
Case Number	17/04966/FUL (Formerly PP-06584336)
Application Type	Full Planning Application
Proposal	Erection of two detached dwelling houses with associated works
Location	Within The Curtilage Of 200 Abbey Lane Sheffield S8 0BU
Date Received	05/12/2017
Team	South
Applicant/Agent	Space Studio
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

Drawing A17-133/01 Rev D Location Plan Scan Date 07 Mar 2018
Drawing A17-133/02 Rev C Proposed Site Plan Scan Date 07 Mar 2018
Drawing A17-133/03 Rev C Proposed Floor Plans Scan Date 14 Feb 2018
Drawing A17-133/04 Rev C Proposed Front Elevations Scan Date 07 Mar 2018
Drawing A17-133/05 Rev C Side 1 and Side 2 Elevations Scan Date 14 Feb 2018
Drawing A17-133/06 Rev C Proposed Rear Elevations Scan Date 07 Mar 2018

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

3. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

4. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

Reason: In order to ensure an appropriate quality of development.

5. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

6. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality.

7. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

8. The dwellings shall not be occupied unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water from the hard standing areas will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the dwellings being occupied, and shall thereafter be retained.

Reason: In the interests of highway safety and the amenities of the locality.

9. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the buildings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenities of the locality.

Other Compliance Conditions

10. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellings shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the rear or side elevations of the dwellings hereby permitted except those detailed on the approved plans, without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property.

13. The bathroom windows on the rear elevations of the proposed dwellings facing west towards the rear garden of No. 206 Abbey Lane, shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity, and shall be non-opening. At no time shall the window be glazed in clear glass or be openable.

Reason: In the interests of the amenities of occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

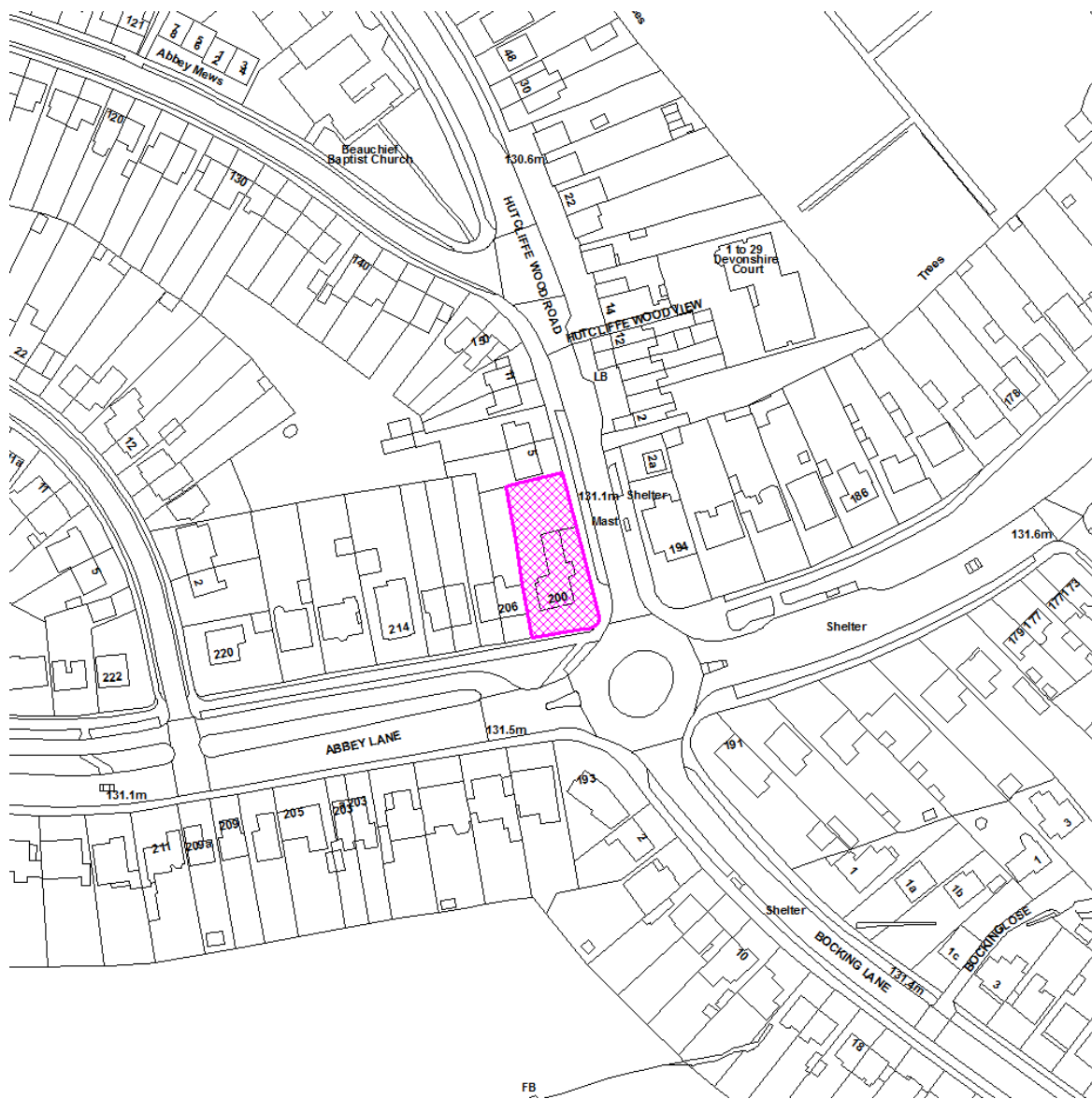
Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

4. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
5. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.

Site Location



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LOCATION AND PROPOSAL

The application site relates to a parcel of land which is currently part of an established garden serving 200 Abbey Lane, which runs adjacent to Hutcliffe Wood Road.

The site lies within a Housing Area as defined in the Unitary Development Plan (UDP). The surrounding area is characterised by a mixture of building styles and designs, which are predominately in residential use, with a row of commercial buildings on the opposite side of Hutcliffe Wood Road.

Planning permission is sought for the erection of 2 No three storey dwelling houses to be positioned between the existing garages serving 200 Abbey Lane and the side elevation of 5 Hutcliffe Wood Road.

RELEVANT PLANNING HISTORY

There is no relevant planning history relating to this site.

SUMMARY OF REPRESENTATIONS

Councillor Alison Teal has made a representation in respect of this application which raises the following points:

- The drawings provide no context to show the unsuitability of the proposal
- Two separate three storey dwellings using building materials unsympathetic to the surrounds so close to an established row of double and single homes creates an inharmonious and clashing streetscape.
- Occupiers of No. 5 Hutcliffe Wood Road will be overshadowed and dominated by such tall buildings, with the enjoyment of the garden severely compromised.
- The proposal will have a detrimental effect on the already dangerous traffic situation on Hutcliffe Wood Road, with residents reversing onto the road being a tremendous concern and the risk of an accident is significant.
- The environmental impact of building on current garden area is unwise from a flood prevent perspective, impacting on the absorption of water.
- Hard surfacing gardens will impact on birds, wildlife, and insects.
- Whilst home owners wish to maximise potential economic yield from their property, this should not be at the expense of the wellbeing of wider communities, reducing the quality of life, spoiling the visual appeal of the street and potentially lower property prices.

12 representations of objection from members of the public have been received, 6 are from immediate neighbours, and 6 are from people living some distance away from the proposal.

Planning Issues Raised:

- The proposed plans are out of character with the neighbouring houses. The tall thin style of the building along with the appearance and materials, and use of balconies is nothing like any of the houses nearby. This would detract from the visual amenity of

the road, 'jarring' and being totally at odds in a settled suburban cityscape, contrary to Policy H14 of the UDP.

