

Applicant: Mr Henry Otulakowski

Description: Demolition of existing buildings and erection of 2no. pairs of semi-detached dwellings and associated works including car parking

Site Address: Adjacent 12 Victoria Street, Barnsley, S70 2BJ

Site Description

The site is located within the Victoria Road Conservation Area, which is to the north east of the town centre. The site fronts onto Victoria Street (an important character street) and Victoria Avenue (an ancient packhorse route) which links to Berneslai Court / St Mary's. Properties within the immediate area are primarily within residential use, they are set around a historic street pattern and constructed from traditional materials of stone, brick and slate. The footpaths along Victoria Street have recently been re-laid with York stone pavement stones.

To the rear of the site there is a significant area of open Greenspace which form the curtilage to Fairfield House, a large Victorian building. The open grounds to the east of Fairfield House provide a strategic area of Greenspace the open nature of which is an important character of the Conservation Area. Directly to the west of the site is no.12 Victoria Street which serves a commercial use, the rear garden serves as a car park with access taken along the boundary to the applicant site. Directly to the South of the site is a Children's Nursery and its associated outdoor play areas which forms part of Fairfield House.

At present there are two single storey buildings occupying the site, these presently accommodate a performing arts academy. They are constructed from concrete and buff brick which gives them a utilitarian appearance and offers little to the appearance, character or value of the Conservation Area. Aside from the buildings the site is laid to grass, there is also a laurel hedge located along the eastern boundary to Victoria Street.

The site is level but occupies an elevated position in relation to Victoria Street and Victoria Avenue (approximately 1m). The boundary comprises of a brick wall, although this has in part been replaced along Victoria Street by a timber fence.



