
Case Number	17/04664/FUL (Formerly PP-06474789)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (Amended Plans received 28th February 2018)
Location	Curtilage Of 26 Rangeley Road Sheffield S6 5DW
Date Received	14/11/2017
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 must be carried out in complete accordance with the following approved documents:

Drawing 093 P00 Rev A Site Plans
Drawing 093 P01 Rev A Site Layout / Roof Plan
Drawing 093 P02 Rev A Ground Floor Plan
Drawing 093 P03 Rev A First and Second Floor Plans
Drawing 093 P04 Rev A Front Elevation in Context of Streetscene
Drawing 093 P05 Rev A Elevations
Drawing 093 P06 Rev A Elevations showing neighbouring properties

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. 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 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 the visual amenities of the locality.

5. 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.

6. 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 dwellinghouse commencing, and shall thereafter be retained.

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

Other Compliance Conditions

7. The bathroom and staircase windows on the elevation of the proposed dwellinghouse facing east towards No.18 Rangeley Road shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

8. The flat roof area of the dwellinghouse hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

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

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the dwellinghouse which would otherwise be permitted by Class A, Class B or Class C to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the proximity of habitable room windows in the side of the neighbouring dwellinghouse.

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. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

3. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination
Sheffield City Council
Town Hall
Sheffield
S1 2HH

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

4. 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.
5. 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.

6. 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>

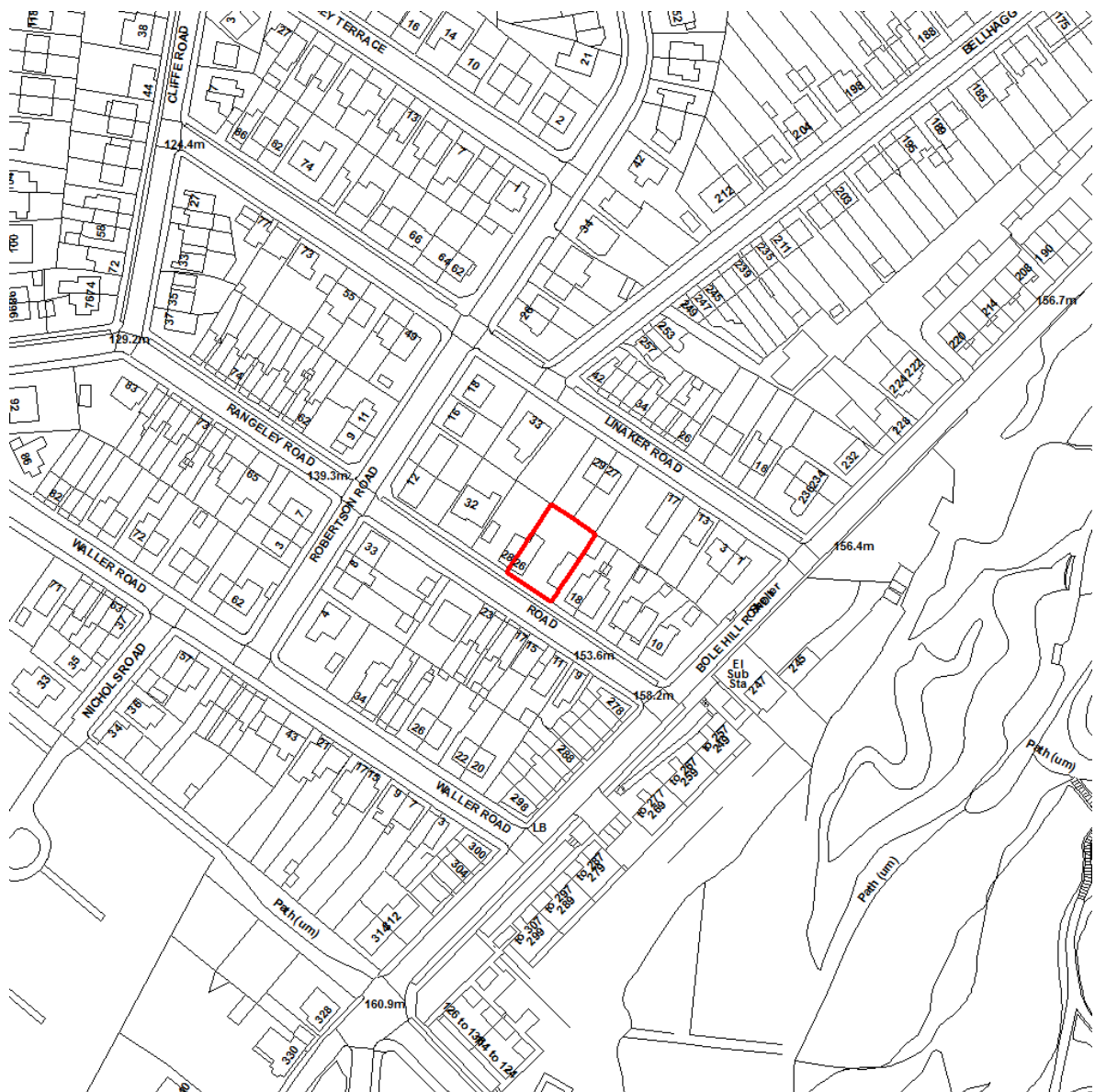
For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

