

**2021/0831**

Watson

Erection of new attached dwelling (townhouse)

28 St Lukes Road, Grimethorpe, Barnsley, S72 7FN

### **Background**

2018/0742 - Remove poplar tree T1 due to fungal decay – Approved subject to the following condition

Within the first planting season the Poplar tree to be removed shall be replaced by 1 new Beech (*Fagus sylvatica*). The new tree shall be planted within 2m of the tree to be removed.

Specification: A Standard sized tree (10-12cm girth) shall be planted and affixed (with flexible tree ties) to a tanalised tree stake (minimum diameter 75mm) at a height of no more than 1m above ground level. In order to aid establishment a suitable mulch shall be applied (e.g. semi-composted woodchip to a minimum depth of 75mm) around the tree to a radius of 1m. The tree shall be watered immediately after planting then whenever required to ensure successful establishment. Within two weeks of planting the Local Authority Tree officer shall be informed and invited to inspect the new tree. The new tree shall be subjected to a Tree Preservation Order in replacement of the felled trees. Any tree which fails to become established within 5 years from planting shall be replaced with another tree of the same original specification.

Reason: In the interests of the visual amenities of the locality.

2020/1365 - Erection of new attached dwelling (townhouse) – Withdrawn due to concerns from the Tree Officer in relation to the above replacement tree not being planted and due to highway concerns regarding parking.

### **Description**

28 St Lukes Road is a fairly modern red brick built townhouse dwelling, set at the end of a row of 3 dwellings. The dwellings face onto St Lukes Road but have access and parking to the rear on Stonefont Grove. The property has a side garden laid to grass with a timber fence to the southern boundary and a low brick wall with railings above to the front.

The side garden previously had a large Poplar tree however it was removed in 2018 due to fungal decay. The tree has been recently replaced with a Beech tree, set 2m from the stump of the Poplar tree further towards the southern boundary. The new tree is subject to a Tree Preservation Order in replacement of the felled tree.



Poplar Tree now removed (image dates 2009)



Replacement Beech tree



## Proposed Development

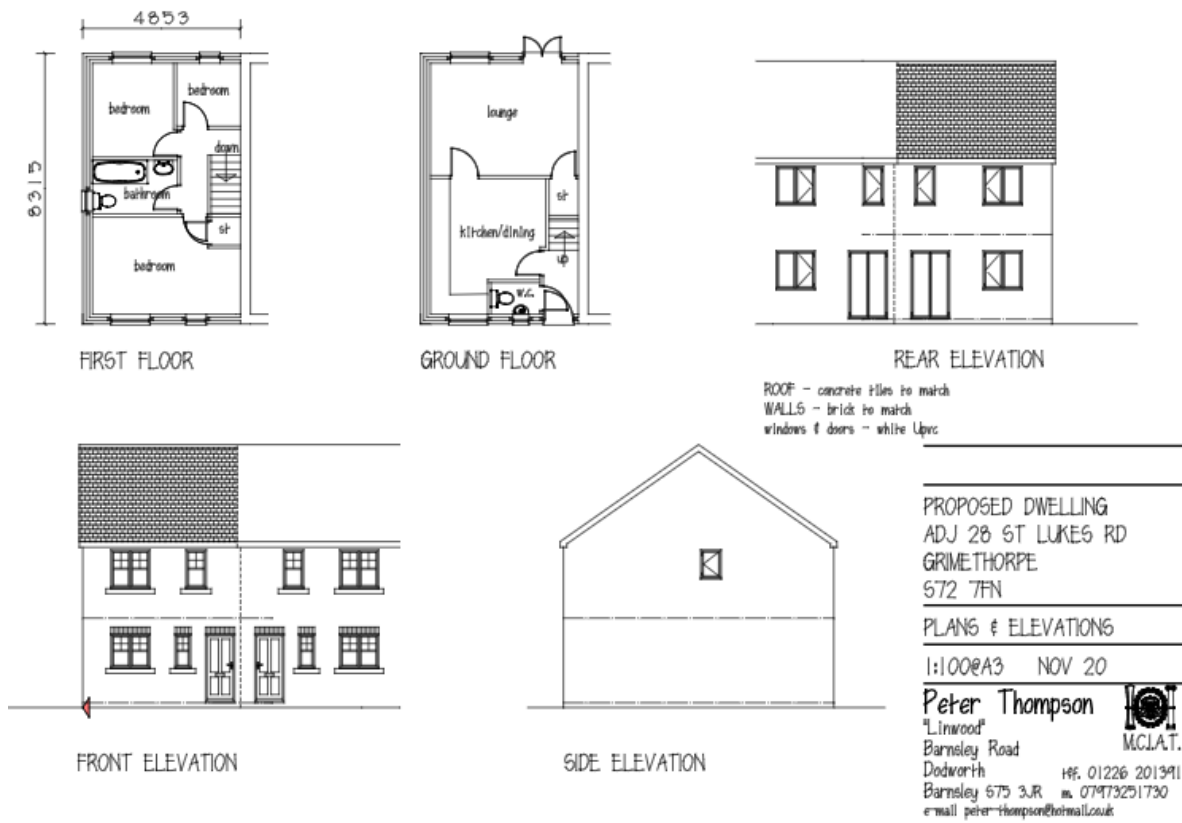
The proposal involves the erection of an attached townhouse dwelling to the side of number 28 St Lukes Road, Grimethorpe. The dwelling has been designed to match the design of the existing terraced properties on the same row, and internally the property has 1 double and 1 single bedroom and a small study/bed a kitchen/dining area, lounge, wc and bathroom.

