in shape and, topographically, relatively flat. Access to the site can be gained from Tanfield Close but it is also possible via two gates from 8 Lee Lane. The site itself is largely overgrown and ringed by mature trees which serve to screen the site from most vantage points. Some dilapidated timber outbuildings are also located on the site. The land is a part 8 Lee Lane's larger curtilage but has not been maintained due to the aging of the resident of that dwelling.



Proposed Development

The applicant seeks approval to vary condition 2 (approved plans) of application reference number 2020/0587 – Erection of two storey detached dwellinghouse with attic living space and attached double garage and associated works. Specifically, the alterations to the plans refer to the following elements:

1. Widening of the main part (two storey part) of the dwelling by 1.2m,
2. Fenestration detail changes including additional windows to front and side elevations, and widening of windows on the rear elevation,
3. Additional roof lights to front and rear roof slope,
4. Addition of single storey extension to the rear elevation to be used as a sun lounge,
5. Addition of single storey side extension to the side to form additional space in the approved utility room,
6. Addition of rooflights to attached garage area and formation of storage area in loft space.

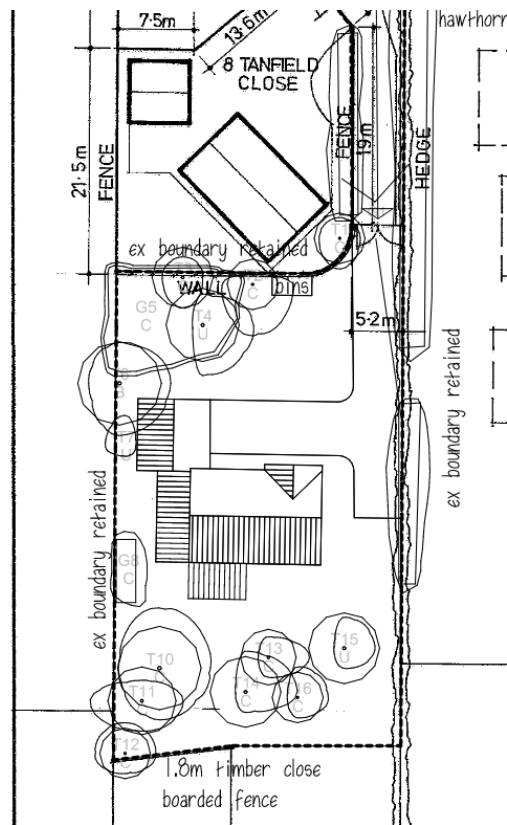
Proposed Floor Plans (amended):



Proposed Elevations (amended):



Block Plan



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 is the borough's statutory development plan which is supported by a series of adopted Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The new Local Plan was adopted at the full Council meeting held 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).

Local Plan policies map designations include: -

- Urban Fabric

Other relevant Local Plan policies are as follows: -

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of, and reinforce the distinctive, local character and other features of Barnsley.

T4 – New Development and Transport Safety – 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.

POLL1 – Pollution Control and Protection - Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water, and ground water, noise, smell, dust, vibration, light or other pollution which could unacceptably affect or cause a nuisance to the natural and built environment.

Supplementary Planning Documents

Design of Housing Development (DHD)
Parking

Other Considerations

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.

In respect of this application, the policies above are considered to reflect the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way its functions'.

Consultations

Ward Councillors – No comments.

Forestry Officer – No comments.

Highways Drainage – No comments.

Highways DC – No objections.

Representations

The application was advertised by way of neighbour notification letters; no comments were received.

Assessment

Principle of Development

The proposed development is to vary the conditions of a residential development for the erection of a single dwelling (2020/0423). The proposed changes seek to slightly enlarge, change the shape/layout and fenestration details of the dwelling. There are no proposed changes to the access and the principle of development has already been established through 2020/0423 and the proposed variation to conditions does not disrupt this principle.

Visual Amenity

The proposed alterations to the plans slightly enlarge the dwelling, making the two storey element wider by 1.2m. This is a fairly nominal amount and represents a 7.5% increase in terms of overall width from the original plans and will not be overly noticeable when the building is constructed.

