
Case Number	18/00250/FUL
Application Type	Full Planning Application
Proposal	Retention of dwellinghouse and decking including amendments to fenestration and facing materials (Retrospective application) (Resubmission of 17/03331/FUL)
Location	Garage Site Adjacent 4 Langsett Avenue Sheffield S6 4AA
Date Received	11/01/2018
Team	West and North
Applicant/Agent	Haywood Design
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:

Site Location Plan received 25th January 2018
Proposed Elevations: Dwg No: JJ00212/2C received 9th April 2018
Proposed Plans: Dwg No: JJ00212/1B received 29th January 2018

Reason: In order to define the permission.

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

3. Details of all proposed external materials and finishes, including samples shall be submitted within 28 days of this approval and approved in writing by the Local

Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

4. The building shall not be used unless the hard surfaced areas of the site are constructed of permeable/porous materials, the details of which shall be submitted to the Local Planning Authority for approval. Thereafter the approved permeable/porous surfacing material shall be retained.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

5. The dwellinghouse shall not be occupied unless a 1.8 metre high close boarded fence has been erected on the eastern boundary of the site which adjoins the rear gardens of 587 to 597 Middlewood Road, details of which shall be submitted to the Local Planning Authority for approval, and thereafter such means of site enclosure shall be retained.

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

6. The development shall not be used unless the car parking accommodation for development as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

Other Compliance Conditions

7. 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 dwellinghouse 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.

8. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing 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.

9. No gates shall, when open, project over the adjoining the highway.

Reason: In the interests of pedestrian safety.

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. 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.
3. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
4. 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.

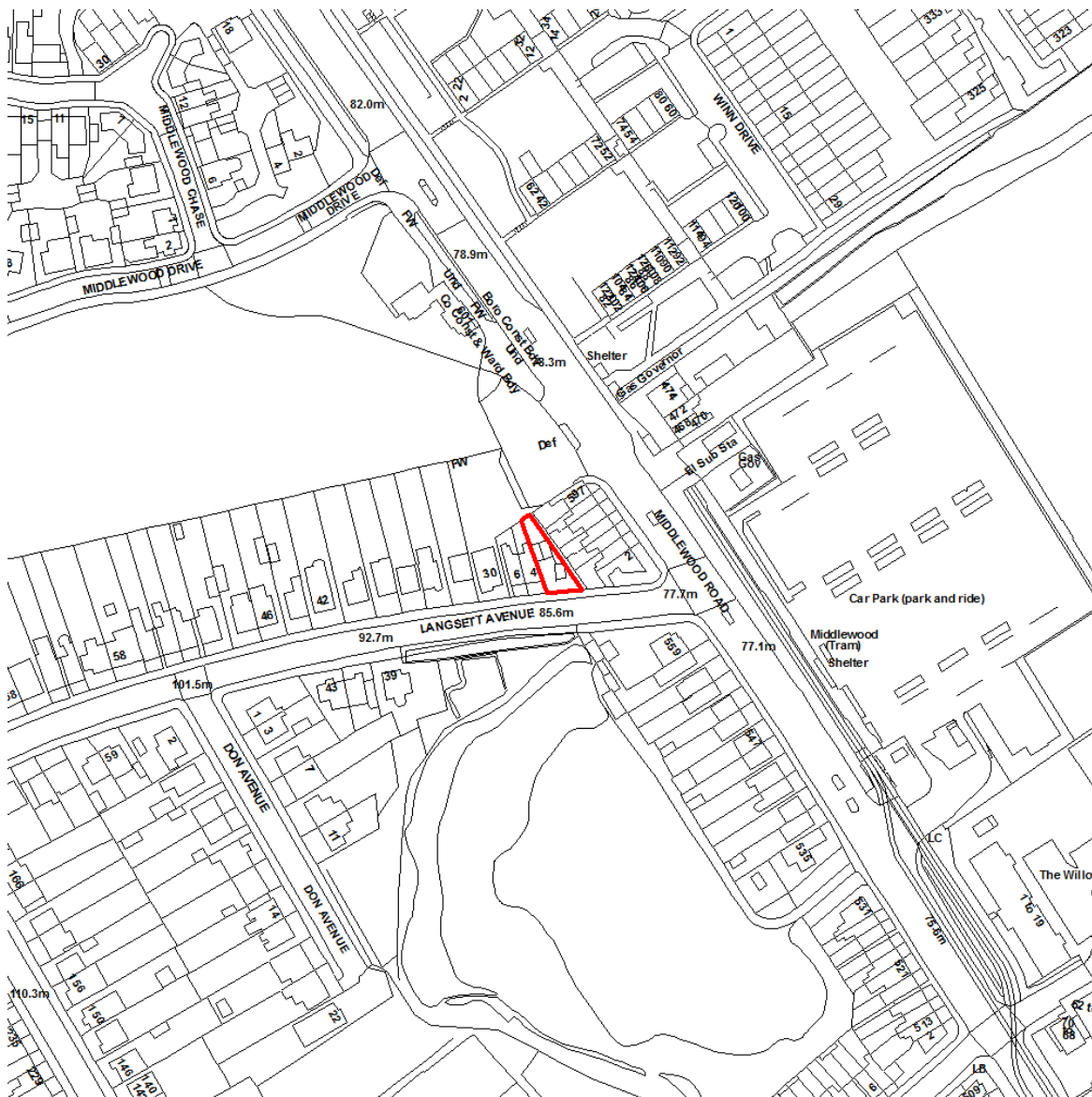
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

