

2021/1613

Mr Gerald Duniec

Demolition of remaining garages and development of 3 dwellings with associated landscaping and parking

Land between 28 and 30, Merrill Road, Thurnscoe, Rotherham, S63 0PS

Background

No planning history

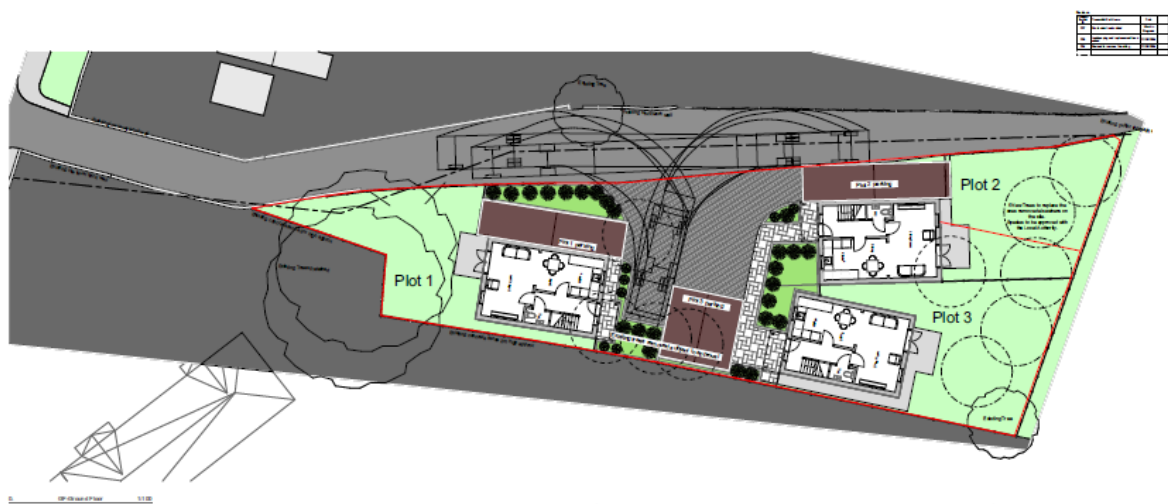
Description

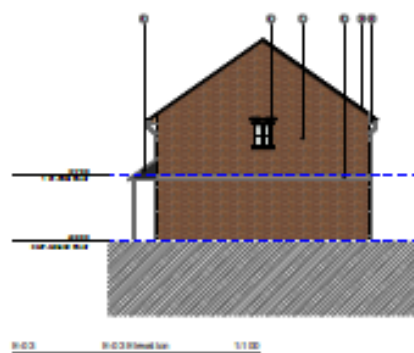
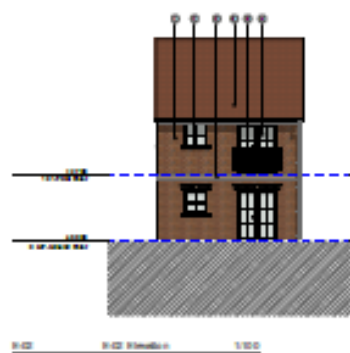
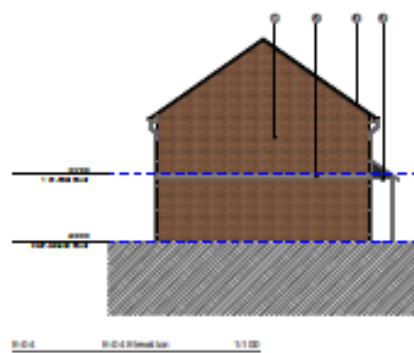
The site is a former garage site set off Merrill Road, Thurnscoe. The site at present is overgrown and the previous garaging use has been abandoned. The immediate street scene consists of semi-detached dwellings set within fairly spacious plots. There are a number of trees within the site and adjacent to it within neighbouring gardens. The site is accessed via a single track between numbers 28 and 30 Merrill Road. A public footpath runs along the northern boundary of the site.

