
2023/0369

Applicant: Mr Javed

Erection of 3 storey apartment block containing 4 no. apartments and associated parking and amenity space (Reserved matters of outline planning permission 2020/0023 seeking approval of the design and external appearance and landscaping)

Newton Court, Newton Street, Barnsley, S70 6DF

Site Description

The site is a 260sqm parcel of land on Newton Street on the edge of Barnsley Town Centre. The footprint of the site is roughly square in shape and, topographically, progresses slightly uphill from east to west in line with the prevailing pattern of the area. The highway of Newton Street is situated upon the northern boundary which provides access onto Summer Lane while the southern boundary fronts Chesham Rd which is a narrow alley that also provides access to Summer Lane. In terms of the surrounding built environment, a large block of flats is situated to the west of the site (approved under B-03-1209-BA) that are approximately three storeys in height. Further east a row of mix-use terrace houses are positioned which comprise a café, hairdressers and two takeaway units; one residential flat is believed to be positioned above the café but the Council has no record on its system of dwellings being set above the other units and a site visit infers that this is likely to be the case.

Over Chesham Road to the south are a number of occupied warehouses that face the site with featureless and utilitarian elevations while to the north, over Newton Street, is situated the rear yard of another takeaway premises as well as a former warehouse building that is used as an events space and music equipment hiring company.

The appearance of the site itself is somewhat unkempt with galvanised security fencing, loose gravel and car parking generally detracting from the quality of the area.

The site is located in the Urban Fabric, 100m to the North of the edge of the Town Centre. The site is also located in what is established as a sensitive area of opportunity for tall buildings.

Relevant Site History

2020/0023 - Erection of 3 storey apartment block containing 4 no. apartments and associated parking and amenity space (Outline seeking approval over layout, scale and means of access) – Approved with conditions

2011/0596 – Erection of 1no. pair of semi-detached dwellinghouses – Approved w/ Conditions

B/05/0310/BA – Residential Development (Outline) – Approve w/ Conditions

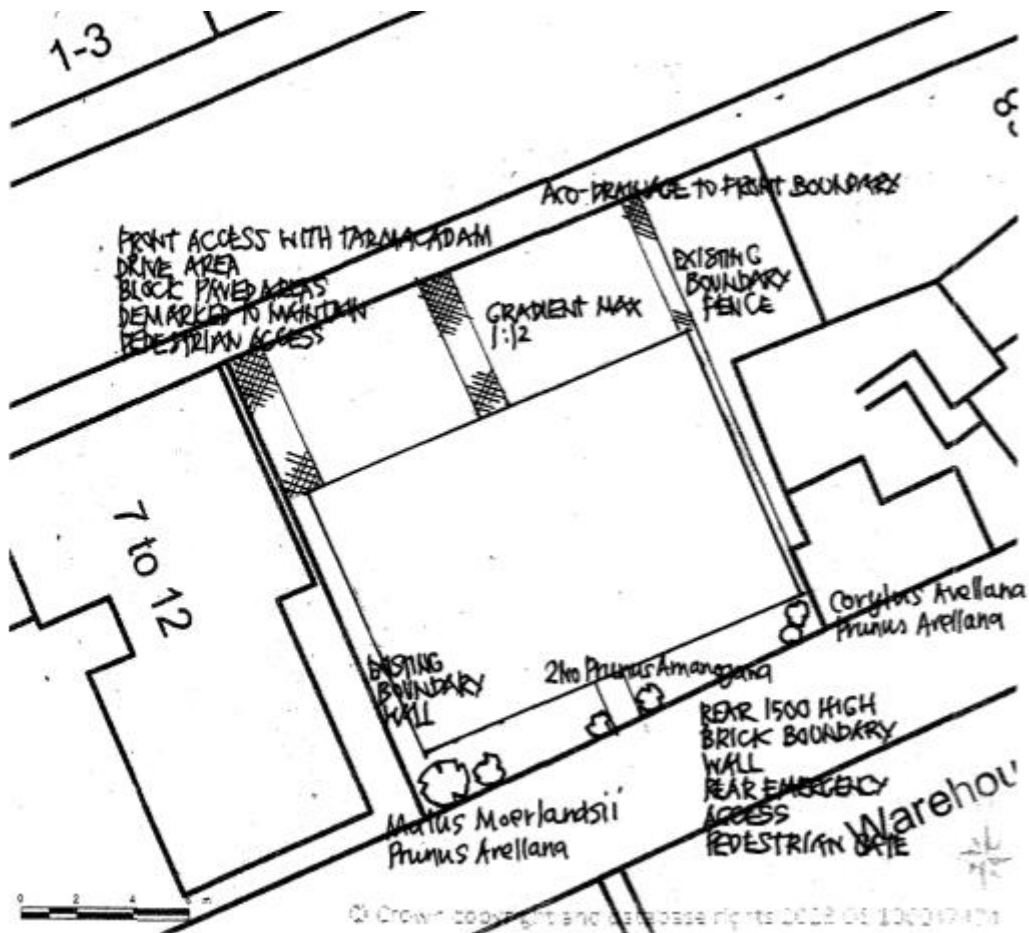
B/91/1357/BA – Outline for Erection of Two-Storey Office – Approved w/ Conditions

