

2022/1147

Mr Christopher Wall

Heritage House, Heritage Court, Hemingfield, Barnsley, S73 0HZ

Single storey kitchen extension to office building

Site Description

The property is a commercial site housing two buildings which are utilised for warehousing, a workshop and an office. The site is surrounded primarily by residential dwellings to either side and the front with access to the site coming from Beech House Road. The site slopes from north to south with a boundary fence around the boundary of the site as retained by application 2019/1490. The site also features nine trees that are protected by tree preservation orders with works to them last being approved in 2022.

Planning History

B/91/1102/WW - Outline for residential development (Historic)

B/96/0803/WW - Outline for residential development (Historic)

B/03/0844/WW - Outline for housing development (Historic)

B/04/0361/WW - Residential Development of five detached houses (Withdrawn)

B/04/2407/WW - Erection of 15 apartments - comprising three, three-storey blocks of 5 apartments each (Refuse)

B/05/1062/WW - Erection of seven dwellinghouses and one block of five garages (Refuse)

2006/0102 - Development consisting of 5 apartments in a two-storey block, two-storey office building with parking spaces and retention of existing storage building (Approved with conditions)

2006/1032 - Variation of conditions 5 & 10 of application 2006/0102 (Approved with Conditions)

2008/1788 - Variation of condition 1 of application 2006/0032 (Approved with conditions)

2015/1388 - Demolition of existing single storey workshop, erection of three storey apartments providing 7 no. flat studios, new reconfigured external works and car parking (outline) (Refuse)

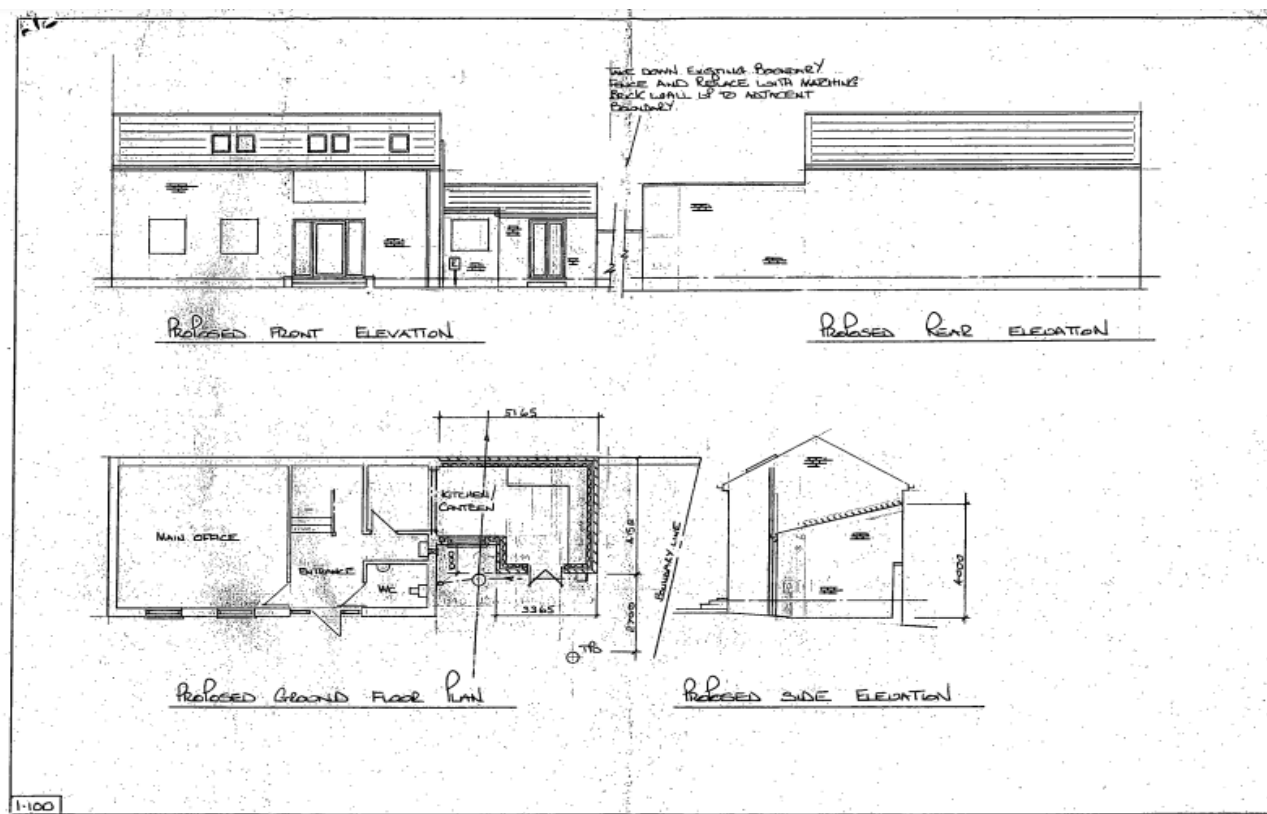
2018/0562 - Variation of condition 7 (hours of commercial use) and condition 9 (hours of deliveries) of app 2006/0102 (Withdrawn)

2019/1490 - Retention of site boundary screen/attenuation fencing (Approved with Conditions)

2021/1455 - Crown clean and crown lift Sycamore tree to 5.2m above ground level and reduce away from neighbouring properties on the western boundary by 2-2.5m and also on the eastern portion of the canopy away from the office building. Crown clean and thin the Hornbeams by 20% and crown lift to 3m above ground level. The portion of Hornbeams overhanging the neighbouring gardens to the west shall also be reduced back by 2-2.5m towards the boundary line within TPO 12/1996 (Approved with conditions)

Proposed Development

The applicant is seeking approval for the erection of a single storey side extension to the building. The extension will project 5.2 meters from the side (west) elevation of the building and has a width of 4.3 meters. The extension will feature a mono-pitched roof with a ridge height of 4 meters and an eaves height of 2.75 meters. The materials used will be matching brickwork and roof tiles.



