

2021/1452

James Nippers

Erection of two detached dwellings with detached garages

Land adjacent 22 Windmill Avenue, Grimethorpe, Barnsley, S72 7AN

History

2016/1305 - Development of one pair of semi-detached dwellings (2 No. houses) and one detached dwelling including driveways and private gardens – Approved subject to a Section 106 Agreement.





Approved site plan and elevations 2016/1305

Site Description

The application site is an area of former greenspace set on Windmill Avenue, which is located within residential surroundings on the northern edge of Grimethorpe. The greenspace previously extended across both sides of the road, however planning permission was granted on the northern section of greenspace for 7 dwellings in 2015 and has now been fully developed with semi-detached and terraced dwellings.

The site slopes from east to west and site backs onto Manor Grove to the south, which is at a much lower level. The detached house approved under application 2016/1305 is an L shaped two and a half storey property and has now been fully constructed. The application site is set to the west of the detached dwelling and is still vacant and currently laid to grass.







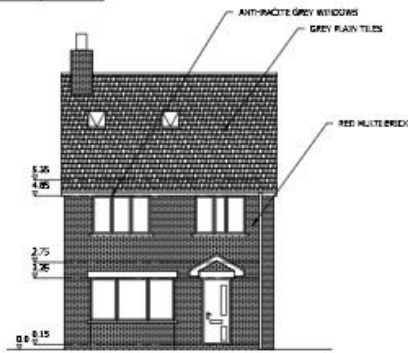
Proposed Development

The application proposes the erection of two detached dwellings on the site, in place of the approved semi-detached dwellings approved under application ref 2016/1305.

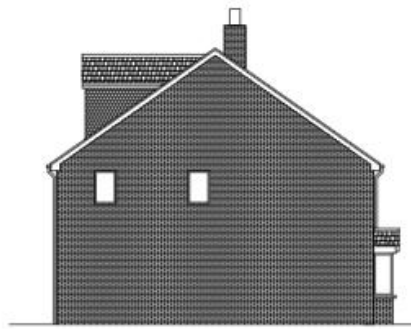
The properties have been designed as two storeys, with rooms in the roof space and rear dormers. Internally the dwellings have a lounge, kitchen/diner and wc at ground floor, three bedrooms (one with ensuite) and a bathroom at first floor and a master bedroom with dressing area and ensuite within the roof space.

The plans indicate that the proposed dwellings would be constructed of red brick with a grey tiled roof. The proposal includes a detached garage for each unit with driveways set centrally within the plot. The properties have front and large rear garden areas which extend to Manor Grove to the south. The proposed boundary treatments include fencing to the side and rear boundaries however, no details have been provided for the site frontage. No landscaping details have been provided.

Drawing No.	Rev No.
MUR001 -003	



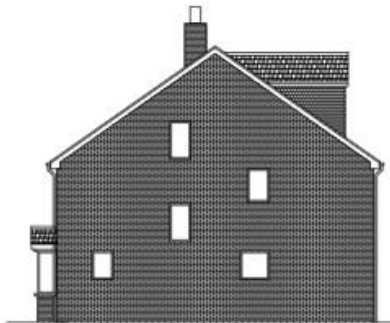
PROPOSED FRONT ELEVATION
SCALE 1:100 AT A3



PROPOSED END ELEVATION
SCALE 1:100 AT A3



PROPOSED REAR ELEVATION
SCALE 1:100 AT A3



PROPOSED END ELEVATION
SCALE 1:100 AT A3

DO NOT SCALE. REFER TO CHALK & BROWN AND 1:1000 FOR DETAILS AND NOTES

NOTES

100 200 300 400 500 600 700 800 900 1000

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Working Title: PROPOSED ELEVATIONS

Project: 22 & 24 WINDMILL AVENUE
GRIMETHORPE
BARNSLEY
S72 7AN

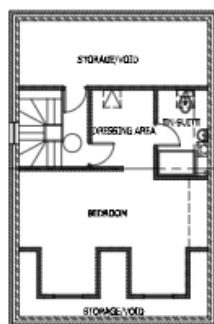
Project Name: PROPOSED TWO NEW DETACHED
HOUSES WITH GARAGES