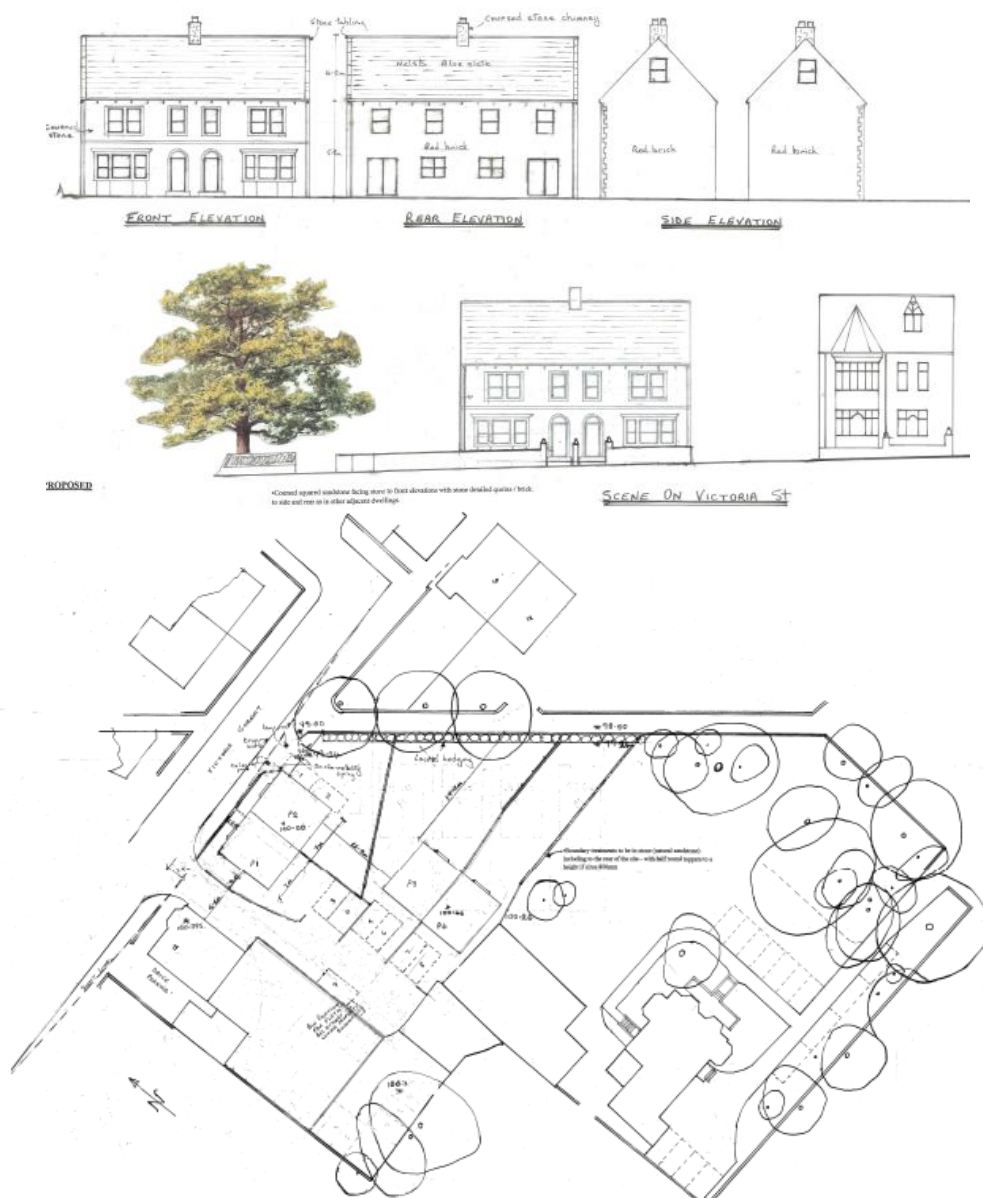
Proposed Development

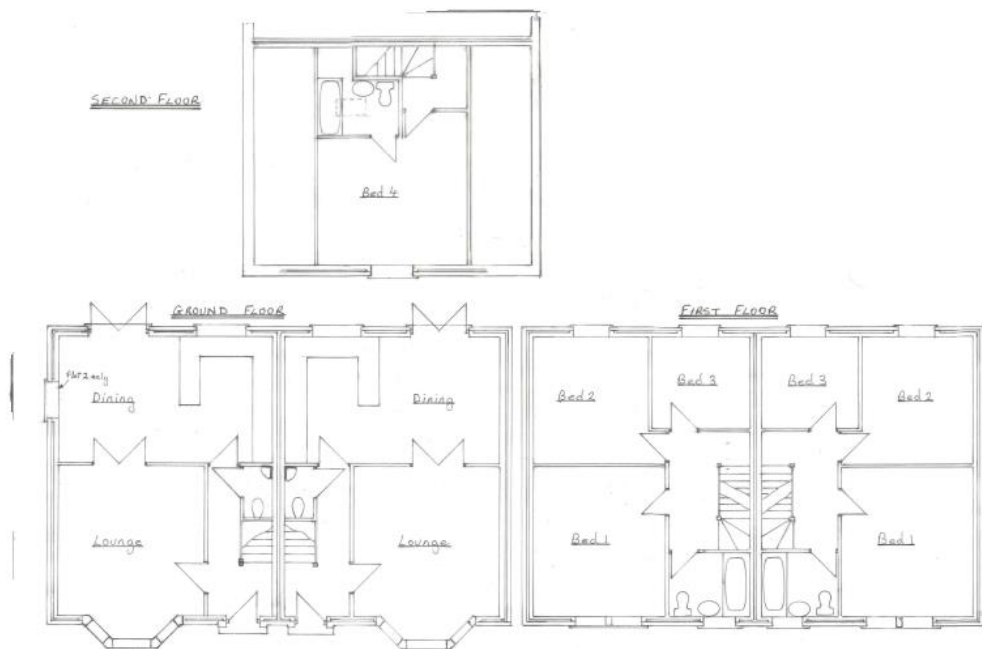
The application has been made for full planning permission and Conservation Area Consent for the demolition of the sites existing buildings and replacement of two pairs of semi-detached properties. The semis would be sited at a right angle to one another with one pair (P1 & P2) fronting Victoria Street and the other pair (P3 & P4) onto Victoria Avenue.

The properties would be four bedrooms and two and a half storeys in height with windows at second floor level of the gables. They would be constructed with external materials including natural stone (frontages) with brick side and rear elevations, the roof would be covered in Welsh slate. The design would be identical to one another and incorporate many features which are common to existing properties within the Conservation Area. They would have a wide frontage, ground floor bay windows, central arched door features with mullion styled windows to the first floor. Stone Quoins would be incorporated within the facades and coursed stone chimneys also included, verges to the roof would be finished with stone tabling.

The existing brick boundary wall and Laurel Hedge to Victoria Avenue would be retained and a 1m high brick wall would be reinstated along the frontage to Victoria Street.

