
2017/0436

Applicant: NPS Group, C/o NPS Barnsley

Description: Application for variation of condition 3 of planning permission 2014/0735 to enable minor material amendments to the previously approved plans - Erection of 6 no. dwellings.

Site Address: Land off Cobcar Lane, Elsecar, Barnsley

The application is referred to the Planning Board as the Council is the applicant. 1 letter of objection received from a local resident.

Site Description

The site measures approximately 0.16Ha and is situated on the corner of Cobcar Street and Cobcar Lane in Elsecar. The site is mainly laid to grass and is on the Council's register of Green Space land. Access to the site is via an access road which runs adjacent to, but is separate from, the highway. The surrounding area is predominantly residential in nature and mainly consists of 2 storey, semi-detached Local Authority/ex Local Authority dwellings.

In terms of properties which share a boundary with the site there is number 61 Cobcar Street (which has been extended) which shares a side boundary to the North West, 62 Cobcar Lane which shares a side boundary to the South East and several properties on Gray Street which share a rear boundary with the site to the South West. There are also several dwellings opposite the site on Cobcar Lane and Cobcar Street.

Site History

Having checked historic maps of the site it appears never to have been developed. The site was, however, used as a site compound for several months a number of years ago while properties within the area were undergoing investment and improvement.

Approval was given for 6no. dwellings on the site under application 2014/0735. The dwellings comprised 3no. of semi-detached pairs with 1 pair fronting Cobcar Street and 2 pairs fronting Cobcar Lane. Each property had parking spaces and a small garden to the front and a private garden to the rear. The scheme incorporated 2no. house types, a 2 storey 3 bedroomed property and a 2 storey 2 bedroom property.

Proposed Development

The applicant seeks permission to make amendments to the previously approved scheme. The proposal remains at 6no. of properties arranged in 3no. semi detached blocks, however, the house types would be changed. The previously approved hipped roof 2 bedroom properties fronting Cobcar Lane would be replaced with 3 bedroomed gable properties. This property type would also replace the previously approved 4 bedroomed gable properties fronting Cobcar Street.

Each of the properties would have 2no. parking spaces and private amenity space.

Policy Context

Planning decisions 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).

Unitary Development Plan

The UDP designation is Housing Policy Area

The Core Strategy

CSP1 Climate Change
CSP3 Sustainable Drainage Systems
CSP 4 Flood Risk
CSP8 The Location of Growth
CSP9 The Number of New Homes
CSP10 The Distribution of New Homes
CSP14 Housing Mix and Efficient Use of Land
CSP26 New Development and Highway Improvement
CSP29 Design
CSP35 Green Space
CSP36 Biodiversity and Geodiversity
CSP39 Contaminated and Unstable Land
CSP40 Pollution Control and Protection

Saved UDP policies

H4 'Development on Housing Sites' promotes residential development
H8A 'Existing Residential Areas'
H8D 'Infill Development'

Relevant Supplementary Planning Documents and Advice Notes

SPD 'Designing New Housing'
SPD 'Parking'

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.

Consultations

Yorkshire Water– No comments on this application but no objections to previous approval

Highways DC – No Objections subject to conditions

Drainage – No comments but no objections subject to conditions on previous application

Ward Councillors – No comments

Representations

1 letter of objection has been received from a local resident. The main concern raised is that the development would not allow access to the rear of 59 Cobcar Street. It was also queried whether the application had been publicised wide enough.

Assessment

Principle of Development

The site is allocated within a Housing Policy Area in the UDP. Policy CSP8 gives priority to development within Urban Barnsley and Principal Towns. Elsecar falls under the Principal Town of Hoyland. Furthermore, there is currently an extant permission for 6no. properties on the site, consisting of 3no. pairs of semi-detached dwellings. The principle of development is established and supported therefore. This application merely seeks to amend the house types previously approved and make minor amendments to the layout.

