

2023/0635

Applicant: Kruidberg Capital

Erection of 1 no detached two storey dwelling and associated works including provision of off street parking and rear garden amenity space

22 Filey Avenue, Royston, Barnsley, S71 4PZ

Site Description

The application site is an infill plot which currently forms part of the curtilage area of a domestic property – no. 22 Filey Avenue in Royston. The application site is currently used as a garden area and for parking with a detached single storey garage residing to the Southern boundary line. The site measures a total of 190sqm, located in land allocated as Urban Fabric in the Local Plan with Filey Avenue being an established residential area. The Local Centre of Royston is in close proximity to the site, however being 65m to the South, on Midland Road which contains a wide variety of different uses and services, including public transport links.

Relevant Site History

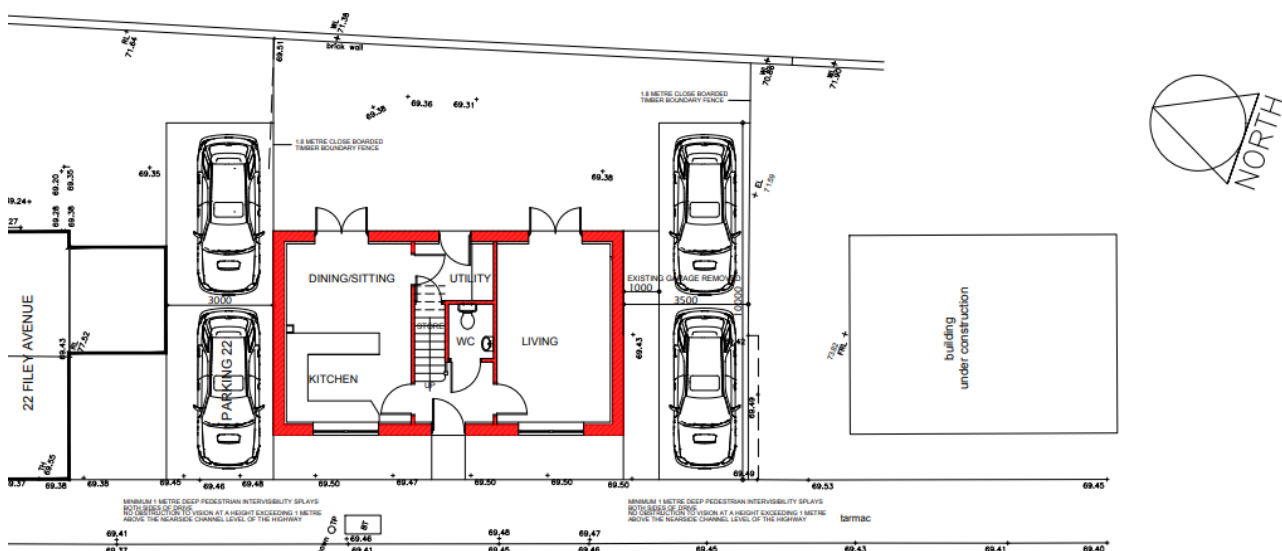
2006/1223 – Erection of 6 no. townhouses and 4 no. flats with associated parking (Withdrawn)

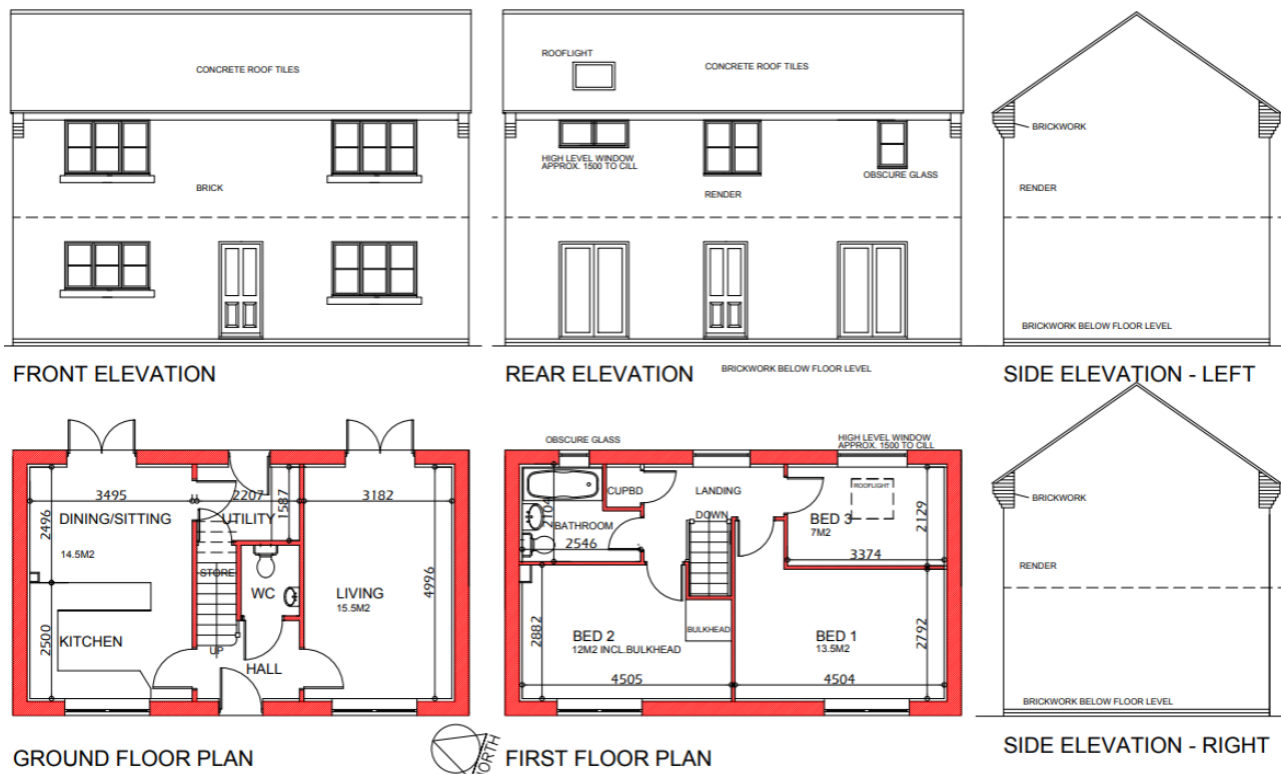
2007/0777 – Erection of five townhouses and four flats with associated car parking (Revised Application)

