
2022/0820

Applicant: Mr Karl Leatham

Description: Erection of 6 no. bungalows and associated works

Site Address: Land off Darley Avenue, Ward Green, Barnsley

Site Location and Description

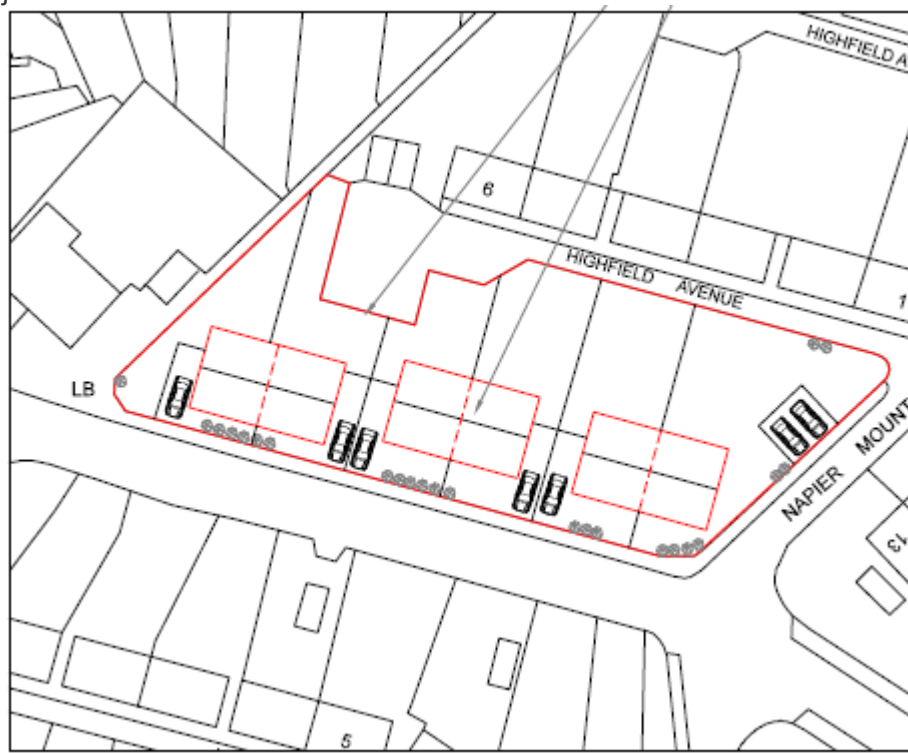
The application relates to a currently vacant area of land which is predominantly laid to grass. The land sits to the North of Darley Avenue and is boarded by Napier Mount to the East and Highfield Avenue to the North. The land slopes up from South to North. To the North West corner of the site, Highfield Avenue, and its associated parking and turning area, projects into the site, creating an irregular boundary.

The surrounding area is predominantly residential in nature with 2 storey, hipped roof semi-detached properties fronting Highfield Avenue to the North and fronting Napier Mount to the East. The rear of the properties, and associated garden areas, of properties fronting Kingwell Crescent sit to the South, opposite Darley Avenue. To the West of the site is a local shop



Site History

2018/ 1100 - Residential development of up to 6no bungalows (Outline with all matters reserved) – approved subject to conditions



2020/0097 - Erection of 4 no. 3 bedroom bungalows with living accommodation in the roof space, 2no. 2-bedroom, single storey bungalows and associated works – approved subject to conditions