Green Space

Green space was covered at length under the extant permission and, as such, the principle to develop on the site has been established. However, for reference the previous Green Space comments have been included below;

Whilst the site is not formally designated as green space on the UDP Proposals map it is included on the Green Space Register as GS1069 Cobcar Lane Green Space. There are no formal recreation facilities on the site and it is open on two sides to an access road which would create some concerns about children running out onto the road. However, it is acknowledged that the space is of value to local people as an amenity function/opportunity for informal recreation. In addition Policy CSP35 seeks to protect green space from development unless there is a surplus in the area it serves, or replacement provision is provided of an equal or improved quality, accessibility and value.

It is acknowledged that the Green Space Strategy does not identify a surplus in the area but it is apparent that there are a number of alternative green spaces within easy walking distance of the site. These include land off Zetland Road to the South, land off Church Street to the South, the Trans Pennine Trail to the East, Jump fields to the North West and slightly further afield (approximately 700m from the site) are Simon and Kings Wood and Elsecar Park to the South/South East. These spaces offer informal green space as well as formal play equipment and sports pitches.

In addition, the proposal put forward is not for a private housing development but is for a social housing scheme, which would help address unmet need in the area, which is identified as a focus for housing growth. The proposal would therefore be of benefit to the area in providing much needed social housing opportunities.

Given the other facilities in the local area, the lack of formal recreation facilities on this site, the benefits of enabling social housing in the area, and the small number of dwellings proposed, it is not considered in this instance that replacement provision would be required to be given. On balance, whilst the loss of this green space is acknowledged as a concern to local residents, it is not considered to be of detriment to the locality to warrant refusal of the application.

Residential Amenity

It is acknowledged that the pair of properties fronting Cobcar Street would have a similar front building line to number 59 and 61 Cobcar Street but would project beyond their rear elevations. However, the proposed dwellings would be built on a lower level and be orientated to the North East, as such, overshadowing would not increase significantly and the dwellings would not result in overbearing features. Furthermore, the proposed 3 bedroom properties would replace 4 bedroom properties which had a larger footprint and projected further beyond the neighbouring properties.

There are no habitable room windows proposed in the side elevations of the Cobcar Street units facing shared boundaries. The front elevation windows would be a significant distance to the properties opposite the highway and the rear elevation windows would be in excess of 12m from the proposed side elevations of the remaining proposed units, in accordance with the separation distances set out in Supplementary Planning Document 'Designing New Housing Development'.

As with the previous approval the units fronting Cobcar Lane would be set further back on their plots than the adjacent existing dwelling. However, the proposed properties would be set away from the original rear elevation of the adjacent dwelling and would be orientated to the West/North West. Despite the proposed properties incorporating gables rather than the previously approved hips, overshadowing would not increase significantly and the proposed dwellings would not result in overbearing features to the detriment of residential amenity, in accordance with H8D.

There are no habitable room windows on the proposed side elevations and the habitable room windows on both the front and rear elevations would be a significant distance from neighbouring dwellings. As such, the revised proposal would meet the separation criteria set out in Supplementary Planning Document 'Designing New Housing Development'.

In terms of the amenity levels of the future occupants of the dwellings, the internal spacing largely conforms to the technical guidance within the South Yorkshire Residential Design Guide and the garden areas exceed the 60m² required by the design guide and the SPD. As such, residential amenity levels would be to an acceptable level, in accordance with policy H8D.

It is acknowledged that the owner of 59 Cobcar Street has objected to the scheme as, given he has built a side extension, the only pedestrian access to his rear garden, other than through the house, is via the field. This would be a private legal matter however.

Visual Amenity

The proposed position of the dwellings is similar to the previous development which results in a familiar layout. However, instead of having 2 house types on the development, as previously approved, it is now proposed to have just 1 relatively simple 3 bedroom property type. It is acknowledged that the proposed dwellings would have gable roofs rather than the hips that the immediate area is characterized by, and which were included in 4no. of the previously approved plots. However, there are gables evident within the immediate area, particularly to the North West, and the 4 bedroom properties previously approved incorporated both side and front gables. As such, the proposal would not appear an alien feature on the streetscene or compromise the visual amenity of the area.

The parking arrangements have been amended since the previous approval resulting in the plot on the corner of Cobcar Street and Cobcar Lane having 1 space to the front and one to the rear, as opposed to the previous layout which had both spaces to the front. However, the space to the rear would be adjacent to the parking for the properties fronting Cobcar Lane so would not appear isolated.

With regards to the parking for the properties fronting Cobcar Lane, the number of spaces to the front has increased from 1 to 2 given the increase in bedrooms from 2 to 3. There would be more hardstanding as a result, but areas of soft landscaping/garden would be retained to help soften the development. There would also be different materials for the used for the parking spaces and the pedestrian pathways which would add interest and help visually divide the plots.

Unlike the previous application, there is limited information regarding the boundary treatment to the side of the corner plot. Obviously given the prominent location this would have to be carefully designed and not just a run of close boarded fencing. A condition will be recommended for full details to be submitted.

Highway Safety

As with the previous approval, vehicular and pedestrian access to the site would be taken from the access road which runs parallel to Cobcar Street and Cobcar Lane, separated from the main highway by grass verges. This would be similar to the existing situation of the neighbouring properties and is considered acceptable by Highways DC.

All the properties would have 2 parking spaces each which is in accordance with the guidelines set out in Supplementary Planning Document 'Parking'.

Summary

The site is located in a UDP Housing Policy and Hoyland is a Principal Town that is intended to accommodate new housing growth. Usually those factors would make the proposed development automatically acceptable in principle. The fact that the site is on the Council's register of Green Space sites has meant that this was an additional consideration in this case. However this is outweighed by the fact that the site does not have a specific amenity function and as the development would contribute towards the unmet need for affordable housing in the Borough. The proposal is therefore acceptable in principle, especially considering the extant permission, reflecting the objectives of policies CSP 8, CSP 10 and CSP 14. The proposal would appear as a logical infill development and is of a density

befitting of its context. It would also ensure sufficient levels of amenity are provided for existing residents and those of the proposed dwellings and would not have a detrimental impact on highway safety. The proposal therefore complies with policies CSP 26, CSP 29 and the Designing New Housing Development SPD and is considered acceptable when assessed against other relevant development plan policies and material considerations.

Recommendation

Grant planning permission subject to conditions

- 1 The development hereby permitted shall be begun before 24th September 2017.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990 and in accordance with condition 1 of 2014/0735.
- 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-P3 & NPS-DR-A-(00)-120-P4) 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 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.
- 5 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 6 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.

