

2022/0840

Ms Jo Crossland

Outline application for erection of one dwelling with access and layout under consideration at this stage

1 Chantry Avenue, Penistone, Sheffield, S36 6EE

Background

2006/0067 - Residential development and associated works (Reserved Matters) – Approved with conditions

2011/0675 - Replacement of two dwellings and erection of detached garage – Plots 1 and 2 Approved with conditions (not implemented)

Description

Number 1 Chantry Avenue is a semi detached three storey dwelling and is the first dwelling to the west of Chantry Avenue. The property has a large corner plot garden which extends to Green Road to the south. The garden also backs on to the rear/side gardens of the properties on Ward Street, set to the west.

The boundaries currently consist of a mix of brick walls with hedges and close board timber fences. The property has a single driveway with access to an integral garage which runs parallel with the attached dwelling. To the south of the site off Green Road is a bus shelter and a footway.

The agent has confirmed that the existing dwelling is a 3 bedroom property.





Proposed Development

The application is outline with some matters reserved and proposes the erection of a detached dwelling within the side garden of number 1 Chauntry Avenue. The layout and access is to be agreed at this stage, with other matters such as the scale, design and external appearance and landscaping reserved matters for future consideration.

Amended plans have been received during the processing of the application which show one parking space set to the front of the proposed dwelling. The site is split so that the applicant's property would have a separate rear garden area and there is a gap between to the two dwellings which would allow for access to the rear gardens.

where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Penistone Neighbourhood Development Plan

BE1: Design of the built environment

Where new housing developments are proposed, homes should be reflective of local architecture and in keeping with the surrounding area.

Consultations

Penistone Town Council – No comments received

Highways – No objection subject to conditions

Drainage – No objection subject to conditions

Yorkshire Water – No objection subject to conditions

Ward Councillors – No comments received

Pollution Control – No objection subject to conditions

Representations

3 objections have been received which raise the following concerns:-

- When would work begin
- How many storeys would the house be
- Would there be overlooking windows
- Would the boundary fence remain
- The site is part of an existing garden
- The vehicular access will need to be amended
- Number of car parking spaces is incorrect
- The site is listed as being of high risk of surface water flooding in BMBC's flood risk summary. The lowest area of the site has been flooded.
- There are hedges along the boundaries of the site
- Noise impact from additional people, pets and cars
- Loss of light and overshadowing of home and garden
- Overbearing impact
- Drainage and flooding issues
- Overlooking from windows
- Additional cars and parking issues close to the junction
- Impact on highway safety
- Overdevelopment of site and change in character of the development

Assessment

Material Consideration

Principle of development
Residential Amenity
Design and Layout

Highway Safety

Principle of development

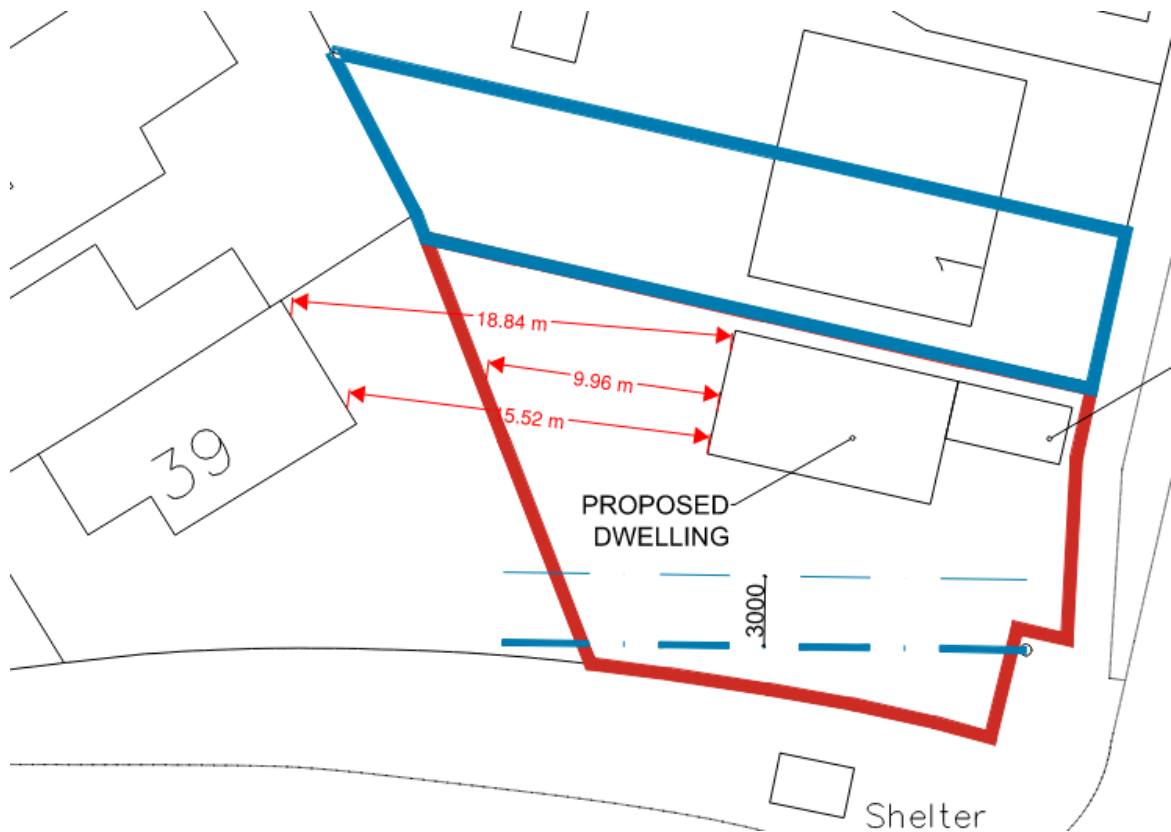
The site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings, in this case the street is purely residential and as such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