Project Type: PLANNING

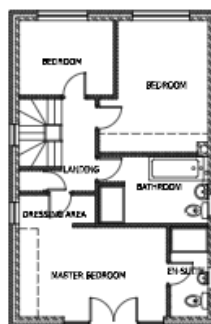
Project Status: FIRST ISSUE

Project No: MUR001
Drawing No: 003
Drawing Title: PROPOSED ELEVATIONS

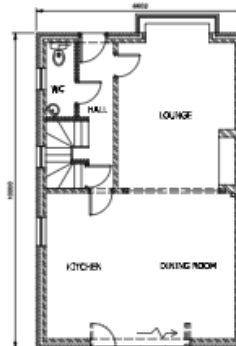
Drawing No.	Rev No.
MUR001 -004	



PROPOSED SECOND FLOOR PLAN
SCALE 1:100 AT A3



PROPOSED FIRST FLOOR PLAN
SCALE 1:100 AT A3



PROPOSED GROUND FLOOR PLAN
SCALE 1:100 AT A3

DO NOT SCALE. REFER TO CHALK & BROWN AND 1:1000 FOR DETAILS AND NOTES

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100 200 300 400 500 600 700 800 900 1000

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Working Title: PROPOSED PLANS

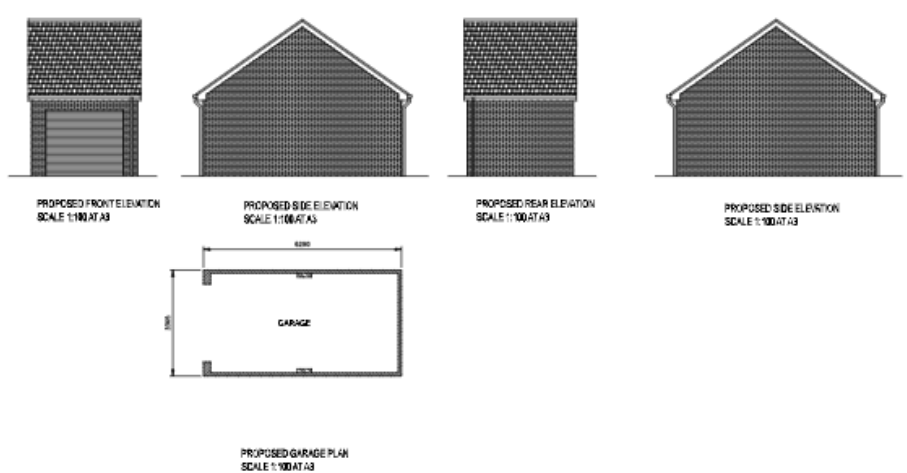
Project: 22 & 24 WINDMILL AVENUE
GRIMETHORPE
BARNSLEY
S72 7AN

Project Name: PROPOSED TWO NEW DETACHED
HOUSES WITH GARAGES

Project Type: PLANNING

Project Status: FIRST ISSUE

Project No: MUR001
Drawing No: 004
Drawing Title: PROPOSED PLANS

Drawing No. MJH001 -005	Rev. No. 	 PROPOSED FRONT ELEVATION SCALE 1:100 AT A3 PROPOSED SIDE ELEVATION SCALE 1:100 AT A3 PROPOSED REAR ELEVATION SCALE 1:100 AT A3 PROPOSED SIDE ELEVATION SCALE 1:100 AT A3 PROPOSED GARAGE PLAN SCALE 1:100 AT A3
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NOTES

1. ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND 2013.

2. THE GARAGE IS TO BE BUILT TO THE FOLLOWING SPECIFICATIONS:

3. THE GARAGE IS TO BE BUILT TO THE FOLLOWING SPECIFICATIONS:

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PROPOSAL

MR. J. HIPPERS
26 WINDMILL AVENUE
GRIMETHORPE

WORKING TITLE

GARAGE

ADDRESS

22 & 24 WINDMILL AVENUE
GRIMETHORPE
BARNLEY
S72 7AY

PROPOSAL TITLE

PROPOSED TWO NEW DETACHED
HOUSES WITH GARAGES

PLANNING

FIRST ISSUE

DATE

22/08/2018

BY

J. HIPPERS

FOR

MJH001 -005

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.

Local Plan

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

Policy GS1 Green Space

Proposals that result in the loss of Green Space, or land which was last used as green space will not normally allowed unless as assessment shows that there is too much of that particular type of green space in the area and its loss would not affect the existing and potential green space needs of the borough.

In order to improve the quantity, quality and value of green space provision will require new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy.

