
2022/0189

Applicant: Mr Dave Chambers

Description: Erection of two storey detached dwellinghouse with provision of attached treble garage to side, provision of access and 2m high perimeter fencing

Site Address: 29 Windmill Gardens, Royston, Barnsley, S71 4HQ

Site Location and Description

The site measures approximately 2700m² and is located immediately to the North of an existing pair of 2 storey, brick built semi-detached dwellings. The site is currently vacant and predominantly overgrown. Access is gained via a long and narrow unmade track which links the existing semis to Station Road to the South.

To the East of the site is a relatively modern housing estate with 2 no. bungalows backing on to the Eastern boundary. To the North is an open field and to the West is a triangular shaped piece of vacant land which has previously had planning permission for 18no. dwellings under applications 2015/0859 and 2018/0903.



Site History

2013/0215 – Erection of 3 no. dwellings and associated access – approved



2016/0503 – Erection of 3 no. dwellings and associated access – approved



Proposed Development

The applicant seeks permission for a 2 storey detached dwelling with triple garage attached by a glazed link. The dwelling would be at approximately 90 degrees to the neighbouring semi-detached properties and front the access track/driveway. The dwelling would be accessed via the existing track from Station Road which would split to the front of the existing semi-detached properties. The access is approximately 130m in length and it is proposed to widen the access to 4.5m with some retaining walls required as well as improving/widening the access point onto the highway.

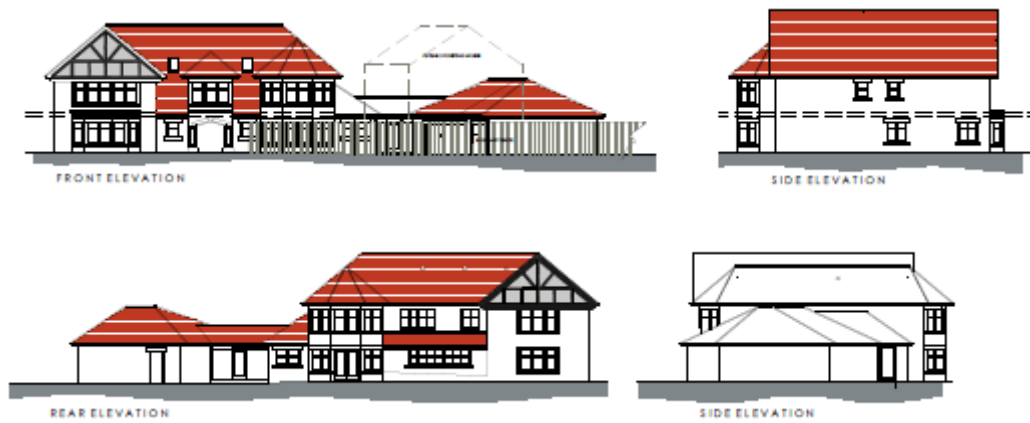
The dwelling would accommodate an open plan kitchen/dining/living room, drawing room, utility room, WC, study and gym on the ground floor and 4no. bedrooms (all en-suite) on the first floor.

The triple garage would be attached to the Eastern elevation of the dwelling by a glazed link with access through the utility room.

