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**2021/1594**

Applicant: Mr Peter Gates

Demolition of existing bungalow and erection of a new dwelling (re-submission)  
81 Church Hill, Royston, Barnsley, S71 4AQ

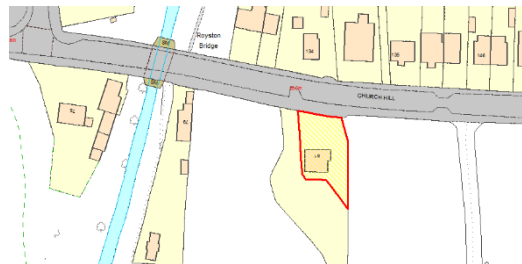
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### Site Description

The application site measures approximately 570m<sup>2</sup> and is currently occupied by a brick built, hip roof bungalow in the South West corner. The dwelling is set back from the road and is built on a lower level. To the West and South of the site is a grass paddock extending to approximately 0.8Ha, owned by the applicant, which previously had planning permission for stables and a ménage under application 2009/0487. To the East of the site are open fields and to the North is Church Hill which is predominantly residential consisting of differing styles, types and ages of properties.

The site is located within the Green Belt. The immediate surrounding street scene is largely residential with the North side of Church Hill comprising of a mix of residential properties in varying types, sizes and external materials. The South side of Church Hill is mostly open, undeveloped green belt land with several small pieces of development including the applicant's residential property.

The site has extensive planning permission of this development which will be covered under the Relevant Planning History section below.



### Site History

2006/1374 – Demolition of existing dwelling and erection of new dormer bungalow – approved

2009/1191 – Erection of stables and formation of a ménage – approved

2010/0615 – Demolition of existing dwelling and erection of new dormer bungalow (2006/1374 extension of time limit) – Withdrawn.

2010/1191 – Demolition of existing bungalow and erection of a new dwelling – Approved

2016/0058 – Erection of replacement of detached dwelling – Approved

2019/0068 – Demolition of existing bungalow and erection of two storey replacement dwellinghouse – Approved

### Proposed Development

Demolition of existing bungalow and erection of a new dwelling. The proposed dwelling provides 4 bedroom accommodation over two floors and is 9.4m wide, 7.7m deep with an eaves height of 5m and ridge height of 8m. The original dwelling has a footprint of 74.82m<sup>2</sup>, plus an 8.2m<sup>2</sup> extension, while the proposed dwelling has a footprint of approximately 73.m2. As the existing property only has accommodation on one level there would be a 98% increase in floor space with the proposed two storey dwelling. An identical scheme was proposed under 2016/0058.



### 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 development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of 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 3th 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).

Relevant Local Plan policies include:

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.

GB1 – Protection of Green Belt – The general extent of the Green Belt is set out on the Key Diagram. The detailed boundaries are defined on the Policies Map. Green Belt will be protected from Inappropriate Development in accordance with national planning policy.

GB2 – Replacement, extension and alteration of existing buildings within the Green Belt – Provided that the development will not have a harmful impact on the appearance or character and will preserve the openness of the Green Belt, we will allow replacement buildings providing they are in the same use and are not materially larger than that which they replace.

T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

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.

#### Supplementary Planning Documents

- Design of housing development
- Parking
- Sustainable Travel

#### 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 4th Core Principle in 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 it functions'.

#### Other material considerations

South Yorkshire Residential Design Guide - 2011

#### **Consultations**

*Highways DC* – No comment

*Drainage* – No objection

*Contaminated Land* – No comment

*Planning Policy* – No comment

*SYMAS* – No comment

*Ward Councillors* – No comment

## **Representations**

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; no comments were received.

## **Assessment**

### Principle of development

The site is located within the Green Belt and therefore Local and National Green Belt policies are relevant and need to be assessed against. Local Plan Policy GB1: Protection of Green Belt states that only certain types of development/uses are considered appropriate in the Green Belt including partial or complete redevelopment of previously developed sites such as this one. Local Plan Policy GB: Replacement, extension and alterations in the Green Belt restricts replacements or extensions to 100% that of the original dwelling.

The existing footprint of the dwelling is 8.4m x 8m (67sqm) whilst the proposed footprint is slightly bigger at c. 72sqm. Given that the proposed dwelling is two stories, the proposal therefore does not fully comply with Local Plan Policy GB2: Replacement of dwellings and extensions in that the proposed dwelling is both larger in footprint and has a greater floorspace area than the existing dwelling. However, the existing dwelling only features one small side extension (conservatory) measuring approximately 4.5sqm with the owner still being able to utilise Permitted Development Rights. Local Plan Policy GB2 allows for applicants to extend dwellings by up to 100% in floorspace which would potentially allow for the footprint of the dwelling to be extended by almost double (62.5sqm) to 129.9sqm which would be 100% of the existing/original dwelling. Compared to the proposed scheme which has a marginally larger footprint than the existing by 5sqm but is less than what could be approved as an extension to the existing (129.5sqm). The proposed is built over two stories therefore has a more visual impact on the street scene than the existing bungalow, however the applicant could be able to effectively double the footprint of the existing dwelling and still comply with the limitations of Local Plan Policy GB2 – arguably having a greater impact on the openness of the green belt. Further, permitted development rights have not been removed from the site and National Planning Policy now allows for first floor extensions above single-storey dwellings subject to the prior notification scheme. The prior notification process would not allow for the LPA to remove Permitted Development Rights from the property and there is further scope for the applicant to erect outbuildings in the rear curtilage which would further erode the openness of the Green Belt. In this context, it is felt that the proposal is acceptable in principle as there is a clear fallback position which would arguably have a greater impact on the openness of the Green Belt. An approval of this scheme would also allow the LPA to remove Permitted Development Rights from the site preventing further harm to the GB's openness.

