2022/0223

Applicant: Mr Chris Goldie

Erection of 1 two storey detached dwelling with detached garage

7 Claycliffe Avenue, Redbrook, Barnsley, S75 1HJ

Site Description

The application site relates to the side garden of no.7 Claycliffe Avenue, in Redbrook, approximately 2m to the North of Barnsley Town Centre. The applicant's property is a semi-detached red brick dwelling which has recently undergone a two-storey side extension and single storey rear extension (approved under 2019/1214). The approval also included the erection of a single storey front extension however, the site visit showed that the front extension part of this development was never built out. As part of these extensions work to no.7, the front of the property was entirely hard surfaced to allow for the retention/formatted of two parking spaces. The site historically has formed the side curtilage/garden area for no. 7 but since the erection to the existing dwelling was built, there has been an approx. 2m high boundary fence between the side boundary line and the application site itself. There are several scattered trees on the site.

The area is predominantly residential with a mixture of semi-detached dwellings and bungalows, mainly constructed of red brick and concrete roof tiles.





Relevant Site History

2017/1603: Erection of 1 no. single storey residential dwelling (Outline with All Matters Reserved) – Approved with Conditions

2019/1214: Two storey side and rear extensions and single storey extensions to front and rear of dwelling (No. 7 Claycliffe Avenue) – Approved with conditions

2020/0434: Erection of detached bungalow and associated works – Refused

2021/0687: Erection of 1 no. detached two storey dwellinghouse and associated works – Refused

Proposed Development

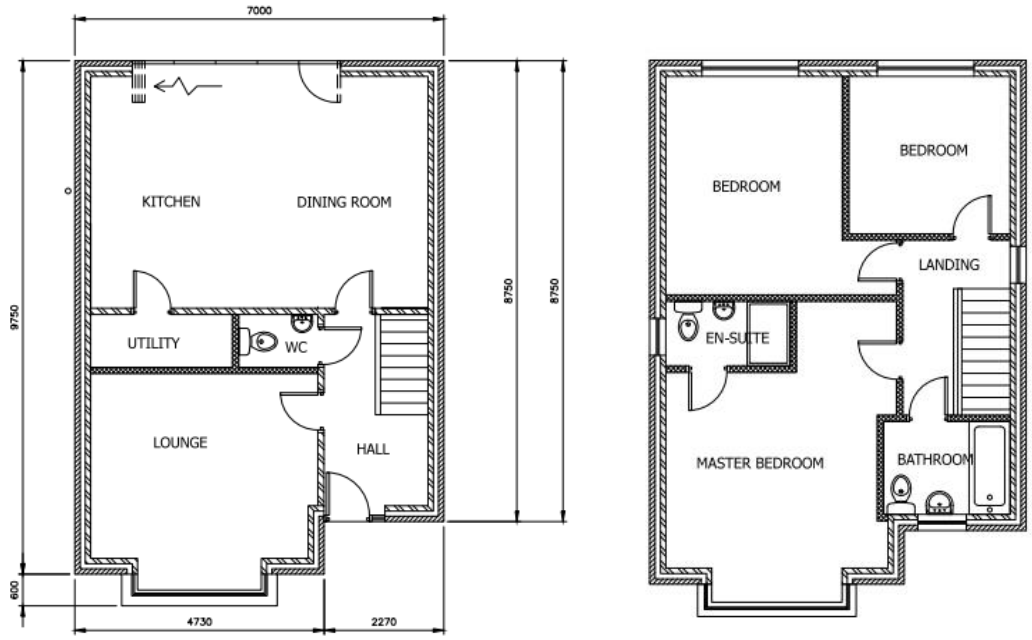
The applicant is seeking approval for the residential development of the applicant's (no. 7 Claycliffe Avenue) side garden for the erection of a two-storey detached dwelling with a detached garage. The dwelling is designed in a somewhat rectangular shape with a two-storey offshoot to the front and a two-storey bay window attached to the front. The main bulk of the dwelling has a length (front to rear) of 8.75m with a width of 7m, with the front elevation having a stepped relationship with the bay window having a projection of 0.6m, and the offshoot having a forward projection of 1.2m. The main bulk of the dwelling and the offshoot both have an apex roof, with a height of 5m to the eaves and 7.8m to the roof ridge.