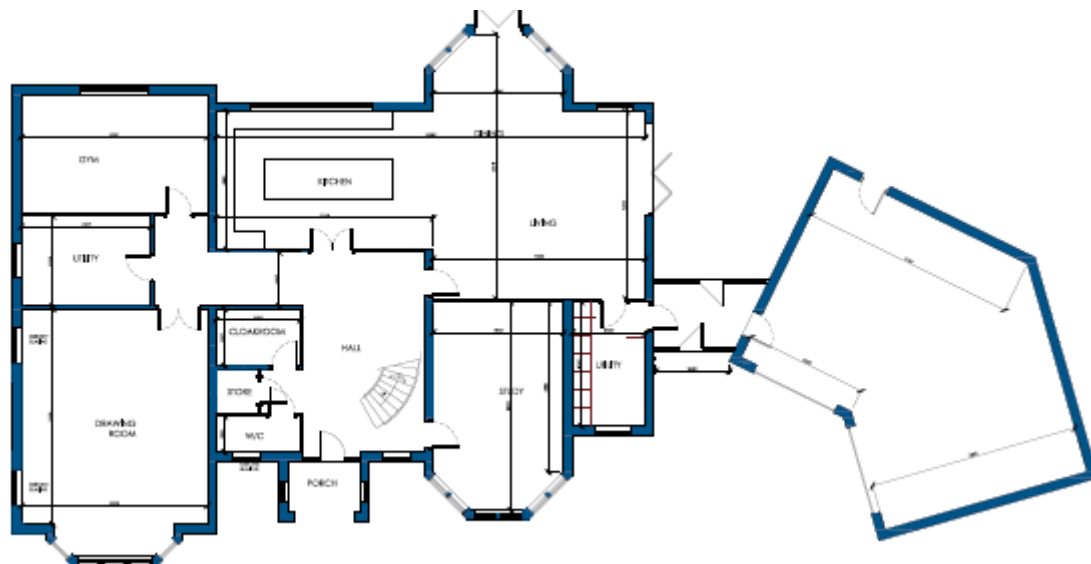
Site Plan

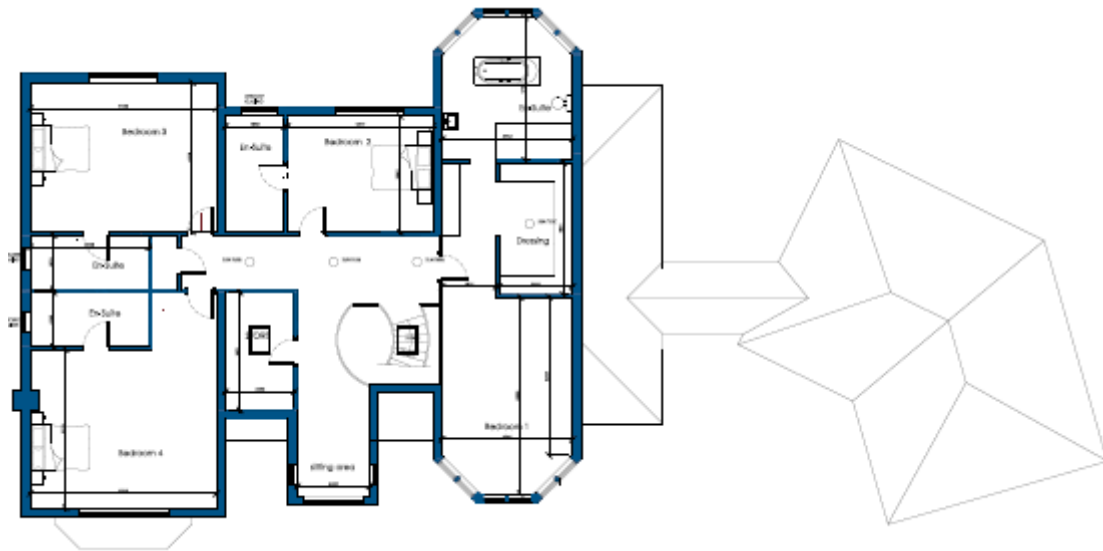


Elevations



Floor Plans





Policy Context

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.

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

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 majority of the site is allocated as Urban Fabric within the Local Plan Proposals Maps. However, part of the access runs through Windmill Hill Allotments, which no longer operate as allotments, and a small, elongated section to the West of the site is allocated as Green Space. Therefore the following policies are relevant:

Policy H1 The Number of New Homes to be Built

Policy H4 'Residential Development on small non-allocated sites'

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy GS1 Green Space

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

SPD's

Those of relevance to this application are as follows:

- Designing New Residential Development
- Parking
- Sustainable Travel

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.

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

Para 111 - 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 126 - 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.

Para 130 – sets out the requirements for development in terms of layout and design.

Consultations

Highways – No objections following the re-location of the bin collection point

PROW -No objections subject to an informative

Drainage – Building Control to check

Ward Councillors – No comments

Representations

28no. letters were sent out to neighbouring properties and a site notice was erected within the immediate area. 2no. objections have been received as a result. The main points of concern are;

- Questions raised regarding the bin stores
- Concerns regarding the height and location of boundary treatments
- Proposed retaining wall will limit visibility

Assessment

Principle of development

The site is located within the Royston Principle Town Area. The significance of the site being located in the Royston Principal Town area is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

The site is allocated predominantly as Urban Fabric within the Local Plan. Local Plan policy H4 'Residential Development on small non-allocated sites' states 'proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies within the plan.

