

Applicant: Blue Check Consulting co.Ltd

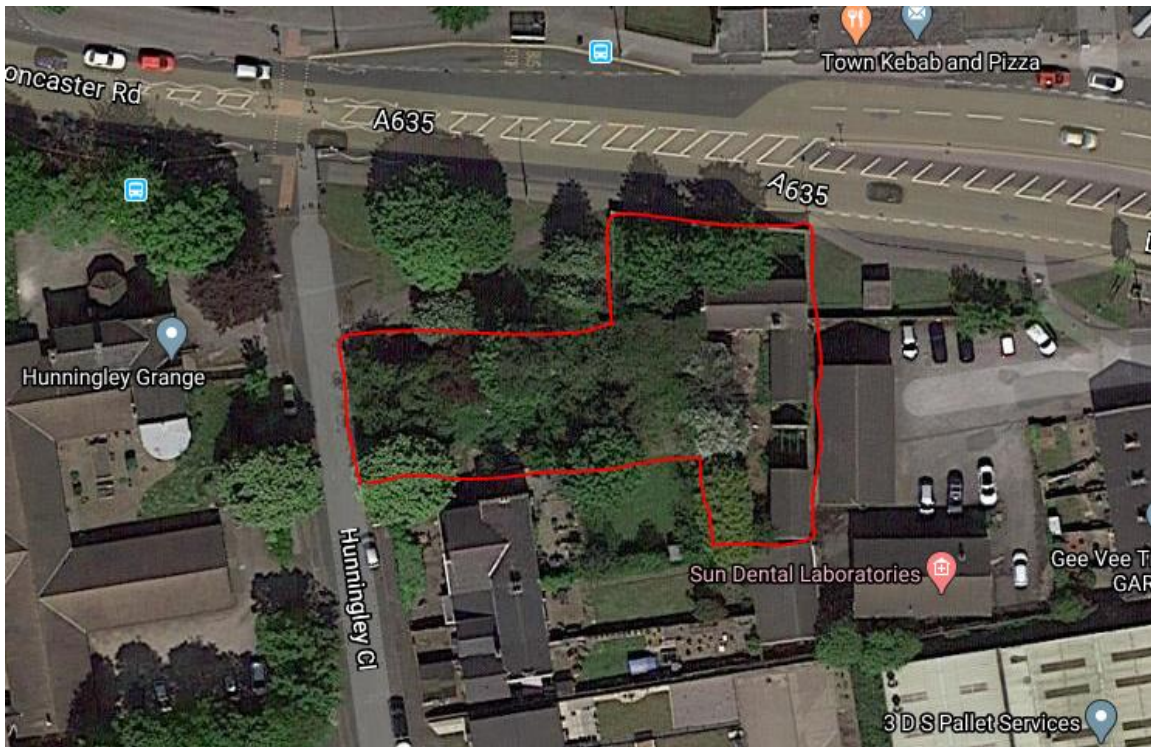
Description: Demolition of existing dwelling and outbuildings and development of 5no dwellings including alterations to existing private drive and provision of associated parking and landscaping (Outline seeking approval over means of access and layout)

Site Address: 347 Doncaster Road, Stairfoot, Barnsley, S70 3PH

### Site Location and Description

The application relates to a 'T' shaped piece of land measuring approximately 1200m<sup>2</sup>. The site is located to the South of Doncaster Road and East of Hunningley Close. The site accommodates a vacant dwelling to the North of the site and derelict outbuildings to the East/South East. There is a vehicular access leading into the site from Hunningley Close to the West and a number of mature trees to the West and North of the site.

To the North West of the site is an area of open space on the corner of Hunningley Close and Doncaster Road which contains a grassed area and mature trees. There is no vehicular connection between the two roads but there is a pedestrian footpath link. To the East of the site is a courtyard containing offices and commercial uses with 2 storey buildings in close proximity of the application site. To the West of the site, beyond Hunningley Close is a care home and to the South are residential properties with shared boundaries.





### Proposed Development

The applicant seeks outline permission (including access and layout) to demolish the existing dwelling and outbuildings and erect 5no. dwellings. The layout proposed utilises the existing vehicular access point to serve plots 3-5 with plots 1 and 2 having direct access from Hunningley Close.

