
Case Number	17/04889/FUL (Formerly PP-06550210)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (As amended by drawings received on the 21 March 2018 and 29 May 2018)
Location	Within The Curtilage Of 109 Hallam Grange Rise Sheffield S10 4BE
Date Received	29/11/2017
Team	West and North
Applicant/Agent	Thread Architects Ltd
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 shall be carried out in accordance with the following documents:-

- Site Location plan rev B
- Drawing No. P02 (Site/Block Plan as Proposed);
- Drawing No. P03 Revision A (Plans as Proposed);
- Drawing No.P04 (Sections as Proposed);
- Drawing No. P05 Revision A (Elevations as Proposed - North and West);
- Drawing No. P06 Revision A (Elevations as Proposed -South and East)

received on the 29 November 2017, 21 March 2018 and 29 May 2018 from Thread Architects

Reason: In order to define the permission

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

3. No development shall commence unless the intrusive site investigation works described in the coal mining risk assessment produced by GRM Development Solutions have been carried out as recommended and a report of the findings arising from the intrusive site investigations is submitted to and approved by the Local Planning Authority. Where the investigations indicate that remedial works are required, a scheme of remedial works shall be submitted to and approved by the Local Planning Authority before the development commences and thereafter the remedial works shall be carried out in accordance with the approved details.

Reason: To ensure the safety and stability of the proposed development.

4. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for the following matters in respect of the development:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in construction
- v. Wheel washing facilities
- vi. Hours of operation

Reason: To provide for appropriate facilities during construction, in the interests of highway safety and the general amenity of the area.

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

5. 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. The boundary treatment shall include a 1.8m high privacy screen fence along the shared boundary between the development site and No. 109 Hallam Grange Rise. The fence shall be erected on top of the retaining boundary wall between the two properties' rear gardens. The dwellinghouse 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 residential amenity and prevent unacceptable overlooking between properties.

6. 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.

7. Prior to any work commencing on site, the developer shall appoint a qualified ecologist to undertake a walkover of the site to establish whether the site contains any ecological value that would require mitigating measures prior to site clearance. The development shall then only proceed in accordance with any recommendations suggested by the qualified ecologist.

Reason: In order to mitigate any potential disturbance and loss to wildlife.

8. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

9. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the development commencing, and shall thereafter be retained.

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

Other Compliance Conditions

10. No doors/windows shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

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 (variable) shall be constructed

without prior planning permission being obtained from the Local Planning Authority.

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

12. The dwelling shall not be used unless the car parking accommodation 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.

Attention is Drawn to the Following Directives:

1. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

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:

