
Case Number	18/02229/FUL (Formerly PP-07043142)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (Re-submission of planning permission 18/00924/FUL) (Amended plans 01.10.2018)
Location	Land Between 94 And 98 Wheel Lane Grenoside Sheffield S35 8RN
Date Received	11/06/2018
Team	West and North
Applicant/Agent	Oakleaf Architecture 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:

- Street scene and sections A (PL) - 003 Rev H (Published on 01.10.2018).
- East elevation A(PL)-018 Rev A - (Published on 20.09.2018).
- Site sections A(PL)-016 Rev F - (Published on 01.10.2018).
- Amended location plan, site plan, floor plans and elevations A(PL)-001 Rev:P (Published on 01.10.2018).
- Amended wheel wash details A(PL)-010 Rev D (Published on 01.08.2018).
- Amended landscape and surface plan A(PL)-012 Rev D (Published on 01.08.2018).

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. The dwellinghouse hereby permitted shall not be occupied until "privacy fencing" has been erected adjacent to or on top of the existing boundary wall along the section of boundary the application site shares with 98 Wheel Lane and as shown on the landscape and surface plan Ref: A(PL)-012 Rev D (Published on 01.08.2018). The fencing shall ensure that solid screening of a total height of 1.8 metres measured from existing ground level at the application site is achieved. The fencing shall thereafter be retained and maintained.

Reason: In order to ensure minimum privacy levels for dwellings

Other Compliance Conditions

4. The dwellinghouse shall be constructed using the approved external materials as listed on the approved plans.

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

5. If unexpected contamination is encountered at any stage of the development process, works must cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. A Remediation Strategy must then be submitted to and approved in writing by the Local Planning Authority. Development shall not recommence until the Remediation Strategy has been approved and all necessary remediation work carried out in accordance with the approved Remediation Strategy has been carried out.

Reason: In order to ensure that any contamination of the land is properly dealt with.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order amending replacing revoking or re-enacting that Order, no extensions, roof additions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or other alterations which materially affect the external appearance of the dwellinghouse, including windows, or the application site shall be constructed and no additional or alternative window door or other openings shall be installed in the dwellinghouse 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 elevated nature of the curtilage and to ensure that there is no encroachment into the Green Belt.

7. The roof of the flat roofed rear element of the dwellinghouse hereby permitted shall at no time be used as a terrace, balcony, roof garden or similar amenity area.

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

8. The dwellinghouse shall not be occupied until the ground floor window on the elevation of the dwellinghouse facing East towards No.98 Wheel Lane is fully glazed

with obscure glass to a minimum privacy standard of Level 4 Obscurity. The obscure glazing shall thereafter be retained and maintained for the lifetime of the development. 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.

9. The equipment for the effective cleaning of the wheels and bodies of vehicles as shown on drawing number A(PL)-010 Rev D (Published on 01.08.2018) must be provided on site and retained and maintained at all times during the construction period of the development. The equipment must be used to clean the wheels and bodies of all vehicles leaving the site during the construction period so as to prevent the depositing of mud debris and waste on the highway. No construction works shall be carried out at any time unless such approved equipment is on-site and is being used effectively by every vehicle leaving the site during the construction period of the development.

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

10. The hard and soft landscape scheme shown on the landscape and surface plan Ref: A(PL)-012 Rev D (Published on 01.08.2018) shall be implemented and planted/completed prior to the development being occupied, or within an alternative timescale to be first approved in writing by the Local Planning Authority.

Thereafter: the soft landscaped areas 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.

11. The Aco drain channel shown at the point where the driveway meets the public highway on the Surface Water Plan (Ref: A(PL)-014-RevC) shall be in place before the development is occupied. It shall thereafter be retained and maintained in good working order.

