

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 5th February 2019

Application

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Application Number:	18/01912/FUL	Application Expiry Date:	26th September 2018
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Application Type:	Full Application
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Proposal Description:	Erection of detached dwelling to rear of host dwelling, construction of access road and demolition of single garage
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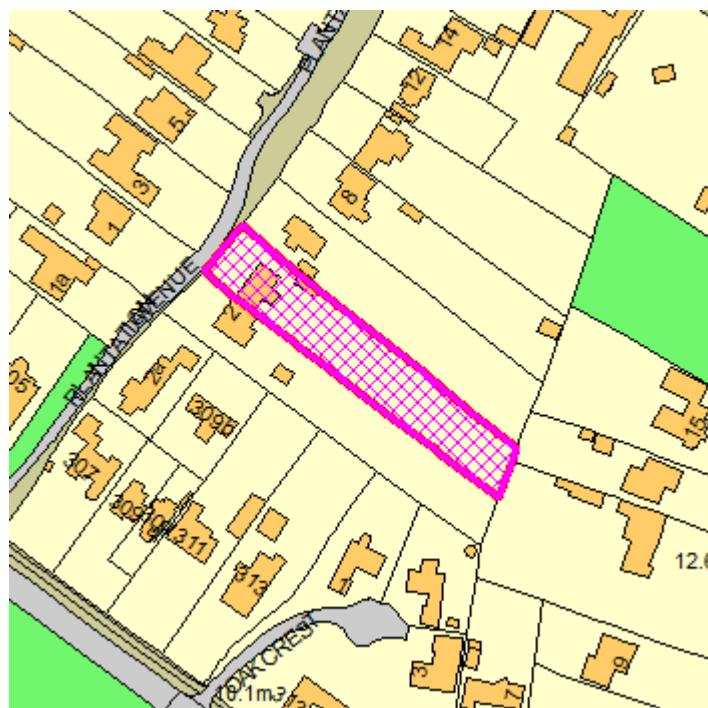
At:	4 Plantation Avenue Bessacarr Doncaster DN4 6SR
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For:	Mr Richard Cooper
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Third Party Reps:	8	Parish:	Cantley With Branton Parish Council
		Ward:	Finningley

Author of Report	Alicia Murray
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MAIN RECOMMENDATION:	Grant
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1.0 Introduction

1.1 The application is before planning committee given the amount of public interest received.

1.2 This application was deferred at the 8th January 2019 planning committee for a site visit to assess the scale, dominance, impact on character and impact on the trees within the site. The deferral would also allow for further negotiations to take place between the applicant and neighbours to see if some agreement could be reached on the scale, massing and privacy concerns.

1.3 Amended plans have been received which brings in the rear elevation to reduce the volume and footprint; 2m high fence and planting adjacent to the boundary, planting to be agreed by condition; first floor is now 10m offset from first floor to adjacent boundary; the plans now show a green roof to the flat roof side projection; and the site plan shows provision of replacement trees along the boundary with no.4 Plantation Avenue.

2.0 Proposal and Background

2.1 The application seeks planning permission for the erection of a detached, flat roofed, two storey dwelling on land to the rear of 4 Plantation Road. The proposed dwelling is of a contemporary utilising timber, stone, render and glass. The height of the building would be 6.1m at its highest, stepping down to 3m at its lowest.

2.2 The application site is a long plot and the dwelling is to be sited on an area of the garden, which is lined with mature trees and has some young trees centrally within it. To the south west of the site is 2B Plantation Avenue, which is recently completed dwelling which is modern in design and rendered; this dwelling was also erected on former garden land.

2.3 No.4 Plantation Avenue is a semi-detached single storey property, which has a hipped roof and the walls are constructed of brick. The character of Plantation Road is mixed, with a mixture of property styles and types. There has been some replacement dwellings over the years. The main character is the trees contained within and around curtilages, providing a woodland appearance. Plantation Road is a narrow road served from Bawtry Road and Warnington Drive.

3.0 Relevant Planning History

3.1 15/00023/FUL - Erection of detached house on approx. 0.23ha of land, at no.2 Plantation Avenue. Application approved 05.03.2015.

