
2022/0339

Applicant: Mr Stephen Plunkett

Erection of a detached single storey garden room to be used exclusively in conjunction with Barnsley Health Heart patients

Unit 1, Rear of 116 to 118 Midland Road, Royston, Barnsley, S71 4QT

Site Description

The application site relates to an existing single storey commercial unit located to the rear (South) of several terraced properties fronting Midland Road in Royston. The building itself has a floor space of approximately 410sqm constructed from brick with a monopitch plastic coated metal roof. There is a small offshoot to the front of the building adjacent to the large roller shutter doors. To the front of the building is a large area of hard standing used for parking and manoeuvring. Adjacent to the Western boundary is a garden area and to the East and South is an enclosed yard. To the Northeast of the site is a single storey, brick-built garage/workshop. To the site (West) of the building is an associated outdoor area used by the building as a grassed garden and paved area. The building was previously used as a bakery with the use changed to the current cardiac rehabilitation unit and industrial Unit (B1) through planning approval 2014/1279.

Access to the site is from Midland Road between two end terrace properties via a single vehicular width driveway. The neighbouring properties fronting midland road are made up of a mixture of residential and commercial uses.



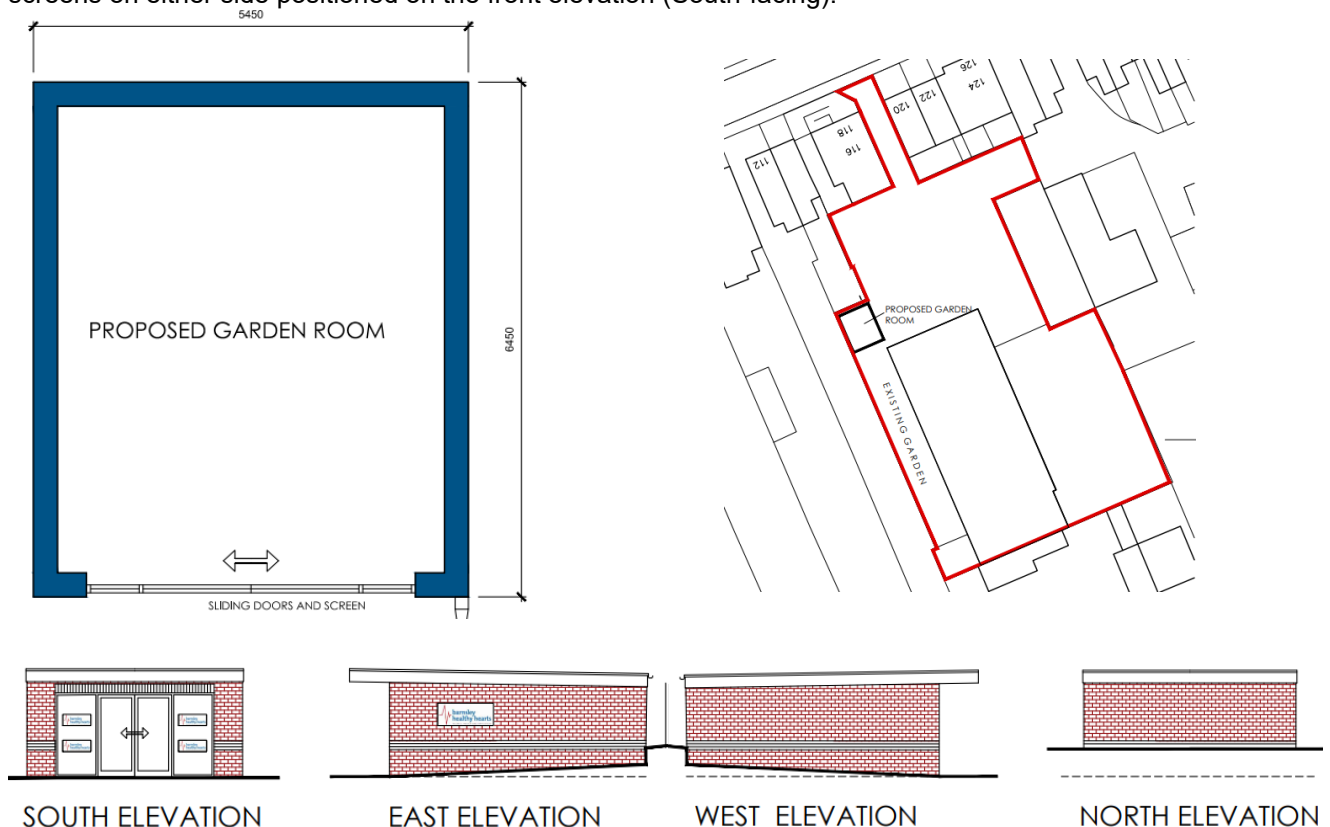


Relevant Site History

2014/1279 – Change of use from Bakery (B1) to Cardiac Rehabilitation Unit (D1) and industrial Unit (B1)

Proposed Development

The applicant is seeking approval for the erection of a single storey outbuilding, constructed from red brick with a slightly sloped roof with a slight overhang to the front (South). The garden room is positioned to the North-West of the building to the north of the existing garden serving the business. The outbuilding is rectangular in shape measuring 5.5m x 6.5m with a set of sliding doors and two vertically emphasised screens on either side positioned on the front elevation (South-facing).



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.

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

- Residential amenity and the siting of buildings
- Parking

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'.

Consultations

Highways DC – No objection.

The Coal Authority – No objection to the proposal based on the information that has been provided (Coal Mining Risk Assessment).

Pollution Control – No objection subject to a condition restricting construction days and hours.

SYMAS – No objection to the proposal and a draft condition is recommended which refers to the submitted Coal Mining Risk Assessment which outlines a mitigation strategy.

Ward Councillors – No comments

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby. One comment was received from a neighbour which did not raise a direct objection to the proposal but raised the following points

1. They have suffered from light pollution due to negligence with unnecessary and badly fitted external lighting units on 116 Midland Road and its neighbours. There are currently nine external lighting units around the shared yard.
2. The single storey garden room is straight next door to the neighbour's property and there is a concern that it will be fitted with external electrical lighting now or in the future.

Assessment

Principle of development

The application site is located in the Urban Fabric with the immediate surrounding area a mix of commercial/industrial uses and residential properties (facing onto Midland Road to the North). The application site itself is the garden area located to the side (West) of the existing building. The proposed development is for the erection of an outbuilding/summer house to be used in association with the current use of the building which is a cardiac rehabilitation centre. It is considered that the proposed outbuilding is to support the existing use of the building, without significantly changing its use or how it interacts with the immediate surrounding area. The principle of development is considered to be acceptable.

Residential Amenity

The site is located within a small commercial/industrial courtyard off the main section of Midland Road, Royston. Midland Road is the main shopping street which runs through the Principal Town of Royston, but Midland Road is largely mixed use containing a mix of commercial units and residential dwellings. Immediately to the North and West of the proposed outbuilding/garden area are the rear gardens serving the nearby residential dwellings of no 112 and 114 Midland Road.

The Council's SPD for Residential Amenity and the Siting of Buildings is relevant in this case. This states that single storey buildings must be situated at a minimum distance of 25m from the windows any habitable rooms in any nearby dwelling, or the distance required by the 25- and 45-degree rules, whichever is greater. However, these distances can be relaxed by a design led solution. The northern elevation of the outbuilding is at a separation distance of c.15m from the nearest dwelling immediately to the North at no. 114 which falls short of these standard. Buildings which are located to the immediate South of neighbouring properties and garden areas generally have a much greater overshadowing than buildings which are orientated in different directions. As such, the outbuilding will have some overshadowing impact over nos. 112 and 114 but the outbuilding is single storey designed with a slightly sloped roof with a restrained ridge height (2.75m). This roof ridge height is not considered to be excessive and given that the Northern elevation is 15m from the nearest habitable room window, the overshadowing/overbearing impact is not considered to be severe. Indeed, it will have a similar impact to that of a domestic outbuilding which can be erected up to a maximum height of 2.5m within 2m the boundary line. In this case, therefore, the outbuilding is considered to be of a very modest scale compared to the host building and it is felt reasonable that a design led solution has been reached to ensure that no significant adverse impact is made on nos. 112 and 114.

