

# DONCASTER METROPOLITAN BOROUGH COUNCIL

## PLANNING COMMITTEE - 30th April 2019

<b>Application</b>	2
--------------------	---

<b>Application Number:</b>	19/00151/FUL	<b>Application Expiry Date:</b>	20th March 2019
----------------------------	--------------	---------------------------------	-----------------

<b>Application Type:</b>	Full Application
--------------------------	------------------

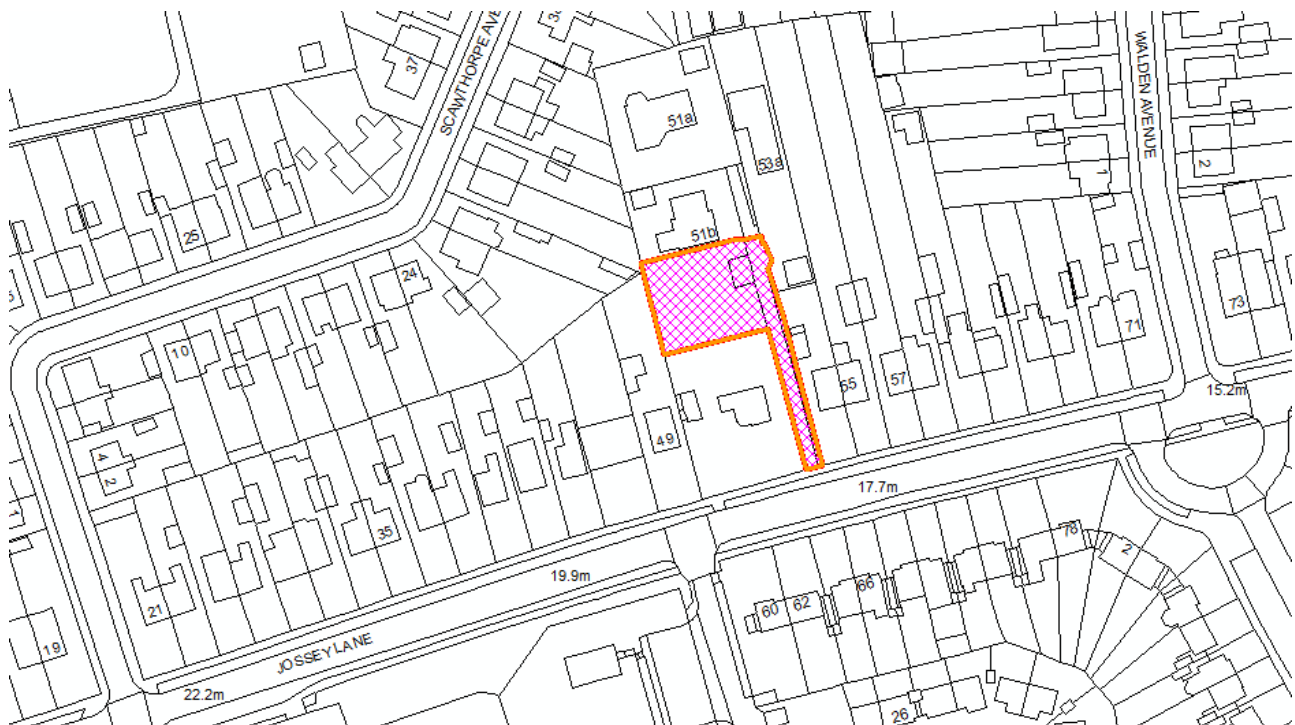
<b>Proposal Description:</b>	Erection of a detached house and detached double garage.
<b>At:</b>	51 Jossey Lane Scawthorpe Doncaster DN5 9DB

<b>For:</b>	Mrs Lesley Barker
-------------	-------------------

<b>Third Party Reps:</b>	5	<b>Parish:</b>	
		<b>Ward:</b>	Roman Ridge

<b>Author of Report</b>	Elizabeth Maw
-------------------------	---------------

<b>MAIN RECOMMENDATION:</b>	GRANT
-----------------------------	-------



## **1.0 Reason for Report**

1.1 The application is being presented to committee because of the significant public interest shown in the application.

## **2.0 Proposal and Background**

2.1 The proposal is for a detached house on the rear garden of 51 Jossey Lane, Scawthorpe. Access is proposed to be from a shared private drive that serves three other properties.