4.0 Representations

4.1 This application has been advertised via site notice, press advert and neighbour notification letters.

4.2 Seven representations have been received in objection to the application; which outline the following:

- Loss of trees
- Loss of character and appearance to the Conservation Area
- Result in overlooking
- Harm to local ecology
- Design of the dwelling is inappropriate
- Floor to ceiling windows would overlook the rear of no.2 and no.6
- Plot is small
- No gap between development and no.2b Plantation Avenue; too close.
- Overshadow no.2b Plantation Avenue
- Garden grabbing

4.3 One letter of support has been received, which supports the application and the investment seen on the Avenue.

4.4 Re-consultation with neighbours has been carried out on the 21st January for 14 days, any additional representations received will be included within pre-committee amendments.

5.0 Relevant Consultations

5.1 Ecology - No objections but the officer has requested involvement in any landscaping scheme that is to be conditioned.

5.2 Highways - Length of driveway exceeds 20m and there is insufficient turning for fire vehicles, additionally no bin storage has been shown on the original plans and the access is only 2.3m at its narrowest when the minimum is 2.75m. The agent consulted the fire service and building control who have outlined that there is opportunity for turning at the front of the site and there is allowance for the 20m access to allow for the 45m hose to access the house. Amended plans have also been received and the Highways Officer has reviewed the plans and offers no objections subject to conditions.

5.3 Contaminated Land - No objections and have requested conditions relating to the discovery of unexpected contaminants on site to be recorded and consultation with the Officers carried out.

5.4 Drainage - No objections subject to a condition relating to surface and foul drainage details to be submitted prior to commencement.

5.5 Trees - Requested amended plans as the tree survey was not accurately reflected on the site plan and showed that the access and turning area were within the root protection area of the protected trees on the boundary. The amended plans have been submitted and the tree officer is content that the development can be constructed outside of the root protection area of the protected trees and has requested a series of conditions.

5.6 Conservation - The officer states that Bessacarr Conservation Area is characterised by trees rather than buildings and considers new dwellings that are flat roof in design with significant amounts of glazing fit well into the area. The officer has requested amended Design and Access Statement be submitted to review the rear projection and two storey element in greater details, which has been submitted and reviewed by the Conservation Officer; resulting in no objections from the officer, subject to conditions.

6.0 Parish Council

6.1 No objections.

7.0 Planning Issues and Discussion

Principle of Development

7.1 In terms of the principle of development, the application site is located within a Residential Policy Area as defined by the Unitary Development Plan.

7.2 Saved Policy PH11 of the UDP is concerned with new residential development, and states that development for housing will normally be permitted except where; (a) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over intensive development of the site. On this basis the principle of development is acceptable subject to the built form of the proposal and its impacts in terms of Policy PH11 point's b and c.

7.3 This proposal seeks full permission for the erection of a new 2 storey dwelling to the rear of an existing 2 storey property. The dwelling is to be sited at the bottom of the long rear garden, with a private drive providing access along the northern side boundary of the site. In terms of the principle of this form of tandem development, the Councils Conservation Officer raises no objections to the scheme, given similar approvals at No.2 Plantation Avenue neighbouring the site. Indeed, this form of tandem development is not uncommon within the surrounding area. Therefore there is no conflict with policy PH 11 (a).

Character and Appearance

7.4 Policy PH 11 (c) also states that backland development will not be permitted where it would result in an unsatisfactory access, overlooking or over-intensive development. Policy CS 14 states that proposals should be of a high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.

7.5 Backland development is usually defined as development on land behind the rear building line of existing housing or other development, and is usually land that is formally used as gardens. As stated within the Backland and Infill DPD, a backland development should therefore make a contribution to the character of the existing locality. It is further stated that it is often very difficult to design a satisfactory form of backland development due to issues of scale, access, overlooking and separation distances.

Removal of existing mature trees is often proposed which can also have negative impacts on an area's character. In design terms, backland development should be largely out of view and not dominate the frontage property, but still be partly visible so people can find it. Backland development should therefore be subservient to the frontage property.