Plots 1 and 2 would be a pair of semi-detached dwellings, plots 4 and 5 would be linked detached and plot 3 would be a detached. Each property would have dedicated off street parking and private amenity spaces.



## **Policy Context**

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).

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

Policy H1 The Number of New Homes to be Built

Policy H4 Residential Development on small Non-allocated sites

*Policy H6 Housing Mix and Efficient Use of Land*

*Policy T3 New Development and Sustainable Travel*

*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 GS1 Green Space*

*Policy BIO1 Biodiversity and Geodiversity*

*Policy CC2 Sustainable Design and Construction*

*Policy CC4 Sustainable Drainage System (SuDS)*

*Policy RE1 Low Carbon and Renewable Energy*

*Policy I1 Infrastructure and Planning Obligations*

### SPD's/PAN's

The SPD's/PAN's are currently being updated due to the adoption of the Local Plan with some already out to consultation. Those of relevance to this application are as follows:

- Designing New Residential Development
- Parking

### 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 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 109 - 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 124 - 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.

## **Consultations**

Regulatory Services – No objections, require noise report at reserved matters stage

Highways DC – raised areas for improvement on the original scheme which have now been addressed

Yorkshire Water – no objections

Drainage – No objections subject to condition

Tree Officer – No objections to the revised proposal

Ecology – No comments but bat survey to be conditioned

Ward Councillors – No comments

## **Representations**

11 neighbouring properties were consulted on the application via letter and there was also a site notice put up on Doncaster Road and a press notice in the Barnsley Chronicle. 1no. letter of objection was received as a result. The main points of concern are;

- Impact on Bats
- Loss of trees on the site
- Impact on the existing drainage

## **Assessment**

### Principle of development

The site is allocated as Urban Fabric in the Local Plan and historic maps demonstrate that the site previously accommodated housing. Local Plan policy H4 states proposals for residential

development on sites below 0.4ha will be allowed where the proposal complies with other relevant policies within the plan.

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.

### Design / Visual Amenity

The application is an outline with only access and layout applied for, as such, appearance and scale will be considered under the reserved matters application. However, a layout plan has been provided which is for consideration.

The plan shows there would be a mixture of property types including detached (plot 3), Semi detached (plots 1 and 2) and linked detached (plots 4 & 5), as such, the development would be in accordance with Local Plan Policy H6 'Housing Mix and Efficient use of land'.

Plots 1 and 2 would front Hunningley Close and take direct vehicular access from it, therefore, it would reflect the existing development pattern along that road and the dwellings immediately adjacent to the site, as such the visual amenity of the area would be maintained to a reasonable degree, in accordance with Local Plan Policy D1.

Plots 3, 4 and 5 would be organised in an 'L' shape to the rear of the site, similar to the position of the existing dwelling and its associated outbuildings. Plot 3 and part of plot 4 would be elevated above Doncaster Road and visible from public vantage points, however, they would be set back from the highway, a similar distance to the existing dwelling, as such, they would not be overly prominent or visually intrusive on the streetscene. Furthermore, a large mature tree (T8) would be retained between the dwellings and Doncaster road and the existing trees outside the redline boundary would also aid to soften the development.

Plot 3 would be relatively screened from public vantage points, given the position of the proposed dwellings and the existing 2 storey buildings immediately to the East of the site.

It is noted that parking would be to the front of plots 1 and 2 but they would be softened by new tree planting and an area of soft landscaping immediately adjacent. The parking for plots 3-5 includes a mixture of front and side parking and is set away and obscured from public vantage points, as such, visual amenity would be maintained to a reasonable degree.

Each plot would have pedestrian access to the rear amenity space which would allow bins and recycling containers to be kept in non-prominent positions, furthermore, a bin storage/collection area is proposed adjacent to Hunningley Close on collection days.

### Residential Amenity

Plots 1 and 2 would project beyond the rear elevation of the neighbouring dwelling, however, they would be orientated to the North and would not result in significant overshadowing or be overbearing features, in accordance with Local Policy GD1.

