

**2023/0153**

Louise Hartley

Reserved matters application for one dwelling with matters of landscaping, scale and appearance considered at this stage (in association with outline application 2020/0520)

43 Barnsley Road, Brierley, Barnsley, S72 9JT

---

## **Background**

80/1746 – Use of Land for parking of haulage and plant hire vehicles – Approved, storage of vehicles only not repairs.

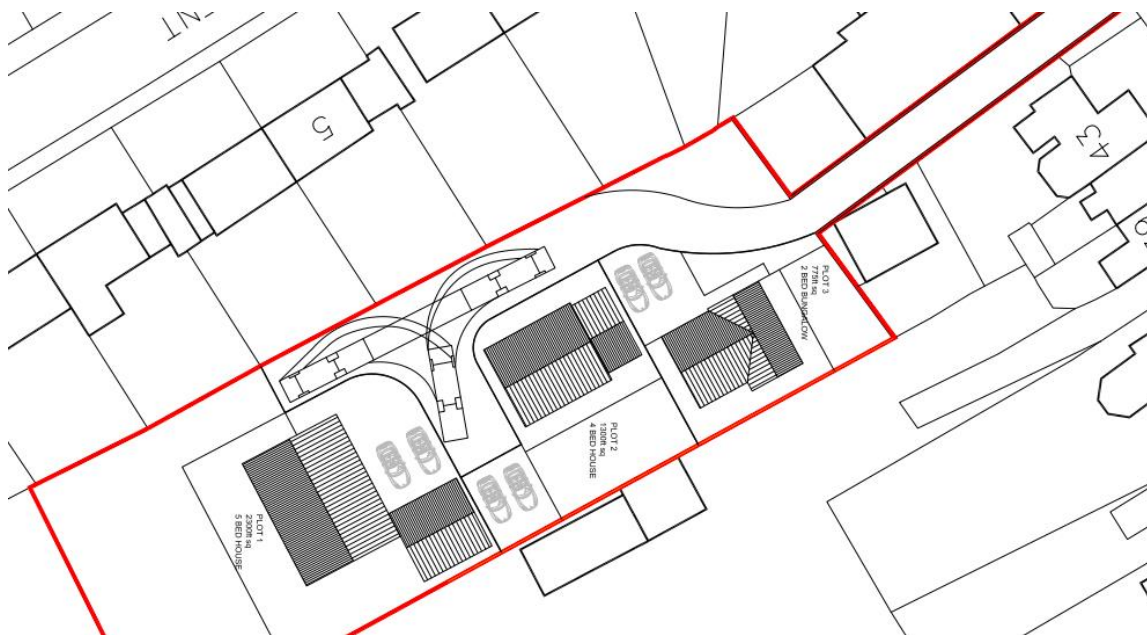
B/89/1986/HR/EU – Use of the land for repairs, servicing and fabrication of vehicles – Approved, but red line limited to garage only and not land to the rear.

2017/0150 - Erection of 1 no. detached dwelling house with detached garage following demolition of existing engineering workshop - Withdrawn

2018/1552 - Lawful development Certificate for existing use of site as Use Class B2 (General Industrial) - Refused

2019/1237 - Outline planning permission (including access and layout) for the clearance of existing use and a proposed residential development – Withdrawn

2020/0520 - Outline planning application (including access and layout) for clearance of site and re-development for 3 dwellings – Approved subject to conditions and a Section 106 Agreement. The S106 allows the applicant to develop one family dwelling on Plot 1 without the need to close the garage use.



## **Site Description**

The site is located north-east of Barnsley in the settlement of Brierley. It is circa 0.2ha in size with access direct from Barnsley Road between Hartley Vehicle Services and No.43. The land slopes upwards from the road to the south and there are several trees around the site edges. This application relates to plot 1 of the outline permission.

To the north of the site is Barnsley Road with residential properties backing onto the site (the garage, no.43 and no.41), to the east of the site is the rear garden of no.39 Barnsley Road which also extends southwards to the same point as the site. To the south is an open field currently used as a paddock for animals and allocated as greenspace, whilst to the west are the rear gardens of those properties on Regina Crescent.

The historic use of the entire site is unclear. The site gained planning permission for use of land for parking of haulage and plant hire vehicles back in the early 1980s. It is clear from aerial photos of the site that this storage use has been on-going for a number of years and continues to do so with a large amount of varied scrap metal stored on the site. However, although the site falls within the same ownership as No.43 and the Hartley Vehicle Services garage located to the front of the site, there is no established clear and functional link between the site and the garage operation. This was the reason why the Certificate of Lawful Use application to establish the site as a B2 use failed. As such the use of the land for parking of haulage and plant hire vehicles under planning application 80/1746 would appear to be the last established use.



