2023/0338

Mr Gavin Shaw

Erection of 1no. dwelling

Land adjacent 14 Stonyford Road, Wombwell, Barnsley, S73 8AF

Planning History

No history

Site Description

The site is currently used as a side garden/parking area to number 14 Stonyford Road, which is a brick built end terraced dwelling. The dwelling is set within a rectangular shaped plot with access provided off Stonyford Road.

The site is generally rectangular in shape orientated in an east to west direction. The site is currently undeveloped and comprises of scrub land next to Number 14 Stonyford Road which is used for vehicle parking. To the northern boundary of the site is a school which is separated by a brick wall and green palisade fencing.

Stonyford Road mainly consists of brick built terraced properties with pitched rooflines. The properties have small forecourt areas to the frontage and small rear garden/yard areas. Very few of the properties along Stonyford Road have off street parking due to the style of the dwellings.



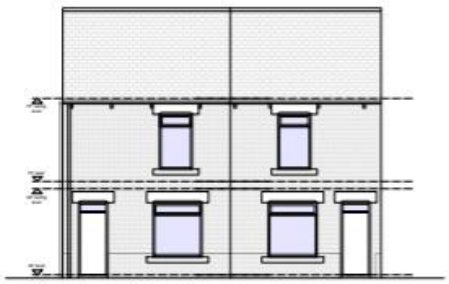
Proposed Development

The proposals comprise the erection of a new 2 bed dwelling attached to the side of the end of terrace property no.14 Stonyford Road, the new dwelling thereby becoming the new end of terrace property. The submitted information indicates that the site is vacant land that has been used for unauthorised parking and fly tipping although it does appear to provide off-street parking for no.14.

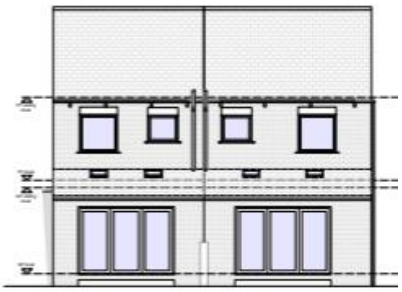
The ground floor of the dwelling has been designed with a separate lounge and a dining kitchen. At first floor there are two bedrooms and a bathroom. A small front forecourt is provided, with a rear garden area. The windows have been designed to match the attached dwelling and there are no windows proposed on the side elevations.

Due to the proposal not providing any allocated parking for the existing and proposed dwelling, a Highways Statement has been submitted prepared by Paragon Highways.

A Tree Survey, Arboricultural Impact Assessment and a Flood Risk Assessment have also been submitted with the application.



PROPOSED CONTEXTUAL WEST ELEVATION



PROPOSED CONTEXTUAL EAST ELEVATION



PROPOSED WEST ELEVATION

PROPOSED SOUTH ELEVATION

PROPOSED EAST ELEVATION

PROPOSED NORTH ELEVATION









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 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.
The site is set within Urban Fabric as shown on the Local Plan Maps, therefore the following polices are of relevance:-

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.
H4 Residential Development on Small Non-allocated Sites, proposals will be supported where they a located on previously or part developed land, are within a village, are accessible and have good access to a range of shops and services.
H9 'Protection of Existing Larger Dwellings'
T3 'New Development and Sustainable Travel'
T4 'New Development and Transport Safety'
D1 'High Quality Design and Place Making'
Poll1 'Pollution Control and Protection'

SPD's

-Design of Housing Development
-Parking

Other

South Yorkshire Residential Design Guide

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.

Section 14. Meeting the challenge of climate change, flooding and coastal change.

Para 165. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Para 166. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

Para 167. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below;

b) safeguarding land from development that is required, or likely to be required, for current or future flood management;

c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and

d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

Para 168. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

Para 169. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

Consultations

Tree Officer – No objection subject to conditions

Ward Councillors – No comments received

Highways – No objection subject to conditions

Yorkshire Water – Comments received with regard to drainage

Drainage – No objection subject to condition

Pollution Control – No objections subject to condition

Environment Agency – No comments received

Representations

Neighbour notification letters have been sent to neighbouring properties. 1 comment has been received from the adjacent school which states:-

‘A concern for school is to consider is if there are any windows planned which would be looking directly over the school playground. We also have concerns regarding any parking implications on an already busy road with congestion at key times, Further to this, we would ask if there is any impact on our boundary and in us being able to maintain it.’

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 require that development should be compatible with its surroundings, in this case the street is largely residential and as such the use of the site for residential uses would be in keeping with the locality, subject to compliance with the relevant Local Plan Policies.

