

**Application Reference:** 2024/0790

**Site Address:** Chevet, Thurnscoe Road, Bolton Upon Dearne, Rotherham, S63 8JW

**Introduction:**

This application seeks outline planning permission with some matters reserved for residential development of 1no. dwelling with access considered at this stage (custom/self build)

**Relevant Site Characteristics**

The site is situated to the west of Thurnscoe Road between existing dwellings, Chevet to the south and Quarry House to the north. Chevet has a number of secondary side windows which face over the site and Quarry House has two windows which appear to be habitable, which overlook the site frontage.

Thurnscoe Road runs along the western site boundary and is a one way highway with traffic travelling in a north-south direction. Traffic calming measure are in place and the carriageway is defined by kerbs and white lining and associated signage.

The site is currently laid to grass and is relatively unconstrained by trees with those of note being located towards the rear of the site with two of them being off site. There is a low stone retaining wall with low hedge along the boundary with Thurnscoe Road.

The area is purely residential in nature and the properties are of mixed styles of detached and semi detached in traditional construction with a variety of materials seen such as brick, stone and render.



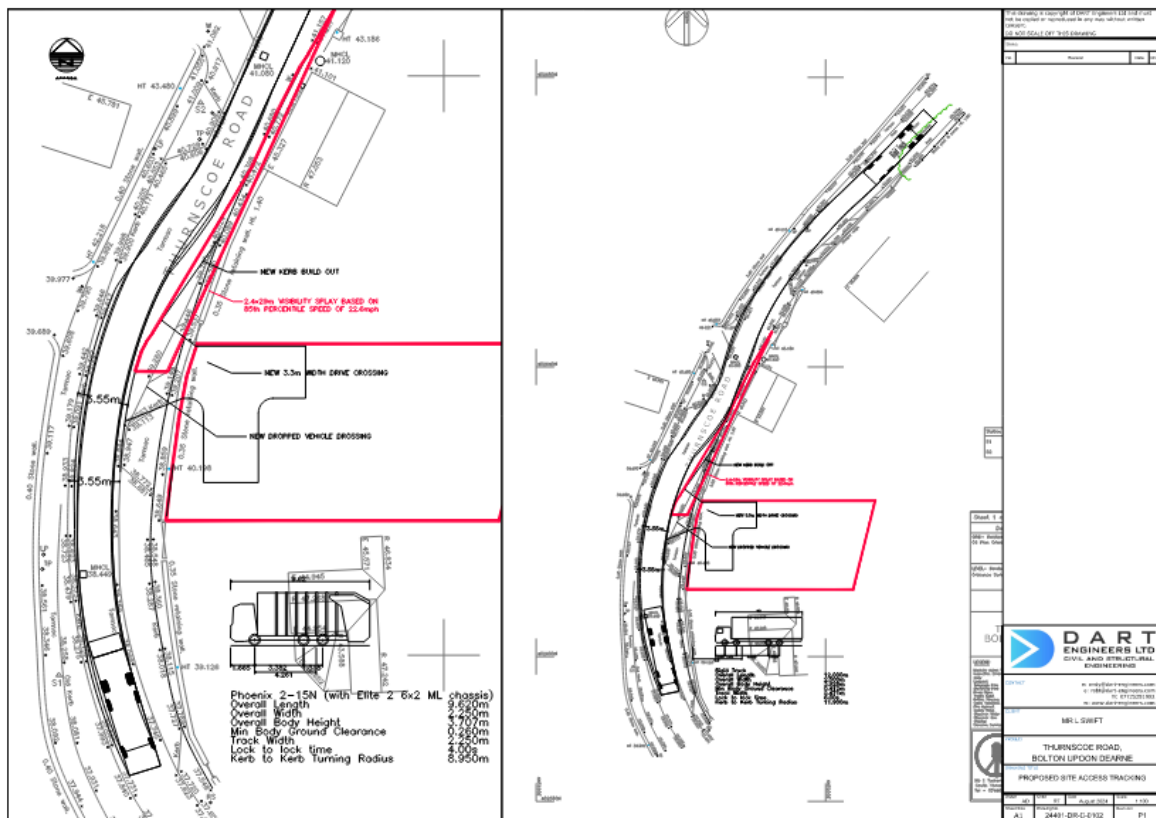
## Site History

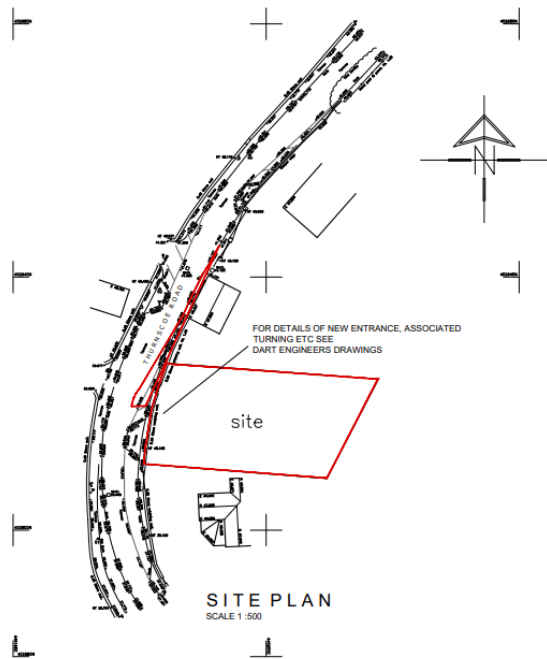
Application Reference	Description	Status (Approved/Refused)
2022/0885	Outline application for one dwelling with all matters reserved	Withdrawn

## Proposed Works

The application is outline with some matters reserved and proposes the erection of a dwelling at land adjacent to Chevet. The access to the site is to be agreed at this stage, with other matters such as the layout, scale, design and external appearance and landscaping reserved matters for future consideration.

The access plans have been amended during the course of the application to show vehicle tracking into the site at the request of the Highways Officer as below:-





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Project: PROPOSED DWELLING (OUTLINE) LAND ADJACENT 'CHEVET' THURNSCOE RD. BOLTON UPON DEARNE, S63 8JW			Client: MRS SWIFT		
Drawing Title: SITE PLAN		Date: SEPT 2024	Scale: 1:500 @ A3		
		Ref: 24-017	Dep. No. 01	Rev.	
Date	Suffix	Description	Date	Suffix	Description

## Relevant policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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 designation:- Urban Fabric

The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy H4: Residential Development on Small Non-allocated Sites'
- Policy H9: Protection of Existing Larger Dwellings'
- Policy T4: New Development and Transport Safety
- Policy POLL1 Pollution Control and Protection
- Policy BIO1 Biodiversity and Geodiversity

### Relevant Supplementary Planning Documents

- Parking
- Trees and Hedgerows
- Design of New Housing Development
- Biodiversity and Geodiversity

#### Other

- South Yorkshire Residential Design Guide

#### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 6 - Building a strong, competitive economy

Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

#### **Consultations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website. A site notice was also posted at the site. Two letters of objection have been received raising the following concerns:

- The original land has always been a garden and there was no access to the road for a driveway. The new owner of the land has taken the wall down to create his own access without any planning
