

Applicant: Mr Carl Starling

Description: Erection of 5no dwellings and associated works including access road, garages and landscaping (Reserved matters of outline planning permission 2018/0665 relating to appearance, landscaping, layout and scale).

Site Address: Land to the north of the junction between Keresforth Road, Keresforth Hill Road and Gilroyd Lane, Dodworth, Barnsley

Site Location and Description

The application relates to a field, measuring approximately 0.45Ha in area, located to the North of Keresforth Road, Dodworth. The field is irregular in shape, is mainly laid to grass and has clearly identifiable boundaries on all sides. The site levels generally increase from South to North and from West to East.

To the North of the site is existing woodland, to the East is the M1 motorway, to the West are residential properties which have a frontage onto Keresforth Road and to the South of the site is Keresforth Road.



Site History

2018/0665 - Outline application for development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) – approved subject to conditions



2018/1486 - Removal of condition 13 (Scheme of highway mitigation works) from outline planning permission 2018/0665 - Development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) – refused for the following reason;

In the opinion of the Local Planning Authority condition 13 of outline planning permission 2018/0665 is required to enable the development to be safely accommodated on the highway network without creating an undue risk of accidents because of the location of the proposed access point and the inadequate new junction sightlines that exist for a 40mph speed limit classified road (the B6099). Accordingly the removal of condition 13 would be contrary to Local Plan policy T4 'New development and Transport Safety' which requires all developments to be designed and built with a safe, secure and convenient access.

An appeal was also dismissed under reference number APP/R4408/W/19/3221727.

Application Proposal

The applicant has submitted the reserved matters (appearance, landscaping, layout and scale) of outline application 2018/0665. The application relates to the erection of 5no. dwellings and associated works including access road, garages and landscaping. The dwellings would be arranged similarly to the previously submitted indicative layout plan with 2no. dwellings adjacent to Keresforth Road, either side of the access drive, 2 properties at the head of the access drive and 1no. property to the East of the drive. All of the properties would have vehicular access from the newly created private drive.

There are 3no. house types proposed with plots 2, 3 and 5 having similar ground and first floor layouts, however, plots 2 and 3 are handed and also incorporate lower ground floor garages compared to plot 5's detached garage. Plots 1 and 4 are individually designed.

Plot 1 is a 4 bedroom property, plots 2, 3 & 5 have 5 bedrooms and plot 4 has 4 bedrooms in the main house and a 1 bedroom annex above the attached garage.



Policy Context

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

Policy H1 The Number of New Homes to be Built

Policy H4 Residential Development on Small Non-Allocated sites

Policy H6 Housing Mix and efficient use of Land

Policy H9 Protection of Existing Larger Dwellings

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 GS1 Green Space

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC1 Climate Change

Policy CC2 Sustainable Design and Construction

SPD's

Those of relevance to this application are as follows:

- Designing 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 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.

Consultations

Coal Authority – no objection but want to comment on the relevant outline condition

Drainage – no objection, relevant condition is on the outline permission

Pollution Control – No objection subject to conditions

SYMAS – No objection, outline condition 12 still relevant

Biodiversity – No objections, provided some guidelines

Yorkshire Water – No objections, outline condition 7 still relevant

Highways England – No objections

SYP ALO – No objections, provide security guidelines

Air Quality Officer – No objections following submission of additional data

Ward Councillors – 2no. Cllrs have provided comments on the application. The main points raised are;

- Elevations are relatively blank
- Site is in/adjacent to AQMA
- Layout should be more imaginative & increased distances to AQMA
- Potential long term health effects of Nitrogen Dioxide

Representations

5no properties adjacent to the site were sent notification letters and a site notice was put up to the front of the site on Keresforth Road. As a result one letter was received. The main points of concern are;

- No objections to the development itself but concerns over land ownership.

Assessment

Principle of development

The principle of residential development for 5no. detached dwellings on the site was established under the outline application (2018/0665). That application also established the access into the site from Keresforth Road. An indicative plan was submitted with that application which illustrated a very similar layout to the one currently proposed.

