
2020/1270

Mr & Mrs McGrath

Reserved matters application for the erection of 3 dwellings (in connection with outline approval granted at appeal under reference APP/R4408/W/17/3180755 (2017/0027 Demolition of existing house and erection of 3 new houses (Outline with all matters reserved)).

The Laurels, 24 Viewlands, Silkstone Common, Barnsley, S75 4QP

Site Location & Description

The application relates to a plot of land located off Viewlands, a residential cul-de-sac of detached, semi-detached and terraced two storey properties and semi-detached bungalows, within the village of Silkstone Common and is currently occupied by a residential dwelling. The property is a traditional two storey detached dwelling set at an angle in the large plot and is accessed from a private driveway set between number 23 and 26 Viewlands. Number 25 Viewlands is a detached bungalow which is set to the south-east and shares this access. It is understood that currently three dwellings have a right of access over the private driveway, which includes the applicant's dwelling, number 25 and 26.

The site slopes gently from the south to north and is well screened due to the trees set along each boundary. The main garden areas are laid to grass. A public footpath runs along the north-eastern boundary of the site adjacent to the detached properties set along Hall Royd Walk. To the north-west are small bungalows set on Moorland Place.

Planning History

2017/0027 – Demolition of existing house and erection of 3 new houses (Outline with all matters reserved) – refused by Planning Committee for the following reason

The scheme represents an inappropriate form of backland development that would, due to the intensification of use of the vehicular access, be materially detrimental to the amenities of residents adjoining this access through increased loss of privacy and general disturbance. As such the proposal is considered contrary to Section 7 of the NPPF - requiring Good Design, CSP29 - Design, and Supplementary Planning Document - Designing New Housing Development

The application was subsequently allowed at appeal in October 2017. The inspector concluded

the proposal would not represent inappropriate back land development and would not harm the living conditions of existing occupiers of Nos 23, 25 and 26 Viewlands and Hall Royd Walk in terms of outlook, privacy, noise or disturbance. The proposal would not, therefore, conflict with Policy CS29 of the Council's Core Strategy which seeks to secure high quality development. Neither would the proposal conflict with the Designing New Housing Development Supplementary Planning Document (SPD) 2012. Furthermore, no conflict would arise with paragraph 56 of the National Planning Policy Framework which states that good design is a key aspect of sustainable development.

Proposed Development

Planning permission is sought for the reserved matters relating to outline approval granted at appeal under reference APP/R4408/W/17/3180755 (2017/0027). Permission is sought for access, appearance, landscaping, layout and scale.

The existing dwelling is to be demolished to allow for the erection of 3no dwellings, which are to be laid out around a central driveway. The applicant initially sought permission for 3no larger scale dwellings and a different layout as part of this application, however, it was considered that the scale and layout were unacceptable due to the impact on the amenity of existing and proposed residents and amendments were requested.

The accommodation for the 3no dwellings is to be laid out in a traditional manner with living accommodation at ground floor and bedrooms at first floor. The scheme involves a detached double garage per dwelling with an area of soft landscaping to the communal areas to the front of the dwellings.

The dwellings are to be constructed from a combination of brickwork to outerleaf with stone quoins including stone head and cills to openings, with through colour render finish to the rear elevation of the rearwards projection, with concrete roof tiles.

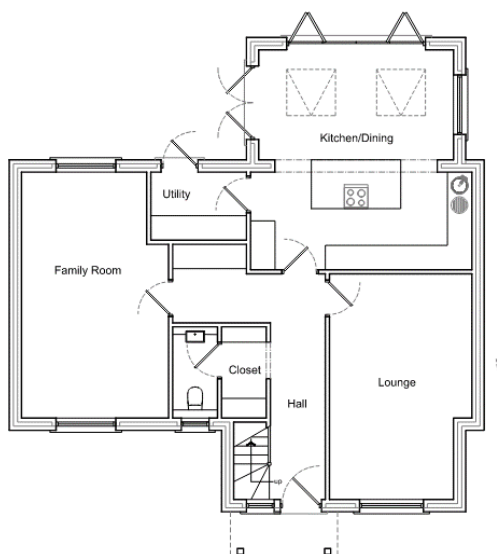
The elevations and plans below refer to plot 2, however, plot 1 is an identical design and layout, and plot 3 is a mirror image



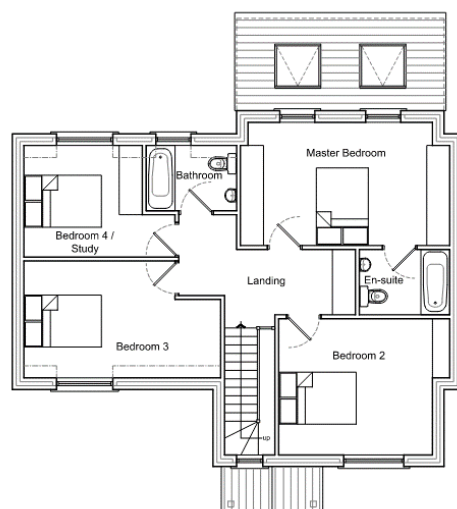
PLOT 2 - PROPOSED REAR ELEVATION
SCALE - 1:100



PLOT 2 - PROPOSED FRONT ELEVATION
SCALE - 1:100



PLOT 2 - PROPOSED GROUND FLOOR PLAN
SCALE - 1:100



PLOT 2 - PROPOSED FIRST FLOOR PLAN
SCALE - 1:100



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF (2023) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan

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

Policy H4 Residential Development on Small Non-allocated Sites
 Policy H9 Protection of Existing Larger Dwellings
 Policy GD1 General Development
 Policy D1 High Quality Design and Place Making
 Policy T4 New development and Transport Safety
 Policy Poll1 Pollution Control and Protection

Supplementary Planning Documents (SPD)
 Supplementary Planning Document – Design New Housing Development
 Supplementary Planning Document – Residential Amenity and Siting of Buildings
 Supplementary Planning Document – Parking

The South Yorkshire Residential Design Guide (SYRDG)

Silkstone Parish Neighbourhood Plan

Policy H1 New Housing Development in Silkstone Parish

Policy H2 Residential Development within Rear Gardens

Policy D2 Promoting High Quality Design and Responding to Local Character

National Planning Policy Framework (NPPF 2023)

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.

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 60 – To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

Paras 74-77 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 92 - 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 134 - 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 174 – Planning policies and decisions should contribute to and enhance the natural and local environment.

Consultations

Highways DC – No objections subject to conditions

Drainage – No objections subject to conditions

Pollution Control – No objections subject to conditions
Forestry Officer - No objections subject to conditions – verbal response
SYMAS – No objections subject to conditions
Coal Authority – No objections
Silkstone Parish Council – No objections received
Ward Councillors – No objections received

Representations

Neighbour notification letters were sent to the surrounding residents and a site notice was posted adjacent to the site; 9 letters of objection have been received, 5 were received in 2020 when the application was originally submitted, 1 of which was a duplication of the comments made in 2017 to the outline application. A further 4 comments have been made after the re-consultation following the submission of amended plans, 2 of which made comments in 2020. Comments have been received in relation to.

- Proposed dwellings don't harmonise with the area
- Development not sympathetic to the area
- Impact on privacy
- Overlooking from the reduction of the boundary hedges and trees
- Impact of trees on the adjacent footpath
- Overshadowing
- Overbearing of the bungalows beyond the boundary
- Surface water affecting Hall Royd properties
- Highway Safety
- Increase in traffic
- Increase in access use
- Traffic speed
- Construction Vehicles
- Location of refuse bins on collection day

Assessment

Principle of Development

The principle of residential development of 3 houses at this site has already been established with the Inspector's decision to grant outline planning permission under appeal reference APP/R4408/W/17/3180755

Residential Amenity

The SPD Design of New Housing Development states that 'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of loss of outlook and in order to provide adequate amenity, development will be expected to comply with external spacing standards.

The proposed dwellings have been sited to limit their impact on the neighbouring properties and complies with the guidance set out in the Supplementary Planning Documents and South Yorkshire Residential Design Guide in relation to separation distances, back to side relationships, and overshadowing and loss of outlook. The shape of the plot and the orientation of the proposed dwellings ensure that the necessary separation distances are maintained between facing habitable room windows, gable walls and boundaries with adjacent gardens.

The main habitable room windows for plots 2 and 3 are to be located on the front and rear elevations of the proposed dwellings on a roughly east/west orientation. The habitable room

windows located on the rear elevation are located in excess of 10m to the rear boundary and 21m to the facing habitable room windows on the properties to the north-east, fronting onto Hall Royd Walk. In addition, the existing trees and hedge located along the north-eastern and south-eastern boundaries are to be retained subject to some pruning back to the boundary which will limit the increase in overlooking from the proposed dwellings.

In relation to plot 1, this dwelling is on a north-west/south-east orientation, again with the main habitable rooms being located on the front and rear elevations. The rear elevation of this plot would face towards to the side elevation of 25 Viewlands and be located 17m from it. Whilst this elevation benefits from 2 no windows one at ground and one at first floor, they serve en-suite bathrooms and are not classed as habitable rooms and therefore not afforded the same level of protection. The front elevation habitable room windows would be located in excess of 21m to the northern boundary with the properties fronting onto Moorland Place, and again, the hedge along this element of the boundary, along with that along the southern boundary are to be retained limiting increasing levels of overlooking.

Whilst the proposed dwellings are set at a higher level than the single storey dwellings located on Hall Royd Walk, it is not considered that the development of the site with two storey properties would lead to a reduction in levels of outlook or have an overbearing impact on these properties given that the separation distances on site would exceed those outlined within the SPD. Cross sections of the site have been provided which indicate that when a 25-degree quadrant is taken from the centre point of the lowest affected habitable room windows, the proposed dwellings are located below the 25-degree line, as outlined within the SYRDG and are considered not to impact negatively on the existing properties.

