**2024/0137**

**Mr Philip Pearce**

**1 Church Hill, Royston, Barnsley, S71 4NG**

**Demolition of existing dwelling and erection of 1no. replacement dwelling and associated works**

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## Site Description

This site is a two-storey detached dwelling on a corner plot at Church Hill and Royston Lane. Attached to the dwelling on the side elevation facing Church Hill is a hair salon. To the rear of the site is its amenity space in the form of an overgrown garden area. The surrounding street scene has a mix of uses, with a public house being adjacent the dwelling however other residential dwellings are to the north, east and west.

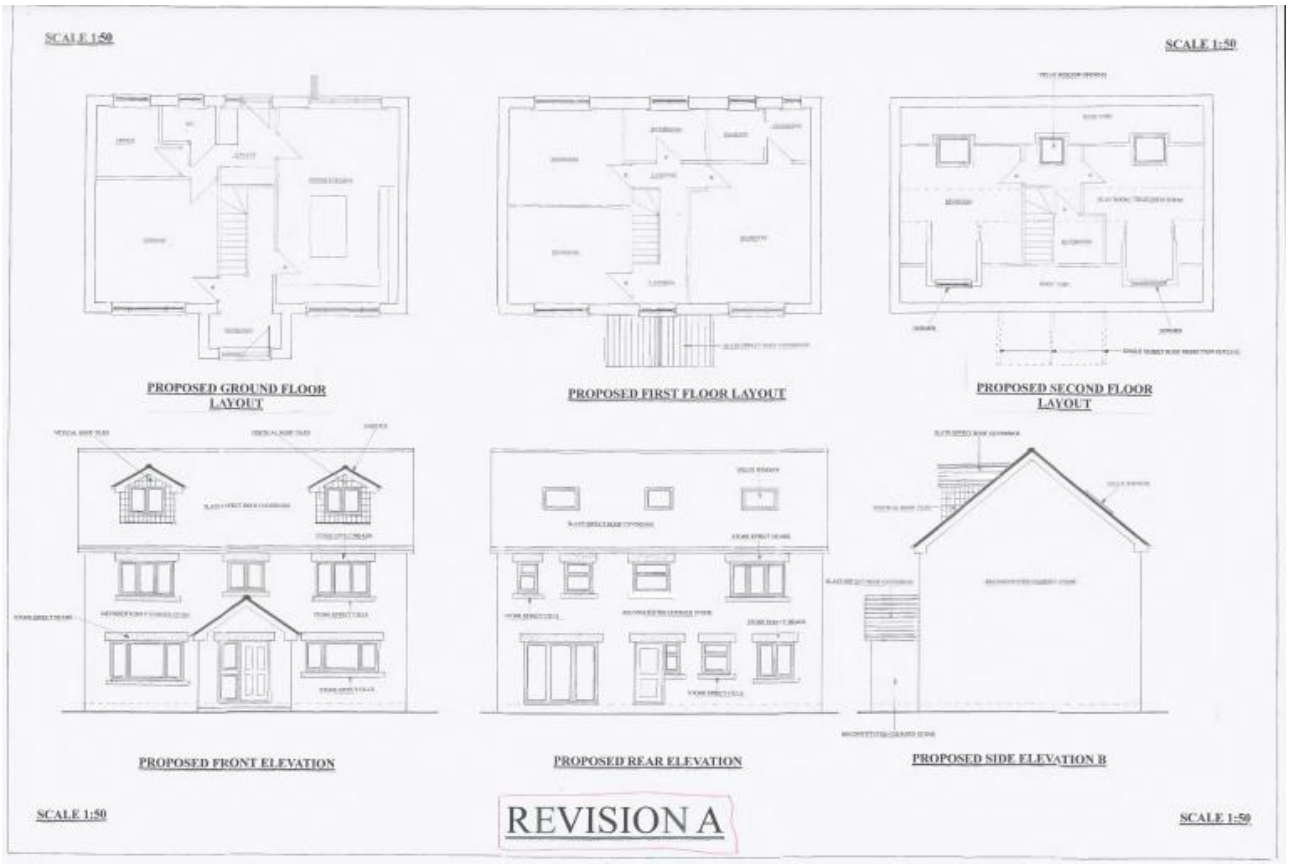
## Planning History

2011/1247 - Erection of 1no detached dwelling house (Approved with Conditions)

2022/1042 - Erection of 1 no. detached two storey dwellinghouse and associated works (Approved with Conditions)

2022/1042 is located at land adjacent 1 Church Hill in the curtilage to the east of the site.

## Proposed Development



The applicant is seeking approval for the demolition of the existing dwelling, and the erection of a replacement pitched roof detached dwelling with front dormer windows. The dwelling has a length 10.65 of metres and a width of 7.35 metres. The dwelling has a ridge height of 8.7 metres and an eaves height of 5.35 metres. There is a single storey front extension also proposed with a projection of 1.55 metres and a width of 3.05 metres. The extension will feature a pitched roof with a ridge height of 3.9 metres and an eaves height of 2.4 metres. The materials used for the dwelling will be reconstituted coursed stone and slate effect roof tiles with stone effect cills used in fenestration.

**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:

GD1 - General Development
D1 - High Quality Design and Place Making
SD1 - Presumption in Favour of Sustainable Development
H1 - The Number of New Homes to be Built
H4 - Residential Development on Small Non-allocated Sites
H9 - Protection of Existing Larger Dwellings
LG2 - The Location of Growth
T3 - New Development and Sustainable Travel
T4 - New development and Transport Safety
Poll1 - Pollution Control and Protection
BIO1 - Biodiversity and Geodiversity
HE1 - The Historic Environment

Supplementary Planning Documents

The proposals have been considered in relation to the following SPD's:-

- Design of housing development
- House extensions and Other Domestic Alterations
- Parking
- Sustainable Travel

Other Guidance

South Yorkshire Residential Design Guidance

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 that *"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"*.