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

Attention is Drawn to the Following Directives:

1. 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:

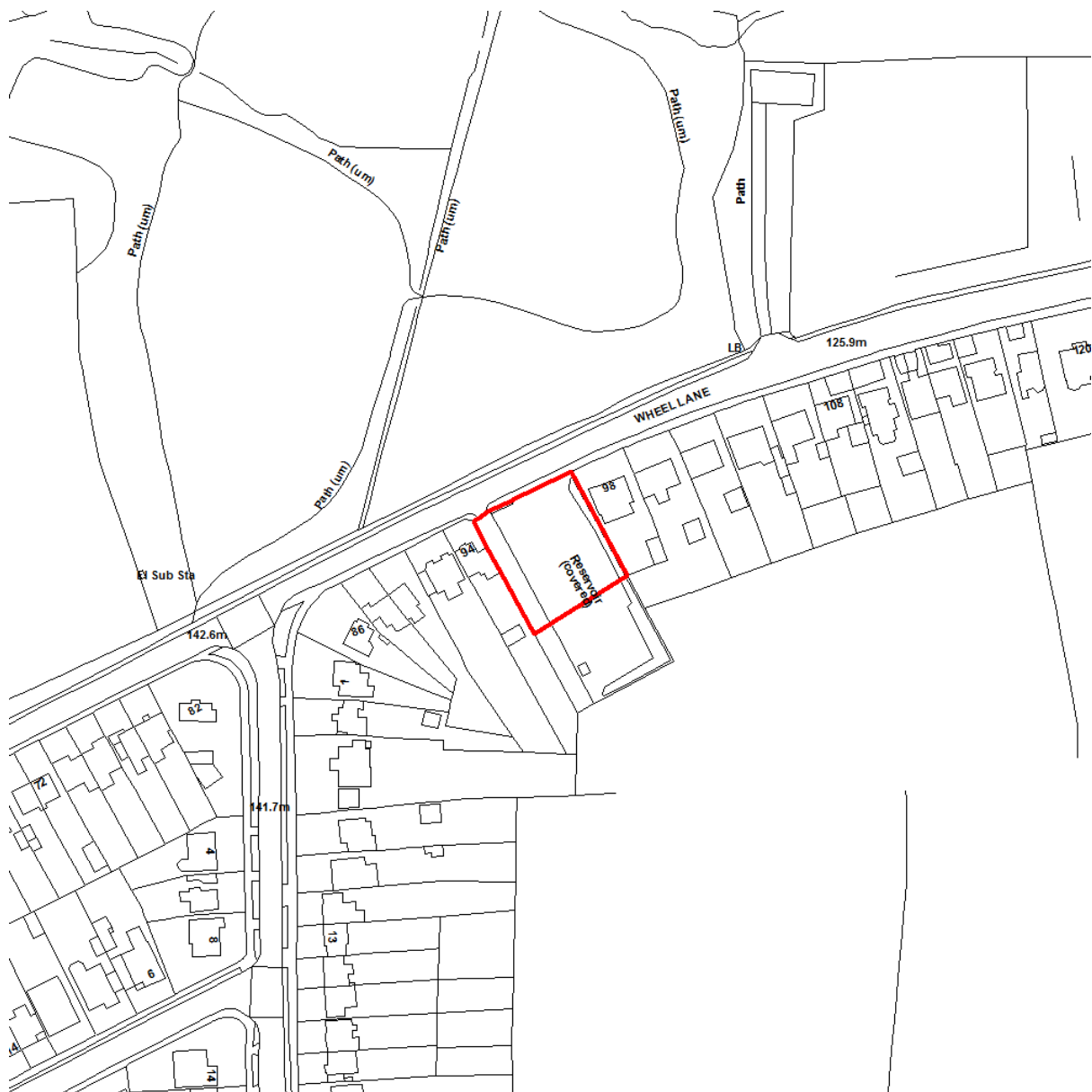
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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.

2. 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.
3. 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.

Site Location



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LOCATION AND PROPOSAL

The application relates to a former reservoir site located between numbers 94 and 98 Wheel Lane. The proposed development site area is approximately 0.12 hectares and is in a Housing Policy Area.

Land to the rear of the proposed development site is also within the applicant's ownership but it is in the Green Belt and does not form part of the application site. The site has an existing vehicular access from Wheel Lane. Land levels across the site vary, with levels generally increasing from east to west in line with the incline of the street.

The applicant proposes to erect a five bedroom dwelling on the site with associated parking and garden space. Space is retained within the site for the potential future development of a further dwelling house, however this does not form part of the assessment of this particular application and separate permission would be required.

Members will remember visiting the site previously prior to the 14th August committee.

RELEVANT PLANNING HISTORY

A number of proposals for housing developments on the site have previously been approved. These include planning applications 06/04610/OUT and 09/03060/FUL, which were both for the erection of two dwellinghouses. These permissions expired without being implemented.

