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**2020/0901**

Applicant: Mr Ian Buckley

Description: Demolition of existing building and erection of 3no. 2 storey townhouses

Site Address: Midland Works, Filey Avenue, Royston, Barnsley, S71 4PZ

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### **Site History**

2019/0860 – Demolition of existing buildings & erection of 3no. 2 storey townhouses (Amended Plans) – Approved Subject to Conditions

### **Site Location and Description**

The application relates to several buildings which directly front Filey Avenue in Royston. The buildings are a mixture of 2 storey and single storey garages and small industrial/business units, a number of which are currently vacant. In total the site area equates to circa 330m<sup>2</sup>.

The surrounding area is predominately residential in nature, mainly consisting of 2 storey terraced dwellings. Immediately to the South of the site is a single storey brick building with mono pitched roof. Beyond that are the rear elevations and yards associated with the retail units fronting Midland Road. To the North of the site is a garage and garden area associated with 22 Filey Avenue. To the East are the rear gardens and elevations associated with properties fronting Victoria Road and to the West is Filey Avenue and associated terraced dwellings.



## Proposed Development

The applicant proposes to demolish the existing buildings and erect 3 no. 2 storey town houses. The dwelling on plot 1 shall be detached and plots 2 and 3 further south shall be semi-detached. Each dwelling is to accommodate a lounge, dining/kitchen and WC on the ground floor and 2 bedrooms, a bathroom and study on the first floor and circulation space across both floors. Each property would have a private rear garden with a shed and bin storage area located within it and accessed externally from the side of the property where a single parking space is located. The rear and side boundary treatments will be enclosed by a 1800mm close boarded fence.

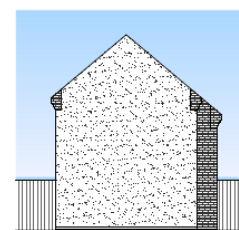
*Site Plan*



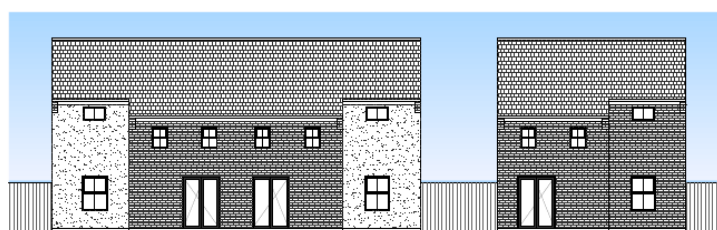
*Elevation Plan*



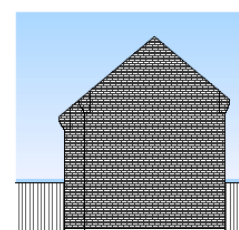
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

## Policy Context

The new Local Plan was adopted at the full Council meeting held 3th 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, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

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

Policy H1 *The Number of New Homes to be Built*

Policy H2 *The Distribution of New Homes*

Policy H3 *Uses on Allocated Housing Sites*

Policy H6 *Housing Mix and Efficient Use of Land*

Policy E4 *Protecting Existing Employment Land*

Policy T3 *New Development and Sustainable Travel*

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*

Policy CC4 *Sustainable Drainage System (SuDS)*

Policy RE1 *Low Carbon and Renewable Energy*

### SPD's/PAN's

- Design of Housing Development
- Parking

### Other

South Yorkshire Residential Design Guide

### 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**

Demolition – No objections – Development has already been subject to a notice of demolition.

Reg Services – No objections subject to 1no. condition

Highways – Two parking spaces required due to potential for three bedrooms.

Contaminated Land Officer – No comments

SYMAS – No objections

Air Quality – Requirement for EVCP Charging Points

Drainage – No objections subject to 1no. condition.

Ward Councillors – No responses.

### **Representations**

The application has been advertised by way of neighbour notification letters and a site notice erected adjacent to the site. One representation has been received.

The representor cites the need for careful demolition given the presence of asbestos rooves on the two-storey building present on site. The Case Officer shall attach an informative to ensure that the applicant is aware of their obligations for the handling of asbestos in line with the recommendations/requirements of HSE.

The representor further cited issues in respect of the volume of parking for the development being limited to only one parking space.

## **Assessment**

### Principle of development

The proposed dwellings are located within the Principle Town of Royston. LP Policies H2 and LG2 require Royston to be subject to 6% of the Borough's new homes throughout the plan period. The proposal therefore accords with these plan policies. The site itself is located within the Urban Fabric of Royston as designated within the LP Policies Map. Urban Fabric is a designation which acknowledges that an area has been previously developed and is therefore one of the most sustainable land designations within the Borough. The site itself is composed of former commercial buildings which formed the Midland Works. Operations on the site have long since ceased and the surrounding area is mixed of either local retail or residential land uses. The proposal for residential development in this area of Urban Fabric has previously been established under 2019/0860 and is consequently determined as acceptable as it would not result in a significant loss of existing jobs or employment potential, there will be an adequate supply of employment land and premises in the locality and the land is unable to satisfactorily support continued employment use in accordance with the requirements of LP Policy E4.