Additionally, the site has previous (and currently extant - until March 2022) planning history for the exact same development and clearly the principle has already been established through the previous permissions. Subject to an assessment of its potential impact in relation to visual amenity, residential amenity, highway safety and sustainable travel, the application is considered to be acceptable in principle.

### Residential Amenity

The closest residential properties are located over 30 metres from the proposed dwelling, opposite Church Hill. The proposed dwelling is higher than the existing dwelling due to the additional storey, however, due to the separation distance and the fact that the site is on a lower level than the properties opposite, the development would not result in a loss of outlook or create an overbearing effect that could be considered unreasonably detrimental.

The separation distances between the proposed dwelling and the existing properties complies with the guidelines set out in SPD 'Designing New Housing Development'.

In terms of amenity levels for the future occupants of the dwelling, the internal spacing generally accords with the requirements of the South Yorkshire Residential Design Guide and there would be in excess of 60m<sup>2</sup> external garden area.

Overall, the proposal is found to be in line with Local Plan Policy GD1 and the SPD Designing New Housing Development relating to general development and residential amenity.

### Visual Amenity

The existing property has little in the way of architectural merit and has suffered substantial damage through subsidence. It does not positively contribute to the visual amenity of the area nor is it an important feature in the streetscene; therefore, its loss would not be opposed. The site is, however, located within the Green Belt and surrounded by open countryside where policies GB2, D1 and the NPPF aim to maintain the openness, and the visual amenity, of the Green Belt.

The proposed dwelling does add an additional storey over what currently sits on the site but will occupy a smaller footprint. Indeed, the surrounding area is eclectic in terms of housing design, with the majority of nearby properties having a layout of two storeys fashioned from red brick with hipped roofs. Therefore, the proposed property would harmonise with the surrounding area and not result in an intrusive feature of the streetscene to the detriment of visual amenity, in accordance with Local Plan Policy D1.

Overall the proposal is likely to improve the visual appearance of the locality and though its impact on the openness of the Green Belt is questionable, the improvement it will undoubtedly provide to the area along Church Hill further supports the determination in favour of approval. The development is therefore considered in line with Local Plan Policy D1 and the SPD Designing New Housing Development relating to visual amenity.

### Highways

The proposed dwelling would utilize the existing vehicular access point and off road parking, similarly the volume of parking complies with the number of spaces required for a house of this size and is therefore in line with in accordance with the SPD 'Parking' with the parking available meeting the requirement un be accommodated comfortably within the site. The proposed use, albeit larger, has the exact same use as the existing and it is highly unlikely to generate a significant increase in the amount of vehicular movements in the area.

Highways DC have been consulted on the proposal but have not offered any comments or objections to the scheme. The LPA will always try to gain a response from colleagues in Highways DC but a response was gained for the previous scheme which is exactly the same with no objections subject to conditions which have been carried over to this application. The proposed parking/access arrangement will be very similar to the existing and is considered to be in compliance with Local Plan Policy T4 and the Council's SPD for Parking and is considered to be acceptable.

### Sustainable Travel

Since the approval of the previous application, the Council has adopted an additional Supplementary Planning Document for Sustainable Travel. This requires all new developments to provide electric vehicle charging points with 1 charging point per unit for new dwellings with dedicated parking space. It is appreciated that the previous schemes which are identical did not include this EV charging point, but as stated the SPD was adopted after the latest approval and is therefore now a requirement. The LPA has a standard condition in regards to EV charging points which requires the developer to submit details of such upon commencement of the development. This will be added as a condition to any forthcoming approval notice of this application and will satisfy the requirements of the Sustainable Travel SPD.

### Drainage

Colleagues at BMBC in drainage have checked the plans and have raised no comments or objection to the scheme.

### Conclusion

The site lies within the Green Belt, however Local Plan Policies GB1 and GB2 allows for replacement of dwellings subject to restrictions on size and scale. The proposal does not fully comply with Local Plan Policy

GB2 in that both the footprint and floorspace of the proposed being greater than the existing. However, the proposed footprint is marginally larger than the existing by 5sqm and it would be possible for the owner to extend up to 100% of the original dwelling and still comply with the limitations of Local Plan GB2. There is a small extension to the existing property which measures 4.5sqm but this still would allow the owner to extend approximately 95% of the original dwelling and still comply with the limitations of GB2. The proposed scheme adds an additional storey to the site which is clearly more visible but the applicant still retains Permitted Development Rights for the site and would potentially be able to erect another storey onto the building under the recently introduced Prior Notification Scheme. The proposed scheme, whilst marginally larger, would be very similar to this fallback position and there is also previous planning history on the site (2016/0058 and 2019/0068) which the applicant is simply seeking to extend. In this context, it is felt that the LPA can support the principle of this particular scheme.

The policy background to the scheme has not changed in the last 3 years with the exception of the Council's Sustainable Travel SPD which requires all new dwellings to include an EV charging point on site. The LPA has a standard condition which requires the developer to submit and agree details of such upon commencement. This has been added to the decision notice. The proposed development is a standard two-storey detached dwelling which is similar in appearance to the surrounding properties using suitable materials and is acceptable in terms of design. There are no immediate neighbours to either side or to the rear with the nearest residential properties being located about 30m to the North with the LPA considering that the proposed dwelling will have no detrimental overshadowing or overbearing impact on these neighbours. The site will utilize the existing access and car parking area which is in compliance with the SPD for parking and relevant local plan policies for highways considerations.

All of the above taken into consideration, the proposed development is considered to be acceptable and has been recommended for approval.

### **Recommendation**

**Approve** subject to conditions: