2022/0945

Applicant: Mr Carl Starling
Description: Variation of conditions 2 (approved plans) and 3 (external facing materials) of planning approval 2021/0958 - Erection of 5no dwellings and associated works including access road, garages and landscaping (Reserved matters of outline planning permission 2018/0665 relating to appearance, landscaping, layout and scale)
Site Address: Land to the north of the junction between Keresforth Road, Keresforth Hill Road and Gilroyd Lane, Dodworth, Barnsley

Site Location and Description

The application relates to a field, measuring approximately 0.45Ha in area, located to the North of Keresforth Road, Dodworth. The field is irregular in shape, is mainly laid to grass and has clearly identifiable boundaries on all sides. The site levels generally increase from South to North and from West to East.

To the North of the site is existing woodland, to the East is the M1 motorway, to the West are residential properties which have a frontage onto Keresforth Road and to the South of the site is Keresforth Road.



Site History

2018/0665 - Outline application for development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) – approved subject to conditions



2018/1486 - Removal of condition 13 (Scheme of highway mitigation works) from outline planning permission 2018/0665 - Development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) – refused for the following reason;

In the opinion of the Local Planning Authority condition 13 of outline planning permission 2018/0665 is required to enable the development to be safely accommodated on the highway network without creating an undue risk of accidents because of the location of the proposed access point and the inadequate new junction sightlines that exist for a 40mph speed limit classified road (the B6099). Accordingly the removal of condition 13 would be contrary to Local Plan policy T4 'New development and Transport Safety' which requires all developments to be designed and built with a safe, secure and convenient access.

An appeal was also dismissed under reference number APP/R4408/W/19/3221727.

2021/0958 - Erection of 5no dwellings and associated works including access road, garages and landscaping (Reserved matters of outline planning permission 2018/0665 relating to appearance, landscaping, layout and scale). – approved



2022/0872 - Details of conditions 7 (drainage), 8 (trees), 12 (coal mining risk) and 13 (highway improvement works) of planning permission 2018/0665 - Outline application for development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access – approved

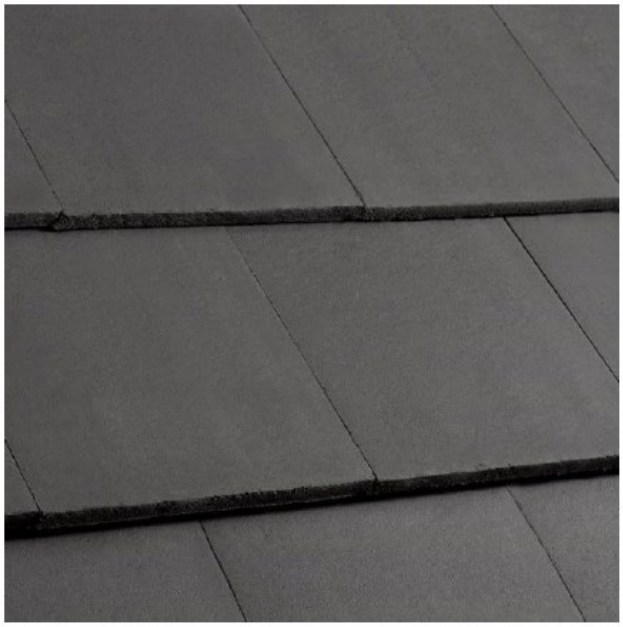
2022/0873 - Details of conditions 3 [external facing materials], 4 [broadband] and 6 [electric vehicle charging points] of application 2021/0958 - Erection of 5no dwellings and associated works including access road, garages and landscaping (Reserved matters of outline planning permission 2018/0665 relating to appearance, landscaping, layout and scale) - approved

Application Proposal

The applicant originally proposed, through the annotated approved drawings under application 2021/0958 and the discharge of conditions 3 under application 2022/0873, that the external walling of the approved dwellings would be reclaimed natural stone and the roofs would be natural slate. However, due to increasing materials and build costs the applicant now proposes to amend conditions 2 (approved plans) and 3 (external materials) of application 2021/0958 in order to change the materials to re-constituted stone (Marshalls Epoch Rumbled) for the walls and thin leading edge concrete tile for the roofs (Wienerberger TLE Dark Grey).



Marshalls Epoch Rumbled walling



Wienerberger TLE Dark Grey

Policy Context

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

Policy H1 The Number of New Homes to be Built

Policy H4 Residential Development on Small Non-Allocated sites

Policy H6 Housing Mix and efficient use of Land

Policy H9 Protection of Existing Larger Dwellings

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy GS1 Green Space

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC1 Climate Change

Policy CC2 Sustainable Design and Construction

SPD's

Those of relevance to this application are as follows:

-Designing of Housing Development
-Parking

Other

South Yorkshire Residential Design Guide

NPPF

The NPPF 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.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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.

Consultations

Ward Councillors – No comments

Representations

6no properties adjacent to the site were sent notification letters and a site notice was put up to the front of the site on Keresforth Road. No objections have been received.

Assessment

Principle of Development

All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted

where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

As outlined above, planning permission has already been granted for 5no. dwellings on the site under an outline (2018/0665) and reserved matters (2021/0958) application. The applicant does not propose any changes to the layout of the site or the design of the dwellings. However, the applicant specified reclaimed natural stone and natural slate in both the annotated drawings associated with the approved reserved matters application and also when they discharged condition 3 of the reserved matters permission. Given the increasing materials and build costs the applicant now proposes to amend the approved materials by amending conditions 2 (approved plans) and 3 (external materials) of the reserved matter application.

Therefore, this application is purely focussed on the merits of the proposed amendments to the materials of the build rather than the build itself which has been fully assessed and approved.

The materials change will be explored under the headings below;

Design / Visual Amenity

Within the immediate area there is a mix of materials evident including, but not limited to, natural stone, reconstituted stone, brick, render, slate and concrete tiles. Furthermore, the application site is relatively isolated from the neighbouring properties given the approved layout and the retained and proposed landscaping around the site boundaries. As such, the proposed change from natural reclaimed stone to reconstituted stone on the walls and natural slate to thin edged concrete tiles on the roof would not have a significantly detrimental impact on the visual amenity of the development itself or the streetscene as a whole. As such, the development would still accord with Local Plan Policy D1, SPD 'design of Housing Development' and the NPPF.

Conclusions

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.

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.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policy D1) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay.

Recommendation:

Grant – subject to conditions and informatives: