
Ref 2015/0859

Applicant: Mr Payman Nayeri

Description: Erection of 18 no. residential dwellings with ancillary facilities and associated infrastructure.

Site Address: Land East of Station Road, Royston, Barnsley.

1 Letter of objection has been received from a local resident

Site Location and Description

The application site is located to the east of Station Road directly north (0.3m) of Royston town centre. The site measures approximately 0.74 hectares in area and is triangular in shape. Station Road extends along the western boundary where residential properties located on the other side of the highway overlook the site. Across the northern boundary there is a pair of semi-detached properties and along the eastern boundary there is an access road serving Windmill Terrace. To the north east of the site there are fields which are in agricultural use.

The site has an elevated position in relation to the highway, levels rise from the southern boundary and then drop to the north. The site is Greenfield but historically supported two residential properties which have long since been cleared. Until recently it was dominated by thick scrub and grass land but has since been partially cleared. Its boundary to Station Road comprises of a dense hedgerow which is broken at the northern and southern boundary by an access to the highway.

Planning History

B/96/1010/RO – Outline application for residential development – Refused for the loss of Greenspace and poor design

B/04/0488/RO – Residential development for 25 dwellings – Refused for being contrary to the UDP on Safeguarded Land and also for design reasons.

2007/1930 – Erection of 19 dwellings – Refused for being contrary to the UDP policy on Safeguarded Land and also for its poor layout design.

2010/1463 – Residential development of 24no. dwellings (Outline) – Withdrawn

2013/0450 – Outline for Residential Development (upto 30 dwellings) and formation of access road.

Proposed Development

This planning application is being submitted as a fully detailed planning application. The number of residential units has been reduced from the 30 units envisaged in the previous Outline Planning Consent (Ref: 2013/0450), to the proposed 18 no. units following a detailed consideration of the site levels and technical constraints that exist at the site.

The Site Layout Plan identifies that the extent of the red line boundary has been reduced slightly from the development boundary for the previous Outline Planning Consent (Ref: 2013/0450). The development boundary has been revised to exclude the third party land on the northern end of the site, and the layout has been amended in order to locate the primary access point on the north western corner of the site. The primary access point has been relocated following a detailed appraisal of the site to provide improved visibility splays along Station Road, and enable better internal site access arrangements given the land levels at the site.

The third party land could accommodate further housing as and when the owners are in a position to proceed with their land. The applicant has agreed a land swap with the third party land owner,

and in return for the transfer of ownership of the land required to provide the proposed improved primary access point, the applicant has provided a deliverable access, sufficient land to provide at least 3 dwellings.

The housing will be a mixture of detached, semi-detached and mews type housing. The housing mix comprises of 3 no. 2-bed dwellings, and 15 no. 4-bed. The 4-bed units comprise of three different housing types, with some benefitting from an ancillary garage.

The proposals introduce a new public footpath along the site frontage, in accordance with the Highways Department's requirements, and introduce a no build zone along the line of the rising main on the western boundary to accord with the advice provided by Yorkshire Water.

Policy Context

Planning decision 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 development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of the Local Plan, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

Core Strategy

CSP3 'Sustainable Drainage Systems' – Expects all developments to use SUDS.

CSP4 'Flood Risk' sets out that the extent and risk of flooding shall be reduced by requiring Flood Risk Assessments for developments over 1ha that shall set out measures including reducing surface water run off by at least 30% on brownfield sites.

CSP5 'Including renewable Energy in Developments' all development above 10 or more dwellings will be expected to incorporate decentralised, renewable or low carbon energy sources and other appropriate design measures sufficient to reduce developments carbon emissions by at least 15%.

CSP8 'Location of Growth' Identifies Royston as a Principle town and a priority for future growth.

CSP9 'The Number of New Homes to be Built' – The Council will seek to achieve the completion of 21500 new homes between 2008 – 2026.

CSP10 'The Distribution of New Homes' – (5% (1000) of the 21,500 new homes planned for Barnsley) are proposed to be built in Royston which is identified as a Principle time within the Core Strategy.

CSP14 'Housing Mix and Efficient Use of Land' states that proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and sustainable communities. It also states that a minimum development density of 40 dwellings per hectare will be expected. In addition priority shall be given to the development of previously developed land with a target of 55% and 60% of the overall amount of new housing.

CSP15 'Affordable Housing' states that housing developments of 15 or more shall be expected to provide affordable housing. In Urban Barnsley the expected contributions shall be 15% of the overall number of new dwellings proposed.

CSP26 'New Development and Highway Improvement' state that new development shall be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 'Design' sets out that high quality design shall be expected. New housing developments of 10 or more dwellings should achieve a rating of 'good' as a minimum under an assessment against the CABI Building for Life scheme.

CSP35 'Green Space' seeks to protect and enhance the Borough's Green Spaces, loss of any designated or functioning space would only be tolerated where appropriate compensation is secured or there is a surplus of that type of green space within the vicinity.

CSP40 'Pollution Control and Protection' is that the Council shall not allow development of new housing where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that they can be mitigated against.

Local Plan

The site is allocated for housing purposes (H35).

Policy H4 'Uses on Allocated Housing Sites' states – The sites shown as housing sites on the policies maps will be developed mainly for residential purposes.

SPDs/SPGs

The following LDF Supplementary Planning Documents have now been adopted which are relevant to the proposal:-

'Designing New Residential Development' sets out the standards that will apply to the consideration of planning applications for new housing development.

'Parking' states that the parking standards for new housing development shall be 1 space for dwellings under 3 bedrooms in size and 2 spaces for 3 bed dwellings and above.

The South Yorkshire Residential Design Guide has been adopted as a best practice guide by the Council and covers issues relating to sustainability, local distinctiveness and quality in design and is underpinned by the principles in the CABI 'Building for Life' scheme.

Saved UDP

H4 'Development on Housing Sites' promotes residential development

H8A 'Existing Residential Areas'

GS10 'Safeguarded Land'

NPPF

The National Planning Policy Framework 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.

In respect of this application, relevant policies include:

General principles para's 17

Delivering a wide choice of high quality homes para's 47 – 55 of particular relevance is paragraph 49 which states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development'

58 & 60 – Design considerations
Design para's 58 – 65

Consultations

Biodiversity Officer – No comments but no objections to 2013/0450

BMBC Drainage – No objections

Civic Trust – No comments but no objections to 2013/0450

Contaminated Land Officer – No comments

Design – No comments

SYMAS – No objections

Forestry Officer – No objections subject to conditions

Highways: No objections in principle subject to amendments

Regulatory Services – No objections

SYLTE – No comments

SYP ALO – No objections, advice given

Yorkshire Water – Identify that there is a sewer crossing the site, the layout would appear to observe this easement.

Representations

The application has been advertised by way of a site notice and properties which share a boundary to the site have been consulted in writing. One letter of objection received, the main points of concern are:

- Need substantial and clear boundaries
- Potential nuisance from car headlights

A councillor has also commented on the application. They are concerned with the removal of a bus stop further along Station Road (not within the site frontage) and have asked if the developer could pay for a new bus stop on the newly created pavement to the front of the site. Unfortunately, as the removal of the bus stop is not as a result of the development it would be unreasonable for the developer to have to pay for a new stop. There was no such condition incorporated as part of the previous outline approval.

Assessment

Principle of development

The current Development Plan consists of the Local Development Framework Core Strategy and the saved Policies of the Unitary Development Plan. The Local Plan is a material consideration,

this actually allocates the site for housing purposes. Little weight can, however, be attached to this as the policy document is still only a consultation draft.

The NPPF emphasises that Local Planning Authorities exercise a presumption in favour of sustainable development in determining all planning applications. For the purposes of the decision making process this means:-

- approving development proposals that accord with the development plan without delay
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.

The existing Unitary Development Plan notation on the site is Safeguarded Land. Saved UDP policy GS10 is clear that on Safeguarded Land existing uses will normally remain during the plan period and that planning permission for alternative development will only be granted following a review of the UDP. This has formed the basis of previous refusals.