2.2 Five objections have been received from neighbours. The reasons for objecting are loss of privacy and overshadowing, drainage, intensification of the access and concerns regarding the size of the proposed house.

2.3 This is a typical backland proposal and is considered acceptable in principle because the site is in a residential location and within the Residential Policy Area. The main matters for members to consider are the design of the property, effect to neighbours and the intensification of the shared private drive.

## **3.0 Relevant Planning History**

3.1 No planning history is relevant.

## **4.0 Representations**

4.1 The application was advertised by sending neighbour notification letters. Five objections have been received. The reasons for objecting are:

a) The property would result in a loss of privacy and overshadowing to houses and gardens.

b) Access: There is safety concerns with any intensification of the access. The shared access is too narrow to have two cars passing each other. Further traffic on the drive would vastly increase the likelihood of cars having to reverse off the drive and onto Jossey Lane.

c) The three existing backland properties are either bungalows or dormer bungalows. The proposed property is out of keeping with the three bungalows that are near to it. It would be overbearing and obtrusive.

d) The land will be reduced so the overall height of the finished build can be reduced. This will increase surface water runoff into surrounding properties.

e) Concerns for drainage issues. A neighbour states foul drain pipes run under the plot. If the land is lowered then the drains on the neighbour's side would have to be lowered at his own expense to compensate for the change in the land levels.

f) The use of the private drive for construction traffic could affect its condition and cause an access issue for existing residents. Should planning permission be granted the neighbours would like assurances that any damage to the private drive is repaired at the cost of the applicant.

## **5.0 Relevant Consultations**

5.1 Highways Development Management: No objections.

5.2 Yorkshire Water: No comments.

## **6.0 Relevant Policy and Strategic Context**

Planning policy relevant to the consideration of this application includes:

National Planning Policy Framework

Doncaster Council's Core Strategy:

CS1: Quality of Life

CS2: Growth and Regeneration Strategy

CS14: Design and Sustainable Construction

Saved Doncaster Unitary Development Plan:

PH11: Residential Policy Areas

Residential Backland and Infill Development SPD

## **7.0 Planning Issues and Discussion**

### Principle

7.1 No51 Jossey Lane is a two storey detached house which once had one of the largest plots on the street. Since 2000 the garden has been developed with two detached bungalows in the rear garden and they are known as 51a and 51b Jossey Lane. A further bungalow was built behind No53 Jossey Lane and therefore there is now three properties at the rear of 51 and 53. These three properties are served off a private drive.

7.2 Developing the garden with a third dwelling is acceptable in principle. The site is within a residential area and the Residential Policy Area.

### Effect to Surrounding Land

7.3 The land is surrounded by housing and occupiers of these surrounding houses have objected on residential amenity grounds.

7.4 Local Planning Policy PH11 states that residential developments should not be accepted if "the effect of the development on the amenities of occupiers of nearby properties would be unacceptable". Policy CS14 reiterates this protection of residential amenity. Measuring the harm to neighbouring properties is normally assessed by ensuring separation standards are adhered to and these standards are listed on Page 23 of the Councils Supplementary Planning Document: Backland and Infill Development. The main separation distances relevant to this application are:

- \* Where high occupancy room windows of dwellings of two-storey face each other, they should be a minimum of 21 metres apart.
- \* Where high occupancy room windows face low occupancy room windows or a blank gable, they should normally be a minimum of 11 metres apart. Where a new property overlooks an existing garden these distances may need to be increased.
- \* Habitable room windows that overlook neighbouring garden space should normally be at least 10 metres from the boundary.
- \* Overlooking from ground floor windows can be avoided by screening by walls, fences or planting.

7.5 The proposed dwelling meets the above separation distances. The property has been centrally located so the effect of overshadowing is low.

### Character and Appearance

7.6 The proposed two storey house would be bigger than the two existing bungalows that are behind the plot. However, the wider context should be considered as well and this includes two storey housing. The proposed house will also be smaller than the host property, which is a substantial sized two storey house.

7.7 The proposed dwelling measures 7.25m to the ridge, which is quite shallow for a two storey house. The proposed property would be situated between a dormer bungalow (No51b) and a two storey house (51) so the property would not look out of place and the ridge heights of these three properties would step down in a line. The proposal is subservient to the frontage property and cannot be clearly seen from Jossey Lane. The proposal is therefore considered acceptable in its size and the effect to the character of the area is neutral.

