

2023/0991

Mr D North

Proposed dormer bungalow

Land at Beechfield Close, Bolton Upon Dearne, Rotherham, S63 8EY

History

2010/0537 – Erection of a two storey, 4 bed dwelling – withdrawn

Site Description

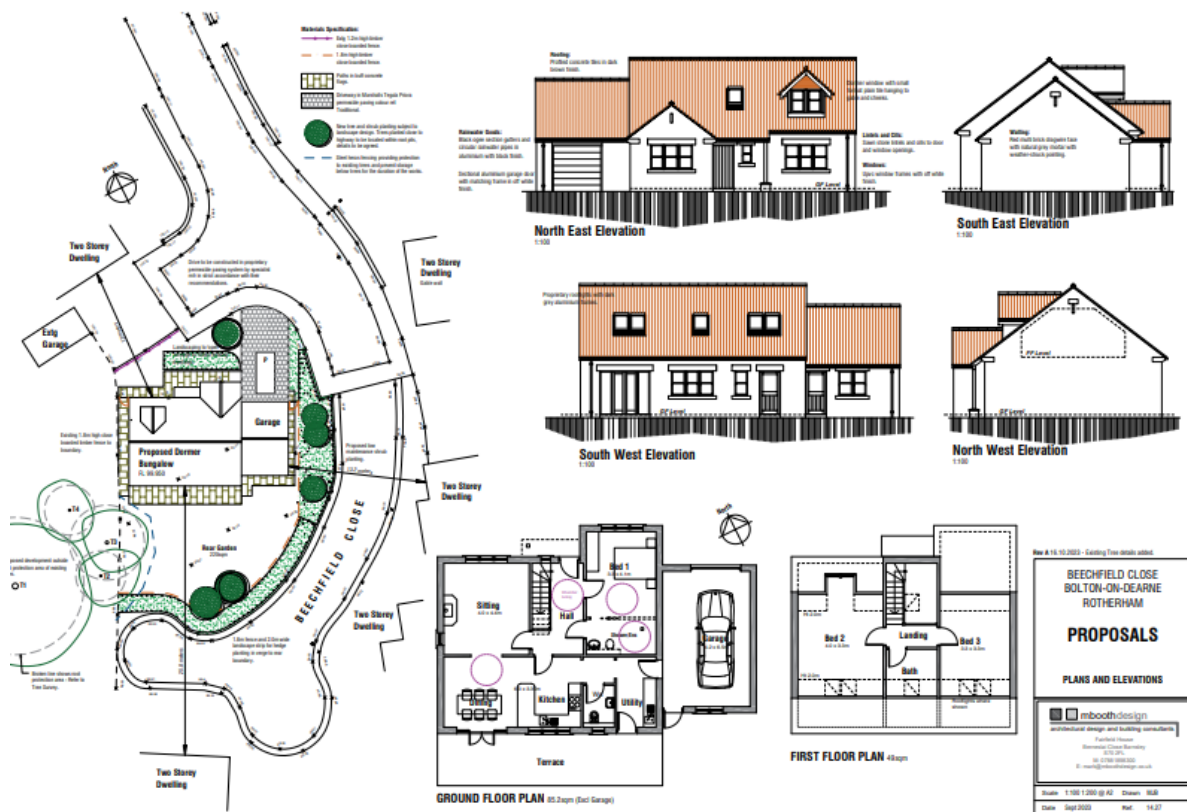
The application site is a grassed area, which is located within residential surroundings on Beechfield Close, within Bolton Upon Dearne. Beechfield Close is a small cul-de-sac comprising of detached two storey brick built dwellings. The site just contains grass and to the rear of the site is a 1.8m high fence and there are a number of mature trees beyond the western boundary located on the adjoining land.

The site is fairly level and previously contained two Beech Trees, one of which was protected by a TPO. Concerns were raised about the structural integrity of the beech trees in 2008 and they were removed in 2009 following significant limb failure, however the trees have never been replaced. The site is not designated or identified as open space either within the Development Plan or under the original planning consent for the Beechfield Close development.