Policy H4 Residential Development on Small Non-allocated Sites

Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

Policy GD1 General Development

Proposals for development will be approved if, amongst others, there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

The supporting text to Policy GD1 states:

Further detail on some of these issues is set out in Policy D1 Design which sets the overarching design principles for the borough, and associated Supplementary Planning Documents on Residential Amenity and the Siting of Buildings, Designing New Housing Development and Advertisements.

We want to make sure that the living conditions and residential amenity of people are protected, that development is set within high quality landscaping and that land is used efficiently by making sure that new development does not reduce development opportunities on neighbouring land.

We will assess impact on living conditions and residential amenity in relation to:

- Noise, smell, dust, vibration, light, air, surface water, groundwater or other pollution and disturbance from any proposed activity, including traffic related noise and the comings and goings of visitors to premises particularly when late evening activity is involved.
- Planning conditions will be used to control the construction process.
- Overlooking and privacy.
- Outlook from dwellings including consideration of whether structures in close proximity to windows are considered visually over dominant. However, consideration does not extend to the protection of a person's particular view from a property as this is not a material planning consideration;
- Daylight/sunlight and overshadowing; and
- Landscaping and boundary treatments.

Policy D1 High Quality Design and Place Making

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

Through its layout and design development should, amongst others contribute to place making and be of high quality, that contributes to a healthy, safe, and sustainable environment.

The supporting text to Policy D1 states:

Development should take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:

- Building for Life 12 (for residential developments of 10 or more dwellings).
- Secured By Design/ Safer Places- the Planning System and Crime Prevention.
- Manual for Streets (for residential developments).
- Manual for Streets 2- Wider Application of the Principles (which takes this guidance beyond just residential developments).
- The South Yorkshire Residential Design Guide.

Policy T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy Poll1 Pollution Control and Protection

SPDs/SPGs

Supplementary Planning Document – Design New Housing Development

Supplementary Planning Document – Parking

The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework

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 Councillors – No comments received

Pollution Control - No objections subject to conditions

Yorkshire Water – No comments received

Highways - No objection subject to conditions

Drainage – Details to be checked by Building Control

SYMAS – No objections

Air Quality – EVCP required for each unit

Section 106 Officer - The first payment of the public open space contribution (as part of the Section 106 Agreement for 2016/1305) of £2,599.13 (£2,500 index linked) was paid on 22nd February 2019 which was due on commencement of the 1st dwelling. The second payment of £2,500 is due on commencement of the second dwelling, which has commenced, and the final payment of £2,500 (index linked) is due on the commencement of the third dwelling. The remaining payments are currently on hold pending the outcome of the application.

Legal Officer - The existing Section 106 only binds development under permission 2016/1305. Any new permission will not be bound by the existing 106, accordingly before granting a new permission a deed of variation will be required.

Representations

Neighbouring properties were notified about the application and a site notice posted. No representations have been received.

Assessment

Principle of development

The site is allocated as a greenspace with the Local Plan and the Green Space Register. Policy GS1 Green Space of the Local Plan states that: 'proposals that result in the loss of Green Space, or land which was last used as green space will not normally be allowed unless an assessment shows that there is too much of that particular type of green space in the area and its loss would not affect the existing and potential green space needs of the borough. In order to improve the quantity, quality and value of green space provision will require new

residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy.'

Prior to its development, the site previously functioned as local neighbourhood green space and offered an informal amenity/recreation function, although there has never been any formal recreational equipment on the site. The assessment completed as part of 2016/1305 concluded that the immediate locality did have a lack of green space in relation to formal children's play and outdoor sports facilities, however as the site was small and adjacent to residential properties, it offered limited potential to reduce those deficiencies, whilst meeting distance standards and thus protecting the residential amenity of existing residents. There are also other informal green spaces within the locality. Given these factors, it was considered that the loss of the greenspace could appropriately be compensated for with a monetary contribution which could go to improving other recreational areas. This was secured by a S106 agreement and contained a clause that would require further payment if further properties were proposed for the site. The first payment in relation to the detached dwelling has already been paid as part of this agreement and the second and third payments are required on commencement of the remaining two plots.

