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**2020/0615**

Mr Barron

Variation of condition 1 of application 2020/0510 (Residential development of 5no. detached bungalows) to allow variation in bungalow design for plot 3

Land to the north of Lane End Mews, Off High Street, Thurnscoe, Rotherham

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## **Background**

2007/0654: Erection of eight dwellings (outline) – Withdrawn.

2007/1339: Erection of eight dwellings, alteration to access road, minor re-alignment to public footpath (outline) (Resubmission of previous withdrawn application) – Approved with conditions.

2010/1149: Erection of eight dwellings, alteration to access road and minor re-alignment to public footpath (outline) (extension of time limit to 2007/1339) – Approved with conditions.

2013/1337: Erection of five dwellings including alterations to access road and footpath (Outline) (Amended scheme) – Approved with conditions.

2019/0499: Erection of five dwellings including alterations to access road and footpath (Reserved matters of appearance and landscaping in connection with application 2013/1337) – Approved with conditions

2020/0510 - Proposed residential development for 5 x detached bungalows with garages (part-retrospective) – Approved with conditions

## **Description**

The site comprises an area of land of approximately 0.44 Ha (1.09 acres), is roughly rectangular on a North/South axis with vehicular access along an existing unmade road from the South which links to High Street. There is an existing water course which bisects the site running West to East and a public footpath running parallel to the Eastern boundary and connecting Rectory Lane at its junction with Houghton Road to the North with High Street to the South.

The site is without significant variations in the land levels although it does fall gently towards the watercourse to the South. The Flood Risk Assessment submitted by Peter Wade states that the average ground level is 34.5 (Above Ordnance Datum). The site is surrounded by existing residential developments on three sides with a mixture of dwelling types including detached bungalows on the rear boundary (West) of the site and the converted barn buildings to the South (Lane End Mews) which are two storied and in a courtyard layout. The land to the North East is open recreation land understood to be under the control of Barnsley Metropolitan Borough Council. The existing access road is unmade and used by seven dwellings at Lane End Mews, a converted courtyard of former farm buildings to the South of the site. The site is located within Flood Zone 3.

There is no demarcation between the access road and the public footpath.

The below photographs show the site before any development took place



The below photographs show the site after the development had commenced (October 2020):