Proposed Development

The application proposes the erection of a detached 3 bed, brick built dormer bungalow with a side attached garage facing to the north. The access to the site is from Beechfield Close and includes a driveway and parking. The bungalow has been designed with a height to eaves of 2.7m (max) and a height to the ridge of 6.5 meters. The plans show indicative landscaping to the eastern boundary. The proposed dwelling would be constructed in brick with a concrete tiled roof and white windows similar to existing dwellings in Beechfield Close.

Given that there are trees set on the adjacent land, a Tree Survey has been provided to assess the impact of the proposal upon the root protection areas of adjacent trees. The plans show indicative landscaping to the eastern boundary, however no firm details have been provided in terms of the landscaping/boundary treatment proposed.



Policy Context

Local Plan

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 in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

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 site is set within Urban Fabric as shown on the Local Plan Maps, therefore the following polices are of relevance:-

Policy H4 Residential Development on Small Non-allocated Sites

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.

Policy GD1 General Development

Proposals for development will be approved if, amongst others, there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

The supporting text to Policy GD1 states:

Further detail on some of these issues is set out in Policy D1 Design which sets the overarching design principles for the borough, and associated Supplementary Planning Documents on Residential Amenity and the Siting of Buildings, Designing New Housing Development and Advertisements.

We want to make sure that the living conditions and residential amenity of people are protected, that development is set within high quality landscaping and that land is used efficiently by making sure that new development does not reduce development opportunities on neighbouring land.

We will assess impact on living conditions and residential amenity in relation to:

- Noise, smell, dust, vibration, light, air, surface water, groundwater or other pollution and disturbance from any proposed activity, including traffic related noise and the comings and goings of visitors to premises particularly when late evening activity is involved.
- Planning conditions will be used to control the construction process.
- Overlooking and privacy.
- Outlook from dwellings including consideration of whether structures in close proximity to windows are considered visually over dominant. However, consideration does not extend to the protection of a person's particular view from a property as this is not a material planning consideration;
- Daylight/sunlight and overshadowing; and
- Landscaping and boundary treatments.

Policy D1 High Quality Design and Place Making

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. Through its layout and design development should, amongst others contribute to place making and be of high quality, that contributes to a healthy, safe, and sustainable environment.

Policy GS1 Green Space

Proposals that result in the loss of Green Space, or land which was last used as green space will not normally allowed unless as assessment shows that there is too much of that particular type of green space in the area and its loss would not affect the existing and potential green space needs of the borough.

In order to improve the quantity, quality and value of green space provision will require new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy.

Policy T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy Poll1 Pollution Control and Protection

SPDs/SPGs

Supplementary Planning Document – Design New Housing Development

Supplementary Planning Document – Parking

The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework

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 – Cllr Coates has forwarded on an objection from a resident, however has not commented on the proposal

Pollution Control - No objections subject to conditions

Highways - No objection subject to conditions

Drainage – Details to be checked by Building Control

Ecology – No objections

Tree Officer – No objection subject to the protection of existing trees and a landscaping scheme to be submitted

Representations

Neighbouring properties were notified about the application and a site notice posted. The following comments have been received as a result of this consultation:-

9 objections received which state the following:-

- The Green in an integral part of the street and a selling point when the houses were sold
- Children play on the site and it is used for social gatherings
- Impact on wildlife and biodiversity
- The removed trees should have been replaced
- Increase in noise and disturbance
- Litter
- Concerns regarding construction and traffic
- Impact on parking
- The proposed house will stick out like a sore thumb
- Impact on wellbeing of residents and safety
- Loss of light/overbearing impact
- Highway safety/blind spots
- Loss of view
- Concerns regarding fencing
- Impact on mental health

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 largely residential and as such the use of the site for residential uses would be in keeping with the locality.

Whilst the site is not shown on the Green Space register, it does form an area that could be described as 'Local Neighbourhood Open Space'. In terms of Local Plan Policy, Policy GS1 Green Space – states that:-

'We will work with partners to improve existing green space to meet the standards in our Green Space Strategy. Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.'

Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or

The proposal is for small scale facilities needed to support or improve the proper function of the green space; or

An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. The Supplementary Planning Document 'Open Space Provision on New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision in order to achieve those standards. Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for

open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside.'

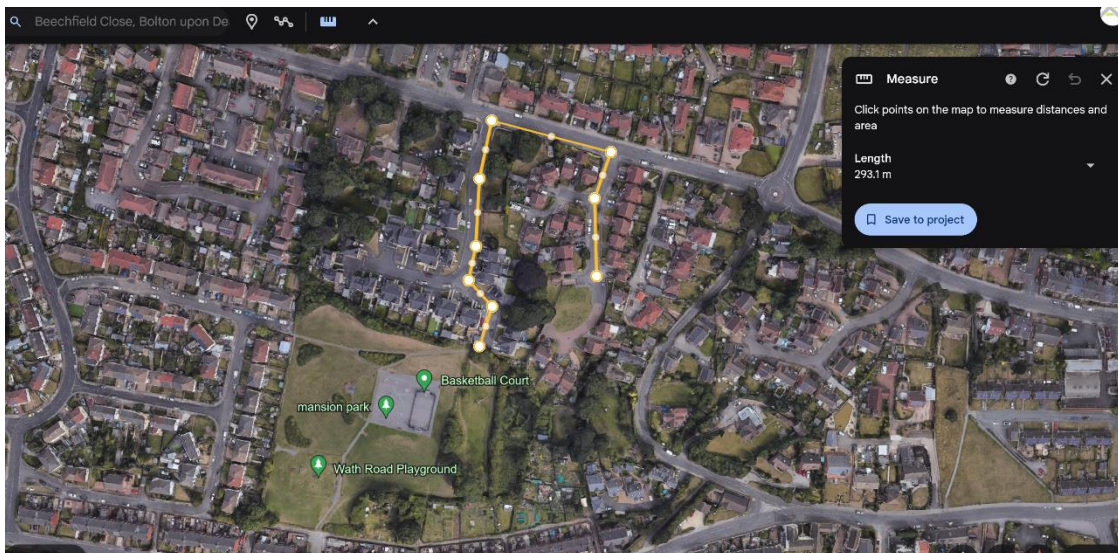
The SPD Open Space on New Housing developments provides guidance in terms of how we will assess planning applications that propose redevelopment of green space for alternative uses. Section 4 of the SPD states that:-

'Green spaces are 'green' open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments woodlands wildlife areas, recreation grounds, sports pitches, play areas and parks. We will seek to protect green space from development, particularly where an assessment indicates that there are current deficiencies within an area.'

When we receive a planning application to redevelop green space for an alternative use we will undertake a green space assessment to determine the level of provision within the area. In some instances, material considerations may indicate approval for development on green space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the green space. As set out in Policy GS1, compensation could include on-site retention and enhancement, off-site replacement or financial contribution. In instances where the Council deem it appropriate to seek a financial contribution towards improvements of an existing facility nearby, the contribution will be calculated at £125,640 per hectare of green space that will be lost to development.'

In terms of the loss of the unallocated Green Space, the agent has provided the following justification and Green Space assessment:-

'Further to details in the Planning Statement (advising the site is in private ownership and has never been formally required as open space on the site) I have looked at availability of other open space close to the site. The extract below shows there is a much larger area of open space with play equipment, a basket ball court and grassed areas for informal play - this site is less than 300m walking distance from the site. The site can easily be accessed without requiring any major roads to be crossed.'



Furthermore, I have looked at the Council's Open Space SPD and it refers to Local Neighbourhood greenspace as being at least 0.2ha in area - this is not that big so wouldn't be Local Neighbourhood Greenspace. The site is circa 500sqm (0.05ha) so well below the size required to be designated Neighbourhood Greenspace. The site is in effect a private piece of grassland left over following removal of a dangerous tree. The site has no formal recreation use, is of no ecological value and no particular landscape or visual amenity value. Its development for a single dwelling would bring the site into active use and planting / ecology benefits can be secured through a suitable landscape scheme.'