<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.

Site Location



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LOCATION AND PROPOSAL

This application seeks retrospective planning permission for the retention of a bungalow and decking, including amendments to fenestration and facing materials of the property.

This application site comprises of the former curtilage of 4 Langsett Avenue where planning permission has previously been granted for a contemporary designed bungalow (ref: 15/03015/FUL). The bungalow has not been built in accordance with the approved plans. The fenestration detailing and material finishes (render) are not in line with the approved plans and the dwelling is slightly higher than previously approved, due to a variation in the site levels. The building as constructed does not

have planning permission and this application is the second attempt to regularise the development.

Members will recall that a retrospective application (reference 17/03331/FUL) which sought permission to regularise amendments to the previously approved scheme was refused at committee on 14th November 2017 for the retention of a bungalow including amendments to the fenestration and facing materials. It was considered that the alterations previously proposed were harmful to the character and appearance of the street scene.

The site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The locality consists of a mix of dwellings of varying design, style and age. Due to the steepness of Langsett road, several properties do not have off-street parking. No.4 Langsett Avenue which is located immediately adjacent to the site is a semi-detached property with two-storeys plus attic accommodation. The land falls steeply to the East, and the land to the side which comprises the application site is approximately 2 metres lower than No.4. To the East lies a row of terraced properties on Middlewood Road, which have their main rear aspect facing the site. These properties are situated a storey lower than the application site.

RELEVANT PLANNING HISTORY

15/02133/FUL - Demolition of existing garages and provision of 3 storey building containing 3 self contained flats (Further plans received 24th June 2015) – Refused

15/03015/FUL - Erection of a dwellinghouse – Granted conditionally – this was for a single-storey building.

16/03854/FUL - Erection of dwellinghouse – refused – This application was for a two-storey dwellinghouse and was refused on design grounds and impact to neighbouring properties.

17/03331/FUL - Retention of dwellinghouse and decking including amendments to fenestration and facing materials (Retrospective application) - Refused

SUMMARY OF REPRESENTATIONS

Two letters of representation have been received. They are summarised below:

- Concerns with regards to the boundary fence. It would be over 2 metres due to the additional raised height of the wall.
- Fence would be overbearing.
- The land level should be lowered back to original level.
- The decking should be lowered.
- Windows in the side are better, but the patio is not acceptable due to overlooking.
- The pathway at back of terraces is not a public footpath.

PLANNING ASSESSMENT

Land Use Policy.

The adopted Unitary Development Plan (UDP) shows that the application site is designated as a housing policy area. The principle of accommodating a dwellinghouse on the site has been established under the previous planning permission (ref:15/03015/FUL)

Layout, Design and External Appearance.

UDP policy H14 and Core Strategy policy CS74 expect good quality design in keeping with the scale and character of the surrounding area. Good building design is also reflected in UDP policy BE5.

The principle of a single-storey flat roofed dwelling on this site has been established under the previous planning permission (reference 15/03015/FUL, however the dwelling has not been constructed in accordance with the approved plans. The building has been rendered and includes elements of artificial slate cladding to the front elevation which are not considered appropriate in this location.

