

Mr C Johnson

Outline planning application for demolition of existing buildings and construction of 2no. dwellings and detached garages with access and layout under consideration at this stage.

Units 1 - 4, Darley Yard, Worsbrough Bridge, Barnsley, S70 4SB

Site Location & Description

The application relates to a plot of land located High Street, Worsbrough, within a small courtyard area of Darley Yard. The site is surrounded by residential and commercial properties to the north, residential properties to the east with an area of vegetation to the south and west. The area to the south and west bounds the site and is occupied by some early mature trees, further to the south is a further area of residential properties.

The site is rectangular in shape and is currently occupied by a single storey red brick single storey pitched roof commercial unit. Access to the site is taken from the shared area of Darley Yard which is accessed from High Street.

Planning History

B/80/0690/WB - Erection of workshop

B/91/0246/WB - Erection of 5 dwellings and garages

Proposed Development

The applicant seeks approval for outline permission for the erection of 2no dwellings with some matters reserved, access and layout are to be considered as part of this application. Scale, design and external appearance and landscaping are to be considered at the reserved matters stage.



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 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.

Local Plan

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

Policy H4 Residential Development on Small Non-allocated Sites
Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy T4 New development and Transport Safety
Policy Poll1 Pollution Control and Protection

Supplementary Planning Documents (SPD)
Supplementary Planning Document – Design of Housing Development
Supplementary Planning Document – Residential Amenity and Siting of Buildings
Supplementary Planning Document – Parking
The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework (NPPF) - December 2023

The National Planning Policy Framework sets out the Governments 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.

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 60 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

Paras 75-79 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 115 - 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 131 - The creation of high-quality, beautiful, and sustainable 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.

Para 136 – trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Para 139 - 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.

Para 180 – Planning policies and decisions should contribute to and enhance the natural and local environment.

Consultations

Biodiversity - No objections subject to conditions.
Forestry Officer – No objections subject to conditions
Highways DC – No objections subject to conditions.
Drainage – No objections – details to be checked by Building Control.
Pollution Control – No objections subject to conditions.
SYMAS – No objections.
Coal Authority – No objections.
Yorkshire Water - No objections received.
Demolition - No objections received.
Ward Councillors – No objections received.

Representations

Neighbour notification letters were sent to the surrounding residents and a site notice was posted adjacent to the site; one letter has been received in relation to

- Siting affecting enjoyment of garden
- Outlook from property
- Increase in overshadowing of garden and property

Assessment

Principle of Development

Local Plan Policy H4 'Residential Development on Small Non-allocated Sites' states that proposals for residential development on sites below 0.4Ha will be allowed where the proposal complies with other relevant policies in the plan. These sites make a valuable contribution to the housing supply. Sites in towns and villages can offer good opportunities for providing houses where other people already live, near to shops and services. Developing these sites also reduces the need to provide new sites outside settlement boundaries. We will allow small scale residential development within towns and villages in line with other plan policies, including those protecting peoples living conditions, road safety and design.

In addition to the above all new dwellings 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. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below.

Highway Considerations

The site is accessed off High Street via Darley Yard which forms part of the adopted highway up to the point where it meets the north-eastern corner of the site and is in a sustainable location with access to local amenities and good public transport links within very close proximity. Darley Yard also serves as the primary access to a small number of other properties, in addition to providing access to the rear of no.'s 146 to 166 High Street.

Highways have been consulted on the application and raise no objection to the proposed access. In addition, the proposed layout incorporates adequate off-street parking and turning facilities for 2no 3+ bedroom dwellings and that the development of the site would not result in an intensification of use of Darley Yard in comparison with the sites' current B2 use.

The site is sufficient to accommodate a dwelling of this size and the required number of parking spaces in accordance with the requirements of Supplementary Planning Document, Parking and as such the proposal is acceptable and in compliance with Local Plan Policy T4 New development and Transport Safety.

Residential Amenity

The applicant seeks outline permission for the siting and access of 2no dwellings; the site plan submitted indicates that 2no dwellings can be accommodated within the site whilst meeting the required separation distances between facing habitable room windows, blank gables and distances to rear boundaries, as set out in Supplementary Planning Document – Design of Housing Development. However, a full assessment of the full impact of the proposed dwellings will be made at the reserved matters stage when full details of the scale and design and external appearance are submitted.

Comments have been received in relation to the siting of the proposed dwellings and their impact on a neighbouring dwelling, 10 Laburnum Grove, in terms of overshadowing and loss of outlook. The dwelling is located approximately 30m to the south-west of the development site and separated by an overgrown area with some early-mature trees, which is outside the red line boundary. In addition, the proposed dwellings are sited in excess of 10m from the proposed rear boundary, therefore it is considered that the layout of the proposed development would not lead to an increase in overshadowing or reduce levels of outlook and as such the development is acceptable and in compliance with Local Plan Policy GD1.

Visual Amenity

As mentioned previously, this outline application is with some matters reserved, details relating to the design and appearance are to be considered at the reserved matters stage where a full assessment of the design will be made. Nevertheless, it is considered that the siting of the

dwelling and associated detached garages is acceptable and that suitably designed dwellings could be achieved in line with Local Plan Policy D1.

Biodiversity

National requirements have seen the introduction of Biodiversity Net Gain (BNG). In England; BNG is mandatory under the Town and Country Planning Act 1990, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality habitat than before a development. These regulations were introduced on 12th February 2024 and applied to any application submitted after this date. This application was submitted prior to this date and therefore the national BNG requirements would not apply.

A preliminary ecology appraisal has been submitted as part of the application, Biodiversity officers have been consulted on the application and have raised no objection to the proposal or the recommendations within the document, however they have requested a condition be included as part of the any approval.

Trees

As mentioned previously there are trees located adjacent to the site, and outside the ownership of the applicant.

The plans indicate that the trees T3 (Elder), T4 (Willow) and T5 (Willow) are to be removed to facilitate the development. The Forestry Officer has been consulted on the application and raises no objection to the proposal or the removal of the 3no trees referenced above. However, as trees are to be removed, replacement planting will be required, which can be conditioned.

As mentioned, the trees are outside the ownership of the applicant, however permission of the landowner has been sought, nevertheless this would be a private matter and not a material planning consideration.

Conclusion

The application is for outline permission for the erection of 2no detached dwellings with some matters reserved including scale, design and external appearance, and landscaping. The site is located within the Urban Fabric in what is an established residential area and residential development on small non-allocated sites is acceptable in principle subject to other local and national planning policies being complied with.

The layout and access of the proposed development indicates that adequate levels of amenity are retained for the neighbouring residents and future occupiers of the proposed dwellings. The erection of 2no detached properties, which whilst only a small contribution, would add to the housing supply. On balance, it considered that the erection of 2no detached dwellings is acceptable and in compliance with Local Plan Policies H4, GD1, D1 and T4.

Recommendation

Approve with conditions