
2022/0008

Applicant: Mr Phil Fletcher

Erection of detached dwelling and associated landscaping and parking

Land to the rear of 7a Station Road, Dodworth, Barnsley, S75 3JD

Site Description

The application site is an infill plot located just off the corner of Station Road and Baslow Crescent in Dodworth. The plot measures c.325sqm in total located to the rear (West) of 7a Station Road which is a commercial unit, most recently used as a sandwich shop but has been previously been used as a hot food takeaway at various points. There is a slight pitched roof substation to the immediate side/North of the plot. The site previously had substantial hedging located on the front boundary line (visible on historic google street view images as late as 2020), which has since been removed prior to the submission of the application.

The site is located just outside of the Local Centre of Dodworth (as allocated in the Local Plan), and the surrounding area is fairly diverse with a variety of different use types including 2 x drinking establishments – the Dodworth Tap to the North and Dodworth Central Social Club to the East. There are other commercial uses further East such as the Co-op supermarket. However, the site itself is located at the start of a residential estate and the streetscene to the South and West is largely characterised by detached and semi-detached bungalows. The site is allocated as Urban Fabric and falls within a high risk coal mining area.





Relevant Site History

2007/0775: Erection of detached bungalow (Refused)

2007/1550: Erection of detached bungalow (Outline) (Resubmission) (Approved with conditions)

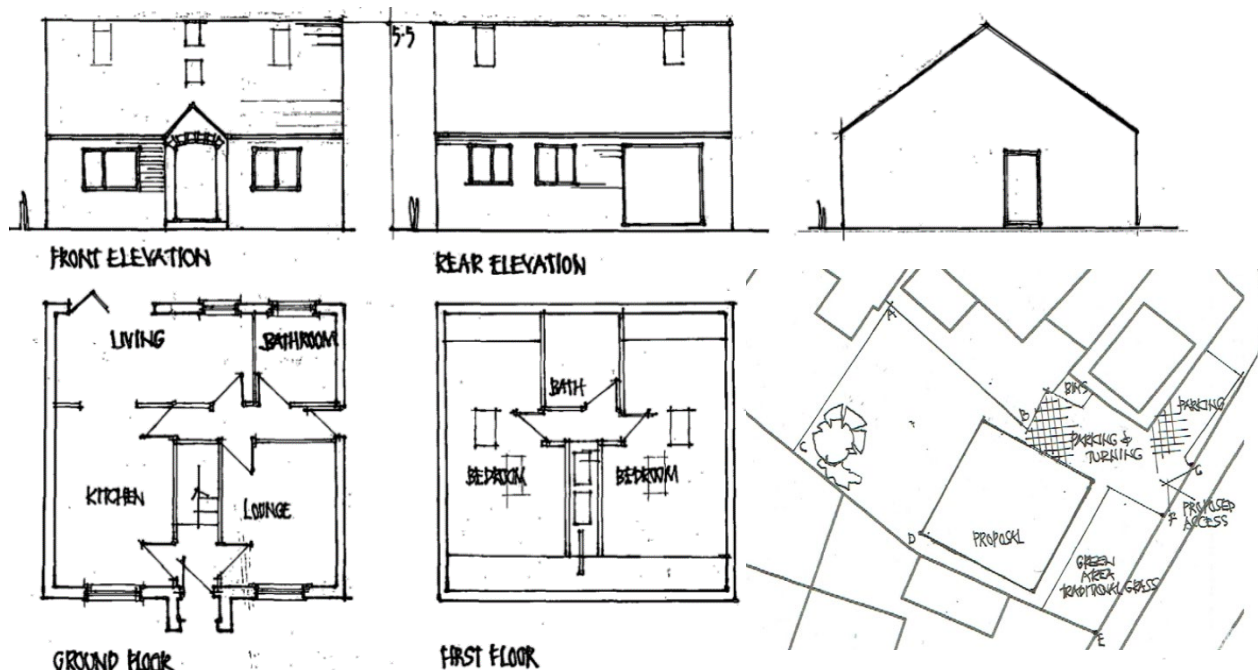
2019/1096: Erection of dormer bungalow and provision of associated access and car parking (Withdrawn)

2020/0490: Erection of 1 no pair of semi-detached dwellings (Refused)

Proposed Development

The applicant is seeking approval for the erection of a single storey dwelling with associated landscaping, hard surfacing and parking facilities. The proposed development has been amended numerous times with the initial proposal being for a dormer bungalow with a detached garage located to the Side/North of the proposed dwelling. The dormers and garage have since been removed, with the proposed roof ridge height reduced. Other landscaping details have been added such as the erection of a 0.6m dwarf wall along the frontage and grass landscaping in the front curtilage. The design of the dwelling has also been amended with the addition of a porch and a main access door on the frontage, alongside the reduction to 2 bedrooms.

