
2016/0118

Applicant: Berneslai Homes, C/o NPS Barnsley Ltd

Description: Demolition of existing terrace dwellings and erection of 8 no. dwellings.

Site Address: 2 Baden Street, Worsbrough Bridge, Barnsley, S70 5PA

2 letters of objection received.

Site Description

The site consists of 12no. 2 storey, brick built terraced dwellings which are built immediately to the back edge of the footpath serving Baden Street. A number of the properties have been extended to the rear and all of them have rear yard areas which are accessed via a pedestrian alley way. There are recently built semi-detached dwellings to the North East of the site and semi-detached dwellings immediately to the rear (West) which front onto Ravenscourt. Immediately Opposite the site is the car park serving a medical centre and to the South is an area of Greenspace which has planning permission for a chemist.

Proposed Scheme

The applicant proposes to demolish the existing terraced row containing 12no. properties and create a new terraced row containing 8no. properties. The proposed dwellings would be set back from the footpath and incorporate an off parking area using an open car port/undercroft arrangement. Adjacent to the parking areas each dwelling would have a gated pedestrian undercroft access, this removes the need for the shared footpath to the rear of the properties, as is the current arrangement.

Plots 2-8 would be identical with an open plan kitchen/dining area and WC on the ground floor and a lounge, 2 bedrooms and a bathroom on the first floor. Plot 1 would be slightly larger and have accommodation arranged over 3 floors providing 3 bedroomed accommodation and an additional parking space.

The properties would be predominantly brick built with slate/slate effect roofs. To add interest and light to the undercroft parking/pedestrian areas white render would be used.

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. 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, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

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'.

Consultations

Highways DC – No objections subject to conditions

Drainage – No objections subject to conditions

Yorkshire Water – No objections – control through Building Regs

Ward Councillors – No comments

Reg Services – No objections

Coal Authority – raised concern but would accept a pre commencement condition

SYMAS – No objection subject to pre commencement condition

Representations

The application was advertised by way of site notice and neighbour consultation letters to the properties immediately adjacent to the site. The layout was also amended during the application process which resulted in a re-consultation. As a result, 1no. letter was received to the original scheme and 2no. letters were received for the scheme currently under consideration. The main points of concern are;

- Parking – already a lack in the area and this scheme would add to the problems
- Drainage issues

Assessment

Principle of Development

The site is allocated as Housing Policy Area in the currently adopted UDP proposals maps and Urban Fabric, i.e. land within the settlement with no specific allocation, in the consultation draft of the Local Plan. All new dwellings proposed within existing residential areas 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, infill 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.

Furthermore, the principle of residential development on the site has previously been established as it currently accommodates 12no. terraced properties.

Residential Amenity

The proposed development would not introduce significantly more noise and disturbance given that the scheme is for 7no. 2 bed dwellings and 1no. 3 bed dwelling compared to the existing 12no. 2/3 bed properties the site currently hosts. This is especially the case given the relatively dense residential development within the immediate area as well as commercial uses which bound the site such as the medical centre and recently approved chemist.

There are no residential properties immediately to the South, only 1 to the North, set in a large plot, and only 1 directly opposite Baden Street. The proposed dwellings would be set back from that property, compared to the existing dwellings, as such; the situation for that resident would arguably be improved.

There are a number of dwellings to the rear of the site (west) which front Ravenscourt and back onto the proposed dwellings. There would be a separation distance of circa 28m between the proposed rear elevations and the existing rear elevations, in excess of the 21m recommended in SPD 'Designing New Housing Development'. It is acknowledged that some of the proposed rear elevations would fall short of 10m from the boundary shared with the neighbouring private amenity space however that is similar to the existing situation. Furthermore, views from ground floor windows would be limited by boundary treatments and only 1no. habitable room window is proposed on the rear elevations of plots 2-8 at first floor level.

As a result of the comments above, the proposed situation would not be significantly different to the existing situation and it would arguably be an improvement given there would be 4 less properties.

With regards to the amenity of the future residents of the properties, the internal spacing would generally accord with the South Yorkshire Residential Design Guide and the external spacing meets or exceeds the requirements of the SPD and Design Guide. In addition, the space on offer is more generous than those properties which they replace.

