
2016/1050

Applicant: Mr and Mrs D Allen C/o Simon Elliott

Description: Erection of 1 no. detached bungalow

Site Address: 4 Robin Lane, Royston, Barnsley, S71 4EA

Update

This application was deferred from the October Planning Board in order to allow Members the opportunity to visit the site.

Introduction

No objection letters received. Cllr Caroline Makinson has requested that it is referred to PRB.

Site Description

4 Robin Lane is an 'L' shaped detached bungalow constructed in the late 1980's. It was constructed alongside 2 Robin Lane, which sits to the West, as a mirror image pair. It sits within a large plot with gardens to the front, side and rear. Robin Lane is a single track which serves allotments to the North, a farmer's field to the East and the 2 aforementioned bungalows. The bungalows share a driveway which peels away from Robin Lane and runs parallel.

Site History

2011/0152 - Erection of 1 no. detached dwellinghouse – refused for the following reasons;

- 1 In the opinion of the Local Planning Authority the proposed dwelling would be contrary to Policy H8D of the Unitary Development Plan, the Council's Supplementary Planning Guidance Note 3 and the principles of PPS 1 and 3 in that its design (in terms of eaves height, roof design and fenestration) would be architecturally inconsistent with the character of the host and immediately adjacent properties, to the detriment of visual amenity.
- 2 In the opinion of the Local Planning Authority, the proposed development would be contrary to UDP Policy H8D and SPG 3, in that it would be an undesirable form of backland development, materially detrimental to the amenities of the host property by reason of disturbance from increased residential and vehicular activity.
- 3 The proposed development fails to provide sufficient and suitable accommodation within the site for the turning of emergency and refuse vehicles in order to enter and exit the site in a forward gear. Consequently, the proposal would not meet Building Regulation standards and reduce highway safety to an unreasonable degree, contrary to UDP Policy T2.

2011/0556 – Erection of detached bungalow (Resubmission of 2011/0152) – refused for the following reasons

- 1 In the opinion of the Local Planning Authority, the proposed development would be contrary to UDP Policy H8D, Core Strategy (submission version) policy CSP 29 and SPG 3, in that it would be an undesirable form of backland development, materially detrimental to the amenities of the host property by reason of disturbance from increased residential and vehicular activity.
- 2 The proposed development fails to provide a convenient vehicular access with sufficient and suitable accommodation within the site for the turning of emergency and refuse vehicles in order to enter and exit the site in a forward gear. Consequently, the proposal would not meet Building Regulation standards and would lead to servicing vehicles waiting in Polar Terrace for long periods reducing the free flow of traffic to an unreasonable degree, contrary to UDP Policy T2. In addition, the excessive man-carry distance from Poplar Terrace to the dwelling would be detrimental to the amenity of the occupants of the proposed dwelling, contrary to UDP policy H8A and policy CSP 29 in the submission version of the Core Strategy.

2013/0042 – Erection of 1.no detached bungalow – refused for the following reasons;

- 1 In the opinion of the Local Planning Authority, the proposed development would be contrary to saved UDP Policy H8D, Core Strategy policy CSP 29 and SPD 'Designing New Housing Development', in that it would be an undesirable form of backland development, materially detrimental to the amenities of the host property by reason of disturbance from increased residential and vehicular activity.
- 2 The proposed development fails to provide a convenient vehicular access with sufficient and suitable accommodation within the site for the turning of emergency and refuse vehicles in order to enter and exit the site in a forward gear. Consequently, the proposal would not meet Building Regulation standards and would lead to servicing vehicles waiting in Polar Terrace for long periods reducing the free flow of traffic to an unreasonable degree, contrary to saved UDP policy H8D, Core Strategy policies CSP 26 & 29 and SPD 'Designing New Housing Development'. In addition, the excessive man-carry distance from Poplar Terrace to the dwelling would be detrimental to the amenity of the occupants of the proposed dwelling, contrary to UDP policy H8A and policy CSP 29 of the Core Strategy.

