

<b>Application Reference Number:</b>	2024/0489
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<b>Application Type:</b>	Full
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<b>Proposal Description:</b>	Erection of 2 no detached dwellings with associated garages and access
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<b>Location:</b>	Land to east of southern end of Edmunds Road, Worsbrough Dale, Barnsley
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<b>Applicant:</b>	Mr S Woodruff
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<b>Third-party representations:</b>	None	<b>Parish:</b>	None
		<b>Ward:</b>	Worsbrough

**Summary:**

This planning application seeks full planning permission for the erection of two detached dwellings with associated garages and access.

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising the erection of new dwellings is considered acceptable in principle if proposals would not significantly adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved.

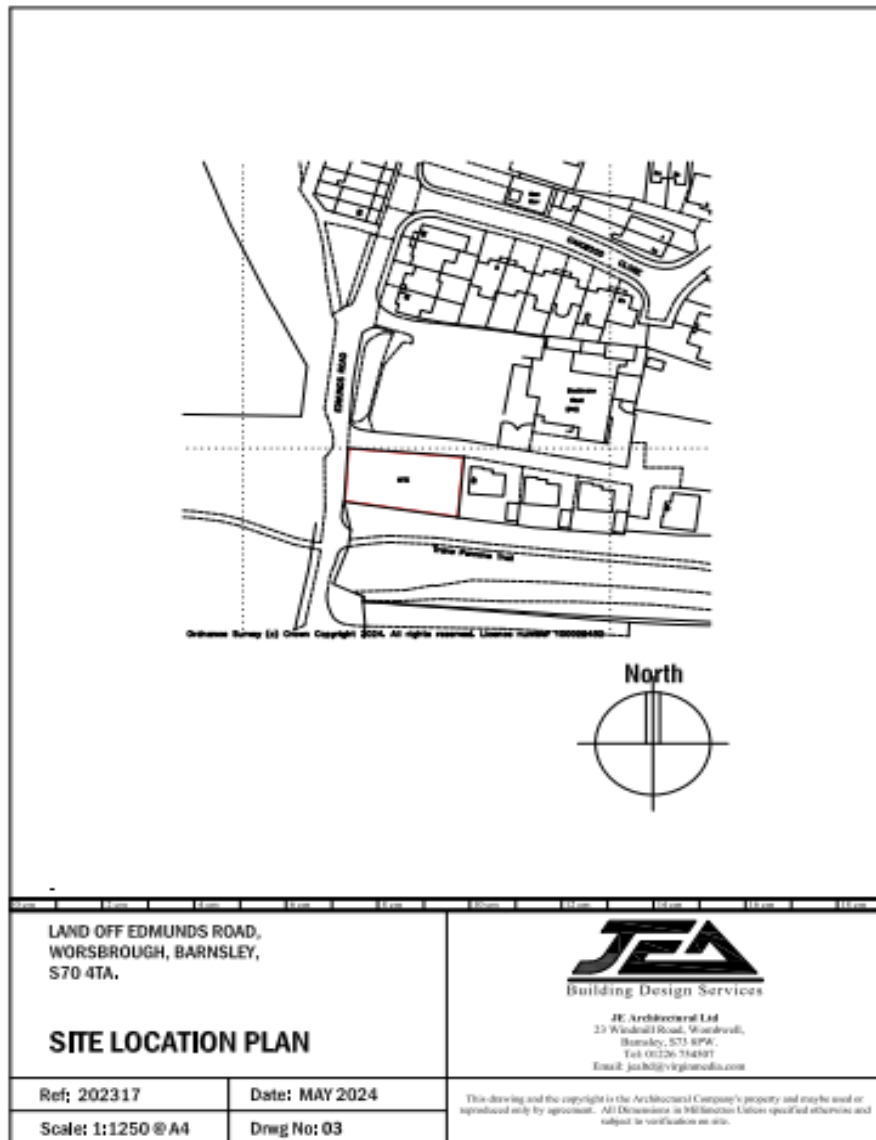
The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

**Recommendation:**

Approve subject to conditions

## Site Description

The application relates to a rectangular area of land measuring approximately 540m<sup>2</sup>. The land is currently vacant and overgrown and slopes down from north to south. A 150mm foul drain running north/south dissects the site centrally. To the west of the site is Edmunds Road which serves a sewage treatment plant beyond. To the south is a tree belt with the Trans Pennine Trail beyond. To the north, beyond the access road, is the car park associated with the Boatman's Rest Pub, with residential properties beyond. To the east are 4no. recently constructed dormer bungalows. A public right of way (Worsbrough BW 57) runs alongside the proposed development site.



