

2021/1372

Mr Liam Webster

Demolition of existing bungalow and outbuilding and erection of new dwelling

Benwin, Pinfold Lane, Darfield, Barnsley, S73 9HJ

Background

No planning history

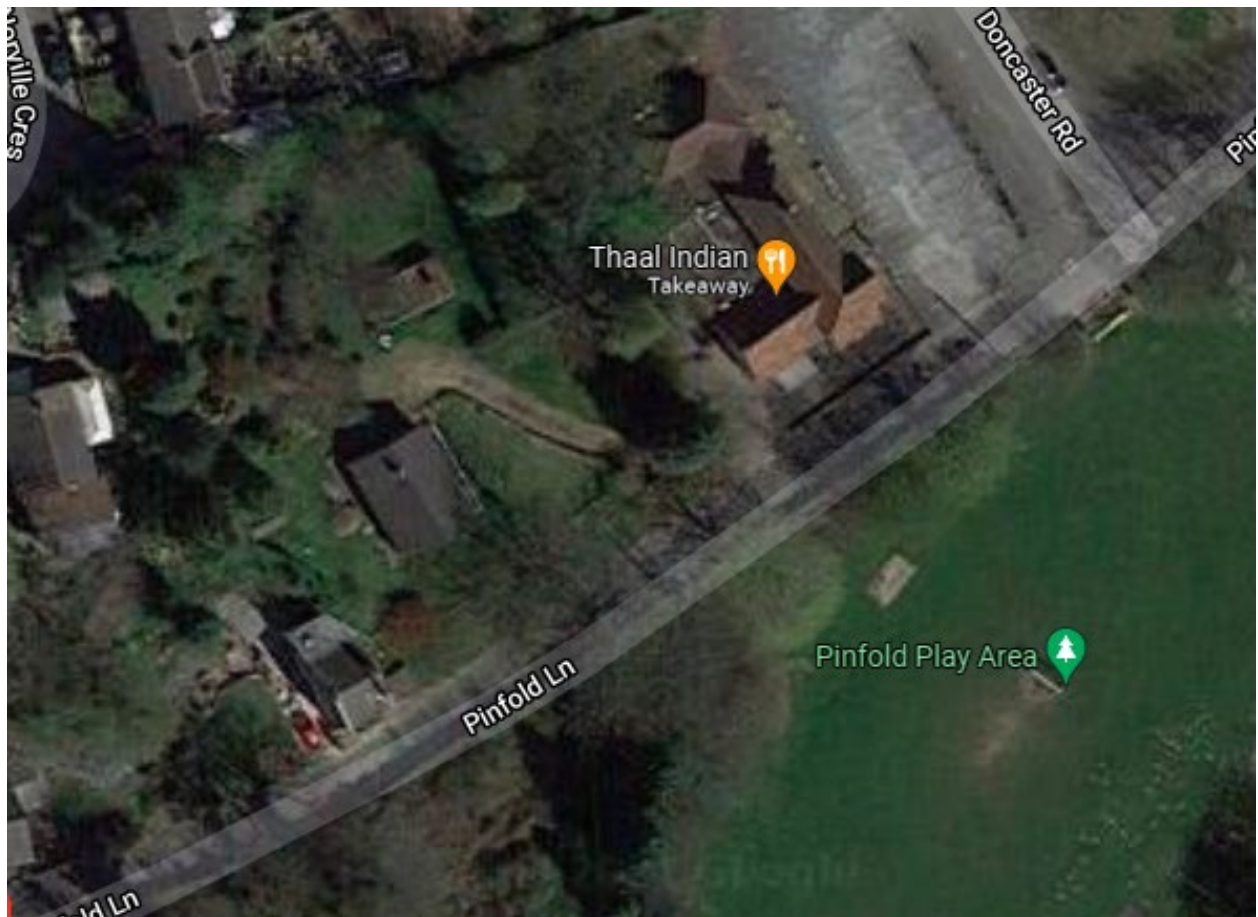
Description

Benwin is a detached brick-built bungalow, set within a large sloping site off Pinfold Lane, Darfield. The site is set within a predominately residential area therefore there are other dwellings which surround the site, with the closest being Sunny Bank at the north west rear boundary – which is accessed from Norville Crescent) and number 3 Pinfold Lane to the south west. There are a number of trees which surround the site, which is mainly laid to grass and a retaining wall is set between the dwelling and Pinfold Lane. A small outbuilding is set to the north of the dwelling. Thaal Indian restaurant is located to the east of the site.

The Environment Agency Flood map shows that part of the eastern portion of the garden is located within Flood Zone 2. Zone 2 has a medium probability of flooding, having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.







Proposed Development

The proposal includes the demolition of the existing bungalow and outbuilding, and the erection of a 5 bed detached two storey, split level stone built dwelling. The dwelling has been designed specifically for this sloping site with rooms within the roof space and a garage at lower ground floor level. A cross section has been submitted in support of the application. The proposals make maximum use of the levels of the site and result in a ridge height of less than 2.0m higher than the existing bungalow.