A subsequent appeal was dismissed (Ref: APP/R4408/A/13/2196520) for the following reason;

I conclude that the development would not provide a safe and convenient access and would therefore conflict with Policies CPS 26 and CPS 29 of the Core Strategy and the principles of the Supplementary Planning Document "Designing New Housing Development", March 2012, and the National Planning Policy Framework. Amongst other things these require developments to provide safe, secure and convenient access and to avoid the introduction of vehicular and pedestrian movements close to an existing garden or its boundary.

2014/1226 – Erection of detached bungalow – refused for the following reason;

- 1 In the opinion of the Local Planning Authority, the proposed development would be contrary to saved UDP Policy H8D, Core Strategy policy CSP 29 and SPD 'Designing New Housing Development', in that it would be an undesirable form of tandem/backland development, materially detrimental to the amenities of the host property and neighbouring property by reason of disturbance from increased residential and vehicular activity. Furthermore, the proposal would not integrate well within the immediate area to the detriment of the overall character and layout resulting in an 'ad-hoc' form of development.

A subsequent appeal was dismissed (Ref: APP/R4408/W/15/3130601) with the inspector concluding as follows;

I conclude that even though the driveway would serve only one additional dwelling, the noise and disturbance associated with its use, together with the associated parking and turning area, would cause significant harm to the living conditions of Nos. 2 and 4 Robin Lane. The proposals would conflict with Policies H8A & H8D of the Barnsley Unitary Development Plan (2000)(UDP) and the Council's Supplementary Planning Document 'Designing New Housing Development' March 2012 (SPD) which seek, amongst other things, to ensure that new residential development, including tandem development, does not harm the amenities of existing residents.

I conclude that the layout of the appeal proposal would have a harmful effect on the character and appearance of the area, and would therefore conflict with Policies CPS 29 of the Barnsley Local Development Framework Core Strategy 2011 and the SPD which seek to ensure that new residential development, amongst other things, takes account of local distinctiveness and has a suitable and convenient means of access.

Proposed Development

The applicant seeks permission to erect a detached, 2 bedroom (one en-suite) bungalow to the East of the existing bungalow. Access would be taken from the shared drive serving numbers 2 and 4 Robin Lane which in turn links to Robin Lane and Poplar Terrace beyond. The main entrance to the bungalow would be on the Western elevation with the main habitable room windows on the North and South elevations. The side and rear garden of number 4 would be divided to provide a long, relatively narrow plot for the proposed dwelling. A parking area would be provided to the North of the proposed dwelling.

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 and 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 the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

Core Strategy

CSP 4 'Flood Risk' The extent and impact of flooding will be reduced by expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30%.

CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley. Development should enable people to gain access safely and conveniently.

Saved UDP Policies

Policy H8 (Existing Residential Areas) – Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.

H8A – The scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the 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, landscaping and access arrangements.

H8D – Planning permission for infill, backland or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

SPDs/SPGs

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

Other material considerations

South Yorkshire Residential Design Guide - 2011

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, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 58 (general design considerations) and paragraph 64, which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Paragraph 53 also states that LPAs should consider the case for setting out policies to resist inappropriate development of residential gardens.

Consultations

Yorkshire Water Services Limited – No comments

Highways DC – No objections

Drainage – No objections subject to conditions

Cllr Tim Cheetham – No objections

Representations

None

Assessment

Principle of Development

Saved UDP policies H8A and H8D and Core Strategy policies CSP 26 and 29 provide the policy framework for assessing infill developments, they are reinforced further by guidance provided within Supplementary Planning Guidance Document 'Designing New Housing Development', which states 'Dwellings should be orientated to have a frontage to the existing public highway', 'The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street.' & 'The siting of the dwelling should reflect the building line of the dwellings on the same side of the street'. The National Planning Policy Framework also has many parallels to above policies and states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Infill developments can represent an 'ad-hoc' form of development, which can fundamentally undermine the proper (comprehensive) planning of an area. To allow such proposals can indicate a departure from the long established local pattern of development, this can also make it harder for the Council to resist further (similar) proposals in future which in turn can progressively erode the area's character.

There have been several refusals and appeals dismissed for detached bungalows on the site, however, the previous proposals have been for backland or tandem development with the proposed dwelling to the rear of the existing dwelling.