7.6 The proposed dwelling is approximately 6m in height, and has two storeys; with single storey element to the side being 3m in height. Site sections have been supplied which show that the dwelling will not be visible from the frontage of no.4 Plantation Avenue if stood square on, however it will be visible from the north of Plantation Avenue and down the access driveway and between the gap in the frontage dwellings, however planting is proposed to screen the development and it has been designed to ensure the impact of this is to a minimum, which can be seen from the site sections. Amended plans have been received to reduce the size of the dwelling, the rear elevation has been set in approximately 1m; the volume of the proposed dwelling is 1214m³, which 654m³ larger than the host dwelling; but the proposed dwelling is 20% smaller than 2b Plantation Avenue. It is noted that this results in a dwelling larger than the host but this is considered acceptable by the case officer as the design is largely single storey, with a single aspect on the southern side of the building being two storey; resulting in the dwelling will be less visible and therefore subservient.

7.7 The design of the building is modern and all flat roofed in order to achieve the desired level of accommodation required, whilst ensuring the dwelling remains subservient to the host. The plans provided show the relationship with the frontage property, which shows the height of the rear dwelling will be no higher than that of the house.

7.8 No boundary treatments were originally proposed for this development, as the northern boundary is lined with significant vegetation and several mature trees and the southern boundary has a wired fence which the development approved at no2b Plantation Avenue is to have landscaping completed to screen no.2b Plantation Avenue and was secured through a condition on that consent. Amended plans have been received which show a 2m high fence along the boundary with no.6 Plantation Avenue, which will have planting along it where the proposed dwelling will be sited; the details of this fence and the planting is secured through condition.

Impact on Conservation Area

7.9 Policy ENV 25 requires expects new development to preserve or enhance the character or the appearance of the area. As advised by the Design and Conservation Officer, the character of this conservation area rests not in the architectural form of the buildings but in the green and open character of the area. Consequently there is no objection to buildings of modern form provided they are restrained and complement the woodland character.

7.10 This proposal has been subjected to lengthy pre-application discussions between the agent, conservation officer and tree officer. The proposal has been carefully designed to ensure the protection of the mature trees on site, which contribute to the green character.

Furthermore the design has been considered and there is still good separation between the proposed dwelling and the surrounding buildings, minus no.2b Plantation Avenue; which has also been carefully considered by the architect as outlined in the submitted Design and Access Statement, which states that the distance between 2b is 1m to follow the design of no.2 and no.4 Plantation Avenue which are semi-detached, to ensure the preservation of the street scene it was considered appropriate to maintain the visual separation distance through to the rear of the site.

7.11 The modern design is considered to be acceptable by the Conservation Officer who offers no objections to the proposal upon receipt of the amended Design and Access Statement.

7.12 Also important is green character; the design of the dwelling is to sit within the woodland setting and the large glazed areas are to give the feeling of being encompassed by trees, which is outlined further within the Design and Access Statement. The Councils' Tree Officer has been consulted; following receipt of an amended site plan, the officer has no objections. The proposal does require the removal of some minor trees but the dwelling has been designed to ensure that there is no threat to the best trees in and around the site; ensuring the retention of the green character of the Conservation Area. Furthermore, the amended plans submitted show the addition of 4 trees along the boundary with the host dwelling, to replace the ones lost.

7.13 Given the above it is considered that the proposal preserves the character and appearance of the Conservation Area in accordance with policy ENV 25 and CS15; as well as ensuring that the significant trees on site are not harmed through this development in accordance with policy ENV59 of the UDP and CS16 of the Core Strategy.

7.14 It is worth noting that the Bessacarr Conservation Area Development Control Guide does not apply to the South Bessacarr Conservation Area.

Residential Amenity

7.15 Policy PH 11 (b) states that development for housing will normally be permitted except where the effect of the development on the amenities of occupiers of nearby properties. Policy CS 14 states that new development should have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment.

7.16 The comments received from the neighbouring residents have been noted.

7.17 The proposed dwelling is not considered to present any impact on residential amenity than the existing approval on the site. There are no main habitable side elevation windows at first floor therefore preventing direct overlooking of no.2b Plantation Avenue. Furthermore there is approximately 35m from the rear elevation of the host dwelling no.4, 35m from the rear elevation of no.2 Plantation Avenue and a similar distance to the rear elevation of no.6 Plantation Avenue. The report for January committee outlined the distance to the boundary with no.6 as 8m away, when in fact it was 9.8m away. However, amended plans have been received which results in the first floor element being 10m away from the boundary with no.6 Plantation Avenue's garden/woodland area, the single storey aspect would be 7.6m away from the boundary but this would be screened by the proposed boundary treatments.

7.18 It is noted that there will be views of the property from neighbouring gardens, whilst a view is not a material consideration, outlook is, and it is considered that there is sufficient distance between properties to prevent a poor outlook. The south elevation will also be softened by landscaping, from the development at the rear of no.2. Whilst the expanse of the elevation along the north boundary, the break in materials will reduce the dominance of this; this impact is reduced further given that the two storey access is stepped back further from this boundary with no.6 with a single storey element. Furthermore the significant trees along the boundary with no.6 and proposed boundary treatment do provide a large amount of screening to the garden area, meaning the views out of the windows at the proposed dwelling will mainly be woodland in nature; which has been considered extensively in the design of the dwelling, to be immersed within the tree lines.

7.19 On balance, it is not considered that the proposal is unduly harmful to the amenities of occupiers of neighbouring properties.

Highways

7.20 The site is to share an existing access with No 4 Plantation Avenue. It is of sufficient width and provides adequate space on site to allow a fire vehicles to access the site, and this has been confirmed to meet building regulations. There are two car parking spaces in the car port area and other opportunities on site for further parking. The Council's Highways Officer is satisfied with the amended plan and there is adequate provision for bin storage closer to the highway. The traffic generated from one additional property in this location is not considered to be of a level that will affect the overall level of traffic in the area. As such, there are no objections from a highway point of view, to the satisfaction of policy CS 14.

Trees and Ecology

7.21 Policy CS 16 states that proposals will be supported which enhance the borough's landscape and trees.

7.22 In arboricultural terms this application has been well considered and based on good baseline information. As a result, conflicts with trees have largely been avoided. The proposal has been carefully designed to ensure that the dwelling will be outside of the protected zones of the trees. The design has clearly taken the best trees into account in that the dwelling is set back from the fine boundary oaks (T215a, T215b) and the issue of accessing the rear plot has been overcome by an agreed no-dig access, details of which are within the tree survey. Also included in the tree survey are details of wider tree protection measures (appendix 4) a schedule of tree works (appendix 3) and an arboricultural monitoring schedule (appendix 5). The trees lost to this development are an early-mature sycamore (T216 - category B), a young 6.8m copper beech (T213 - category C), silver birch (T211 - category U) and a silver birch (T209 - category B). The successful retention of the best trees at and adjacent to the site will mitigate for the loss of the small number of trees; furthermore the applicant has shown that four new trees will be planted to the front of the dwelling.

7.23 Hence, this is a commendable scheme as, again, design clearly has taken the existing trees in to account based on the tree survey and on-site investigations. There is no objection from an arboricultural point of view, subject to condition. Furthermore, following consultation with the Council's Ecologist, there are no ecological implications.

8.0 Summary and Conclusion

8.1 In summary, this is a finely balanced scheme. It is noted that the proposed dwelling is larger than the host dwelling, however the design of the dwelling has been carefully considered; which results in the dwelling being no higher than the host, meaning it will not be visible from the street. The amended proposal results in greater separation distances and additional boundary treatments, to reduce the impact the dwelling would have on the surrounding neighbours. As stated by the Design and Conservation Officer, the character of this particular area rests in the green and open woodland character. The proposal has been designed to preserve the woodland setting of the area and would not harm the significant protected trees on site. Given the above the application is recommended for approval.

9.0 RECOMMENDATION

Planning Permission GRANTED 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. U0066922 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows 170701 01 A received 31.7.18, 170701 05 B received 18.01.19, 170701 02 E received 18.01.19, and 170707 04 C received 18.01.19.
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. 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.

04. 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.
05. DA01 The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.
- REASON**
- To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
06. U0066930 The relevant site works shall not commence until details or samples of the materials for the access drive; and details of the height, character, and design of any new boundary treatment (other than hedge boundary treatment), have been submitted to and approved in writing by the local planning authority.
- REASON**
- To preserve and enhance the character and appearance of the Conservation Area in accordance with saved policy ENV25 of the Doncaster Unitary Development Plan.
07. U0066937 The relevant site works shall not commence until details (including finish and colour) or samples of the external materials (i.e. roof covering /render / stone / concrete / timber cladding/ facias) for the new building have been submitted to and approved in writing by the local planning authority.
- REASON**
- To preserve and enhance the character and appearance of the Conservation Area in accordance with saved policy ENV25 of the Doncaster Unitary Development Plan.

08. U0066938 Before the commencement of the relevant site works full details of the design of all windows and external doors to be used in the development shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, the details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. For windows such details shall include window dimensions, finish, colour, and glazing pattern. Development shall be carried out in accordance with the approved details.

REASON

To preserve and enhance the character and appearance of the Conservation Area in accordance with saved policy ENV25 of the Doncaster Unitary Development Plan.

09. U0066939 The Arboricultural Method Statement at section 10 of the Selwyn Trees Tree Survey ref. 0149 dated 24.08.2018, the principles and guidelines contained at section 5.10, sections 3.2.4, 3.2.5 and 4.1 of appendix 1 and appendix 4 of the above tree survey along with the approved site plan ref. Project no. 170701 number 02, rev. E dated January 2019 shall ensure for the protection of the retained boundary trees T209A, T214, T215A, T217 through the ground protection measures contained within the above documentation. The a schedule of tree works (appendix 3) and the no-dig access as specified within the above documentation shall be installed prior to commencement of the dwelling in the sequence consistent with the arboricultural monitoring schedule (appendix 5). Wider tree protection measures, including protection of the retained trees adjacent to the front access (T203, T204, T205) shall be installed in accordance with appendices 4 and 5 of the tree survey.

REASON

To protect the roots and rooting environments of all retained trees in the interests of amenity and in the interests of environmental quality and compliance with core strategy policy CS16: Valuing our Natural Environment.

