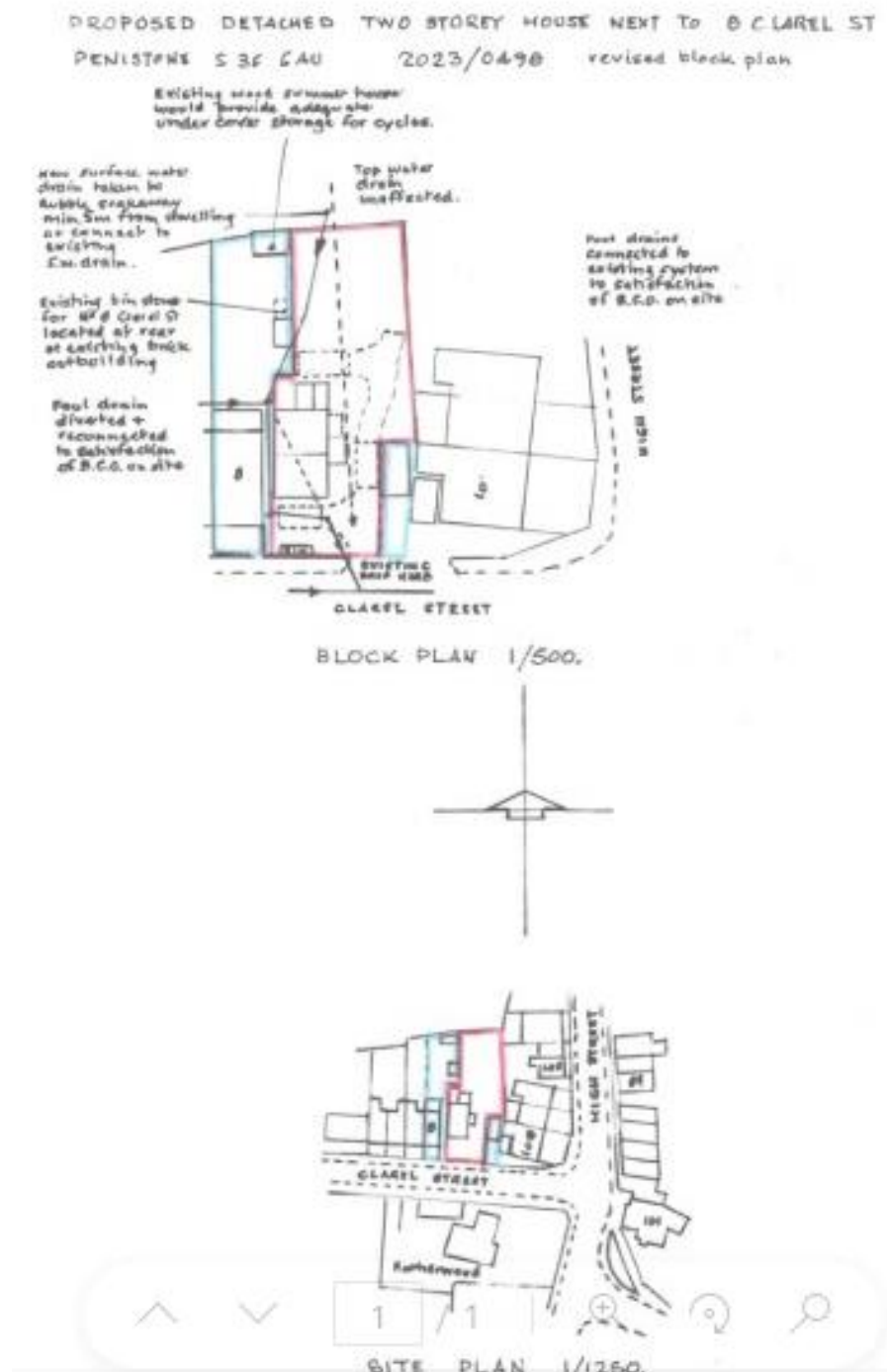
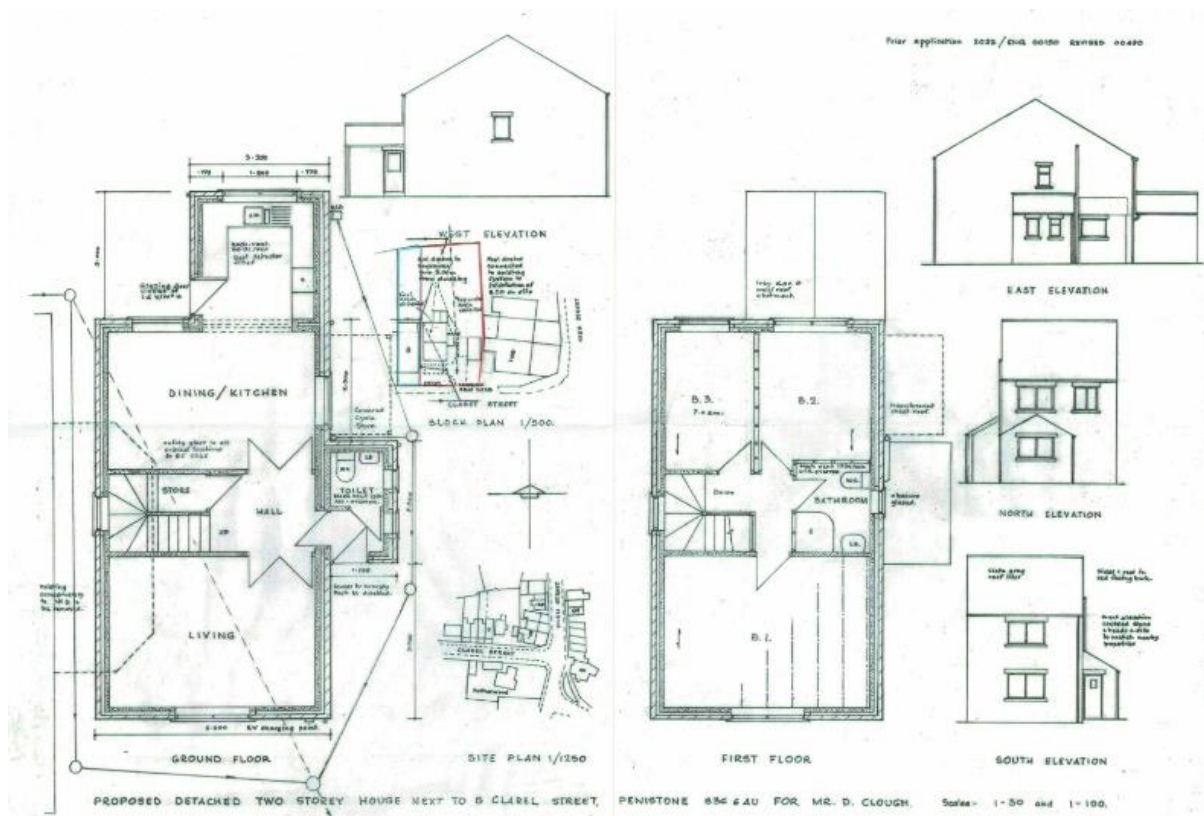


