

The applicant is seeking outline approval for the erection of a single storey detached dwelling with all matters reserved except for access. The dwelling will be accessed from an existing private drive off Church Hill, with a parking area formed to the south of the proposed dwelling. The site plan shows the dwelling to be detached, located centrally between 96 and 98 Church Hill but setback to be in line with 94 Church Hill. There is a distance of 10 metres from the rear boundary line.

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 was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 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 Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

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

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy 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. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy 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.

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.

Policy H6: Housing Mix and Efficient use of land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Policy 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.

Policy 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.

Policy BIO1: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Supplementary Planning Documents

- Design of housing development
- Parking

National Planning Policy Framework

The NPPF sets out the Government’s planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 139 states *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.

Other Material Considerations

- South Yorkshire Residential Design Guide

Consultations

The LPA’s Biodiversity Officer was consulted and raised no objections subject to conditions.

The LPA’s Forestry Officer was consulted and raised no objections subject to conditions.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Highways Drainage were consulted and raised no objections.

Pollution Control were consulted and raised no objections subject to conditions.

Royston Ward Councillors were consulted and raised no objections.

Yorkshire Water were consulted and raised no objections subject to conditions.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice placed opposite the site; no comments were received.

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

The site is accessed via a narrow private drive which serves the immediately adjacent dwellings, and the application site is considered to be backland development. The SPD for design of housing development has a dedicated section relating to backland development which reads the following:

As well as the general criteria, including the external spacing standards, backland development should aim to comply with the following:

- *Tandem development, with one dwelling directly in front or behind another sharing the same access, will almost always be resisted.*
- *Piecemeal development, which could prejudice the potential comprehensive development of a larger area of land, should be avoided.*
- *Backland development is most effective where it includes a number of dwellings served by an adopted highway, which is capable of being used by refuse and other servicing vehicles. Long, narrow private drives (typically in excess of 30m), which would result in excessive 'man carry distances' should be avoided.*
- *Backland development may be more acceptable in circumstances where there is an existing use at the rear of dwellings and where residential development would benefit the amenity of existing residents and the character and appearance of the locality.*

The proposed development does not comply fully with the above policy as it would have a long private drive which is excessive in length (44 metres) when measured from the start of the access track to the end of it adjacent the proposed dwelling. However, the access track is existing and already serves a residential property as well as the parking area for said property (no. 96).

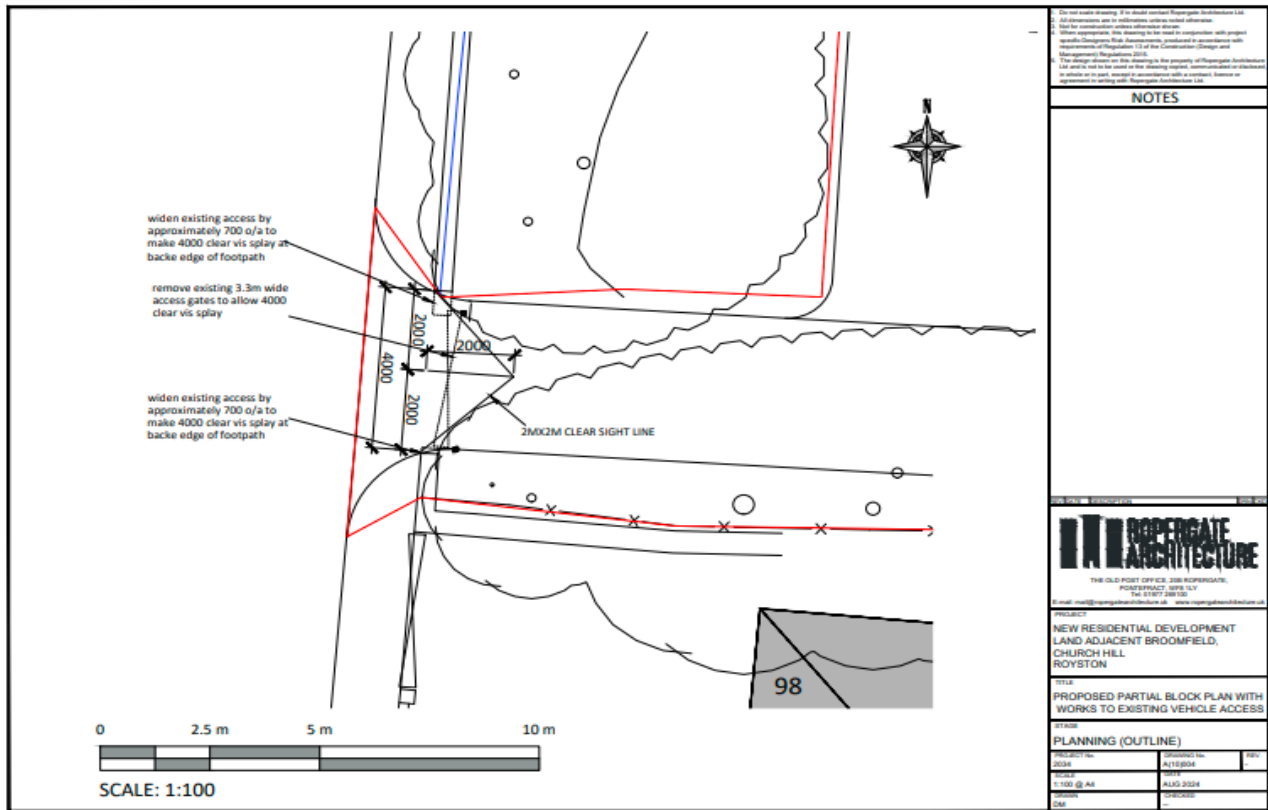
Additionally, there are already two dwellings (no.94 and The Cottage) in the area that are setback from the highway as the proposed dwelling would be therefore the siting of the proposed dwelling would not be anomalous. As such, it is felt that the general requirements of developing a backland development/infill plot are achieved.