- This access he has created is on a blind bend.
- Concerns regarding speed of vehicles travelling down the road
- There are also traffic calming islands in the road that are always being hit by speeding vehicles, the access to the property looks too close to these.

- The property will create more traffic and parking problems on a small street.
- Concern is that a new build will put more strain on an already existing problem in the sewage system.
- The proposed property looks too big for the plot
- Overlooking of adjacent dwellings
- The application is misleading by describing the location as Chevet, Thurnscoe Road. The land is separate and has never been connected to Chevet, and formally formed part of the land of Quarry House.
- The access would also affect chevron, road markings to the island traffic calming location which should be kept clear at all times
- The proposed access is also directly opposite the access to 5a Thurnscoe Road which may cause obstructions due to the narrow, one-way road. Already cars entering access to the existing properties causes congestion on the street.
- The proposal also describes access arrangements to the property including space for a vehicle to turn around on site so can exit the property by driving forward. The proposal does not indicate whether there would be sufficient parking or how the access would work with more than one vehicle.
- There needs to be consideration to where additional visitors/vehicles can park. There is no on-street parking on Thurnscoe Road due to being a narrow one-way street with traffic calming road markings.
- It is not clear at this stage of planning, but there is a risk that development on the site would block light to neighbouring properties
- The trees on Thurnscoe Road, including those identified in the Arboriculturist report, provide habitat for the bats and would not want to see these impacted or damaged by development.

### **Consultee responses**

Highways – No objections subject to conditions

Pollution Control – No objections subject to condition

Ward Cllrs – No comments received

Drainage – No objections details to be checked by Building Control

Yorkshire Water – No comments received

Tree Officer – No objections

### **Planning Assessment**

#### Principle

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 purely residential and as such the use of the site for residential uses would be in keeping with the locality.

An objector has stated that the land is separate to Chevet, Thurnscoe Road and formally formed part of the land of Quarry House. It is not clear if the existing properties (Quarry House or Chevet) are 4 bedroom dwellings, however an assessment has still been made on the basis of H9. The policy 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.' In this instance the site is set between two detached dwellings set on large plots. The proposed dwelling would be set between these plots and would allow for the adjacent dwellings to retain sufficient garden areas but also would allow

for the proposed dwelling to be sited on a generous plot. Given that the proposed property is set on a varied street scene and that the existing and proposed dwellings have generous garden areas, it is felt that there would not be an adverse impact upon the setting of the existing dwellings nor would there be any significant impact upon the remaining amenity areas, as such the proposal complies with policy H9.

