

2014/0950

Mr Steven Lee

Erection of a 1 no. dormer bungalow with attached garage.
Land Adjacent 16A Cobcar Street, Elsecar, Barnsley, S74 8DA

Site Description

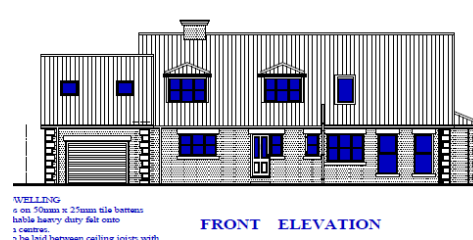
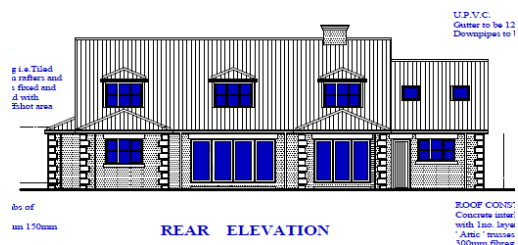
This application relates to an area of land measuring approximately 0.16ha, set back from the highway to the rear of the Working Mens Club (WMC) and residential properties. The land has been used as a car park for the WMC and is accessed from Cobcar Street in-between the WMC and a pair of semi-detached dwellings. The site slopes gently from the South to the North boundary and also from the West to the East with a relatively steep bank dropping approximately 2.5m to the Eastern boundary.

The site borders detached bungalows, built on a lower level, to the East, 2 storey properties and the WMC to the South, a detached dormer bungalow built on a higher level to the West and the main Sheffield to Leeds/Huddersfield railway line to the North.



Proposed Development

The applicant seeks permission to erect a detached dormer bungalow with attached single garage.



The property has 4 bedrooms (2 en-suite), 3 on the first floor and one on the ground floor. The dwelling would front the access to the South, although the main entrance would be on the East elevation. Vehicular access would be from the existing driveway from Cobcar Street. There would be a parking area to the front of the dwelling (south) and an attached single garage to the West. The main private amenity space would be to the rear of the property (North West).

Site History

2011/0703 – Residential Development (Outline) – Withdrawn

2011/1189 – Erection of 3 no. terraced houses (outline) - Refused

Policy Context

Planning decision 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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of Local Plan, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

Core Strategy

CSP 2 ‘Sustainable Construction’ – All new dwellings will be expected to achieve at least a level 3 rating under the Code for Sustainable Homes or equivalent

CSP 4 ‘Flood Risk’ The extent and impact of flooding will be reduced by expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30%.

CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley. Development should enable people to gain access safely and conveniently.

Saved UDP Policies

Policy H8 (Existing Residential Areas) – Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.

H8A – The scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy, landscaping and access arrangements.

H8D – Planning permission for infill, backland or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

SPDs/SPGs

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

Other material considerations

South Yorkshire Residential Design Guide - 2011

NPPF

The National Planning Policy Framework 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 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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 58 (general design considerations) and paragraph 64, which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Consultations

Yorkshire Water Services Limited – No objections

Highways DC – No objections to revised proposals

Drainage – No objections subject to conditions

Fire Authority – No objections to access

Ward Councillors – No comments

Network Rail – no objection subject to a number of criteria being met (see informative)

Representations

5 letters of objection received to the original scheme, no further letters were submitted after re-consultation took place for the amended plans. The main points of concern are;

- Loss of privacy
- Overlooking
- Loss of trees
- Drainage/septic tank
- Lack of parking to pub
- Out of character with the area
- Highway safety

Assessment

Principle of development

The site is allocated as Housing Policy Area in the currently adopted UDP proposals maps and Urban Fabric, i.e. land within the settlement with no specific allocation, in the consultation draft of the Local Plan.

All new dwellings proposed within existing residential areas must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the proposal would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Residential Amenity

Cobcar Close

The proposed dwelling would be built on land approximately 2.5m higher than the bungalows North East. However, the side elevation of the proposed dwelling would be in excess of 20m from the rear elevations of the neighbouring bungalows which is in excess of the required separation distance set out in SPD 'Designing New Housing Development'. As such, the dwelling would not significantly increase overshadowing or be an overbearing feature, in accordance with saved policy H8D.

It is acknowledged that there would be habitable room windows on the side elevation of the property facing the rear garden areas and rear elevation of the neighbouring bungalows, however, these serve a dual aspect room and can be conditioned to be obscure glazed. In addition, as they are ground floor windows and a boundary treatment is proposed on the upper level of the North Eastern boundary, overlooking would be minimized. As such privacy levels would be maintained to a reasonable degree.

