

2022/1042

Mr P Pearce

Erection of 1 no. detached two storey dwellinghouse and associated works

Land adjacent to 1 Church Hill, Royston, Barnsley, S71 4NQ

Site Location & Description

The application relates to a plot of land to the east of 1 Church Hill, close to the junction of Church Hill and Church Street, Royston. The surrounding area is predominantly residential and is characterised by a mixture of terraced, semi and detached dwellings, to the north and east with a public house and petrol filling station to the south.

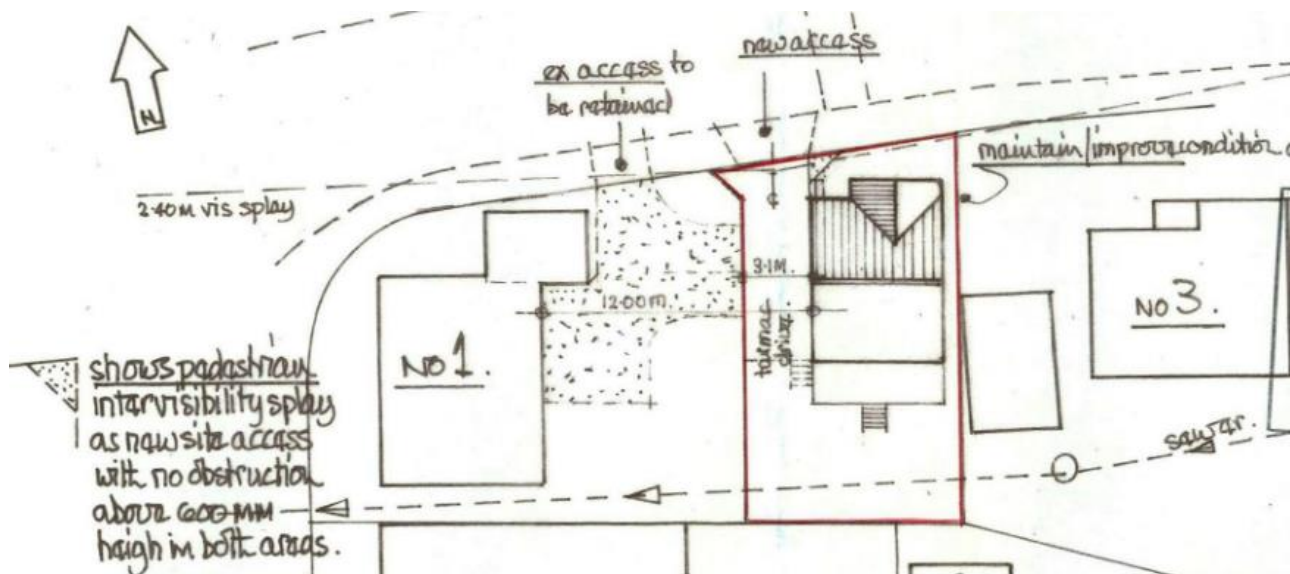
Church Hill slopes east to west with the site falling north to south, resulting in the site sitting lower than the highway. The site is currently vacant, forms part of the rear garden of 1 Church Hill, which is currently overgrown and occupied by a detached garage associated with the dwelling. It is enclosed by a low-level brick wall along the front Church Hill boundary, with conifer hedge beyond and a hedgerow along the eastern boundary with 3 Church Hill; access to the site is taken from Church Hill.