The plans have been amended during the course of the application and all the rooms to the rear at 1st floor are to be obscurely glazed and the internal layout has been amended so that there are non habitable rooms to the rear at 1st floor, in order to reduce any potential overlooking of the neighbouring garden.

A Bat Survey, Tree Survey, Tree Method Statement, Phase 1 Geo Environmental Desk Study and Flood Risk assessment has been submitted with the application.

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.

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

H1 The Number of New Homes to be Built

H4 Residential Development on Small Non-allocated Sites

H9 Protection of existing larger dwellings

LG2 The Location of Growth

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

SD1 Presumption in Favour of Sustainable Development

CC1 Climate Change

CC3 Flood Risk

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

-Sustainable Travel

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

Ward Councillors – No comments received

Environment Agency – No comments received

Drainage – No comments received

Pollution Control – No objection subject to conditions

Yorkshire Water - No comments received

Highways – No objections subject to conditions

Yorkshire Electricity Group – No comments received

Tree Officer – No comments received

Air Quality – Recommended the provision of an EVCP as a condition

Representations

1 comment has been received from the owner of 'Sunny Bank' which states:-

'Our concerns are that the rear 1st floor elevation and south west attic window are facing onto our property and compromising our privacy. That was the main reason we purchased the property in 2004 and have had full privacy all these years. What is the purchaser planning to do to shield this off.'

Assessment

Principle of Development

The site is 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 the proposal replaces one bungalow for one larger two storey dwelling and as such the use of this site for residential uses would be in keeping with the locality.

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 with the closest being Sunny Bank at the rear (north west) and number 3 Pinfold Lane to the south west. The proposed replacement dwelling is sited further to the north east of the site than the existing dwelling, as can be seen on the block plan below. The proposed dwelling faces onto the eastern portion of the garden at Sunny Bank which is set to the west. The property would be set some 6.3m from the rear boundary with Sunny Bank and concerns have been raised from the occupiers of Sunny Bank in terms of a loss of privacy from 1st floor windows. The plans have been amended and all the rooms to the rear at 1st floor

are now to be obscurely glazed and the internal layout has been amended so that there are non habitable rooms to the rear at 1st floor, in order to reduce any potential overlooking of the neighbouring garden. The ground floor windows will be screened by existing boundary treatments and will not significantly overlook the adjacent dwelling. The roof lights within the 2nd floor rooms will be at a high level and will not cause any significant loss of privacy. The proposed dwelling should not cause any significant overlooking or loss of privacy, subject to the rear windows at 1st floor being obscurely glazed in line with the amended plans, which should be secured by a condition.

In terms of any overbearing or overshadowing impact, the proposed dwelling would be sited some 30m from Sunny Bank and approximately 20m from number 3 Pinfold Lane and should not cause any significant overbearing or overshadowing impact.



The amended plans show that the property has been designed so that it meets the separation distances set within the SPD in terms of distances from habitable room windows. As a result, the proposal should not cause any significant impact upon residential amenity in terms of overlooking or overbearing/overshadowing/loss of light impact in accordance with the SPD.

The property itself has a large garden area which exceed the requirements of the Supplementary Planning Document Design of Housing Development, and the room sizes have been designed to meet the requirements of the South Yorkshire Residential Design Guide. Overall the proposal is considered to be acceptable when measured against the guidelines set within the SPD Design of Housing Development in terms of residential amenity and the proposal complies with Local Plan Policy GD1 of the Local Plan.

Visual Amenity

The immediate area consists of a variety of properties, with semi-detached and detached properties set within a variety of plot sizes, constructed of stone, brick and render. The existing dwelling is of a standard design and construction, therefore there are no objections to the loss of the existing dwelling. The proposed dwelling is of a high standard of design and would be constructed of high-quality materials which include stone to the main dwelling and render to the lower ground garage. The existing dwelling is a bungalow with an amount of under build and a raised terrace due to the sloping ground levels, its replacement is a two storey dwelling with a lower ground floor level and rooms within the roof space. The proposals make maximum use of the levels of the site and result in a ridge height of less than 2.0m higher than the existing bungalow.

Whilst the scale of the replacement dwelling is much larger and taller than the existing dwelling, given the overall size of the site it is felt that the scale of the dwelling is acceptable. The cross section demonstrates how the property would sit into the land and there are other two storey dwellings within the immediate area, therefore a two storey dwelling would not look out of place. In addition, there is a large two storey restaurant building set to the east which is of a significant size. There are no objections to scale of the property and layout put forward given the overall size of the site and the pattern of development adjacent to the site.

The proposal put forward is considered to be acceptable in terms of visual amenity in accordance with the Supplementary Planning Document Design of Housing Development and Local Plan Policy D1.

Highway Safety

The proposed dwelling is accessed via the existing access of Pinfield Lane. The Highways Officer has been consulted and states:-

'The proposals for a replacement dwelling on the site include the retention of the existing access up to the site boundary and then an improved access once within the site. Both the existing part of the access and the new improved section (at a proposed gradient of 1:10) are steeper than the 1:20 gradient that an access of this length should conform to. The proposals include sufficient parking and turning provision within the site and this is much improved over the current arrangements for the existing dwelling. On balance, the proposals result in an overall improvement from a highways perspective and are therefore considered acceptable.'