The extensions to the building are single storey and are positioned on non-visible/prominent elevations with one situated to the rear of the approved utility room and the other is located on the rear elevation. As such, they are largely screened from view from the North/front of the dwelling and have a limited impact on the overall character of the dwelling or street scene. Likewise, the extensions are limited in size with the proposed sun lounge measuring 20sqm and the extension to the storage measuring 11sqm. These are both modest additions to the dwelling and do not detrimentally affect its character.

The other alterations to the dwelling are in relation to fenestration details on the front, side and rear elevations with additional windows which are similar in appearance to the existing. The windows on the rear elevation are being slightly enlarged but these are nonetheless similar in appearance to the approved plans. Further, additional rooflights will be added to the two storey part of the dwelling and the attached garage to the front. There are rooflights already approved on the dwelling so the additional rooflights relate well to the approved character.

The proposed changes are considered to be in keeping with the approved plans and in compliance with Local Plan Policy D1 and are acceptable in terms of visual amenity.

Residential Amenity

The plot is fairly generous in size and can accommodate the additional size and scale of the dwelling which is proposed by the alterations. With the proposed extensions to the building, the proposed rear garden area is still c.300sqm which is well above the minimum 60sqm expected for three-bedroom dwellings.

Despite the large size of the site, there are residential dwellings in close proximity to the dwelling. The closest of which is the neighbouring property to the immediate East (no. 1 The Brambles) which has a separation distance of 10m measured from the side elevation of the sun lounge to the rear elevation of this property. There are habitable room windows on the rear elevation of no 1 The Brambles and the retained distance of 10m is much closer than the required minimum 21m expected between habitable room windows. The original plans showed 2 x windows on the side elevation of the sun lounge and concerns were raised in terms of privacy for both the applicant and the neighbouring residents. An amended plan was submitted showing obscure glazed and non-opening windows on the Eastern side elevation of the sun lounge. This will ensure that adequate levels of privacy will be retained for the neighbour and applicant/future resident of the dwelling.

The plans show a created loft space above the attached garage with a loft hatch up to this area rather than a stairwell. The approved garage is not being increased in size or height through the approved plans and the only visible external alteration is the addition of rooflights to the front, facing onto the front garden. The agent has confirmed that this area will be used for ancillary storage purpose for the future resident. The internal size of the storage area is outlined as 37sqm which is not particularly excessive for an ancillary storage room, and this is considered to be acceptable subject to a condition which restricts the future use of this area for ancillary purposes only.

The amended plans show obscure glazed and non-opening windows on the sun lounge which will protect and retain the privacy between for the applicant and the neighbouring resident. The other alterations slightly enlarge the dwelling, but the plot is large and can accommodate these changes without detrimentally impacting on the amenity enjoyed by neighbouring properties. The proposed development is in line with Local Plan Policy GD1 and SPD: Design of Housing Development and is acceptable in terms of residential amenity.

Highway Safety

The variation does not seek to alter the access onto the site or parking provision and does not increase the bedroom number in the dwelling. The requirement for an EVCP has been included as part of the previous decision and has been discharged under the subsequent DOC application (2021/0423). The proposed development is considered to be acceptable in terms of highway safety, in compliance with Local Plan Policy T4.

Sustainable Travel

An EVCP is shown on the amended floor plans and elevations (Rev. H) which meets the minimum mode expected (7kW). This supersedes condition 8 of 2020/0587. The condition will be re-worded to comply with the approved plan. This meets the criteria of Local Plan Policy T3 and the Council's SPD for Sustainable Travel and is acceptable.

Other Matters

A discharge of conditions application (2021/0423) subsequently followed the original approval for the site. The agent successfully submitted information which allowed the conditions on 2020/0587 to be discharged and this application has now been approved. Rather than attach the same conditions as 2020/0587 to the variation of conditions application, it is felt more appropriate to re-word the conditions to reflect adherence to the submitted information as part of 2021/0423. The relevant documents and information have been added to the planning file for this application.

All the other conditions attached to the previous decision notice will be transferred to the decision of this application.

Recommendations:

Approve with conditions