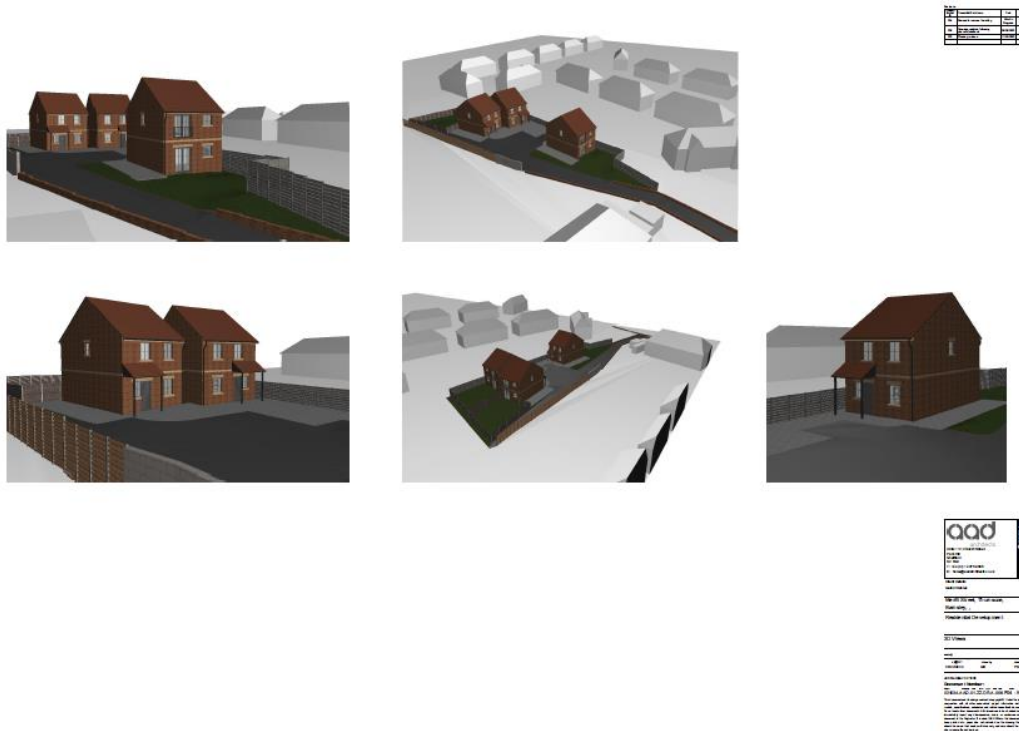
Proposed Development

The proposal involves the demolition of the existing garages and the erection of 3 detached dwellings. The dwellings have been designed with 3 bedrooms, a kitchen/diner/lounge and bathroom. The properties are accessed from Merrill Road via the existing single track access and would have 2 parking spaces per unit. Front and rear gardens are provided. The original plans showed 4 units on the site, which appeared to be an overdevelopment of the site and the separation distances and amenity standards were compromised. The plans have now been amended and the proposal reduced to 3 units.

The dwellings are designed with a pitched roof, an entrance door and window to the front elevation. The plans show that the dwellings would be constructed of brick with a tiled roof. To the rear the properties are designed with windows/patio doors and a Juliet style balcony at first floor. Soft landscaping includes grass and trees to be replaced that are being felled as part of the proposal, however no formal details have been provided at this stage.