There are no objections to the proposal from a highway safety perspective in accordance with Policy T4 of the Local Plan.

Impact on Trees

A number of trees surround the site therefore an Arboricultural Method Statement and Tree Survey has been submitted with the application. The tree survey included 9 trees or group of trees. No high value trees were included in the survey. Most trees are in a reasonable condition are to be retained, however T1 is a Lombardy Poplar which has outgrown its situation and a group of trees G7 which appear to have Ash die back disease and should be removed.

A number of small trees are to be removed as part of the proposal; however, they are not significant specimens and/or have shown signs of decline, therefore there are no objections. The agent has included a replanting landscaping scheme which provides two new fruit trees which is acceptable and will provide additional tree cover on the site. The existing trees on site will be protected during the constricted works with protective fencing as specified within

the Arboricultural Method Statement. The proposals are therefore acceptable in terms of the impact of the development upon trees in accordance with policy BIO1.

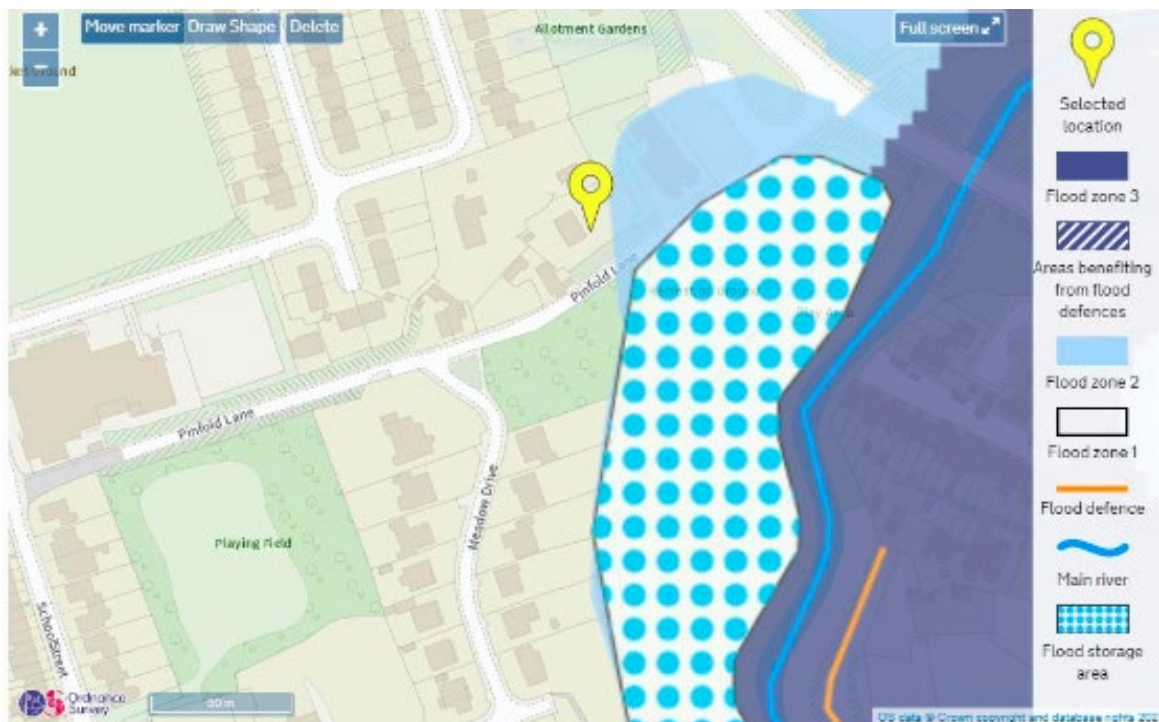
Biodiversity

A bat and bird survey has been submitted with the application. The Biodiversity Officer has been consulted and indicates that the survey is acceptable and there would be no significant impact to bats or birds as a result of the development. The Biodiversity Officer has requested the planting of two fruit trees to mitigate the loss of the trees outlined above. The proposal is considered to be acceptable when measured against Local Plan policy BIO1.

Drainage/Flood Risk

The Drainage Officer, Environment Agency and Yorkshire Water have not commented on the application.

Part of the eastern portion of the garden is located within Flood Zone 2. Zone 2 has a medium probability of flooding, having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.



A Flood Risk Assessment is required in Flood Zone 2 or 3 including minor development and changes of use, therefore a Flood Risk Assessment has been submitted with the application.

The site is shown to be located with the majority within Flood Zone 1 (Low Probability) and partially in Flood Zone 2, therefore the site for the proposed replacement dwelling is considered to be low risk of flooding. The Flood Risk Assessment demonstrates that the proposed development is not at significant flood risk, and simple mitigation measures have been recommended to address any residual risks that may remain, to include a strategic surface water drainage strategy. The report also states that the development will not increase flood risk to the wider catchment area as a result of suitable management of surface water run off discharging from the site. There is a low risk of flooding to the dwelling and there should

be no significant impact by way of flood risk to the surrounding areas in compliance with CC3 of the Local Plan.

Recommendation

Approve subject to conditions