
2021/0465

Mrs Paula Smith
Erection of 1no dwelling (Outline with All Matters Reserved)
11 Willow Bank, Barnsley, S75 1EF

Site Location and Description

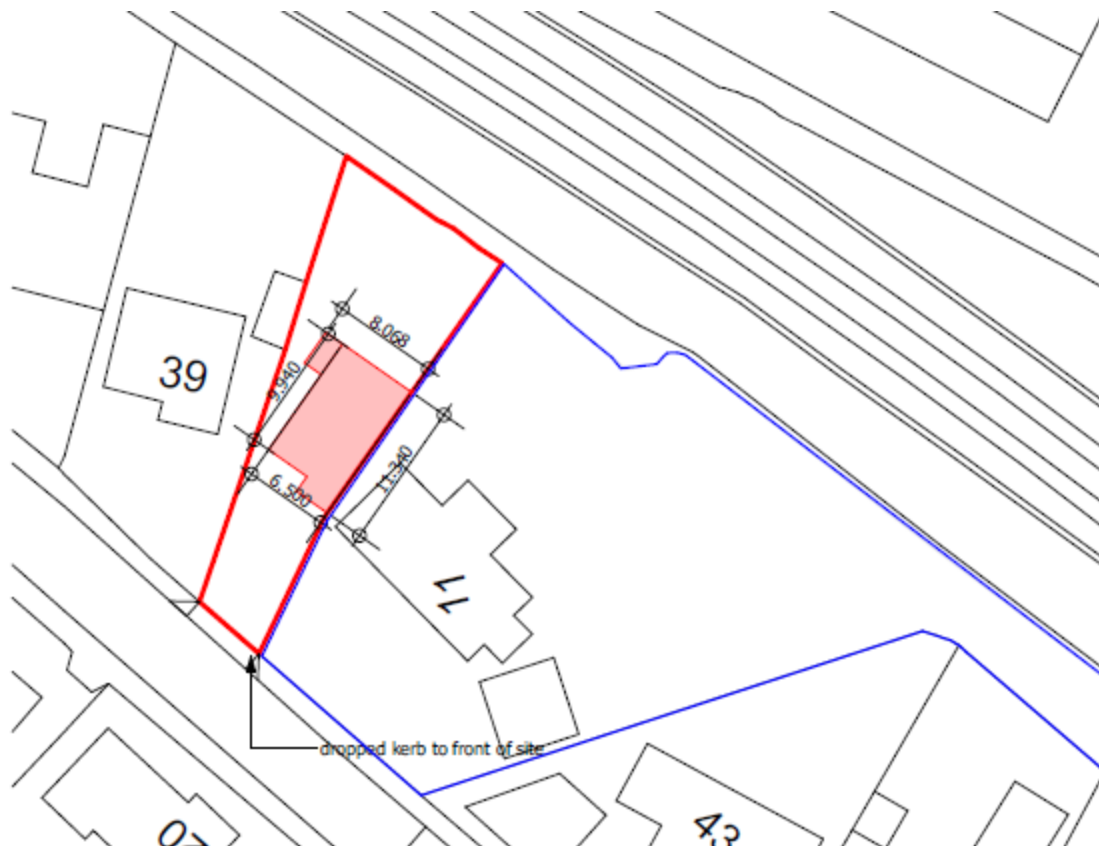
The application relates to a section of the side/front garden to the West/North West of 11 Willow Bank which is a detached 2 storey dwelling. The host property is accessed from Willow Bank but shares a boundary with Devonshire Drive. The site slopes down from South to North and is mainly laid to grass. The site is separated from the neighbouring property to the West by planting, hedging and walls. It is open to the rest of the garden associated with the application property.

The surrounding area is predominantly residential in nature. To the East is the host property, to the West is a detached bungalow, to the South, opposite Devonshire Drive, are detached bungalows and dormer bungalows and to the rear (north) is a trainline.



Proposed Development

The applicant seeks outline permission with all matters reserved for a detached dwelling with access from Devonshire Drive. An indicative plan of the footprint of the dwelling has been provided, as shown below;



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 H4 Residential Development on Small Non-Allocated sites

Policy H9 Protection of Existing Larger Dwellings

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

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 109 - 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 124 - 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

BMBC Highways – No comments.