- The proposed designs are flat roofed and completely out of keeping with the existing housing all of which have pitched roofs.
- The pastiche materials pallet seems confused with metal cladding, glass balustrade, wooden screen, various tones of grey renders, brick and artificial stone. This variety is excessive unnecessary and not cohesive.
- The density of development is excessive in a suburban area, with the space between the new houses and established street scene too small.
- The nature of the area is one of relatively open spaces, with most properties having gardens larger than the minimum of 50sq metres, and not crammed in.
- A scheme designed with pitched roofs and traditional building materials would be more sympathetic to the area, and the existing urban grain and landscape should be enhanced and retained.
- The proposed design will negatively affect the character of the area, with the houses highly visible from the roundabout, contrary to SCC guidelines that are not supposed to be visually intrusive or create a dominant oppressive environment.
- The two properties will be overbearing for their immediate neighbours (No.208) so closely packed in, being 3 storeys in nature, cutting out natural light.
- The height will create a strong sense of being overlooked.
- The Supplementary Planning Guidance for Designing House Extensions states that unreasonable overshadowing and over dominance of neighbouring dwellings should be avoided. Although this is not an extension, the same concerns need to be observed. One of the new houses is very close to No. 5 adversely affecting their quality of life.
- The houses appear to be the required distance from the side boundary with No. 206, but their height and style will create a feeling of over domination and overshadowing.
- The disproportionately long and tall walls of the new buildings would be oppressive and overwhelming, creating a narrow dark corridor with a sense of imprisonment for occupants of No. 5 as well as blocking light to their ground floor studio area which has a clear glazed window. If this window is obstructed the 'Right to Light' Act will be breached. At the moment, sky is visible from the studio however the proposals mean the whole room will fall within the 0.2% sky factor contour resulting in inadequate daylight.
- The proposed buildings will cause problems with the flow of traffic on an already heavily congested road, with a lack of any turning facility. For houses with 2 or 3 bedrooms, 2 parking spaces should be provided, and those close to busy main roads or junctions should be required to provide a turning area.
- The driveways are between the roundabout and the pelican crossing, causing unnecessary danger to pedestrians and road users.
- There is a bus stop directly opposite the side of No. 200 and halting buses would be opposite where the new drives would be.
- There will be a removal of 3 public parking spaces along Hutcliffe Wood Road, which is very busy with limited parking for residential and people working at the local businesses.
- The site is part of a largish garden and until recently had two large trees, an oak and a willow which have been taken down in order to open up the space, and is not vacant land.

- From a sustainability point, new dwellings will attract more traffic, drainage and waste disposal.
- There will be environmental damage due to the loss of habitat from the garden ecosystem. With the ivy clad boundary fence is a regular bird nesting site.
- The plans show the new houses partly built on the grounds of No. 5, with the boundary drawn incorrectly. There is also a lack of accurate dimensions causing concern regarding reliability, particularly as the scaled/supposed/drawn ridge height of 8.5 metre of No. 5 seems incorrect and should be more likely 8.150 metres.
- Prevailing westerly winds tunnel down the side of No. 5 causing structural damage in the past, building three storeys would create even greater funnelling.

Non-planning issues:

- Flat roofs have a continuing maintenance liability; a pitched roof will give better value for money in the long term.
- Building properties so close to No. 5 and No. 7 raises concerns over likely subsidence.
- Such close proximity of the houses would not enable occupiers of No. 5 to carry out improvements to their own extension which they would like to carry out in the future, and occupiers of No. 5 do not want to be liable for boundary structure maintenance.
- There is a 45° rule relating to the depth of new build foundations and existing properties which should determine distances when windows are not obstructed. According to the National Party Wall Act Booklet, this should be greater if permission is not granted by the neighbour.

PLANNING ASSESSMENT

The main issues to be considered are whether the principle of the development is acceptable in land use policy, the design of the proposal and its impact on the surrounding street scene, the effect on future and existing occupiers and whether suitable highways access and off-street parking is provided.

- Land Use Policy

The application site falls within a Housing Area, and the principle of redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/21, the main focus will be on suitable, sustainably located, sites within, or adjoining the main urban area of Sheffield.

Core Strategy Policy CS24 'Maximising use of Previously Developed Land for New Housing' seeks ensure that priority is given to developments on previously developed sites and that no more than 12% of dwellings should be constructed on greenfield land in the period up to 2025/26. It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds.

The site is small within an existing urban area and sustainably close to a regular bus route and within walking distance of local schools and services. As a former residential garden, this parcel of land is classed as a greenfield site however, the latest data taken in 2016/17 demonstrates an average since 2004/5 of just under 5% of completions have been carried out on greenfield sites, and therefore in this context, the development of this small urban greenfield site for new housing complies with the aims of policies CS23 and CS24.

