

2023/0504

Applicant: Mr P Hamer

Agent: Mr S Woodcock

Description: Demolition of bungalow and garage and erection of replacement dwelling

Address: 1 Tivy Dale Drive, Cawthorne, Barnsley, S75 4EN

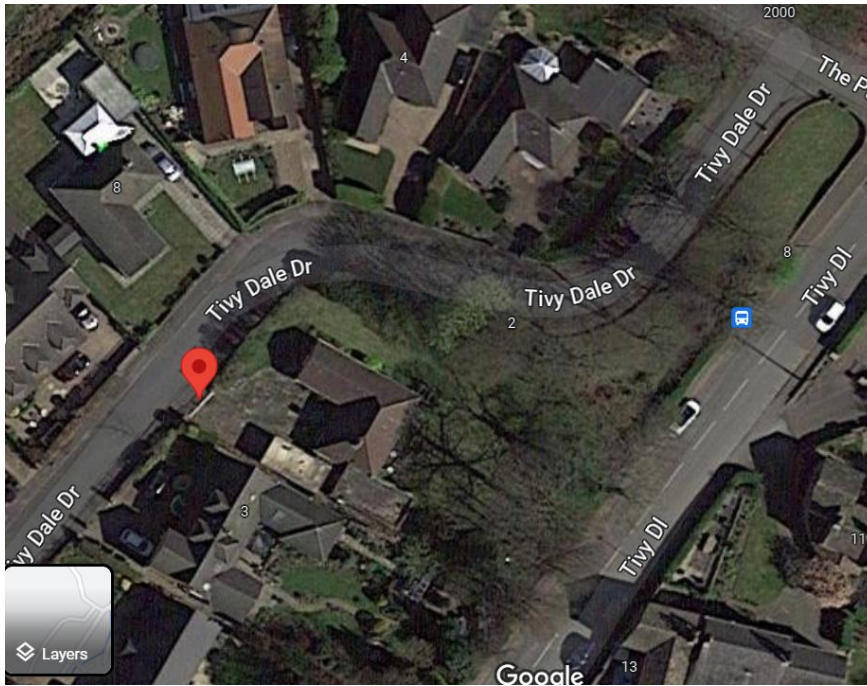
Description

The site is located in Cawthorne on Tivy Dale Drive within the Cawthorne Conservation Area. At present, the site is occupied by a bungalow with a single garage to the right. The bungalow is constructed from a concrete tiled roof with brickwork walls. The rear extension and garage have flat roofs. The slight slopes down from Tivy dale Drive to the rear of the site. Access to the dwelling is from Tivy Dale Drive.

The surrounding area is predominantly residential in nature with a dwelling to the south of the property. The dwelling does not border any dwellings to the front or side. The site is not within the Green Belt.



Site Location Plan.



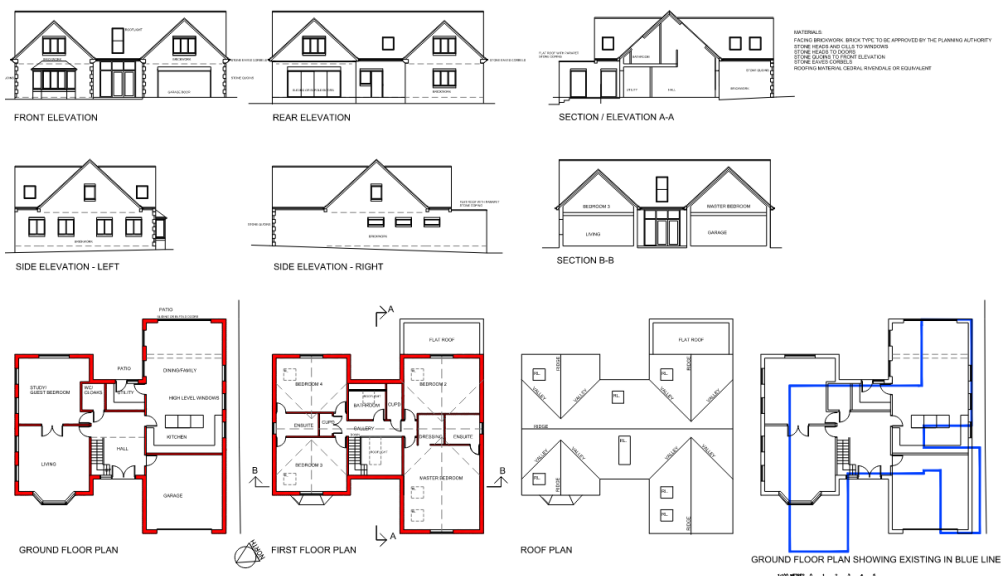
Aerial view of Site (Google Maps).