Policy GS1 Green Space of the Local Plan states that: 'proposals that result in the loss of Green Space, or land which was last used as green space will not normally allowed unless as assessment shows that there is too much of that particular type of green space in the area and its loss would not affect the existing and potential green space needs of the borough. In order to improve the quantity, quality and value of green space provision will require new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy.'

The site has offered an informal function, however there has never been any formal allocation of this site nor any recreational equipment on the site. The site was left undeveloped as part of the housing development due to the large tree on site that was protected by a TPO. Concerns were raised about the structural integrity of the beech trees in 2008 and they were removed in 2009 following significant limb failure, however the trees have never been replaced. It is agreed that the site is too small to be formally designated as a Local Neighbourhood Green Space and does not have any facilities on it. This is a privately owned area of grassland (not operated by a management company) and could be fenced off at any time and access restricted (up to 1m in height adjacent to the highway). Given its small size, ownership and that there are other Green Space sites within close proximity to the site which could be utilised by residents, that on balance the development of the site for residential purposes would be acceptable and given that the site is not allocated as Green Space or noted on the Green Space Register, it would be unreasonable and unjustified to request a monetary contribution for its loss.

The site is located within a wider allocation of Urban Fabric and also located in a residential area and so it therefore follows that redevelopment for housing is a compatible new use. Overall, the principle of residential development is considered acceptable as the proposal complies with the terms of policies GD1 General Development, Policy D1 High Quality Design and Place Making and the Designing New Housing Development SPD.

Residential Amenity

Numerous objections have been received with regard to the proposal and its impact upon residential amenity. The SPD Design of 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 loss of outlook and in order to provide adequate amenity, development will be expected to comply with external spacing standards'*.

The SPD states that a minimum distance of 12m should be maintained between habitable room windows and blank elevations, 21m should be maintained between facing habitable room windows and that dwellings should be sited with a rear garden at least 10m in length where it borders a private rear garden. The siting of the dwelling and location of habitable room windows comply with the external spacing set out in the SPD and the closest dwelling is over 26m away from the habitable room windows of the two storey dwelling to the rear (south) and 13m from the side elevation of the property to the front (north). The proposal should not cause any significant overlooking or loss of privacy. Given that the site is separated from the adjacent dwellings, there would be limited overshadowing or overbearing impact to the adjacent dwellings.

With regards to the residential amenity of the future occupants of the proposed dwelling, the property is designed with the internal space exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide. The guide also states that dwellings with 3 or more bedrooms should have a private amenity space exceeding 60sqm which is complied with, the proposed dwelling has a garden area of approx 220sqm.

The proposed development therefore complies with SPD Designing New Housing development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Visual Amenity

Concerns have been raised with regard to the proposal and its impact on the street scene and locality, due to the loss of the open area. Local Plan Policy D1 emphasises the importance of retaining the character of the area and protecting the street scene when considering proposals for new dwellings on small infill plots. Whilst the site is not allocated as a formal area of Green Space, the site provides an open area between the dwellings, however the trees on the site have been removed a long time ago and this privately owned area of grassland, and as stated above, the site could be fenced off at any time (up to 1m in height adjacent to the highway). Given that the area of grassland does not have any notable features, it does not provide significant visual benefits to the residential development in order to warrant a refusal of planning permission on this ground alone. The development of the site for a sensitively designed, low impact dwelling would not be harmful to visual amenity. In addition, the introduction of planting, replacement trees and landscaping would provide visual and ecological benefits.

In terms of design and siting, the property has been designed so that it faces to the north and would have an active frontage onto Beechfield Close, with shrubs planted to the eastern boundary to soften the site. In terms of scale, although the surrounding houses are two storey detached, given that the site is in a central location within the cul-de-sac, therefore a two storey dwelling may appear prominent on this site, as a result the agent has designed a dwelling which is single storey with rooms within the roof space. The development of the site for a bungalow is considered to be acceptable as there are a number of different house types along the street, some of which have side elements which incorporate dormer windows. The style and design of the dwelling matches the details of the adjacent dwellings and would be

constructed of materials to match, therefore would not appear incongruous within the street scene. The use of dormer windows can be seen within the adjacent development and the dormer is designed with a pitched roof which is acceptable.