Plot 5 would be within close proximity of the rear boundary of the neighbouring dwelling which could potentially result in some overlooking, however, the position of the windows would be considered at reserved matters, there is enough areas of elevation to position windows so as not to cause significant overlooking.

Plots 4 and 5 are close to the Eastern boundary of the site, however, that is shared with commercial premises (owned by the applicant) and the immediately adjacent building is 2 stories with a relatively blank elevation adjacent to the site. Furthermore, the existing buildings on the site are in a similar position to those proposed.

At this stage it cannot be determined whether the properties would comply with the internal spacing requirements of the South Yorkshire Residential Design Guide and that would be

considered further at reserve matters stage. Plots 3-5 do meet or exceed the external private amenity space requirements though. It is noted that the rear amenity space would fall marginally short for plots 1 and 2, however, if they are 2-bedroom properties as indicated then there would be adequate space for outdoor seating and play areas and would not warrant a recommendation for refusal at this stage.

Given the number of dwellings proposed and the nature of the area, the development would not significantly increase noise and disturbance, compared with the previous use of the site.

### Highways Safety

Plots 1 and 2 would be accessed directly from Hunningley Close and plots 3-5 would be served by a driveway utilising the existing vehicular access into the site.

Highways initially had concerns with the width of the access road serving plots 3-5, however, this has since been amended inline with their requests. The parking and turning arrangements have also been amended in accordance with Highways requirements. Each plot would have access to at least 1no. parking space with some having access to 2. Whether the scheme complies with SPD 'Parking' would be considered further at reserve matters stage when the final bedroom numbers are known, however, the plan as submitted demonstrates that adequate parking can be accommodated to create a policy compliant scheme.

As such, the development would be in accordance with Local Plan Policy T4 and SPD 'Parking'.

### Ecology

Following on from a Bat survey, the existing house on the site was assessed to have a LOW potential for roosting bats during the daytime survey while the outbuildings were assessed to have negligible potential for roosting bats in line with the bat Conservation Trust Good Practice Guidelines.

One dusk emergence survey was therefore undertaken on the existing house and during that survey no bats were seen to emerge from the house.

Small birds, including robins and wrens were identified around the back of the house during both surveys. However, no active nest was identified.

The survey recommended that no roosting bats were identified during the two surveys and therefore there is no requirement for a mitigation strategy or for a Natural England licence in connection with the proposed development.

Nevertheless, individual bats can seek temporary shelter almost anywhere and therefore it is recommended that demolition of the existing buildings is undertaken with due care. In the unlikely event a bat is found, the bat should be covered and protected, work should cease at that location and the undersigned should be contacted for further advice.

In order to provide biodiversity enhancements in line with the NPPF, it is recommended that two integrated bat bricks are installed in the new dwellings to be built on the site. A condition will be recommended as such.

### Trees

None of the trees in the site are subject to Tree Preservation Orders and as such could be removed without permission. However, the majority of the most prominent and mature trees on the site are to be retained, as shown on the layout plan. However, it is acknowledged that a number of trees on the Hunningley Close frontage are to be removed in order to facilitate plots 1 and 2.

Following a meeting on site with the applicants and Tree Officer, it was considered that although these trees contributed to the visual amenity of the area, they had undergone poor maintenance in the past and if retained could have a relatively short life and be a liability. As such, the Tree Officer agreed that these could be removed subject to a replanting scheme.

## Conclusions

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the revised scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

**Recommendation:** Approve subject conditions

## **Conditions**

Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

- (a) scale of building(s)
- (b) the design and external appearance of the proposed development.
- (c) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos. 2019/05/02-A & 2019/05/03) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be

erected.

Reason: To safeguard visual and residential amenity, in accordance with Local Plan Policies GD1 and D1 and SPD 'Design of Housing Development'.

Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.

Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

Visibility splays, having the dimensions 2m x 23m, shall be safeguarded at the junction with Hunningley Close, such that there is no obstruction to visibility and forming part of the adopted highway.

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.

The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.

Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

Prior to the commencement of the development, full details of the mitigation measures outlined in the bat report shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be installed prior to occupation and retained as such thereafter.

Reason: In accordance with the recommendations and mitigation measures set out in the bat report and in accordance with Local Plan Policy BIO1.