2021/1262

Mr Lee Forester

Erection of a pair of semi-detached dwellings

Land adjacent 58 The Willows, Oxspring, Sheffield, S36 8ZZ

Background

No planning history

Description

The site is a former garage site set off The Willows, Oxspring. The immediate street scene consists of low semi-detached bungalows which feature open front gardens. To the north are two storey dwellings off Psalters Drive. The site has an existing access and hardstanding and has been cleared of all trees and garages.

The site slopes up towards the south western boundary of the site where it meets the Trans Pennine Trail. A public footpath also lies to the north which connects to the trail. Part of the site is set within Green Belt where is it set adjacent to the Trans Pennine Trail to the south west.











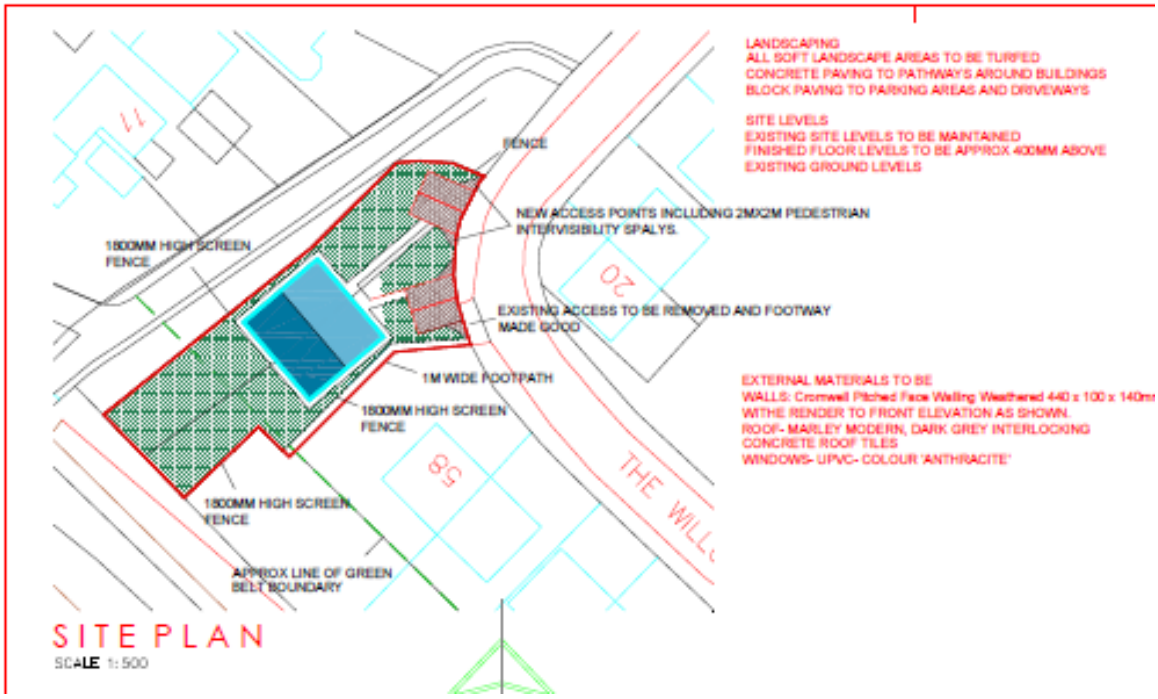


Proposed Development

The proposal involves the erection of two semi detached dwellings. The dwellings have 3 bedrooms an en-suite and bathroom at first floor and at ground floor, a kitchen/diner, lounge, wc and utility.

The dwellings are designed with a pitched roof with large windows and gable elements to the front. The plans show that the dwellings would be constructed of Cromwell pitched face walling weathered stone, part rendered to the front. Soft landscaping includes grass, however no replanting of shrubs or trees has been proposed. The garden areas extend to the Trans Pennine Trail to the south west.





Policy Context

The new Local Plan was adopted at the full Council meeting held on the 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).

Local Plan

The site is set within an area of Urban Fabric as allocated within the Adopted Local Plan.

The following policies are of relevance:-

GD1 General Development
GB1 Protection of Green Belt
GB3 Changes of use in the Green Belt
H4 Residential Development on Small Non-allocated Sites
T3 New Development and Sustainable Travel
T4 New development and Transport Safety
CC4 Sustainable Drainage Systems (SuDS)
D1 High Quality Design and Place Making
Poll1 Pollution Control and Protection
BIO1 Biodiversity and Geodiversity

SPDs

The proposals have been considered in relation to the following SPD's:-

-Design of housing development
-Parking

Oxspring Neighbourhood Development Plan

Policy OEN4 Landscape and Building Design Guidelines for New Development

New development will be required to demonstrate consideration of the following landscape design guidelines:

1. The retention of features such as stone walls, bridges, trees and natural landform of demonstrable interest will be encouraged, and where possible repaired and maintained.
2. New buildings should maintain a visual and physical connection with their rural context though use of traditional local materials, and designs which respond positively to the local context and immediate setting.
3. Where proposals for new buildings are located on valley sides, valley-side planting of native species to enhance wooded character of the valley and soften the urban edge will be encouraged. The use of local stone should be used for boundary features.
4. Proposals should be designed and located in order not to be unduly intrusive in the landscape and reduce its natural character. Colours and materials should be chosen carefully to integrate the development into the landscape. Muted colours, particularly on roofs, will be important in successfully integrating new development.
5. Views to existing landmark buildings such as Oxspring Viaduct, the Waggon and Horses and Travellers Inn public houses are protected, and buildings should be sited and designed to enhance these views and not be unduly intrusive.
6. The scale of built development will be crucial to its successful integration. Low rise, two storey properties are likely to be most successfully accommodated into this rural landscape. Exceptions to this may be appropriate where it is demonstrated that a third storey is required to accommodate technologies to maximise energy and resource efficiency

Other Guidance

South Yorkshire Residential Design Guidance

NPPF

The National Planning Policy Framework sets out the Governments 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

Oxspring Parish Council – Object for the following reasons:-

- The Sale Notification for this particular piece of land was advertised with the following statement from Planning:
  "The site is mainly Urban Fabric in the Local Plan, however part is Green Belt which would not be suitable for most forms of development, therefore any development should be concentrated on the Urban Fabric Part. Any developments would need to fit in with the character of the surrounding properties which consists of bungalows."
- This application is for two semi-detached properties, which clearly does not fit in with the character of the surrounding properties and in our opinion would be better suited to two bungalows.
- The application clearly indicates that there are no trees on the site of the proposed planning application. This is patently not the case as we believe the applicant has already been on site and cut down a number of mature trees, some of which border on to allotments owned by the Parish Council and, more worryingly, some that are embedded into the retaining bank to the footpath that allows access to the Trans Pennine Trail. When these tree roots are removed, there is, in our opinion, a very strong possibility that the bank could collapse and bring with it the footpath on to the Trail. We would suggest that some form of underpinning of the bank and related footpath will be necessary. We are also more than a little concerned that should any collapse of this footpath occur, then it could also interfere with the integrity of the bridge over the Trans Pennine Trail. (We have attached photographic evidence to support the tree cutting).
- We would anticipate that any building work would not impede access to the Trans Pennine Trail via the footpath to the rear of the site, as this is the only access from Oxspring that allows disabled wheelchair and buggy drivers/cyclists and parents with pushchairs to get on to the trail. The farmer at the other side of the TPT also uses this footpath and the bridge over the trail to carry hay bales.
- The Parish Council have a number of allotments at the back of The Willows bungalows, and access to one of the allotments is via a gate which we believe is now part of the land owned by the planning applicant. We would like some assurance regarding access to this allotment from the grass verge in front of the current access gate.
- The site was previously used to house very old garages and we are uncertain as to who demolished these building and whether or not any asbestos roofing material was found. If so, how was it disposed of and can we be certain that certification is in place to confirm that there is no asbestos, or other type of contamination on the plot in question.

- Although it would appear that the building materials will be in keeping with the surrounding bungalows, we are not sure that anthracite coloured window frames will be, and believe it would be more appropriate if the window frames were white, in line with other dwellings on the Willows.
- We believe, from the application, that there will be a 1-meter-wide footpath between the fencing of the proposed properties, and the bungalow at number 58. We assume this is there for the purposes of access, but the resident at number 58 has to use a large wheelchair and she is unsure whether or not her wheelchair would fit down this path. This problem is exacerbated due to the fact that access from the front of number 58 is not possible due to the condition of the front access to the footpath.
- We would also like to clarify to whom this new footpath would belong for future maintenance issues. Would it still belong to the owners of the two new proposed properties or would it belong to BMBC Highways Department?
- The Parish Council pay BMBC to cut the grass at the allotments at the rear of the Willows, between the bungalows and the Trans Pennine Trail. Currently, the grass cutters access these allotments at the side of number 58. We are not sure that access will still be readily available and wondered what, if any, provision had been made to give us access to the allotments particularly as BMBC have advised us that they need around 5 to 6 ft for access for their ride on mower.
- Is there any likelihood of the new houses overlooking the homes on the other side of the access footpath to the Trans Pennine Trail? (We feel that it is highly likely that they will be looking directly into the gardens/windows of these houses).
- Due of the nature of the residents who reside on the Willows we would like to request some limitations to the hours of working, particularly with reference to noise disturbance.
- What, if any, arrangements have been made for contractor's parking? There is no off-road parking for the bungalows and we would not want to see the front of any of the bungalows in the close vicinity of the building site, used for construction site staff and / or contractor's vehicles. This will be particularly important, should an ambulance need to attend any of the buildings in close proximity to the proposed build.

Ward Councillors – No comments received

Drainage – Details to be checked by Building Control

Highways – No objection subject to conditions

Air Quality – recommended the provision of 2 EVCPs as a condition

PROW Officer - There is a public bridleway running along the northern boundary of the property. This should not be directly affected by the proposals. Informative recommended.

Yorkshire Water – No comments received

Representations

3 objections have been received which in summary state:-

- Semi-detached houses are not in keeping with the area and will have a negative effect on the character of the village and neighbourhood amenity/rural ambiance of Oxspring
- Parking issues

- The access to the Trans Pennine Trail is adjacent to the proposed development. The development will increase traffic pressure and demand for parking spaces
  Mature trees and bushes have already been demolished and removed
- Impact on wildlife/bats
- Loss of privacy of home and garden
  Access to the last bungalow will be compromised
- Residents understood that only bungalows could be built
- Loss of garage on the site
- Impact on parking for disabled persons adjacent to site

Assessment

Principle of Development

The site is partly located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings, in this case the street is purely residential and as such the use of the urban fabric part of the site for residential uses would be in keeping with the locality.

Impact on Green Belt

Part of the site is also set within the Green Belt, therefore Policy GB1 and GB3 of the Local Plan applies. The Green Belt boundary runs along part of the rear of the site and behind the existing bungalows set to the south east, as can be seen on the map below. The remainder of the site is allocated as Urban Fabric. Within the Green Belt there is a presumption against inappropriate development, unless it is for one of the purposes set out in paragraphs 149 and 150 of the National Planning Policy Framework, therefore the change of use of land within the Green Belt into residential curtilage is not an appropriate form of development. This is also stated within Local Plan Policy GB3 of the Local Plan which relates to change of uses within the Green Belt. The policy states that 'We will not generally allow the change of use of Green Belt land to extend residential curtilages for use as gardens.'

In this instance approx. 137sqm of Green Belt land would be used as part of the rear garden of the dwellings, with approx. 84 sqm of the garden to be set within Urban Fabric, therefore over half of the garden areas to the dwellings are to be set within the Green Belt. The proposed inclusion of Green Belt land as domestic curtilage would result in potential for outbuildings and other residential paraphernalia within the Green Belt, and its use would constitute inappropriate development contrary to policy and prejudicial to the character, visual amenity and openness of the Green Belt. Furthermore, there are considered to be no very special circumstances to justify the granting of planning permission in this instance as there should be sufficient area within the Urban Fabric area of the site for garden areas if a reduced scheme is considered. The proposal is therefore not in compliance with policy GB1, GB3 and the NPPF.



Green Belt Boundary

Residential Amenity

The Supplementary Planning Document 'Design of Housing Development' provides guidance in terms of separation distances and other amenity requirements, in order to ensure that any new development does not cause significant impact by way of overlooking, overbearing and overshadowing of existing dwellings and their private gardens.

The site is set within a predominately residential area therefore there are other dwellings which surround the site. The site plan shows that the separation distances set within the SPD are met and the proposal should not cause any significant impact upon residential amenity in terms if overlooking or overbearing/overshadowing impact in accordance with the SPD, Design of Housing Development and policy GD1 of the Local Plan. In terms of internal spacing standards, the dwellings have 3 bedrooms and en-suite and bathroom at first floor and at ground floor, a kitchen diner, lounge, wc and utility. The floor areas of the dwellings meet the required standards set within the South Yorkshire Residential Design Guide.

The SPD and South Yorkshire Residential Design Guide also provides guidance in relation to amenity areas and states that 'rear gardens of proposed dwellings should be at least 50sqm in the case of two bedroom houses/bungalows and 60sqm for houses/bungalows with three or more bedrooms.'

As stated above a significant part of the garden is set within the Green Belt, should this aspect of the proposal be removed then the garden areas would fall short of the required 60sqm per dwelling.

Visual Amenity

Policy ONE4 of the Oxspring Neighbourhood Development Plan also sets out landscape and building design guidelines for new development and states that 'Proposals should be designed and located in order not to be unduly intrusive in the landscape and reduce its natural character. Colours and materials should be chosen carefully to integrate the development into the landscape. Muted colours, particularly on roofs, will be important in successfully integrating new development.' Local Plan Policy D1 High Quality Design and Place Making also states that '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 Barnsley.' Further guidance on design and infill developments can be found within the Supplementary Planning Document 'Design of Housing Development'

The site is prominent in that it is located on the bend of the road and in a direct line of sight when entering The Willows from Sheffield Road, therefore the design and scale of the proposal is an important consideration. The site currently contributes significantly to the spacious nature of the street scene and the immediate street scene consists of low semi-detached bungalows constructed of stone which feature open front gardens. To the north are two storey dwellings off Psalters Drive, however these are separated from the site by a public footpath and planting. There is no render within the street scene.

The proposal involves the erection of a pair of two storey semi-detached dwellings with front facing gable elements, large windows, constructed of stone and render. The proposed two storey semi-detached dwellings would be sited adjacent to low rise bungalows to the east. Due to the height of the proposed dwellings, they would appear out of scale and would tower over the existing low-rise bungalows. Whilst there are other two storey dwellings close by on Psalters Drive and to the west on the Willows, these are set on entirely different street scenes and are not seen in association with this site. As a result, the new properties would become a dominant feature and look out of place within the street scene on this prominent site, when viewed in the context of the neighbouring properties. The proposal would be contrary to the development pattern of the area and the proposed dwellings detrimental to open nature and character of the low-rise bungalow street scene. In addition to the scale and height of the proposed dwellings, the design and materials proposed, with front gable elements and render is not in keeping with the simple character of the existing bungalows. The loss of the trees from this site also exposes the scale of the development and the loss of greenery, which could have helped soften any development, also adds to the detriment to visual amenities of the area

In summary, the proposed two storey dwellings would be contrary to Local Plan Policy D1 and the Council's Supplementary Planning Document 'Design of Housing Development' in that their design, materials and excessive scale and height would be inconsistent with the character of the street scene. Consequently, the dwellings would appear as a prominent, unduly intrusive, and incongruous feature in the street scene to the detriment of the visual amenities of the area.

Highway Safety

The Highways Officer has no objections to the proposal subject to conditions. The properties would have 2 parking spaces per unit in accordance with the Parking SPD. There are no objections to the proposal from a highway safety perspective in accordance with Policy T4 of the Local Plan.

Impact on PROW

Whilst the site backs onto the Trans Pennine Trail, the PROW Officer has confirmed that this should not be significantly impacted by the proposals and an informative has been recommended. In terms of potential damage to the TPT or issues with the banking adjacent to the TPT this would be the responsibility of the applicant to ensure that the TPT is safeguarded from any damage.

Trees and Biodiversity

Regrettably a number of trees have been removed from the site prior to the submission of the planning application and concerns have been raised with regard to the impact of this on wildlife. Unfortunately, the trees on site were not protected by TPO's nor is the site set within a Conservation Area. A soft landscaping scheme proposes to turf the garden areas, however no re-planting scheme has been submitted with the application; therefore it is felt that a detailed landscaping scheme is required to ensure that replacement planting takes place to mitigate the loss of the trees on site which would also enhance the site for wildlife and provide some tree cover to replace some of the trees which have been felled.

Other Matters

The Parish Council have raised concerns with regard to the access to the allotment site set to the rear of the Willows and access to the adjacent bungalow. Whilst not a material consideration, the Parish Council comments have been sent to the agent to clarify this matter, however no response has been made.

Other matters such as disturbance during construction and parking of contractor's vehicles are not material considerations, however they could be dealt with via appropriate planning conditions.

Recommendation

Refuse