## Proposed Development

The proposal is for a reserved matters application for one dwelling (plot 1) with matters of landscaping, scale and appearance considered at this stage (in association with outline application 2020/0520 which agreed the access and layout. The outline planning application (including access and layout) proposed the clearance of site and re-development for 3 dwellings. This application was approved subject to conditions and a Section 106 Agreement. The S106 allows the applicant to develop one family dwelling on Plot 1 without the need to close the garage use.

The proposed dwelling is sited in the same location as approved on the outline permission. The proposed dwelling is two storeys in height and has a fairly modern appearance with an almost L shaped design. The property has been designed with 4 bedrooms at first floor and ground floor accommodation consisting of a living room, kitchen/diner/snug, utility room and a sports/entertainment room. At first floor to the rear is a small 'pop out box' balcony area to the master bedroom. At ground floor a single storey

A landscape master plan has also been submitted with the application. The materials proposed comprise of a slate roof, natural stone, aluminium windows, elements of timber to break up the window fenestration and a white render 'pop out box' at the rear.





## 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 located within Brierley which is identified as a village in the settlement hierarchy. The Local Plan states that: villages vary in size and are generally characterised by a more limited range of services and public transport compared with Urban Barnsley and the Principle Towns. Some limited development is identified in the villages, with an allocated site to the east of the village.

Site Allocation: Urban Fabric

SD1 'Presumption in Favour of Sustainable Development'.

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.

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 4% of new homes to be built in areas outside the Principle Towns and Urban Barnsley. In addition, a windfall allowance of 200 has been assumed within the villages.

H4 'Residential Development on Small Non-allocated Sites' will be allowed where the proposal complies with other relevant policies in the Plan.

H6 'Housing Mix and Efficient Use of Land'

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

#### SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Trees and Hedgerows
- Biodiversity and Geodiversity

#### 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.

#### **Consultations**

Drainage - No objections subject to conditions

Highways – No objections subject to conditions.

Pollution Control - No objections subject to condition

Ward Councillors - No comments received

#### **Representations**

The application was advertised by a site notice and neighbour letters, no comments have been received.

#### **Assessment**

##### Principle of Development

The site is allocated as urban fabric and located within the village of Brierley where there are a good range of services and access to public transport, therefore, the proposed is sustainable development in accordance with Local Plan Policy SD1.

Local Plan Policy H4 supports residential development on small non allocated sites where they comply with other policies within the Local Plan. The principle of the development of the site for residential purposes has been established by the granting of the outline permission. This application relates to the scale, external appearance and landscaping details for plot1 only.

##### Visual Amenity

Policy D1 seeks to secure high quality design and place making with additional guidance set out in the Design of New Housing SPD. The site is located behind No.43 and the existing garage and has been used for in excess of 10 years to store various materials and scrap items, including some vehicles. The immediate area consists of semi and detached two storey dwellings, constructed of stone and brick.

The proposed dwelling is sited in the same location as approved on the outline permission. The proposed dwelling is two storeys in height and has a fairly modern appearance with an almost L shaped design. At first floor to the rear is a small 'pop out box' balcony area to the master bedroom. At ground floor a single storey front projecting element is proposed. The materials proposed comprise of a slate roof, natural stone, aluminium windows, elements of timber to break up the window fenestration and a white render 'pop out box' at the rear. The proposed design, whilst it is quite modern, it is set to the rear of existing dwellings and would not be overly visible from the main street scene.

In terms of landscaping, A landscape master plan has also been submitted with the application which details areas of hard and soft landscaping which is acceptable. The proposal therefore complies with Policy D1 in visual amenity terms subject to further assessment at reserved matters.

### Residential Amenity

The outline application proposed a bungalow and two larger detached dwellings, all accessed by a drive running along the western boundary. The application relates to Plot 1 only, which is orientated north south and the proposed habitable windows are in excess of 21 m from neighbouring houses, therefore will not cause any significant issues associated with overlooking or overshadowing. In addition, to the above permitted development rights have been removed on the outline permission to ensure any potential extensions are properly assessed.

The dwelling itself is designed with sufficient internal room sizes and amenity areas in accordance with the SYRDG and the SPD. Therefore, the proposed complies with Local Plan Policy D1 and the accompanying Design of New Housing SPD in relation to residential amenity.

### Highways

Highways Officer has been consulted and confirms that the applicant has amended the site layout in accordance with previous concerns raised with regard to the size of the turning head, and as such has no objections to the proposal in accordance with standard conditions. The proposal provides sufficient parking and turning areas and is acceptable in terms of Policy T4 of the Local Plan.

### **Recommendation**

**Grant** subject to conditions