The applicant seeks permission to erect a 3 bedroomed detached, two storey dwelling to the side of number 8 Clarel Street. The dwelling would be constructed from stone to match the adjacent dwellings. The dwelling has been designed with a pitched roof, a side porch and a small rear single storey element to form a kitchen.

The property would have 2 parking spaces in the front garden of the new dwelling with an access off Clarel Street and a rear garden area. The existing garage and parking space to the east would be retained by the host property, number 8 Clarel Street and the garage is set within the blue line boundary of the site as requested by highways. The block plan shows a bin store, off-street parking and a cycle store proposed for the new dwelling.

The existing side conservatory to number 8 will be removed as part of the proposal.





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 set within Urban Fabric as shown on the Local Plan Maps, therefore the following policies are of relevance:-

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. H4 Residential Development on Small Non-allocated Sites, proposals will be supported where they are located on previously or part developed land, are within a village, are accessible and have good access to a range of shops and services. H9 'Protection of Existing Larger Dwellings' T3 'New Development and Sustainable Travel' T4 'New Development and Transport Safety' D1 'High Quality Design and Place Making' Poll1 'Pollution Control and Protection'

HE1 'The Historic Environment'
HE3 'Developments affecting Historic Buildings'

SPD's

-Design of Housing Development
-Parking

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. 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.