Paragraph 49 of the NPPF stipulates that housing applications should be considered in the context of the presumption in favour of sustainable development and, that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. The Local Planning Authority has identified a 4.5 year of supply, which is a shortfall of 1,185 dwellings, as detailed in the SHLAA Interim Position Paper 2017. The issue of a shortage in housing land availability is a material consideration which supports the principle of residential development at this site and the proposal would provide a small but helpful contribution to the local supply of housing land, in a sustainable location.

Density of Development

Policy CS31 'Housing in the South West' of the Core Strategy seeks to protect the character of south west Sheffield to ensure that new developments respect the character of an area.

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy requires housing developments to make efficient use of land, but that it should be in keeping with the character of the area. In this location, near to high frequency bus routes in the urban area, the policy identifies that a density of 40-60 dwellings per hectare would be appropriate.

This proposal for 2 dwellings on a site which is 0.028 hectares would represent approximately 70 dwellings per hectare. Densities outside of the appropriate ranges will be allowed whereby they achieve good design and reflect the character of an area.

The proposed dwellings front directly onto Hutcliffe Wood Road, having a similar position and presence to the immediate neighbours at No. 5 and 7 Hutcliffe Wood Road, and No. 200 Abbey Lane. This maintains the character of the area.

The width of each plot is approximately 7.5 and 8 metres wide fronting onto Hutcliffe Wood Road. Within the surrounding context, No, 206, 208, 210 and 212 Abbey Lane have a similar plot width, as do houses fronting Hutcliffe Wood Road and Dalewood Road, albeit some in the vicinity are slightly wider. The proposed dwellings themselves are approximately 5 metres wide with projecting bays towards the rear, and are similar in scale to houses found in immediate area, again, reflecting the context and density of the area. The acceptability of the design of the dwellings is covered in depth in the Design Section below.

Accordingly the proposal accords to the principles of Policy CS26 and CS31 of the Core Strategy.

- Design Issues

It is important to consider the impact on the character of the area. The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is backed up through UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

Chapter 7 of the NPPF requires good design, whereby paragraph 56 states that good design is a key aspect of sustainable development and should contribute positively for making places better for people. Paragraph 65 requires that planning permission should not be refused 'for buildings that promote high levels of sustainability because of concerns about incompatibility with an existing townscape if those concerns have been mitigated by good design', and at paragraph 60 that planning decisions should not attempt to impose architectural styles or particular tastes.

The surrounding area is characterised by a mixture of building styles and designs. There is a mixture of semi-detached two storey properties under pitched roofs in particular along this side of Hutcliffe Wood Road and Dalewood Road. With Abbey Lane made up of a variety of detached bungalows, semi-detached and detached two storey dwellings. On the opposite the side of Hutcliffe Wood Road is a parade of three storey commercial buildings. Materials in the immediate area are predominately red brick, and render, with some stonework. Front boundaries are either stone or brick walls with hedging/shrubs above.

This application proposes 2no. three storey detached buildings taking a contemporary form. The footprint of each building is considered appropriate and does not fill the width of the site, allowing for the views between the proposal and immediate neighbours. The proposed dwellings sit in a similar position to the immediate neighbours at No. 5 and 7 Hutcliffe Wood Road, and follow the line of the existing dwelling at No. 200 Abbey Lane. The buildings are designed to have two storey front elevations reflecting the surrounding area, with an additional storey proposed which is set back under a flat roof.

Amended plans have been received showing the removal of the render. Whilst there is render in the immediate street scene, this proposal is considered to be a new insertion in the street scene, and must feature high quality materials. It is now proposed to use a good quality bed brick as the main facing material, with a grey metal clad second floor and projecting bay to the side. Windows and doors are detailed as powder coated aluminium.

The balcony and screening has been omitted from the plans as it was considered to create a top heavy and overly fussy feature, with a simple parapet defining the top of the main front elevation. This terminates at a similar height to the eaves of the neighbour two storey properties, with the second floor set back sitting just below the

ridge height of the neighbours. Whilst it is accepted that there aren't any flat roof buildings in the immediate area, the scale and massing of these buildings proposed are considered to respect the neighbouring buildings, and a flat roof is considered an appropriate feature of this contemporary form.

