

2021/1329

Mr and Mrs P Mullins

Variation to condition 2 of planning appeal APP/R4408/D/20/3261976 (Erection of dwelling with attached garage and formation of access) to allow changes to design of scheme
White House Farm, 2 Towngate, Thurlstone, Barnsley, S36 9RH

Background

2020/0382 - Erection of dwelling with attached garage and formation of access – Refused for the following reason and later allowed at appeal – ref APP/R4408/D/20/3261976

“The existing dwelling, White House Farm is classified by the Council in the SPD: Design of Housing Development as being a 'larger home'. Local Plan Policy H9 states that development in the curtilage of existing larger homes should be resisted where the proposed development has an adverse impact on the setting of the larger home. The new proposed dwelling is large, is sited close to the boundaries of the site and would significantly reduce the amount of garden area which is used for the existing dwelling White House Farm. As a result, the proposal would harm the setting of this larger dwelling and as such, the proposed development is not in compliance with Local Plan Policy H9.”

Site description

The application is in relation to the front garden area of the existing dwelling, White House Farm. White House Farm is a large white rendered dwelling set within a large plot and situated on Towngate in Thurlstone.

The site comprises an area of garden land to the east of White House Farm and a private access drive which currently serves a total of 3 No dwellings. The lands slopes gently from west to east.

To the north of the site and adjacent to the access is the Crystal Palace Public House, however the majority of the surrounding properties are in residential use. To the south there is a low stone wall and beyond are properties which face onto Towngate/Manchester Road and are at a lower level. Adjacent to the site to the east is Redminster Barn which is a two storey Grade II Listed Building formally a barn and converted into a dwelling.

As can be seen on the aerial photograph below, 3 large trees within the site, specifically along the northern boundary which were protected by the Conservation Area designation have been removed with the consent of the Council's Tree Officer due to specific defects.



