2023/0554

Mr & Mrs David & Desiree Travis

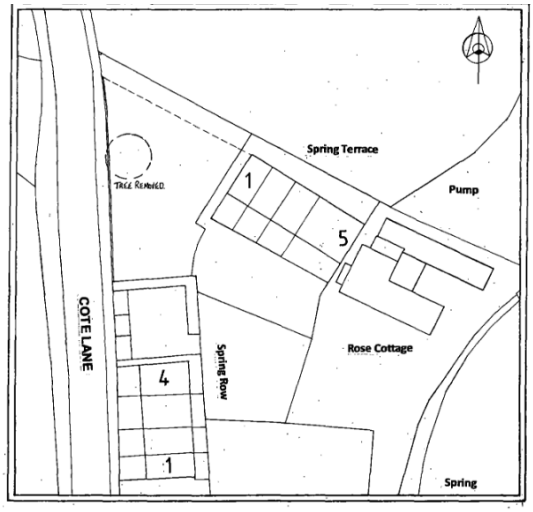
Erection of detached dwellinghouse

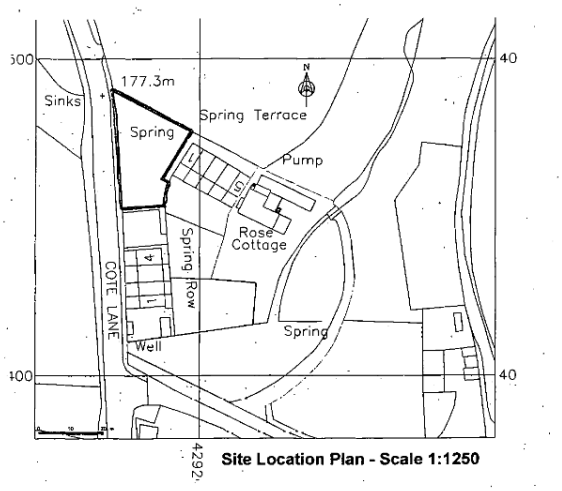
Land adjoining Spring Terrace, Cote Lane, Thurgoland, Sheffield, S35 7AE

Site Description

The application relates to a small parcel of land which fronts onto Cote Lane, Thurgoland. Cote Lane is a small pocket of development consisting of terrace properties and detached dwellings, including Spring Terrace and Rose Cottage to the north-east and Spring Row and Spring Row Cottage to the south. The area is rural in nature and is set over 600m from Halifax Road and the limited amenities within the village of Thurgoland. Most of the site is set at a lower level than the highway and the land falls from north to south across the site. The site is abutted on one side by Spring Terrace and on the other side by Spring Row. There are no properties on the opposite side of Cote Lane to the application site. The site is located within a predominantly residential area. The application site is just outside of the Green Belt and is not within a Conservation Area.

The property adjacent to the site facing Cote Lane is a former chapel which has recent planning permission for the conversion into apartments.





Site History

2023/0641 for the conversion of an adjacent building on Spring Row to 2 self-contained flats and storage - approved.

2022/1056 Erection of detached dwellinghouse (Amended Plans) Refused for the following reasons:

In the opinion of the Local Planning Authority, the proposed dwelling would be contrary to Local Plan Policy GD1 and the Council's Supplementary Planning Document 'Design of Housing Development' in that the proposal fails to meet the required external spacing standards set within the SPD and therefore would be materially detrimental to the amenities of the adjacent properties by reason of a loss of privacy and overlooking windows. In addition, due to the land level differences across the site the dwelling would be overbearing and appear overly dominant to the detriment of 1 Spring Terrace.

In the opinion of the Local Planning Authority, the proposed garden space is substandard and contrived with future residents subject to an inadequate standard of residential amenity. Furthermore, the privacy of future occupiers will be compromised due to habitable room windows to the western elevation fronting onto Cote Lane which will allow for passers-by to look directly into the dwelling, exacerbated by the land level differences seen on site. Therefore, the proposal is contrary to Local Plan policies GD1 'General Development', D1

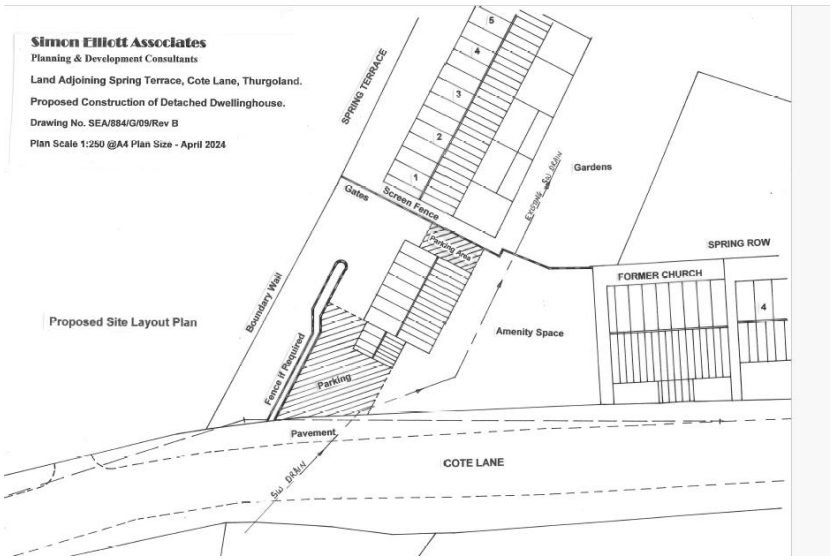
'High Quality Design and Place Making', the 'Supplementary Planning document 'Designing New Housing Development' and the South Yorkshire Residential Design Guide.

In the opinion of the Local Planning Authority, the removal of the Cherry Tree is unacceptable. No tree survey has been submitted to support the application and to evidence the impact of the tree removal and constraints of the tree on the development. Further, every effort should have been made to retain the tree and incorporate it into the development which has not been done at this time. As such the proposal is contrary to Local Plan Policy BIO1 and the Trees and Hedgerows SPD.

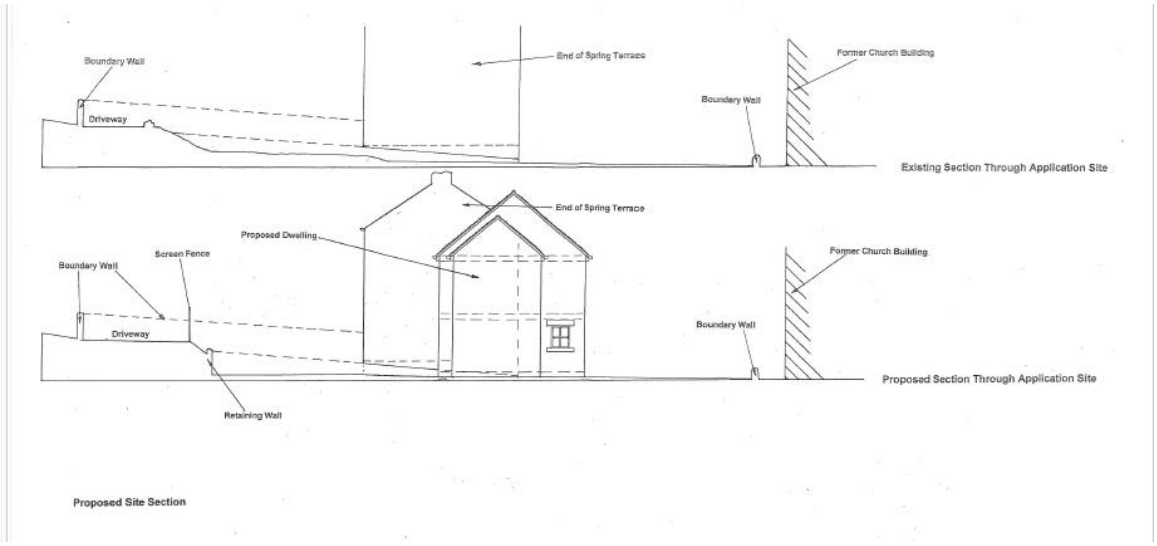
Proposal

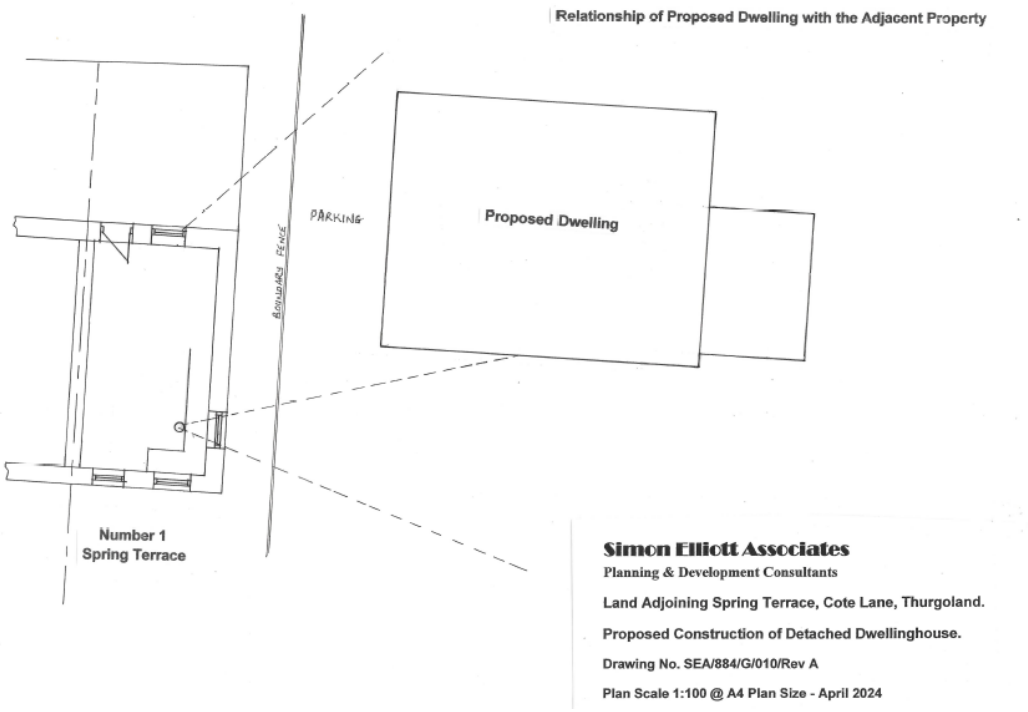
The applicant is seeking approval to erect a three-bedroom dwelling. The dwelling would be designed with a pitched roof and have a 2-storey side extension with a lowered roofline. In terms of the internal layout, the ground floor would comprise of a lounge, kitchen, store, utility room and WC. At first floor there would be 2no bedrooms, a bathroom, and a study, and an additional bedroom in the roof space.

The main part of the proposed dwelling would measure 8.10m in length 11.2 maximum length including the extension, 6.43m in maximum depth and 8.46m in height with eaves of 5.3m. The dwelling will be constructed from natural stone and a natural slate roof. Parking spaces are shown to the front and side of the dwelling. The existing boundary walls will be retained with the erection of a new boundary fence separating the site from Spring Terrace of 1.2m in height.









Local Plan

Urban Fabric

Policy Context

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy H4 Residential Development on Small Non-allocated Sites

SPD's

Those of relevance to this application are as follows:

-Design of Housing Development

-Parking

Other

South Yorkshire Residential Design Guide

NPPF

The 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 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.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Para 115 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 131 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 139 - Development that is not well designed should be refused.