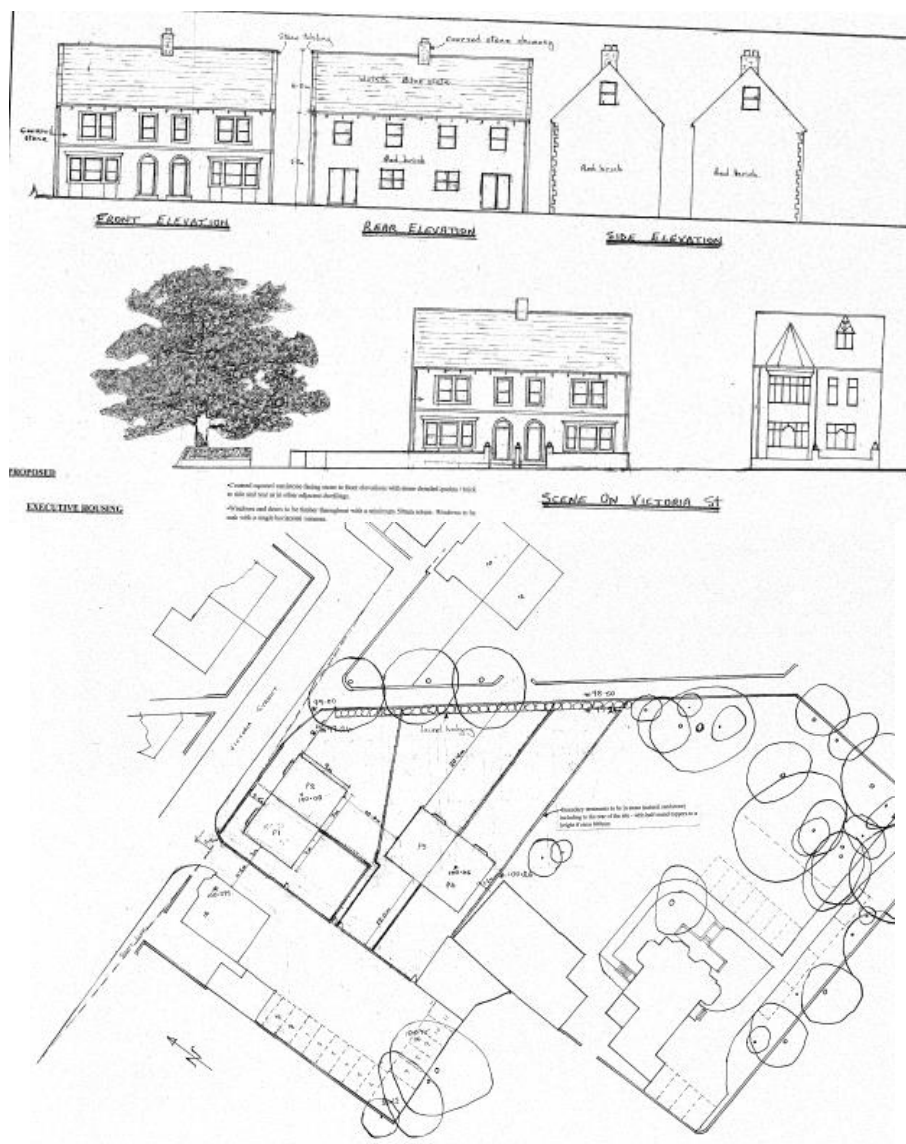
Plot 2 would have vehicular access direct from Victoria Street and would have 2no. parking spaces in a tandem arrangement. All the other parking spaces would be accessed via the existing driveway serving number 12. Plot 2 would have 2no. parking spaces to the rear and plots 3 and 4 would have 2no. parking spaces each adjacent to their front elevations.





Site History

2013/0454 - Demolition of 2no. buildings to allow for the erection of 2no. pairs of semi-detached dwellings (Applications for Full Planning Permission and Conservation Area Consent). – approved subject to conditions



Policy Context

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and is situated within a Conservation Area, therefore, the following policies are relevant:

Policy H1 The Number of New Homes to be Built

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 CC2 Sustainable Design and Construction

Policy HE1 The Historic Environment

SPD's

Those of relevance to this application are as follows:

- Design of Housing Development
- Parking
- Walls and Fences

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.

Para 199 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 200- Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Planning (Listed Buildings and Conservation Areas) Act 1990

In terms of the impact on the character or appearance of a designated conservation area, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states:

In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

Consultations

Conservation Officer – No objections

Highways – No objections following the amendments

Drainage - No objections subject to Condition

Air Quality Officer – No objections subject to conditions

Biodiversity Officer – lack of information supplied, concerns regarding loss of biodiversity

PROW – no objections subject to informative

Yorkshire Water – No objections subject to conditions

Regulatory Services – No objections subject to conditions

Ward Councillors – Concerns regarding the access to the land from Victoria Street and potential ownership conflicts. Requested the application is considered by members.

Representations

Letters were sent to 20 neighbouring residents and the application was also subject to a press notice and site notice. It should also be noted that amendments were made to the parking arrangement during the course of the application, as such, a re-consultation exercise took place for 14 days.

