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Application Number:	21/03150/FUL
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Application Type:	Householder Application
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Proposal Description:	Erection of detached double garage and extending driveway to front
At:	27 Doncaster Road Kirk Sandall Doncaster DN3 1HP

For:	Mr A Robinson (Agent: Mr John Mason - INK Architectural Design Ltd)
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Third Party Reps:	None.	Parish:	Barnby Dun/Kirk Sandall
		Ward:	Edenthorpe and Kirk Sandall

Author of Report:	Dave Richards
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SUMMARY

This application seeks planning permission for a detached double garage, including extending an existing driveway.

Planning law and the NPPF requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. There are no objections from consultees, neighbours and the proposal is in accordance with the Development Plan.

RECOMMENDATION: APPROVE planning permission subject to conditions



1.0 Reason for Report

- 1.1 This application is being presented to planning committee as the applicant's spouse is a Councillor.

2.0 Proposal

- 2.1 Planning permission is sought for the erection of a double garage to the front of 27 Doncaster Road.
- 2.2 Planning permission is required as Class E of the General Permitted Development Order does not allow for outbuildings forward of the principal elevation of a property.
- 2.3 The height of the proposed garage is 4.3m to the ridge, 2.1m to the eaves. It is 5.5m when including the cupola. The extent of the driveway would continue along the front of the dwelling to service the garage area.

3.0 Site Description

- 3.1 The application site is a detached two-storey house located on the east side of Doncaster Road, Kirk Sandall. The neighbourhood is a mixture of residential development on the eastern side of the road with commercial and industrial development to the west. The adjacent dwellings are in similar large, well treed plots, which give these homes a sylvan character.

4.0 Relevant Planning History

Application Reference	Proposal	Decision
93/1409/P	Consent to crown thin by 15% two horse chestnuts minimal crown thin one beech and one oak and fell one ash (being subject to A23 of Doncaster RDC Tree Preservation Order NO 11 Barnby Dun and Kirk Sandall) - Granted 14.06.1993conservatory to rear and erection of bay window to front elevation of detached house.	Granted 14.06.1993
99/4138/P	Consent to fell one ash and crown thin one horse chestnut by 20% (being subject to A23 Tree Preservation Order no 11 Barnby Dun and Kirk Sandall 1970)	Granted 25.11.99
01/4267/P	Erection of pitched roof conservatory at rear of detached house	Granted 20.12.01
13/01966/TPO	Consent to clear building by 2-3m, crown lift to 5m to clear views from bedroom window, reduce height of wandering laterals/terminals by up to 2m and rebalance crown throughout of one Horse Chestnut tree nearest the property; crown lift frontage Oak x2, Beech x1 and Horse Chestnut x1 to 5.5m over garden; all trees being subject to G23 of Doncaster Rural District Council Tree Preservation Order (No.11) 1970: Barnby Dun with Kirk Sandall	Granted 18.09.13
15/01310/FUL	Erection of ground floor pitched roof kitchen extension to rear of detached house and pitched roof garden room/w.c./workshop	Granted 14.07.15

	extension to rear of detached garage, following demolition of existing store	
21/01315/TPO	Consent to remove one horse chestnut; the tree being within A23 of Doncaster Rural District Council Tree Preservation Order (No.11) 1970 Barnby Dun with Kirk Sandall	Granted 14.05.21

5.0 **Site Allocation and Relevant Planning Policies**

5.1 The site falls within a Residential Policy Area, as defined by the Policies Map of the Doncaster Local Plan (adopted 2021). Within the site are trees protected by a Tree Preservation Order.

5.2 National Planning Policy Framework 2021 (NPPF)

5.3 In July 2021, The Government published a revised National Planning Policy Framework (“NPPF”) which is the most recent revision of the original Framework, published first in 2012 and updated in 2019, providing the overarching planning framework for England. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

5.4 Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 3 - Plan making

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

5.5 Paragraphs 55 and 56 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

- 5.6 Paragraph 130 of the National Planning Policy Framework seeks, amongst other things, to ensure developments will function well and promote health and well-being with a high standard of amenity for existing and future users.
- 5.7 Doncaster Local Plan (adopted 2021)
- 5.8 The development plan consists of the Doncaster Local Plan (DLP) (adopted 2021) and the Barnsley, Doncaster and Rotherham Joint Waste Plan (JWP) (adopted 2012).
- 5.9 Policy 32 states proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process
- 5.10 Policy 41 states that developments will be supported where they are of a high quality design that contributes to local distinctiveness, respond positively to their context and integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale.
- 5.11 Policy 44 states that developments must protect existing amenity and not significantly impact on the living conditions or privacy of neighbours or the host property (including their private gardens), be over-bearing, or result in an unacceptable loss of garden space.

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as follows:
- Advertised on the Council website
 - Notification letters sent to all neighbouring properties with an adjoining boundary

6.2 No representations have been received.

7.0 Parish Council

7.1 No response received.

8.0 Consultations

8.1 Tree Officer

No objections subject to the following informative:

“The trees on the site frontage are protected by virtue of being subject to Doncaster Rural District Council Tree Preservation Order (No.11) 1970 Barnby Dun with Kirk Sandall. The development hereby granted shall not imperil these trees through the construction activities. It is advised, therefore,

that during the construction of the development hereby approved the following activities are prevented from occurring:

- 1) the stockpiling of building materials under the crown spread of any tree;*
- 2) the parking or operating of machinery under the crown spread of any tree;*
- 3) fires within 10m of the crown spread of any tree;*
- 4) chemical spillages (including the rinsing out of cement mixers) under the crown spread of any tree.*

It is a criminal offence to wilfully damage any protected tree and failure to adhere to this advisory note may be deemed to constitute wilful damage. Preventing damage to the trees is in the interests of tree health and also in the interests of safety of persons and property.”

9.0 Assessment

9.1 The main planning considerations relevant to this proposal are whether the development would have a negative impact upon the character of the area, neighbouring amenity or highway safety.

9.2 Sustainability

9.3 The National Planning Policy Framework (NPPF 2021) sets out at Paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three strands to sustainability, social, environmental and economic.

Principle

9.4 There are no issues with the principle of considering residential development that is incidental to the main use of the property as a dwelling i.e. a garage and driveway.

9.5 SOCIAL SUSTAINABILITY

Residential Amenity

9.6 The proposed garage would be well distanced from the closest residential neighbour, therefore any loss of light or overshadowing would be limited. No other neighbouring properties would be affected.

Conclusion on Social Impacts

9.7 It is not considered that the proposed development would detract from the residential amenity of any neighbouring residential properties, and the development in this respect would accord with Policy 44 of the Local Plan and Paragraph 130(f) of the NPPF.

9.8 ENVIRONMENTAL SUSTAINABILITY

Design and Impact on Local Character

- 9.9 The immediate street scene on the east side of Doncaster Road is mixed in character with properties of varying age and styles set within a sylvan street scene of residential plots.
- 9.10 The proposed garage would be visible in the street, however it would appear subservient both to the host dwelling and the surrounding character of well treed plots. The Tree Officer has confirmed that the garage would not pose a long term threat to the long term health or retention of the trees located within the plot.

Highway Safety

- 9.11 The proposal includes the extension of the driveway to serve the garage. The existing access to Doncaster Road would continue to be utilised and there is sufficient space within the curtilage to turn and leave in forward gear.

Drainage

- 9.12 Surface water runoff from the proposed garage and extended driveway would be dealt with via an onsite soakaway.

Conclusion on Environmental Issues

- 9.13 The proposal will have neutral environmental implications in terms of design, character, visual impact, ecology, biodiversity, or tree protection.

9.14 ECONOMIC SUSTAINABILITY

- 9.15 The proposal would likely bring about a very limited benefit in terms of local construction labour and the purchase of materials.

Conclusion on Economy Issues

- 9.16 To a limited extent, the proposal would support the economic objective of sustainable development as set out in paragraph 8 of the NPPF.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions set out below. Under the provisions of the NPPF, the application is considered to be a sustainable form of development.

11.0 RECOMMENDATION

- 11.1 **MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:**

Conditions / Reasons

01. 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. 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 unless otherwise agreed in writing with the Local Planning Authority:

- Dwg No. 21028-001 Rev B Proposed Plans and Elevations
- Site Plan

REASON

To ensure that the development is carried out in accordance with the application as approved.

03. The materials to be used in the construction of the external materials of the development hereby permitted shall match those used in the existing dwelling unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure that the finished appearance of the development will enhance the character and visual of the amenities of the area, and to comply with Doncaster Local Plan Policies 41 and 44.

Informatives

The trees on the site frontage are protected by virtue of being subject to Doncaster Rural District Council Tree Preservation Order (No.11) 1970 Barnby Dun with Kirk Sandall. The development hereby granted shall not imperil these trees through the construction activities. It is advised, therefore, that during the construction of the development hereby approved the following activities are prevented from occurring:

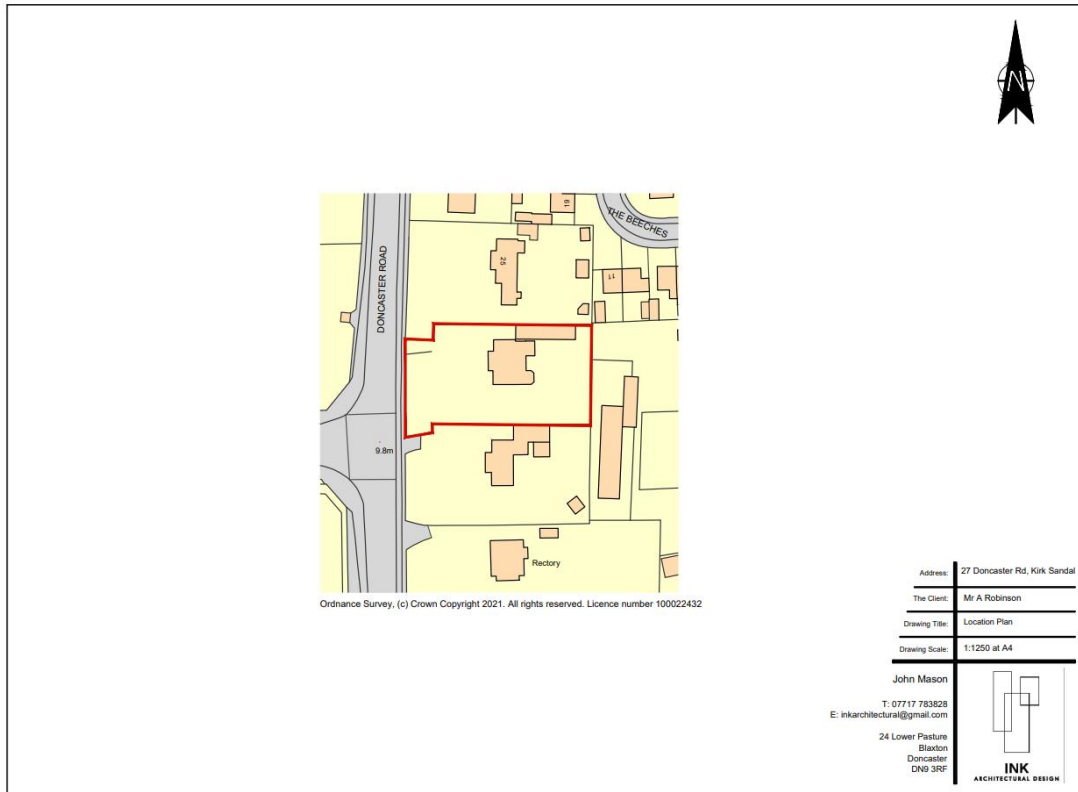
- 1) the stockpiling of building materials under the crown spread of any tree;
- 2) the parking or operating of machinery under the crown spread of any tree;
- 3) fires within 10m of the crown spread of any tree;
- 4) chemical spillages (including the rinsing out of cement mixers) under the crown spread of any tree.

It is a criminal offence to wilfully damage any protected tree and failure to adhere to this advisory note may be deemed to constitute wilful damage. Preventing damage to

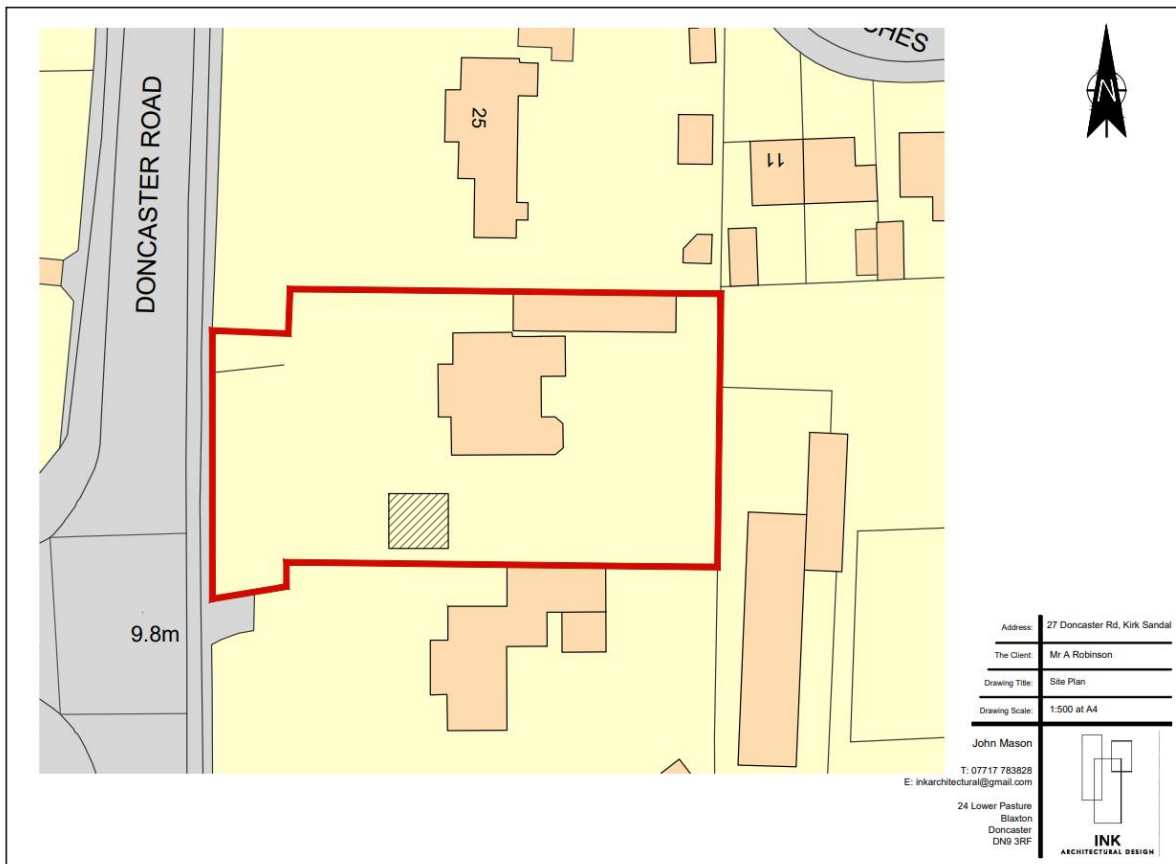
the trees is in the interests of tree health and also in the interests of safety of persons and property.

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

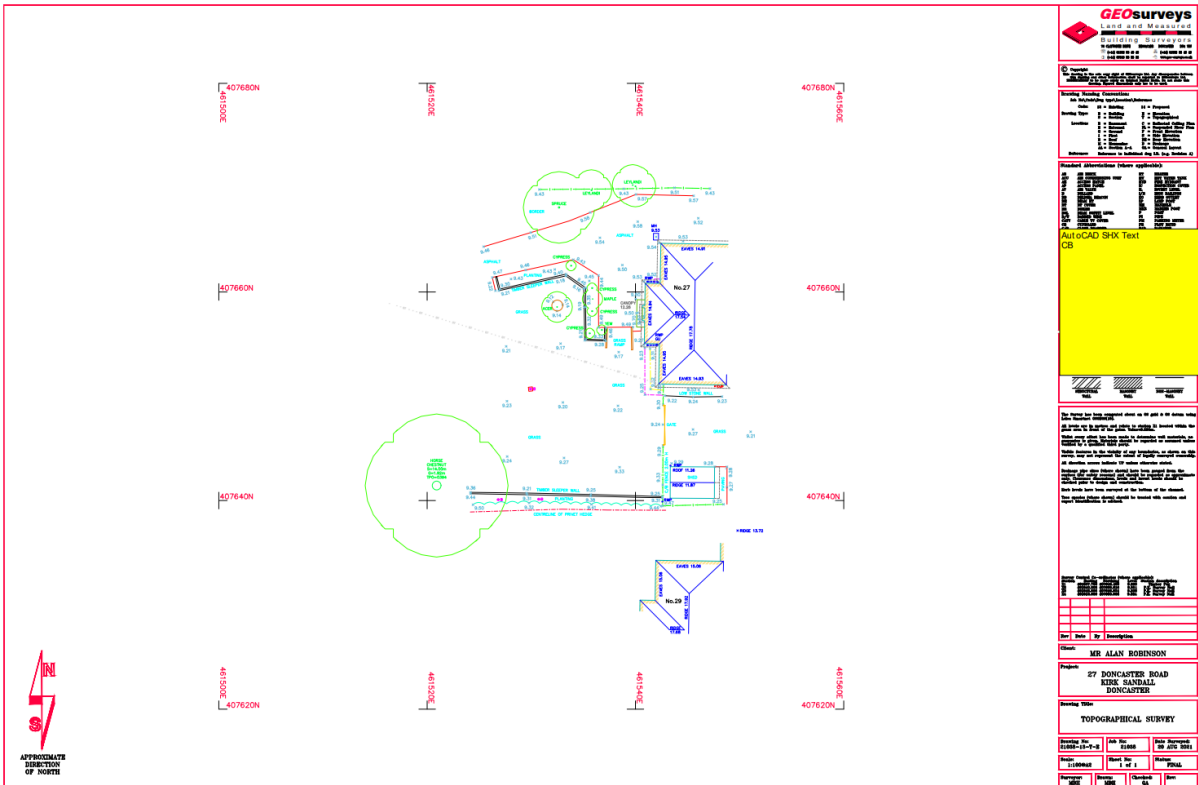
Appendix 1: Location Plan



Appendix 2: Site Plan



Appendix 3: Site Survey



Appendix 4: Proposed Plans