Visual Amenity

The proposal is for a continual terraced row, similar to the current situation. The roofs of the proposed dwellings would step down the slope which aids to visually break up the long run and add interest. Only plots 1 and 2 would not have a roof break between them.

The proposed dwellings would have a wider frontage than those they replace but the main difference would be the inclusion of a carport/undercroft parking area. The previous dwellings were constructed a number of years ago when off street parking was not required. However, to comply with current standards set out in SPD 'Parking' 2 bedroom properties require 1no. space with 3 bedroom+ properties requiring 2no. spaces.

In order to incorporate parking, while still making efficient use of the site, the applicant proposes to incorporate an open carport arrangement similar to an integral garage. However, given the space limitation there is no room to provide a drive way to the front of the carport, or to provide a full depth parking space within the envelope of the building, as such the proposed situation is a combination of both with part of the car in the property and part out. A driveway could not be incorporated to the front of the dwelling as it would push the property back and fall short of the required separation distances to the properties at the rear. Furthermore, driveways to the side of the properties would significantly reduce numbers and not make the most efficient use of the site.

It is acknowledged that there is sometimes concerns with the layout proposed as it could lead to an in active frontage directly adjacent to the pavement serving the properties. However, the applicant has considered this and brought the front entrance of the property forward so that it is within close proximity to the highway. In addition a pedestrian access to the rear of the property is incorporated within the undercroft which would increase activity. Furthermore, the design of the undercroft has been carefully considered so that it does not appear a dark, bland space, especially when there are no vehicles parked in it. The applicants proposed the area to be rendered in off white to contrast the facing brickwork and also reflect light. Light would also be gained through the proposed pedestrian gates which lead directly to the rear amenity space.

The proposed dwellings would be set back from the highway, which is in contrast to the existing properties which are directly against the back edge of the footpath. Arguably this is an improvement on the current situation as the dwellings would not be as prominent and allow an element of 'breathing space'. It also provides an opportunity to incorporate a small area of landscaping and utilized contrasting paving/surfacing materials to add interest.

The proposed terraced row would have a more modern/contemporary appearance, but given that there is a relatively modern residential scheme recently completed to the North East of the site and the neighbouring medical centre is relatively contemporary in design, it would sit comfortably within the streetscene and would not appear an alien feature, to the detriment of visual amenity.

As mentioned above, the rear pedestrian access alley which currently exists would be removed as a result of this scheme and incorporated into the rear garden areas. However, each property would have pedestrian access from the front to the rear of the properties which would allow bins and recycling containers to be kept within the rear amenity space. This would help maintain the visual amenity of the streetscene and avoid 'clutter' to the front of the dwellings.

Highway Safety

The site currently accommodates 12no. terraced dwellings with no off street parking, as such, when the properties were occupied there was pressure for on street parking. The proposal is to erect 8no. of properties all of which would have off street parking in accordance with SPD 'Parking'.

It is acknowledged that vehicles would likely reverse out of the undercroft parking spaces, however, this would be done slowly and passing pedestrians would have a good view of the vehicles emerging. Views also open up for the vehicles once out of the undercroft given that the properties would be set back from the back edge of the footpath and would incorporate relatively low dividing boundary walls.

Highways DC have inspected the plans and raised no objections.

Mining

The site is located in a Coal Mining Referral Area due to the possible presence of shallow coal (Kent's Thin Seam). Although the risk is considered low, the presence of shallow unrecorded mine workings cannot be ruled out. If Mine workings are present within a critical depth, the site could be at risk from mining legacy risks such as land instability. Remedial Works and/or appropriate foundation design then maybe required.

As such, a condition will be recommended for further investigation works to take place, this is an approach recommended by both SYMAS and The Coal Authority.

Conclusion

The proposed development would 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, the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land in accordance with policies H8D, CSP 26, CSP 29 and SPD's 'Designing New Housing Development' and 'Parking'.

Recommendation

Grant planning permission subject to conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Nos NPS-DR-A-(00)-012-P1, NPS-DR-A-(00)-020-P1, NPS-DR-A-(00)-021-P1, NPS-DR-A-(00)-100-P1 & NPS-DR-A-(00)-800-P2) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 3 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 4 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 5 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

6 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

7 Prior to the commencement of the development, a site investigation must be undertaken to fully investigate potential mining legacy risks. The investigation should be carried out in compliance with CIRIA publication 32 'Construction Over Abandoned Mine Workings', a report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interest of Land stability NPPF sections 120 & 121.