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 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 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 it.

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 – 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 D1: High quality design and place making – Supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. 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. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.

Consultations

The LPA's Forestry Officer was consulted and raised no objections subject to conditions.

Highways Development Control (DC) were consulted and raised no objections.

Highways Drainage were consulted and raised no objections.

Ward Councillors were consulted and provided no response.

Pollution Control were consulted and raised no objections subject to conditions.

The South Yorkshire Mining Advisory Service were consulted and raised no objections.

Yorkshire Water were consulted and provided no response.

Representations

Neighbour notification letters were sent to surrounding properties, one comment was received and in summary raised the following points;

- Could you please confirm that all covenants previously listed will stay?
- The exterior wall of the extension to replace the existing boundary fence. Could you please confirm there will be no further guttering or fall pipes on this boundary wall?
- Drains and sewage disposal from increased use. We have already had problems from blocked and backed up drains resulting in a ground floor apartment getting a backed-up toilet and inside drain overflow. The current drain covers are in our car park area and due to Heritage House being positioned uphill from our drains they presently flow into ours.
- In section 11 foul sewage was ticked, however there is no proposal to connect this to the existing drainage system. Does this mean they are going to create a new connection on their land to the main sewer on Beech House Road.
- We are concerned about the additional load on the present drainage system as the additional toilet and wastewater will increase, particularly the sewage waste.
- Section 12 Assessment of flood risk, what is a sustainable drainage system and how will it work? The gradient of our car park, which slopes downs from Heritage House could create water run-off and cause increased maintenance and frost problems.
- Could you please confirm there will be no windows overlooking the Heritage Court car park and its apartments?
- We have noticed there are 10 cars mentioned on the application form and it states no intention of increasing this number, this cannot include the light commercial vehicles that this company uses. We have an additional regular flow of HGV vehicles up and down the driveway with waste lorries, skip lorries and large courier pallet deliveries. This is a cause for concern and the speed of the light commercial vehicles on the driveway is already causing concern. We have the additional problem of the silent electric vehicles approaching unnoticed. This is on our shared access driveway, and we feel a speed restriction should be introduced to prevent the vehicles swinging into the bottom of the driveway maintaining the same speed from the road. The electric gate used to be closed which prevented them from speeding in, but lately it is being left opened.
- The use is presently as office and warehouse storage only but on the application form it states the outbuilding as a workshop.
- The application states times of opening 08.00 -16.30. Are any safeguards around disruption to the neighbours being arranged with the council regarding delivery times and noise pollution, for our protection? One of the covenants placed on this land and buildings are strict times of opening and closing so as not to cause a disturbance to residents.

In response to the above points the applicant provided the following information;

- Nothing changes regarding the existing covenants.
- All guttering would be within the boundary of Heritage House, as the roof is a sloping roof towards the carpark within heritage house.
- The issue with the blocked drain happened on one occasion and was proven to be caused within the house by baby wipes. We don't use such items and never allow such within toilets. There is no increase to water usage at our end. We currently have a toilet and Kitchen; these are just being moved to accommodate a staff sitting area for lunch (canteen).

- No windows will be on that side of the building.
- We have 6 cars permanently parked here during operating hours for Office Staff. Engineers visit when they require materials and stocking their vans. Otherwise, they work from home.
- We take deliveries from DPD like all the residents around us do. Maximum twice per month we have a delivery via HGV for extinguishers.
- The gates are left open to avoid vehicles waiting for them to open and therefore annoying neighbours with noise pollution.
- Error from the architect, we have office area and warehouse. No production is done.
- We are allowed to work 8-5pm Monday to Friday and Saturday Mornings. We try and only work 8-4.30 Monday to Friday to help the neighbours with noise pollution. We don't work Saturdays or bank holidays

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions and alterations to buildings are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Impact upon TPO

The proposed works will take place almost entirely within the rooting area of the protected sycamore tree. The area where the extension is to be built however, is entirely hard surfaced and as such already proves to be a hostile rooting environment. Therefore, if alternative foundation types were used, to minimise any implications for the roots present then the impacts would be low as this is already a covered surface. An arboricultural method statement (AMS) has been provided that notes the foundation must be a raft type and constructed to avoid the roots. It should be noted that conventional strip foundations could not be considered acceptable due to the proximity to the tree even though the area is already covered over. The Council's Forestry Officer is happy with the AMS and is satisfied that the proposal can proceed without negative impacts to the trees subject to a suitable condition.

Visual Amenity

With regards to materials, they should normally be of the same type, colour and texture to the existing building or as close a match as possible. In this case, the proposed materials will match the existing building with matching brickwork and roof tiles being proposed. The extension utilises a mono-pitched roof which is akin to the existing building's pitched roof and therefore acceptable. The proposed extension is acceptable in terms of its external materials and roof type; therefore, it will have little impact upon the character of the street scene due to the harmony with the existing building and being set to the side of the building. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Residential Amenity

The proposed extension will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing. The side extension does not project beyond the front or rear elevations of the building. In terms of overlooking there is only one window proposed

on the front elevation of the extension. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Highway Safety

There will be no impact upon highway safety as the proposal would not lead to any greater traffic generation at the site.

Recommendation

Approve with conditions