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 following policies are of relevance:-

- GD1 General Development
- GB1 Protection of Green Belt
- GB3 Changes of use in the Green Belt
- H4 Residential Development on Small Non-allocated Sites
- T3 New Development and Sustainable Travel
- T4 New development and Transport Safety
- CC4 Sustainable Drainage Systems (SuDS)
- D1 High Quality Design and Place Making
- Poll1 Pollution Control and Protection
- BIO1 Biodiversity and Geodiversity

SPDs

The proposals have been considered in relation to the following SPD's:-

- Design of housing development
- Parking

Other Guidance

South Yorkshire Residential Design Guidance

NPPF

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 – No comments received

Highways – No objection

Pollution Control – No further comments

PROW Officer - There is a PROW running along northern red line boundary, an informative should be added

Drainage – No objection subject to conditions

Tree Officer – No comments received

Yorkshire Water – No observation comments

Representations

3 comments have been received to the original proposal raising the following:

- Concerns re access to garages on Pangbourne Rd
- Access issues
- Subsidence
- Impact on PROW
- Impact on culvert
- 3 storey houses and impact on amenity

A further consultation was carried out for the reduced scheme and no comments have been received as a result of this re-consultation

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

Residential Amenity

The Supplementary Planning Document 'Design of Housing Development' provides guidance in terms of separation distances and other amenity requirements, in order to ensure that any new development does not cause significant impact by way of overlooking, overbearing and overshadowing of existing dwellings and their private gardens.

The site is set within a predominately residential area therefore there are other dwellings which surround the site. The original plans showed 4 units on the site, which appeared to be an overdevelopment of the site and the separation distances and amenity standards were compromised. The plans have now been amended and the proposal reduced to 3 units which is acceptable.

The amended site plan shows that the separation distances set within the SPD are met and the proposal should not cause any significant impact upon residential amenity in terms of overlooking, disturbance or overbearing/overshadowing impact, in accordance with the SPD, Design of Housing Development and policy GD1 of the Local Plan. In terms of internal spacing standards, the dwellings have 3 bedrooms, a bathroom and a kitchen/diner/lounge which meet the required floor area standards set within the South Yorkshire Residential Design Guide.

The SPD and South Yorkshire Residential Design Guide also provides guidance in relation to amenity areas. The proposal meets this requirement with each property having at least 60sqm of amenity area. The properties also have the benefit of front gardens and 2 parking spaces per unit.

Overall the proposals are acceptable in terms of residential amenity in accordance with policy GD1 of the Local Plan and the SPD.

Visual Amenity

The surrounding properties are mainly two storey semi-detached dwellings, set within fairly spacious plots. The SPD Design of Housing Development states that infill developments should:-

- Dwellings should be orientated to have a frontage to the existing public highway. Sides and backs and garages should be sensitively located so the frontage of the new development integrates with the existing street scene. The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street.
- The siting of the dwelling should reflect the building line of the dwellings on the same side of the street.
- The eaves and ridge heights of dwellings should usually be comparable with the heights of adjacent dwellings.

- Parking provision should be accommodated in a similar manner to how it is accommodated elsewhere on the street (e.g. if existing dwellings are set forward on their plots with parking at the side, the proposed dwelling should not be set back with parking at the front).
- Architectural features, fenestration and materials should reflect the positive elements elsewhere on the street.
- Infill development should not be piecemeal so as to prejudice potential comprehensive development of a larger area of land.
- Landscaped features such as trees, particularly those prominent in the street scene, should be retained and provided with sufficient space for future growth

The original plans showed 4 units on the site, which appeared to be an overdevelopment of the site and the separation distances and amenity standards were compromised. The plans have now been amended and the proposal reduced to 3 units. The submitted layout now provides a spacious development which is in keeping with the adjacent plot sizes. The original proposal proposed dwellings designed as two and a half storey dwelling with dormer windows to the front and rear. The surrounding dwellings are mainly two storey dwellings with hipped rooflines. The proposed dwellings with their dormer windows did not reflect the height/scale and design of the adjacent dwellings. The proposal now shows two storey pitched roof dwelling which are in keeping with the adjacent two storey dwellings. Subject to the submission of material samples, the proposal is acceptable in terms of visual amenity and is in accordance with Local Plan Policy D1.

Trees and Biodiversity

An Arboricultural Report has been submitted with the application. The report states that all of the trees on the site are included in the lowest retention category (C) because they are low value and appear to be self-seeded specimens. Only two trees in one of the neighbouring gardens are included in the higher retention category (B) because they are more significant and better-quality trees and these are to be retained.