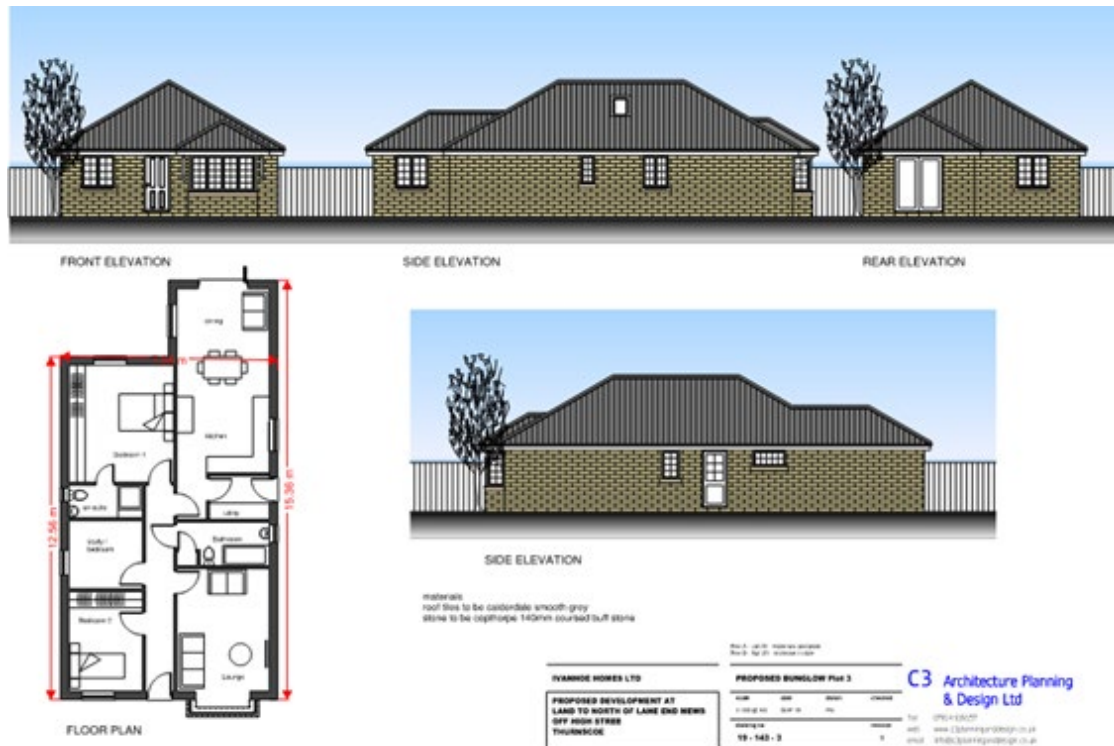
### **Proposed Development**

The applicant is seeking approval for a variation of condition to allow for a change of house type to plot 3. The changes are as follows:-

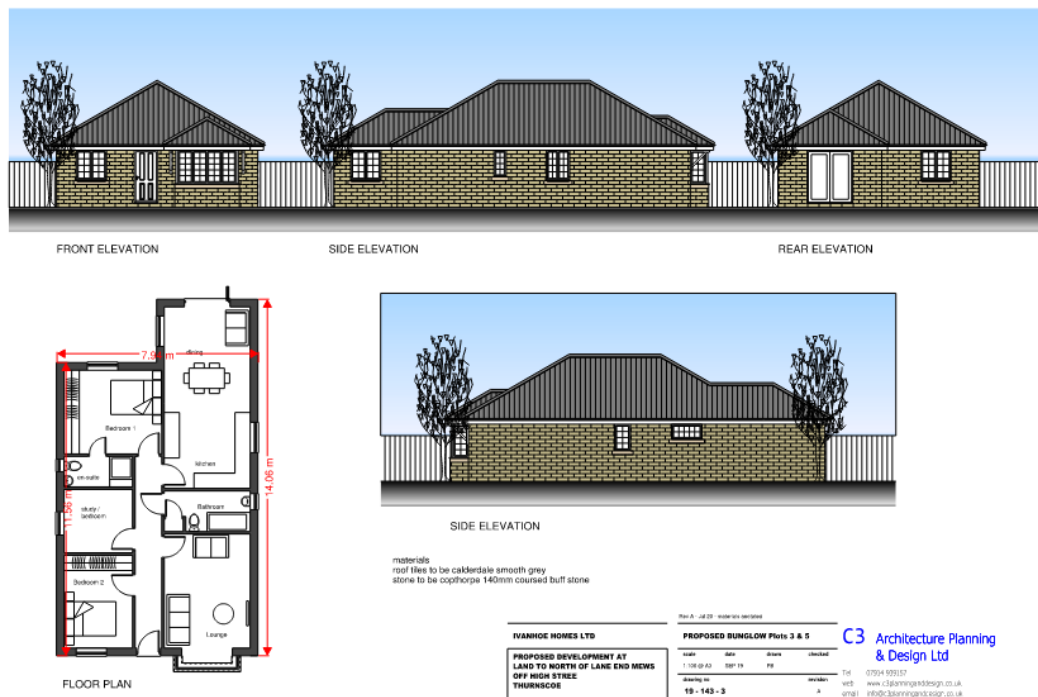
Increase in length of the bungalow from 14.06m to 15.36m and 11.56 to 12.56m to allow for a utility room and extended bedrooms. An additional door is proposed to the utility room on the side elevation and 1 new rooflight. A comparison of the plans can be seen below. The site plan is amended accordingly and the separation distance from the property to the rear is

amended from 27.394m to 26.094m and 12.398m to 11.098m which amounts to approx. 1.3m. The height of the dwelling remains the same.