Consultations

- Highways DC – The Highways department had some objections to the submitted plans primarily, however, there are no objections to the amended plans submitted subject to specific conditions and informatives.
- Pollution Control – No objections subject to condition.
- Yorkshire Water – No comments
- Drainage – No objections, the amended plan is now acceptable, the applicant will now have to apply for Ordinary Watercourse Consent to carry out works to the watercourse which runs through the site.
- Ward Councillors – No comments received.
- Tree Officer - The Cherry tree for which I objected to the original proposal has been removed prior to the submission of these new plans which given the tree is a consideration is not acceptable from an arboricultural perspective. Given that the tree has been removed to facilitate the scheme then replacement planting will be required to mitigate for its loss. Given the Councils drive towards increasing tree cover I would hope that more than just one tree would be put forward so as to demonstrate some benefit

from this proposal in arboricultural terms although the retention of the tree would of course have been preferable.

The removal of the tree means I have no grounds to object, however if approved I would ask that the condition be utilised to ensure replacement planting is provided.

- Thurgoland Parish Council – **Parking issues** - over the past 20 years the site has been used as a parking area for the residents of Spring Terrace, amounting to 6/7 cars. There are currently at least 8 cars parking regularly on Cote Lane, with any visitors to the Trans-Pennine Trail adding to this number. Add to this the parking from Spring Terrace. The concern is that this will vastly increase the parking issues the Parish Council have complained about regularly. Parking on Cote Lane at this point impedes vehicles up and down the road, in an area where there is limited visibility, add to which the problems parked cars cause pedestrians, who often have to walk in the road around the vehicles. The Parish Council have regularly raised the issue of how dangerous Cote Lane is already with excessive parking in this particular area.

  Drainage - We are aware that the appropriate officers within BMBC will comment on the drains and sewer but the Parish Council would like to again make the comment with regard to surface water issue which has previously occurred in the area. There is serious concern regarding the issue with the culvert which appears to pass under the site. Surface water from Cote Lane enters this area and also from the Springwood Rise development and connects into the culvert which passes under Cote Lane and comes into the site area around the spot shown by "spring", before appears to pass under the site and on towards the stream at Rose Cottage. There is concern that any proposed building on this site will affect the culvert. I would be grateful if you could please note the concerns regarding potential displaced parking and the existing drainage system.

Representations

14 neighbouring properties were sent notification letters and a site notice posted close to the site. 8 Letters of objection have been received and 1 letter of support. The concerns are as follows:

- Unhappy the cherry tree was removed.
- Restricted access to existing properties
- Parking issues/ loss of parking
- Incongruous within this setting
- Drainage issues
- Flooding
- Sink holes close by
- Inadequate public sewers
- Spoiling natural existing contours
- Overlooking
- Loss of light
- Loss of privacy
- Highway safety
- Pedestrian safety
- Inappropriate design of house
- Overlooked from Cote Lane

1 letter of support states that the site gets littered and is not easy to manage/maintain.

Assessment

<u>Principle of development</u>

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 property is set within a pocket of residential properties and as such the use of the site for residential uses would be in keeping with the locality.

Visual Amenity

The proposed development would see the erection of a detached dwelling. The site is set within a pocket of residential properties that are all two storeys in nature and constructed from coursed natural stone. The proposal seeks to replicate the style of the surrounding dwellings with use of stone and slate. It would also be two storeys in height with a gable roof alike the surrounding properties and as such would be in keeping with the locality in this respect.

No. 1 Spring Terrace is the end terraced property along Spring Terrace. It is orientated so its main habitable windows face north-east and south-west, away from the propsoded dwelling This property does have a side facing kitchen window at ground floor on the facing gable end. The proposal will be located adjacent to this row to the west. The proposal will be set back from the principal elevation of these properties to lessen the impact to the side kitchen window on the neighbouring property. Due to the orientation and location of the proposal it will also be located to the west of the gardens associated with Spring Terrace. Given the direction of the sun path and distance from the neighbouring gardens excessive overshadowing should not occur. Furthermore, a 1.2m high fence will be erected along the boundary with Spring Terrace further providing privacy from the development.