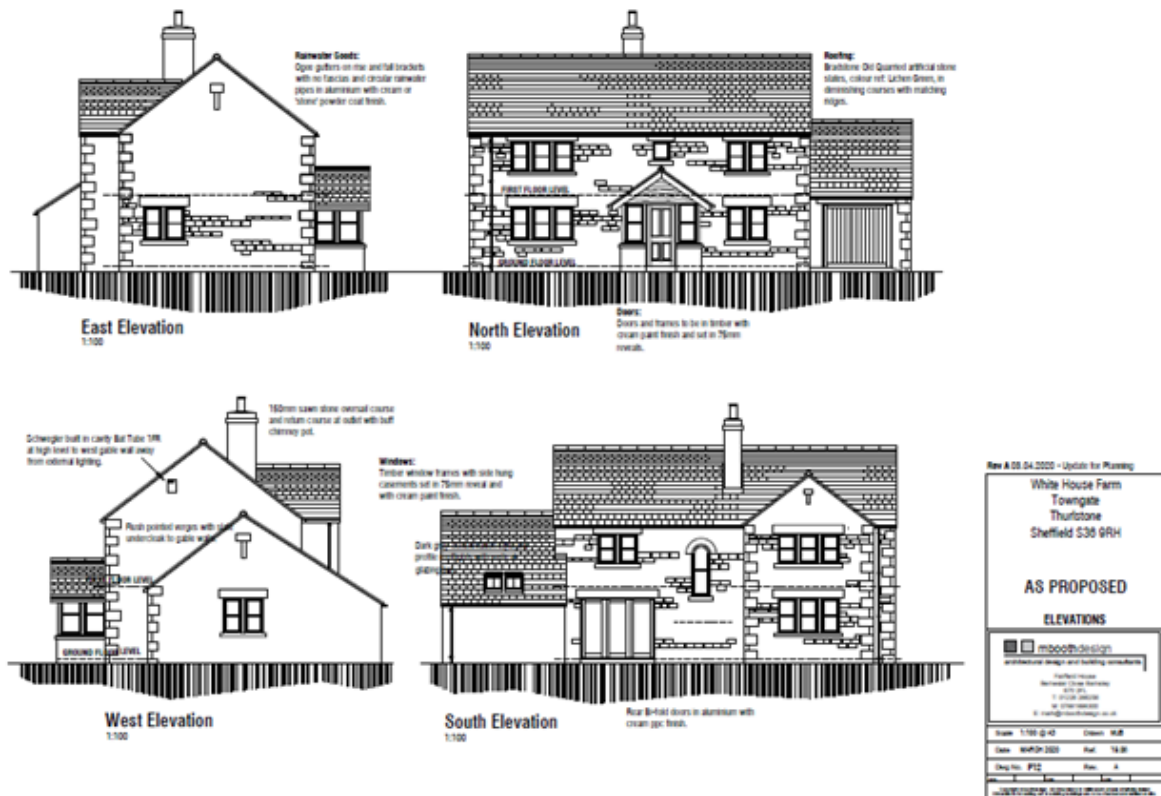
Proposed Development

The applicant is seeking approval for a variation to condition 2 of planning appeal APP/R4408/D/20/3261976 (Erection of dwelling with attached garage and formation of access) to allow changes to design of scheme.

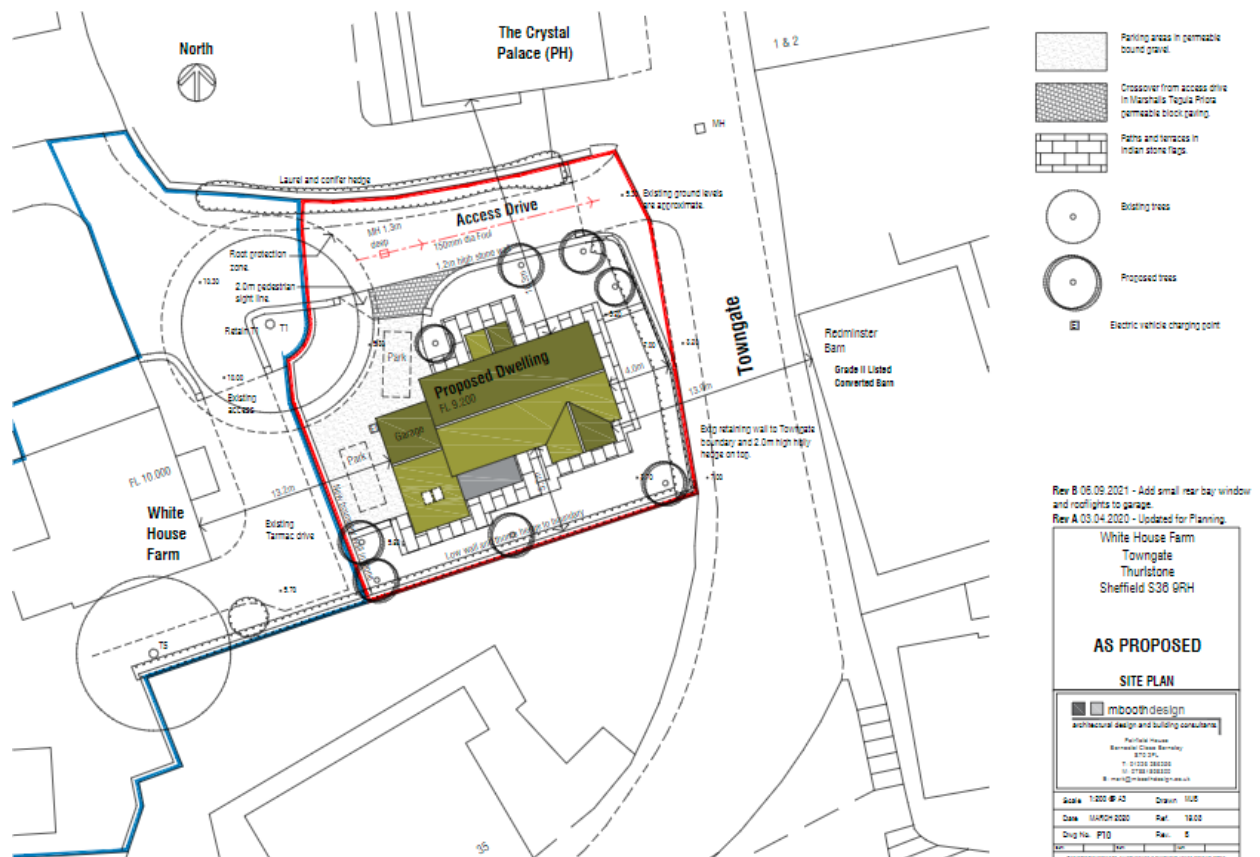
The changes proposed include:- A small glazed single storey bay window to the rear of the kitchen/dining room and a window to the rear utility area and rooflights within the garage at ground floor.



