

2023/0825

Mr Tom Agus

152 Barugh Lane, Barugh Green, Barnsley, S75 1LL

Erection of 1 no. dwelling and associated works (Outline seeking approval over layout and means of access)

Site Description

The application site is in relation to an undeveloped piece of land to the South of no.152 Barugh Lane, accessed by a private drive which serves no. 152 and several other residential properties. The last known use of the land was for an allotment however there is no planning history for the site to establish this previous use. Barugh Lane is a classified road. The surrounding area is primarily characterised by residential properties with the exception of a public house, the Crown and Anchor which is immediately adjacent to the access to the site.

Planning History

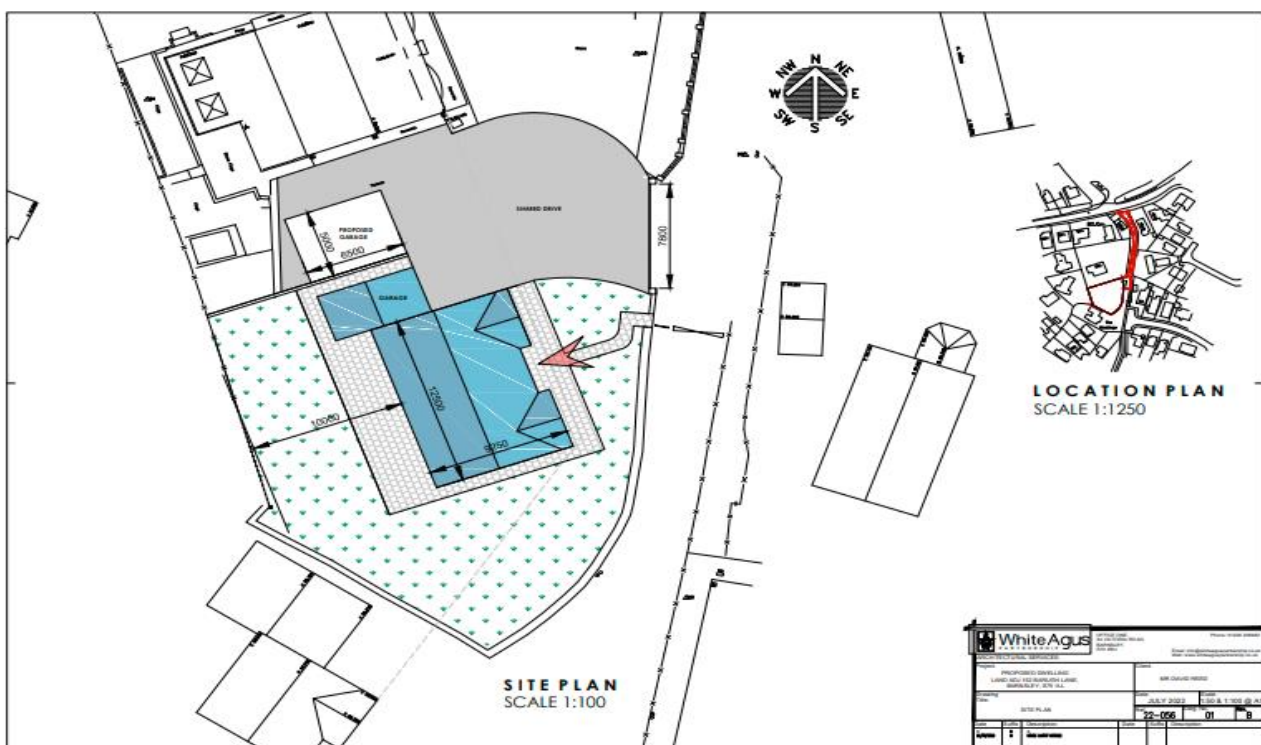
B/91/1715/DT – Erection of detached house with integral garage (Refused)

B/92/0212/DT – Erection of detached dwelling with integral garage (Approved with conditions)

B/92/1125/DT – Outline for erection of detached dwelling (Refused)

2022/0894 – Erection of 1 no. dwelling and associated works (Outline seeking approval over layout and means of access) (Refused)

Proposed Development



The applicant is seeking outline approval for the erection of 1 no. dwelling (layout and means of access) and associated works. The dwelling will be accessed from an existing private drive off Barugh Lane, with a parking area formed to the North of the proposed dwelling. The site plan shows the dwelling to be detached, located centrally within the site at a distance of 10 metres from the rear boundary line, with an attached garage to the side (North) elevation, with the frontage of the dwelling facing East. The site plan also shows additional alterations to the neighbouring dwelling including a proposed garage and parking layout change.

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 on 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 Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy H4: Residential Development on Small Non-Allocated Sites – Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies.

Policy H6: Housing Mix and Efficient use of land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Policy T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

Policy T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Policy BIO1: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Supplementary Planning Documents

- Design of housing development
- Parking
- Sustainable Travel

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. 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. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 139 states *"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"*.

Other Material Considerations

- South Yorkshire Residential Design Guide

Consultations

The Coal Authority were consulted and raised no objections subject to conditions.

The LPA's Forestry Officer was consulted and raised no objections.