In addition to the above, as the site is considered to be an infill plot, the following section of the Supplementary Planning Document, Design of Housing Development states that:-

Infill Development

Dwellings should be orientated to have a frontage to the existing public highway. Sides and backs and garages should be sensitively located so the frontage of the new development integrates with the existing street scene.

• The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street.
• The siting of the dwelling should reflect the building line of the dwellings on the same side of the street.
• The eaves and ridge heights of dwellings should usually be comparable with the heights of adjacent dwellings.
• Parking provision should be accommodated in a similar manner to how it is accommodated elsewhere on the street (e.g. if existing dwellings are set forward on their plots with parking at the side, the proposed dwelling should not be set back with parking at the front).
• Architectural features, fenestration and materials should reflect the positive elements elsewhere on the street. •
Infill development should not be piecemeal so as to prejudice potential comprehensive development of a larger area of land.
• Landscaped features such as trees, particularly those prominent in the street scene, should be retained and provided with sufficient space for future growth.

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.

The proposed dwelling is an attached end terrace property which has been designed to be in keeping with the adjacent attached terrace dwelling and constructed from matching materials and matching fenestration.

The SPD Design of Housing Development states that, the space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street, the siting of the dwelling should reflect the building line of the dwellings on the same side of the street and the eaves and ridge heights of dwellings should usually be comparable with the heights of adjacent dwellings. The proposed dwelling is identical to the adjacent terrace and would appear as a continuation of the terrace.

Given the above, the siting and design of the dwelling is considered to be acceptable in accordance with policy D1 of the Local Plan and the SPD Design of Housing development.

Impact upon trees

A Tree Survey has been submitted with the application and the Tree Officer has been consulted. In relation to development and the impact upon existing trees the SPD states in relation to infill plots that:- 'Landscaped features such as trees, particularly those prominent in the street scene, should be retained and provided with sufficient space for future growth.' It also states the following:

"Plans which show the retention of high value trees or hedgerows which are too close to buildings, roads, or drainage systems or will be affected by alterations in ground level will not be approved. Sometimes it can take several years for damage to a tree caused by development to be apparent, and in other cases future residents may wish to remove trees that are too close to their dwelling, for instance due to the overshadowing of windows or leaves dropping in gutters or on car parking areas. In considering planning applications, the Council will seek to avoid such long term problems arising as well as ensuring that the development does not lead to the unnecessary direct removal of trees and hedgerows"

In addition to the above, policy GD1 of the Local Plan states that:- 'Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.'

The Tree Officer has considered the plans and the documentation and has made the following comments:-

'I have looked through the plans and documents regarding this proposal. There is a large off site Lime tree located directly to the north in the school grounds which is within influencing distance of the proposed new dwelling. The tree survey provided noted that the calculated rooting area only extends as far as the boundary wall with the school and given the nature of the ground conditions on the property side of the boundaries I am inclined to concur with this. The tree does overhang the boundary however, and it appears as though the trees canopy will be approximately 1.5m away from the finished new house. The current clearance is likely sufficient given that there are no windows proposed in the end wall, however with only minor pruning a reasonable gap of 2-3m can be achieved without detriment to the tree. The tree will not shade the dwelling as it lies to the north and given its maturity and size any pruning to achieve a 2-3m clearance can be easily accommodated without detriment to the tree or its aesthetics. Given the proximity and the need for scaffolding etc. I feel an arboricultural method statement should be produced so as to avoid any potential conflicts.'

The proposal should not cause any significant harm to the adjacent trees. In addition, given the position of the trees, the property itself and the garden area would not be significantly overshadowed, in compliance with Local Plan Policy GD1 and the SPD Design of Housing Development.

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 application has been assessed in relation to the Supplementary Planning Document – Design of Housing Development Adopted May 2019) and the South Yorkshire Residential Design Guide (2011). The proposed layout achieves the Councils minimum amenity standards which are set out in the SPD Design of Housing Development and as a result the new dwelling will not overshadow or overlook any existing dwellings or the adjacent dwelling as it would be attached to it. There are no habitable room windows proposed to the side elevations which will overlook the adjacent school.

The South Yorkshire Residential Design Guide (adopted 2011) provides technical requirements in terms of amenity spacing standards for both internal and external arrangements. In terms of internal spacing, the dwelling has sufficient room sizes and internal accommodation.

In terms of external space the rear garden does not provide 50sqm of garden area to the existing and proposed dwelling due to the single storey projecting extensions, however the garden areas are reflective of the adjacent terrace plots and Permitted Development Rights would allow for small rear extensions such as these to terraced dwellings. In addition there is a green space/recreation area within a few minutes walking distance to the south of the site. On balance it is considered there is sufficient access to amenity spaces within the site and close by to it. However, it is felt that due to the limited area surrounding the property, that Permitted Development Rights should be removed in order to protect the amenity space from overdevelopment.