Penistone Neighbourhood Plan – Adopted August 2019

BE1: Design of the built environment

All new housing proposals should adhere to the following principles, where it is appropriate:
a) Where new housing developments are proposed, homes should be reflective of local architecture and in keeping with the surrounding area. In particular, the following design principles should be adhered to:

- To have no houses above two storeys on the perimeter of built up areas where it adjoins open countryside, where they have a greater impact upon the surrounding area in order to preserve and enhance the character of the area, in particular allocation sites HS70, HS71, HS74, HS75 as shown in Barnsley Local Plan.
- New developments should use external building materials that reflect the characteristic of development in the locality.
- b) All residential developments will be expected to be designed so as to be sensitive to any existing wildlife habitat and corridor and should be appropriately landscaped and in particular development on the edge of the existing settlements shall incorporate tree planting so as to soften the built-up edge of the settlement as viewed from the countryside. Any residential development of 20 or more units will be expected to make provision for the appropriate amount of open space, in accordance with Barnsley MBC standards.
- c) Development proposals should respect and maintain key views as identified on maps 2 and 3, in order to maintain the character and appearance of the town and villages.

Consultations

Penistone Town Council – No comments received

Ward Councillors – No comments received

Highways – No objection subject to conditions

Yorkshire Water – No objection subject to condition

Drainage – No objection subject to condition

Coal Authority – No objection subject to condition

SYMAS – No objection subject to condition

SYAS – No objection, condition required

Pollution Control – No objections subject to condition

Representations

Neighbour notification letters have been sent to neighbouring properties and a site notice posted. The following comments have been received as a result:-

2 objections have been received:-

- Loss of light
- Overlooking of house/garden
- Impact on parking
- Impact on highway safety
- Impact on right of way

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 largely residential and as such the use of the site for residential uses would be in keeping with the locality. In terms of policy H9 'Protection of Existing Larger Dwellings' the dwelling would not be considered as a larger dwelling, therefore this policy would not apply.

Visual Amenity/Impact on Conservation Area

Local Plan Policy D1 High Quality Design and Place Making, sets out the principles that will apply to the consideration of planning applications for new housing development, including conversions, infill and backland development. The application site is also set within the Penistone Conservation Area and close to existing Grade II Listed Buildings, therefore policies HE1 and HE3 are also of relevance.

The Conservation Officer has been consulted and has provided the following comments:- 'In the setting of the proposal site there is a listed building within 8.5 metres to the east. The Listed Building is a pair of cottages early 19th century with coursed squared stone and a stone slate roof. The LB has three storeys with an entrance to the right with quoined surround and deep lintel and a 3-light flat-faced mullion window. Each cottage has a similar 4-light window to the 1st and 2nd floors. However, NO. 104 has a rear ground floor addition which is not of special interest. The upper storey has exposed bonding stones to left as though for an addition. The proposal site is also within a conservation area.

Looking at the proposed plans and elevations for the site I note that the proposed location for the new dwelling is extremely close to 8 Clarel Street and in particular, the existing east facing gable window will be heavily overshadowed by the new dwelling. Despite this, given the fact

there are numerous historic terraces and semi-detached dwellings in Penistone of a similar arrangement and grain this may not be an issue in terms of the historic environment. That aside, I think that this agent has improved the plans significantly from the last enquiry (2022/ENQ/00150). This is because the new design incorporates the aspects and elements of architecture and styles of the neighbouring terraces and is in sympathy with the scale, form and materials of the listed building, and the overall character of the conservation area. The dwelling is proposed to be constructed in stone to the principal elevation fronting the street and red brick elsewhere. This is something seen in Victorian dwellings elsewhere in Penistone and is on balance acceptable. To the roof, slate grey tiles are proposed but for adequate sympathy with the setting we would request the roof be covered with either natural blue grey slates or a good quality artificial riven tile that emulates natural closely. Beyond this we are reasonably comfortable with the proposal.