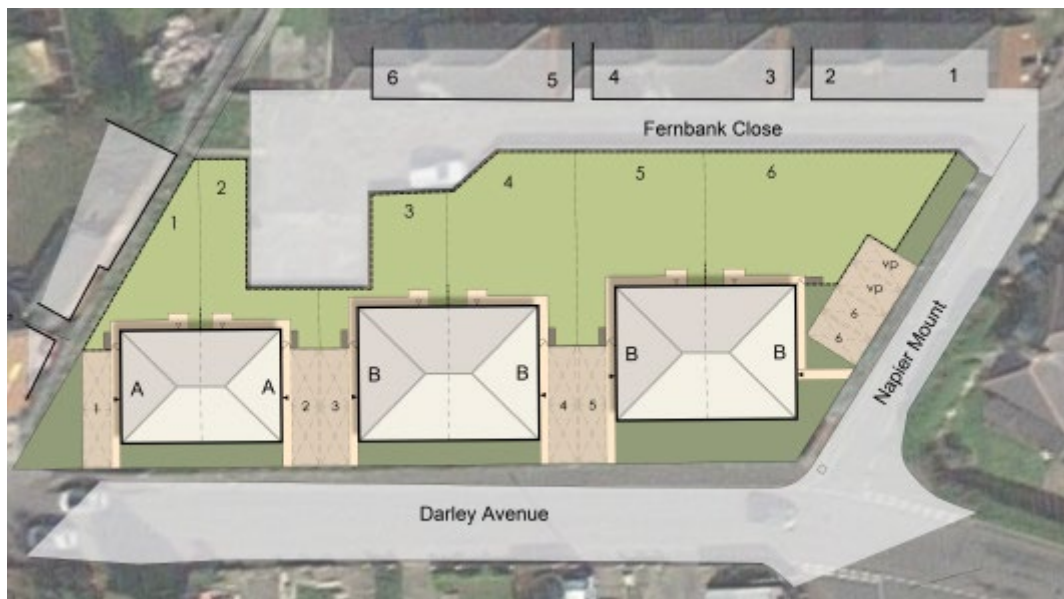


Proposed Development

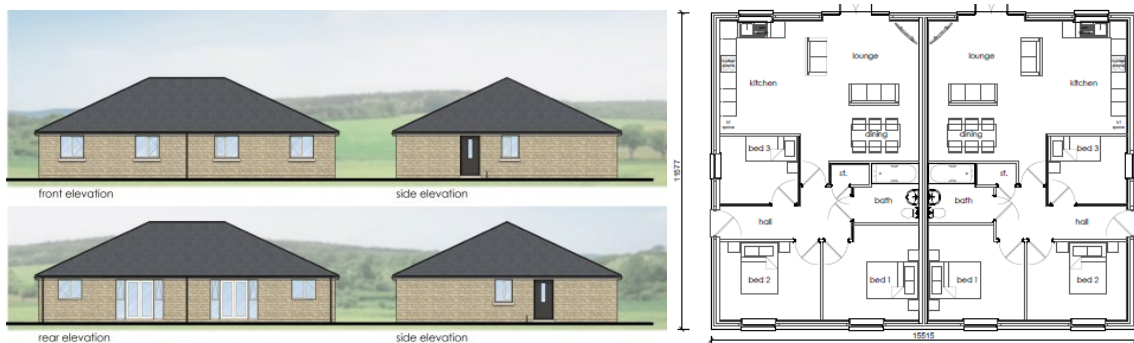
The applicant seeks permission to erect 3 pairs of semi detached bungalows (6 dwellings in total). Plots 1 and 2 would provide 2 bedroom accommodation with plots 3-6 having 3 bedrooms. It is intended that the scheme will be fully affordable with the properties made available for rent in partnership with Places for People.

The design of the bungalows is relatively simple with a single storey layout and hipped roof above. The main entrances to the properties are on the side elevations.

The dwellings would have a small buffer garden to the front and enclosed gardens to the rear. Plots 1-5 would have driveways adjacent to the side elevations accessed off Darley Avenue while plot 6 would have 2no. parking spaces accessed from Napier Mount. Adjacent to the parking for plot 6 would be 2no. visitor parking spaces.



3 Bed Unit



2 Bed Unit



Policy Context

The site is allocated as Urban Fabric 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 H7 Affordable Housing

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

Those of relevance to this application are as follows:

- Design of Residential Development
- Parking
- Sustainable Travel
- Affordable Housing

Other

South Yorkshire Residential Design Guide

NPPE

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 130 – sets out the requirements for development in terms of layout and design.