B/74/2269/BA – Outline application for erection of warehouse - Refused

Proposed Development

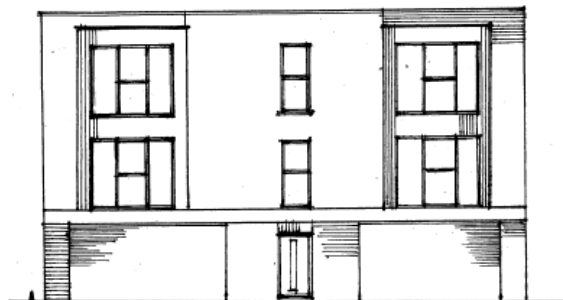
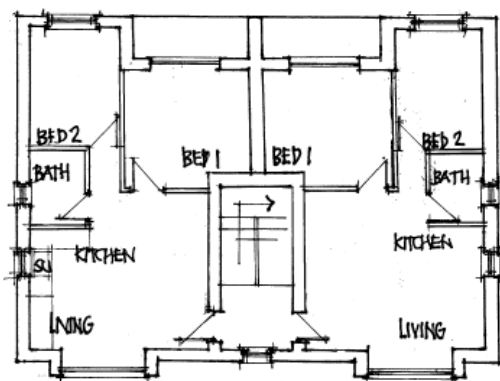
The applicant is seeking the approval of reserved matters of outline application (ref. 2020/0023) seeking approval for the design, external appearance and landscaping. The proposed external appearance largely replicates the indicative drawings shown on the outline application, with a three-storey building for 4 x apartments with a garage, bin store, bike store and EV charging point at the ground floor, with the four flats situated on the first and second floors. The internal layout of each of the units are identical to one another with an open plan kitchen/living room, 2 x bedrooms and a bathroom, with a balcony for each plot on the rear elevation.

The internal layout has been amended during the course of the reserved matters application to bring the units in line with what was approved under 2020/0023.

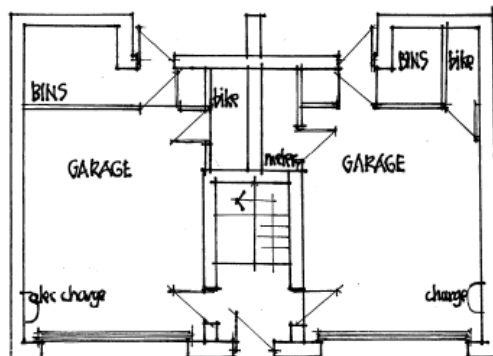


LAYOUTS
FIRST AND SECOND FLOOR

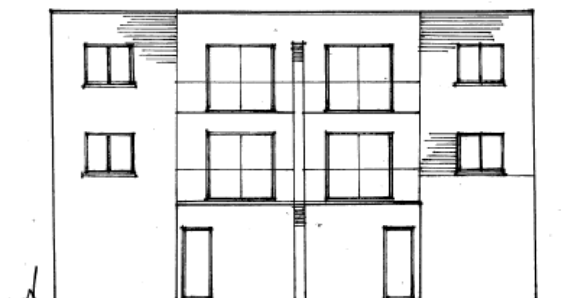
PROPOSALS



FRONT ELEVATION



GROUND FLOOR



REAR ELEVATION - to CHESHAM ROAD

REF NEW-1a
SCALE 1:100

Local Plan

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 held 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. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. As such, 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.

SD1: Presumption in favour of Sustainable Development – When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

LG2: The Location of Growth - Priority will be given to development in the following locations:

Urban Barnsley;
Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and
Villages.

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy

H1: The Number of New Homes to be Built – The Council will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033. A minimum five year supply of deliverable sites will be maintained.

H2: The Distribution of new Homes – The location of housing development accords with the settlement hierarchy and Policy LG2 regarding location of growth.

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.

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.

RE1: Low Carbon and Renewable Energy - All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

Supplementary Planning Documents

- Design of Housing Development
- Parking
- Sustainable Travel

NPPE

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

Highway Drainage – No objection is raised but the previous conditions attached to the outline application should be re-applied to the resubmission.

Highways DC – The site layout is as before on the approved outline application with regard to the parking provision and there are no objections to the reserved matters application. The previous requested conditions from the outline approval should be carried forward to the reserved matters application.

