

2022/1189

Mr and Mrs Williams

Neeron, 71 Darton Lane, Darton, Barnsley, S75 5AL

Demolition of existing bungalow and erection of two storey detached house

### Background

2022/0113 - First floor extension to create two storey dwelling, side extension and other modifications – Approve with conditions

2022/0460 - Demolition of existing bungalow and erection of two storey detached house – Approved with conditions







## **Policy Context**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

## **Local Plan Allocation – Urban Fabric**

In reference to this application, the following policies are relevant:

GD1 General Development

H1 The Number of New Homes to be Built

H4 Residential Development on Small Non-allocated Sites

H9 Protection of Existing Larger Dwellings

LG2 The Location of Growth

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

SD1 Presumption in Favour of Sustainable Development

CC1 Climate Change

CC4 Sustainable Drainage Systems (SuDS)

D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

BIO1 Biodiversity and Geodiversity

### SPDs

The proposals have been considered in relation to the following SPD's:-

-Design of housing development

-Parking

-Sustainable Travel

### Other Guidance

South Yorkshire Residential Design Guidance

### NPPF

The National Planning Policy Framework sets out the Governments 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 Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably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.

## **Consultations**

Highways – No objection subject to condition  
Drainage – Details to be checked by Building Control  
Yorkshire Water – No objection subject to conditions  
Pollution Control – No objection subject to condition  
Ward Members – No comments received

## **Representations**

Neighbour notification letters were sent to surrounding properties, 2 objections have been received which raise the following concerns:-

- Concerns regarding the height and scale of the property
- The dwelling will tower over the existing dwellings on Darton Lane
- Dwelling is closer to the existing boundary
- Concerns regarding the access/visibility and impact on highway safety
- Potential for the expansion of the property into the roofspace
- Impact upon adjacent dwellings due to increased height of the property by way of overshadowing and overbearing impact
- Loss of privacy
- The dwelling is at odds with the spacious character of the adjacent properties and would have a detrimental impact upon the openness and visual amenity of the area
- Concerns regarding further development of the site for an additional building plot

## **Assessment**

### Principle of Development

The site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These policies require that development should be compatible with its surroundings and in this case, the street is predominantly residential and the proposal is for one replacement dwelling which is acceptable in principle.

### Residential Amenity

The Supplementary Planning Document 'Design of Housing Development' provides guidance in terms of separation distances and other amenity requirements, in order to ensure that any new development does not cause significant impact by way of overlooking, overbearing and overshadowing of existing dwellings and their private gardens. Further detailed guidance on residential development is provided in the South Yorkshire Residential Design Guide. The Guide includes information requirements, design guidelines and technical requirements.

The existing dwelling is set on a large plot and whilst the proposed dwelling is set closer to the western boundary than the previously approved replacement dwelling, the proposed submitted layout would still meet the Council's guidelines in terms of privacy requirements and separation distances to other dwellings. The dwelling has been designed with internal and external spacing standards (including adequate room sizes and garden areas) which comply with the requirements of the SYRDG and the SPD.

The overall size and scale of the proposed dwelling is reduced from the previously approved dwelling approved under application ref 2022/0460. Given that the property is set in such a large plot, it would not cause significant harm in terms of overshadowing or being overbearing to the neighbouring dwellings. The distance between the proposed dwellings and the neighbouring dwellings to the rear is in excess of 21 meters, which complies with the separation distances set out within the SPD in order to prevent any overlooking and overbearing impacts. The dwellings set to the west are set in line with the dwelling and the closest dwelling, number 69a, is set approximately 9m from the side elevation of the proposed dwelling and does not have any habitable room windows on the side elevation facing the application site. All the neighbouring dwellings both on Darton Lane and Lower High Royds are existing two-storey dwellings, therefore there should not be any significant impact by way of overshadowing or overbearing impact.

In terms of overlooking, the proposed first floor windows on the rear elevation should not cause significant overlooking of properties on Lower High Royds as the land level raises up towards Lower High Royds. The floor plans show habitable room windows at ground floor level facing the western boundary, however these will not cause any significant overlooking due to existing boundary treatments.

Given the above, the proposal is therefore considered to be acceptable in terms of residential amenity in compliance with Local Plan Policy GD1: General Development.

#### Visual Amenity

Local Plan Policy D1 High Quality Design and Place Making, sets out the principles that will apply to the consideration of planning applications for new housing development, including conversions, infill and backland development.

Darton Lane has a varied street scene of single storey and two storey dwellings, with the applicant's dwelling being the last in a run of five individually designed properties that are set well back from the highway. Concerns have been raised with regard to the overall height and scale of the property put forward, however the proposed dwelling is reduced in size compared to the previously approved replacement dwelling, therefore any impact will be reduced from the previous scheme. The height of the proposed dwelling is similar to previously approved. The existing bungalow sits within a large plot which can accommodate this two storey dwelling comfortably. The proposal would not appear overly prominent within the street scene even though the proposed dwelling will be increased in height from the existing single storey to two storeys, as two storey dwellings are already present on Darton Lane and to the rear of the site on Lower High Royds. Due to the heights, materials and design of dwellings within both street scenes, the proposed modern two storey dwelling is not expected to look out of character nor be detrimental to visual amenity.

The proposed materials include stone elements to the front elevation and small areas of cladding are to be included, which is a feature seen on the existing dwelling. The new materials come in the form of render, however render is present in the street scene of Darton Lane as it is featured on front elevations of the neighbouring dwellings and therefore its use would not create an anomalous feature. The proposed development is therefore acceptable in terms of visual amenity in accordance with Local Plan Policy D1: High Quality Design and Place Making.

#### Highway Safety

The Highways Officer has been consulted and has no objection to the proposal. The proposals do not adversely affect the current access, parking and turning arrangements of the site or

significantly impact upon the highway and are therefore considered acceptable from a highways point of view subject to a condition regarding hard surfacing.

### Other Matters

With regard to any potential future development of the site, this would need to be assessed as part of a separate planning application. The plans have been amended during the course of the application and show the removal of the potential building plot to the east.

With regards to land movements the site in is a low-risk development area as identified by the Coal Authority. It is noted that a certain section of Lower High Royds is in a high-risk area however this does not share a boundary with the site.

In terms of noise and disturbance during construction works this can be controlled by way of a planning condition.

The proposal does not result in the loss of existing trees which are set a significant distance from the proposed dwelling. The trees on site are not protected by way of a TPO and decisions made with regards to the planting or removal of trees would lie with the landowner.

### **Recommendation**

**Approve with conditions**