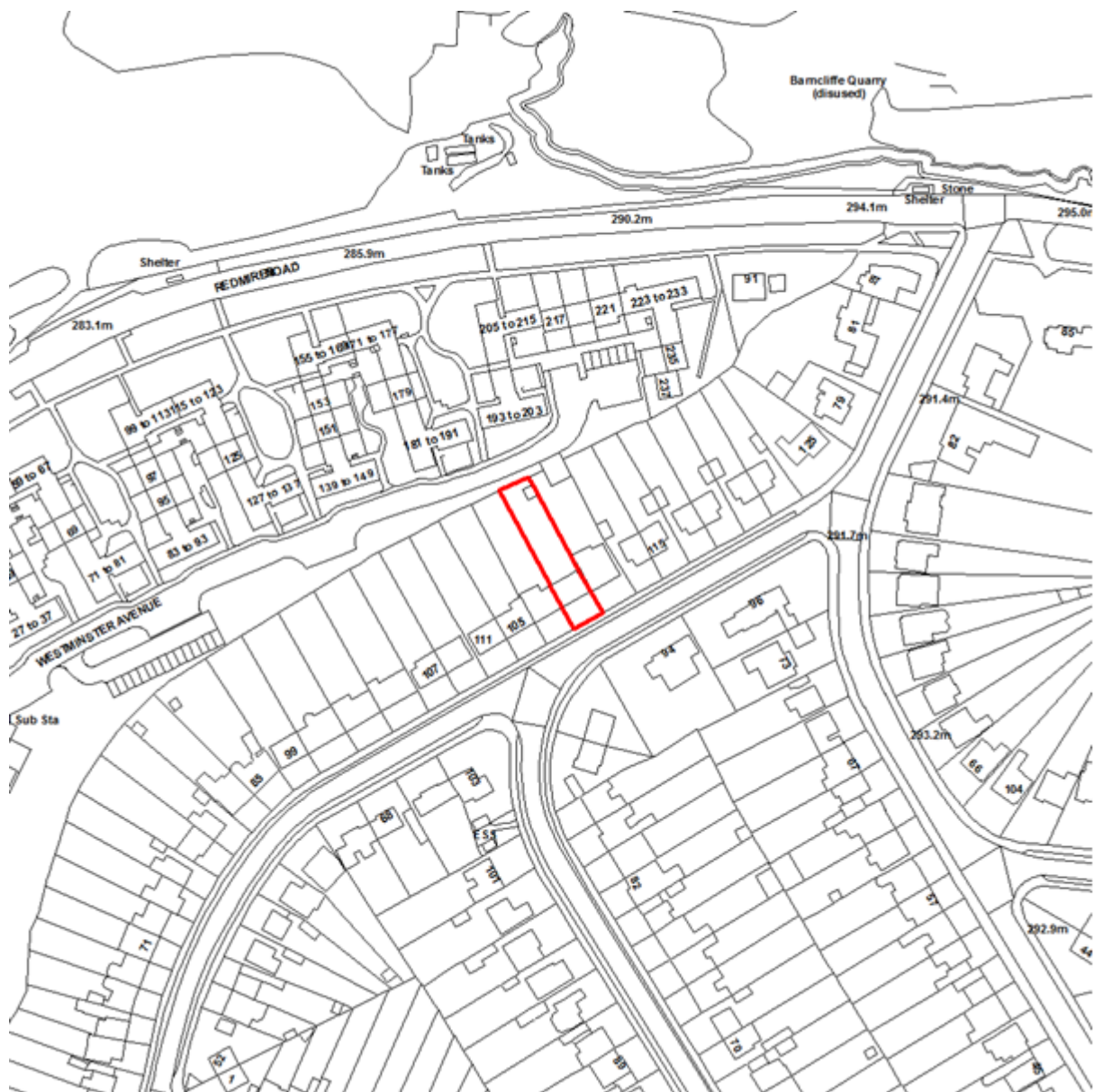
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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. 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.
4. The applicant is advised that some buildings in the vicinity of the application site are adversely affected by the migration of methane gas from mine workings. It is not possible to predict accurately where the methane gas may be emitted. You are therefore advised to take precautionary measures to exclude gas from the building. Detailed advice can be obtained from the Building Control, Development Services.
5. The developer should be aware that the size of the development is such that it would be prudent to investigate the ground conditions on the site before proceeding further. Information and advice on ground conditions is available from Building Control, Howden House, 1 Union Street, Sheffield, S1 2SH. If any coal shaft, adit or other coal working is encountered, no work must be carried out without the authorisation of the Local Planning Authority.
6. 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.

Site Location



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BACKGROUND

The application relates to the lower rear garden of 109 Hallam Grange Rise, a semi-detached dwellinghouse in Lodge Moor. A pre-application enquiry was submitted to the Council in October 2016, under 16/03753/PREAPP to establish whether it would be acceptable in principle to erect a single detached dwellinghouse within the property's rear garden. The application has been submitted in response to officer's advice.

LOCATION AND PROPOSAL

No. 109 Hallam Grange Rise is the eastern property of a pair of two-storey semi-detached dwellinghouses and is situated in a Housing Area as identified on the UDP Proposals Map. The pair of semi-detached properties forms one of a series of similar designed dwellinghouses that make up Hallam Grange Rise, all characterised by long linear rear gardens that back onto Westminster Avenue, a residential cul de sac. The rear garden is fairly overgrown and is enclosed along its side and rear boundaries by semi-mature planting that provide a good level of natural screening from its two adjacent neighbours.