The plans show the stone wall being retained/rebuilt with timber gates inserted, which respect the character of the area.

Overall, the buildings are well designed and whilst they do not replicate the existing neighbouring buildings, they are considered to sit comfortably within the street scene. Subject to satisfactory building materials being used, a good quality scheme can be achieved and the proposals will comply with Policies BE5, H14, and CS74 and the NPPF Chapter 7.

- Living Conditions

Policy H14 part (c) and (d) requires that new development in housing areas should not cause harm to the amenities of existing residents. Paragraph 17 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. These are further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice detailed guidelines and principles for new build structures and their relationship to existing houses.

Impact on Neighbouring Occupiers

The closest neighbouring properties are No. 5 Hutcliffe Wood Road located to the north, the existing dwelling at No. 200 Abbey Lane located to the south, and the rear garden area serving No 206 Abbey Lane located to the west. Hutcliffe Wood Road runs adjacent to the site to the east.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes. These guidelines include that two storey dwellings which face directly towards each other should be a minimum of 21 metres, and that rear garden lengths should be at least 10 metres, to ensure that privacy is retained. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window, and a two storey extension built along site another dwelling should make an angle of no more than 45° with the nearest point of a neighbour's window to prevent adverse overshadowing and overbearing.

The above guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

No. 5 Hutcliffe Wood Road is positioned immediately to the north of the proposed dwellings. With regard to overlooking, ground floor windows in the rear will be screened by 2 metre high boundary treatment, with clear glazed first and second

floor windows positioned to overlook Hutcliffe Wood Road. The proposal will not create any adverse overlooking to occupiers of No. 5. The main habitable windows in No. 5 are positioned in the front and rear of the property, and with the proposal not extending further forward or back than No. 5, the 45° rule found in the SPG for overbearing and overshadowing is complied with. To the side of No. 5 is what appears to be a garage from the front elevation, which is used as a workshop/studio by the applicant. This room is served by a window in the rear elevation facing down the garden, and a window in the side elevation looking towards the application site. The proposed buildings will reduce the amount of light to this side window, however, it is not considered to be a main window serving a habitable room, and as such limited weight can be given to protecting this window which relies on third party land for light/outlook above the existing 2 metre high boundary, and is not the sole source of light to that room.

The property at No.206 Abbey Lane is approximately 20 metres away at a splayed angle and as such no adverse overbearing will be created. The gardens to the rear of No. 206 Abbey Lane and those adjacent to the west are positioned in closer proximity of the proposed new dwellings. Main habitable windows are proposed at ground floor level in the rear of the dwellings facing towards the rear garden of No. 206 Abbey Lane, and those gardens adjacent, which will be screened by an appropriate 2 metre high boundary treatment. At first floor level, a small obscure glazed window is proposed in each of the proposed dwellings serving a bathroom which can be conditioned to be fixed, and as such no adverse overlooking will be created to properties or gardens to the west.

With regard to overbearing and overshadowing, overshadowing to the garden of No.206 will be to a minimum with proposal being due east, and so just the earlier morning sun will be lost to the bottom of the gardens. The proposals are two storeys to the parapet with a third floor (one bedroom) set in from the rear elevation, and have a similar scale to the neighbouring properties. At present this area is open land and not developed, so erecting two buildings will create some overbearing, however this is not considered to be to an unacceptable level.

There will be a loss of amenity space afforded to occupiers of No. 200 Abbey Lane. However there remains space immediately to the rear of the dwelling which amounts to approximately 110 square metres of private useable garden space, and therefore this reduction is considered acceptable. Windows on the rear of 200 Abbey Lane will not experience any unacceptable overbearing, or overlooking. All other properties are sufficient distance away from the proposal so that they are not adversely affected by the development.
Amenity for Future Occupiers

The proposed dwellings are considered to provide a good outlook from main habitable rooms, providing a quality living accommodation for future occupants. The rear garden areas provide 50 square metres of private useable amenity space. This does comply with the guidelines in the SPG which require minimum garden size of 50 square metres for a two or more bedroomed house.