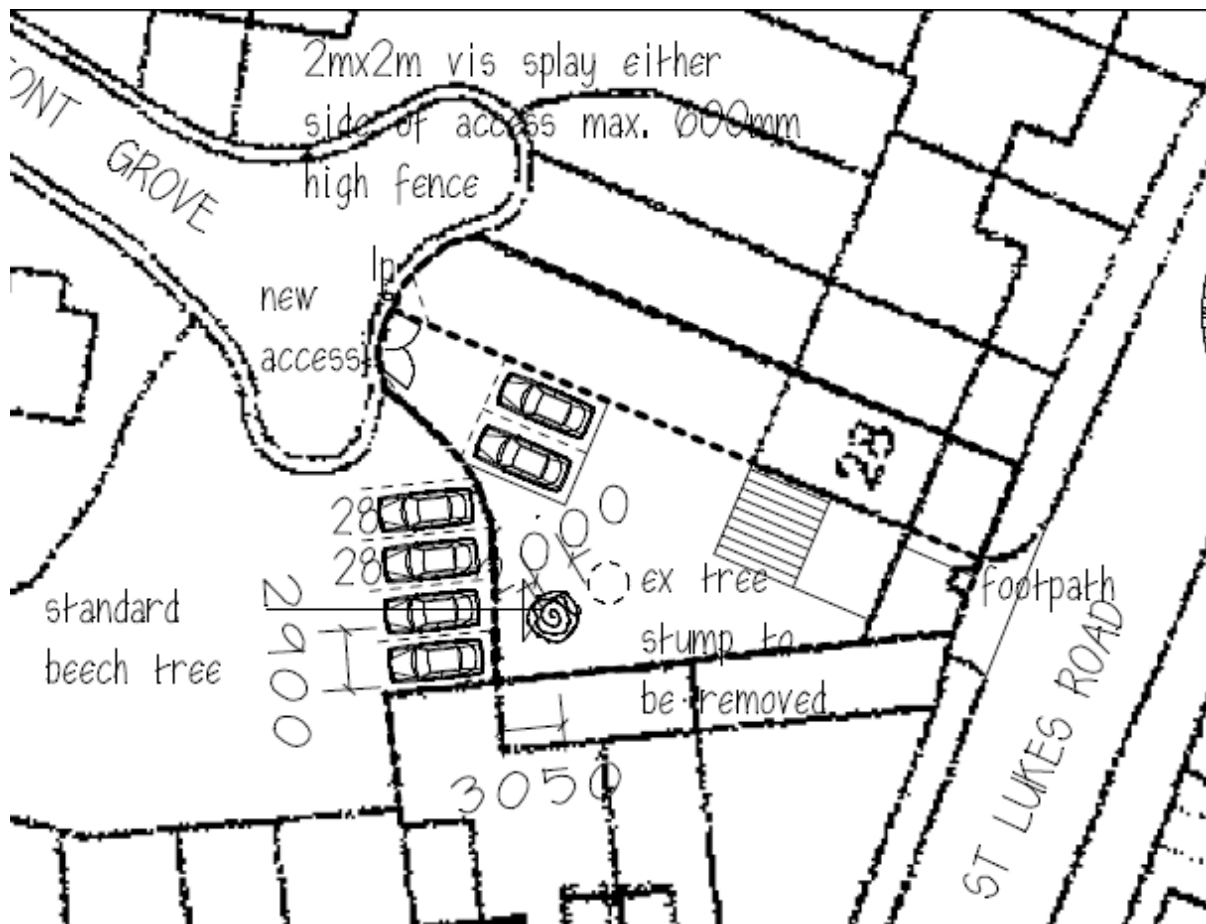
The proposed dwelling would have a rear/side garden area of approx. 120sqm (not including parking and drive area). The 2 parking spaces are accessed from Stonefont Grove and would be set within the rear garden. Pedestrian access is shown to the front off St Lukes Road.