A neighbouring property has commented on the application raising some concern with the potential presence of external lighting on the outbuilding which would accentuate the existing light pollution from the commercial courtyard. The plans submitted were not clear in regard to this element, but the outbuilding has an overhang on the front (South) elevation and its likely that some down lighting will be installed. The applicant has confirmed that a single small down light will be placed above the door facing onto the garden. The applicant has indicated that this will be 10-20 watt and will only be used when the building is in use, during the hours of darkness. The applicant has confirmed that the outbuilding will be used only within the previously approved hours of operation for the existing building/business which is the following:

Monday to Fridays 8am-8pm
Saturdays 9am-2pm

It is considered that the above hours of operation are not excessive, and the proposed single light will not result in excessive illumination to the neighboring properties, being operated in the hours highlighted above.

A condition will be attached to any forthcoming decision notice which restricts the opening hours of the building and lighting.

The plans show several signs on the building including 4 x on the front elevation and 1 on the Side (East) elevation. The applicant has stated that this is an indicative drawing, and these will not be installed as part of the outbuilding. The only sign on the building will be in regard to a disabled bay which would require separate advertisement consent in any case. An informative will be attached to the decision to confirm the above.

Overall, whilst the expected separation distance in the SPD for Residential Amenity and Siting of Buildings is not fully complied with, the outbuilding is of a modest size and has an appropriate roof design which also limits the visibility of the outbuilding. The proposed development is considered to be in compliance with local Plan Policies GD1 and Poll1 and is acceptable in terms of residential amenity.

Visual Amenity

The proposed outbuilding is relatively small scale in relation to the existing building and surrounding commercial units in the area, measuring 5.5m x 6.5m resulting in a total of 35.75sqm. This is considered to be sympathetically sized to the host building and is constructed from red brick to match the existing building. The building is designed with a dual set of sliding doors on the front (South) elevation with vertically emphasized screens on either side. These fenestration details are considered to be appropriate design and largely faces away from the neighbouring property and the parking area to the East, with significant screening to the West by trees in the neighbouring garden area. The slightly sloped roof does not match the existing but is beneficial as it will reduce the visual impact on the surrounding area.

All in all, the outbuilding is of a relatively small scale, is suitably designed with a slightly sloped roof and proposed to be constructed out of external materials to match the existing. The proposed development is considered to be in compliance with Local Plan D1: High Quality Design and Placemaking and is acceptable.

Highways Safety

Highways DC have been consulted on the proposal and raised no objection to the proposal. The outbuilding will not result in a significant uptick in vehicular movements to and from the outbuilding/site, nor will it impact directly on the parking or highway system. The proposed development is considered to be in compliance with Local Plan Policy T4 and is acceptable in terms of highways safety.

Coal Mining Risk

The site and outbuilding is located within a development area which is at high risk of Coal Mining Legacy. A Coal Mining Risk Assessment has been submitted to support the development which does not highlight any specific concerns with the proposed development with the site being indicated as stable. The CMRA includes a mitigation strategy which recommends investigative surveys, but these have been deemed as 'optional' with a more pragmatic solution building the development on a strengthened foundation, alongside other measures including a methane barrier. This accommodates for the slight risk of mining instability. Colleagues in SYMAS and The Coal Authority have assessed the information provided and have not objected to the proposal subject to conditions. A condition will therefore be attached which ensure that the mitigation strategy and recommendations within the CMRA are complied with.

The proposed development is considered to be acceptable based on the coal mining legacy risk and land stability.

Recommendation

Approve subject to conditions