The property's rear garden is separated from Westminster Avenue by a narrow grassed verge that forms part of the adopted highway. Immediately across Westminster Avenue to the north of the site are a series of 2/3 storey residential flat blocks. These flats have a parking court that is situated approximately 40m to the east of the application site. This parking court marks the end of Westminster Avenue. The property to the east (No. 111 Hallam Grange Rise) has an existing parking area to the rear of the property that takes access from Westminster Avenue.

The applicant is seeking full planning permission to erect a single storey contemporary designed dwellinghouse within the lower part of the property's rear garden. The proposed dwellinghouse would be provided with two bedrooms and have off-street parking for one vehicle. Vehicular and pedestrian access would be taken from Westminster Avenue only.

PROCEDURAL ISSUES

The application site includes a small area of land (grass verge between the application site and the back edge of highway) that is owned and maintained by SCC Property Services. To account for this land not being within the ownership of the applicant, the applicant's agent has signed the appropriate land ownership certificate (Certificate B) and served notice onto the relevant department of the Council.

SCC Property Services has stated that before any potential use or development on or over the land takes place, the land will need to be valued in relation to any approved scheme and an agreement would need to be entered into by the applicant, all of which being subject to Council approval as land owner.

RELEVANT PLANNING HISTORY

16/03753/PREAPP – Pre-application advice for the erection of a dwellinghouse – Closed 01/12/17

In relation to extensions and alterations to 109 Hallam Grange Road –

17/01332/FUL - Single-storey rear extension, first-floor side extension, alterations to roof space to form habitable accommodation including rear dormer window, rear raised terraced area, enlargement of the front porch and extension of driveway to create an extra car parking space (Re-submission of 16/02109/FUL) - Granted conditionally

SUMMARY OF REPRESENTATIONS

Twenty (20) objections have been received in response to this application from the residents of neighbouring properties including one from the Treasurer of the Westminster Tenants and Residents Association. A summary of all the comments raised are listed below:-

- Highway and Parking Issues. Westminster Avenue is a quiet residential cul de sac housing mainly elderly retired residents. There is currently hardly any room for residents to park. The end of Westminster Avenue is very narrow and it would cause unnecessary disruption during the course of the development and make the avenue very slippery from mud and debris etc. It is essential that Westminster Avenue is kept clear to ensure emergency services and care workers can gain access to the neighbouring flats; The existing dropped curb has not been used for some considerable time, likely to be over 29 years. There is restricted visibility due to the slight bend in the road. The dwellinghouse would only be provided with one vehicle, meaning that any additional vehicle will be forced to park on the already overcrowded road. The road struggles to cope with existing traffic. Impact on child safety as they play outside;
- Wildlife Issues. The development would impact on natural wildlife in the area. Families of foxes and badgers have been witnessed using the surrounding area to live and bring up there young;
- Noise Issues. The development would result in noise and disturbance to local residents during the construction phase, many are pensioners and disabled;
- Character Issues. The grassed area for the proposed driveway would be destroyed and adds to the rural landscape;
- The development of a Greenfield Site;
- Overdevelopment of the site;
- If planning permission is granted it could set a precedence for other properties along the street to do the same;

PLANNING ASSESSMENT

It is considered that the main issues relevant to this application are as follows:-

- (i) The Principle of Development – Policy and Land Use
- (ii) Highway Issues;
- (iii) Design Issues and the effect on the character and appearance of the surrounding area;
- (iv) Effect on the residential amenity of neighbouring properties.
- (v) Land quality Issues;
- (vi) CIL Issues;
- (vii) Other Issues

These are considered in turn below.

- (i) Principle of Development - Policy and Land Use

The application site is situated in a Housing Area, where housing is the preferred use under Policy H10.