It is noted that part of the access is allocated as allotments, however, the access already exists and it is just proposed to widen and improve that access. In addition a small section of the Eastern part of the site is allocated as Green Space, it forms part of a larger area of Green Space to the West of the site. It should be noted that this site has twice had permission for residential development and the larger site to the West has also been granted permission for 18no. houses, although there is some dispute whether development has been implemented on that site. In any case, this small section of Green Space is in private ownership, is not publicly accessible and does not currently function as green space. Given its size, the amount of similar Green Space within the immediate area and the previous site history it would be unreasonable to require a compensation payment in this case.

It is acknowledged that the proposed development could be considered piecemeal as the site is located adjacent to a larger site. It is possible that the application site could be combined with the neighbouring sites to achieve a more comprehensive development, in accordance with Local Plan Policy GD1. However, the application has to be considered on its own merits and, as it is located to the North Eastern corner of the larger site adjacent to existing residential properties, it would not prejudice the possible future development of the larger area of land. This was the case previously with the application site being granted permission for residential development separately to the neighbouring site which gained its own approval.

In addition to the above, all new dwellings proposed 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, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Design / Visual Amenity

The site is located over 130m from Station Road to the South of the site with limited views of the site from surrounding highways. Station Road has an eclectic mix of property styles, sizes and types evident, including some larger detached dwellings.

Immediately adjacent to the site are existing 2 storey semi-detached properties to the south and detached bungalows, forming part of a larger modern estate of mixed house types, to the East. There are open fields to the North and the area of Green Space with previous permission for 18no.

dwellings to the West and South West. The approved layout of the residential development to the West had detached dwellings backing onto the application site as shown on the submitted site plan.

It is noted the proposed dwelling has a relatively large footprint, especially in comparison to the dwellings immediately adjacent to the site, however, as outlined above, the dwelling would not be prominent within the streetscene and there is a real mix of property types and sizes within the area. Furthermore, the site previously had permission for 3no. dwellings positioned on a similar building line. A condition removing permitted development rights is also proposed.

The proposed dwelling has a hipped roof which slopes away from the shared boundaries and the garage has a modest eaves and ridge height, with only the hipped roof visible above the fence line. The front roof slope also projects down to the ground floor eaves giving a part 1.5 storey appearance rather than a full 2 storeys.

Interest is added to both front and rear elevations of the dwelling through the projecting gable and 2 storey bay windows. The front elevation also has an identifiable main entrance given the location of the porch with dormer above. Although the garage is attached to the main dwelling, it is attached by a glazed link giving the appearance of a detached outbuilding and aiding to reduce the perceived mass of the two buildings combined.

For the reasons outlined above, the detached dwelling would sit comfortably within the site and would not be an overly dominant or prominent addition, in accordance with Local Plan Policy D1 'Design', as well as the guidance set out in SPD 'Design of Housing Development'.

Residential Amenity

There would be some noise and disturbance generated by a dwelling on the currently vacant site through residential and vehicular activities, however, given that the proposal is for a single dwelling these would be modest, furthermore, 3no. dwellings have been approved on the site twice previously.

The closest neighbouring properties are the pair of semi-detached properties to the South. The proposed front habitable room windows do not directly face the side elevations of those properties and the part of the dwelling immediately adjacent to them is single storey. The dwelling is also set away from their private amenity space and is orientated directly to the North, as such, it would not result in an overbearing feature of significantly increase overshadowing, in accordance with Local Plan Policy GD1.

There are no habitable room windows proposed facing the private amenity space or the rear elevations of the bungalows to the East. The two storey part of the dwelling is over 24m from their rear elevations and the closest part of the building is the single storey garage which has a modest eaves height of 2.5m and a hipped roof which slopes away from the shared boundary. There is also a separation distance to the neighbouring rear elevation of over 12m. Arguably the current scheme is an improvement in terms of residential amenity for the neighbouring bungalows than the previous approved scheme which had a 2 storey building adjacent to the shared boundary.

In terms of the development of 18no. dwellings to the West, there is debate as to whether that permission has been implemented. Foundations for at least one of the plots have been poured, however, not all of the conditions for that permission were discharged. In any case, the proposed side elevation of the dwelling would be over 12m from the rear elevation of the approved dwellings which back onto the site, as such, it meets the requirements of the SPD.