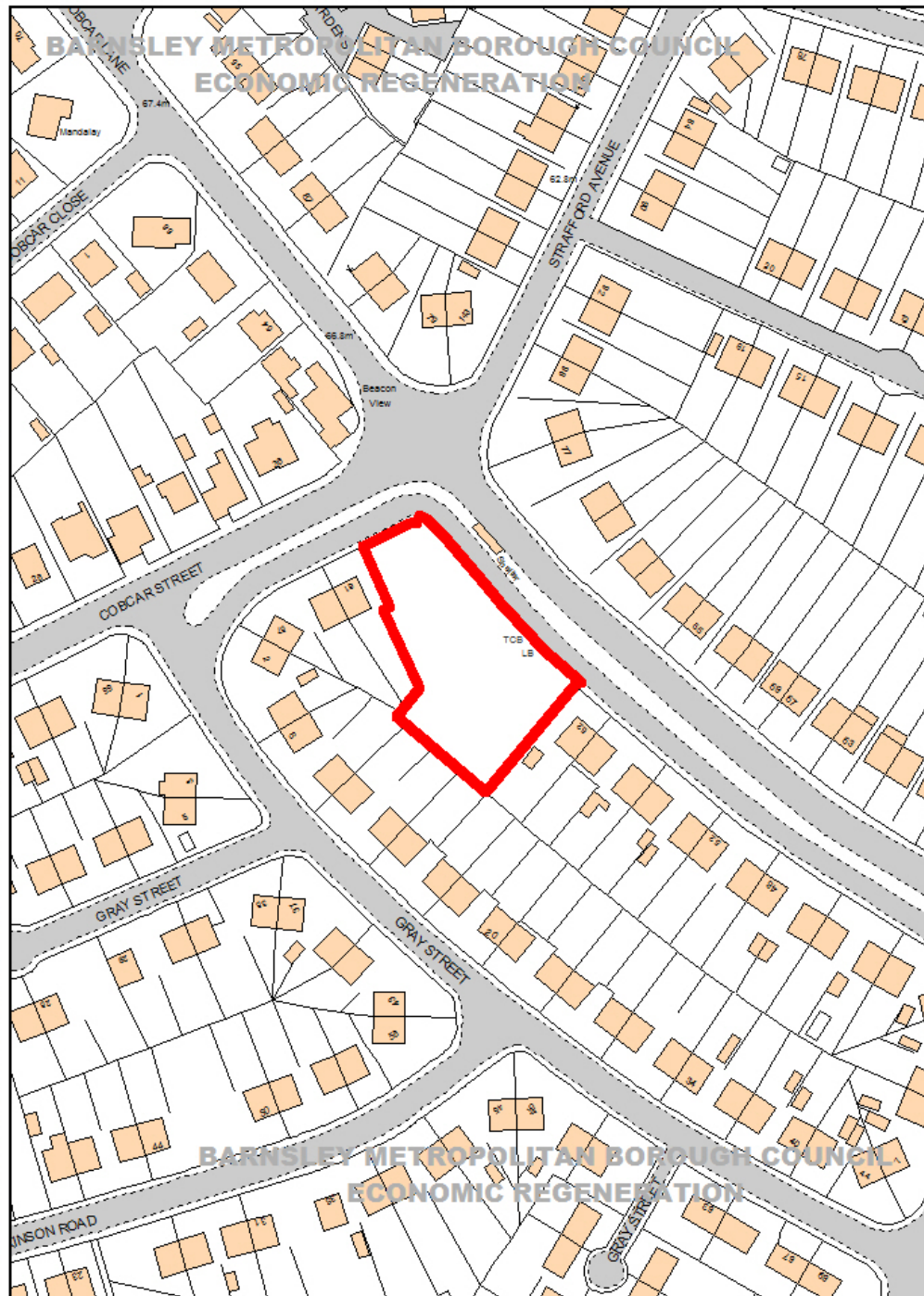
- 7 No development shall take place until full foul and surface water drainage details, including a scheme to maintain or reduce existing Greenfield run-off rates and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:
Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and 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 CSP4.
- 8 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of: -
a) provision of 2.0 metre wide footway;
b) relocation of existing letter box and telegraph pole;
c) any necessary signing and lining;
d) provision of/any necessary amendments to street lighting;
e) provision of/any necessary amendments to highway drainage;
f) any necessary resurfacing/reconstruction
The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.
- 10 Unless otherwise agreed in writing by the local planning authority, no building, means of enclosure or other obstruction shall be located over or within 3 metres either side of the centre line of the water main, that crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.
- 11 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.

- 12 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.
- 13 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.
Reason: In the interests of road safety in accordance with Core Strategy Policy CSP26 'New Development and Highway Improvement'.

PA Reference:-

2017/0436

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100022264. (2017)



BARNSELEY MBC - Economic Regeneration

Service Director: David Shepherd
Westgate Plaza One, Westgate
Barnsley, S70 9FD
Tel. (01226) 772621



Scale 1: 1250