In addition, reflecting on the past enquiry, it was mentioned that may be archaeological value on site, which would need assessing before any works should begin. Shown below is an OS map from 1894 which shows (within the red circle), a building which does not appear to be in the later OS map, 1907. I am interested to see if there are any remains of the historic building. If the proposal is acceptable for other planning reasons, the submission of a planning application should include a consultation to The South Yorkshire Archaeology Service, for comment.'

The dwelling will be a traditional stone built detached dwelling with a garden to the rear and parking area to the front. It will be designed to be in keeping with the adjacent stone built properties and constructed from similar materials and therefore will assimilate into the streetscene. The size and scale of the property is in keeping with the neighbouring property. The proposal is considered to be acceptable in terms of visual amenity and impact upon heritage assets in accordance with policies HE1 and D1 of the Local Plan and policy BE1 of the Penistone Neighbourhood Plan.

Impact on Archaeology

South Yorkshire Archaeology have been consulted and provided the following comments:- 'There is a building depicted on the 1st edition OS map, dated c.1850. It's on a similar alignment to the early 19th century buildings at the corner fronting onto High Street so there may be a relationship. The Green at Penistone, just to the south, began to be developed from the former common following the Penistone enclosure award in 1826 and although this was the edge of the strip fields, not common land, it likely fits into this phase of development. So, there is archaeological interest in the site, but it is not of the highest significance. I would advise that a watching brief on groundworks would be suitable mitigation for the scheme and this could be secured by attaching a condition.'

Residential Amenity

The Supplementary Planning Document 'Design of Housing Development' provides guidance in terms of separation distances and other amenity requirements, in order to ensure that any new development does not cause significant impact by way of overlooking, overbearing and overshadowing of existing dwellings and their private gardens. Further detailed guidance on residential development is provided in the South Yorkshire Residential Design Guide. The Guide includes information requirements, design guidelines and technical requirements.

The application has been assessed in relation to the Supplementary Planning Document – Design of Housing Development Adopted May 2019) and the South Yorkshire Residential

Design Guide (2011). The proposed layout achieves the Council's minimum amenity standards which are set out in the SPD Design of Housing Development and as a result the new dwelling will not significantly overshadow or overlook any existing dwellings. There are no habitable windows proposed to the side elevations which will overlook the neighbouring properties. The window to the side elevation facing number 8 is a mid level staircase window and will be obscurely glazed.

The proposal involves the removal of the existing conservatory to number 8, the applicant's property. The existing ground floor side window to this dwelling is a secondary window to a living/dining room, therefore there will be sufficient light to this room gained from the primary window. Although this proposal is for a house and not an extension or an outbuilding, it is still considered that the advice on the impact of extensions or ancillary outbuildings in terms of impact on side windows from the Council's SPD on house extensions would be applicable as it states that:

The Council will seek to protect principal habitable room windows on the front and rear elevations of the adjacent property, but not secondary windows, i.e. halls, stairs, utility rooms, toilets and bathrooms including en-suites, particularly those on side elevations of adjacent dwellings.

Additionally, the first floor window is not a habitable room window so the proposed dwelling will not significantly impact upon any habitable rooms.

The South Yorkshire Residential Design Guide (adopted 2011) provides technical requirements in terms of amenity spacing standards for both internal and external arrangements. In terms of internal spacing, the dwelling has sufficient room sizes and internal accommodation.

In terms of external space the rear garden does provide sufficient amenity space of 60sqm. It is felt that due to the proximity of the adjacent dwellings and the potential to extend the property under Permitted Development Rights, that Permitted Development Rights should be removed in order to protect the amenity space from overdevelopment.

On balance, the proposal is considered to be acceptable in terms of its impact upon residential amenity.

Highway Safety

The Highways Officer has been consulted and has no objection to the scheme. The proposal provides sufficient parking areas for the proposed and existing dwelling. The applicant has also provided further information in the form of a revised block plan which shows bin storage areas and cycle storage.

Given the above, the proposal is considered to be acceptable in terms of highway safety and sufficient parking is provided in line with the SPD Parking and in accordance with policy T4 of the Local Plan.

Other matters

An objection has been received in terms of the proposal's impact on right of way, unfortunately this is a legal matter and not a material planning consideration.

Recommendation

Grant subject to conditions

