

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 30th May 2017

Application	4
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Application Number:	17/00661/FUL	Application Expiry Date:	9th May 2017
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Application Type:	Full Application
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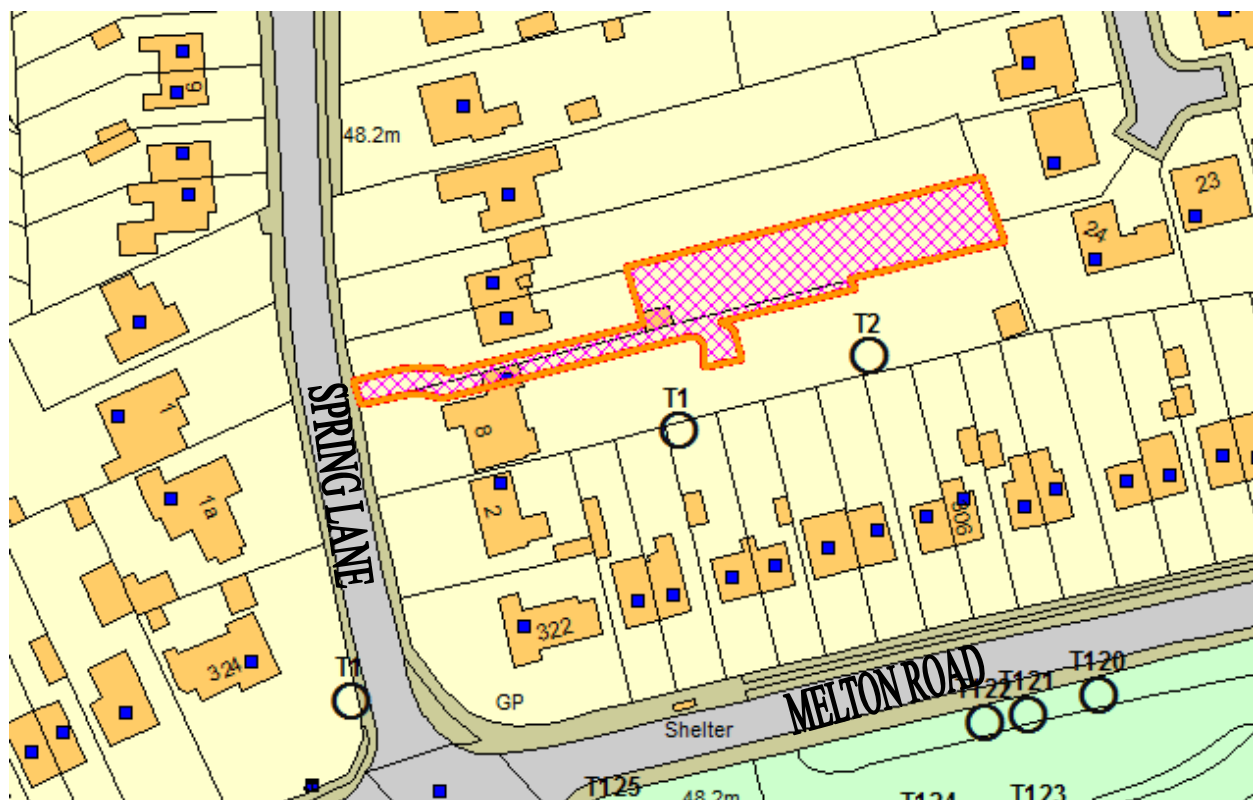
Proposal Description:	Erection of 4 bedroom detached house with attached garage
At:	10 Spring Lane Sprotbrough Doncaster DN5 7QG

For:	Mr Matthew Sylvester
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Third Party Reps:	8	Parish:	Sprotbrough And Cusworth Parish Council
		Ward:	Sprotbrough

Author of Report	Mark Ramsay
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MAIN RECOMMENDATION:	GRANT
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1.0 Reason for Report

1.1 The application is being presented to Planning Committee for determination because of a significant level of public interest shown in the application.

2.0 Proposal and Background

2.1 This is an application for the erection of a single dwelling at the end of a private drive which requires the implementation of a previous permission 16/02890/FUL which would see alterations to No 8 and the development of a house behind it. The private drive is also set to serve the plot subject of this application.

2.2 A previous application for backland development in outline was approved in 2014 for two dwellings to the rear of 8 and 10 Spring Lane with a new access in between. The approval was conditioned to be single storey dwellings only, due to the frontage dwelling (No.8) being single storey.