#### Impact on residential amenity

As this is an infill plot one of the main considerations would be the impact of the proposal upon the residential amenity of the surrounding residential properties. The SPD Designing 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 overshadowing or loss of outlook and in order to provide adequate amenity space, development will usually be expected to comply with the external spacing standards.'

The site is situated to the west of Thurnscoe Road between existing dwellings, Chevet to the south and Quarry House to the north. Chevet has a number of secondary side windows which face over the site and Quarry House has two windows which appear to be habitable, which overlook the site frontage. Whilst the siting of the dwelling is not under consideration at this stage, the plot is large enough to allow for a dwelling to be sited on the land which would not cause any significant overshadowing, overbearing or overlooking impact. The SPD states that there should be a minimum of 12m between a blank gable and habitable room windows and 21m between habitable room windows of the proposed dwelling and of adjacent dwellings. A dwelling could be sited on the plot in order to meet the required separation distances set within the SPD.

The SPD and South Yorkshire Residential Design Guide also provides guidance in relation to amenity areas and states that 'rear gardens of proposed dwellings should be at least 50sqm in the case of two bedroom houses/bungalows and 60sqm for houses/bungalows with three or more bedrooms. The layout of the site is to be agreed at reserved matters stage along with scale, design and external appearance and landscaping also for future consideration. The site is of a sufficient size and the proposed dwelling could be designed to meet the internal and external spacing standards for the proposed dwelling in accordance with the South Yorkshire Residential Design Guide and the SPD.

#### Design and Layout

Developments on infill sites should, in accordance with the guidance contained in the SPD contribute to the character and appearance of an area. In particular, new buildings should follow existing building lines and respect the existing pattern of development.

The immediate street scene consists of a mix of dwellings of different styles, sizes and design. The scale and design of the property are reserved matters; however it is felt that a dwelling could be designed to fit comfortably on the plot and could be constructed so that it matches the style and materials used within the street scene. The proposal is considered to be acceptable when measured against Local Plan Policies GD1 and D1 subject to a detailed proposal being submitted and agreed at reserved matters stage.

#### Impact on Trees/Ecology

There are trees surrounding the site and the applicant has provided a Tree Survey. The Tree Officer has considered the proposal and survey and has stated that 'the site is relatively unconstrained by trees with those of note being located towards the rear of the site with two of them being off site. It appears feasible to construct a new dwelling without detriment to these trees and as such I can confirm that I have no objections to the proposal from an arboricultural perspective. It should be noted however that the scheme put forward at the reserved matters stage will need to have been informed by the tree survey to ensure they remain unaffected and there is sufficient clearance between the trees and the dwelling to avoid future pressures and conflicts.' These issues and protective fencing/landscaping can therefore be dealt with at reserved matters stage.

Given that the building will be a self build, the dwelling hereby approved shall be constructed as a self-build/custom build property, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. The dwelling shall only be occupied as a self-build/custom build dwelling in accordance with Section 1(A1) of the Self-build and Custom Housebuilding Act 2015 for a period of at least 3 years from date of the first occupation of the dwelling. In the event that the dwelling is not built and occupied for a minimum 3 years as a self- build/custom build property, a biodiversity net gain plan shall be submitted to and approved by the Local Planning Authority. The biodiversity net gain plan shall be implemented in accordance with the approved details in accordance with Local Plan BIO1.

#### Drainage

The drainage Officer has been consulted and has no objections to the proposal. The entire site is located in Flood Zone 1 as defined by the Environmental Agency and is therefore at a low risk of flooding

#### Pollution Control

Pollution Control have also stated that this development is unlikely to have an adverse impact on health and the quality of life of those living and/or working in the locality. A standard condition should be applied which restricts the times of construction works in accordance with Local Plan Policy POLL1.

#### Highways

Access is to be agreed at this stage and objections have been received from neighbouring residents with regard to Highway Safety. The Highways Officer has been consulted and has no objection to the proposal subject to conditions. The access plans have been amended during the course of the application to show vehicle tracking into the site at the request of the Highways Officer. The Traffic team have advised that they are comfortable that the realignment to the carriageway in order to facilitate visibility from the proposed access, and as such there are no objections to the application subject to conditions. The site is large enough to provide parking and turning areas in accordance with the Parking SPD and the proposal is considered to be acceptable when measured against policy T4 of the Local Plan.

#### Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be an acceptable and justified form of development.

**STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

*Access and Highway Safety – the applicant has provided further plans demonstrating that the site can be accessed safely and vehicle tracking has been provided at the request of the Highways Officer.*

**Recommendation:- Approve with conditions**