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**2020/0540**

Applicant: Mr Wayne Wilson

Description: Demolition of existing dwelling and erection of 3no dwellings and associated works

Site Address: 5 Church Hill, Royston, Barnsley, S71 4NQ

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### **Site Description**

The application relates to a detached 2/3 storey property which is vacant and has suffered damage to its fabric. The property sits lower than Church Hill and has an existing vehicular access to the North West corner of the site, directly off Church Hill. The site slopes steeply down from North to South. The plot is relatively large with gardens and mature trees and shrubs to the rear of the dwelling. Some clearance work to the garden has already taken place.

There are detached dwellings to both sides of the site and further residential properties, on a higher level, opposite Church Hill to the North. Beyond the rear boundary is associated with the Ring o Bells pub/restaurant as well as a separate parcel of land.



### **Proposed Development**

The applicant seeks permission to demolish the existing building on the site and erect 3no. 2/3 storey detached dwellings. Vehicular access would be taken from the existing access point on Church Hill with the properties served by a shared private drive to the front.

The properties would accommodate a garden room, utility room and store on the Lower Ground Floor, a lounge, kitchen and garage on the ground floor and 3 bedrooms (1no. en-suite) and a garage on the first floor.

Each property would have 2no. in curtilage parking spaces and a buffer garden to the front and a private garden, accessed via steps, to the rear. A 900mm brick wall is proposed on the front boundary to replace the existing timber close boarded fencing.



## Policy Context

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

Policy H1 The Number of New Homes to be Built

*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 BIO1 Biodiversity and Geodiversity*

*Policy CC2 Sustainable Design and Construction*

## SPD's

Those of relevance to this application are as follows:

- Design of Housing Development
- Parking
- Sustainable Travel

## Other

## NPPF

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 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 109 - 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 124 - 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.

## **Consultations**

Drainage – no objections subject to conditions

Demolition – Already submitted a section 80 notice, no objections

Tree Officer- Required a Tree Report and AIA which were submitted

Highways – No objections subject to conditions

Ward Councillors – No comment

## **Representations**

2no. letters/emails have been received from neighbouring residents. One supports the application given the derelict property is a safety concern and the second just requests the hedge between the site and the neighbouring property is maintained.

## **Assessment**

### Principle of development

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.

### Residential Amenity

It is noted the site currently accommodates 1no. dwelling whereas the proposal is for 3no. dwellings, as such, there would be 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 2no. dwellings would not significantly increase noise and disturbance to the detriment of residential amenity, in accordance with Local Plan policy GD1.

The proposed habitable room windows would be on the front and rear elevations of the proposed dwellings, the separation distances to neighbouring habitable room windows and properties would meet or exceed those set out in SPD 'Design of Housing Development'. Especially as there are no residential properties beyond the rear boundary and the proposed dwellings are set lower than the dwellings on the opposite side of Church Hill. As such, privacy levels for the existing neighbouring residents and the future residents of the development would be acceptable.

The proposed dwellings would sit on a similar building line as the existing dwellings to both side boundaries, as such, they would not significantly increase overshadowing or be overbearing features, in accordance with Local Plan Policy GD1. It is noted that the rear elevation is 3 stories tall, however, this is the nature of the sloping site and neighbouring properties are similar.

In terms of the future residents, the proposed internal rooms meet or exceed the required spacing standards set out in the South Yorkshire Residential Design Guide and the rear garden areas exceed the requirements of the SPD. As such, amenity levels for future occupants would be acceptable.

### Visual Amenity

It is noted the property to the East of the site is a bungalow and the proposed dwellings are 2 stories to the front and 3 stories to the rear. However, that property is built on a higher level and, due to the slope, is 2 stories to the rear. In any case, the majority of the properties on the South side of Church Hill are split level properties with 2 stories to the front and 3 to the rear given the topography of the area.

In addition, the proposed dwellings, as is the case with the existing dwelling, would sit on a level lower than the highway by which they are served. They would also be set back from the highway in order to accommodate the parking provision and shared drives, therefore, they would not be overly prominent on the streetscene.

A 900mm high brick wall is also proposed to the front of the site which would restrict views of the properties and would also match the boundary treatments of the neighbouring properties, arguably a visual improvement over the existing 1.8m high close boarded fencing.

The properties are not architecturally inspiring, however, there is a mix of property styles. designs, ages and scales within the immediate area, especially to the South of Church Hill, a number of which are relatively simple and reflect the proposed dwellings. As such, the development would not be out of character with the immediate area, in accordance with Local Plan Policy D1.

The three-storey element to the rear is not ideal visually, however, again, given the topography of the area this is a common feature. The rear elevations, although in an elevated position, would not be highly prominent from public vantage points.