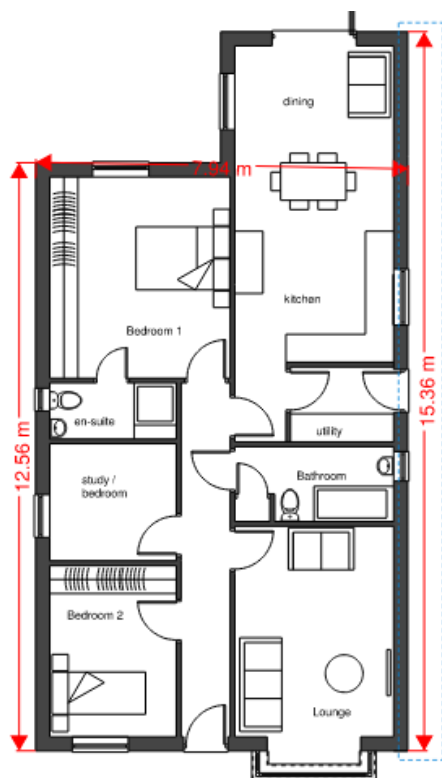
The other plans for plots 1,2,4 and 5 have been checked and it appears the only changes are internally to show a double bed within the single bedrooms. The external and internal walls are the same as previously approved. There are no external changes.



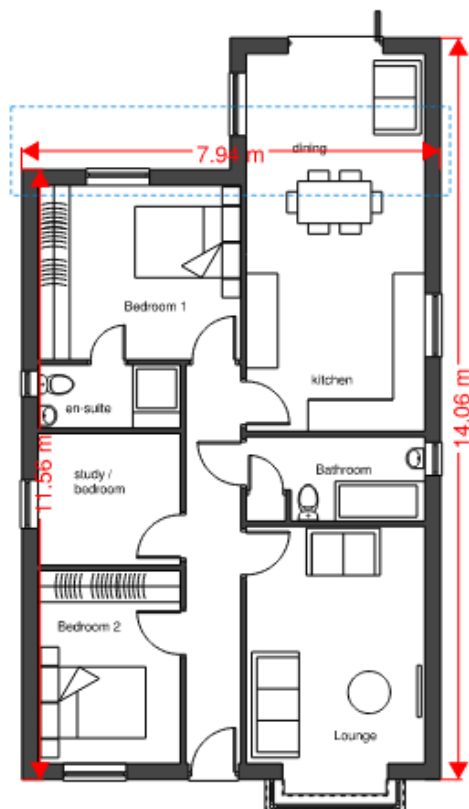
Proposed plans



Previously approved plans



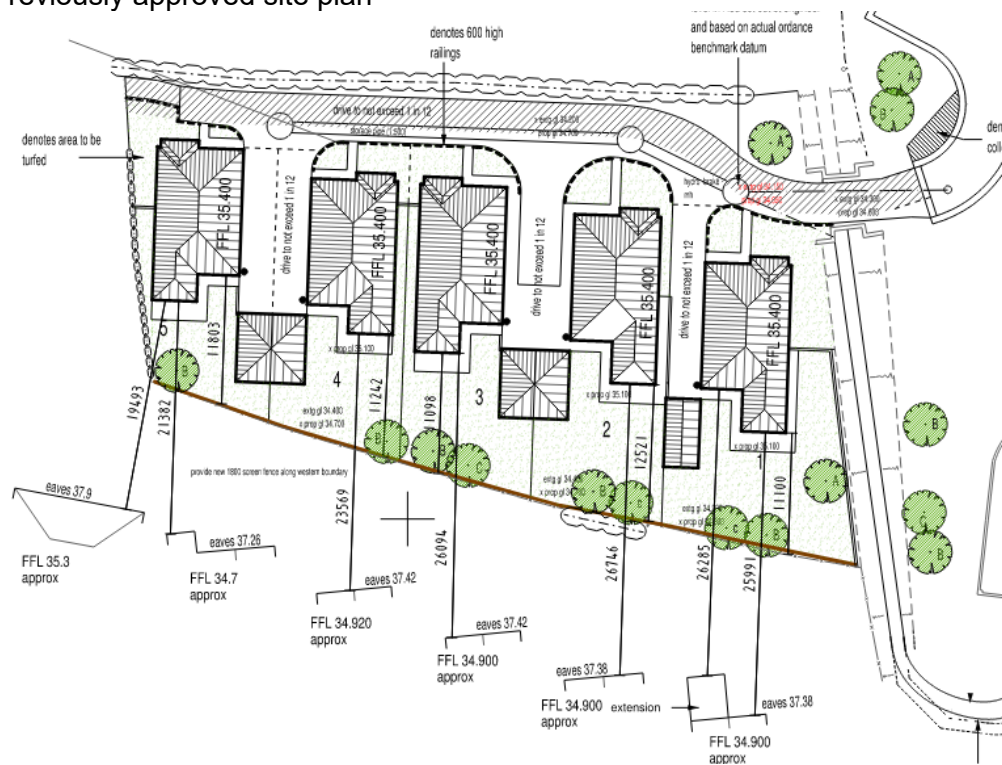
FLOOR PLAN  
Amended Proposal



FLOOR PLAN  
Previously Approved Plans



Previously approved site plan



### Proposed 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.

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.