It is noted that the habitable room windows on the rear elevation fall short of 10m from the rear boundary, however there are no neighbouring dwellings beyond the rear boundary, only land allocated as Green Belt in the Local Plan.

In terms of the residents of the proposed dwelling, it exceeds the internal spacing requirements of the South Yorkshire Residential Design Guide and there are gardens proposed around the dwelling which far exceed the 60m² required in the SPD.

Highways Safety

The driveway to the site is in excess of 130m which is not ideal given the 'man carry distance' to the adopted highway. However, as stated above, permission has been granted for 3no. dwellings twice in relatively recent years. The applicants are also proposing to improve the access and the driveway by widening the entrance and increasing the width of the drive to at least 4.5m to allow vehicles to pass and avoid vehicles having to wait on the highway which can currently be the case.

Highways DM have been consulted on the application and have raised no objections subject to conditions, including details being provided of the retaining structures adjacent to the adopted highway. It is noted that the proposed bin collection point is not immediately adjacent to the highway and is set back approximately 10m. This was at the request of Highways in order that the first 10m of the driveway was at least 4.5m and the bin collection point did not cause a pinch point in that area.

Within the site there is space to park several cars, in accordance with SPD 'Parking' and the vehicles can enter and exit in a forward gear. There is also space within the site for a fire appliance to turn.

Trees

The tree survey revealed 17 items of woody vegetation, comprised of 15 individual trees and 2 groups of trees or hedges. Of the surveyed trees, 3 trees are retention category 'U', and 14 trees and groups are retention category 'C'. Species diversity is limited, comprised mainly of Hawthorn with occasional Cherry, Cypress, Elder, Privet and Willow. The majority of trees surveyed are young or semi-mature, with only occasional early-mature trees.

From assessing the new development proposals, the removal of 8 trees and 1 group will be required as they are situated in the footprint of the structure or their retention and protection throughout the development is not suitable.

The retention of the trees along the northern boundary will minimise the loss of visual amenity from the surrounding areas. The trees selected for retention will provide an important element of green infrastructure, provide visual amenity and complement the new development.

The development of the site provides an excellent opportunity to undertake new tree planting throughout the site as part of a soft landscaping scheme. As such, suitable new tree planting has the potential to mitigate for the required tree removals and, in the longer term, has the potential to improve the sites tree cover, a landscaping condition will be recommended.

In addition to the above, it should also be noted that the previous approvals for 3no. dwellings on the site resulted in a similar impact on the tree cover on the site.

Biodiversity

The NPPF paras 174, 179 and 180 state that developments should contribute to an enhance the natural environment, minimising impacts on and providing net gains for biodiversity. Local Plan Policy BIO1 'Biodiversity and Geodiversity' states development will be expected to enhance the biodiversity of the borough and where development may harm biodiversity effective mitigation and/or compensatory measures will be required. The Environment Act also sets out key components of mandatory biodiversity net gain. There is also a less onerous process for applying

BNG to smaller developments including use of the small sites biodiversity metric published in April 2022 by Natural England.

As outlined in the tree section above, to accommodate the development a number of trees will need to be removed, as well as some of the grassed areas. This could lead to biodiversity loss on the site. However, the tree report also highlights there is also opportunity for new tree planting throughout the site as part of a new landscaping scheme, as such, a soft landscaping condition will be imposed. The fact that 2no. previous schemes on the site which resulted in a similar loss as proposed, and would have had a similar impact on biodiversity, cannot be overlooked.

Therefore, on balance, given the planning history and the fact enhancements can be made on site through a well designed landscaping scheme, a refusal in terms of biodiversity loss cannot be justified in this case.

Public Right of Way

A public footpath runs along the boundary of the site. The PROW team have raised no objections subject to an informative stating that safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary.

Conclusions

The application is considered acceptable in relation to the considerations set out in the assessment section of the report including highways matters, residential and visual amenity, trees and the relationship with the adjacent Public Right of Way subject to appropriately worded conditions.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, H1, H4, D1, GD1 & T4) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay. The recommendation is one of approval therefore subject to the conditions listed below.

Recommendation: Approve subject to conditions