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.

7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
8. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
9. 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.
10. 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.
11. 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. 0800 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 the Environmental

Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel.
0114 2734651.

Site Location



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LOCATION AND PROPOSAL

The application relates to land to the eastern side of 26 Rangeley Road and is currently occupied by a single garage. Rangeley Road slopes steeply up to the east, such that the neighbouring property (No.18) is at a higher level.

Planning permission is sought for the erection of a 3 bedroomed dwellinghouse. This would provide living accommodation over 3 floors (the upper floor being within the roof space). The existing driveway would be utilised for the new property and a new access created onto Rangeley Road adjacent to No.26 to provide parking for the host property.

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area.

RELEVANT PLANNING HISTORY

In 2011 outline planning permission was refused for the erection of a dwellinghouse on this site (application 11/00769/OUT refers) and later an application for a bungalow was also refused (application 11/02767/OUT refers). These applications were both in outline with all matters reserved.

The applications were both refused as neighbouring properties to the development site (both No.26 and No.18) had habitable room windows on the side elevation that would be directly affected by the proposed development.

REPRESENTATIONS

9 representations have been received objecting to the proposed development. This includes representations from Cllr Neale Gibson, Cllr Ben Curran and Cllr Olivia Blake. Councillors raise concerns of overlooking and loss of light as well as parking provision and offer support to the objections of local residents. It is also noted that Councillors do not consider that the development addresses previous reasons for refusal.

Paul Bloomfield MP has also asked that due consideration be given to local objections in light of the previous refusals.

Representations from local residents raise the following issues:

- Few properties along Rangeley Road have off-street parking and so most people park on street. The development would increase demand for on-street parking, causing damage to verges.
- The development would be harmful to the character and appearance of the area, removing a scenic space between two period properties.
- The development would remove views of the Rivelin Valley. This would be contrary to Core Strategy Policy CS74.
- The development would result in loss of light and outlook to No.18 Rangeley Road, this property having main habitable room windows on the side elevation overlooking the site (both at ground floor and upper floor levels). The development would be within 4m of these windows. As part of this representation a report from a charter surveyor has been submitted which concludes that, should the development go ahead, 'light levels in the corresponding rooms and areas will subsequently fall below adequate levels of natural light'.
- If allowed the occupiers of neighbouring property would have to turn on electric lights for longer, thereby increasing electricity and heating bills.

- No.26 Rangeley Road could become a House in Multiple Occupation; thereby further increasing parking pressures.
- Prolonged building work will create noise, dust and disruption to residents and may restrict access to neighbouring property.
- The proposed driveway for No.26 would involve excavations which may affect foundations.
- The development would result in overlooking to neighbouring dwellings and the proposed green roof area, when accessed would result in overlooking to neighbouring properties and gardens.

Amended plans were received on 28th February 2018, as well as a light survey which was commissioned by the applicant and carried out by Smith Marston chartered surveyors. Neighbours were re-consulted and a further 7 responses were received.