Proposed Development

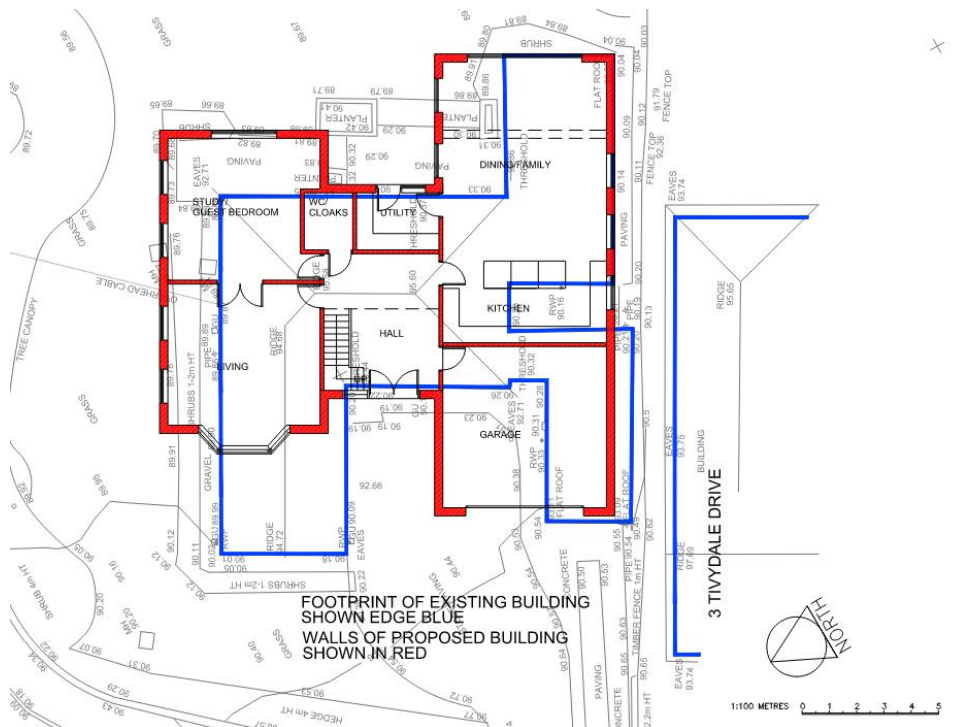
The applicant seeks permission for the demolition of the existing bungalow and garage and erection of a replacement dwelling.

The replacement dwelling would consist of a study/guest bedroom, living room, WC, utility, dining/family room, kitchen and a garage at ground floor and four bedrooms (two with en-suite) and a bathroom at first floor.

The dwelling would measure 6.86m in height with eaves of 3.18m. To the front elevation,



Proposed Plans and Elevations.



Footprint of existing (blue) vs proposed (red) dwellings.

Planning History

B/96/0390/DT - Erection of two-storey extension and dormer extension to bungalow.

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 Local Plan was adopted by the Council in January 2019. The Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

Local Plan

The application site is in an area designated as Urban Fabric in the Local Plan. The following policies are relevant:

Local Plan

Policy D1 High Quality Design and Place Making
Policy GD1 General Development
Policy H4 Residential Development on Small Non-Allocated Sites, proposals will be allowed where they comply with other policies in the Plan.
Policy HE1 The Historic Environment
Policy HE2 Heritage Statements and general application procedures
Policy HE3 Developments affecting Historic Buildings
Policy T3 New Development and Sustainable Travel
Policy T4 New Development and Transport Safety
Policy SD1 Presumption in favour of Sustainable Development
Policy BIO1 Biodiversity and Geodiversity
Policy Poll1 'Pollution Control and Protection'

SPDs (Supplementary Planning Document)

Supplementary Planning Document – Design New Housing Development
Supplementary Planning Document – Parking
Supplementary Planning Document – Sustainable Travel
The South Yorkshire Residential Design Guide (SYRDG)

Cawthorne Neighbourhood Development Plan

NDP objective 3 states that:

“To protect the distinctive built heritage and character of Cawthorne Village and Parish by ensuring new development is designed sensitively, conserves and enhances its significant buildings, places and their setting. (Through Policies C7, C8, C9 and C10)”

NPPF

The National Planning Policy Framework 2021 (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 there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Consultations

Biodiversity- Approve subject to conditions.

Cawthorne Parish Council- No objection, however seek clarification on materials proposed and request the driveway should be porous materials to mitigate against flooding.

Coal Authority- No objection subject to condition.

Conservation- Mostly supportive of proposal- high quality materials and stone/detailing would improve overall design.

Drainage- Details are sufficient and can be checked by building control.

Highways- No objection subject to condition.

South Yorkshire Mining Advisory Service- No objection subject to condition.

Pollution Control- No objection subject to condition.

Trees- No objection subject to condition.

Ward Cllrs- No comment received.

Representations

Neighbour notification letters were sent to 8 surrounding properties, in addition to a site notice posted adjacent to the site and a press notice published; no comments have been received.

Assessment

Principle of development

The area is predominantly residential in use. The application site is located in the Urban Fabric with no specific allocation. The Urban Fabric is an allocation that acknowledges that land has previously been developed and is capable of being redeveloped on the basis that the scale, type, appearance, layout and landscaping of development accord with the predominant use of the area. As such, development in land allocated as Urban Fabric is generally seen as acceptable where these planning factors satisfy the requirements of the visual and residential amenity section below.