## Planning History

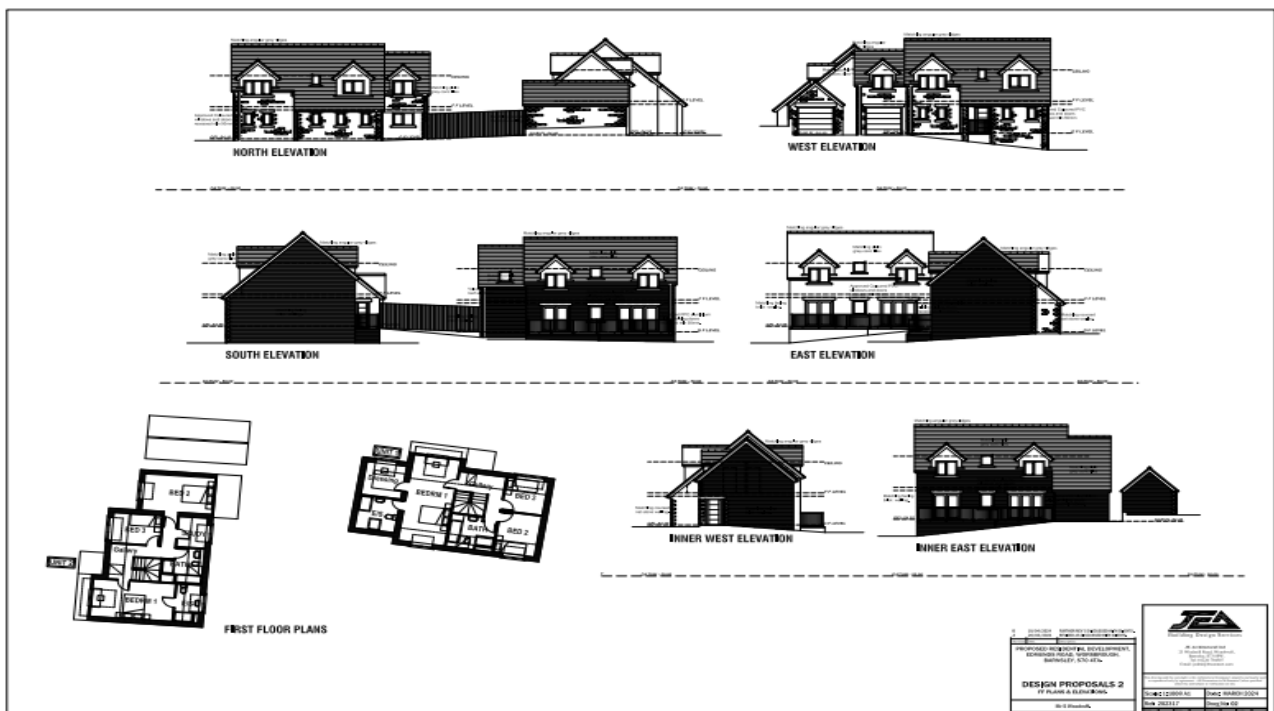
There are two relevant previous applications for the site.

Application Reference	Description	Status
2015/0533	Erection of 4 no. detached dormer bungalows with associated access, garages and landscaping	Approved with Conditions
2020/0768	Erection of 1no detached dwellings and detached double garage	Approved with Conditions

## Proposed Development

The applicant is seeking approval for the erection of two detached one and a half storey dwellings with rooms in the roof space. Plot one has a length 12.5 metres of and a width of 8.3 metres. Plot one features a combined kitchen/dining area, living room, utility room and study/bedroom on the ground floor. On the first floor is a master bedroom, two more bedrooms and a bathroom. Plot two has a length 12.35 metres of and a width of 9.9 metres. Plot two features a combined kitchen/dining area, living room and utility room on the ground floor. On the first floor is a master bedroom, two more bedrooms and a bathroom.

Both dwellings will feature pitched roofs with a maximum ridge height of 7.75 metres and an eaves height of 3.85 metres. The materials used will be brickwork with stone frontages and concrete roof tiles. Parking spaces are provided in the form of garages located in the northwest corner of the site with plot one's being detached and plot two's taking integrated into a side extension.



## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019). 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.

### **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 Poll1: Pollution Control and Protection** – 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.

**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.

#### National Planning Policy Framework

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled. Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

#### Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- Biodiversity
- Design of Housing Development
- Parking
- Sustainable Travel

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

#### Other Guidance

- South Yorkshire Residential Design Guidance

#### **Consultations**

Biodiversity - No objections subject to conditions

Forestry - No objections

Highways Development Control - No objections subject to conditions

Highways Drainage - No objections subject to conditions

Public Rights of Way - No objections subject to an informative

Worsbrough Ward Councillors - No objections

Yorkshire Water - No objections subject to conditions

## **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to surrounding properties and a site notice erected. No comments were received.

