

2023/0648

Mr Mike Laverack

Demolition of existing bungalow and erection of replacement dwelling including removal of two trees

12 Tivy Dale Drive, Cawthorne, Barnsley, S75 4EN

Background

No planning history

Description

Tivy Dale Drive consists of a number of different designs of bungalows, some of which have been infill/replacement dwellings or extended considerably. Some of the properties have rooms within the roofspace/dormer windows to the front and rear. The properties to the west of Tivy Dale Drive back onto agricultural Green Belt land to the rear. The trees within Tivy Dale Drive are protected by a woodland TPO. There are two Beech Trees to the front of the property which have been significantly pruned by the previous owners. The property is set outside of the Conservation Area, however it is set immediately adjacent to it.

Number 12 Tivy Dale Drive is a hipped roof bungalow with a large front extension, set within a rectangular shaped plot, with a front garden area and a driveway which meets a flat roofed garage to the rear/side.

Proposed Development

The proposal involves the demolition of the existing bungalow and the erection of new dormer bungalow with a side attached garage. The dwelling is designed with a front porch and a single storey flat roof element to the rear. The property would have a pitched roof with rosemary roof tiles. Internally the property has been designed with an open plan layout, with a kitchen, living and dining room, bedroom, ensuite, cloaks, wc and utility room at ground floor and within the roof space the property has two bedrooms with ensuite and dressing areas and a separate office space. There are no windows on the side elevations of the property, with the main habitable room windows facing front and rear. In terms of siting, the proposed replacement dwelling will be re-positioned on the site so the front elevation sits in line with the surrounding properties.

The scheme has been amended during the course of the application, in consultation with the Conservation Officer. The materials have been altered with the front of the property being faced with natural stone and a timber framed porch. The sides and rear are to be white rendered set on a stone plinth and the garage would be timber clad to the front elevation.

The applicant has submitted the following documents in support of the application:-
Preliminary Ecological Appraisal and Preliminary Roost Assessment by Arbtech dated 19th October 2023, Design and Heritage Statement, Coal Mining Risk Assessment Report dated 4th October 2023, Arboricultural Impact Assessment dated August 2023.



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 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.

Local Plan

The site is set within an area of Urban Fabric as allocated within the Adopted Local Plan. The property is set outside of the Conservation Area, however it is adjacent to it.

The following policies are also of relevance:-

- Policy GD1 General Development
- Policy H4 Residential Development on Small Non-allocated Sites
- Policy T4 New development and Transport Safety
- Policy HE1 Historic Environment
- Policy D1 High Quality Design and Place Making
- Policy Poll1 Pollution Control and Protection

- Policy BIO1 Biodiversity and Geodiversity

SPDs – To be updated following adoption of Local Plan

SPD ‘Designing New Housing Development’

SPD ‘Parking’ provides parking requirements for all types of development.

Cawthorne Village Design Statement

Other Guidance

The South Yorkshire Residential Design Guide.
Manual for Streets

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)”

Consultations

Ward Councillors – No comments received

Pollution Control – No objection subject to conditions

Drainage – Details to be checked by Building Control

Pollution Control – No objections subject to conditions

Cawthorne Parish Council – Cawthorne Parish Council object to this application.

‘Cawthorne Parish Council object to the use of rendering as the material for the external walls and to the Rosemary roof tiles

The Design and Heritage statement in section 1.2 states that “it will apply carefully designed details and the use of high quality materials local to the area”.

Rendering is not local to the area, there are very few properties that are rendered. Whilst the house opposite has rendering, it has a significant amount of timber cladding. In the parish Council’s opinion, the rendering on this proposed property will have a startling effect on the street scene.

Section 1.5 Appearance state that “Timber cladding will be introduced around the garage which will help to break the mass of one material contemporary addition. A brick plinth will also be introduced as a nod to the existing and utilising a strong base to the ground.” Despite the timber cladding, the rendering is still very dominant. The brick plinth with a nod to the existing is hardly visible so is hardly a nod at all.

Similarly, in section 2.0 Conclusion of the Design and Heritage Statement, it states that “The proposal must complement the existing street scene through well considered architecture.

This will be achieved in terms of its architectural design, massing and density, materials, the layout and type of property and in relation to its urban and landscape design."

The use of rendering does not complement the existing street scene of brick and stone properties.

Cawthorne Neighbourhood Plan Policy C9 3 states that "New development proposals need not imitate earlier architectural periods or styles and could be the stimulus for the use of imaginative modern designs using high quality traditional materials such as local stone or brick in innovative ways.