Furthermore, the site is located within Royston Principal town boundary and close to the amenities within the district centre. The significance of this, is that it is a priority location to accommodate growth and new residential development in spatial and sustainable development terms.

Local Plan Policy H4 states that residential development on small non-allocated sites will only be allowed where it complies with other relevant sections of the Local Plan. Given the application is an outline permission with means of access under consideration, the access/highways considerations are a key element of the principle of development and will be assessed below.

Highway Safety

There will be no significant impact upon highway safety. It is proposed to erect a single dwelling within the existing garden area of no.96 Church Hill. The property has an existing gated vehicular access within the frontage stone boundary wall to the south-eastern corner of the plot within close proximity of the gated access of the neighbouring property no.98.



It is proposed to use the existing access to the east of no. 96 to serve the proposed dwelling along with it being retained for the use of no.96. As such, this results in an intensification of use of the access. It is proposed for the access to undergo minor widening works in order to achieve the required pedestrian visibility splays which are suitably demonstrated on the site layout plan. As such, the proposals are now considered acceptable from a highway's perspective. With the above in mind, on balance it is considered that the improved visibility, along with other access improvements, would be of sufficient enough benefit to outweigh any adverse highways impact of the development.

Residential Amenity

Only the means of access are being considered at this stage, with a site plan showing the presence of a detached dwelling located centrally within the plot. No elevation drawings have been submitted which indicate that the dwelling will be single storey or greater, however the site plan shows separation distances in relation to neighbouring properties. The rear elevation of the dwelling is 10 metres from the rear boundary which is in line with the SPD for Design of Housing Development for the distance expected from first floor habitable room windows and rear boundary lines.

The proposed dwelling will be setback from the two adjacent properties (no. 96 and no. 98) and in line with no.94 and The Cottage. Approximately 24 metres is maintained to no.98 and 21 metres to the two-storey elevation of no.96. With regards the dwellings the proposed is in line with, approximately 11 metres is maintained to the nearest elevation which are deemed to feature habitable room windows and are two storeys. Therefore, the proposal should not feature any habitable room windows on the western elevation.

The proposal should not cause any significant overshadowing or overbearing to any neighbouring dwelling, and it is proposed to be a single storey dwelling and not set directly to the south of any neighbouring dwelling. At this stage, there are no significant concerns raised with the layout of development in terms of the impact on the neighbouring properties and the proposed development is in compliance with Local Plan Policy GD1 and the SPD for Design of Housing Development and is acceptable in terms of residential amenity.

Visual Amenity

The proposed development is an outline permission, with no floor plans or elevation drawings provided at this stage. As such, a full assessment has not been taken as to the design/visual amenity of the development however a site plan has been submitted which shows a dwelling which is located centrally within the plot and is of a size which is proportional to the site and is acceptable in terms of overall layout and shape. Landscaping, boundary treatments and external materials will be covered through a pre-commencement planning condition and at the reserved matters stage. The proposed development is in compliance with Local Plan Policy D1: High Quality Design and Place Making, the SPD for Design of Housing Development and is acceptable in terms of visual amenity and design, based on the information currently presented at this outline stage.

Impact Upon Biodiversity and Trees

Through the course of the application the plans were amended in relation to the impact upon the adjacent trees and the concerns have largely been resolved. Particularly this is in relation to the retention of the trees where possible on the boundary for the new access with the category B trees amongst others now shown as being retained. Likewise, the dwelling has been moved to remedy any concerns about the potential future pressures on the trees along with issues of direct impacts.

Some trees still require removal however, although these are restricted to the poorer/smaller category C trees, and as such replacement planting as part of a landscaping scheme will be required to mitigate for their loss. It is expected that replacement planting at a ratio of a least one for one be provided. Likewise, the arboricultural impact assessment notes that specialist construction techniques will be required particularly in relation to the no-dig hard surfacing and as such an arboricultural method statement will be required alongside the usual protective barrier details. Furthermore, the report submitted detailing the ground inspection of the two trees for removal is satisfactory and it sets out that the trees to be removed have no potential to support roosting bats.

Recommendation

Approve with conditions