The dwelling is square in shape with a length of 7.9m, a width of 7.9m, and a pitched roof with a height of 2.3m to the eaves and 5.5m to the roof ridge at the highest point. There is 2 bedrooms and a bathroom in the first floor with 2 x roof lights on both the front and rear roof slope. The porch to the front is designed with an apex roof with a height of 2.5m to the eaves and 3.3m to the roof ridge. There is a parking area and turning facilities located to the side/North of the dwelling.



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

In reference to this application, the following policies are relevant:

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to

people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Supplementary Planning Documents

- Design of housing development
- Parking
- Sustainable Travel

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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Other material considerations

South Yorkshire Residential Design Guide - 2011

Consultations

Highways DC – Initially raised concern to the scheme which contained a garage which had the internal dimensions of 5.1m x 2.75 which does not meet the minimum dimensions to be considered to be a parking space. There was also a lack of turning space within the site and forecourt area in front of the garage. An amended scheme was submitted which removed the garage alongside various other smaller changes and Highways removed their objection subject to the addition of several conditions and informative notes.

Drainage – No objection

The Coal Authority – Confirms that the site falls within the defined Development High Risk Area. Therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered. The Coal Authority records indicate that the application site lies within the likely zone of influence from workings in 5 seams of coal at shallow to 214m depth, last worked in 1960. Shallow coal mining could affect the safety and stability for the redevelopment of this site. The planning application is accompanied by a Coal Mining Risk Assessment, 20 September 2019 prepared for the application site by Lyons CMC (Coal Mining & Geotechnical Consultancy). The Assessment has been informed by historical, geological and coal mining information.

Having carried out a review of the available information, the report author concurs with our records and informs that currently, the site is considered to be at moderate to high risk as a result of former shallow coal mining activity (FLOCKTON THICK and JOAN Coal seams) beneath the site. As a general rule of thumb, if there is less than the standard 10 x rock cover to seam extraction ratio, this could affect the surface stability for the redevelopment of a site (CIRIA C758D Abandoned mine workings manual).

No objection raised by TCA subject to the imposition of two conditions in relation to site intrusive investigations and an associated report.

Forestry Officer – No comment

Pollution Control – Assessed the noise report and approval can only be recommended for the application if the noise mitigation measures described in the Noise Impact Assessment produced by Acoustic Solutions dated 31st August 2010 Ref: 1965-62-20 are implemented, these are:

- Permission is required from the owner/future occupier of 7A Station Road to install the air extraction silencer described in 5.1.1 of the above report, or equivalent.
- Either recommendation 1 described in section 5.2.1 or recommendation 2 described in section 5.2.2
- Additional noise insulation in the roof described in section 5.3 of the report

SYMAS - The applicant has provided a coal mining risk assessment by Lyons CMC ref CMRA00219. The report discusses the mining legacy risks and makes recommendation for site investigations to evaluate the requirement for any ground remediation/mitigation. If planning permission is granted it is recommended that a suitable condition is attached to the decision notice to ensure the site investigation/mitigation works are undertaken. A draft condition is set out below for your assistance.

“The site is located within a Coal Authority coal mining referral area due to the probable presence of relatively shallow coal and coal mine workings. As detailed in the Lyons CMC coal mining risk assessment (ref CMRA 00219) the land could therefore be at risk from mining legacy risks such as ground instability. Prior to the commencement of development (excluding any demolition), and as advised by a suitably qualified structural/geotechnical engineer, site investigations must be undertaken to confirm ground conditions. The development/investigation works should be undertaken in consideration of Construction Industry Research and Information association publication C758D “Abandoned Mine Workings Manual” where applicable.

A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner”

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; one comment was received objecting to the proposal on the following grounds:

1. Parking issues due to the close proximity to the corner of Baslow Crescent and Station Road which contains a number of different uses including two drinking establishments and a takeaway which is currently vacant but may reopen.
2. Noise generation from the nearby uses, especially the adjacent Social Club.