The dwelling is situated to the Eastern side of the dwelling in the side garden, with the front elevation in line with the front elevation of no.7. There are two parking spaces shown to the front of the proposed dwelling which will be paved in permeable block paving, with the parking area leading to a detached garage to the Eastern side of the dwelling. The garage is rectangular in shape, measuring 6.3m x 3.3m with an apex roof which measures 2.25m to the eaves and 3.5m to the roof ridge. Both the dwelling and the garage will be constructed from red multi bricks with Grey Marley Modern roof tiles.

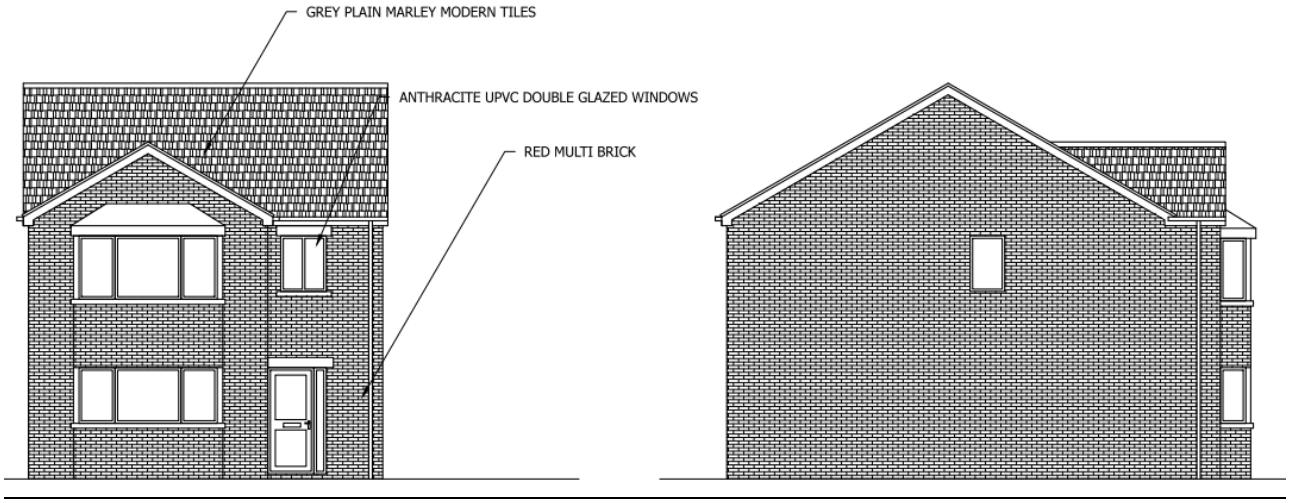
Proposed block plan

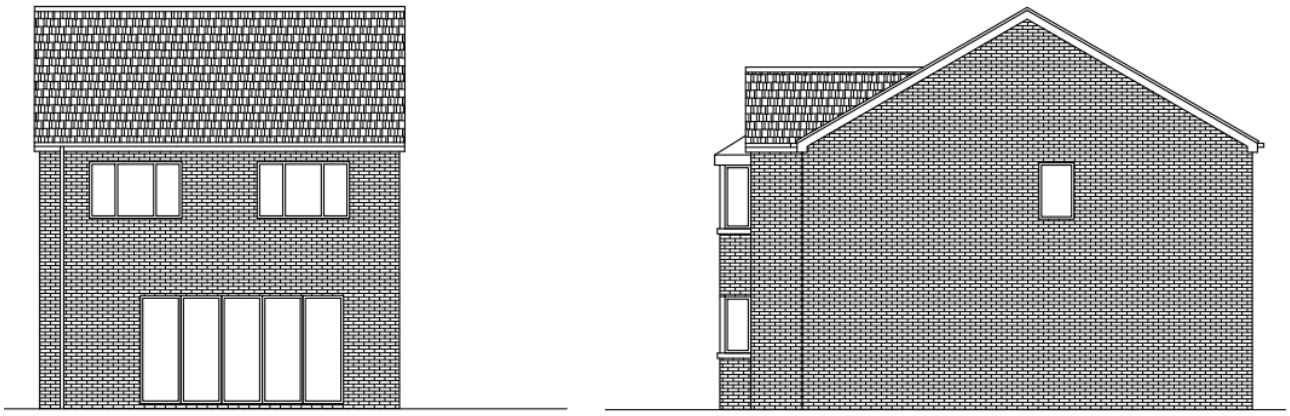


Proposed ground and first floor plans

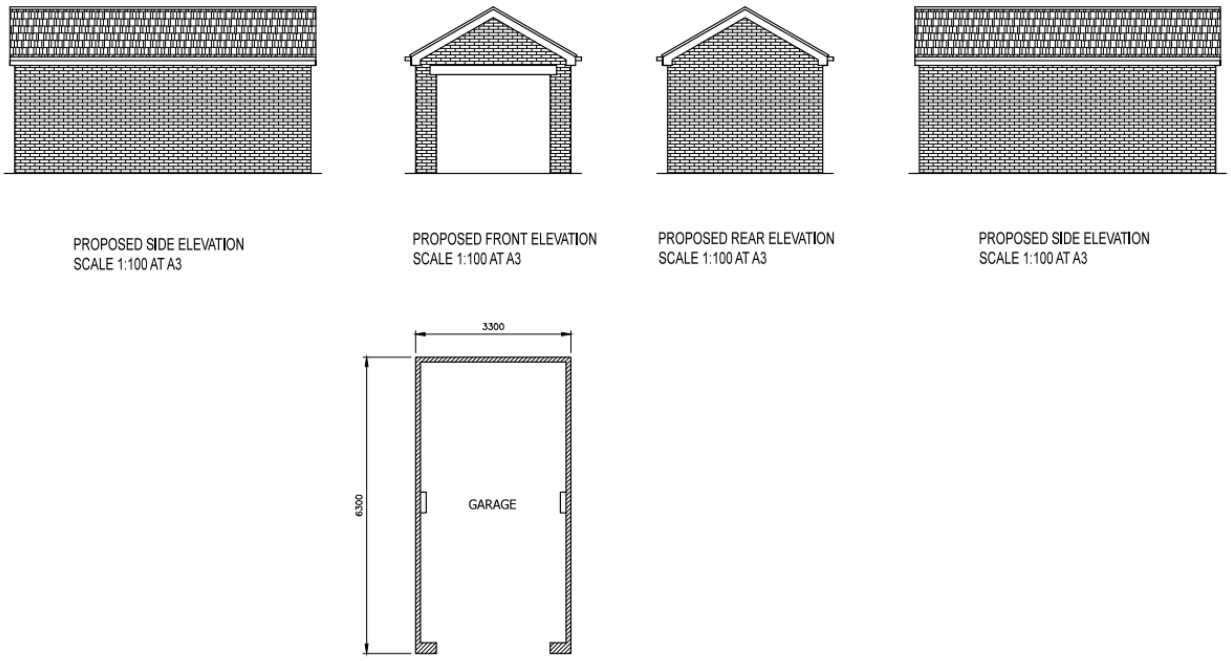


Proposed Elevations





Proposed Elevations and Floor Plan



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 development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Relevant Local Plan policies include:

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.

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.

H9: Protection of Existing Larger Dwellings – Development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area

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.

Supplementary Planning Documents

- Design of housing development

- Parking

- Sustainable Travel

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'.

Other material considerations

South Yorkshire Residential Design Guide - 2011

Consultations

Highways DC – Did not object to the proposed development but raised some smaller concerns with the parking arrangement for the existing dwelling as the submitted block plan showed that the forecourt area did not meet expected standards (5.5m) with a length of 5.2m in front of the integral garage. However, the block plan showed that the approved single storey front extension shown on the approved plans, which the agent confirmed had not been built. An amended block plan was submitted by the agent which Highways assessed and effectively removed their previous concerns.