The intention of Safeguarded Sites, however, is to release land that is required beyond the development plan period to serve long term development needs. The purpose of the Safeguarded Land designation in the UDP was therefore not to protect the land from development in perpetuity, but rather to designate land on the edge of existing settlements that may be required to meet longer term development needs without the need to alter existing Green Belt boundaries at the end of the UDP plan period.

The Unitary Development Plan was adopted in 2000 therefore the extent it can be relied upon in terms of current development needs is becoming dated. The NPPF also states that decision makers should only afford full weight to policies adopted from 2004 onwards.

UDP policies are not protected by the NPPF and those associated with safeguarded land within identified sustainable locations can now be considered 'out of date' meaning that the application needs to be considered within the context of the presumption in favour of sustainable development. The site is classed to be sustainable in terms of the adopted Core Strategy, Planning Advice Note 30 and the emerging Development Sites and Places Development Plan Document (DPD).

Once it is accepted that the UDP safeguarded land designations in sustainable locations, are out of date, it is then necessary to consider, as required by the presumption, if there are any adverse impacts from granting permission for this particular site that 'would significantly and demonstrably outweigh the benefits'. A PAN 30 assessment identifies that the site measures favourably against most of the sustainable criteria. This is achieved in the main due to its location within a Principle Town (within 0.3m of the centre) and the benefits arising from the associated access to transport and local services.

The site is being considered as a housing site within the emerging Local Plan, this supports the notion that is a sustainable location which must also be viewed in the context of the NPPF which not only commits to the presumption of sustainable development but also identifies that it is essential 'to significantly boost the supply of housing'.

In terms of housing need, Royston has been identified as a Principle Town and will be a priority for new development across the plan period. This will include the delivery of 1000 new homes.

The proposal is contrary to saved UDP policy with regard to the Safeguarded Land designation of the site. It is however, considered that this allocation is out of date and not reflective of the NPPF's presumption of sustainable development or the future growth aspirations for Royston. These matters weigh in favour of the site being released for development; this is however, on the

provision that the application would not have any demonstrable or adverse impacts. This approach is consistent with recent decisions taken on other safeguarded sites within the Borough.

The recent decisions on safeguarded sites mentioned above, also relates to the site in question as a previous approval has been given for an outline residential development (of upto 30 houses) under application reference 2013/0450. This application was granted under policies and guidelines which are still currently adopted and material considerations, as such, the principle of residential development has been set.

Residential Amenity

The proposed dwellings would be in excess of 21m from the existing dwellings to the East and also be constructed on a lower level, therefore, the development would be in accordance with SPD 'Designing New Housing Development' and would not significant increase overshadowing, result in overbearing features or reduce privacy levels to an unreasonable degree. The separation distances would also mean that the future residents would also be afforded a reasonable level of amenity.

There are further existing residential properties to the West of the site, opposite Station Road, however, again separation distance would comply with the SPD and there would also be a barrier of vegetation within the site to the back edge of the footpath serving the highway.

The development itself meets the required separation distance between the proposed properties. The majority of the dwellings would also have overall internal space which is in excess of the South Yorkshire Residential Design Guide. The only properties which fall short are the two bedroomed units (plots 13, 14 & 15) which would have 58.2m² internal space not the required 62m², however, this is only a 6.5% shortfall and would not warrant refusal in this case.

Similarly all the plots achieve the required external spacing standards (50m² for 2 beds and 60m² for 3+beds), with the exception, again, of plot 14 given it is a mid-terrace and constrained. However, the length of the garden meets the required 10m and reasonable space would be available, furthermore, future residents would be able to assess whether the space would meet their needs.

Design / Visual Amenity

The site has been a naturalised area for some time. Residential development would represent a significant departure from this characteristic. There are, however, mitigating factors which help to reduce this impact. The site is bounded on three of its boundaries by existing houses; the north eastern boundary to the open countryside would also be level to these adjacent developments. Views from Station Road (the main public vantage point) would be restricted in part by the sites levels and also by mature planting along the boundary. Taken in this context the development can be interpreted as a natural infill plot.