Assessment

Principle of development

The application site is located in the Urban Fabric in what is largely a residential area that is designed as Urban Fabric in the Local Plan. Urban Fabric is an allocation that acknowledges that land has previously been developed and is capable of being redeveloped on the basis that the scale, type, appearance, layout and landscaping of development accord with the predominant use of the area. As such, development in land allocated as Urban Fabric is generally seen as acceptable where these planning factors satisfy the requirements of the visual and residential amenity section below. The application also follows on from previous applications 2007/1096, 2019/1096 and 2020/0490 which were withdrawn or refused but a refusal was not made on the grounds of the principle of development being unacceptable.

The Local Plan has Policy H9 which restricts development in the curtilage of Existing Larger Homes., in this case it doesn't appear that the land in question is still used for residential curtilage and/or serves an existing larger dwelling (i.e. 4+ bedrooms). It is therefore not considered that Policy H9 is relevant to this particular case.

Residential Amenity

The proposed development is a two-bedroomed detached dwelling with a total floorspace dimensions of 80sqm split over two floors with rooms in the roof space with both bedrooms measuring 15sqm. The proposed rear garden space is c. 90sqm which is greater than the minimum external garden space expected

within the Council's SPD for New Housing Development and the SYRDG. Likewise, the internal dimensions are greater than the minimum expected.

The proposed dwelling is located on a plot which is of a fair size for a singular dwelling, but is awkwardly-shaped – somewhat resembling an inverted L-shape – and nestled in between existing residential dwellings to the North, West and South. The dwelling has been reduced from a dormer window to a standard bungalow with living accommodation in the roofspace but with only rooflights rather than first floor windows. The closest dwelling to the South is number 85 Baslow Crescent with the rear elevation measuring around 6m from the side elevation of the proposed dwelling. This is much less than the minimum expected between blank gable walls and habitable room windows (12m). However, the neighbouring property has a detached garage situated in between the windows and the proposed side elevation with the proposed unit being situated further East on the site, so the existing neighbouring windows do not look directly onto the gable wall. The proposed dwelling is situated to the North of this dwelling and its rear garden so there will be little overshadowing impact on this dwelling.

The rear elevation of the dwelling retains a separation distance to the rear boundary line of 9m and the dwelling is single storey with rooms and rooflights in the roof space. The SPD requires first floor rear facing windows to be a minimum of 10m from the rear boundary line but there is no defined separation distance expected for ground floor windows or rooflights. The site plan shows that a 1.8m high close boarded fence will be erected on the rear and Southern side boundary lines which will ensure that the ground floor windows will not have an overlooking impact. There are no windows on the Southern side elevation facing onto no. 85 Baslow Crescent. The property to the rear (no. 7 Station Road) features a rear conservatory with a separation distance of around 10m. However, as mentioned above the 1.8m high timber board boundary fence should protect privacy into this as well as the rear garden area.

The site is located in an edge of centre location in close proximity to some commercial uses. The closest of which is a small commercial unit located immediately to the North (7a) which the agent has is the same owner as the application site. To reflect this, an amended site plan has been submitted which shows 7a within the blue line boundary. The commercial unit was most recently used as a sandwich shop but is now closed – and in the past has been used as a hot food takeaway. There is the potential that this use (or another use in Use Class E) is resurrected but a change into another hot food takeaway would require a change of use application. In any case, the proposal needs to be assessed in terms of the impact which the commercial uses will have on the future residents for the proposed dwelling. A little further afield are two long-established drinking establishments – the Dodworth Tap (c.30m to the North) and Dodworth Central WMC (c.20m to the East). The agent has provided a noise impact assessment (Dated 2020) which referenced that the proposed dwelling/garden is most likely to be affected by no. 7A's extraction unit which will exert the most significant noise impact. No significant direct concerns were made in the NIA which would restrict the development, but several recommendations were made to alleviate this potential impact. This included the following:

- Installation of a in-duct silencer to the extraction system of no. 7a,
- Erection of an acoustic barrier along the Northern and Eastern perimeters of the site.
- Appropriate glazing to the East and West façade of the dwelling.
- Roof insulation and construction methods/materials.

Pollution Control have been consulted on the application and have assessed the noise report with no direct objection subject to these measures being fulfilled. These measures have also been acknowledged and agreed by the agent however the submitted noise report was in relation to the previous scheme and contained various measures which were somewhat out of the control of the developer. I.e., the installation of an in-duct silencer off site with no firm evidence presented which indicates that the developer/applicant owns this land/site as well. As such, it is felt that there are no real concerns with the development in terms of noise pollution for future and existing residents but an updated noise survey and associated scheme for protecting the dwelling from noise has been submitted to and approved by the LPA.