8 The boundary treatments shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details shown on drawing number NPS-DR-A-(00)-800-P2.

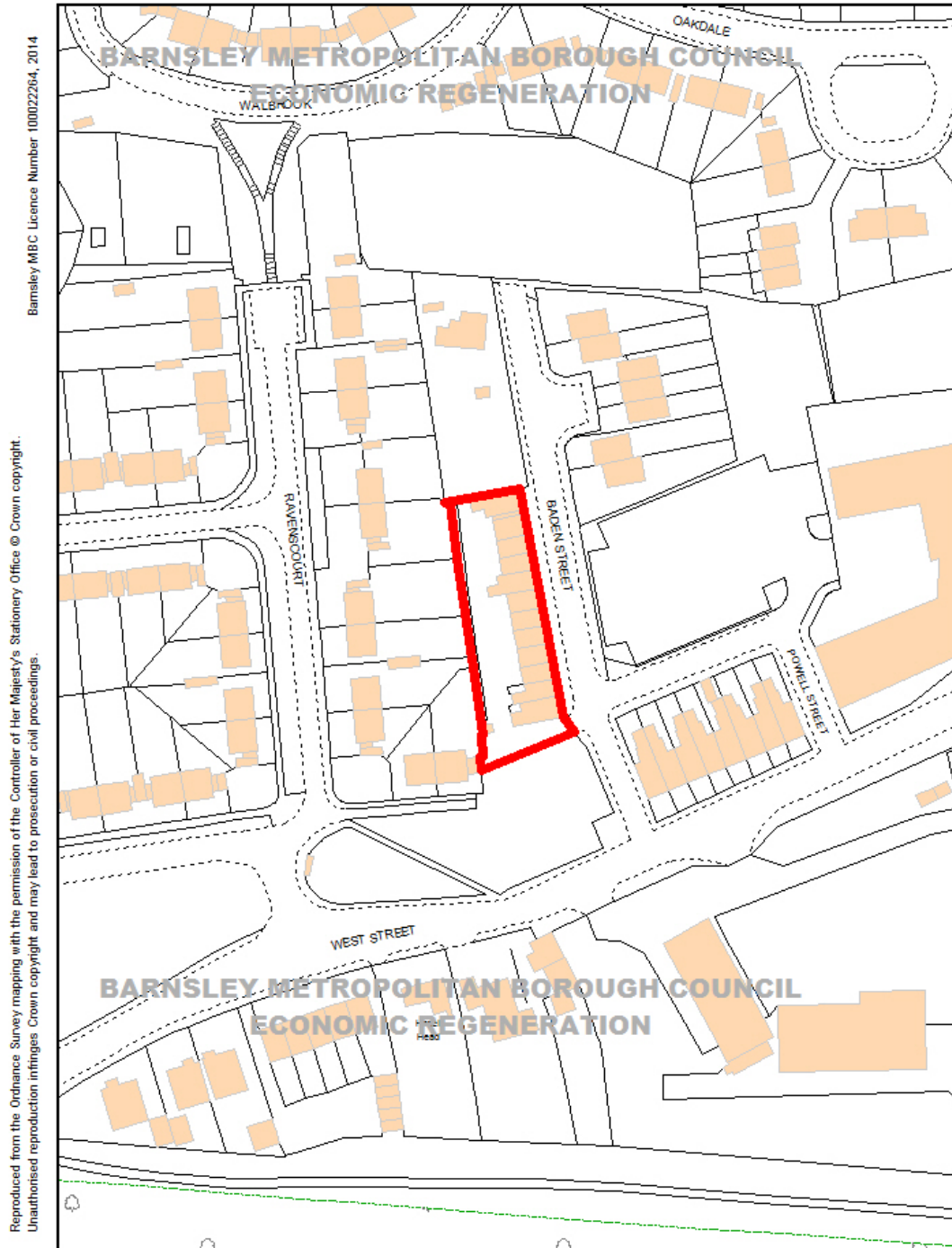
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.

9 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

PA reference :-

2016/0118



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