Proposed Development

The applicant is seeking approval for the erection of a two-storey residential dwelling with associated parking to the side and amenity space to the rear. The dwelling faces onto Filey Avenue and is rectangular in shape measuring 9.8 x 5.75m with a height of 4.85m to the eaves and 7.1m to the apex roof ridge. The development has been amended to show alterations to the rear-facing windows serving bedroom 3, specifically to replace the standard window with a high level window and roof light. Additionally, the external materials on the frontage has also been amended from render to brick. The side and rear elevations are to be finished in render.

The proposed development also includes the formation of 2 x parking spaces to serve the existing dwelling – 22 Filey Avenue, located to the Southern side of the existing property.





Policy Context

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. 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.

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.

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.

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

Highways DC – An adequate provision of off-street parking has been provided, with enough space within the site to provide for bin storage. The development is acceptable from a highways DC perspective subject to conditions.

Highway Drainage – No objections raised.

Pollution Control – No comments received.

Ward Councillors – No comments received.

Representations

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

Assessment

Principle of Development

The site is located in the Urban Fabric in an established residential area in the principal town of Royston. Local Plan Policy LG2 states that priority will be given to development in the Urban Barnsley first and then the principal towns, including Royston. The principal towns being the main local focus for housing, over villages and rural areas. Local Plan Policy H4 states that residential development on small non-allocated sites is acceptable subject to other Local Plan Policies being complied with. The development is therefore considered acceptable in principle subject to other local and national planning policies being complied with.

Local Plan Policy H9 states that development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the original dwelling and the size of the remaining garden area. The development is in the side curtilage area of the host dwelling which is utilised as a garden area, however the existing dwelling is a 2-bedroomed property and is not considered to be a larger home (4+ bedrooms) without substantial renovation/alteration through the use of a large extension. In any case, the development of the garden area is considered to be in keeping with the surrounding area in terms of overall layout and character. As such, the proposal is not considered to be contrary to Local Plan Policy H9.

Residential Amenities

The site is a tight infill plot, nestled in between neighbouring residential properties in all directions. The host dwelling (no. 22) will be retained and will be in close proximity to the proposed dwelling which contains a first-floor side facing window, but the site visit showed that this is a non-habitable room fitted with obscure glass. The existing dwelling will therefore not significantly overlook into the proposed dwelling, or lead to a loss of privacy for both sets of residents.

The plot is narrow which results in the rear elevation/windows being at a close distance to the rear boundary line. The proposed development includes 3 x windows on the rear elevation at first floor level, two of which serve non-habitable rooms, with the other serving a bedroom. This initially caused concern as the bedroom window was initially proposed at c.5m from the rear boundary line which is well short of the minimum separation distance expected in the SPD for Design of Housing Development, which expects a minimum of 10m separation distance between habitable room windows and rear boundaries. Alternatives were discussed with the agent, who then submitted an amended scheme showing a high-level window for outlook/light and a rooflight for a means of escape, serving bedroom 3. A cross-section was also submitted showing that the window will be at least 1.5m from ground floor level, reducing overlooking into neighbouring properties to the rear. Whilst this is not fully in accordance with the SPD, the LPA considers that the arrangement will allow for suitable outlook for future residents, whilst significantly reducing the overlooking potential from bedroom 3. The rooflight faces upwards at a high level and too does not cause significant overlooking into neighbouring properties. Further, it should be noted that the existing relationship of dwellings on Filey Avenue is first floor windows on the rear elevation close to rear boundaries, as seen immediately to the North at nos. 22, 24, 26 and 28. Some of these windows are habitable which the agent has confirmed by providing floor plans of nos. 22 and 22, showing habitable room windows on the first floor rear elevation of both properties (both of which are owned by the applicant).