2.3 An application with similarities to 16/02890/FUL (16/00706/FUL) was heard by Planning Committee on the 20 September 2016 and following an earlier site visit recommended refusal because *'the proposal is unacceptable due to the negative impact the redevelopment of No.8 will have on the living conditions of the occupiers of No.2 Spring Lane with regard to the loss of outlook and the over dominance the development will cause thus contrary to Core Strategy Policy CS 14 and saved Unitary Development Plan Policy ENV 54.'*

2.4 The application that was later approved took account of the reasons Planning Committee gave to refuse the previous application by setting in the development from the adjacent bungalow.

2.5 This application that sits to the north of No 10 (referred as plot 1 in the 2014 outline application) is the only built development as the access between 8 and 10 is already approved as is plot 2. The access was designed to serve both plots 1 and 2 so is duplicated in this application.

3.0 Relevant Planning History

3.1 In 2010 an application (10/03171/FUL) was received to extend the existing property to the rear with a 9.4m single storey flat roofed extension. This was refused due to the excessive in scale being over dominant and harm to the outlook of the adjacent residential dwelling at No.12. Its excessive flat roof design would have harmed the character and appearance of the host dwelling.

3.2 An application for the erection of a single storey pitched roof extension to the rear of a semi-detached house following demolition of existing extension (being re-submission of application 10/03171/FUL refused 11/01/11) was granted in 2011 with a reduced length of 5.7metres (11/01294/FUL).

3.3 In 2014, an application in outline (14/00583/OUT) for the erection of 2 detached dwellings with attached garages on approx. 0.16ha of land to the rear of the site (following demolition of existing garage to no. 8) was approved with access from Spring Lane and the layout which included a new access road between No 8 and No 10. The other matters of scale, appearance and landscaping were all reserved. A condition requiring the scale to be limited to single storey only applied if an application for reserved matters had subsequently been submitted.

3.4 In 2016, an application (16/00706/FUL) similar to this one was refused by Planning Committee for the reasons given in paragraph 2.3.

3.5 In October 2016, Members approved application 16/02890/FUL which was an amended version of the previous scheme. The main difference being the side elevation of No 8 was set in from the adjacent bungalow and changes were made to the design of the roof, which reduced the impact on the adjacent bungalow.

4.0 Representations

4.1 8 representations have been received objecting to the proposal and the concerns raised include;

- The development of the plot would impact on the outlook of No 12 and a long wall next to the boundary.
- Property is not similar in design to surrounding dwellings and out of character.
- Building is too big for the plot.
- Overdevelopment of the site.
- Loss of amenity to adjacent dwellings.
- Cause overshadowing of Plot 2.
- Noise and traffic generated by the site.

5.0 Parish Council

5.1 The Parish Council is concerned about the proximity to the boundary of the proposed build and that this should be considered only after plot 1 is developed.

6.0 Relevant Consultations

Trees

6.1 No objections on arboricultural grounds subject to a condition requiring a scheme to be agreed which will protect trees during development, an Arboricultural Method Statement for the construction of the driveway and a landscaping scheme.

Pollution Control

6.2 The site is close to a landfill site and a contaminated land survey is required due to being a sensitive end use.

7.0 Relevant Policy and Strategic Context

7.1 National Planning Policy Framework (NPPF, March 2012)

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 11: Conserving and enhancing the natural environment

7.2 Doncaster Council's Core Strategy (CS, May 2012)

CS 14: Design and Sustainable Construction

CS16: Valuing our Natural Environment

7.3 Saved Doncaster Unitary Development Plan (UDP, Adopted July 1998)

PH 11 - Residential Development in Residential Policy Areas

ENV 59 - Protection of Trees

ENV 54 –Extensions and alterations

7.4 Supplementary Planning Document (SPD)

Development Guidance and Requirements SPD (July 2015)

8.0 Planning Issues and Discussion

8.1 The main issues for the site are; the principle of the development, impact on the character of the area, the impact on the highway network, residential amenity and on the trees in and around the site.

Principle

8.2 The site lies within a Residential Policy Area and therefore is an appropriate use in principle subject to the below material considerations. Backland development has also already been approved in 2014 in outline and last year for the adjacent plot (marked plot 2 on the plans).

8.3 The access serving the house in this application, plot 1, is already approved as part of the 2016 application.

Residential Amenity

8.4 The main concern when development of this site was last brought to Planning Committee was the impact on the amenities of the adjacent property. In terms of the impact upon neighbouring properties, local policy CS14 of the Core Strategy seeks to ensure that there are no unacceptable negative impacts on the amenity of neighbouring land uses. Saved UDP policy PH 11 states that development for housing will normally be permitted except where; (b) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable.