Given the principle of residential development and the access has already been established, this application will not revisit that and will instead concentrate on the reserved matters including landscaping, appearance, layout and scale, under the headings set out below.

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.

It is noted that the proposal falls short of the density set out in Local Plan Policy H6 and is a very low density scheme, however, as outlined above the principle for 5no. dwellings on the site has already been established. Furthermore, the proposed dwellings are considered 'larger homes' which are in shortage across the borough. The development pattern of the site is also representative of the immediate area which consist of larger detached properties within sizable plots.

When the outline was approved it was prior to the adoption of the Local Plan. The site at that time was Safeguarded and the Council did not have a 5-year supply of housing. The site is currently allocated as Urban Fabric and is on the Green Space register, the Council also have a 5 year h

Design / Visual Amenity

The scheme proposes a loose collection of detached dwelling houses with associated driveways and landscaped gardens grouped around a new permeably surfaced private access road and turning head. The proposed layout reflects the positioning of the dwellings and associated garages as considered on the indicative plan at outline stage.

The proposed dwelling houses are two storey in nature bar plots 2 and 3 which feature lower ground floor garaging dictated by the level differences to the top of the site. The proposed dwellings follow the local vernacular with pitched roof forms arrayed to offer both gable and eaves frontages to the primary vista from Keresford Road. Plots 1 and 5 would sit either side of the proposed entrance to the site and would harmonise with the existing dwellings which front keresforth Road to the West.

The stepped arrangement of the built form is matched by the landscape with dwarf retaining walls between plots where necessary and the mature trees to the Northern boundary creating an overarching backdrop. It is noted that the 2no. 3 storey properties would be visible from Keresforth Road given they are located at the head of the private drive. However, they would be viewed against the proposed dwellings in the foreground and the rising land levels and mature planting in the background. As such, they would not be overly dominant in the streetcene or when viewed from public vantage points.

There are several house types proposed in the scheme, despite the relevatively small numbers, which adds interest and variety and also meets the requirements of Local Plan Policy H6 'Housing Mix and Efficient Use of Land'. The existing housing stock within the immediate area predominantly consists of individually designed detached houses, as such, the proposal generally reflects the development pattern of the area and would not appear out of place or incongruous.

The proposed dwellings are simple, understated buildings constructed using high quality materials. Issues with the road noise from both the Motorway and B6099 have discouraged the applicants using expansive arrays of glazing although folding sliding doors are proposed to transition between external and internal spaces to the rear of the dwellings. Stone detailing reflects elements of the surrounding housing stock with oversize kneelers and water tabling and stone surrounds breaking the expanse of stone. Entrances are identified with extruded or indented features to signpost their locations.

The layout plan demonstrates that the parking areas would not be overly prominent and there is sufficient space for soft landscaping and appropriate boundary treatments in and around the site. Tree planting is proposed within the plots, in addition to the large tree belt along the Eastern boundary to aid noise reduction from the Motorway.

Each plot would have pedestrian access to the rear garden space which will allow for bins and recycling containers to be stored away from prominent locations.

Residential Amenity

As outlined above, the previously submitted indicative layout plan which was partially considered at outline stage proposed properties in very similar positions to those currently proposed.

Immediately to the South of the site is Keresforth Road with Gilroyd Lane and wooded areas beyond. To the East is a tree belt with the M1 beyond and to the North is a further wooded area which separates the site from a Housing Allocation in the Local Plan (HS10). As such, the only residential properties which bound the site are to the South West and front Keresforth Road.

Plot 1 would be the closest property to the existing neighbouring dwellings but would be built on a similar building line, as such, it would not result in an overbearing feature or significantly increase overshadowing. Plot 2 would partially share a boundary with the neighbouring property and would be on a higher level, but there would be a reasonable separation distance and it would not directly face the neighbouring property or its private amenity space. Plus the existing mature trees on that shared boundary would be retained.