Consultations

Drainage – No objections subject to conditions

Highways – No objections subject to conditions and informatives

SYMAS – No objections subject to condition

The Coal Authority – No objections subject to conditions

PROW – No objections

SFSY – No Objections

Yorkshire Water – No Objections following submission of amended plans

Ward Councillors – No comments

Representations

28 neighbouring properties were consulted on the application via letter and there was also a site notice put up on Darley Avenue. No objections have been received.

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.

The site has been granted outline permission for 3 pairs of semi-detached properties in a similar layout as that proposed (Ref: 2018/1100) and full planning permission has been granted for 3 pairs of semi-detached bungalows, again on a similar footprint (Ref: 2020/0097). The 2020 permission was granted under currently adopted policies and guidelines, as such, a precedent has been set for such development on the site, furthermore, the permission is extant and could be built out. It should still be recognised, however, that each case should be assessed on its own merits and this will be considered under the headings below;

Design / Visual Amenity

The layout of the site is very similar to the indicative plan considered under the approved outline application and the approved layout considered under the full application. It is acknowledged that the properties immediately adjacent to the site are 2 stories, however, there are bungalows within close proximity to the site along Darley Avenue which are juxtaposed with 2 storey dwellings. As such, the proposal would not be out of character with the area. Furthermore, the scale, materials and fenestration of the proposed development is reflective of the housing stock within the area.

Arguably the current proposal sits more comfortably on the site than the extant permission given that the proposed dwellings do not have rooms in the roof space and instead have modest hipped roof, reflective of the majority of the roof types within the immediate area. It is noted that the current properties have their entrances on the side elevations, rather than the front elevations as approved. This is a shame and loses some interaction between the dwellings and the streetscene, however, the front elevations and their associated fenestration would still sit comfortably within the streetscene and would not warrant amendment or refusal in this case.

Despite properties 3-6 being identical and plots 1-2 very similar in appearance, albeit smaller, there is variation across the development as each block of semis is a differing distance from the back edge of the footpath serving Darley Avenue. This allows variation and visual interest and avoids regimentation.

The site is within a prominent position with highways to 3 boundaries, as such, it can be seen from numerous public vantage points. It is noted that plots 1 and 2 have little scope for front gardens and are close to the back edge of the footpath, however, the immediately adjacent 2 storey convenience store is located relatively close to the back edge of the footpath. Furthermore, plots 3-6 do have a buffer garden that can accommodate planting to soften the development and the side elevation of plot 6 is set away from Napier Mount. In addition, the footprints and positions of the dwellings are proposed are very similar to the previous approvals on the site, plus the current scheme has a more modest ridge height and roof design which lessens the impact of the properties on the streetscene compared to 2020/0097.

The site is also on a lower level than Highfield Avenue and would be viewed against the higher level 2 storey properties on Highfield Avenue when viewed from Darley Avenue. This would reduce the impact of the development on visual amenity and the properties would not appear

overly dominant, again this is even more the case with the currently proposed hipped roofs compared to the previous gables with rooms in the roof space.

In terms of materials it is proposed to construct the dwellings from Cromwell Weathered Fine Faced stone with natural stone heads and cills and grey concrete roof tiles. Predominantly the local housing stock is red brick however, there are other materials evident such as render and there is stone immediately adjacent to the site on the boundary treatments along Napier Mount. Given the development is stand along and the bungalows differ from the immediately adjacent 2 storey houses a good quality material which differs from the neighbouring properties would be acceptable in this instance and add to the variety, mix and visual amenity of the streetscene.

The proposal would result in solid boundary treatments along Napier Mount and Highfield Avenue in order to create private amenity spaces. The applicant has proposed dwarf walls with pillars and infill timber panels along Napier Mount to reflect the boundary treatments within the immediate area. It is noted that there would be timber fencing to the rear, however, this is due to the applicants not being able to build off the existing retaining wall. In any case, this area is less prominent and the timber fencing would not significantly impact the visual amenity of the area. This submitted boundary treatment plan will be conditioned.

Each property has pedestrian access to the rear garden area, as such, bins and recycling containers would be able to be stored away from public vantage points.

