

---

**2021/0943**

Mr C Armitage

Erection of one dormer bungalow with associated parking and landscaping (Reserved Matters of Outline planning permission 2020/0684 seeking approval over layout, appearance and landscaping)

The Heights, Tower Street Worsborough Common Barnsley S70 1QS

---

**Site description**

The site of 0.06ha is approximately rectangular in shape and is situated at the southern end of Tower Street and is located between number 63 and the 5 dwellings still under construction to the south and nearing completion at the time of writing. Tower Street is characterised by a long row of stone fronted terraced properties with one detached stone fronted dwelling located at the end (No.52) which is set slightly back from the building line but abutting the terraced housing. The site lies at a higher level than the adjacent dwelling at 63 which has secondary or non-habitable windows facing the plot and is separated from it by a modest retaining wall, but lower than those under construction and Tower Street and separated from them by a 1.8m wall. A further row of houses lies to the northwest at West View, with the nearest dwelling on West View (number 38) lying northwest of the site approx. 25m from the northwest boundary of the site.



Site with West View property beyond outbuilding



No 63 Tower St adjacent property



Approximate red line boundary



Level changes

**Relevant Planning History**

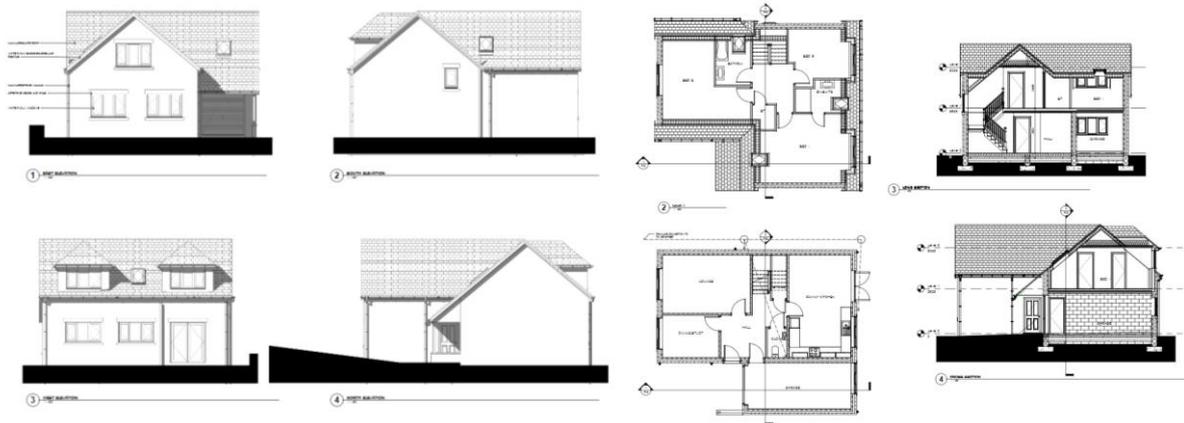
2020/0684 Erection of one dormer bungalow with associated parking and landscaping (Outline seeking approval over scale and means of access). Granted 10/12/20

2018/1399 erection of 2 detached dwellings adj 52 Tower St - granted

2017/1116 - Erection of 5 no. detached houses with integral garages and associated access road, driveways and landscaping. Granted 21/11/17 and nearing completion

## Proposed Development

The application is the reserved matters application for 2020/0513 which is an outline permission for the erection of one dormer bungalow. Scale and access were approved as part of the outline, so this reserved matter submission deals only with appearance, landscaping and layout.



The proposed dwelling is an L-shape with east-west orientation of habitable rooms. It has a single integral garage and kitchen, dining/study and lounge downstairs, and 3 bedrooms upstairs, one of which is ensuite. The appearance is of a pitched roof dwelling with apex roof projection to the front with lounge/ and dining room. To the rear are French window to the kitchen and two rear dormers and a Velux. Sufficient park is available on site to accommodate an additional vehicle.

The building is set back from the highway and set back from the prevailing building line of terraced dwellings on Tower Street, has a rear garden facing west and a small front garden.

## 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 dwelling 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 approximate mix of homes to meet local needs.

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.

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

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.

SPDs:

- Designing new 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.

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

Para 109 - 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 124 - 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**

Highways Drainage – no objection, happy for details to be checked at Building Control stage  
Public Rights of way no objection as there are no recorded public rights of way on or adjacent to the site.

SYMAS – no objections to proposed layout

Ward Councillors – A local councillor requested a site visit to clarify highway status, however, access was considered at the outline application stage

Asset Management – raises concerns about access. However, access was considered at the outline application stage.

Coal Authority – no objections

## **Representations**

Neighbour notification letters were sent to 10 surrounding properties and a site notice placed nearby; one representation was received which raised concerns that the erection of a dormer would reduce the privacy of the rear garden as the upper windows would look over the back on West View, and that it would also add to the traffic problem on Tower Street and the junction with Park Road.