In terms of the proposed layout, the dwellings predominantly meet the required separation distances set out in SPD 'Design of Housing Development'. It is noted that the norther elevation of plot 5 falls short of 12m from the Southern elevation of plot 4, however, there is only 1 habitable room window on plot 5 facing the neighbouring elevation. That window is at ground floor level and forms part of a triple aspect room, as such, the neighbouring elevation would not be overbearing or result in significant overshadowing.

The proposed dwellings either meet or exceed the required internal spacing standards set out in the South Yorkshire Residential Design Guide. The external spaces also exceed the requirements of the SPD. It is noted that a large section of the rear amenity space of plot 1 is taken up by hardstanding adjacent to the parking/turning areas. However, the soft landscaping areas still far exceed 60m² and the hardstanding can be used for seating and entertaining, there is ample space for vehicles to not have to park adjacent to the rear elevation. The outlook from the windows on the Northern elevation adjacent to the hardstanding would also have views of soft landscaping and trees/hedges.

Noise

Noise was considered in great detail at outline stage when the principle of residential development on the site was considered, as such, the comments on the previous report are still relevant (see below). This application also includes the recommended acoustic fencing along the Western boundary of the site as well as additional tree planting, as shown on the landscaping plan. Furthermore, condition 11 of the outline application requires the developer to carry out the development in accordance with the mitigation measure required in the report.

A noise impact assessment has been undertaken for the proposed residential development which identified the noise climate across the site as being associated with road traffic, particularly from the M1 motorway to the East of the site.

The report concluded the ambient noise climate is not considered to represent a constraint to the proposed development, subject to attenuation works. These works include a timber reflective barrier along the Eastern boundary of the site adjacent to the M1 as well as a 2m high timber barrier to the South East of the site adjacent to Keresforth Road and along the boundary with plot 5.

In terms of the dwellings themselves, it is recommended that all dwellings are provided with a mechanical extract ventilation system. Furthermore, upgraded glazing would be required on certain elevations of plots 1 and 5.

The Regulatory Services Officer has assessed the submitted noise impact assessment and also carried out separate noise readings. As a result, they are satisfied that the mitigation measures outlined in the assessment are adequate and should be conditioned.

Air Quality

Air Quality was also considered in detail at outline stage, however, the envelopes of the buildings subject to the reserved matters application have changed slightly compared to the outline in that some of the living accommodation of the properties to the East of the site are closer to the M1. As such, the receptor points of the outline scheme are no longer representative of the reserved matters scheme. Therefore, the Air Quality Officer requested an additional survey to take place with revised receptor points to reflect the proposed layout. The latest report concludes;

The proposal has the potential to expose future residents to elevated pollution levels. Dispersion modelling was therefore undertaken using ADMS-Roads in order to predict concentrations as a result of emissions from the local highway network. Results were subsequently verified using monitoring data collected by BMBC.

The results of the dispersion modelling assessment indicated that predicted annual mean NO₂ and PM₁₀ concentrations were below the relevant AQOs at all proposed residential units. The site is therefore considered suitable for the proposed use from an air quality perspective.

Based on the assessment results, air quality factors are not considered a constraint to planning consent for the development

The Councils Air Quality Officer has assessed the updated report and is satisfied that the conclusions and recommended mitigation measures are adequate. As such, a condition will be recommended for the mitigation measures outlined in the report to be carried out.

Mining

Mining Risk/legacy was considered at outline stage and the comments below are still relevant. Condition 12 of the outline permission requires a site investigation to be carried out.

The site is partly located in a Coal Mining Referral area. According to SYMAS records this relates to the outcrop of the Lidgett coal seam which is conjectured through the site, as such, shallow coal could be present.

The applicant has submitted a Coal Authority non-residential report which states that 'the property is in an area where the Coal Authority believes there is coal at or close to the surface. This coal may have been worked at some time in the past. The potential presence of coal workings at or close to the surface should be considered prior to any site works or future development activity'.

It is noted that the submitted report is not a risk assessment; however, SYMAS advise that a suitably worded condition in this case, requesting a risk assessment and intrusive investigation works, would be acceptable.