01. INF1B **INFORMATIVE**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

This Standing Advice is valid from 1st January 2017 until 31st December 2018

02. IQ171

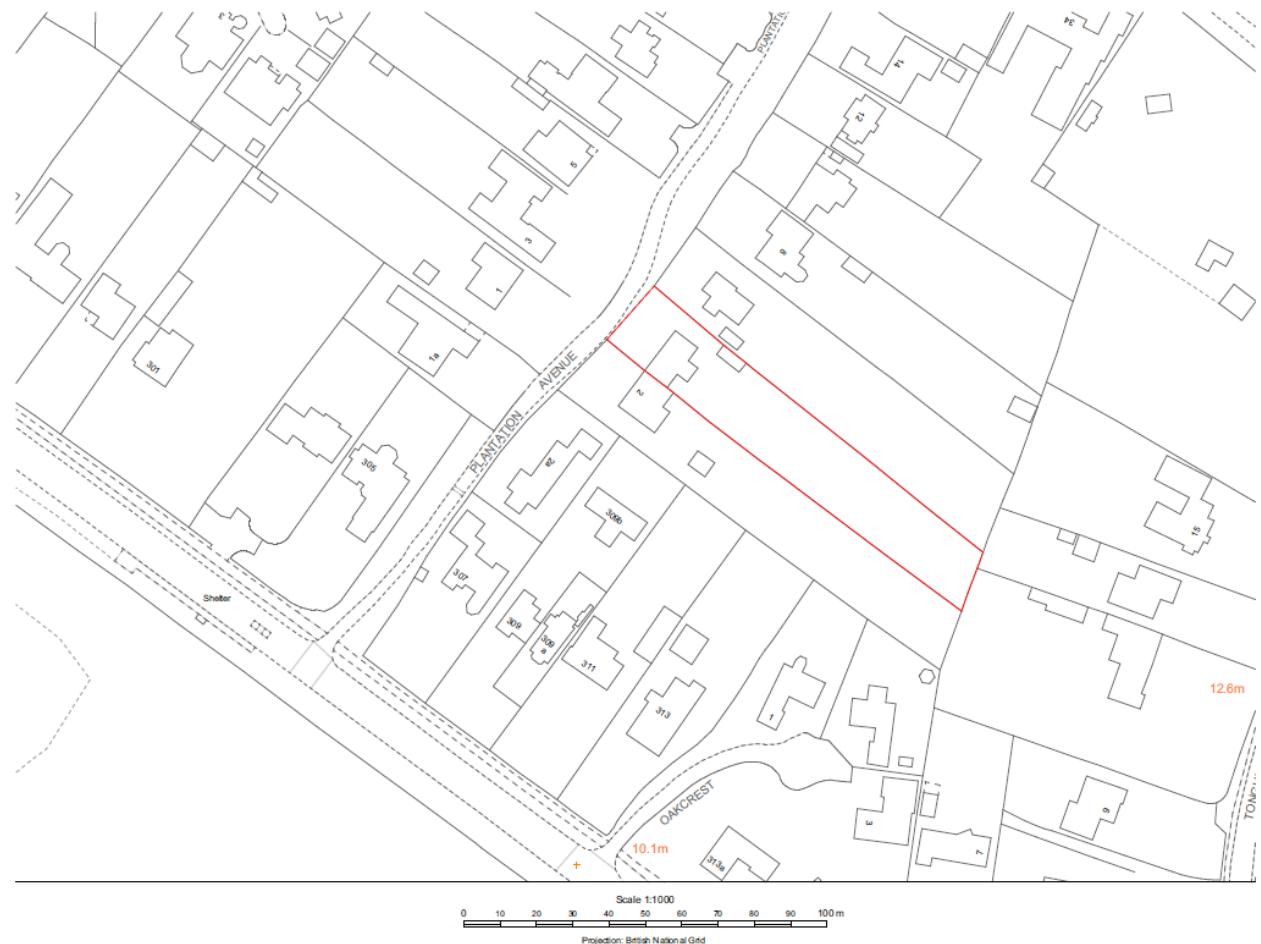
INFORMATIVE

The developer shall consider incorporating all possible sustainability features into the design of the proposed development.

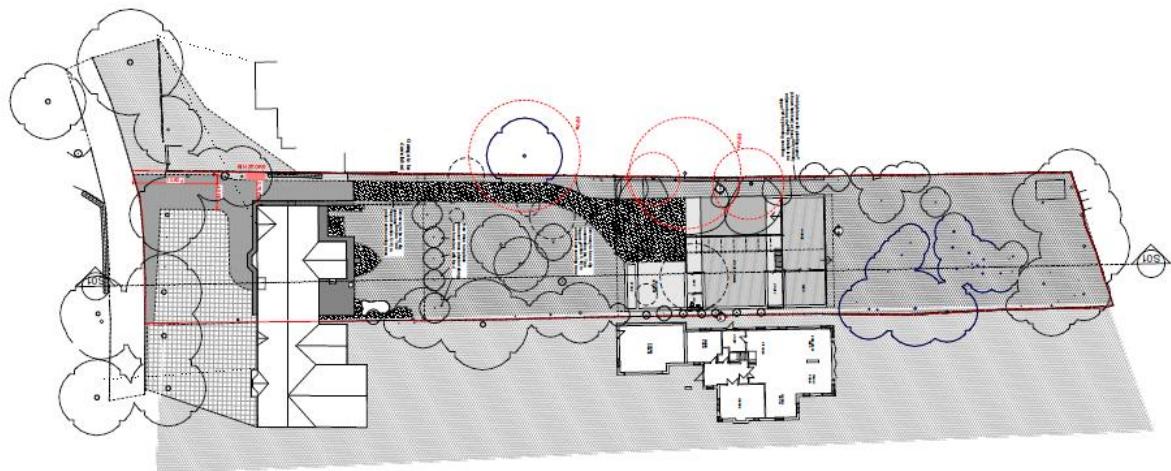
Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Appendices