This design does not comply with Cawthorne Neighbourhood Policy C3

Cawthorne Village Design Statement, under "New Development" states that "New developments should endeavour to reflect the existing mix of properties. It should blend in and enhance the village being sympathetic in design layout and appearance

This application does not comply with the Village Design Statement. It does not blend in and is not sympathetic to the general village appearance.

The Parish Council also object to the use of Rosemary roof tiles. The surrounding properties are slate or grey coloured roof tiles and this property should be of similar colour to blend in the street scene.

The Parish Council have no objection to the style, size or site location of the proposed dwelling but do object to the proposed materials to be used.

The Parish Council would like the external walls material to be changed to brick or stone. If rendering is to be used, then less than 50% of the wall to be rendered.

The roof tiles to be similar colour to the surrounding properties.

The material to be use for the driveway is not mentioned. Cawthorne Parish Council would like this to be of a porous soakaway material rather than a solid tarmac/stone material.

SYMAS – Risk Assessment required

Coal Authority – The Coal Authority's Planning & Development Team concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development. A condition has been recommended to be applied to any approval.

Highways – No objection subject to conditions

Biodiversity – No objections subject to conditions

Conservation Officer – No objections to amended plans

Tree Officer – No objection subject to condition

Representations

2 letters of objection has been received which raise the following concerns:-

- The proposal has no regard to the Neighbourhood plan or village design guide.

- The proposals sit adjacent to the Cawthorne Conservation Area and has an impact upon its setting. The proposed dwelling is incongruous with the existing properties along Tivy Dale Drive and also at odds with the principles of the Cawthorne Conservation Area Appraisal and Management Plan.
- The replacement house is to be two storeys in height with dormer windows which is not in keeping
- Materials not in keeping with the area and surrounding properties
- The scale of the property is excessive for the plot
- The proposals do not accord with planning policy or the neighbourhood plan/design statement
- Loss of light and impact to side windows of number 10
- Overlooking from windows
- Bats are regularly seen in the garden at 10 Tivy Dale Drive and I am informed by the occupier at 14 Tivy Dale Drive that there are regular visits from bats there too. Other villagers are only too aware of the presence of bats in the area.

Assessment

Principle of development

The site is located within an area of Urban Fabric where Local Plan Policy GD1 applies. Policy GD1 is the starting point for making decisions on all proposals including those shown on the Policies Map as Urban Fabric (shown as light grey areas with the notation of no specific allocation). In addition as the proposal is for a residential development, Policy H4 Residential Development on Small Non-allocated Sites also applies which 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. Furthermore as there was already a dwelling on the site the proposal is essentially a replacement dwelling which would be acceptable in principle in residential surroundings.

In addition, as the property is set adjacent to the Cawthorne Conservation Area the proposal must preserve and enhance the appearance of the Conservation Area in accordance with policy HE1.

Visual Amenity/Impact on Conservation Area

The property is set outside of the Conservation Area, however it is set immediately adjacent to it, therefore any development must preserve/enhance the appearance of the Conservation Area and must comply with Local Plan Policy D1 and the Cawthorne Neighbourhood Development Plan and the Cawthorne Village Design Statement.

The Cawthorne Village Design statement under 'New Development' States that:- 'New development should endeavour to reflect the existing mix of properties. It should blend in and enhance the village being sympathetic in design layout and appearance. Existing views of the village, both looking out and into the village should be protected. Any infill development or lateral extensions to existing buildings should maintain significant gaps which provide views into and out of the village.'

Cawthorne Neighbourhood Plan Policy C9 3 states that "New development proposals need not imitate earlier architectural periods or styles and could be the stimulus for the use of

imaginative modern designs using high quality traditional materials such as local stone or brick in innovative ways.

Due to the site's sensitive location, it is imperative that any proposed design should take careful consideration of the existing context. Tivy Dale Drive consists of a number of different designs of bungalows, some of which have been infill/replacement dwellings or extended considerably. Some of the properties have rooms within the roofspace/dormer windows to the front and rear.

The proposal involves the demolition of the existing bungalow and the erection of new dormer bungalow with a side attached garage. The dwelling is designed with a front porch and a single storey flat roof element to the rear. The property would have a pitched roof with rosemary roof tiles. In terms of siting, the proposed replacement dwelling will be re-positioned on the site so the front elevation sits in line with the surrounding properties. The proposed ridge line is fractionally higher than the existing by 200mm but is not higher than 14, but is higher than number 10. Tivy Dale Drive is set on a slight incline meaning from north to south the dwelling roof lines becomes higher. The proposed increased roof height is therefore considered acceptable from a visual aspect. The Conservation Officer has no objection to the design or the use of dormer style windows as these are clearly seen within the street scene. The existing property is not of any significant architectural merit and its loss would not be significant. The proposal is therefore considered acceptable in terms of visual mass, design and scale.