### Highway Considerations

7.8 The property will be served off a private drive that serves 51a, 51b and 53a Jossey Lane. Occupiers that use the existing private drive are concerned that the drive is unable to cope with any additional traffic due to the increased probability of two cars meeting each other at the lower end of the drive. The drive is not wide enough for two cars to pass and as such if two cars were to meet, one of the cars will be forced to reverse onto the main road.

7.9 Highways have checked the application and raised no objections. Highways have verbally advised the drive was initially built to serve one property but has since been considered acceptable to serve a further two additional properties. A fourth property using the drive is not considered to materially add to traffic along the drive and the increased probability of two cars meeting each other would be negligible.

7.10 With regards to construction traffic using the private drive and potential damage; this is not a matter for the Local Planning Authority or the Highway Authority to consider because the drive is private and un-adopted. Any damage would be a civil issue.

### Drainage

7.11 The development does not raise any drainage issues. The proposed dwelling will connect to the existing foul sewerage system and Yorkshire Water have raised no objections. The property will use soakaways that will be built to cope with any additional surface water and a condition of the application will cover this matter. The applicant has no intention to change land levels.

## **8.0 Summary and Conclusion**

The proposed backland development is acceptable in principle. Neighbours will be overlooked by the proposal although not to a harmful degree. The design is a shallow two storey house that will sit comfortably between a dormer bungalow and a two storey house. The access to serve the property is considered acceptable and there are no drainage issues. The recommendation is to approve.

## **9.0 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. U0067792        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 listed below:  
Proposed floor plans and elevations 19.001.3 Revision A, received 14.02.2019  
Proposed site plan 19.001.2 Revision B, received 14.02.2019  
Proposed garage plan 19.001.4  
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. HIGH1 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.

REASON

To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.

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

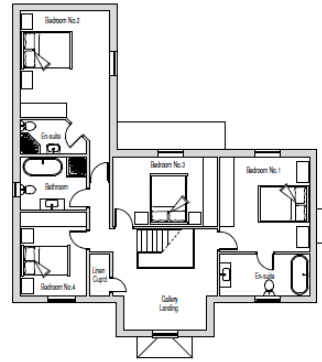
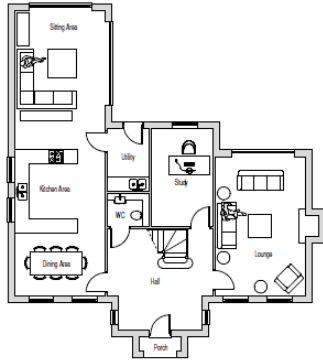
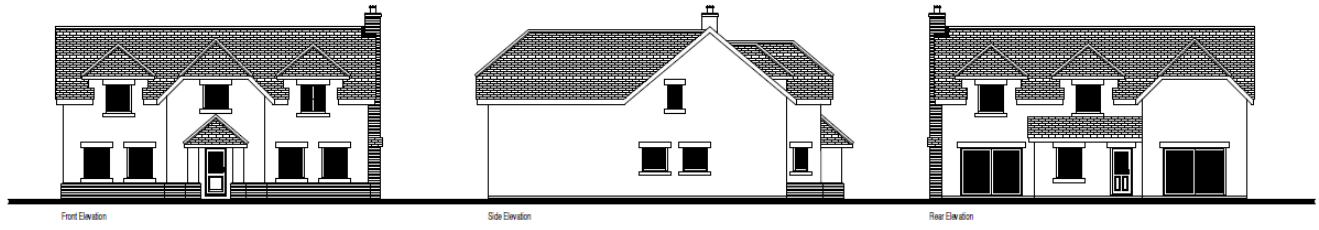
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.

**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.**

# Appendix 1: Proposed Site Plan



# Appendix 2: Proposed Floor Plans and Elevations



Amendments  
 A February 2019  
 House Number 2 and Bedroom window to be 2 combined

Date: January 2019	Drawn: R.W. Saxton
Drawing Title: House Type Planning Drawing	
Drawing No: 19.001.3 Rev A	Scale: 1:100 @ A1 size

Project Title:
Proposed 4 Bedroom Detached House to the rear of 51, Jossell Lane, Scawthorpe, Doncaster DN8 5DB for Mr & Mrs S. Barker.

<b>SAXTON DESIGN LIMITED</b>
Architectural Design Consultants
Unit 11 Bransford Farm, Bawley Road, Austonfield, Doncaster DN10 4TZ
Telephone - 01509 - 771869 email - rob@unitedbox.co.uk