Proposed materials, landscaping and boundary treatments shall be conditioned to be submitted upon commencement of development. The proposal is considered to be acceptable in terms of design and impact upon the street scene in accordance with policy D1 of the Local Plan.

Highway Safety

Concerns have been raised with regard to the proposal and impact upon highway safety, sightlines/obstructions and parking provision. The Highways Officer has been consulted and states:- It is proposed to erect a single dwelling with attached garage on a plot of vacant land adjacent to the turning head of the Beechfield Close cul-de-sac. The proposed dormer bungalow is to be a three bedroom property and therefore requires two off-street parking spaces in accordance with the Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1.

It can be seen from the submitted plans that the layout includes off-street parking provision for two vehicles, one vehicle being accommodated on the driveway and the second within the garage; the garage is of ample size and has internal dimensions suitable for vehicles of wheelchair users.

Vehicular access to the site is proposed to be in the same location as an existing dropped kerb access which appears to have been put in place to allow equipment (ride-on mower for example) to safely access the plot of land for maintenance purposes. As such, the length of dropped kerb is currently quite short and will therefore need to be widened if it is to be suitable for the use of regular sized vehicles.

The proposed driveway is of sufficient width to provide the required 2m x 2m pedestrian visibility splays and the proposed shrubbery/hedge and wooden fencing along the site boundary is acceptable in terms of sight lines/forward visibility.'

Given the above comments, the proposal meets the requirements of the SPDs in relation to parking and the design of new residential developments and it is therefore considered that the

proposals do not adversely impact upon the highway and are acceptable from a highways perspective, in compliance with Local Plan Policy T4.

Biodiversity/Impact on Trees

Concerns have been raised with regard to the development of the site and the impact upon wildlife and ecology. The site is currently mown grass and is of no significant ecological value and there are no trees on site. A Tree Survey and AIA has been prepared and submitted to demonstrate the proposed bungalow does not impact the trees to the west of the site. The proposal will result in new tree and shrub planting within the site and along its boundaries to improve the ecological value of the site.

The Tree Officer has been consulted as part of the proposal and states that:-

I have looked at the plans and can confirm that I have no objections to the proposed dwelling. There were previously two Beech trees on the site one which was protected and one which wasn't, however there does not appear to have been a replacement provided for the protected tree which is an automatic requirement unless dispensed with by the LPA. The proposal does show new tree planting to be provided as part of the landscaping and as long as one of these is a suitable replacement for the Beech tree removed then I feel that would be a satisfactory outcome. The details of the landscaping will therefore need to be conditioned. The plans also note that protective barriers will be provided for the off site protected trees, however the full details are not currently provided such as how it will be braced etc. and as such this information will also need to be conditioned.'

The Ecology Officer has been consulted and states that:-

'From having a look at the site on aerial photographs and google street view, it comprises close-cropped amenity grassland of limited ecological value. Looking on the Local Plan and the governments MAGIC website, I also don't anticipate any adverse impacts on statutorily or non-statutorily nature conservation sites, due to distance and the proposals type. From a brief look at the tree survey report, there are no trees on site and no works proposed to those off-site. As the application has been made prior to Biodiversity Net Gain being required for small sites, there is also no requirement for a BNG assessment to support the application. '

The proposal is therefore acceptable in terms of impact upon Trees and Ecology, subject to compliance with the suggested conditions from the Tree Officer in terms of landscaping and tree protection measures. The landscaping will provide further planting on site and there is no objection to the scheme in terms of Biodiversity and Trees, in accordance with Local Plan Policy BIO1.

Other matters

Concerns raised with regard to the impact during construction can be controlled via working hours conditions and the Pollution Control Officer has not raised any concerns. Issues with regard to the impact of the proposal upon the value of adjacent homes and a loss of view are unfortunately not material considerations which can be taken into account as part of this assessment.

Recommendation

Approve subject to conditions