In terms of the proposed materials, the scheme has been amended during the course of the application, in consultation with the Conservation Officer. The materials have been altered with the front of the property being faced with natural stone and a timber framed porch. The sides and rear are to be white rendered set on a stone plinth and the garage would be timber clad to the front elevation. The proposed materials are now acceptable and will fit in well with the adjacent properties. The render to the sides and rear will not be overly visible from within the street scene, nevertheless there are other rendered properties within Cawthorne, therefore this is already a feature within the village. Concerns have been raised by the Parish Council in terms of the use of Rosemary Roof tiles, however the existing property does in fact have the same roof tiles, albeit they have weathered over time. The Conservation Officer also 'supports Rosemary's over a plain grey tile as these are far higher quality and will look much nicer in this location.'

On balance, the amended proposal is considered to preserve the character of the adjacent Conservation Area. The design, whilst it is modern is in keeping with the surrounding modern residential dwellings in accordance with policy HE1 and D1 of the Local Plan, the Cawthorne Village Design Statement and the Cawthorne Neighbourhood Plan.

Residential Amenity

The separation distances between the proposed dwelling and the existing properties comply with guidelines set out in SPD 'Designing New Housing Development'. There are no windows on the side elevations of the property, with the main habitable room windows facing front and rear. There would not be any significant overlooking of adjacent properties in compliance with the SPD. Objections have been raised with regard to the proposed garage and the loss of light to the side ground floor windows of number 10. These small windows are secondary windows set on a side elevation, with the main habitable rooms facing front and rear, therefore unfortunately they are not afforded the same protection as habitable room windows. Given the size of the windows it is not felt that there would be any significant loss of light to these

windows. In addition, it must be taken into account that the existing bungalow could be extended to the side under permitted development rights which would have a similar impact.

In terms of overshadowing, the proposed dwelling would be set almost in line with the adjacent dwellings, therefore there should not be any significant overshadowing of the neighbouring properties. Whilst the height of the proposed dwelling is 0.2m higher than the existing, this is not felt to be significant.

In terms of amenity levels for the future occupants of the dwelling, the internal spacing accords with the requirements of the South Yorkshire Residential Design Guide and there would be in excess of 60m² external garden area.

The proposal is considered to be acceptable when measured against the guidelines set within the SPD and complies with policy GD1 of the Local Plan.

Highway Safety

The proposed new dwelling has improved off-street parking facilities compared to the existing property. Two driveway spaces are shown in the layout drawing, and whilst the double garage is not to the minimum dimensions set out in Manual for Streets, the dwelling will still have parking provision of 2 spaces commensurate with the recommendations set out in the council's Parking SPD. It is anticipated that servicing arrangements will remain unchanged. The Highways Officer has been consulted and raises no objections subject to standard conditions.

Impact on Trees

The Tree Officer has been consulted due to the removal of trees to the frontage of the property which are protected by a Woodland TPO. The Tree Officer has considered the proposal and states:- 'The proposal will result in the removal of four trees from the property. These are made up of a small Apple and Magnolia and two Copper Beech trees. The Apple and the Magnolia are both small insignificant specimens which are not considered a constraint to the development. Regrettably the two Copper Beeches have been very poorly managed and are now no more than small lollipop shaped trees and therefore these too cannot be considered a constraint to the development.

There are no objections to the proposed development from an arboricultural perspective, however the four trees to be removed will need to be replaced.' The proposal is therefore acceptable subject to a landscaping/replanting condition to be applied to any approval, in accordance with Local Plan Policy BIO1.

Impact on Biodiversity

The applicant has submitted an Ecology Report which has been assessed by the Ecology Officer. In terms of bats, the report states that the building to be demolished has negligible value for roosting bats due to a lack of potential roost features. The Ecology Officer is satisfied with the report subject to the development being completed in line with the recommendations in section 4.2 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment Report and the conditions of the planning permission, specifically the provision of one integrated bat box, two integrated bird boxes and precautionary measures for hedgehog, to also include gaps in any boundary fencing to allow movement of hedgehog through the site. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation in accordance with Local Plan BIO1.

Recommendation

Approve subject to conditions