Pollution Control – Initially requested a further noise survey to support the application and seek clarification on what the noise survey was seeking to achieve – i.e. the question was asked whether the developer was seeking to discharge condition 5 of 2020/0023 which relates to details of measures incorporated in the building to restrict noise pollution, which should be submitted and agreed by the LPA. Upon confirmation, no objection was raised to the scheme, but it was indicated that the submitted NIA was lacking as it did not address the impact of the 2 adjacent extraction units on the proposed flats. A condition was requested to address this matter prior to the development commencing.

Tree Officer – No comment.

Yorkshire Water – No comment.

Ward Councillors – No comment.

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; no comments were received.

Assessment

Principle of Development

The proposed development is designated as Urban Fabric in the Local Plan Policies Map. 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 Urban Fabric is generally acceptable where these planning factors satisfy the requirements of the visual and residential amenity section below.

When viewed purely in terms of the proposed use of the land, the proposal is acceptable in that it is a form of C3 development in a predominantly residential area where similar apartment buildings exist.

Residential Amenity

The reserved matters application is seeking approval of the design, external appearance, and landscaping of the approved outline application (2020/0023) with the layout, scale and means of access already considered at the outline stage. The details in the reserved matters are not considered to have an impact on the residential amenity of the neighbouring properties as the general design and layout is exactly the same as the approved outline application.

The proposed development has been supported by a noise survey which did not address the impact of the neighbouring extraction units on the flats. Colleagues in Pollution Control did not object to the scheme but requested a condition requiring a full noise impact assessment to be submitted and agreed by the LPA prior to development commencing.

The initially submitted internal layout was altered from the outline permission with an amended plan submitted by the agent which effectively switches back to the approved outline permission in terms of layout. The internal layout does not meet the minimum standards in the SYRDG for a new residential unit of this size but the following extract from the 2020/0023 officer's report is still pertinent given that the reserved matters does not seek to consider the layout of the development:

As regards residential amenity, the layout of the apartments meets the SYRDG internal space standards for room sizes as well as the SPD Design of Housing Development for balcony space per unit. The footprints of the flats in aggregate of all their rooms do not meet the 62sqm set out in the SYRDG for two bedroom units, however when the garages and storage areas are taken into account, the flats are more than adequately endowed with acceptable levels of space in combination with the sufficient room sizes indicated on the floor plans. The balconies will overlook the warehouses located further south but it is not anticipated that this will incur an amenity issue for operations on these businesses. Other facilities such as bin and cycle storage have been considered and included in the layout which indicate its acceptability in this matter.

The proposed development is in line with Local Plan Policy GD1 and the SPD for Design of New Housing Development and is considered to be acceptable in terms of residential amenity.

Visual Amenity

Design, external appearance and landscaping are under consideration at this stage. The proposed plans, elevations and site plan largely replicates the indicative drawings which were submitted and approved at outline stage, albeit with some minor changes to fenestration detailing. The minor detail changes relate to the size/shape of openings, and their respective positioning on the front, rear and side elevations of the building. The alterations do not significantly change the appearance of the development from the indicative drawings at outline stage and still retain the overall character of development from the outline stage.

The submitted drawings are also less detailed than the indicative drawings submitted at outline stage, however the detailing was primarily to show the intended appearance and colour of the external materials, which includes a mix of render, cladding and brickwork. Whilst further detailing at this stage would be ideal, a standard condition can be attached to the decision notice which requires samples/details of the external materials to be submitted and agreed by the LPA upon commencement.

The proposed site plan has indicated some small details of landscaping in the rear garden/courtyard area within the site, however this does not constitute a full landscaping plan with timescale for installation etc. That being said, the details are sufficient to approve the application from a landscaping perspective subject to a condition requiring the developer to submit a full landscaping plan prior to commencement of the development.

The proposed development is considered to be in line with Local Plan Policy D1 and the SPD for Design of Housing Development and is acceptable in terms of visual amenity, subject to conditions.

Highways Safety

The means of access for the proposed units was approved during the outline application with no alterations to the layout proposed through the reserved matters application. Colleagues in Highways have been consulted on the proposal and have not objected subject to the attachment of the same conditions as attached at outline stage.

The proposed development is considered to be acceptable in terms of highway safety.

Drainage

Colleagues in Drainage and Yorkshire Water have been consulted on the application and no objections was raised subject to the conditions attached to the outline permissions decision notice being carried forward. The conditions will be attached to the decision notice.

Conclusion

The application relates to the reserved matters (Design, external appearance and landscaping) of approved outline application ref 2020/0023. The proposed details are all considered to be acceptable, subject to conditions which requires further details such as external materials, a full landscaping scheme and a noise impact assessment which specifically detail the impact of the adjacent extraction units on the future residents of the units. Notwithstanding this, the proposed development is in line with relevant local and national planning policies and is recommended for approval, subject to conditions.

Recommendation

Approve with Conditions