The site sits on a higher level than station road and would be visible from public vantage points. However, there would be a landscaping strip to the back edge of Station Road which would slope up from the highway to the site. This strip would include retained planting as well as newly introduced trees and planting, and, would limit views of the site and soften the development, maintaining some of the sites existing 'natural' character. Furthermore, there would be a number of trees/shrubs planted along the Eastern boundary of the site in the rear of plots 2-15. This would soften the development when viewed from Windmill Hill and Windmill Terrace. In addition, the land level where plots 2-15 would sit would be 1-3m lower than the existing ground level. As such, the proposal would not dominant the streetscene to the detriment of visual amenity.

Core Strategy policy CSP14 aims to ensure that development makes the most efficient use of land both in terms of overall density and house types. The layout plan shows a range of different house sizes and tenures which includes 4 house types in total, made up of 2 types of 2 storey 4 bed

detached, a 4 bed 2.5 storey, semi-detached unit and a 2 storey 2 bed town house unit. As such, the proposal would comply with this aspect of CSP14.

All the proposed dwellings are set back from the highway with landscaping to the front and are considered acceptable in terms design, scale and appearance. Furthermore, a number of the units (plots 1, 9, 10, 16, 17 and 18) have detached and semi-detached garages. The garages are all to the rear of the properties and would not be prominent features within the streetscene. The garages would follow the design and materials used in the host properties and would be subordinate additions.

As mentioned previously the site slopes with levels changing across it. The levels would be amended to accommodate the road way and the properties, with changes in levels between properties generally gradual and relatively even steps up and down in ridge height. The most obvious change in level would be between plots 7 and 8 where 7 steps would be required from plot 8 to the adjacent parking area. However, this would be partially masked by the adjacent properties and the road level, as such; it would not be detrimental to the visual amenity of the streetscene.

With regard to parking arrangements the layout does not appear to be car dominated, parking areas are provided to the front and sides of the properties and their dominance/impact will be softened as a result of soft landscaped front gardens and landscaping within the highway. All of the properties are served with front to rear access which allow for the storage of bins outside of the public domain.

It is acknowledged that part of the site is outside of the applications ownership and is not included as part of this scheme. However, the indicative plan of the adjoining land shows that a development could come forward at a later date which would harmonise with the scheme currently under consideration.

Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of properties within the locality which allows the developments to integrate successfully and promote the regeneration of the area. It is therefore considered that the proposal adheres to the objectives of CSP policies 14, 17, 29 which stress the importance of achieving high quality design.

Affordable Housing

Housing developments of 15 or more dwellings will be expected to provide affordable housing in accordance with Core Strategy Policy CSP 15.

The applicant initially submitted a Viability Assessment, however, the assessments and figures it contained was not accepted by the Councils Affordable Housing Officer, as such, affordable housing will need to be provided. As a result, the applicant has agreed to either on-site affordable houses for up to 3 units (units 13-15) in order to comply with policy or a commuted sum payment, the amount, the financial contribution will be the value of the "subsidy" which would have been provided on the original site, however, at the time of writing we are still awaiting a response from the Affordable Housing Officer as to which route to pursue. As such, if information does not come forward prior to the PRB meeting a condition will be imposed for further details to be submitted prior to commencement of the development.

Ecology

The applicant has submitted a Habitat Survey with the application which addressed the whole site, which is not designated either nationally or locally for nature conservation, and found no evidence that any protected species were present within the site. Furthermore, this identified no significant harm that could be attributed to the development but did acknowledge that there is an opportunity to enhance the biodiversity value of site through the creation of new habitat. The incorporation of

new hedgerows of native species would be of a significant benefit in this regard. An informative is recommended to accompany any planning permission to make the developer aware that it is an offence under the Wildlife and Countryside act to deliberately capture, injure or kill or disturb protected species or destroy a breeding site or resting place of such species.

Trees

5 individual trees, 3 tree groups and parts of a further 3 groups would be removed to facilitate the development proposals. The majority of these are low value or of a young age and individually have little arboricultural value. It is therefore considered that replacement planting can mitigate for their loss.