Drainage – No objection

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 follows on from numerous pieces of planning history on the site, with the first application being 2017/1603 for an outline permission for the erection of a single storey residential dwelling with all matters reserved. This application was approved on 12th February 2018 with an expiration period of three years from this date. It is considered that the principle of residential development on the site was given from this approval however this has recently lapsed (12th February 2021). This is relatively important as the outline application was granted prior to the adoption of the Local Plan in 2019 which introduced and reinforced several planning policies related to housing development. The most pertinent is the introduction of Local Plan Policy H9: Protection of Existing Larger Dwellings. The policy restricts development within the curtilage of existing larger dwellings where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. A 'larger dwelling' in the borough is considered to be a dwelling with 4 or 5+ bedrooms with a proportionate sized garden. Local Plan Policy H9 is relevant in this case as the existing property (no. 7 Claycliffe Avenue) has undergone an extension resulting in 4 bedrooms in the dwelling. However, the outline permission was granted prior to the adoption of the Local Plan, and it is considered that the principle of residential development was already established on the site. There have been subsequent planning applications preceding this one (but after the Local Plan was adopted) with have not cited Local Plan Policy H9 as a concern or reason to refuse. As such, it would be unreasonable at this stage for the Local Authority to fully enforce the restrictions of Policy H9. This is especially as the existing larger dwelling has sufficient parking space to the front and also has a rear garden of c.75sqm which is greater than the minimum required 60sqm for 3+bed properties.

