

## Site Description

The site is a square shaped piece of land set off Holly Bush Drive. Holly Bush Drive is a narrow, unadopted, unlit, single track road which has two sharp bends and runs from Station Road to the South. A public bridleway runs along Holly Bush Drive and then alongside the eastern boundary of this site. The public bridleway is well used by local residents of the adjacent residential development to access the facilities off Station Road. This section of Holly Bush Drive already provides access to a number of properties including Thornhill and Thornlea which are detached bungalows set in large plots.

The site is set to the south of a fairly modern residential development known as 'The Seasons.' The dwellings along Holly Bush Drive consists of Thornlea and Thornhill. The site is bounded by brick boundary walls which have been recently constructed and has two metal access gates which are set to the south east and south western corners of the site. At the time of the site visit the site was overgrown with grass/shrubs, however it appears from the most recent aerial photographs that this has now been cleared.









Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the National Planning Policy Framework 2021 (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

The Local Plan was adopted by the Council in January 2019 along with a series of Supplementary Planning Documents.

The site is set within Urban Fabric as shown on the Local Plan Maps, therefore the following policies are of relevance:-

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

H4 Residential Development on Small Non-allocated Sites, proposals will be supported where they are located on previously or part developed land, are within a village, are accessible and have good access to a range of shops and services.

T3 'New Development and Sustainable Travel'

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

Poll1 'Pollution Control and Protection'

SPD's

-Design of Housing Development

- House Extensions

-Parking

Other

South Yorkshire Residential Design Guide

NPPF

The National Planning Policy Framework 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.

## **Consultations**

Ward Members – No comments received

Highways – Objects

HS2 – Objects

Air Quality – No objection subject to condition

PROW Officer - A public bridleway runs along Holly Bush Drive (which is also adopted highway) and then alongside the eastern boundary of this site. The proposals do not appear to directly impact the bridleway.

Yorkshire Water – Conditions suggested

Drainage – No objections subject to conditions

Pollution Control – No comments received

## **Representations**

Neighbour notification letters have been sent to neighbouring properties and a site notice posted.

1 objection has been received which raises concerns with regard to highway safety and states:-

‘Holly Bush Drive is also a Bridlepath and public right of way.

However, with the building of the estate to the rear of Holly Bush Drive the amount of people now using the Bridlepath (Holly Bush Drive) has increased greatly and with the added development to the north of the new estate, we can only foresee this increasing even more as it is now a major route to the Medical Centre and local shops/Home Bargains.

Holly Bush Drive is the easiest route to the Medical Centre (on Holly Bush Drive) and is the shortest route to the local shops.

We now see the following which we didn't see before the development of the estate:

- Users of Mobility Scooters
- Parents with young children in pushchairs (usually with toddlers running off in front of their parent/guardian)
- Cyclists
- Skateboarders
- Elderly people carrying shopping from Home Bargains (which is also situated at the bottom of the lane)
- Children on their way to and from school.
- Dog walkers (usually off-lead)
- Horse riders using the Bridlepath.

As you are aware, there are 2 x 90 degree bends on the access to our properties and being an unmade, unlit, single track road this causes vehicles to have to reverse around these bends if traffic is coming in the opposite direction. This becomes increasingly unsafe when it is larger vehicles having to reverse – possibly not seeing the aforementioned users and, being unlit at night, it becomes increasingly hazardous. There is only 1 possible 'passing' point on the lane that can be used for 2 normal-sized cars to pass BUT this is subject to cars not being parked there!

The added aspect to this is the need for Emergency vehicles to access our properties.

We feel it necessary to voice our concerns as we feel the need to make the Council aware of this dangerous situation, which has been made even more so due to the developments to the north of Holly Bush Drive.

We would not be able to live with ourselves should an accident occur on Holly Bush Drive, had we not made you aware of this in increasing possibility.'

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

There has been a previous planning approval at the site under application ref 2011/0524 - Residential development of 7 no. dwellings. (Outline with some matters reserved). The approved plans show the site being accessed via 'The Seasons' Development to the north and not from Holly Bush Drive as now proposed. The reserved matters application was not submitted and this permission has lapsed.

### Visual Amenity

Whilst the proposal involves the construction of a large, detached dwelling, the site is large enough to accommodate a dwelling of this size. The proposal would reflect the spacious nature of the properties along this part of Holly Bush Drive and there are other two storey properties in the area.

Whilst the plot could comfortably accommodate a number of dwellings, as approved previously, it is not felt that the development of the site for one dwelling could be objected to, given that there are other properties set in large plots along Holly Bush Drive. On balance, there are no objections to the proposal in terms of design or visual amenity in accordance with policy D1 of the Local Plan.