While the development would accord with Policy H10 of the UDP in terms of use, consideration should also be given to the development of a greenfield site, given that the application site currently forms part of the garden curtilage of 109 Hallam Grange Rise. The relevant policy position with regard the use of previously developed land for new housing is Core Strategy Policy CS24. This policy states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that the development of greenfield sites may be acceptable on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds.

With regard to Core Strategy Policy CS24, the latest figures show that the Council is exceeding its target of achieving 88% of all development on previously developed land. The erection of a single dwellinghouse on this site is therefore unlikely to prejudice or undermine the Council's targets for the development of previously developed land across the city. As the site is located in an established residential area close to good public transport links along Redmires Road the development can be justified on sustainability grounds.

Government guidance is contained in National Planning Policy Framework (NPPF). Paragraph 14 of the NPPF details that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan making and decision taking. For decision taking, this means 'approving development proposals that accord with the development plan without delay'. At Paragraph 49 it goes onto state that 'Housing developments should be considered in the context of the presumption in favour of sustainable development. When an LPA cannot demonstrate a five-year housing supply, NPPF details that relevant policies for the supply of housing should not be considered to be up-to-date.

Presently, the Council can only demonstrate a 4.5 year supply of deliverable housing sites. Based on this and notwithstanding the fact that the development would only make a very small contribution to the supply of housing, the development would nonetheless contribute to the supply of housing, which some weight should be given.

The proposed development would accord with UDP Policy H10 and would not conflict with the Council's objectives of achieving a target of 88% of all developments on previously developed land as set out in Core Strategy Policy CS24. With this in mind and given the advice of NPPF at Paragraphs 14 and 49, it is considered that the principle of erecting a single house on this site should be viewed acceptable.

(ii) Highway Issues

A number of the objections received relate to highway concerns citing that the proposed development could escalate parking problems in the area, and impede emergency services and care workers to gain access to the neighbouring flats. While these concerns are noted, officers do not consider that the erection of a two-bedroomed dwellinghouse would lead to any significant demand for on-street parking that would prejudice highway safety. The proposed development includes one off-street parking space on a hardstanding within the confines of the site with access taken across an existing paved area within the highway

verge. The level of parking provision proposed is considered to be acceptable and would accord with the Council's parking guidelines. In the event that the future occupants would have more than one vehicle, it is considered that there is adequate level of parking along the adjacent street to accommodate the additional vehicle(s) without seriously compromising the existing parking provision in the area.

Although it would be preferable to have two off-street parking spaces, the Council's Highways Section has raised no significant objections to the development subject to the imposition of conditions to include a construction methodology statement so that the LPA can suitably control the method of construction in order to prevent any significant disruption to the free flow of traffic along Westminster Avenue that would cause disamenity to neighbouring properties during the construction phase. A further condition is also recommended that the dwellinghouse cannot be occupied until the parking space has been provided and thereafter retained.

From a highway perspective, the development is considered to be acceptable. Officers do not consider it reasonable to insist that the scheme be amended to include a second off-street parking space or that the scheme would generate significant demand for on-street parking that would compromise existing parking provision.

(iii) Design Issues and the effect on the character and appearance of the surrounding area

UDP Policy H14 relates to conditions on development in Housing Areas. It details at Part (a) that new buildings and extensions are well designed and would be in scale and character with neighbouring buildings.

UDP Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style of surrounding buildings, the use of special architectural treatment be given to corner sites and that designs should take advantage of the site's natural features.

Core Strategy Policy CS74 sets out the design principles that would be expected in all new developments. It details that high quality development respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods. At Part (c) it includes the townscape character of neighbourhoods with their associated scale, layout and built form, building styles and materials.

The proposed dwellinghouse would be erected within part of the host property's rear garden that backs onto Westminster Avenue. The proposed dwellinghouse would be single storey in height and be of contemporary design that would incorporate both flat and pitched green roofs. The accommodation would provide off-street parking for one vehicle, a ground floor kitchen, dining/living space and two bedrooms. The proposed dwellinghouse would be foremost 'L' shaped with an overall length of 14.75m and width of 10.5m that would extend across the full width of the site, building up to the side boundaries. To the rear of the proposed dwellinghouse would be an enclosed walled garden.