The property is located to the side of a Victorian red brick semi-detached property and to the rear of brick Victorian terraces situated on Middlewood Road. It is considered that a red brick finish to match the neighbouring properties is required in order to minimise the visual impact of the property and to ensure that the dwelling does not appear overly prominent in the street scene.

Following the refusal at the planning committee, the applicant has amended the scheme to ensure that it more closely reflects the previously approved scheme (ref: 15/003015/FUL).

The previously refused scheme (ref: 17/03331/FUL) had a similar footprint to the proposed scheme, but the intention was to use a red brick slip cladding system to the outer walls and smaller, more traditional window openings and to square off the curved south east corner of the building. Members ultimately considered that the alterations from the previously approved scheme were unacceptable.

The applicants previously indicated that a brick finish could not be provided to the building without complete demolition and re build, as it would negate any pedestrian access to the side of the building. This was therefore the applicant's reasoning behind proposing a red brick slip cladding system under the previous application. A brick slip has a significantly reduced width in comparison to a standard brick.

The applicant has noted the concerns raised at the previous committee in terms of the external appearance of the building and it is now their intention to use a full solid brick to the outer face of the building. The submitted plans show that a full brick can be used to face the building whilst retaining the access to the side and rear of the building. The applicant has also reinstated areas of vertical cedar cladding to reflect the previously approved drawings, which adds a degree of variation and interest to the elevations. A condition is recommended to secure appropriate quality materials.

The submitted drawings also show that the fenestration has been amended to reflect the previously approved scheme, by incorporating full height slot windows on the front elevation and a horizontal slot window on the side elevation in line with the contemporary design approach originally approved.

The fenestration shown on the proposed drawings now reflects the approved scheme, apart from the omission of a single window located on the South-east corner of the building.

The footprint of the building is broadly the same as that granted previously, however the approved plans showed that the south-east corner of the building to have a curved form. The building as built and shown on the submitted plans omits the curved form replacing it with an angular corner instead. The change is not considered to represent a significant departure from the approved plans or to detrimentally affect the appearance of the dwelling.

The building as shown on the submitted plans is actually lower in height (approx. 200mm) to the front of the site than that shown on the previously approved drawings, but is slightly higher to the rear (approx. 100mm). Ultimately the alterations to the height of the building is due to variations in land levels which were not indicated clearly under the approved scheme (reference 15/03015/FUL). The submitted drawings show that the proposal will result in the land being raised approximately 400mm on the eastern side of the site to give a level gradient to the frontage. The overall differences in height are marginal and do not detrimentally affect the appearance of the building.

The relatively simple form and fenestration proposed is similar to that granted previously. The scheme would ultimately introduce a contemporary property to the street scene, however the use of primarily red brick with elements of feature cedar cladding will ensure that it assimilates with the established built context.

The dwelling as now proposed is considered to closely reflect the approved scheme and in light of the above the proposal is considered acceptable from a design perspective.

Amenities of neighbouring residents.

UDP policy H14 says that new development in housing areas should not cause harm to the amenities of existing residents.

Core Strategy policy CS74 requires new development to contribute to the creation of successful neighbourhoods.

It is important to ensure that the alterations to the approved scheme would not result in a significant and/or unreasonable loss of privacy to neighbours nor result in a development having an overbearing nature which would be to the detriment of neighbours' amenities.

The dwelling as constructed is located on effectively the same footprint as the previously approved scheme although it is noted that the approved curved corner is now angular. The width of the property will be slightly wider due to the addition of an

outer skin of brickwork, however for all intents and purposes the separation distance to all neighbours is essentially the same as the approved scheme. It is considered that the additional width of a brick skin (approx. 102.5 mm) will not have a detrimental impact on neighbours. The approved scheme was considered acceptable in terms of impact upon neighbouring living conditions. The only other difference is that the site levels have been adjusted to create a level site. The alterations to the site level and slight alterations in the height of the building are not considered significantly harmful given that the dwelling is read against the backdrop of a two-storey gable end, which is located on a higher land level than the application site.

The side elevation of the dwelling as constructed includes two windows and the main door to the house. These unauthorised windows allow direct overlooking to the first floor bedroom windows of the terraced houses on Middlewood Road which is not acceptable. Following negotiations with the applicant the submitted plans and elevations have been amended to ensure that a single high level window replicating the approved scheme is now proposed. This window would have a cill height of 1.7 metres above the floor level of the dwellinghouse. The provision of this high level window will ensure that no harmful overlooking occurs.