### Residential Amenity

The South Yorkshire Residential Design Guide (adopted 2011) provides technical requirements in terms of amenity spacing standards for both internal and external arrangements. The proposed internal and external spacing standards are met. The site is a significant size and the proposed dwelling would meet the recommended separation distances to other dwellings as set out within the SPD.

The proposal includes an ancillary annex accommodation which is situated above the garage. The SPD House Extensions states that 'Detached garages should be single storey structures and the eaves height should not normally exceed 2.5m from ground level. It is not considered appropriate for detached garages to include dormer windows as a way of accommodating rooms in the roof space but in some circumstances (e.g. where the garage is set within a large curtilage) it may be possible to utilise the roof space for ancillary accommodation/storage but not as an annex/granny annex. Where the privacy of neighbouring residents would not be compromised it may therefore be possible to install roof lights.'

In terms of annex buildings the SPD states that: 'An annex building, often referred to as a 'Granny Annex' may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area. An annex should normally have a close physical relationship with the host dwelling, be single storey and in all circumstances it should only have 1 bedroom and no more than 3 rooms in total.'

The proposed garage would fail to comply with the above points and is separated from the host dwelling. There are also concerns with regard to potential overlooking from first floor windows and disturbance to the neighbouring dwelling, given its close proximity of the garage to the boundary. The agent has been informed of this and amended plans have been requested. No amendments have been submitted.

On balance, the proposed house is considered to be acceptable in terms of its impact upon residential amenity, however the proposed garage and annex would not constitute ancillary accommodation to the host dwelling due to its substantial size and the separated relationship with the host dwelling. In addition the potential provision of separate parking and garden areas would facilitate independent living and prevents reliance upon the host dwelling. The proposal would also be materially detrimental to the amenities of the adjacent dwelling by reason of a loss of privacy and disturbance from increased residential activity contrary to the requirements of the Supplementary Planning Document (SPD) - House Extensions and Other Domestic Alterations and Local Plan Policy GD1 - General Development.

#### Highway Safety/Impact on PROW

Holly Bush Drive is a narrow, unadopted, unlit, single track road which has two sharp bends and runs from Station Road to the South. A public bridleway runs along Holly Bush Drive and then alongside the eastern boundary of this site. The public bridleway is well used by local residents of the adjacent residential development to access the facilities off Station Road. This section of Holly Bush Drive already provides access to a number of properties including Thornhill and Thornlea which are detached bungalows set in large plots.



The current proposal shows the access to the dwelling off Holly Bush Drive. The Highways Officer has been consulted and objects to the scheme. The Highways Officer states that 'Holly Bush Drive is considered totally unsuitable to serve any additional residential units. There have been several attempts at gaining planning permission for the residential development of this site over many years, those which sought to gain access via Holly Bush Drive were refused permission and one such application was subsequently dismissed at appeal. The only reason for refusal was on highway grounds and I do not consider that circumstances have materially changed that would allow a different view to be taken at this time. Indeed, now that the land to the North of the site has been the subject of a sizeable residential development, Holly Bush Drive has seen an increase in pedestrian use as it provides a convenient link from the residential development to the Dearne Valley Group Practice and nearby shopping facilities.'

The development proposed would therefore involve the use of a sub-standard, unadopted rear service road which is narrow and has restricted forward visibility at bends along its length. It also forms part of the public footpath network. The increased vehicular use of this service road would be likely to result in increased conflict between vehicles and pedestrians which would be materially detrimental to the safety of users of the highway contrary to policy GD1 and T4 of the Local Plan.

#### Impact upon HS2

The site is shown on the HS2 Phase 2b Safeguarding Area Map between the West Midlands and Leeds, therefore the 'Safeguarding Directions for development affecting the route and associated works for the High Speed Two rail project –Phase 2b:the Western leg (Crewe to Manchester) and the Eastern Leg (West Midlands to Leeds), with connections onto the existing network' would apply.



These Directions apply in respect of any application for planning permission which:- a) has not been finally determined by the commencement date; b) relates to development within the zone specified in paragraph 3; and c) is not an exempt application by virtue of paragraph 4.

The direction states that before a local planning authority may determine any planning permission in respect of any application for planning permission to which these Directions apply it must consult High Speed Two (HS2) Limited (Company No. 06791686).

HS2 have been consulted and have objected to the scheme. They state that 'given that the site is safeguarded for the HS2 project it is considered there are potential negative impacts of the proposed development on the high speed railway scheme from an engineering perspective and the designs are currently incompatible. To protect the objectives of safeguarding the HS2 railway, HS2 Ltd is left with no alternative but to object to planning permission being granted and this procedural holding objection is lodged to ensure that no additional programme risk or cost is incurred to the HS2 scheme.'

As a result planning permission should be refused for this reason.

## Recommendation

**Refuse**