As stated above within the Tree Section of this report, due to the position of the adjacent trees along the northern boundary, they would not have a significant negative overshadowing impact and a loss of light impact upon the property itself and the garden area in compliance with Local Plan Policy GD1 and the SPD Design of Housing Development.

Highway Safety

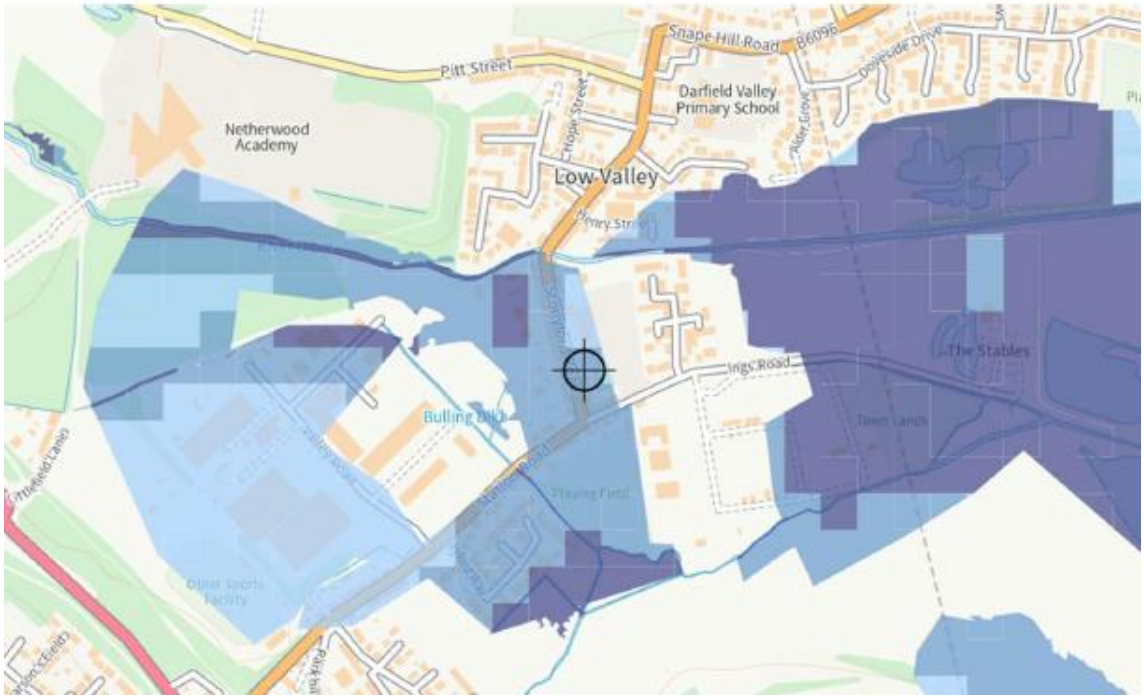
The proposals do not include any off-street parking provision for either the new dwelling nor the existing property no.14. The Highways Officer has been consulted and states that:- 'Frontage on-street parking is available, within the vicinity of the site there are no parking restrictions to either side of the road with the exception of the 'Keep Clear' markings along the adjacent school frontage. Although on-street parking is prevalent there are generally spaces available, only school drop-off and pick-up times seeing this section of highway being fully parked. The on-street parking situation is helped by many of the properties along the western side of Stonyford Road having off-street parking provision to the rear.

Stonyford Road is a classified road (B6096) and therefore any proposed off-street parking provision would need to provide internal turning so that vehicles do not reverse to/from a classified road, the lack of any proposed off-street parking must therefore be considered against having some provision but with no internal turning as per the existing situation.
In terms of the site being readily accessible by means other than the private car, the site can be considered as being in a sustainable location; the site benefits from good footway links to nearby schools, amenities and employment opportunities and there are bus stops immediately adjacent the site.

On balance, taking into consideration the sustainable location of the site, the general availability of on-street parking and the removal of the occurrence of vehicles reversing to/from a classified road, the proposals are considered acceptable from a highways development control perspective.' As such, it is considered that the proposals do not adversely impact upon the highway and are therefore acceptable from a highways perspective subject to conditions, in accordance with Local Plan Policy T4.