The layout would require the removal of all the remaining trees on the site. A number of smaller trees will need to be removed from the rear/southern boundary of the site, however these are not protected by TPO's nor is the site set within a Conservation Area. A soft landscaping scheme proposes to turf the garden areas with trees to be replaced which are lost, however a formal re-planting scheme has not been submitted with the application; therefore it is felt that a detailed landscaping scheme is required to ensure that replacement planting takes place to mitigate the loss of the trees on site, which would also enhance the site for wildlife and provide some tree cover to replace some of the trees which will need to be felled. Two trees from the neighbouring property overhang the site, however the development appears to be outside of the rooting area/canopy, therefore there should not be any significant impact to these trees.

In terms of overshadowing of plot 1, this should be limited to the western elevation only and any impact will be to the front elevation and mainly later in the afternoon/evening, due to the path of the sun, therefore there should not be any significant impact by way of overshadowing of private amenity areas from the trees adjacent to the site.

Highway Safety

The Highways Officer has no objections to the proposal subject to conditions.

The plans have been amended to reduce the number of units and the Highways Officer states:- 'I can see that the most recent amendment has reduced the number of dwellings to 3. I have read through the comments from the applicant and appreciate their justification for the development. I agree that the number of dwellings proposed under this application, does indeed reduce the potential vehicular use of the site in its current state, and taking into account

the previous permissions granted on the site, I do not see that the development proposed would have a detrimental impact on the highway network, nor could the cumulative impact be considered severe. As such, I have no objections to the application.'

The proposals provide adequate parking and turning facilities in line with the SPD Parking and the SYRDG. Overall, the proposals do not adversely impact upon the highway and there are no objections to the proposal from a highway safety perspective in accordance with Policy T4 of the Local Plan.

Impact on PROW

Access to this site is shared with a public footpath which runs along the northern red line boundary. The public footpath has a 2.3 metre recorded width and is also recorded on the Council's List of Streets. No alteration to the surface of the access track / public footpath is proposed.

No details of boundary treatments have been provided. Due to its proximity to the public footpath and limited sight lines, any boundary treatments alongside the northern parking space for plot 2 should be limited to no higher than a 1.2 metre high post and rail fence to ensure visibility along the public footpath. A condition should be applied so that boundary treatments can be agreed upon commencement of the development.

During construction the full 2.3 metre width of the public footpath should remain safely open to the public and clear of vehicles and materials. If this is not possible at any time, the developer must apply for a temporary closure order, at cost, for public safety. An informative should be added to any approval.

Drainage

The Drainage Officer has stated that there are no drainage details shown on the plans submitted, with the application form describing foul to discharge to "Mains" and surface water to "Mains". There is a 600mm Diameter Surface Water Sewer through the site which is not shown on the attached plans and will require an easement. The Drainage Officer has not raised objections but has recommended that drainage conditions are attached to any approval.

In terms of the sewer the agent states that 'the presence of YW infrastructure has been taken into account in the new layout of the proposed development. The ground levels will neither be lowered nor raised. No inspection chambers will be built over. The equipment referred to has been accurately plotted onto the site plan.' Exclusion zones are provided to the existing sewer and the applicant is agreeable to a condition protecting the sewers.

Other Matters including neighbour comments

The agent has provided the following additional information in terms of access and the PROW:-

'The Public footpath will be retained, improved and thereafter maintained for continued use. The applicant does not own the PROW neither does he control the boundary on which various points of access have been made through the boundary to the PROW. He therefore cannot make any arrangements to retain or otherwise any part of that boundary. He will however ensure that no part of the PROW (2.3m) is obstructed during construction and that no part of it is obstructed by any permanent part of the development.'

Concerns have also been raised with regard to the impact upon a culvert. The agent confirms that 'There is no 1.2m storm water culvert pipe. The development will not affect any below ground equipment as identified.'

Recommendation

Approve subject to conditions