8.5 The properties have been designed so that there is no direct overlooking or loss of privacy of adjacent properties and the separation distances between high occupancy windows are 28m to No 10 and 37m to No 12 Spring Lane, which exceeds the best practise guidance for separation distances. The only windows on the side elevations at 1st floor level are bathroom windows which would be obscure glazed or face a blank side elevation of plot 2. While the separation distance is lower than normal, bedroom 3 is also served by an additional west facing window which complies with the requirements of the design guidance. Doors and windows at ground level would be screened by fencing between the new plots and existing dwellings.

8.6 It is not considered, therefore, that there is an unacceptable loss of amenity to adjacent properties as the separation distances to existing properties far exceeds the minimum distances in the relevant policies covering backland development.

Character and Appearance

8.7 Policy CS14 states that new buildings should respect their townscape and landscape setting/character by virtue of their design, layout, density, and form. This includes scale, height, materials and massing. Section 7 of the NPPF states that developments should optimise the potential of the site for development and respond to the local character. PH11 (a) further states that the development should be at a density or of a form which would not be detrimental to the character of the surrounding area and should not result in an over intensive development of the site.

8.8 The layout has considered the trees on site and the provision of parking and turning area. The principle of an additional access has already been approved between numbers 8 and 10 and it is also noted that there are developments that are similar in character further along Spring Lane to the rear of No.20 Spring Lane and on Springhill Close. The layout does allow for two tandem properties, one of which already has consent and does not make any change to the access for either plot. The proposal, therefore, is viewed as a continuation of this in depth development and whilst not being directly adjacent to other backland sites, the principle of allowing rear gardens to be developed has already been established.

8.9 Objectors have raised concerns that the proposal does not respect the character of the area and is too big for the plot. The layout of the access is already agreed as is the principle of backland development. The height of the building has various elements to its roofscape with a garage closest to the front of the site rising to two storeys with hip roof on the end elevations. The maximum height of plot 1 will rise to 7.45m at the peak of its highest ridge and the properties in front (No 10 currently and No 8 proposed to be) are 7.7m. The development of plot 1 is therefore considered subservient to the properties fronting Spring Lane.

8.10 Whilst the design of the building within plot 1 is elongated along the plot, it only takes up about half the available space so providing ample amenity space to serve the new dwelling and is therefore not considered overdeveloped or cramped.

8.11 In terms of density, it is not felt that the proposal would overdevelop the site as large gardens are still available to the frontage properties. The density including the access is 15 dwellings per hectare which is relatively low. Previous Government targets had a minimum target of double that figure.

Highway Network

8.12 Policy CS14 of the Core Strategy states that one of the components of good design is to ensure that developments take into consideration highway safety. Concerns have been raised in regard to the impact of the development on the highway network.

8.13 The proposed development has parking spaces for each of the properties linked to the scheme with sufficient turning space within the site. The access serves four properties and so only needs to meet the standard of a private drive and the layout of the access road is already approved as part of the previous application.

8.14 The additional number of movements generated by an additional dwelling from a private drive will not be significant on the surrounding estate road and is not considered to generate sufficient noise and traffic that would be harmful to adjacent occupiers or the wider highway network.

Trees

8.15 In assessing such schemes it is important to retain as many of the existing trees as possible in line with Policy ENV 59 of the UDP. The trees are surveyed and the tree officer has assessed the proposal and does not raise any arboricultural objections subject to conditions requiring a method statement for the driveway, a landscaping scheme and tree protection measures during construction.

Other matters

8.16 Pollution Control has notified the authority that the application site is within 250m of a landfill site. It is not the case that the site or surrounding houses are themselves on a landfill and the nearest recorded site is in a former railway cutting nearby. However there is the possibility that pollutants were spilled during the operation of the landfill and migration of gas even after its closure.

9.0 Summary and Conclusion

9.1 The proposal to erect a dwelling within part of the overall site known as Plot 1 is considered acceptable, not harming the amenities of existing properties or harming the character and appearance of the surrounding area. The access to the plot is already approved along with the design of Plot 2. It is, therefore, an appropriate way to complete the proposals to redevelop the land that sits behind No 8 and No 10 Spring Lane.

10.0 Recommendation

GRANT Planning Permission subject to the following conditions;

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

02. ACC1 The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and specifications.
REASON
To ensure that the development is carried out in accordance with the application as approved.

03. MAT1A Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
REASON
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.