The removal of moderate value trees within G4 and G5 will require an increased level of mitigation. The main impact will be the loss of large amounts of tree groups and the benefits these provide for wildlife and habitat. Therefore a higher ratio of replacement tree planting that can provide similar benefits should be implemented.

A landscaping scheme has been submitted alongside the application which is considered acceptable to mitigate the loss. It is noted, however, that the mitigation in the form of tree planting has the potential to result in a small short term net loss of long-term tree cover (estimated at 10 years post-construction).

Highway Safety

The site is to the east of Station Road (B6132) Royston. The road runs in a northerly direction from Royston town centre towards the village of Notton in the district of Wakefield. Station Road currently only has one footway; this is on the opposite side to the development site. The speed limit fronting the site is currently 30 mph.

The site is regarded as being within a sustainable location. Station Road is served with regular bus services to Barnsley and Wakefield with bus stops being located a short distance from the site. Royston town centre which includes a variety of services is also only a short distance away and can easily be accessed on foot. In addition there are also attractive walking, cycling and recreation opportunities nearby. In this regard the site is therefore considered to be highly accessible, and well located in terms of sustainable transport means.

The proposed site access is opposite a detached house that has sufficient car parking for some 8 vehicles within its curtilage. Some 20m north of the site access is a row of terraced properties that lead to some on-street parking. There is no on-street parking directly opposite the proposed site access location and the parking to the north, in front of the terraced properties, is observed to be partly on-footway to allow the easier passage of other traffic travelling along Station Road.

The junction design incorporates a 1 in 20 platform over the first 10m, and over the next 30m the gradient is shown to be 1 in 12.5. The Section 38 Agreement for the roads will ensure that these adoption standards are achieved.

The access point has been amended since the outline approval. That access proposal has been regarded as unviable due to the gradient of the access road and the visibility requirements which require very significant earth-moving and retaining structures. The current proposals are considered to be far more suitable and achievable such that the current development scheme can be implemented in the short term.

A condition on the outline application required visibility splays of 2.4m x 90m. Highways DC requested those visibility splays again on this application, however, the applicants highway consultant contest that and states that the 2.4m x 43m visibility splays provided meet details set out in Manual for Streets which is the most up to date guidance. They also contest that the revised access point is far safer and delivers better visibility to/from Station Road than the

previous approved access. They are therefore unwilling to amend the proposal in line with the Council Highways Officers request.

In the vicinity of the site, traffic speeds are mostly below 30mph, due to the horizontal and vertical alignment of the carriageway. For traffic speeds of up to 30mph the design guidance (Manual for Streets) confirms that visibility of 2.4 x 43m is required. These visibility splays have been incorporated into the access layout drawing. A Condition requiring the provision and protection of these visibility splays will be attached to the planning permission.

Within the site plots 1-6 and 18 would be served by a 5.5m carriageway with 2m footways either side. Plots 7-12 and 16 would be served by a 5.5m wide carriageway with 700mm hard margins to both sides and plots 13-15 would be served by a private drive. This arrangement is considered acceptable by Highways DC Officers.

The layout complies with the SPD parking standards of 1 parking space for dwellings with up to 2 bedrooms and 2 spaces for dwellings with 3 bedrooms or more. All the detached garages meet the guideline internal dimensions set out in the South Yorkshire Residential Design Guide of 3m x 6.5m and driveways to the front of the garages are 3m x 6m. It is acknowledged that plot 12 has an integral garage below the required spacing; however, it provides 2 parking spaces externally.

Conclusion

Notwithstanding the sites designation as Safeguarded Land it is considered that material considerations (namely the presumption in favour of sustainable development) weigh in favour of the site being released for residential development. Royston is a principle town which has been prioritised for future growth; the development would therefore contribute to these objectives. There are no significant or demonstrable adverse impacts associated with the development and the site is considered to be within a highly sustainable location. Furthermore, the site has previously been granted outline permission for residential development and considered against currently adopted policies and guidelines.

Recommendation

Approve subject to conditions