The SYRDG does identify that for 3+ bedroom dwellings 60 square metres of private garden should be provided. There is therefore a minor shortfall in the garden

provision relative to the SYRDG. However the garden area provided does accord with SPG guidelines and the layout and orientation of the garden is such that it will provide useful, private, useable amenity space with good sunlight provision, and is therefore considered acceptable.

It is considered that the proposed development would not adversely impact on the amenities of existing occupiers to an unacceptable level, or on occupiers of the proposed new dwellings. Accordingly, the proposal complies with UDP policy H14 and paragraph 17 of the NPPF.

Highways Considerations:

Policy H14 (part d) requires a development to provide safe access to the highway network and provide appropriate off-street parking and not endanger pedestrians.

Paragraph 17 of the NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling, focussing significant development in locations which are or can be made sustainable.

Paragraph 32 requires that safe and suitable access to a site can be achieved for all people, and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe.

The existing house at 200 Abbey Lane retains its car parking and garaging with each of the proposed dwellings having 2 off street parking spaces. In this location, this level of off-street parking is considered appropriate for 3 bedroom dwellings.

The off street parking relies on cars entering or exiting the site by reversing out onto Hutcliffe Wood Road. Whilst it is acknowledged that this is a busy main road with a roundabout close to the site, there are similar scenarios either side of the application site whereby cars have to either reverse from or onto Hutcliffe Wood Road, and therefore the risk to highway safety is not considered to be severe. Furthermore, there is a wide grass verge directly to the front of the proposed site along for wide angle of visibility.

The site is located within a sustainable location, and there are a number of bus stops within walking distance of the site and commercial facilities opposite.

The proposal complies with Policy H14(d) and the NPPF.

- Landscaping/Ecology

Policy GE15 - 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. It appears that a mature oak tree and willow tree have been removed recently, prior to the submission of this application. Whilst this is regrettable, the loss of these did not require any formal permission and therefore it is not a material planning consideration in this instance.

Policy GE11 'Nature Conservation and Development' requires the natural environment to be protected and enhanced, with new development respecting and promoting nature conservation. The development will build on the previously undeveloped garden area, and therefore there will inevitably be a loss of some

limited existing habitat and biodiversity. However this is considered to be minimal, and there remains undeveloped garden areas adjacent to the site.

- Flood Risk and Drainage

The site does not fall within a high or medium risk flood zone that would affect the principle of the development, and as such does not require a Flood Risk Assessment to be carried out.

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. In this instance, the areas of hardstanding should be construction from a porous material, which would restrict surface water run-off, and this can be controlled through a relevant condition to any approval to ensure any alterations are to a minimum.

- Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. The application site lies within CIL Charging Zone 4 with the charge for this development being £50 per square metre.

- Response to Representations

The majority of issues raised through representations are discussed in the above report. Those which are not, are addressed in the section below.

- Issues relating to potential subsidence and devaluation of neighbouring properties are not planning considerations.

- The applicant has confirmed that the site boundary is correct to their knowledge, however, planning permission goes with the land and not the owner, and the sanction is that the person wanting to implement the permission would be unable to do so on the basis that the true owner can prevent it from happening. This is a civil matter between the interested parties.

- No 5 wished to extend and make alterations to their property. There is no reason why these can't take place if permission is granted, and the proposals are built.

- The 45° rule relating to the distance from foundations of neighbouring properties is not a planning matter. The correct guideline is that found in the SPG relating to overshadowing and is measured on a horizontal axis.

SUMMARY AND RECOMMENDATION

The principle of erecting two dwellings on the site is considered acceptable in land use policy terms. The amendments secured to the proposal have resulted in a development that is considered to have an acceptable impact upon the character of the immediate street scene and wider area. It is considered that the development would avoid any implications in highway safety terms, and does not have a detrimental impact on the amenities of occupiers of neighbouring properties.

The proposal would represent efficient use of land, in a sustainable location and would provide two additional housing units which would make a small contribution to the city's housing stock.

Therefore, the proposals comply with the applicable policies and guidance outlined above and it is recommended that planning permission is granted subject to conditions.

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