There is some level difference on site which may have a difference to the above comments/assessment, and a condition will be attached which requires the developer to submit a levels plan prior to commencement which ensures that adequate levels of privacy are retained for existing residents and future occupiers of the dwelling. The proposed development is considered to be in compliance with Local Plan Policy GD1: General Development and SPD for New Housing Development and is acceptable in terms of residential amenity.

Visual Amenity

The initial submission was for a dormer bungalow with a large flat-roofed dormer window on the frontage. Typically, dormer windows are only acceptable when the surrounding area is characterised by such features and they need to be appropriately designed to relate well to the existing – typically through a pitched roof rather than a flat roof which tends to dominate the roof plane. The amended proposal removed the dormer window entirely given the limitations of the SPD. Other smaller design changes were made such as the re-siting of the main entrance door to the frontage and a porch with added an interesting design feature to the frontage. The site plan has also been amended to show a dwarf wall to the frontage with matching brick to the dwelling, and grassed garden. This is considered to be a huge improvement compared to the original scheme as it is similar to other dwellings nearby on Baslow Crescent and provides a physical and visual separation to the street from the frontage, as well as ensuring that it will not be dominated by hard surfacing or parking.

The roof ridge height has also been restrained at a maximum height of 5.5m, with an eaves height of 2.4m. The agent has provided a street scene drawing which shows that the proposed height is similar to that of the existing buildings in the surrounding area and is not considered excessive in this context. Generally, the size scale and appearance of the dwelling is similar to the neighbouring dwellings and is of a typical design for new build bungalow in the borough. The application form states that the external materials of the dwelling are brickwork, grey concrete tiles and UPVC windows and doors. This is similar to the neighbouring area whilst is not specific enough for the LPA to take a full assessment. As such, a standard condition will be attached which requires the developer to submit samples of external materials upon commencement of development.

The site plan includes notes regarding existing and proposed boundary treatments, but this is not detailed enough (i.e. no elevation drawings provided) which allow the LPA to make a full judgement. A standard condition will be attached which requires the developer to provide this information upon commencement of development.

Overall, the proposed development is considered to be in compliance with Local Plan Policy D1: High Quality Design and Place Making and the SPD for New Housing development is acceptable in terms of visual amenity, subject to conditions.

Highways

Highways DC initially objected to the scheme as the internal dimensions of the proposed garage did not meet parking standards to be considered a formal parking space. The initial site plan showed a parking area which did meet the standards but there were concerns with access and egress of the parking area, as well as turning facilities on site. Additionally, the forecourt area of the garage did not meet the required 6m separation distance to the road.

The amended site plan removed the proposed garage which effectively resulted in the formation of a second parking space/turning area, alongside the originally proposed parking space being retained. The new arrangement complied with the Council's Parking SPD which requires at least one off-street parking space for 1-2 bedroomed properties. Highways DC were re-consulted on the proposal and did not object subject to conditions in relation to appropriate hard surfacing (i.e., no loose materials/gravel), suitable vehicular access gradient and visibility splays. The proposed development is in compliance with Local Plan Policy T4 and the Council's Parking SPD and is considered to be acceptable in terms of highways safety.

Sustainable Travel

The Council has adopted the Sustainable Travel SPD which requires all new residential developments/units to contain at least one EV charging point. No indication has been provided by the agent which ensures that the development will include this but the LPA has a standard pre-commencement condition which requires the developer to submit such details and for the LPA to approve. The condition will be attached to any forthcoming decision notice for this application.

Coal Mining Risk

The site is located in a High Risk Development area as defined by the Coal Authority which presents some potential issue with land stability. As such, the development has been supported by a Coal Mining Risk Assessment (CMRA) with the Coal Authority and Colleagues in SYMAS consulted on the development.

No significant concerns or objections were received by TCA or SYMAS who stated that they agreed with the findings of the CMRA, and recommended that a pre-commencement condition was attached to any planning approval which requires the developer to undertake investigative surveys of the site and submit associated

reports. The agent has been informed of these measures and has agreed to the wording of the condition which will be attached to any forthcoming decision notice.

Drainage

Colleagues in Drainage have been consulted on the proposal and have not raised any objection to the proposal. Standard relevant conditions in regards to drainage shall be attached to any forthcoming decision notice.

Recommendation

Approve subject to conditions