## **Assessment**

The main issues for consideration are as follows:

- The principle of residential development
- The impact on visual amenity through design
- The impact on residential amenity
- The impact on the highway safety
- The impact on biodiversity

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### 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 largely residential and as such the use of this site for residential uses would be in keeping with the locality. This weighs significantly in favour of the proposal.

The site has a previous approval for one detached dwelling approved under planning application 2020/0768. This has not been implemented. This application was initially proposed as two detached dwellings however this was reduced due to highways implications (see history below). The applicant has made it clear that building one dwelling on the site would not be viable hence the lapsing of the previous approval.

In addition to the above, all new dwellings must ensure that living conditions and overall standards of residential amenity are provided for or maintained to an acceptable level both for new residents and those existing. Also, development will only be granted where it would maintain visual amenity and not create traffic problems or reduce highway safety.

### Design and Visual Amenity

The street scene consists entirely of detached dwellings that are one and a half storey with rooms in the roof space and front facing dormer windows. As such development on this site should relate to these adjacent properties of which the proposed design and scale of the dwellings do. This weighs significantly in favour of the proposal.

The proposal involves the erection of a two detached dwellings that are one and a half storey with rooms in the roof space and dormer windows. The adjacent dwellings are also one and a half storey dwellings like the proposed and the height of the proposed dwellings is in line with those adjacent. The dormer windows are an established feature of the street scene and therefore won't be anomalous features on the proposed dwellings.

In terms of materials the street scene features predominantly brick-built dwellings with stone frontages. The proposed materials will harmonize with the appearance of the adjacent dwellings given they are also proposed to be brickwork with stone frontages. The stone frontage will continue with plot two even though its alignment differs from the rest of the dwelling along with plot one. This weighs significantly in favour of the proposal. The design of the dwellings would be of a scale which harmonises with that of the adjacent dwellings. The proposed design and materials are deemed sympathetic to the street scene, and the dwellings would not have a negative impact in terms of being an anomalous feature.

The site was previously undeveloped therefore, it adds little to the visual amenity of the street scene due to its clear distinction from the adjacent dwellings which feels vacant. The site has the appearance of an empty plot and is still undeveloped since the approval for 2020/0768 lapsed. The addition of the dwelling specifically plot one is not deemed to be significantly detrimental to the visual amenities of the street scene due to its lack of visibility within it as it will be seen in line with the adjacent dwellings and not stand out.

As such, the addition of plot one would not be contrary to the development pattern of the area or appear as an overly anomalous feature in the street scene. If anything, the undeveloped site at present is more of an anomalous feature than the proposed dwelling would be. This weighs significantly in favour of the proposal.

The issue in terms of visual amenity comes in the form of the proposed garage for plot one and the siting of plot two. The garage of plot one is not sited adjacent the side elevation of plot one as is the norm due to the natural break in this street scene that is dictated by the drainage easement required by Yorkshire Water and their adopted sewer that crosses the site in a north-south direction.

Additionally, the applicant has no rights of vehicular access across the existing private drive serving the four existing dwellings therefore the access is taken from the side. Furthermore, the topography of the site makes accessibility difficult and therefore also requires the garages to be located in the northwest corner of the site. This is also to ensure that appropriate drive and pedestrian access gradients can be achieved from the drives and garages into both dwellings. It is deemed that it was therefore necessary to rotate plot two to face west-east, to run parallel to the drainage easement and therefore front Edmunds Road as the primary aspect of the site.

The siting of plot two is not deemed to be significantly detrimental to the visual amenities of the locality and in this specific circumstance is deemed to be acceptable. The intrusion of a new dwelling along Edmunds Road is less impactful than the initial approval for four dwellings in this location was as at that time there was no precedent or principle of residential development. It is also acknowledged that the council at present does not have a five-year housing land supply therefore the approval of new dwellings on a windfall site has a benefit which is increased knowing the difficulties of the little likelihood of just one dwelling being developed on this plot. This weighs moderately in favour of the proposal.

Sufficient landscaping is not indicated on the submitted site plan and will therefore be dealt with via conditions. Additionally, although boundary treatments have been indicated the level of detail is not sufficient and will also be dealt with via conditions. This has limited weight against the proposal. On the whole the development is acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and policy D1 of the Local Plan.