04. U52607 No development shall take place on the site until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a soft landscape plan; a schedule providing details of the species, nursery stock specification in accordance with British Standard 3936: 1992 Nursery Stock Part One and planting distances of trees and shrubs; a specification of planting and staking/guying; a timescale of implementation; and details of aftercare for a minimum of 5 years following practical completion of the landscape works. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.
Reason:
In the interests of environmental quality and core strategy policy CS16: Valuing our natural environment

05. U52608 Prior to the commencement of the private driveway an Arboricultural Method Statement for its construction and installation that complies with section 6 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no development or other operations shall take place except in complete accordance with the approved Method Statement. The Method Statement shall include full details of the following:
- o the design of the driveway utilising a professionally recognised 3-dimensional load-bearing system and porous surfacing and working methods to be employed to protect tree roots during preparation of the ground and installation; and
 - o a timescale of implementation, which ensures that the load-bearing base is in position prior to the use of the driveway and garage by any vehicle.
- REASON
To protect the roots and rooting environment of the sycamore tree (denoted T1 on the site plan), which is shown for retention on the Approved Plan, in accordance with saved UDP policies ENV21 and ENV59
06. U52609 The erection of impact resistant barriers for the protection of all retained tree shall be undertaken in accordance with the approved Site Plan (reference 14.007.2) and the local planning authority notified of implementation to approve the setting out of the tree protection scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development. Thereafter, all tree protection shall be maintained in full accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site, unless the local planning authority gives its written approval to any variation. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
- REASON:
To ensure that all trees are protected from damage during construction in accordance with core strategy policy CS16: Valuing our natural environment
07. CON1 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.

a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.

b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) If as a consequence of the Phase 2 Site investigation a Phase 3 remediation report is required, then this shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework. This is required prior to commencement to ensure that the necessary mitigation measures can be put in place should any contamination be found.

08. CON2

Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

09. CON3

Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

Informatives

01. U11351

INFORMATIVE

Condition 04 refers to independence in the landscape, which is defined in British Standard 8545:2014 Trees: from nursery to independence in the landscape - Recommendations as the point at which a newly planted tree is no longer reliant on excessive or abnormal management intervention in order to grow and flourish with realistic prospects of achieving its full potential to contribute to the landscape.

Appendix 2: Elevations



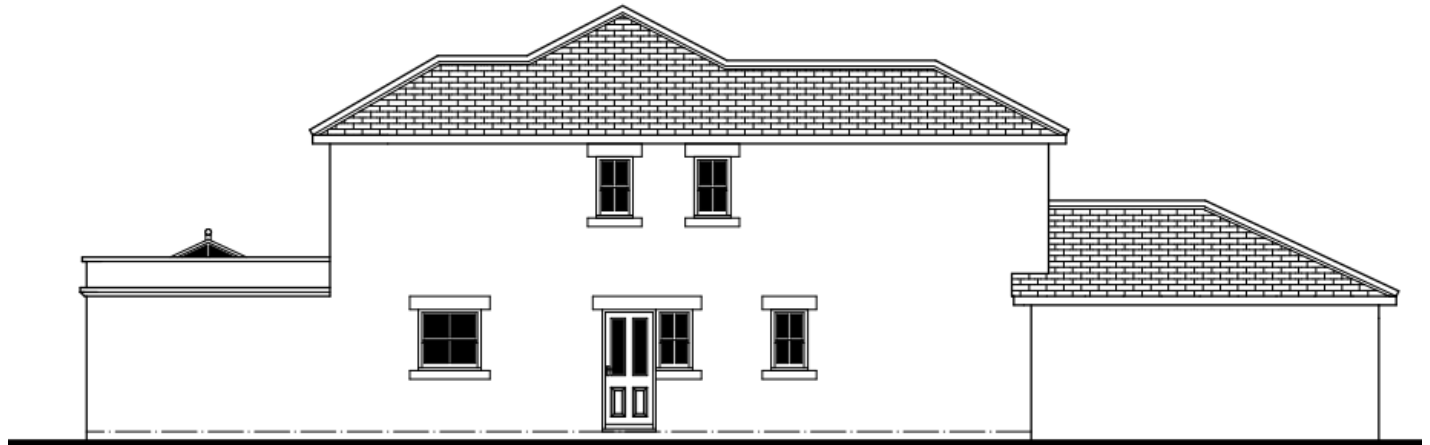
Rear Elevation



Front Elevation



Side Elevation



Side Elevation

Appendix 3 Floor Plans