Objections have been received from 4 no. properties as a result. The main areas of concern are;

- Overbearing
- Overshadowing
- Highway Safety/parking concerns

One objection to the original application regarding encroachment onto adjacent land was withdrawn following the receipt of the amended plans and re-consultation.

Assessment

Principle of development

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.

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.

The site is also within the Victoria Road Conservation Area. The Council has a duty to have special regard to the desirability of preserving or enhancing the character of the conservation area, and this is afforded considerable importance and weight. In order to establish whether the scheme is acceptable in principle, it is therefore necessary to establish the extent of any harm to the Conservation Area.

Victoria Street forms the primary frontage to the development site. This Street is undoubtedly residential in character supporting many fine examples of Victorian residential properties. Viewed in this context the redevelopment of the site for residential purposes would be evidentially compatible with adjoining uses and would enforce the residential character of Victoria Street. In recognition of the site supporting existing buildings the proposals fall within the definition of brownfield development which meets with the overriding sustainable objectives of the Local Plan. As such no objections are raised to the proposals in terms of land use policy.

In recognition of the area's designation as a Conservation Area, development proposals are subject to higher level of scrutiny. Both the adopted Local Plan and NPPF identify that development should only be permitted whereby it can be clearly demonstrated that it would not have any adverse impacts upon the areas character or heritage assets. It is therefore vitally important that new development makes a positive contribution to the character and distinctiveness of the area.

The residential properties within Victoria Street are some of the last to be constructed within the area. Typically, they were built in the late 19th to early 20th Century and they vary considerably in size and style. These differences are exhibited through the materials with some properties being constructed entirely from coursed sandstone, others from brick with sandstone façades and other properties (such as no.12) are constructed entirely from brick.

The existing buildings which occupy the site lack any of the qualities or character of others located within the Conservation Area. Constructed from unsympathetic materials they adopt a rather utilitarian appearance which has been identified as having a negative impact upon the Conservation Area. Accordingly, they are not considered to have any heritage value and the opportunity to remove them is therefore welcomed.

It should also be noted that the site was subject to a previous approval under application 2013/0454. The design and layout of those dwellings was identical to those currently proposed, the difference between the two scheme is the parking layout. The 2013 application has since expired and the current application will be assessed under currently adopted policies and guidelines using the headings below;

Residential Amenity

P1 and P2 would be on a similar building line as number 12 Victoria Street and would be set away from the properties to the East. P3 and P4 would face the rear parking area of number 12 but the separation distance would be over 10m in case that property was brought back into residential use and the parking area used as private amenity space. The rear elevations of P3 and P4 would be in excess of 10m from neighbouring gardens and 21m from neighbouring habitable room windows. As such, amenity levels for both existing residents and the future residents of the development would be acceptable.

The accommodation itself would comply with the requirements of the SYRDG in terms of the size of rooms. In addition, each of the properties would be served with a suitably sized (south facing) rear gardens to meet amenity requirements.

It is noted that P3 and P4 would be located adjacent to a children's nursery and its associated outdoor play space, as such, there would be some noise and disturbance affecting future residents, however, the nursery only operates during sociable hours, as such, the impact on future residents would not be to an unreasonable degree, in addition, future buyers would be aware of the neighbouring use.

In all respects, the scheme provides adequate levels of amenity for occupants of the proposed dwellings and would not have a significantly detrimental impact on existing residents. The proposal therefore reflects the requirements of Local Plan Policy GD1 and adopted SPD.

Visual Amenity

The assessment needs to consider not only the design of the buildings themselves, but also their relationship to Victoria Street, Victoria Avenue and that of the adjacent area of Greenspace belonging to Fairfield House.

The layout responds positively to Victoria Road, with P1 and P2 sited square to the highway and their position observing the established building line provided by existing properties within the street. The siting of properties P3 and P4 would mirror that of no. 10 and 12 Victoria Road therefore complementing the historic street pattern of the locality. The rear garden of plots P3 & P4 would extend in excess of 20m towards the Victoria Avenue boundary.

Boundary walls (either brick or stone) are a particular feature of note when in the Conservation Area. The site formally had a wall fronting onto the Street but this has been replaced by a timber fence of an unsympathetic design and scale. The proposals would correct this through the introduction of a 1m high wall. This taken with the removal of unsightly commercial buildings represents a further incremental improvement to the appearance of the street scene.

The limitation of the development to the area/corner of Victoria Road with Victoria Avenue, coupled with the extended rear gardens of the properties would provide an important buffer between the development and the open Greenspace to Victoria Avenue/Fairfield House. Victoria Avenue provides a strategic link to the Conservation Area, the open aspect to the grounds of Fairfield House is an important trait to the character and setting of this footway and that of the Conservation Area. Existing boundary treatments would be unaltered and the establishment of the Laurel hedge provides a soft edge to the development which also screens views (which would reduce the appearance of domestic paraphernalia).