The existing property number 1 Chantry Avenue is a 3 bedroom dwelling, therefore policy H9 is not of relevance as it relates to the protection of existing larger dwellings of 4 bed and over. However, given the size of the plot the property may have the potential to be extended. The policy states that 'development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area.' In this instance the property is a semi detached 3 storey dwelling set on a large corner plot. The proposed dwelling would be set within the side garden and would allow for the existing dwelling to retain a garden area of approximately 114sqm, which is almost double the required garden area for a dwelling of this size. Given that the property is set on a housing estate where there are properties set within similar sized plots, and that the existing and proposed dwellings would be provided with generous garden areas, it is felt that there would not be an adverse impact upon the setting of the existing dwelling nor would there be any significant impact upon the remaining amenity areas, as such the proposal complies with policy H9.

Residential Amenity

As this is an infill plot one of the main considerations would be the impact of the proposal upon the residential amenity of the surrounding residential properties. Objections have been received from neighbouring residents with regard to the impact of the proposal upon residential amenity by way of disturbance, overshadowing and overlooking impact. The SPD Designing New Housing Development states that 'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of overshadowing or loss of outlook and in order to provide adequate amenity space, development will usually be expected to comply with the external spacing standards.'

The proposal is in outline with siting to be agreed at this stage, however the design, scale and external appearance are reserved matters. The proposed plot is large, and the dwelling is sited adjacent to the existing dwelling, with the access and parking off Chantry Avenue. The SPD states that there should be a minimum of 12m between a blank gable and habitable room windows and 21m between habitable room windows of the proposed dwelling and of adjacent dwellings. The submitted layout plan shows that there would be approx. 15.5m – 18.8m from the proposed dwelling to the first floor side elevation of number 39 Green Road and approx. 10m from the proposed dwelling to the rear boundary of the site. Given the property is set on a corner plot, any overlooking first floor habitable room windows could be arranged to the east and the south elevation which would meet the required separation distances set within the SPD.



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 mentioned earlier, the proposed and existing dwelling have sufficient garden areas in excess of 60sqm in accordance with the SYRDG and SPD.

In terms of noise and disturbance, the property would be set in a large corner plot, which allows for sufficient separation from the adjacent properties. The proposal provides separate parking areas and garden areas, and once constructed should not cause significant harm in terms of noise and disturbance. As such regards the proposal complies with Policies GD1 and the Council's Supplementary Planning Document 'Designing New Housing Development' and The South Yorkshire Residential Design Guide.

Design and Layout

Developments on infill sites should, in accordance with the guidance contained in the SPD contribute to the character and appearance of an area. In particular, new buildings should follow existing building lines and respect the existing pattern of development.

The immediate street scene consists of a mix of semi and detached, two and three storey modern dwellings, with a row of terraces set to the east facing onto Green Road. Number 39 Green Road is set in a similar position as the proposed dwelling and faces onto Green Road and has garden areas to the front and the side. The existing properties along Chantry Avenue have front garden areas and parking to the front, or to the side of the dwellings. The application in outline with siting is to be agreed at this stage, however the scale and external appearance is a reserved matter. The siting of this detached property is felt to be acceptable as it would follow the existing building line on Chantry Avenue and also to Green Road. The parking proposed is similar to 1 and 3 Chantry Avenue and respects the pattern of the existing development. The properties at either side of the junction of Chantry Avenue along Green

Road are set forward and have active frontages to Green Road and the proposed dwelling could be designed with an active frontage to both Green Road and Chantry Avenue.

The scale and design of the property are reserved matters; however it is felt that a dwelling could be designed so that it would fit in with both the existing Green Road and Chantry Avenue street scenes. The proposal is considered to be acceptable when measured against Local Plan Policies GD1 and D1 and policy BE1 of the Penistone Neighbourhood Development Plan.

Highway Safety

Objections have been received from local residents with regard to the impact of the proposal upon highway safety and parking. The highways section have been consulted and have no objections to the proposal. The site is located on Chantry Avenue at the junction of Green Road, a classified road with a 30mph speed limit. The proposed access is shown off Chantry Avenue and adjacent to the existing driveway of number 1 and has sufficient visibility. In terms of parking, the proposed site layout plan shows 1 parking space for the proposed dwelling which will be acceptable for a 1-2 bedroom dwelling but not for a 3+ bedroom dwelling and sufficient parking remains for the existing dwelling.

Overall, the Highways Officer considers that the proposed additional dwelling will be unlikely to impact upon highway safety or the local highway network, subject to conditions. The proposal is considered to be acceptable in terms of highway safety in accordance with policy T4 of the Local Plan.

Drainage

Objections have been raised from neighbouring residents with regard to flood risk, however the site is set within Flood Zone 1 where there is a low probability of flooding from rivers and the sea. Yorkshire Water and the Drainage Officer have raised no concerns and consider that drainage details should be conditioned.

Yorkshire Water have stated that there is a surface water sewer which runs through this site and has been shown on the plans. Full drainage details will need to be submitted prior to the commencement of the development. A condition is also required in order to ensure that there is no building or other obstructions to be located over or within 3.5 metres either side of the centre line of the public sewer.

Recommendation

Approve with conditions