Policy HE6: Archaeology – Applications for development on sites where archaeological remains may be present must be accompanied by an appropriate assessment (including a field evaluation if necessary) which must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development.

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.

CC3: Flood Risk – The extent and impact of flooding will be reduced by several measures. Including permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere.

#### 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. 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 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**

Environment agency – No comments received

Yorkshire Water – No comments received

Highways DC – No comments received

PROW – No comments received

Forestry Officer – No comments received

Ward Councillors – No comments received

Highway Drainage – No objections subject to previous conditions being applied

Archaeology – No comments received

## **Representations**

2 comments received

- 'We would prefer not to have trees growing near the new fence which will drop leaves into our garden. Will the new fence be double sided or will the good face project into our garden if it is to be single sided.'
- I would like to know the changes to plot 3
- I would like to know what the change is now regarding the hydro brake arrangement and also how / where the waste water will be running – dirty and clean please.
- Proposed scope of works are and the access arrangements for the mediation of the bend in the beck at the side of my property

(The resident was contacted by telephone and informed of the proposed changes)

## **Assessment**

### Principle of Development

The site is allocated as Urban Fabric but the surrounding area is primarily residential with extensive planning history on this site for the erection of a small residential development. As such, the principle behind this particular development on this site is already established and no change in the allocated land use or local planning policies means that the application is still acceptable in principle. This is subject to all local and national planning policies being complied with.

The principle of development has been accepted with the previous planning approval 2020/0510. This application proposes an amendment to the size and external appearance of plot number 3 only which is assessed below.

### Layout and Residential Amenity

The change to plot 3 results in a slightly larger dwelling to allow for a small utility room and the addition of a door and rooflight. The additional door and rooflight would not cause any significant overlooking of the adjacent properties as a utility room is not a habitable room. The change results in the dwelling being set some 1.3m closer to the properties at the rear, however the rear elevation of the plot is still in excess of 21m from the habitable windows of these properties which is in line with the SPD Guidance. There should be no significant impact to the adjacent dwelling due to this small change. The internal arrangements would still meet the requirements of SPD.

Whilst the plans show a double bed in place of a single bed in the smaller bedrooms of the plots, there are no other alterations proposed to the remainder of the plans and it would still be classed as a single bedroom for planning purposes. There are no other changes proposed to plots 1,2,4 and 5.



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

### Design & Visual Amenity

The small change to the size of the dwelling is considered acceptable and the property is not excessive in size or scale. The only other external changes include a small rooflight and door which are acceptable in terms of design. The amended proposal is in compliance with Local Plan Policy D1 and SPD: Design of Housing Development and is acceptable in terms of visual amenity.

### Flood risk and drainage

The land is partially sited within Flood Zone 3. The EA's recommendations for the development including the following conditions and mitigation measures outline in the submitted Flood Risk Assessment are still relevant and will be carried over to this planning permission.

1. The Finished floor levels (FFL) of the plots must be 35.4AOD which is 900mm higher than average ground level (34.5AOD).
2. The plots are designed with a safe space in the roof space.

The proposed change to plot 3 would not have a significant impact upon flood risk and drainage subject to the previous conditions being carried over.

### Highway Safety

The changes to plot 3 do not have any impact upon the parking/turning areas or access. The previous conditions will be carried over.

### Impact on Trees

The changes to plot 3 do not have any impact upon trees. The previous landscaping conditions and tree protection measures will be carried over.

### Archaeology

Previous approvals contained a condition with regards to a programme of archaeological work as the area is immediately adjacent to the Thurnscoe moated site. The Archaeology report was submitted as part of the previous application was considered by colleagues in SYAS who commented that an archaeological evaluation took place which showed that the site had been comprehensively disturbed prior to the investigation. There is no further archaeological interest in the site.

### **Recommendation**

**Approve** with conditions