This included a representation from Paul Bloomfield MP, Cllr Neale Gibson, Cllr Olivia Blake and 4 neighbours and re-iterated previous concerns.

In addition to these representations the occupier of No.18 has submitted a light survey, carried out by Wright Chartered Surveyors, and a solicitor's letter which sets out that the development would result in unacceptable loss of light to No.18 Rangeley Road.

PLANNING ASSESSMENT

The site is currently within the ownership of No.26 Rangeley Road and forms garden land with a garage on part of the site.

The proposed dwellinghouse would be two storeys in height with additional living space provided within the roof. Off-street parking for a minimum of one car would be provided to the front/side of the new property (on a driveway) and a new driveway for No.26 would be created along the side of this property.

The site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within a Housing Area.

UDP Policy H10 sets out that in principle housing is the preferred use, subject to compliance with other Development Plan Policies.

Policy H14 sets out that within Housing Areas new development will be permitted provided new buildings would be in scale and character with the site and the site would not be overdeveloped or deprive residents of light, privacy or security and it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Core Strategy CS26 sets out appropriate density ranges, to protect character and support the development of sustainable, balanced communities. For this location an appropriate range would be 30 – 50 dwellings per hectare.

The density of the proposed development would equate to around 49 dwellings per hectare and the plans show that the proposed property would have a plot size commensurate with that of neighbouring properties. In terms of density the development would accord with policy CS26.

Impact upon Street Scene

Rangeley Road is steeply sloping and has a mixture of property styles, building materials and ages. The site is currently occupied by a detached garage and garden land to the side of No.26.

The proposed dwellinghouse would have a coursed natural stone finish to the front elevation and brick to the sides and rear (which is similar to other properties in the area). The development would follow the building line along the street, lining through with No.26 and slightly in front of No.18.

In terms of height the proposed development would be of a similar scale to neighbouring properties and would be at a similar level to No.26 and set down from No.18.

Windows would be of a similar style and alignment to windows on neighbouring properties and would pick up on architectural details such as stone heads and cills to windows and eaves detailing.

The street scene is quite varied with properties of varying ages and building styles. It is considered that the proposed development would not have an adverse impact upon the character and appearance of the area and would be in keeping with the street scene. A refusal of the application on the grounds of the impact the development would have upon the character and appearance of the area cannot be justified.

Effect Upon Neighbours

The proposed development would be positioned between No.26 and 18 Rangeley Road. Both of these properties have main habitable room windows which face onto the site. In the case of No.26, this property is within the ownership of the applicant and, if needed additional windows could be inserted into the rear elevation or alterations made to No.26 to ensure that occupiers of this property are afforded adequate living conditions in terms of light and outlook. The applicant has confirmed that the windows which would be affected in their property are secondary windows (kitchen and dining room). The property has an open plan layout and so these rooms also receive a lot of light from windows on the rear.

With regard to No.18 Rangeley Road, this property is at a higher level but does have main habitable room windows on the side elevation. These serve a dining

room on the ground floor and a bedroom on the first floor and are the sole windows for these rooms.

The applicant has tried to minimise overshadowing and loss of light to these windows, through the setting back of the upper floor to the rear and by pulling the proposed dwellinghouse as far as possible from the boundary. The applicant has also commissioned a light survey which demonstrates that the rooms would not be so badly deprived of light to warrant a refusal of the application.

The light survey commissioned by the applicant, carried out by Smith Marston was based on various tests which are set out in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practise'. That report concluded that all relevant neighbouring windows pass the BRE diffuse daylight and direct sunlight tests.

The survey commissioned by the neighbour, carried out by Wright Chartered Surveyors sets out that the development would result in a loss of light and advises the occupier of No.18 Rangeley Road to consider making a claim for compensation. The 'right to light' is a separate legal matter rather than a planning issue.

The applicants light survey showed that of the habitable rooms the dining room, being on the ground floor would be the most affected, however only a small portion of the room would be poorly lit as a result of the proposed development.

The survey commissioned by the neighbour demonstrated that the dining room would receive around 61% of the light from which it benefits at present.