The side and rear garden serving the proposed dwelling would be on a level above the boundary treatments to the rear of the properties fronting Cobcar Close, as such, views into the neighbouring amenity space and rear elevation windows would be possible. However, the applicant has agreed to put a planted boundary treatment at the top of the banking to minimize overlooking. Limited details have been submitted with the application so a condition will be recommended for further details to be submitted.

Cobcar Street

The proposed front elevation of the property would be in excess of 30m from the rear elevations of the properties fronting Cobcar Street and would be in excess of 15m from the boundary of the rear amenity space serving the neighbouring dwellings. In addition, the property would be orientated directly to the north. As such, the separation distances set out in the SPD would be exceeded and the property would not result in an overbearing feature or significantly increase overshadowing or overlooking, in accordance with saved policy H8D.

Number 16a Cobcar Street is a detached dormer bungalow which is set back from the highway and is located within close proximity to the South West of the site. The front elevation of number 16A faces part of the application site. However, the application property is built on a lower level than 16A (approximately 2m) is orientated to the North East and is set back so that the neighbouring dwelling would not directly face any part of the proposed property, as such, it would not result in an overbearing feature or significantly increase overshadowing.

Furthermore, there would only be 1 habitable room window on the ground floor facing number 16a. Due to the level differences and position of the retaining wall on the South Western boundary, overlooking would not be unreasonable and privacy levels would be maintained to a reasonable degree.

Application Property

It is acknowledged that there would be some overlooking from the raised garden area of number 16a towards the lower garden area of the application property, however, the views would be from towards the end of the garden and there would be limited overlooking from the neighbouring property itself. Furthermore, the future occupants of the proposed dwelling could assess the situation for themselves; it would not be imposed on them.

In terms of spacing standards, the proposed dwelling meets the criteria set out in the South Yorkshire Residential Design Guide in terms of internal rooms. Furthermore, the external space on offer exceeds the 60m² set out in SPD 'Designing New Housing Development'.

Visual Amenity

The proposed dwelling would be located in a non-prominent position to the rear of the WMC and several residential properties. There would be limited views from public vantage points and only fleeting views from the railway line. In any case, there are a mixture of property styles and types within the immediate area, including a similar dormer bungalow located immediately adjacent to the South West of the site. As such, the proposal would not result in an intrusive feature or reduce the visual amenity of the area to an unreasonable degree, in accordance with CSP 29 and saved policy H8D.

In terms of boundary treatments, the existing retaining wall would be retained on the South Western boundary, 2m high timber fencing would be erected on the North and Eastern boundaries and a 2.4m high wall and fence, with vehicular access gates, would be erected to the front of the property to match the existing adjoining wall. Landscaping (tree/hedges) would also be introduced to the top of the banking to the East of the site, although further details of this will be requested through a condition.

Trees

Neighbouring residents have raised concerns with regards to the removal of trees to the East of the site. However, these trees were not protected and were removed prior to the application being submitted. As mentioned above, planting if proposed to the top of the banking to reduce overlooking into neighbouring properties.

Drainage

A number of concerns have been raised with regards to the proposed drainage on the site. A septic tank has been proposed although at this stage the applicant has limited details of type and positioning, as such, a condition will be recommended for further details to be submitted. In addition, there are also concerns with the proposed soakaways due clay within the immediate area, again a condition will be recommended and percolation tests required.

Highway Safety

Highways initially had concerns with the turning facilities for fire appliances, however, this has since been address and confirmation received from the Fire Authority that the proposal is acceptable.

It is acknowledged that the proposed attached garage falls slightly short of the 6.5m length required in the South Yorkshire Residential Design Guide; however, there are at least 2 off road parking spaces available within the curtilage of the property. In addition, there is space for vehicles to enter and exit the site in a forward gear.

Access to the site would be via the existing access track which previously served a car park and caravan storage. As such, the use of the access for the proposed dwelling could potentially reduce the number of vehicle utilizing the access.

There is no bin storage proposed outside of the curtilage of the proposed dwelling, as such, bins would need to be placed on the highway on collection days. Unfortunately this would be inevitable as collections would not be made from a non-adopted road.

As a result of the comments above, highway safety should be maintained to a reasonable degree, in accordance with SPD 'Parking, CSP 26 and H8D.

Conclusion

The proposed dwelling would ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land in accordance with policies H8D, CSP 26, CSP 29 and SPD's 'Designing New Housing Development' and 'Parking'.

Recommendation - Approve subject to conditions