Local Plan Policy H4 states that proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

The site also has an existing dwelling on it and therefore is established for residential use for one dwelling. The proposal is therefore in accordance with the development plan in land use planning policy terms and is acceptable in principle subject to other material considerations as discussed in the below section of the report.

Visual Amenity and Conservation Area

The site is within the Cawthorne Conservation Area. The dwelling is of little merit, being a late 20th Century brick-built bungalow of overall neutral contribution. Tivy Dale Drive originally consisted of similar dwellings, however many have been substantially altered or re-built. As the dwelling will replace a dwelling of little value in a similar footprint, the Conservation Officer has no issue with the principle of the development and noted there will be little to no impact on the setting of the listed South Lodge, 70m to the north- east of the site. Furthermore, it is considered that the site is somewhat hidden from the main thoroughfare of Tivy Dale Drive.

The design is considered to be high quality and appropriate in scale and occupies the footprint of the existing dwelling (in addition to the garage). The Conservation Officer had made comments about ensuring the roof tiles were good quality and that there was opportunity for some stone for openings/ detailing that could improve the design. As such, amended plans

were requested which now show stone quoins, stone eaves corbels and the agent confirmed that the roof would be constructed from Cedral Rivendale and there would be porous surfacing to the car park/turning area (to address Cawthorne Parish Council's comments).

In taking all of the above into consideration, the dwelling would assimilate well with the surrounding area, it would be replacing a dwelling in almost the same footprint with a high-quality designed bungalow and would not unduly affect the Cawthorne Conservation Area and therefore is in accordance with Local Plan Policies HE1 and D1.

Residential Amenity

The proposed would replace an existing dwelling. The new dwelling would occupy broadly the same footprint. The new dwelling would bring the gable over the integral garage which may result in more prominence when viewed from the neighbouring dwelling (3 Tivy Dale Drive), however it is noted that the garage and flat roof of the existing dwelling area already is built in close proximity to 3 Tivy Dale Drive. Furthermore, 3 Tivy Dale Drive does not have a ground floor window to the side elevation and only a first-floor window which would mainly look onto the driveway to the front so there would be minimal impact in terms of overshadowing.

In terms of overlooking, to the front there would remain 21m from the habitable room windows to the dwellings directly opposite which is acceptable. There are no neighbours to the north or rear of the dwelling to consider. There are no habitable windows facing south looking onto 3 Tivy Dale Drive at first floor and only habitable room windows at ground floor. These windows are considered to be secondary as there are large bi-fold doors to the rear. Two of these windows would be looking onto 3 Tivy Dale drive at 2.2m and the other onto the timber fence, as such there is no overlooking. Whilst outlook may be a concern due to the close proximity to the neighbouring dwelling/ fence, these are secondary windows and therefore this placement is considered acceptable in this instance.

The dwelling has been designed with generous proportions which meet or exceed the internal spacing requirements set out in the SYRDG, for a dwelling of this size and as such it is not considered that it would have a detrimental impact on the future occupiers of the property. Further, all habitable rooms are served by adequate openings to ensure daylight/sunlight. In addition, the dwelling is located within a large plot with sufficient private amenity space.

Highway Safety

The proposed replacement dwelling is to occupy a very similar footprint to the existing dwelling. No changes are proposed to the existing access arrangements and the development includes ample parking and turning provision.

As such, the proposals do not adversely impact upon the highway and are therefore considered acceptable from a highways development control perspective. Highways have recommended two conditions relating to the surfacing or parking/manoeuvring facilities and gates to be set back from the public highway to ensure highway safety and adequate parking facilities in accordance with Local Plan Policy T4 New Development and Transport Safety.

Ecology

The application has been supported by a Preliminary Roost Assessment and Bat Survey which found no bat roosts or bat field signs and therefore the existing building was determined as having a 'low' potential for roosting bats. No further surveys were recommended. The Biodiversity Officer required further consideration of the hibernation potential of the building, the inclusion of Natural England bat licence numbers and advised of precautionary measures

for small mammals and sought a firm commitment to the number and type of bird and boxes. As such a revised report was received addressing the above. Conditions to ensure the development is completed in line with the recommendations within the Bat Survey Report, specifically the installation of an integrated bat box and swift box will be included on any decision notice. The development is acceptable in terms of ecology in accordance with Policy BIO1 of the Local Plan.

Trees

An arboricultural report and impact assessment was submitted to support the application. The Tree Officer reviewed the information and noted that the proposed new dwelling does not encroach closer to the trees than the existing structures and therefore had no objection to the proposal.

The trees will require protecting during the works and as such an arboricultural method statement will be required, likewise some trees require removal for arboricultural reasons and as such replacement planting as part of the landscaping scheme will be required, all of which can be conditioned to ensure the continued well being of the trees, in the interests of the amenity of the locality.

Ground Conditions

A Coal Mining Risk Assessment (CMRA) was submitted to support the application as the development falls within the defined Development High Risk Area. The Coal Authority and South Yorkshire Mining Advisory Service were consulted and both concurred with the recommendations of the CMRA, that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. As such, a condition is recommended for a scheme of intrusive site investigations and a signed statement or declaration be provided to confirm the site has been made safe for the approved development.

Recommendation

Approve subject to conditions.