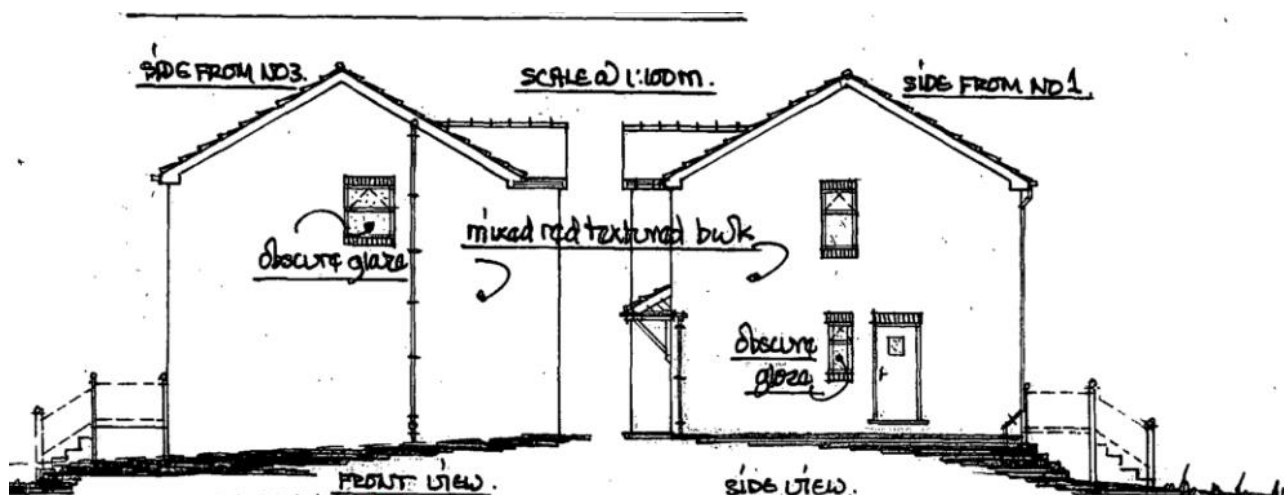
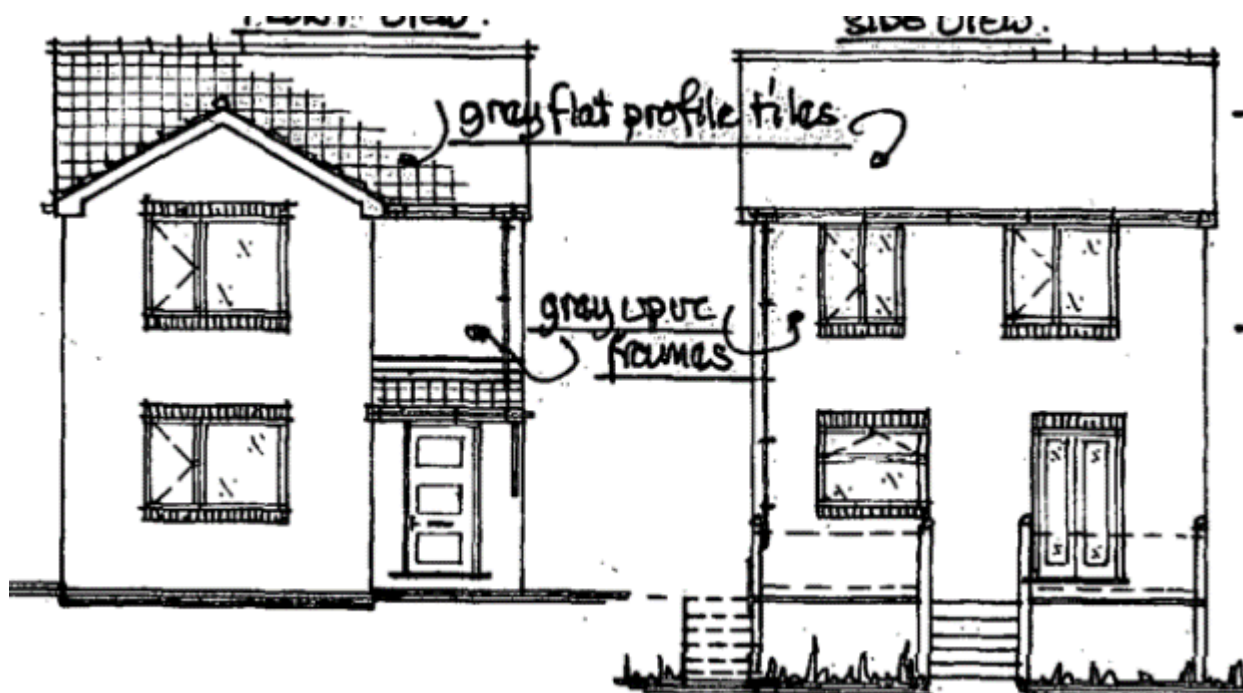
Site History

2011/1247 – Erection of 1no. detached dwelling – Approved November 2011

Proposed Development

Planning permission is sought for the erection of 1no detached dwelling, with the accommodation to be laid out in a traditional manner with living accommodation and ground floor and bedrooms at first floor. The scheme also involves a driveway and parking area to the side of the dwelling.





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.