The dwelling would be constructed of matching brickwork and tiles.

The Beech tree planted in place of the TPO Poplar tree removed due to fungal decay is to be protected and tree protection measures and a tree protection plan has been submitted with the application. The new tree is subject to a Tree Preservation Order in replacement of the felled tree.

Number 28 has allocated parking within the parking court and would have approx. 87sqm of garden area remain to the rear of the property.





### Policy Context

The new Local Plan was adopted at the full Council meeting held on the 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough.

### Local Plan

The site is set within an area of Urban Fabric as allocated within the Adopted Local Plan.

The following policies are of relevance:-

- GD1 General Development
- H1 The Number of New Homes to be Built
- H4 Residential Development on Small Non-allocated Sites
- LG2 The Location of Growth
- T3 New Development and Sustainable Travel
- T4 New development and Transport Safety
- SD1 Presumption in Favour of Sustainable Development
- CC1 Climate Change
- CC4 Sustainable Drainage Systems (SuDS)
- D1 High Quality Design and Place Making
- Poll1 Pollution Control and Protection
- BIO1 Biodiversity and Geodiversity

## SPDs

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

- Design of housing development
- Parking
- Sustainable Travel
- Trees and Hedgerows

## Other Guidance

South Yorkshire Residential Design Guidance

## NPPF

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.

## **Consultations**

Ward Councillors – No comments received

Drainage – No objections – details to be checked by Building Control

Tree Officer – No comments received

Pollution Control – No comments received

Yorkshire Water - No comments received

Highways – No objections subject to conditions

## **Representations**

No representations 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 mainly residential and as such the use of this site for residential uses would be in keeping with the locality.

### 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.

The site is set within a predominately residential area therefore there are other dwellings which surround the site. The siting of the dwelling meets the separation distances set within the SPD in terms of distances from habitable room windows. As a result, the proposal should not cause any significant impact upon residential amenity in terms of overlooking or overbearing/overshadowing/loss of light impact in accordance with the SPD.

The proposed dwelling has an adequate garden of 120sqm (not including the proposed parking area) and the existing dwelling would be left with a garden of approx. 87sqm, which exceed the requirements of the Supplementary Planning Document, Design of Housing Development. The internal arrangements of the property including the room sizes all match the existing layouts within the existing attached terraced properties. The room sizes have been assessed and the only room that does not meet the floorspace requirements set within the South Yorkshire Residential Design Guide is bedroom 3. The dwelling has been designed with 3 bedrooms with this smaller bedroom being only 5sqm in area. The minimum floor area required for a single bedroom would be 7sqm. whilst the room does not meet the requirements of the SYRDG, the plans could be amended to show 2 bedrooms and a study however the developer could change it to a bedroom without consent, both rooms are classed as habitable rooms, so the same assessment is made. Given that the property is the same floor area of the existing attached dwellings, the addition of this bedroom is not significant to warrant a refusal when all other floor space criteria for the other rooms has been met.

Overall the proposal is considered to be acceptable when measured against the guidelines set within the SPD Design of Housing Development in terms of residential amenity and the proposal complies with Local Plan Policy GD1 of the Local Plan.

#### Visual Amenity

The proposed layout plan shows that the proposed dwelling can be sited comfortably on the site and allow for the building line to be maintained and adequate space can be provided for front and rear garden areas. There are no objections to the design of the dwelling as it would appear as part of the existing terrace row. Subject to matching materials the property should look as though it was constructed with the other dwellings on the row.

Whilst the proposal includes a new access through the existing fencing to the rear, this could be formed under permitted development. The proposal put forward is considered to be acceptable in terms of visual amenity in accordance with the Supplementary Planning Document Design of Housing Development and Local Plan Policy D1.

#### Impact on Trees

The Tree Officer raised concerns to the previous withdrawn application as the replacement tree had not been planted, which was in breach of the replanting condition for the TPO app for the removal of the diseased poplar tree shown in the photograph above. The Beech tree planted in place of the TPO Poplar tree removed due to fungal decay is subject to a Tree Preservation Order in replacement of the felled trees. The small tree is to be protected and

tree protection measures and a tree protection plan has been submitted with the application. Subject to the protection being put in place there is no objection.

Given the location of the tree away from the dwelling, it should not cause any significant harm to the residential amenity of the future occupiers of the dwelling, nor cause any significant overshadowing of the garden area.

#### Highway Safety

The highways section have confirmed that they have no objections to the proposal subject to conditions. The proposed dwelling has adequate parking within the site and the existing parking for the existing dwelling is unchanged. There are no objections to the proposal from a highway safety perspective in accordance with Policy T4 of the Local Plan.

In line with the Sustainable Travel SPD an Electric Vehicle Charging Point will be required.

#### **Recommendation**

Approve subject to conditions