Flood Risk and Drainage

The site is shown to be located within in Flood Zone 2 and the Environment Agency maps and is considered to be at risk of flooding from fluvial sources. Flood Zone 2 is defined as land that has 'Medium Probability' of flooding. The proposed development is to consist of a single residential property, using Table 2: Flood Risk Vulnerability Classification of the National Planning Guidance, the development is classed being 'More Vulnerable'. The Environment Agency have been consulted and have not commented on the FRA.

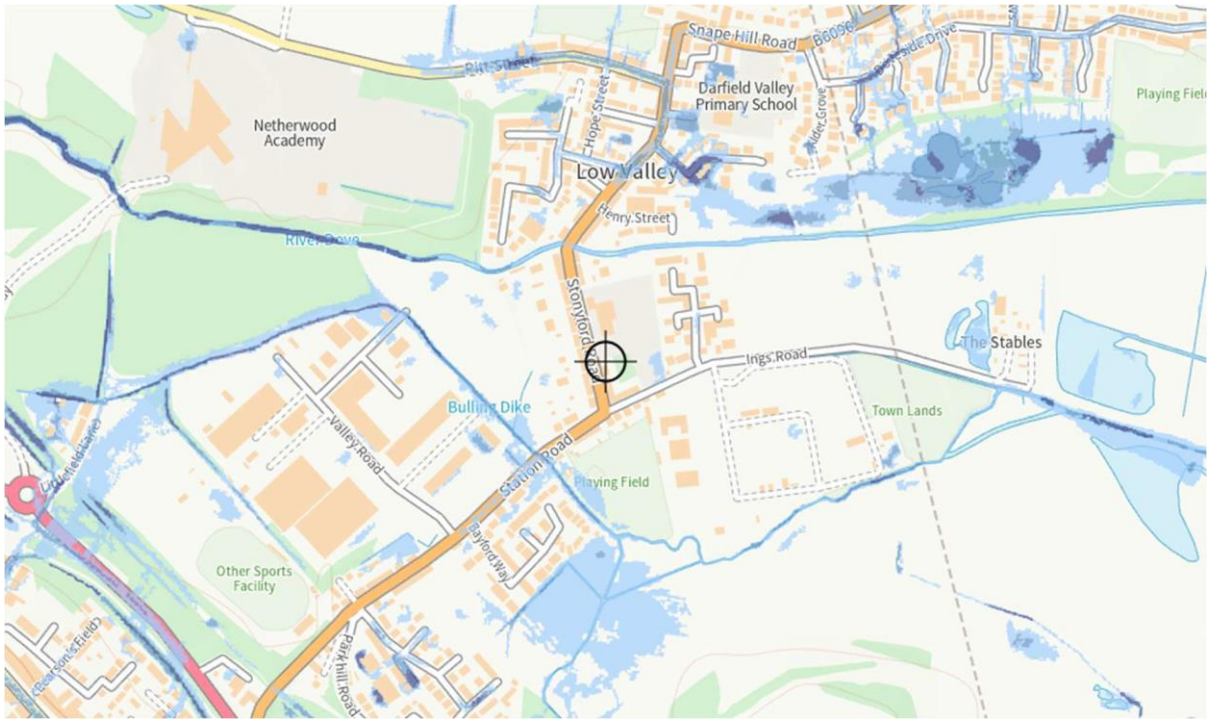


In terms of assessing applications within areas at risk of flooding, the NPPF states that:- Para 165. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Para 16 also states that: 'All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by a) applying the sequential test and then, if necessary, the exception test.'

An FRA has been provided and assessed the various risks of flooding at the site. The rsults of this can be summarised as follows:

Pluvial (Surface Water) flooding:

The Environment Agency Risk of Flooding from Surface Water mapping has been reviewed which shows the site is not at risk of flooding from Pluvial Sources as shown in Figure 4, below.