The application was accompanied by a Design and Access Statement. This statement details that the proposal has been developed in line with the pre-application advice given by officers with the proposed dwellinghouse considered to satisfactorily address concerns

raised that a house in this location could negatively affect the existing urban grain of the houses on Hallam Grange Rise that comprise long uninterrupted gardens.

The D&A Statement details that the proposed dwellinghouse has been kept to single storey to reduce its visual impact on Westminster Avenue and to minimise its visual impact from neighbouring properties. In terms of the design and massing, the proposed dwellinghouse is low-lying with the proposed floor level being built at the level of the site's existing ground level at its site entrance and would be cut back into the slope of the site to create a partially sunken dwelling. The existing site entrance would be widened to create a small paved enclosed courtyard for the off-street parking space and provide pedestrian access into the dwelling. From here, the proposed dwellinghouse would incorporate a flat roofed kitchen and utility wing, which would open up into a pitched (lean-to) roof living and dining space. To the rear of the courtyard would be a flat roofed section that would provide two bedrooms and bathroom. The proposed materials would be limited to red facing brickwork (front and side elevations) that would wrap around the back of the sunken rear garden, and timber cladding (rear elevation facing the garden and sliding gate). The dwellinghouse would incorporate a substantial green vegetated roof.

At pre-application stage, officers were conscious that any proposal to erect a dwellinghouse within the rear garden of No. 109 could have a damaging impact on the character and appearance of Westminster Avenue, being the first dwelling that would be built off a rear garden onto this road. Officers advised the applicant's agent that the dwellinghouse would have to be single storey in height and would have to be carefully designed that would respect the specific site context and assimilated seamlessly into the site without bringing attention to the built form. It is considered that the applicant has successfully achieved this with officers considering that the dwellinghouse is of acceptable design quality that would not detract from the character of the surrounding area. The proposed dwellinghouse's low profile with green roof would help to 'lose' the building within the confines of the site's rear garden. From Westminster Avenue, it is considered that only glimpses of the dwellinghouse would be obtained given the low profile form of the building and the mature planting along the southern side of Westminster Avenue. Moreover, it is considered that the dwellinghouse would read less as a standalone an isolated dwellinghouse along Westminster Avenue, but instead more as an ancillary garage/outbuilding to the host property. The applicant has also agreed to amend the scheme on the advice of officers with the front elevation now being faced in red brick as opposed to timber cladding and incorporates a window, which was requested in order to achieve more robustness to the design.

From a design perspective, it is considered that the proposal is acceptable. Subject to the imposition of conditions that should include the full schedule of materials to be submitted for approval and details of the green roof, it is considered that the proposal to erect a contemporary dwellinghouse within the rear garden would be in general accordance with development plan policies contained in the UDP and Core Strategy.

(iv) Effect on the residential amenity of neighbouring properties.

It is considered that the only properties likely to be affected by the development are those located either side of the property, namely 107 and 111 Hallam Grange Rise, and the host property (No. 109). All other properties are considered to be adequately distanced from the proposed dwellinghouse that any effect on their residential amenity from overlooking, overshadowing and loss outlook is likely to be minimal.

In terms of Nos. 107 and 111, while it is acknowledged that the proposed dwellinghouse would be built up against part of the rear garden boundaries of both properties, this would be at the lower sections of the two gardens and therefore some distance from the main garden areas of the two properties. Moreover, the proposed dwellinghouse would have no windows within its side elevations to prevent any overlooking onto the side gardens. This together with the fact that the proposed dwellinghouse would be single storey in height with its side walls being at a height of 3.5m-3.9m should mean that from these two properties', the building appears more akin to an outbuilding/garage rather than a dwellinghouse and respective of the site's domestic setting. It is noted that the dwellinghouse would have a series of high level windows that would provide additional light to the living/dining room. However, the height of these windows from the finished floor level (approximately 3m) and their distance from the side boundary (over 5m) should prevent any overlooking onto the neighbouring property's rear garden.