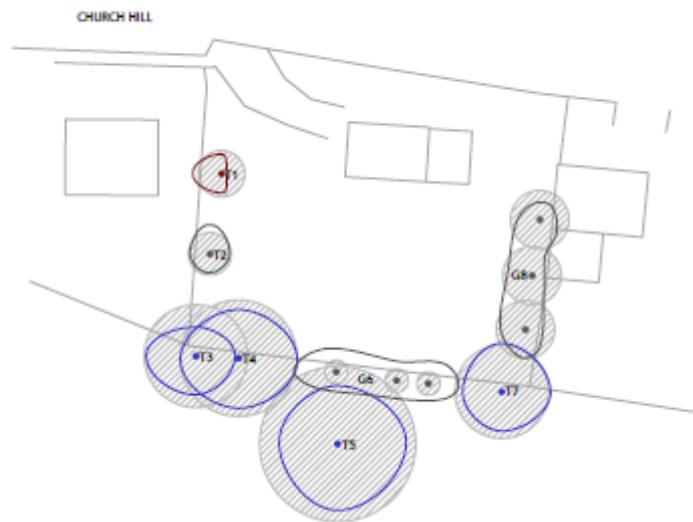
The existing site only accommodates 1no. property whereas the proposal incorporates three. Although the density of the site would increase, it would not be contrary to the development pattern of the area and the neighbouring properties are generally relatively close to one another. Furthermore, the proposal would be a more efficient use of a relatively large site.

The proposed parking spaces are located to the front of the dwellings but views from Church Hill would be limited given boundary treatments and the fact they would be on a lower level than the highway. There are also buffer gardens proposed which would soften the hard-landscaped areas.

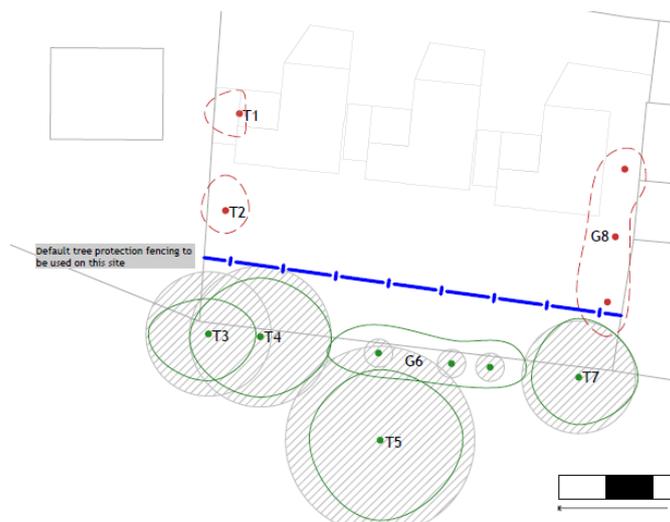
Bins could not be stored to the rear of the properties given the sloping site and the steps which would lead to the rear garden areas. However, as outlined above, views of the front of the properties would be limited and there would be ample storage to the front and sides of properties so as not to be visually intrusive.

### Trees

The site has been cleared of a number of trees prior to the submission of the application, however, a number still remained. As such, the Tree Officer requested a Tree Survey and a Arboricultural Impact Assessment, both of which have been submitted. The existing trees in and adjacent to the site are shown on the drawing below;



The tree report concludes that the trees within the site are of a very low value and should not be a constraint to development. There are some category 'B'; trees outside of the site to the South and the method to protect these trees is set out in the Arboricultural Impact Assessment which will be conditioned.



### Highways

The existing access point would be utilized and serve a shared drive which would provide access to all 3 properties. It is acknowledged that the integral garages fall short of the requirements to be classed as a parking space, however, each property has 2no. in curtilage parking spaces which

meets the requirements set out in SPD 'Parking' for 3 bedroomed properties. There is adequate space to maneuver into and out of those spaces in a forward gear.

Highways DM have been consulted on the application and have raised no objections. There was initial concern regarding the front boundary of the property given that it is immediately adjacent to the highway and the level drops from the highway to the site. With no, or the wrong, boundary treatment there would be the potential, in the case of an accident, for vehicles to leave the highway and enter the site, given there is a narrow section of highway to the front of the site and the crest of a hill. However, the applicant has now incorporated 900mm high brick walls to the front of the site which give a balance of protection and visibility.

No Electric Vehicle Charging Points are shown on the plan which are a requirement of SPD 'Sustainable Travel', however, that will be conditioned.

### Summary

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the revised scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

### **Recommendation**

**Grant** subject to conditions

1. *The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.*

**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**

2. *The development hereby approved shall be carried out strictly in accordance with the plans (Nos MWW001-002 (received 22/06/21), MWW001-003, MWW001-004 & MWW001-005 (received 22/06/21)) and specifications as approved unless required by any other conditions in this permission.*

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

3. *Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.*

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

4. *Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.*

**Reason: In order to ensure compliance with Local Plan Policy I1.**

5. *Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.*

**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making**

6. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs MWW001-002 (received 22/06/21)) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**

7. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**

8. The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.**

9. No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.**

10. Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.

**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**

- 11 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.

**Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.**

12 No hedges or trees on the site (except those shown to be removed in the Arboricultural Method Statement and Arboricultural Impact Assessment), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality**

13 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the AIA (Ref: 200727 AIA) and AMS (Ref: 200727) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason: To safeguard existing trees, in the interest of visual amenity.**

14 Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

**Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 – New Development and Sustainable Travel.**