As outlined above, the proposed development would sit comfortably within the streetscene and harmonise with the neighbouring housing stock, subject to amendments to the proposed boundary treatments, as such, visual amenity would be maintained to a reasonable degree, in accordance with Local Plan Policy D1.

Residential Amenity

The proposed dwellings are separated from neighbouring dwellings on Highfield Avenue, Napier Mount and Darley Avenue by highways.

The proposed dwellings are directly to the South of the existing dwellings on Highfield Avenue. There is a separation distance of circa 12m which meets the requirements of SPD 'Designing Residential Development' when separated by a highway. Furthermore, the height of the proposed dwellings is relatively modest, and the site is on a lower level than the neighbouring dwellings. As such, the proposal would not be overbearing or significantly increase overshadowing.

The site is on a higher level than the dwellings opposite Darley Avenue. Again, the separation distance meets the requirements of the SPD and given the modest size of the dwellings, residential amenity would be maintained to a reasonable degree.

In terms of privacy levels, as outlined above, separation distances set out in the SPD with regards to dwellings separated by roadways have been met or exceeded. Views from the proposed rear windows towards neighbouring dwellings would be limited by the boundary treatments and level differences. There would be views from the front elevation windows towards the rear amenity spaces of the properties to the South, however, these gardens are immediately adjacent to the footpath serving Darley Avenue and have low boundary treatments, as such, are not currently very private. Furthermore, the current proposal only has living accommodation and habitable room windows on the ground floor unlike the previous scheme which had accommodation within the roof space. Therefore, privacy levels would not be significantly impacted by the proposal.

In terms of the amenity of the future residents, the internal spacing generally meets or exceeds the requirements of the South Yorkshire Residential Design Guide. However, given the awkward shape of the site there is an element of buyer beware in terms of the garden spaces. Plots 1, 2 and 3 have gardens which fall below the requirements given the adjacent turning head which eats into the site. However, they still have usable seating areas immediately adjacent to the rear elevations and do have areas which can be grassed or landscaped. There would also be

adequate outlook from the rear windows. Furthermore, plots 1 and 2 serve 2 bedroomed properties which could cater for elderly residents or people with smaller families and therefore would not need larger gardens.

It should also be noted the currently proposed garden areas are very similar to those approved on the indicative plan submitted with the outline application and the approved plan of application 2020/0097. To avoid further space being lost within the gardens permitted development rights will be removed for extensions and outbuildings.

For the reasons set out above, the development would maintain residential amenity levels for existing residents and create acceptable levels for future residents, in accordance with Local Plan Policy GD1.

Highways Safety

The access and parking arrangements are very similar to those considered on the indicative plan at outline stage and the approved plan on application 2020/0097. Each property would have access to at least 2no. parking spaces which meets SPD 'Parking' requirements for 3-bedroom properties and exceeds them for the 2-bedroom properties. There is also 2no. visitor spaces accessed off Napier Mount.

Highways have been consulted on the application and have raised no objections subject to conditions and informative.

Mining

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth. Coal Authority records also indicate that a thick coal seam outcropped across the site.

The planning application is accompanied by a Coal Mining Risk Assessment (AJK/47287/001, 20 August 2022) prepared for the proposed development by Eastwood Consulting Engineers. The Assessment has been informed by geological, and coal mining information.

The report author considers that currently there is a potential risk from shallow mine workings within the Low Beamshaw Coal seam. Therefore, in order to confirm the actual ground conditions (depth and condition of the coal seam; competent rock cover) to inform the extent of any remedial and / or mitigation measures considered necessary to ensure the safety and stability of the proposed development (NPPF paras. 183 and 184), recommendations have been made that intrusive ground investigations are required.

SYMAS and The Coal Authority concur with the report findings and have raised no objections subject to a suitably worded condition.

Conclusions

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, H1, H2, GD1, G1, D1 and T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay.

The recommendation is one of approval therefore subject to the conditions listed below.

Recommendation:

Approve subject conditions