The frontage of the dwelling also faces onto the existing dwellings on the opposite side (Western side) of Filey Avenue with a separation distance of 12m, which meets the minimum external space standards in the SPD for front facing habitable room windows.

The dwelling is located to the direct South of the host dwelling (no. 22) and will lead to an increased overshadowing impact on no. 22 at later periods in the day, however the main area to be affected on no. 22 is a two storey side extension with the ground floor opening secured by a metal, presumably meaning this room is not used or habitable and the first floor window which is obscure glazed and non-habitable. There is a distance of 5.85m to the main (non-extended) side of the house and to the main part of the rear garden, to the immediate rear of the non-extended part of no.22. As such, the main overshadowing impact will largely be on the proposed parking area of no. 22 and the overshadowing impact is not considered to be significantly detrimental. Additionally, the proposed layout and relationship between the two dwellings is similar to other properties on Filey Avenue.

The internal floorspace of the dwelling measures 90sqm which is in excess of the minimum internal space standards as expected in the SYRDG for a property of this bedroom size and the rear garden is 60sqm which meets the minimum external amenity space standard in the Council's SPD.

The proposed development is considered to be acceptable in terms of residential amenity.

Visual Amenity

The proposed dwelling is rectangular in shape, set back from the road with parking provision to the side and the amenity space to the rear of the dwelling. It is considered to be similar in appearance to the nearby properties, some of which are immediately adjacent to the road whilst others are setback with a garden/soft landscaping area positioned in the frontage. The proposed development will therefore be similar to the surrounding area in terms of its overall layout, in relation to the road. The proposed layout is considered appropriate but does not include details of soft landscaping or boundary treatments to the frontage. Details of which will need to be submitted and agreed by the LPA, upon commencement of development. The position of the parking to the side is acceptable, and welcomed as this allows for design/landscaping features to be positioned to the frontage and is in line with the South Yorkshire Residential Design Guide. A planning condition will be attached which requires the parking area be hard surfaced.

An amended set of plans has been received which adds a note to the elevations indicating that the front will be finished in brick, with the side and rears to be finished in render. Render is firmly a part of the existing palette of external materials in the area however, this is largely limited to the side and rear elevation of residential properties, with the main material being red brick, especially on front elevations. The amended arrangement of brick on the frontage and render elsewhere is considered to be acceptable, subject to additional information confirming the external materials details. This will be secured through a planning condition requiring the developer to submit and agree the details with the LPA, upon commencement.

The proposed development is considered to be in line with the Council's SPD for Design of Housing Development and the SYRDG and is acceptable in terms of visual amenity, subject to conditions.

Highways Safety

The proposed development includes 2 x parking spaces which is in line with the Council's Parking SPD for a dwelling of this bedroom size. Additionally, the development will include two parking spaces within the side curtilage of the existing/host dwelling at no. 22, which increases the off-street parking provision compared with the existing relationship for the host dwelling. The parking provision is therefore considered to be in line with Local Planning Policies and is acceptable, with highways raising no objection subject to a condition requiring that the parking/access area is to be hard surfaced, and adequately drained.

Additionally, it is also acknowledged that the site is located in a sustainable location, close to the centre of Royston which contains a wide variety of local services, and public transport provision. The development is considered to be positioned in a sustainable location, in line with Local Plan Policy T3.

The proposed development is considered to be in line with Local Plan Policies T3 and T4 and is acceptable in terms of highways safety.

Conclusion

The applicant is seeking approval for the erection of a detached, two-storey dwelling on land which currently serves as the curtilage area of the host dwelling – no. 22 Filey Avenue – as a garden, parking area alongside hosting a detached domestic garage. The proposed development is considered to be in keeping with the surrounding area in terms of its layout, proportionality to the plot size and general design principles including external materials. The plot size is narrow, with the rear elevation of the dwelling being at a close

distance (5m) to the rear boundary line. This presented concern as the rear elevation contained a habitable room window. An amended plan was presented which replaced the proposed standard window with a high-level window (1.5m high) for outlook and a rooflight for means of escape. This drastically reduces the overlooking potential into the neighbouring properties to the rear to an acceptable level. The proposed development also includes 2 x off-street parking spaces which is in line with the Council's parking SPD as well as being in a sustainable location, in close proximity to the Centre of Royston where growth should be directed and contains a wide variety of local services alongside public transport links, in line with Local Plan Policies T3 and LG2.

The proposed development is considered to be acceptable and is recommended for approval subject to conditions.

Recommendation

Approve with Conditions