The site is clearly within an established residential area and an additional residential property located in this plot is considered to be in compliance with local Plan Policy GD1: General Development, SD1: Sustainable Development and H4: Residential development on small non-allocated sites.

Residential Amenity

The proposed dwelling is located within the side curtilage area of no. 7 so is clearly in close proximity to the existing dwelling (no. 7) and also the property to the immediate South-East (no.9). There are also other properties in fairly close proximity sharing a boundary to the rear of the site, on Barugh Green Road. The proposed dwelling is located to the South of neighbouring properties on Barugh Green Road, but the rear elevation of the dwelling meets the required separation distances being 12m to the rear boundary line and 27m from the nearest adjacent residential dwelling (no. 346 Barugh Green Road). This exceeds the minimum recommended separation distances expected for 10m from rear facing habitable room windows (first floor) to the rear boundary line and 21m between habitable room windows. The windows on the rear elevation do not face directly onto neighbouring properties, including the existing at no. 7. The side elevation of no. 9 appears to contain only secondary windows with the rear elevation of no.9 facing North-East, away from the dwelling. There are 2 x windows located on the first floor of both side elevations of the proposed dwelling, but these serve an en-suite and the landing so are non-habitable. Given the significant distance to the properties to the North, the dwelling will not have a significantly detrimental overshadowing or overbearing impact. It is located to the immediate East of the existing dwelling and to the North-West of no. 9.

The proposed garage is of a standard size measuring 6.3m x 3.3m which is typical of a single domestic garage. It is located to the East of the proposed dwelling, therefore having no direct impact on the existing dwelling (no. 7). It is located to the South of neighbouring properties on Barugh Green Road but at a distance of 12m from the rear boundary line, with the properties to the North having larger garages/outbuildings effectively on their respective rear boundary lines. As such, the garage is not considered to have a direct overshadowing impact on no.7 or the properties to the North on Barugh Green Road. The proposed garage's location is fairly close to the neighbouring property at no. 9, measuring a distance of c. 4.75m from no. 9's side elevation but this is to the North-West, and given the garage's small size does not have a direct overshadowing or overbearing impact over no.9. There will potentially be some overshadowing impact on the no.9's rear garden towards the latter end of the day, but the garage is of a restrained size, so this is not likely to be to an unreasonable degree.

All of the internal room sizes are up to the minimum standard expected within the South Yorkshire Residential Design Guide (SYRDG). The rear garden area is also much greater than the minimum required 60sqm for 3+ bedroomed properties within the Council's SPD for Design of New Housing Development. Likewise, 75sqm of rear garden space will be retained for the existing dwelling (no. 7).

All in all, the proposed dwelling is located within the side curtilage of the existing dwelling (no. 7) which is fairly substantial in size.

Visual Amenity

The proposed dwelling is of a rectangular shape with a two-storey offshoot to the front and a two-storey bay window to the front. It is of a fairly standard design for a new build property and relates well to the surrounding area which is entirely residential and features a small variety of different dwelling types, sizes and structures. The proposed development follows from various pieces of planning history on the site including a recent refusal for a similar but larger dwelling (application ref. 2021/0687). The proposed scheme is much more proportionate to the site and is considered to be more in character with the surrounding area as it has a similar footprint to the existing dwelling and other dwellings on Claycliffe Avenue.

The plans show that the dwelling is to be constructed from red multi brick and concrete roof tiles. The windows and doors are both proposed to be anthracite grey UPVC double glazed. All of these are considered to be acceptable in principle but further specific details are required for a full assessment to be undertaken. A standard condition will be attached to any forthcoming decision notice which requires the developer to submit a sample upon commencement of development and for the LPA to approve. The proposed driveway/parking area is to be surfaced in permeable paving, again this is considered acceptable, and a condition will be attached to any approval notice which requires the developer to not surface this area in loose materials (i.e. gravel). The parking area is located to the front/side of the dwelling but there is a strip of soft landscaping which helps to break up the frontage which would otherwise be dominated by parking. There are also several small trees located in the site which likely be removed to facilitate the development. There is no indication that any of the trees will be retained within the site and the agent has agreed to submit a landscaping scheme prior to the development commencing which will need to be be assessed and approved by the Local Authority. This will ensure that soft landscaping will be incorporated within the design which will improve the overall design of the development as well as keeping the existing character with trees.

All in all, the proposed development is considered to relate well to the existing dwelling and the surrounding street scene which is entirely residential. The proposed dwelling and the garage are both proportional to the size of the site, is similar in appearance to the surrounding properties whilst using appropriate materials with specific details being submitted and approved by the LPA upon commencement. Other conditions will cover other aspects of the design such as the parking being hard surfaced and a soft landscaping scheme, primarily to replace the trees located to the rear of the site. The propose development is in compliance with Local Plan Policy D1 and SPD: Design of Housing Development and is considered to be acceptable in terms of design and visual amenity, subject to conditions.

Highways

There are two parking spaces for the proposed dwelling which are sufficient in terms of dimensions and are easily accessible for future residents. Colleagues in Highways initially raised some concern with the proposal, albeit did not directly object to it. The concerns were in relation to the extensions to the existing dwelling (no. 7), particularly to the front as the block plan showed that the no. 7 now has an internal garage with a forecourt area less than the required 5.5m. However, the initial block plan submitted was not wholly accurate as this showed the extension as approved (2019/1214) and not how it has actually been built out as the single storey front extension. The Site Visit also showed that the front of the existing dwelling is being utilised for parking and has sufficient space for the parking of 2 vehicles. The agent also provided an updated block plan which omitted the front extension for no. 7 which results in a forecourt area with a length of more than 5.5m which is in compliance with parking requirements. Upon receipt of this information, highways effectively removed their objection. The proposed development is in compliance with the Council's SPD for Parking and Local Plan Policy T4 and is acceptable in terms of highway safety.

Sustainable Travel

It is now a standard requirement covered in the Council's Sustainable Travel SPD for new dwellings to have at least on EV Charging point within the site. No details have been submitted as part of the application which confirms the developers intention of including an EV charging point, however the Council has a standard condition which requires the developer to submit these details upon commencement for the LPA to approve. The EV charge point must be operational prior to the first occupation of the dwelling.

Impact on Trees/Landscaping

The application form states that there are no trees located on the site, however the site visit clearly showed that there are trees located towards the rear boundary line. As such, a tree survey should have been submitted to accompany the application, but this was not provided. That being said, the trees are fairly low quality,

possibly self-set, and could not be described as mature specimens. Whilst the local authority never encourages the removal of trees to make way for developments, the trees are low quality and it is considered that their loss can be compensated by a landscaping scheme within the site. In any case, the trees are located to the immediate North of the dwelling and will likely be substantially overshadowed and their future removal is likely. There is no information in regards to the species of tree and whether they would survive in such an environment and a site-specific landscaping would possibly allow for a better species of tree which could be accommodated more successfully into the site. Two conditions will be attached which relate to the requirement for the development to submit a landscaping scheme and facilitate this within a specific period.

Drainage

Colleagues in Drainage have assessed the details presented on the plans and have not raised any objection to the proposal. Standard conditions will be attached.

Conclusion

The propose development is for the erection of a two storey dwelling and detached garage in the side curtilage/garden area of no. 7 Claycliffe Avenue, Redbrook. There is planning history on the site including an outline application (2017/1603) which established the principle of development on the site prior to the Local Plan being adopted in 2019. Whilst the introduction of Local Plan Policy H9 is relevant in this case, it is felt that the principle of development was already established prior to the introduction of this Policy. As such, the development is considered to be acceptable in principle.

There have been previous refusals on the site (2019/1214 and 2020/0434) but the development has been significantly scaled back down and the proposed dwelling and the garage is proportional to the size of the site and is similar in appearance to the existing dwelling and surrounding streetscnee with appropriate external materials. The dwelling meets internal and external spacing standards and it is considered that the dwelling and garage does not have a significantly detrimental impact on neighbouring properties in terms of residential amenity. There are two parking spaces shown within the site and there will be 2 spaces retained for the existing dwelling. Highways have assessed the proposal and have not objected upon receiving amended information.

The proposed development is in compliance with the Council's SPDs for new housing development, parking and Sustainable Travel alongside Local Plan Policies GD1, H4, D1, T3 and T4 and is recommended for approval, subject to conditions.

Recommendation

Approve subject to conditions