## Residential Amenity

The proposal involves the erection of two new detached dwellings. Other residential properties are adjacent and most notably to the east (40, 42, 44 & 46 Edmunds Road). Therefore, the impact upon the residential amenity of these properties is an important consideration. The site was previously undeveloped land which is adjacent residential dwellings therefore the use of the site for residential purposes is in keeping with the adjacent uses. This weighs significantly in favour of the proposal. In terms of external spacing standards and overlooking, the SPD Design of Housing Development states that a minimum of 21 metres should be achieved between facing habitable room windows, and 12 metres should be maintained between habitable room windows and a blank side elevation.

No first-floor habitable room windows will face the adjacent dwellings to the east as plot one is located next to these dwellings however the first-floor habitable room windows are located on the front and rear elevations, and the adjacent elevation is the side elevation. Regarding plot two this does have first-floor habitable room windows facing the dwellings to the east however the separation distance is 22 metres and facing a side elevation. This weighs significantly in favour of the proposal. The proposal should not cause any significant overbearing or overshadowing to any neighbouring dwelling. The dwellings are not set to the south of any other dwellings. Plot one being set in line also maintains the development pattern. This weighs moderately in favour of the proposal.

The proposed dwellings have been designed with adequate room sizes and external amenity space of over 60sqm per dwelling in compliance with the standards set within the SPD and the SYRDG. Overall, the proposal is considered to be acceptable in terms of residential amenity. This weighs significantly in favour of the proposal. The proposal is considered to be in accordance with the SPD Design of Housing Development and Local Plan Policy GD1.

## Highway Safety

There will be no significantly detrimental impact upon highway safety. The site received approval for one dwelling as an amended proposal of the original application no. 2020/0768. The original proposal was for two dwellings, but HDC officers raised objection to this scheme given that over five dwellings would be served from unadopted highway. This proposal faces the same initial issues with the outcome of any approval being that six dwelling would be served from beyond the limit of adoption on Edmunds Road. As such, the previous concern raised remains pertinent.

As the limit of adopted highway finishes above the private road, constructing two more dwellings would see six properties served off the unadopted highway. The SYRDG stated that *“shared private drives are unadopted and may give access up to a maximum of 5 dwellings. The limit relates to the notional capacity of a private service connection, which would not need to be laid in an adopted highway. However, in view of on-going maintenance liabilities for householders, developers are encouraged to minimise the use of private drives for communal use and seek to extend adoptable areas wherever practicable. Where used they must be surfaced with a bound graded material.”*

Given the above, the erection of two dwellings on this road at present would be contrary to the advice given in the SYRDG. Therefore, it has been agreed via conditions that the proposal includes the intention to bring a short section of the unadopted section of Edmunds Road up to adoptable standard and subsequently put up for adoption by the council. Clearly, in this instance, the Council would not expect any work to be carried out on Powder Mill Lane, but the appropriate length of Edmunds Road should be brought up to adoptable standard and put up for adoption.

Therefore, the acceptance of this additional property being accessed from the shared private drive remains predicated on the scheme of works conditioned above being approved in writing and implemented in full. To serve six dwellings, the highway serving both the existing four dwellings and the proposed two new dwellings would have to be brought up to adoptable standard to ensure suitable access for refuse and emergency vehicles and to allow more than five dwellings to be served off unadopted highway.

It is noted that the same conditions were placed on the previous approval of the existing four dwellings and these works have not been undertaken. The conditions are pre commencement henceforth no works on site can take place until they have been discharged. This will be monitored and enforcement action taken if necessary. As such, the proposal is acceptable from a highway's perspective. This weighs significantly in favour of the proposal.

### Impact on Biodiversity

The LPA's Biodiversity Officer raised no objections to the proposal. The application is subject to the Statutory Biodiversity Gain Condition and the HMMP Condition. Habitats within private gardens should be inputted into the metric as vegetated garden (as per statutory metric guidance). The current scheme results in a 11.96% Biodiversity Net Gain (BNG) in habitat units, however, this includes the planting of 21 trees in the garden of one of the dwellings. As BNG does not require post development calculations at application stage this issue does not have to be rectified for the purposes of this application. However, when the BNG condition is discharged, this should be taken into account and the metric updated. This weighs moderately in favour of the proposal.

### Planning Balance and Conclusion

The proposal is henceforth acceptable in terms of principle development, residential amenity, biodiversity and via conditions also highway safety. In terms of design and visual amenity plot one and the proposed materials are acceptable. The proposal will also contribute in a small way to the housing requirement in the borough. These positive aspects of the proposed development on balance outweigh the negatives regarding the siting of plot two and the proposed garages.

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

### **Recommendation**

Approve subject to conditions

### **Justification**

### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Drainage alterations
- Highways alterations

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.