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.

### Design / Visual Amenity

The surrounding area is predominantly residential in nature with the majority of properties being arranged in terraced rows. The proposal is for 1no. detached and 2no. semi-detached dwellinghouses with contrasting double frontages than the properties within the immediate area. This situation accords with LP Policy H6 as the development will allow for a housing mix that shall help create a mixed and balanced community.

The site currently accommodates several smaller buildings which have been used for garaging and light industrial/business purposes. Arguably the buildings offer little in terms of visual amenity in a predominantly residential streetscene and, in some cases, the buildings have deteriorated. As such, the redevelopment of this site is likely to be a positive visual improvement.

The proposed buildings are relatively simple in design with a central entrance and a double fronted, symmetrical appearance. Interest is added through porch canopies. The contrast with 2019/0860 where the northern most dwelling is now set within the building line as opposed to set back shall act as an improvement upon the previously approved design. Although the properties are wider than the existing dwellings immediately adjacent to the site they do have a similar rhythm in terms of fenestration. Furthermore, they are not too dissimilar to the newer properties to the Northern end of Filey avenue. As such, the dwellings would sit comfortably within their surroundings and maintain the visual amenity of the streetscene, in accordance with Local Plan Policy D1 and SPD 'Design of New Housing Development'.

There is little opportunity to the front of the dwellings to create buffer gardens in order to soften the development, however, there is no landscaping to the front of the current buildings and the majority of the immediately adjacent properties also open directly onto the footpath serving Filey Avenue, as such, the dwellings would reflect the development pattern of the area.

The siting of driveways at the side of the dwellings should also ensure that the development is not car dominated. The bins and sheds are also to be located within the rear gardens of each dwelling which acts as a further improvement upon the previous application as they shall now be more hidden within the streetscene.

The design of the rear elevations is slightly unusual given the relatively haphazard fenestration layout and stairwell projections; however, the elevation has been designed in order to limit overlooking of the neighbouring properties. In anycase, the rear elevation is not highly visible from public vantage points and, as such, would not negatively impact on the visual amenity of the streetscene.

### Residential Amenity

The use of the site for residential purposes will inevitably result in noise and disturbance from residential and vehicular activity. However, the site has previously been used for business purposes and could be used for those purposes again. In addition, the proposal is for only 3 relatively modest dwellings in a relatively densely developed area. As such, the noise and disturbance would not be to an unreasonable degree, and would accord with Local Plan policy GD1.

There are no residential properties within close proximity of the side boundaries of the site and there are no habitable room windows facing the side boundaries.

The proposed front elevations, which contain habitable room windows, are circa 12m from the dwellings opposite which complies with the guidance set out in SPD 'Design of New Housing Development'. The rear elevation falls short of the required 10m from the rear boundary but there are no habitable room windows proposed above ground floor level, as such, overlooking would not be to an unreasonable degree.

The proposed rear elevations would also fall short of the 21m back to back and 10m window to boundary separation distances for extended properties to the East, however, as outlined above, there are no habitable room windows proposed above ground floor level which would have a view of the neighbouring dwellings barring a high level window within the study rooms and a window in the first floor circulation space. Given the separation distances, and orientation, the proposed dwellings would not result in overbearing features or significantly increase overshadowing.

In terms of the amenity for the future residents, it is acknowledged that the gardens fall just short of the 50m<sup>2</sup> required for 2 bedroom properties, however, they are comparable with the existing dwellings on Filey Street and significantly exceed those previously approved under 2019/0860. In addition, the entrance to Royston Park is opposite the junction between Filey Avenue and Midland road a few metres from the site and Rabbit Ings Country Park is only a short distance from the site.

In terms of internal spacing standards, the proposed rooms meet or exceed the requirements set out in the South Yorkshire Residential Design Guide. It is noted that the first floor study is relatively small and does not have a direct outlook; however, this is intended to be a computer room/study or nursery, not a bedroom.

On the basis of the above assessment, the proposed development is determined to conform with the requirements for residential amenity outlined within LP Policy GD1 General Development.

### Highways Safety

The majority of properties on Filey avenue are terraced; they predominantly do not have off street parking. The proposed scheme proposes 3no. parking spaces which accords with SPD 'Parking' for 2 bedroom properties. It should also be noted that the site is within a sustainable location where a number of shops and services are within walking distance on Midland Road, and Royston is also served by regular bus services. Highways DC are of the opinion that the proposal is capable of being used as a three bedroom property and therefore 2 parking spaces are consequently required. However, given that a nearly identical proposal has been approved with 1no. parking space per property with a similar 'server room' that could have the potential to be

used as a bedroom, the LPA take the view that the precedent set by the previous approval infers that 1no. parking space per dwellinghouse is sufficient for the reasons previously acknowledged. The proposal therefore conforms with LP Policies T3 and T4.

### Conclusions

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:** Approve subject conditions