## **Assessment**

### Principle of development

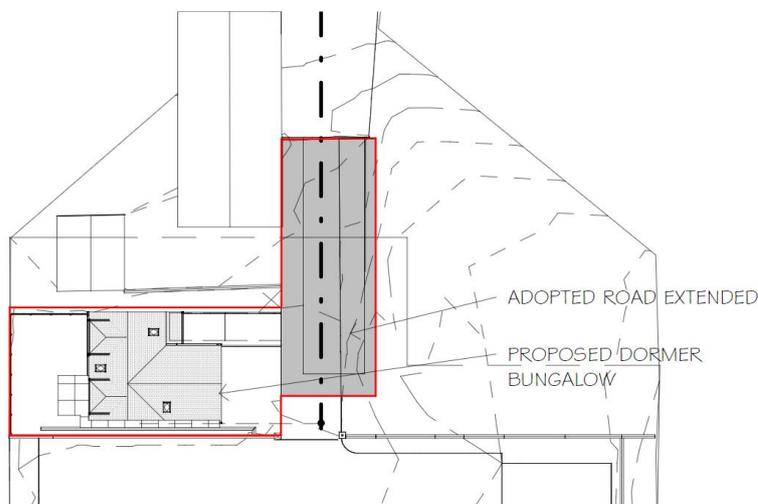
The application is a reserved matters with a recently approved outline permission for the dwelling (2020/0684). The principle of development has therefore already been granted by virtue of the previous outline permission. Subject to Local and National Planning Policies being complied with, the principle of development is therefore acceptable.

### Residential Amenity

One objection has been received from a property on West View in relation to loss of privacy in the dwelling and garden and a result of the dwelling, in particular dormer windows. As can be seen in the photograph above, when viewed on site and in considering the proposed plans, the rear dormer windows will overlook the green space and trees to the west linking to Locke Park. The rear elevation will lie at approximately 22m from the rear elevation of the nearest dwelling on West View and 16m from the boundary of the nearest West View dwelling and exceeds minimum requirements in the SPD. Significantly, the dwellings will be at an angle of approximately 45 degrees from each other and it is unlikely that any overlooking can occur. Existing vegetation, to the boundary of the West View property, and the outbuilding to number 63 Tower Street would add additional screening elements. Taking all these into account it is not considered that there would be a significant degree of overlooking as a result of the proposal either of the garden or dwelling of existing residential property on West View.

With respect to the neighbours to the north at 63 Tower Street, consideration needs to be given to the potential impact on the adjacent dwelling at number 63 which has windows and entrance doorway facing the site. However, these appear to be secondary windows in respect of the upper floors and to non-habitable rooms on the ground floor which cannot be protected to the same degree as primary windows to habitable rooms.

The layout plan shows the proposed dwelling set back from no. 63 to minimise impact on outlook so on looking out of the side windows of no. 63, the eaves of the side of the front gable will be most visible, rather than the gable wall of the garage. There are no windows to the north elevation of the dwelling in order to maintain privacy for both dwellings.



The gable element to the front of the proposed ensure the lowest part would be nearest the existing dwelling. Although this would only be at approx. 11m distance rather than 12m as set out in the adopted spd, the difference is considered acceptable for the reasons set out above. Given the difference in levels between the existing residence and the site, a dormer bungalow would keep impacts on outlook to the adjacent dwelling at 63 Tower to a minimum and would not affect outlook of the detached dwellings to the south currently under construction. The dwellings to the south lie a minimum of 16m away but are separated by level differences and a high stone wall, no windows are proposed to the south side of the dwelling so privacy is maintained.

The private rear garden is of sufficient size at just under 70sqm which accords with the adopted SPD. It does not achieve 10m from the rear elevation to the rear boundary. However, the rear garden overlooks greenspace linked to Locke Park and it is unlikely that any future development will take place in this location. As such in this case the garden is acceptable.

Internally, all the internal room sizes meet and indeed exceed the standards presented in the SYRDG. The garage meets minimum requirements of 6.2m x 2.7 though does not meet Lifetime Homes standards. Additional parking for at least one car is available on the driveway.

The proposed development is in compliance with Local Plan Policy GD1: General Development and SPD: Design of Housing Development and is acceptable in terms of residential amenity.

### Design & Visual Amenity

The design of the dwelling is a medium sized dormer bungalow with 3 bedrooms and a single integral garage. Whilst the northern end of Tower Street is uniform stone fronted terraced dwellings, the southern end has mixed character with large recent detached dwellings and another detached dwelling at number 52.

Level changes to the southern end of the site would mean that a 2 or 3 storey traditional design would appear too high adjacent to the terraced dwelling at number 63, which lies at a lower level than the site. The levels shown on the plan identify an existing retaining wall on the northern boundary between no. 63 Tower street and the site, and a low retaining wall on the southern boundary between the site and the 1.8m high boundary wall of the large detached dwellings to the south. The level changes can be seen in the photograph above.

A dormer bungalow is therefore a good compromise with a stepping down of roof heights. Materials are proposed to be of artificial stone walling with artstone heads and cills and artificial slate roof to reflect the character of the terraced dwellings on Tower Street. The dormers are proposed to have hipped roofs.

Overall, the proposed development is considered to in compliance with Local Plan Policy D1: High Quality Design and Place Making and is acceptable in terms of visual amenity.

### Highway Safety

The proposal is a self-build on an infill plot located at the head of a small cul-de-sac. One off-street parking space and a garage parking space is proposed, in accordance with the spd Parking for 3 bed dwellings. The access has been approved at outline stage and includes planning conditions to extend the adoptable highway in order to serve the site, this will be built to adoptable standards. As such, there are no objections on highway safety grounds and the proposal is in accordance with Local Plan Policy T4.

### Other matters

#### Coal Authority

A suitably worded condition to secure the undertaking of intrusive ground investigations in relation to coal mining legacy was imposed at outline stage.

A planning condition on the outline permission requires the following:

*Details of the means of demolition of the existing retaining wall (shown on plan 17-185 P02C) and the construction of any replacement, including structural calculations, shall be*

*submitted with reserved matters. Thereafter any replacement wall shall be constructed fully in accordance with the approved details prior to the occupation of the dwelling.*

However, the agent has confirmed that the existing retaining wall in question is no longer required to be demolished. Any alterations to it would require approval through Building Regulations.

### Conclusion

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

### **Recommendation**

**Approve** with conditions