In terms of No. 109, the host property, it has been calculated that a distance of approximately 17m would be maintained between the two properties respective rear elevations. While this distance is below the distance of 21m recommended in SPG Designing House Extensions to prevent problems of overlooking, it is not considered that the occupants of this property would be unduly harmed by the proposed development from any significantly loss of privacy that would be harmful to its residential amenity. In coming to this view, officers have had regard to the fact that the proposed dwellinghouse would be single storey in height only as well as the site's lower ground levels meaning that views from the existing house's first floor bedrooms would be mainly taken over the top of the proposed house and not into the property's ground floor main rooms. It is also considered that the existing house would not be subject to any significant loss of privacy from the proposed ground floor windows and its newly formed rear garden, which officers consider could be adequately addressed by the erection of a 1.8m high screen fence between the two properties' rear boundaries. It is considered that the erection of this screen fence would ensure adequate levels of privacy are maintained for both properties. A condition will be imposed to secure the provision of this screen fence.

Based on the aforementioned, it is considered that UDP Policy H14 (c), which seeks to protect the amenity of neighbouring properties' amenity from new development is considered to be met.

(v) Land quality Issues

The application site lies within a Coal Authority Development High Risk Area. The Coal Authority has indicated that the site is likely to have been subject to historic unrecorded underground shallow coal mining. Based on a review of the applicant's Coal Mining Risk Assessment (January 2018, prepared by GRM Development Solutions), the Coal Authority has stated that they agree with the recommendations of the report to include intrusive site investigation and recommend that a condition be attached that requires these works to be carried out prior to commencement of the development. A directive will also be added to the consent making the developer/owner aware of potential land contamination/ground gas associated with historic coal mining.

(vi) Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

The application site lies in an area where CIL is liable with a charge rate of £80 per square metre. The applicant has signed CIL Form 1: Assumption of Liability.

(vii) Other Issues

Some of the comments received relate to the affect the development would have on the wildlife in the area. While these comments are noted, there is no evidence to suggest that the garden is home to any protected species. It is however recommended that a condition be attached that requires a walkover by a qualified ecologist prior to work commencing and for the development to proceed in accordance with any recommendations of the ecologists to mitigate any potential disturbance to wildlife.

It is considered necessary that the dwellinghouse's PD rights are removed in order to control future development on site. Should members be minded to grant planning permission, it is recommended that a condition be attached that removes the property's 'PD' rights (Classes A to H inclusive of the GDPO 2015) to make alterations and extensions to the property.

RESPONSE TO REPRESENTATIONS

SUMMARY AND RECOMMENDATION

The applicant is seeking full planning permission to erect a single storey contemporary designed dwellinghouse within the lower part of the rear garden of 109 Hallam Grange Rise, a semi-detached dwellinghouse in Lodge Moor. The proposed dwellinghouse would be provided with two bedrooms and have off-street parking for one vehicle. Vehicular and pedestrian access would be taken from Westminster Avenue.

The principle of erecting a single storey contemporary designed dwellinghouse within part of the property's rear garden is accepted under Policy H14 of the UDP and Policy CS24 of the Core Strategy and would not prejudice or undermine the Council's targets for the development of previously developed land across the city. Following revisions to the design of the house that have included replacing the timber cladding with brick and the addition of a window (front elevation), officers are satisfied that the development represents an appropriate form of development and would not result in any serious harm to the character of the surrounding area. The proposed dwellinghouse would be afforded with a 54 square metre garden that would be commensurate to the size of the property and while the development would involve the sub-division of the garden of No. 109, this property would still continue to benefit from an appropriately sized rear garden area.

It is considered that the proposal would not impact on highway safety or result in the residential amenity of neighbouring properties being unduly harmed.

For the reasons given in the report and having regard to all other matters raised, it is considered that the development accords with UDP Policies H14 (a) BE5 and BE16 and Core Strategy CS24 and CS74 and is recommended for approval subject to the conditions listed.