Highways Safety

Access was considered at outline stage, as such, the comments below are still relevant. Conditions 4, 5 and 13 on the outline permission also relate to highway safety.

In terms of the internal layout of the site and the parking for the individual plots, it closely relates to the indicative plan submitted at outline stage. Each plot would have at least 2no. in curtilage parking spaces, plus garaging space, in excess of the requirements of SPD 'Parking'. There would be space for vehicles to enter and exit the spaces and the private driveway would incorporate a turning head.

Keresforth Hill Road provides part of a local distributor route (B6099) between Dodworth and Barnsley (Via the A6133). The road is subject to a 30mph speed limit to the west side site frontage and a 40mph speed limit along the central and east site frontage. There is a change of vertical alignment as the road passes over the M1 motorway towards the site.

Although the application is an outline, means of access is a matter for consideration. The proposed access would be located to the South of the site and directly from Keresforth Road. The

proposed junction would be off set to the West from the junction with Gilroyd Lane opposite the site frontage. The proposed junction would be served by a private drive which would accommodate the 5no. detached dwellings. 5no. dwellings would be the maximum a private drive could accommodate, as set out in the South Yorkshire Residential Design Guide.

Concerns were initially raised from colleagues in Highways regarding sightlines given the change in levels, the presence of road signs and the location of a crash barrier at the back edge of the footway. As a result the applicant has undertaken a radar speed survey and carried out on site measurements to illustrate what sightlines can be achieved.

Following the aforementioned surveys it has been demonstrated that Based on the indicative access location visibility splays at the access junction with Keresforth Hill Road of 2.4m x 90m could be provided to the west (critical direction), which meets the visibility splay requirements within Design Manual for Roads and Bridges (DMRB) for 30mph speed limit roads. To the east side of the site visibility splays of around 2.4m x 79.6m can be provided. That distance exceeds the Manual for Streets (MfS) requirement of 56m but would fall short of the DMRB requirement.

Colleagues have agreed that the proposed sightlines would be acceptable subject to a number of mitigation measures. These measures would include relocating the 30mph speed limit sign to the east of the site, providing a gateway feature including signage and road markings on the Westbound carriageway where the speed limit changes and providing any other necessary signing and lining. These details will be secured via condition and required prior to the commencement of the development.

It should, however, be noted that the condition involves the need to secure a Traffic Regulation Order (TRO) to facilitate the change in speed limit. Whilst all reasonable endeavours have been made at the planning application stage to ensure the scheme is capable of being implemented, TRO's are governed by separate legislation (Road Traffic Regulation Act 1984). Therefore, an informative would be included on the decision notice to inform the applicant and also set out the potential 3 to 9 month timing of a TRO from agreement/funding to implementation.

Given the comments and mitigation measures outlined above, the application would comply with paragraph 109 of the NPPF which states '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'.

Trees

The centre of the site, where the majority of the development would take place, is relatively clear of trees/hedges as shown on the tree survey below submitted with the outline application. The majority of the existing trees are on the Western, Northern and Eastern boundaries of the site and the proposed dwellings would be set away from these resulting in the vast majority being retained, as well as the extensive tree planting proposed on the Eastern boundary. It is noted that the proposed acoustic barrier would be along the Eastern boundary of the site and could have an impact on the existing trees, as such, additional details will be required.

Condition 8 of the outline permission requires Tree Protective Barrier Details, Tree Protection Plan, Arboricultural Impact Assessment and Arboricultural Method Statement to be submitted prior to commencement.



Ecology

Ecology was considered at outline stage and a Ecological Appraisal was submitted along side that application. The report set out recommendations and mitigation measure that were condition under condition 10 of the outline approval.

Conclusions

Having thoroughly assessed the revised application against other relevant development plan policies and taking into account other material considerations, it is not considered that there are adverse impacts which significantly and demonstrably outweigh the benefits of the scheme (subject to securing the necessary mitigation and recommended planning conditions). On this basis, the proposals are considered acceptable.

Recommendation:

Grant – subject to conditions and informatives