BMBC Drainage – No objection details to be checked by Building Control

Regulatory Services – no objections but request a noise survey to be submitted at Reserved matters stage

Tree Officer – No comments

Ward Members – Question raised as to the position of the access

Representations

A site notice was erected on Willow Bank and 6 neighbouring properties were sent notification letters. As a result, 1no. of objection has been received. The main points of concern are;

- Access is on the brow of a hill
- Potential on street parking to the front of the property
- Potential loss of privacy

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.

Local Plan Policy H9 aims to protect existing larger dwellings. The policy states 'development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden. It is important to ensure the endurance of existing housing stock of this type. For the purposes of this policy larger homes are those that have four or five bedrooms or are capable of accommodating four or five bedrooms without significant adaption. 11 Willow Bank falls within that category and, as such, policy H9 is relevant.

The Government has changed the designation of garden areas from 'brownfield land' to 'greenfield land', in an attempt to resist development of additional houses within the curtilage of larger homes, known as 'garden grabbing', as this has also had an adverse impact on larger housing stock. Often additional dwellings have been built within their curtilage, resulting in an adverse impact on the original dwelling.

Although the size of the remaining garden for the host property would exceed the requirements of the SPD, by building a new dwelling so close to the host dwelling and occupying a relatively quiet a private area of the garden it would have an adverse impact on the setting of the original dwelling and the size of the remaining garden, contrary to Local Plan Policy H9.

Residential amenity

As the application is an outline with all matter reserved there is limited details regarding scale and layout, as such, residential amenity would be assessed more closely at the reserved matter stage.

The indicative plan shows that the proposed front building line would reflect the neighbouring properties but would project beyond the rear, however, it would be orientated to the North with the neighbouring properties angled away.

It is difficult to assess the amenity for future residents as there are no floor plans, although the indicative plan shows the outdoor amenity space could be achieved.

Visual Amenity

Again, as the application has all matters reserved, there are limited details on scale, appearance, layout and landscaping.

Although the host property has 2 storey accommodation, given the proximity of the proposed dwelling to a bungalow, it would not be appropriate to be 2 stories in this instance.

As outlined above, an indicative plan has been provided. It is clear from this plan that the width of the site, and its associated frontage, is far narrower than the vast majority of properties on Devonshire Drive which is the highway the property would front and most closely relate. The development would appear 'shoehorned' into the space and an 'ad hoc' addition. As such, it would be in contrast to the development pattern of the area and detrimental to the visual amenity of the streetscene, contrary to Local Plan Policy D1 and SPD 'Design of Housing Development'.

The proposed Eastern elevation of the dwelling would also sit on the boundary of the site and be within close proximity of the side elevation of the host property. The majority of the properties to the North of Devonshire Drive have breathing space between the boundaries and the neighbouring properties.

The majority of the properties fronting Devonshire Drive also have relatively green frontages and space for soft landscaping. The indicative plan shows a dropped kerb the full width of the site which would indicate a large area of hardstanding to the front of the property and limited space for soft landscaping. Furthermore, in order to create the access and develop the site an area of trees and shrubs which contribute to the visual amenity of the area would have to be removed which, again, would be detrimental to the visual amenity of the area and contrary to Local Plan Policy D1 and the SPD.

Highway Safety

The applicant has not shown parking and turning facilities on the indicative plan so it is unclear whether vehicles could enter and exit in a forward gear. The plan also fails to show the telegraph pole which would be located in the middle of the access and would need to be repositioned.

Trees/Landscaping

No Tree Report has been submitted with the outline application and one would need to be supplied with the reserved matters application. It is noted that the trees are not protected, and the site is not within a Conservation Area, as such, they could be removed by the applicant without permission, however, as outlined above, the trees and vegetation do contribute to the visual amenity of the area.

Recommendation

Refuse

In the opinion of the Local Planning Authority the proposal represents an undesirable form of infill development which, given the narrow site and its cramped, 'shoehorned' appearance, would not reflect the prevailing settlement pattern of the area to the detriment of the visual amenity of the streetscene. As such the proposal is considered to be of poor design that would fail to improve the character and quality of the area and the way it functions which is contrary to Local Plan Policy GD1, Local Plan Policy D1, the Council's Supplementary Planning Documents (SPD) - Designing New Housing Development and paragraph 127 of the NPPF.

In the opinion of the Local Planning Authority the proposed development would be contrary to Local Plan Policy H9 'Protection of Existing Larger Dwellings' in that the proposed dwellings would have an adverse impact on the setting of the original dwelling and the size of the remaining garden area.