The property is not located forward of the clear building lines of the surrounding properties and would have windows at first floor level facing the road to enable an active streetscene to be maintained. As such the proposal would be mostly in keeping with the local character of the area in terms of scale, building style, materials and its arrangement not forward of the existing building line. Therefore the proposal would be considered acceptable in terms of visual amenity in accordance with policy D1 of the Local Plan.

Residential Amenity

There has been a number of objections from nearby residents regarding this proposal. The main points highlighted have been the loss of parking provision for local residents. The site has been used in the past and rented out as an unofficial parking area, however this is not an official use of the site and has merely been an agreement between the landowners and users. As the site is not an official car park the loss of this unofficial parking provision can't be given much weight when assessing this application.

Although Policy GD1 of the Local Plan does not include reference to any specific space standards, it states that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents amongst other matters. Policy D1 of the Local Plan expects development to be of a high quality, including through its layout and design, so that it contributes to a healthy, safe and sustainable environment.

The 2023 Design of Housing Development Supplementary Planning Document (SPD) advises that all developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide (SYRDG).

It also advises that Rear gardens of proposed dwellings should be at least 50 square metres in the case of two-bedroom houses/bungalows and 60 square metres for houses/bungalows with three or more bedrooms. Smaller gardens may be acceptable in corner plots if privacy and daylighting can be maintained.

The proposal is for the erection of a 3-bedroom dwelling. The SYRDG sets out acceptable internal spatial standards. The proposal meets the internal spatial standards set out within the SYRDG and is satisfied that the proposal would ensure that there would be no adverse effect on the living conditions and residential amenity of future occupiers in line with planning policy.

The external amenity space also meets with the requirement in both SPD: Design of Housing Development and the South Yorkshire Residential Design Guide.

It is therefore concluded that the internal living space and external amenity area of the proposed development would be of a sufficient size and configuration such that future occupiers would have acceptable living conditions. Consequently, as the proposal meets all the space standards in the SYRDG and the SPD, it would meet the requirements of Policies GD1 and D1 of the Local Plan.

Highways Safety

Parking provision for the new dwelling and also provision for the sole use of No.5 Spring Terrace have been set out within the amended plans. The Council can confirm that off road vehicular parking proposed as part of the scheme is satisfactory and in compliance of both SPD: Parking and SPD: Design of New Housing Development.

As has been mentioned previously in the report, it is acknowledged that there have been objections relating to loss of parking. The site has been used in the past and rented out as an unofficial parking area, however this is not an official use of the site and has merely been an agreement between the landowners and users. As the site is not an official car park the loss of this unofficial parking provision can't be given much weight when assessing this application.

Drainage

A culverted watercourse runs through the site which has been highlighted within the site plans. The Council's drainage department had some concerns with the initial proposal, however, after a number of amendments the Council's drainage team are satisfied and the proposal is now acceptable subject to conditions. The applicant will have to apply for Ordinary Watercourse Consent to carry out works to the watercourse which runs through the site.

Trees

The previous application was refused for the erection of a dwelling with one of the reasons being the loss of a significant cherry tree. Although it was acknowledged that the cherry tree was significant, it didn't warrant the protection of a TPO. This tree has since been removed to the disappointment of the Council and local residents.

Given that the tree has been removed to facilitate the scheme, replacement planting will be required to mitigate for its loss. Given the Councils drive towards increasing tree cover the tree officer would expect that more than one tree would be put forward so as to demonstrate some benefit from this proposal in arboricultural terms. A condition will be put on the decision notice to ensure replacement planting is provided.

Conclusions

The facilities for future residents of the property would meet the requirements set out in SPD 'Design of Housing Development' and the South Yorkshire Residential Design Guide and would be in compliance with Local Plan policy GD1.

Given the comments above, the application is recommended for approval.

Recommendation: Approve