The fenestration proposed is similar to that previously approved, with the only omission being a single full height slot window on the corner of the building. The omission of this window would improve privacy for neighbours in comparison to the granted scheme. The proposed scheme would therefore not give rise to any additional privacy issues.

A raised decking area to the rear has been constructed to run flush with the floor level of the dwelling, approx. 320mm above the garden level. This currently allows overlooking to the rear gardens of the houses on Middlewood Road due to the absence of any boundary treatment. The applicant has agreed to construct a 1.8 metre high close boarded fence along the side boundary to ensure any overlooking from the rear garden of the proposed dwelling is prevented. The 1.8 metre high fence is intended to run along the side boundary line from the front elevation extending all the way to the rear boundary. The main door to the house is located within the side elevation and therefore this boundary fence would also prevent any overlooking to the houses on Middlewood Road from people accessing the dwelling. A condition will be attached to ensure that details of the fence and its location are submitted to the Local Planning Authority for approval. The condition will also ensure that the approved fence will be erected before occupation of the dwelling and that the fence remains in perpetuity.

Permitted Development rights will be removed due to the limited size of the plot and relationship to adjoining dwellings any additions or alterations to the dwelling could give rise to amenity issues.

Amenities of future occupiers

The main outlook for the property would be to the front and rear elevations. Each room in the house would have either a window or glazed door. Outlook and lighting levels are considered acceptable in this instance.

The dwelling would have a rear private garden proportionate to the size of the dwelling.

The plot size is such that any future extensions would reduce the garden size to an unacceptable level. A condition removing Permitted developments rights is therefore considered to be appropriate.

In light of the above the proposal is considered acceptable from an amenity perspective.

Highways

UDP policy H14 requires new development to have adequate on-site parking and safe access for vehicles and pedestrians.

Core Strategy policies CS51 and CS53 deal with transport priorities and management of travel demand, respectively. Both seek to ensure that access and parking arrangements are safe and adequate.

The site plan submitted shows that the property could accommodate one off-street parking space, as permitted under planning permission 15/03015/FUL. The site benefits from a dropped kerb as it previously housed two garages. The driveway is to be constructed with permeable block paving, which will ensure that no surface water will run onto the highway.

A condition is recommended to be attached ensuring that any gates do not project over the adjacent highway for reasons of highway safety.

The site is also considered to be located in a sustainable location, being in close proximity to the Middlewood Supertram terminus and Middlewood Road which has regular bus routes.

In light of the above the proposal is considered acceptable from a highways perspective.

Community Infrastructure Levy (CIL)

The development is liable to providing a contribution to the CIL, in order to provide improved infrastructure to meet the needs of new development. The agent has completed a relevant form to indicate they are aware of the required contribution for the scheme.

The site is located within charging zone 3 which has a charge of £30 per square metre.

RESPONSE TO REPRESENTATIONS

Whilst the concerns raised from a neighbour with regards to the proposed boundary fence are noted, it is considered that this fencing is necessary to prevent overlooking of the terraced properties on Middlewood Road and the additional height specified would not be significantly more harmful than the height specified

SUMMARY AND RECOMMENDATION

The principle of redeveloping the site for a single storey dwelling is established as planning permission has previously been granted on this site (ref: 15/03015/FUL). The dwelling which has been constructed on site does not accord with the previously approved plans. Members will note that a previous application was refused (ref: 17/03331/FUL) at Planning Committee on 14th November 2017 to regularise unauthorised changes that had been made to the development

The applicant has noted the previous refusal and has amended the scheme.

This planning application seeks permission for the retention of the bungalow including the following amendments:

- Alterations to height/site levels.
- Amendments to building footprint – replacing the curved south east corner of the building with an angular wall.
- Provision of rear decking area.
- Reinstatement of the previously approved fenestration detailing with the exception of the omission of a single slot window on south-east corner.
- Reintroduction of red brick and cedar cladding facing materials.

The amendments shown on the submitted drawings are now considered too closely reflect the previously approved scheme (ref: 15/03015/FUL) and as such are considered to be acceptable from an amenity and design perspective.

In light of the above the proposal is considered to accord with the provisions of the Unitary Development Plan, the Core Strategy and the National Planning Policy Framework and it is recommended that planning permission is granted conditionally.