Darton West Ward Councillors were consulted and raised no objections.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Highways Drainage were consulted and raised no objections.

Representations

Neighbour notification letters were sent to surrounding properties, and a site notice was posted, no comments were received.

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 predominantly residential and as such the use of this site for residential uses would be in keeping with the locality.

The site is accessed via a narrow private drive which serves the immediately adjacent dwellings, and the application site is considered to be backland development. The SPD for design of housing development has a dedicated section relating to backland development which reads the following:

As well as the general criteria, including the external spacing standards, backland development should aim to comply with the following:

- Tandem development, with one dwelling directly in front or behind another sharing the same access, will almost always be resisted.*
- Piecemeal development, which could prejudice the potential comprehensive development of a larger area of land, should be avoided.*
- Backland development is most effective where it includes a number of dwellings served by an adopted highway, which is capable of being used by refuse and other servicing vehicles. Long, narrow private drives (typically in excess of 30m), which would result in excessive 'man carry distances' should be avoided.*
- Backland development may be more acceptable in circumstances where there is an existing use at the rear of dwellings and where residential development would benefit the amenity of existing residents and the character and appearance of the locality.*

The proposed development does not comply fully with the above policy as it would have a long private drive which is excessive in length (60m) when measured from the start of the access track to the closest point of the site. However, the access track already serves three residential properties, and the site was formerly an allotment. As such, it is felt that the general requirements of developing a backland development/infill plot are achieved.

Local Plan Policy H4 states that residential development on small non-allocated sites will only be allowed where it complies with other relevant sections of the Local Plan. Given the application is an outline permission with means of access and layout under consideration, the access/highways considerations are a key element of the principle of development and will be assessed below.

Highway Safety

There will be no significant impact upon highway safety. It is evident from the results of the provided speed survey that Barugh Lane is not lightly trafficked enough, nor are vehicle speeds low enough, to justify the use of a 2.0m 'x' distance for the purposes of being able to state that the proposals meet the required standard.

It therefore comes down to a matter of considering, from a highways point of view, whether or not the proposed mitigation measures outweigh the impact of an additional dwelling being served off the existing substandard access.

It has been stated within the submitted information that the applicant has reached an agreement that the boundary wall adjoining the garage adjacent to property no.150a at the access track junction with Barugh Lane can be removed in order to improve visibility. With this wall removed, visibility to the left (West) improves from approx. 2.4m x 10m to approx. 2.4m x 18m (with the 'y' distance

measured 0.5m into the carriageway). This equates to a significant improvement of around 80% and although this is still well below the standard required, such an improvement would obviously benefit all users of the access track.

Although it has been determined that an 'x' distance of 2.0m is not suitable in this location, it is worth mentioning that, with the wall removed, visibility to the left would improve from approx. 2.0m x 14m to approx. 2.0m x 43m (with the 'y' distance measured 0.5m into the carriageway). This highlights that an even greater improvement would be provided at the point where vehicles start to 'nose' out into the nearside carriageway of Barugh Lane. With the above in mind, on balance it is considered that the improved visibility, along with other access improvements, would be of sufficient enough benefit to outweigh any adverse highways impact of the development.

Residential Amenity

Only the means of access and layout are being considered at this stage, with a site plan showing the presence of a detached dwelling located centrally within the plot. No elevation drawings have been submitted which indicate that the dwelling will be single storey or greater, however the site plan shows separation distances in relation to neighbouring properties. The rear elevation of the dwelling is 10 metres from the rear boundary which is in line with the SPD for Design of Housing Development for the distance expected from first floor habitable room windows and rear boundary lines.

The front elevation of the dwelling (facing East) faces onto what appears to be the frontage of a neighbouring property (Que Sera, 22 Eden Close) at a distance of 16.5 metres which is in excess of the minimum 12 metres expected between habitable room windows and side elevations. At this stage, the submitted plans demonstrate that a single dwelling could be accommodated on the site which meets the adopted guidance and in respect of the layout of development in terms of the impact on the neighbouring properties and the proposed development is in compliance with Local Plan Policy GD1 and the SPD for Design of Housing Development and is acceptable in terms of residential amenity.

Visual Amenity

The proposed development is an outline permission with details of layout and means of access to be considered. No floor plans or elevation drawings provided at this stage. As such, a full assessment has not been taken as to the design/visual amenity of the development however a site plan has been submitted which shows a dwelling which is located centrally within the plot and is of a size which is proportional to the site and is acceptable in terms of overall layout and shape. It is considered that a single storey dwelling would be most appropriate on this site due to character of surrounding dwellings and topography, and a condition is proposed.

To the North of the dwelling is a shared parking area which appears to be hard surfaced on the plan but is not specified. In any case, a condition can be attached to any approval notice which ensures the parking area to be hard surfaced which is required from a design perspective. Likewise, boundary treatments and external materials will be covered through a pre-commencement planning condition.

The proposed development is in compliance with Local Plan Policy D1: High Quality Design and Place Making, the SPD for Design of Housing Development and is acceptable in terms of visual amenity and design, based on the information currently presented at this outline stage.

Recommendation

Approve with conditions