The principle of re-developing the site for residential purposes has previously been established under application 2016/1305 and as the detached dwelling has been completed, then the current permission for two semi detached dwellings is extant and could be built out in accordance with that permission. The Council's Legal Officer states that a deed of variation would be required should planning permission be granted for these detached units, to ensure that the payments are still made in line with the original agreement. The change in house types from semi detached to detached dwellings does not alter the number of units on the site and it is felt that a deed of variation of the original Section 106 Agreement (£2,500 per unit – index linked) is still acceptable in this instance, given that the semi detached dwellings could still be built out.

The site is located within a wider allocation of Urban Fabric and also located in a residential area and so it therefore follows that redevelopment for housing is a compatible new use. Overall, the principle of residential development is considered acceptable as the proposal complies with the terms of policies GD1 General Development, Policy D1 High Quality Design and Place Making and the Designing New Housing Development SPD.

Residential Amenity

The previous application 2016/1305 considered that the principle of development of the site for housing was regarded as acceptable given its approval, however this was for a two semi-detached dwellings, sited in a similar location to the proposed dwellings.

The SPD Design of 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 loss of outlook and in order to provide adequate amenity, development will be expected to comply with external spacing standards'*.

There are existing dwellings either side of the site on Windmill Avenue and houses on Manor Grove overlook the site, however there is ample separation as the development is low density. The SPD states that a minimum distance of 12m should be maintained between habitable room windows and blank elevations, 21m should be maintained between facing habitable room windows and that dwellings should be sited with a rear garden at least 10m in length where it borders a private rear garden. The proposed dwellings are sited with the main habitable room windows being located on the northern front and southern rear elevations and the siting and orientation of the dwellings is such that it complies with the external spacing set out in the SPD. The windows located on the side elevations of the proposed dwellings at first

floor level are not habitable room windows and should not overlook the adjacent dwellings to a significant extent and any ground floor windows would be screened by proposed boundary fences.

The orientation of the site is roughly north south so there would be limited overshadowing of the adjacent dwellings, given that the properties are set almost parallel with these dwellings. The impact on the properties to the south-east, given that they are over 40m away and orientated at a different angle, would also be minimal and therefore there would be no significant detriment to the amenities of near neighbours.

With regards to the residential amenity of the future occupants of the proposed dwellings; the properties are designed with the overall floor area of the properties exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide. The guide also states that dwellings with 3 or more bedrooms should have a private amenity space exceeding 60sqm. The proposed dwellings are designed with a private amenity space meeting or exceeding 60sqm.

The proposed development therefore complies with SPD Designing New Housing development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Visual Amenity

Local Plan Policy D1 emphasises the importance of retaining the character of the area and protecting the street scene when considering proposals for new dwellings on small infill plots. The proposed detached dwellings replace the previously proposed semi-detached dwellings approved under application ref 2016/1305. Whilst the area mainly consists of semi-detached dwellings, the granting of permission of the existing detached dwelling to the east of the site has set a precedent for further detached dwellings. The proposed dwellings would be two storey dwellings (with rooms in the roofspace), which is characteristic of the majority of the surrounding dwellings. The siting of the dwellings would follow the building line of the existing dwellings which is acceptable. Whilst the site slopes from east to west, the cross section drawing shows that the dwellings would sit comfortably on the site.

The proposal includes dormer windows to the rear elevation, in line with the extant approval and the dwellings have been designed so that they match the existing dwellings in terms of the roof style and window details. Proposed materials, landscaping and boundary treatments shall be conditioned to be submitted upon commencement of development. The proposal is considered to be acceptable in terms of design in accordance with policy D1 of the Local Plan.

Highway Safety

The Highways Officer has been consulted and states:- 'The proposed development site forms part of a slightly larger overall site that was granted planning permission in 2017 for the erection of a detached dwelling and a pair of semi-detached dwellings. The detached dwelling has since been constructed but it is now wished to erect two detached dwellings on the remainder of the site instead of the pair of semi-detached dwellings.

From a highways standpoint there is little difference between the previous and current proposals, the main notable change being in terms of access as rather than two completely separate accesses for the semi-detached houses these new proposals will see one central

double width access point. The proposed permeably paved driveways are of adequate width and are of ample length to accommodate the required off-street parking provision, plus the detached garages. The proposals are therefore considered acceptable from a highways point of view.'

The proposal provides adequate off-street parking provision with vehicular access onto Windmill Avenue and the proposal is acceptable when measured against policy T4 of the Local Plan.

Recommendation

Approve subject to conditions and the signing of a section 106 agreement.