Local Plan

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy H4 Residential Development on Small Non-allocated Sites
Policy H9 Protection of Existing Larger Dwellings
Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy T3 New Development and Sustainable Travel
Policy T4 New development and Transport Safety
Policy Poll1 Pollution Control and Protection

SPDs/SPGs

Supplementary Planning Document – Design New Housing Development
Supplementary Planning Document – Residential Amenity and Siting of Buildings
Supplementary Planning Document – Parking
Supplementary Planning Document – Sustainable Travel
The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework

The National Planning Policy Framework sets out the Governments 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.

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 59 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

Paras 74-77 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 92 - 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 134 - '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

Highways DC – No objections subject to conditions

Drainage – No objections – happy for drainage details to be checked by Building Control

Forestry Officer – No objections subject to conditions

Ward Councillors – No comments received

Representations

Neighbour notification letters were sent to the surrounding residents and a site notice was posted adjacent to the site; comments have been received in relation to:

- Overlooking
- Removal of hedgerow
- Impact on traffic
- Impact on public house customers

Assessment

Principle of Development

The site is located within Royston Principal town boundary and close to the amenities within the district centre. The significance of this is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

Local Plan Policy H4 'Residential Development on Small Non-allocated Sites' states that proposals for residential development on sites below 0.4Ha will be allowed where the proposal complies with other relevant policies in the plan. These sites make a valuable contribution to the housing supply. Sites in towns and villages can offer good opportunities for providing houses where other people already live, near to shops and services. Developing these sites also reduces the need to provide new sites outside settlement boundaries. We will allow small scale residential development within towns and villages in line with other plan policies, including those protecting people's living conditions, road safety and design.

Local Plan Policy H9 'Protection of Existing Larger Dwellings' states that development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. It is noted that the host dwelling is a 3-bedroom property, although, there could be the potential for it to become a 4 property without significant adaption. The proposed dwelling would also occupy a large proportion of the host properties garden area. However, the proposal is to create a 3 bedroomed detached property which would add to the existing larger housing stock, which Policy H9 aims to protect. In addition, the garden of the host property is unusually large for a 3-bedroom dwelling and both the host property and proposed property are proposed to have gardens well in excess of the 60m2 required in SPD 'Design of Housing Development'.

The principle of development has also been established given that approval for a dwelling of the same scale and siting was approved in 2011. Therefore, taking into account of the planning history

significant weight is afforded to this being a legacy case compared with if this had been a fresh site that had no planning history.

In addition to the above all new dwellings 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. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below.

Residential Amenity

The SPD Design of New Housing Development states that 'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of loss of outlook and in order to provide adequate amenity, development will be expected to comply with external spacing standards. It states that a minimum distance of 12m should be maintained between habitable room windows and blank elevations and 10m should be maintained to between rear elevations and rear boundaries with neighbouring gardens.

The side elevation of the proposed dwelling is located 12m from the rear elevation of 1 Church Hill and as such it is not considered that the proposed dwelling would result in a loss of outlook from the occupiers of the neighbouring property. It is acknowledged that 12m is not retained from the rear elevation of the proposed dwelling to the blank side gable wall of the public house, nor is 10m retained to the rear boundary. However, the government allows a reduction to 7m from the rear elevation of an extension to a rear boundary under the General Permitted Development Order. Whilst it is acknowledged that this development does not fall within those parameters, 7m is retained which the government considers an acceptable distance. In addition, the public house is set at a lower level than the proposed dwelling, and a section through from the earlier application indicates that it would not result in an overbearing impact on the proposed dwelling. As mentioned previously the dwelling is located in the same location, with the same separation distances as the earlier approval which raised no issue with regards the reduced distance to the rear boundary.

It is acknowledged that the rear extension of the public house would result in some overshadowing of the garden associated with the proposed dwelling, however, given that it is located directly to the south of the south facing garden, overshadowing would be minimal given its orientation to the path of the sun, even during the winter months when the sun is lower in the sky. It is inevitable that some new properties would be overshadowed to some extent as not every dwelling can be orientated accordingly.

Comments have been received in relation to overlooking; the internal arrangement has been designed to limit increasing levels of overlooking of the surrounding properties and their associated private amenity spaces. The dwelling has been laid out in a traditional manner with the main habitable room windows on the northern front, and southern rear elevations. These windows are located a sufficient distance from the opposing property to the north, not to increase levels of overlooking, with the windows to the rear principally overlooking the rear garden area to the new dwelling and out towards the rear of the neighbouring public house and the countryside beyond rather than of the neighbouring dwellings or their garden areas.