The survey carried out by the applicant showed that the bedroom would not be poorly lit as a result of the development. The occupier of No.18 has not supplied data on the loss of light to the bedroom as it was not surveyed by Wright Chartered Surveyors. The hall, landing and staircase are not classed as habitable rooms.

It is considered that, on balance the development would not result in a loss of light that would be significant enough to warrant a refusal of the application. The occupier of No.18 would still benefit from adequate levels of light to their dining room and bedroom on the side elevation.

It is acknowledged that the development would restrict the outlook from the affected windows, at present the occupier of No.18 has far reaching views across the valley, however the right to a view is not a planning consideration. Due to the set-back nature of the upper floors of the proposed property windows in the side of No.18 would still be afforded a view over the flat roofed element of the new dwellinghouse and it is considered that, on balance the outlook from windows on the side of No.18 would be adequate. It is considered that a refusal of the application on the basis of overshadowing, loss of light and loss of outlook cannot be justified. The proposed development would accord with UDP Policy H14.

To ensure that the proposed dwellinghouse could not be extended under 'permitted development', to bring the upper floor of the new property closer to No.18

Rangeley Road, it is suggested that (should planning permission be granted) permitted development rights be removed. This would be secured by planning condition.

Main windows on the proposed dwellinghouse would face onto the street or towards properties to the rear on Linaker Road with a distance of around 25m between the upper floors of these properties. It is considered that the development would not give rise to unacceptable levels of overlooking to neighbouring properties to the rear.

Windows on the side elevation facing No.18 would be to the staircase and a bathroom and so could be obscure glazed to prevent overlooking in this direction. To the other side elevation (facing No.26) a secondary high level window is proposed. No.26 would be at a slightly lower level and as such overlooking in this direction would not occur either.

Across the street a separation distance of around 15m would be provided. This is commensurate with existing separation distances across the street and so it is considered that a refusal of the application on the grounds of overlooking across the street cannot be substantiated.

To the rear of the proposed property a flat roofed single-storey projection is proposed. The roof is not intended as a raised terrace for sitting out purposes and the plans do not show any access to this roof (in the form of a door). The applicant has indicated that occasional access may be required for maintenance purposes and, if the application were to be supported this would be made a condition of any consent.

It is considered that, on balance the development would not be detrimental to the living conditions of occupiers of neighbouring property and the application complies with UDP Policy H14.

Highways

The proposed dwelling house would have ample parking space to the side / front to park at least two cars clear of the highway and No.26 would also have a driveway to the side, which could accommodate a couple of cars.

The development would raise no highway safety concerns.

CIL

The Council has adopted a CIL (further details are available on the Council's website). The development falls within an area where the CIL charge is currently £30 per square metre; however the applicant has indicated that they will be claiming self-build relief.

RESPONSE TO REPRESENTATIONS

Issues of parking and highway safety, overlooking and overshadowing have been considered above.

Issues of loss of view, stability of foundations and noise and disturbance / access during building works are not planning considerations.

The applicant has not indicated that the proposed dwellinghouse would be occupied as a House in Multiple Occupation. If this were to be the case planning permission would be required and the merits of this would be assessed then. This is not considered to be a valid reason to withhold planning permission.

RECOMMENDATION

It is considered that the proposal development would not be harmful to the character and appearance of the area, and the proposal would not result in an overdevelopment of the site, being of an appropriate density. Both the new property and No.26 would have sufficient parking and the development raises no highway safety concerns.

The development would not give rise to unacceptable levels of overlooking to neighbouring property to the front, side or rear.

Careful consideration has been given as to whether the development would result in unreasonable levels of overshadowing and loss of light to neighbouring property, in particular No.18 Rangeley Road which has main habitable room windows on the side elevation which are the only source of light to these rooms. It is considered that on balance the applicant has demonstrated that the proposed dwellinghouse would not result in unacceptable levels of overshadowing or loss of light. The view from the affected windows would be restricted; however there would still be adequate outlook from No.18.

It is considered that the development would comply with UDP Policy H10 and H14 as well as Core Strategy Policy CS26 and the National Planning Policy Framework.

It is recommended that the application be granted with conditions.

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