Only parking for P2 would be directly off Victoria Street, even so, the tandem layout and position adjacent to the side elevation would mean the vehicles would not be highly prominent on the streetscene, in any case, this arrangement reflects similar parking solutions in the immediate area. Parking for P1, P3 and P4, would be to the rear of the development in a non-prominent position and adjacent to the rear yard area of number 12 which has a large grass create area used for parking.

This arrangement would reflect positively upon the Conservation Area as it means that the development would not be dominated by vehicles, with parking being almost completely screened from surrounding vistas which preserves the streetscape.

The design and form of the buildings is clearly very traditional and reflects the locality as a whole. Comparisons can be made between that of the proposed properties and no's 6 & 8 Victoria Street which have a similar appearance. There are also 2no. similar dwellings currently under construction directly to the North West of the site which also front on to Victoria Street.

The dimensions of the properties are proportionate to others within the street, given that they have a similarly wide frontage and would stand at two and half storeys in height. The inclusion of ground floor (front) bays, and stone detailing to fenestration, doors and quoins is appropriate and provides a further reference and historical link to the Conservation Area. The design appears traditional and appropriate to its context, high quality materials have been identified and this would

be appropriately conditioned to ensure that no compromises are required. As a result, it is felt that the properties would not appear pastiche, they would rather successfully assimilate with existing properties much to the favour of the Conservation Area's character.

As outlined above, the design and layout of the dwellings was previously approved under application 2013/0454, this scheme only differs in the parking arrangement proposed.

The redevelopment of the site for residential purposes is considered to be in the interests of the Conservation Area. The design, scale, materials and landscaping works of the proposed properties would be consistent with the character of existing buildings within the area. As such the application is welcomed and the proposals are considered to be fully compliant with the provisions of Local Plan Policies D1 and HE1 and also the recommendations of the NPPF.

Highways

Located on the periphery of the town centre all the benefits of transport, amenities and services are directly on hand making the site highly sustainable.

Victoria Street is an adopted highway with residential properties either side. The tarmac carriageway has recently been renewed and the footways re-laid with York stone flags and sets. The majority of the properties do not have private parking. On-street parking is at a premium owing to added pressures from users of nearby offices. To address this there is a resident parking scheme in place.

As outlined above, each property would have 2no. in curtilage parking spaces, in accordance with SPD 'Parking'. The turning and manoeuvring space for p1, P3 and P4 are acceptable and allow vehicles to enter and exist the site adjacent to number 12 in a forward gear. P2 does not have in curtilage turning space, however, highways have raised no objections to vehicle reversing onto Victoria Street in that position due to adequate visibility. Furthermore, it reflect the situation and neighbouring properties. It is also recognised there is a lamppost and telegraph pole adjacent to the proposed access point at P2, however, given their size and position they would not impede visibility splays.

The modest scale of the housing development would not generate levels of traffic which would compromise highway safety. Highways DM have raised no objections, subject to conditions, and the scheme is considered to reflect the requirements of Local Plan Policy T4.

Biodiversity/trees

The proposed dwellings would be predominantly built within the footprints of the existing buildings on the site. The areas currently covered by soft landscaping would be retained as garden areas to serve the properties. It is noted that some of the laurel hedging on the Victoria Street frontage would need to be removed, however, the majority of the hedging on the Eastern boundary would be retained and used as part of the boundary treatments for the properties.

There are no significant trees within the site but there are some on neighbouring land to the East and South East. The proposed dwellings would be set away from these trees, and as outlined above, would be predominantly positioned within the footprints of the existing buildings, therefore, would not have a significantly greater impact than the current situation.

There have been no reports of bats within the existing buildings but an informative will be placed on the decision notice regarding Bats and Owls.

The site has also been subject to a previous permission which involved the demolition of the buildings on the site and the erection of 4no. identical dwellings in the same position.

Summary

The proposal presents itself as sustainable redevelopment of a brownfield site which would provide 4 good quality homes. Residential use represents a more appropriate use of the site, and the Character and setting of the Conservation Area would be enhanced as a result of the consideration which has been given to the detail of the properties design. The scale of the development is appropriate to the locality and will have a positive influence upon the residential

environment. Accordingly, and subject to the safeguarding of appropriate conditions it is considered to comply with the provisions of relevant Local Plan Policies, SPD's and the NPPF to warrant approval.

Recommendation

Approve Subject to conditions