A bathroom window is located on the western side elevation of the proposed dwelling; however, it is situated within the building line of the neighbouring dwelling, 3 Church Hill, therefore this window would not increase levels of overlooking of the private amenity space of this property. The plans indicate that this window, along with the downstairs wc are to be fitted with obscure glazing which will further protect the amenity of neighbouring residents without compromising the amenity of the occupants. It is acknowledged that the rear garden includes a raised patio area, which could lead to an increase in overlooking, however the proposed dwelling would be located adjacent to the

garage associated with the neighbouring property and would not directly overlook the amenity space of the neighbouring dwelling, with the garage and the existing boundary treatment providing adequate screening.

The property is proportioned with the overall floor area of the property exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide, with the rooms within the proposed dwelling meeting the requirements of the SYRDG. It is acknowledged that only one double bedroom is provided, along with one single, and one large single room, however there is no requirement to provide a specific number of double bedrooms within a property.

Due to the slope of the site and the level differences between the front and rear elevation a raised patio has been included at the rear elevation, with steps down to the garden, the outdoor amenity space is of a size comparable to the surrounding properties and in excess of the minimum standards for a dwelling of this size.

It is noted that the introduction of 1no. dwelling could result in an increase in noise and disturbance through increase residential activity and vehicular movements. However, given the predominantly residential nature of the area and the density of the neighbouring properties, the addition of 1no. dwellings would not significantly increase noise and disturbance to the detriment of residential amenity. Although the dwelling is located within close proximity to the public house, it is considered that the impact on the proposed dwelling would not have a greater impact than on the existing dwellings.

It is in this regard that the proposed development complies with SPD Designing New Housing Development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Visual Amenity

Local Plan Policy D1 emphasises the importance of retaining the character of the area and protecting the street scene when considering proposals for new dwellings on small infill plots. The dwelling has been designed to harmonise with the neighbouring dwelling at 3 Church Hill, in that it has a pitched roof gable projection with a lean-to porch roof and is to be constructed from a red brick with grey smooth roof tile, which is not dissimilar to other properties within the vicinity. As such it is not considered that the proposed dwelling would form a dominant feature within the street scene and is therefore unlikely to be out of character with the area, as such the proposed development complies with Local Plan Policy D1 and is acceptable.

Highway Considerations

Off road parking is provided for both the existing and proposed dwellings; the existing dwelling provides a parking and turning area to the rear of the property to allow vehicles to enter and exit the highway in a forward direction. The proposed dwelling provides off road parking to the side of the dwelling, however, whilst sufficient space is provided for 2no vehicles, it does not allow vehicles to turn within the site. It is considered that given other properties, including the neighbouring dwelling 3 Church Hill, have the same parking arrangement to the side of the dwelling with no turning, that the scheme is acceptable. Highways have been consulted on the proposed development and have raised no objections to the proposal subject to the inclusion of conditions regarding the provision of visibility splays. The site is sufficient to accommodate a dwelling of this size and the required number of parking spaces in accordance with the requirements of Supplementary Planning Document, Parking and as such the proposal is acceptable and in compliance with Local Plan Policy T4 New development and Transport Safety.

Other Issues

Trees

The forestry officer notes that at the time of their site visit much of whatever vegetation was on site had already been removed, however there were remnants of a hedge on site. Consultation with aerial photography and street view indicated that the vegetation on site was low quality and had little merit and as such there are no objections to the proposal from an arboricultural perspective however it is expected that any landscaping scheme includes some element of hedgerow planting to replace what has been lost.

Conclusion

The development ensures that adequate levels of amenity are retained for the neighbouring residents and future occupiers of the proposed dwelling. The erection of 1no 3bed property, which whilst only a small contribution, would add to the housing supply. In addition, the recommendation also takes into account of the fact that the principle of development has been established given that approval for a dwelling of the same scale and siting was approved in 2011. Therefore, taking into account of the planning history significant weight is afforded to this being a legacy case compared with if this had been a fresh site that had no planning history. On balance, it considered that the erection of the detached dwelling is acceptable and in compliance with Local Plan Policies H4, H9, GD1 and D1.

Recommendation

Approve with conditions