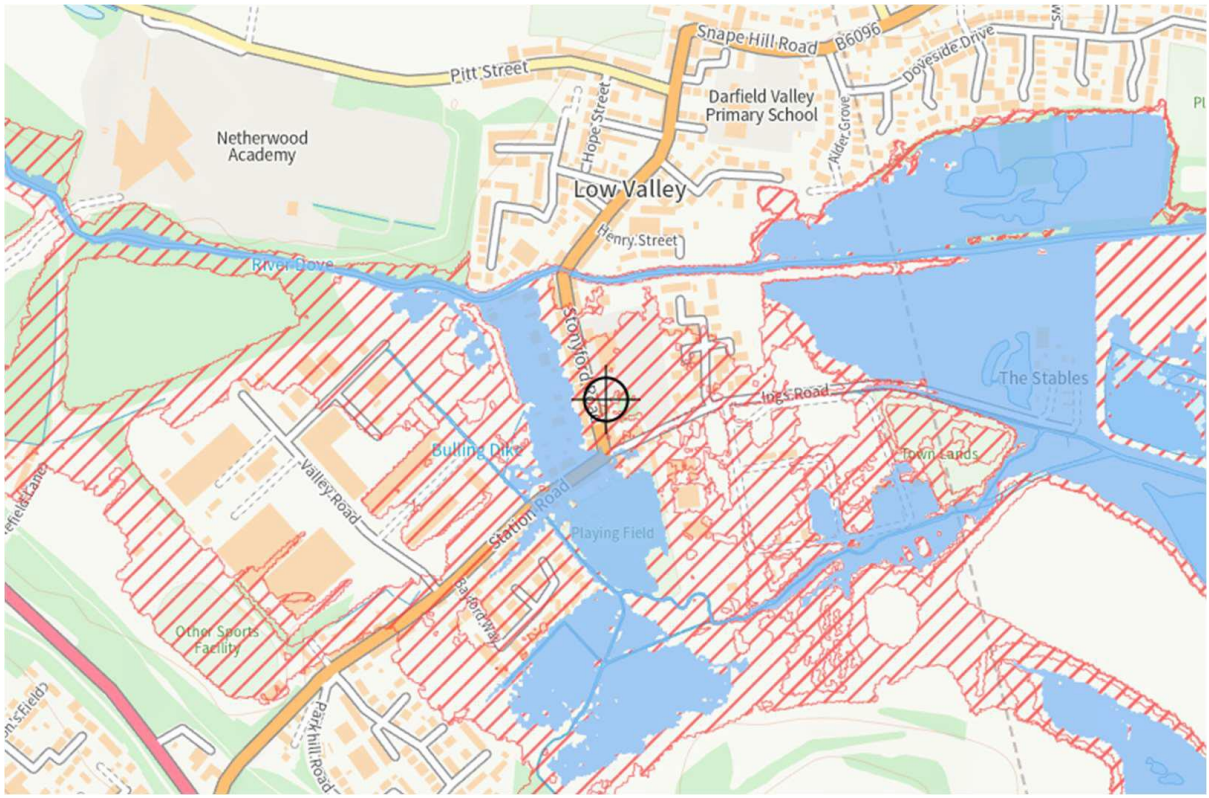


Tidal Flooding:

Due to the geographical location of the site, the development is not considered to be at risk of flooding from Tidal flooding

Flooding from Artificial Sources:

The Environment Agency Risk of Flooding from Surface Water mapping has been reviewed which shows the site is not at risk of flooding from Pluvial Sources as shown in Figure 5, below.



Groundwater flooding:

Superficial deposits on site are shown to be clay from British Geological Survey historic mapping. Given the cohesive nature of clay where it exists groundwater moves slowly through its structure as such the site is not considered to be at risk of flooding from groundwater.

Flooding from Drainage Infrastructure:

As part of the CON29DW Residential Drainage & Water Search report Yorkshire Water have also commented on flooding from assets within their ownership.

The property is not recorded as being at risk of internal flooding due to overloaded public sewers. From the 1st October 2011 private sewers, disposal mains and lateral drains were transferred into public ownership It is therefore possible that a property may be at risk of internal flooding due to an overloaded public sewer which the sewerage undertaker is not aware of. For further information it is recommended that enquiries are made of the vendor.

From the response received from Yorkshire Water the site is not considered to be at risk of flooding from drainage infrastructure.

In conclusion the FRA states that 'All sources of flooding have been reviewed which have confirmed the site is located in Flood Zone 1. The Sequential Test has been applied to the development site in accordance with the National Planning Policy Guidance Paragraph 20, 21 and Diagram 2: Application of the Sequential Test for Local Plan Preparation. In accordance with the National Planning Policy Guidance the proposed development is considered suitable.' There are no other available sites within the immediate area which could be developed for this single dwelling outside of the Flood Risk Area.

The FRA concludes that:-

- The site is not at risk of tidal flooding, pluvial, sewer sources, groundwater sources and artificial bodies.
- The site is at risk of flooding from fluvial sources.
- The site is located in Flood Zone 2 – 'Medium Probability'.
- The development is classified as being 'More Vulnerable'
- The development satisfies the requirements of the Sequential Test and is deemed to be appropriate.
- The Exception Test is not required as the site is deemed appropriate.

No objections have been received from the Environment Agency in terms of Flood Risk. An indicative drainage plan has been submitted with the application; however drainage details are to be conditioned in line with the comments submitted from the Council's Drainage Officer and Yorkshire Water. There are therefore no adverse comments received to the FRA or its conclusions.

Recommendation

Approve with conditions