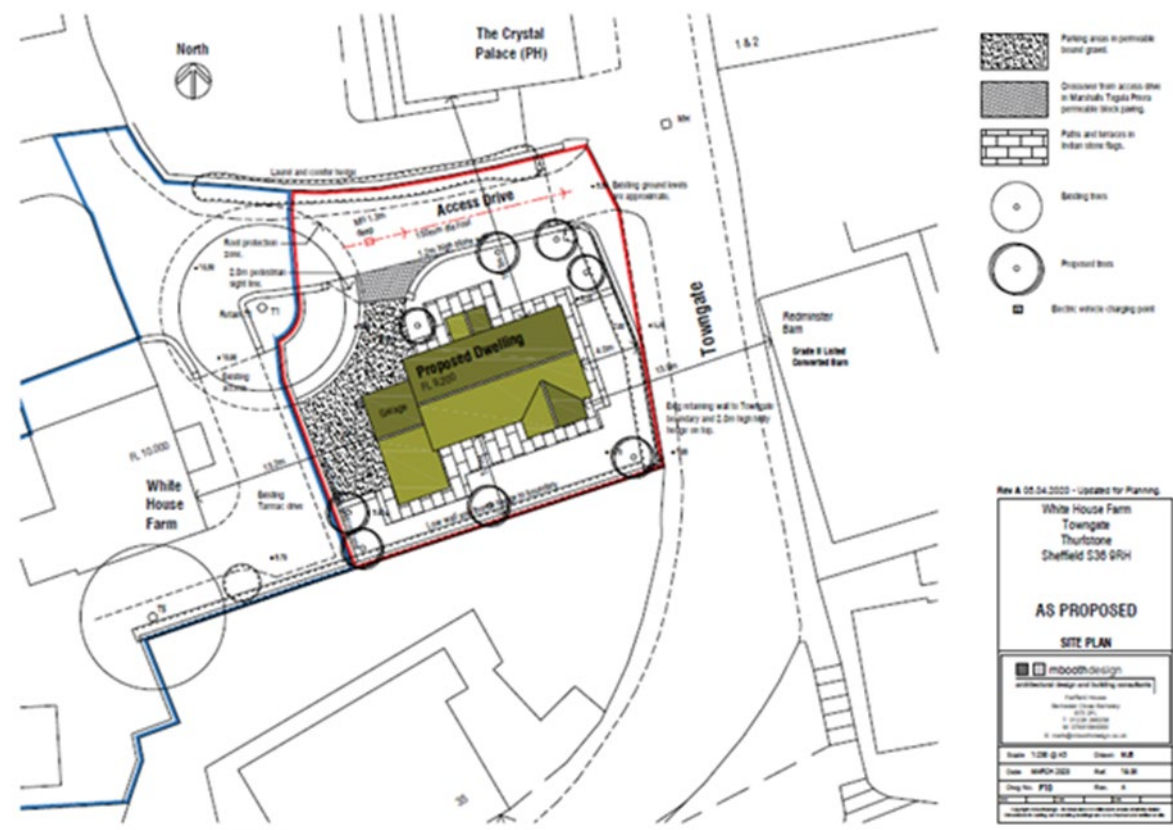
Proposed Elevations



Previously approved elevations



Proposed site plan



Previous approved site plan

Policy Context

The new Local Plan was adopted at the full Council meeting held 3rd 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). In reference to this application, the following policies are relevant:

GD1: General development – Proposals for general development will be approved providing there is no significant adverse effect on residential amenity, highway safety, the current or future use of nearby land and it upholds good quality design in accordance with local plan policy D1.