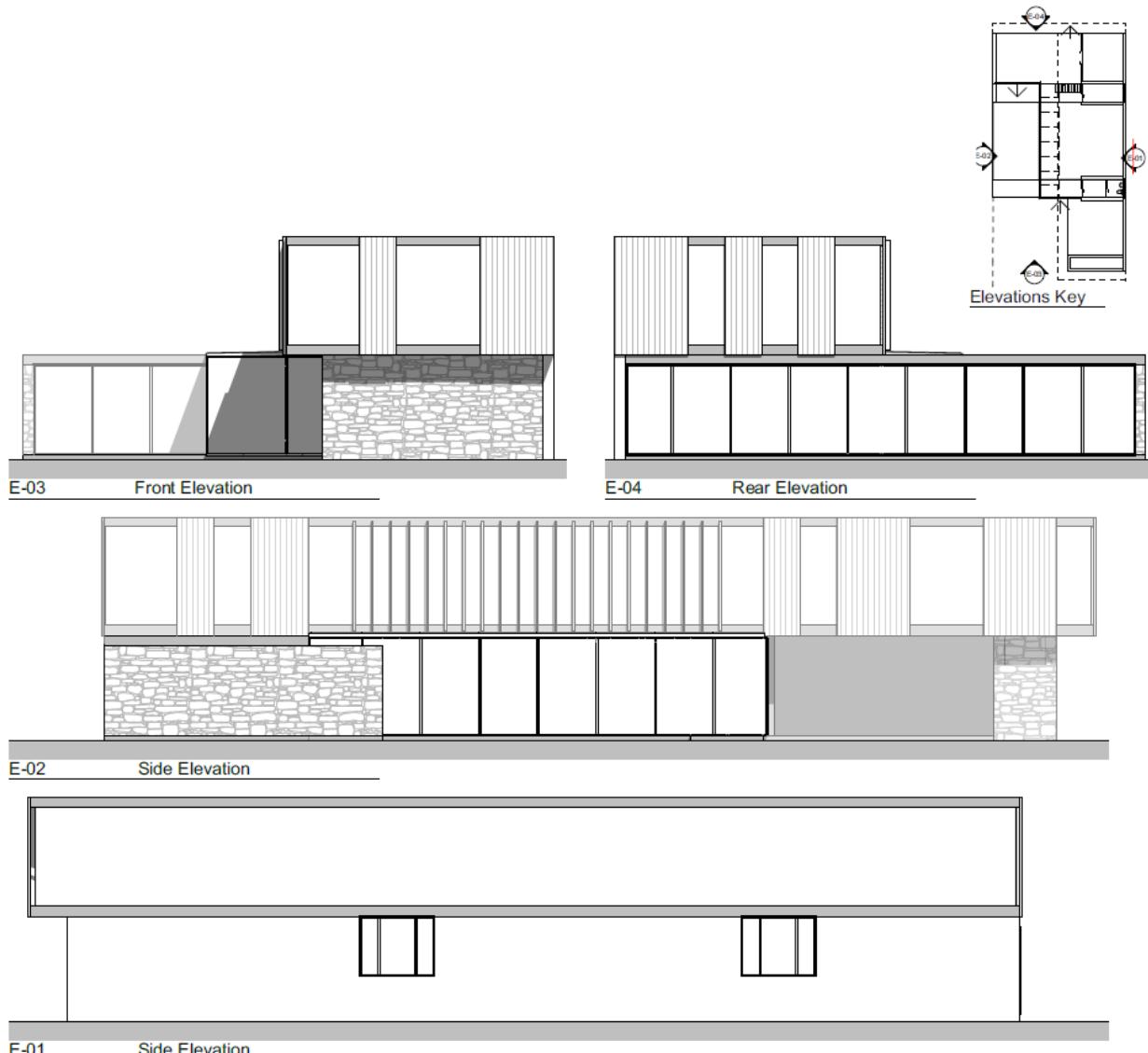
Appendix 1: Location Plan



Appendix 2: Site Plan



Appendix 3: Proposed Elevations



Appendix 4: Proposed Floor Plans