**Consultations**

The LPA's Biodiversity Officer was consulted and raised no objections subject to conditions.

The LPA's Conservation Officer was consulted and raised no objections subject to conditions.

Demolition were consulted and raised no objections subject to a section 80 notice being approved.

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

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

Highways Drainage were consulted and raised no objections.

Pollution Control were consulted and raised no objections subject to conditions.

Royston Ward Councillors were consulted and raised no objections.

Superfast South Yorkshire were consulted and raised no objections subject to conditions.

Yorkshire Water were consulted and raised no objections.

**Representations**

Neighbour notification letters were sent to surrounding properties, three objections were received and in summary raised the following points.

- How the demolition will impact on the highway as it is on a very busy junction and bus route.
- Where will contract vehicles park as there are currently double yellow lines on Church Hill.
- It will cause disruption to the public house; what action is proposed to minimise this.
- The demolition must be monitored closely to ensure that it done to protocol and guidelines.
- When 5 Church Hill was demolished 2 years ago it was done over a Saturday and Sunday full days with no sign of anyone in attendance from planning on site.

The following non- material objections were also raised:

- I want to make you aware that the property adjacent (1A Church Hill) is a hairdressers, that has served the Royston community and surrounding villages for over 40 Years.

- By demolishing 1 Church Hill, this will put an end to me trading successfully there and take away my livelihood.

Whilst noted, the non –material objections cannot be taken in to account in the determination of the application.

With regards the hair salon attached to 1 Church Hill, this attached building is under the same ownership as 1 Church Hill and therefore the applicant of the planning application. It would therefore be a civil matter between the two parties and is not a material planning consideration.

It is noted that upon a visit to the site in July 2024 the hair salon had ceased trading and was boarded up, no information regarding this has been provided by either the applicant or the hair salon.

**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 scene is largely residential, and the development is a replacement dwelling and as such the use of this site for residential use would be in keeping with the locality. The continued development of the site for residential purposes is therefore acceptable in principle.

The site is located within Royston Principal town boundary and close to the amenities within the district centre. The significance of this, is that it is a priority location to accommodate growth and new residential development in spatial and sustainable development terms.

In addition to the above, all new dwellings must ensure that living conditions and overall standards of residential amenity are provided for or maintained to an acceptable level both for new residents and those existing. Also, development will only be granted where it would maintain visual amenity and not create traffic problems or reduce highway safety.

Residential Amenity

The proposal involves the erection of a detached dwelling on the site of an existing dwelling (to be demolished). Other residential properties are adjacent and most notably to the east, therefore the impact upon the residential amenity of these properties is an important consideration. The site was previously residential, so the continued use of the site for that is in keeping with the adjacent uses.

Objections were raised relating to hours of construction/demolition, the LPA's Pollution Control team have been consulted and provided suitable operating hours for demolition and subsequent construction should the application be approved. Furthermore, a construction method statement concerning the demolition is to be submitted

In terms of external spacing standards and overlooking, the SPD Design of Housing Development states that a minimum of 21 metres should be achieved between facing habitable room windows, and 12 metres should be maintained to a blank side elevation. which is the case with the dwelling to the east (2022/1042). Whilst the elevation looked onto is not blank it does not feature habitable room windows and only features two small windows, one obscured glazed for a downstairs toilet and the other for the first-floor stairs and landing. With the dwelling to the north (6 Church Hill) over 30 metres is maintained from the proposed dwelling's side elevation to the front elevation of that dwelling. The dwellings to the west are even greater distances and intersected by a highway (Royston Lane).

The proposal should not cause any significant overbearing to any neighbouring dwelling, and it is not set directly to the south of any neighbouring dwelling. In terms of overshadowing, the property is in the same position as the previous and therefore should not cause any significant overshadowing over and above what is existing. The proposed dwelling has been designed with adequate room sizes and external amenity space of over 100sqm which is in compliance with the standards set within the SPD and the SYRDG. The proposal is considered to be acceptable in terms of residential amenity in accordance with the SPD Design of Housing Development.

Visual Amenity

The street scene consists primarily of two storey dwellings, with the adjacent public house also in this shape. The immediately adjacent properties to the east are also detached two storey dwellings and as such development on this prominent corner site should relate to these adjacent properties. The proposal involves the erection of a detached stone-built dwelling with a pitched roof, which in terms of materials does not match the appearance of the adjacent dwellings to the east which are brick built, however it will match the adjacent dwellings to the west which the dwelling faces onto. The siting of the dwelling is acceptable as it is the same as the existing dwelling. With regards the dormer windows these are acceptable on the front elevation because the dwellings to the west also feature them and therefore, they will not be an anomalous feature in the street scene.

The existing site is overgrown, and the dwelling appears to have fallen into disrepair somewhat, therefore the development of the site for residential purposes will be a significant improvement to visual amenity from the existing. Landscaping and boundary treatments are not indicated on the submitted site layout and will be dealt with via conditions. The proposal is therefore acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and policy D1 of the Local Plan.

Other matters
With regards the demolition of the existing dwelling, the LPA's demolition team have been consulted and requested that a demolition notice be served should the application be approved.

Highway Safety

There will be no impact upon highway safety and Highways DC raised no objections. Given that the proposal in principle is not vastly different to the existing parking and access situation, replacing a detached dwelling on the original footprint of the existing and utilising the existing access, there would be no change in parking arrangements or access to and from Church Hill.

**Recommendation**

**Approve with conditions**