The proposed dwellings are proportioned with an overall floor area exceeding the technical guidelines set out in the SYRDG, with the rooms within the proposed dwellings meeting or exceeding the requirements of the document; in addition, the private amenity space provided exceeds the requirements for dwellings of this size.

Comments have been made in relation to the increase in traffic; it is acknowledged that there will be an increase in traffic, however, it is not considered that the increase in traffic from 2 no additional dwellings would have a detrimental impact on the amenities of surrounding residents, this was also referenced in the Inspectors appeal decision, which stated that *“although there would be a slight increase in the intensification of the use of the access road, I do not consider that it would have a materially significant effect on the living conditions of adjoining occupiers compared to the existing situation”*.

It is in this regard that the proposed development complies with SPD Designing New Housing Development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development and as such is acceptable.

Visual Amenity

Local Plan Policy D1 emphasises the importance of retaining the character of the area and protecting the street scene when considering proposals for new dwellings on small infill plots.

The immediate area features various sizes and styles of dwellings, including detached, semi-detached and terraced properties of one and two storey in height. The site is a large plot and is surrounded on all sides by residential properties, however it is also well screened by existing trees along the boundaries, which are to be retained.

The current dwelling is located within a secluded plot which is not read in conjunction with the surrounding properties given its access via a private driveway and distance from the adopted highway. The existing dwelling has been built at an angle on the site and does not fit in with the

pattern of the development which surrounds it. The design of the dwellings includes gable projections and detailing, which is evident within dwellings located along Viewlands.

Each dwelling would incorporate 2no. off street parking spaces. These would be to the side of the dwelling so as not to create a car dominated streetscene/frontage. It also allows the amount of hardstanding to the front of the dwellings to be reduced and provides space for soft landscaping. In addition, the driveways to the side allow for bin and recycling containers to be stored away from the streetscene and public vantage points.

The proposed dwellings are to be constructed from red brick to match the surrounding area with a small level of render located on the rear elevation to provide contrast to the red brick. As the dwellings are not located in a highly prominent position it is not considered that the proposed dwellings would form a dominant feature within the street scene and is therefore unlikely to be out of character with the area, as such the proposed development complies with Local Plan Policy D1 and is acceptable.

Highway Considerations

The access to the site would utilise an existing private driveway which extends off an existing turning circle from an adopted highway known as Viewlands. The access is approximately 3.5m wide at its narrowest point opening up to around 4.2m and approximately 40m in length.

Highways have been consulted on the proposed development, comments have been made in relation to the extensive history to this site, with previous Highways Development Control officers not raising any objection to the outline application and the application being allowed at appeal.

Comments have been made that the scheme is currently contrary to current standards with regard to the number of properties served from the private drive. However, no further objections are raised to the scheme. At the time of the appeal it was stated that three properties currently have right of access over the private drive including the appellant's dwelling and Nos 25 and 26 Viewlands. The proposal would result in only two net additional dwellings using the drive compared to the current situation with five dwellings using the access drive in total. This is compliant with the guidance provided with the SYRDG.

The site provides the required parking standards for dwellings of this size, in accordance with Supplementary Planning Document Parking, along with one additional visitor space per dwelling which Highways consider acceptable and have raised no objection to the proposal. Suggestions to the layout were made, which have been incorporated within the amended plans which include the garage for plot 1 being set back to ensure that clear access to the site is maintained, and the drive widened for plot 3 with the demarcation of a shared area for turning.

Comments have been made in relation to increase in traffic; it is acknowledged that there will be an increase in traffic, however, it is not considered that the increase in traffic from 2no additional dwellings would have a detrimental impact on the highway network or upon highway safety; as mentioned previously highways have been consulted on the application and they have raised no objections to the scheme.

The site is sufficient to accommodate 3no dwellings of this size and the required number of parking spaces in accordance with the requirements of Supplementary Planning Document, Parking and as such the proposal is acceptable and in compliance with Local Plan Policy T4 New Development and Transport Safety.

Other Issues

Trees - The site is bounded by mature trees and hedges; an arboricultural impact assessment and associated plans have been submitted. The majority of trees along the boundary are to be retained, subject to the pruning works outlined, the trees that are to be removed have been limited to that which is necessary to facilitate the development, however it is expected that replacement planting will be included with the landscaping details subject to condition.

Drainage – Concerns have been raised in relation to the drainage of the site; a condition was included on the outline application and whilst a drainage scheme has been submitted as part of this application, following consultation with Yorkshire Water and the council's drainage officer, the information is unacceptable and further information is required. However, this can be covered by the condition that was put on at outline stage

Conclusion

The development ensures that adequate levels of amenity are retained for the neighbouring residents and future occupiers of the proposed dwelling. The erection of 3no 3bed properties, which whilst only a small contribution, would add to the housing supply. On balance, it is considered that the erection of the detached dwellings are acceptable and in compliance with Local Plan Policies H4, GD1, D1 and T4.

Recommendation

Approve with conditions