SD1: Presumption in favour of sustainable development – The Council will take a positive approach to proposals that reflect the presumption in favour of sustainable development contained in the NPPF.

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.

D1: High quality design and place making – This policy sets the overarching design principles for the borough. 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 the local area.

T3: New development and sustainable travel – New development is expected to be located and designed to reduce the need for travel, be accessible to public transport and encourage smarter ways to travel rather than unsustainable use of the private car.

T4: New development and highway improvement - 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 and Protection - 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. We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

HE1: The Historic Environment – The LPA will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's Historic environment, especially those areas which are at risk. This will be achieved by:-

- a. Supporting proposals which conserve and enhance the significance and setting of the borough's heritage assets, paying attention to those elements which contribute most to the borough's distinctive character and sense of place.

HE2: Heritage statements and general application procedures – Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the heritage significance of the site and its setting.

- This description will need to include an appropriate but proportionate level of detail that allows an understanding of the significance of the asset but no more than is necessary to understand the impact of the proposal.
- For sites with significant archaeological potential, a desk-based assessment may be required in line with the provisions of Policy HE6.

BIO1 – Biodiversity and Geodiversity

SPDs:

- Design of new housing development
- Parking
- Trees and Hedgerows

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.

Neighbourhood plan

Penistone NDP was adopted by Barnsley Council on 27th August 2019 and has now been made a part of the Development plan of the Borough. This plan aims to guide all areas of development in Penistone and the surrounding areas of the borough including Thurstone, The following policies are particularly relevant to this development:

BE2: Protection and enhancement of Local Heritage Assets – New Developments must respect the rural setting of the community by protecting valuable conservation and heritage sites.

Consultations

Penistone Town Council – No objection

Pollution Control – No objections

Highways DC – No objections

Tree Officer – No comments received

Conservation Officer – No objections

Drainage – Details to be checked by Building Control

Ward Councillors – No comments received

Representations

Neighbour notification letters were sent to surrounding residents and a site notice placed nearby no comments have been received.

Assessment

Principle of development

The site is allocated as Urban Fabric, i.e. land within the settlement with no specific allocation, however the immediately surrounding area is primarily made up of residential dwellings hence the principle of a residential development on this site is acceptable subject to other local and national policies being complied with.

The principle of the development has been accepted by the planning appeal decision APP/R4408/D/20/3261976. This proposal involves a small bay window extension and an additional window, the impacts of which are assessed below.

Residential Amenity

The proposed windows are located to the rear of the property at ground floor and the separation distances set out within the SPD would be maintained. The proposal would not cause any significant increased overlooking of adjacent dwellings in accordance with the SPD: Design of Housing Development.

Design and Conservation

The site is located within the Conservation Area of Thurlstone and therefore the design needs to be both sympathetic of its location, in accordance with Local Plan policy HE1 and general design principles in both Local Plan Policy D1 and SPD: Design of Housing Development.

The Conservation Officer has been consulted on the proposal and raised no objection to the changes as they are relatively minor and do not significantly alter the overall design of the dwelling. The design of the additional bay window and additional window to the garage are acceptable and the proposal remains fitting of its Conservation Area setting in accordance with policy HE1 and D1 of the Local Plan.

Impact on trees

The proposed bay window would be sited on an area which is proposed to be hard surfaced within the original approved plans. The window is relatively small and would not impact the rooting areas of the trees on site. The proposal is acceptable in terms of Local Plan Policy BIO1 and the SPD Trees and Hedgerows.

Highway Safety

In terms of Highway safety there are no objections to the amendment as it does not impact parking, visibility or turning areas

Recommendation

Approve with conditions