Residential Amenity

The proposed dwelling would be positioned in close proximity with number 4 Robin Lane and its north elevation would project beyond the neighbouring properties front elevation. However, given the orientation and the amount of projection it would not significantly increase overshadowing to an unreasonable degree or result in an overbearing feature.

The proposed driveway serving the dwelling would run to the front of numbers 2 and 4 Robin Lane and could potentially increase noise and disturbance as a result of additional vehicle and pedestrian movements within close proximity to their front elevations. This could potentially be disturbing to the existing residents and reduce residential amenity levels.

In terms of the amenity of the future occupants, the internal spacing generally accords with the technical guidance set out within the South Yorkshire Residential Design Guide (SYRDG) and the external spacing exceeds the requirements of the SYRDG and the SPD.

Visual Amenity

The site is at the end of a private drive shared by 2no. bungalows, numbers 2 and 4 Robin Lane. The existing bungalows are 'L' shaped, sited on large plots and are separate from the more dense, terraced dwellings to the West. There is a relatively open aspect around the bungalows with allotments to the North and open fields to the East and South East.

The proposed dwelling would be situated between the East elevation of number 4 and the existing hedge separating the curtilage of number 4 from the fields beyond. The resultant plot would be approximately 10m wide compared to the existing widths of the plots serving numbers 2 and 4 Robin Lane which are approximately 27m and 30m respectively. As such, the dwelling would be contrary to the existing development pattern of the area, appearing 'shoehorned' into the site, cramped and 'ad-hoc', contrary to SPD 'Designing New Housing Development' which states 'The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street'.

Furthermore, the two existing bungalows are wider than they are deep and front the access drive. The proposed dwelling would be deeper than it is wide and would have the main entrance facing the side elevation of number 4, not towards the driveway or Robin Lane. As such it would appear at right angles to the neighbouring dwellings and again not reflect the development pattern of the area, contrary to the SPD.

The SPD also states that 'the siting of the dwelling should reflect the building line of the dwellings on the same side of the street'. The existing bungalows, given their 'L' shape, have a projection to the front on part of the front elevation, however, the proposed dwelling would project approximately 4m beyond that, contrary to the SPD.

In terms of the proposed parking layout, the spaces would be to the front of the proposed dwelling, separated from the North elevation by a lawn which is in contrast to the neighbouring dwellings. Although the parking for numbers 2 and 4 are to the front of the properties, they are located adjacent to the internal angle of the 'L' shape so do not significantly project beyond the projecting front elevation. This is contrary to the SPD which states 'Parking provision should be accommodated in a similar manner to how it is accommodated elsewhere on the street'.

In summary, the proposal would not integrate well within the immediate area to the detriment of the overall character and layout resulting in an 'ad-hoc' form of development. To allow such proposals can indicate a departure from the long established local pattern of development and could make it harder for the Council to resist further (similar) proposals in future which in turn can progressively erode the area's character.

Highway Safety

The proposal would provide off road parking in accordance with SPD 'Parking'. There are concerns regarding the distance of the property from the adopted highway in terms of man carry distance for bins, however, impact on highway safety would not be significant and a refusal on those ground could not be sustained.

Manoeuvring out of the proposed parking spaces could also be compromised, especially if the parking spaces to the front of number 4 are occupied, however, again the impact would not be significant enough to raise objection from Highways Officers.

Summary

The proposal would not integrate well within the immediate area to the detriment of the overall character and layout resulting in an 'ad-hoc' form of development, contrary to SPD 'Designing New Housing Development'. To allow such proposals can indicate a departure from the long established local pattern of development and could make it harder for the Council to resist further (similar) proposals in future which in turn can progressively erode the area's character.

Recommendation

Refuse

- 1 In the opinion of the Local Planning Authority, the proposal dwelling would not reflect the development pattern of the area and would not integrate well within the immediate surroundings, to the detriment of the overall character and layout, resulting in a cramped 'ad-hoc' form of development. As such, the proposed development would be contrary to saved UDP Policy H8D, Core Strategy policy CSP 29 and SPD 'Designing New Housing Development' and the NPPF, in that it would be an undesirable form of infill development that represents poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