With the exception of extensions/alterations to the neighbouring property (98 Wheel Lane), which are accounted for in the following assessment as appropriate, there have been no significant changes in circumstances surrounding the site since these applications were approved. However, there have been a number of policy changes since 2009. This includes the publication of the National Planning Policy Framework which was introduced in 2012 and was revised in July 2018.

Planning permission 18/00924/FUL was granted earlier this year. That permission related to the site to which the current application relates, but also included land to the rear of this application site. Permission was granted for the erection of a dwelling house and an associated area of hardstanding. Whilst the proposed dwelling was not within the Green Belt, a proposed area of hardstanding was within the Green Belt (on land which is now not included within the current red line boundary area). The decision on application 18/00924/FUL was quashed for reasons relating only to the hardstanding in the Green Belt. As such no extant planning consent exists for the redevelopment of the site.

SUMMARY OF REPRESENTATIONS

Over the life time of the application and following two formal consultation exercises, a total of 69 representations have been received. 68 in objection and 1 neutral comment making reference to an incorrect address being displayed on the web site.

During the second formal round of consultation in October 2018, a number of issues were reported by neighbours with regards to difficulties they experienced when trying to submit comments online via Public Access. In these instances officers were in communication with neighbours and accepted comments which were emailed directly. These were then uploaded to the website manually. Concerns were also raised by some that the 14 day period to submit comments was not sufficient. Concerns were noted and representations that were received after the formal consultation deadline have also been considered within this report.

61 of the letters of objection have been received from local residents; a summary of the comments is listed below:

Design and character issues

- The proposed access is not in keeping with the other houses on the street which all have driveways to the front.
- The proposed scale is overly large and dominant and will form a visually incongruous feature within the street scene.
- Design considered to be lacking architectural detailing.
- The proposed footprint breaks the building line.
- The development will dominate the sky line.
- The three storey property is out of context in the row of 12 bungalows.
- Viewing "Plans and elevation (revision p)", I note that item (8), "House type 1 (East) elevation", shows the proposed dwelling as a side elevation however, the superimposed outline of 98 Wheel Lane is shown as an oblique (angled) elevation. The result is a deceptive image intended to, not only make number 98 appear much larger, but also mask the fact that the proposed dwelling stands significantly forward of the long established building line.
- Concerns regarding the position of the new dwelling to the far left of the site rather than centrally located.
- It is alleged that the existing foundations on site are higher than the drawings previously recommended for approval indicated. Now corrected the drawings indicate that the proposed property will be nearly two thirds above the height of number 98.

Residential amenity issues

- The land is higher than it was previously; therefore the houses will be much higher and overbear numbers 94 and 98.
- Due to the proposed height of the building it would overlook dwellings to the rear and sides.
- Two metre high boundary fencing would be overbearing to number 98, could permitted development rights be removed?
- Increased traffic movements associated with up to two dwellings would impact on living conditions and the structural integrity at number 94.

- The proposed footprint will impact on the conservatory at number 98, with regards to overlooking and over dominance. Views to the side will also consist of a brick wall.
- Potential for the flat roof to be used as a terrace which would impact on privacy levels.
- The proposed laurel hedging will have maintenance issues and could become over bearing.
- The development will be invasive and dominate the other properties and occupants destroying their right to light and privacy.
- Due to the relationship between the properties including number 98 being at a lower ground level; the proposed dwelling will deprive number 98 of light during the winter months. This could also lead to mental health issues due to Seasonal Affective Disorder.
- The single storey element will be in excess of 4m above the external rear ground level, therefore far greater than a standard single-storey extension and the 45 degree line should apply as outlined in the South Yorkshire Residential Design Guide adopted by Sheffield City Council. Why is SCC not complying with adopted planning policy?
- The window in the side gable will overlook number 98.
- The proposed bin storage location will be a disamenity to number 94.
- No pedestrian access is proposed from Wheel Lane, this will lead to increased traffic down the “lane” alongside the boundary with 94 Wheel Lane.
- Due to the height of the land at the application site there will be privacy implications.
- Change in circumstances which includes the erection of a rear conservatory at number 98 should be considered relevant to the assessment of the application.
- Neighbour correspondence on the portal dated 8th August refers to the council’s position on the extension of 98 Wheel Lane in 2014 and states that the property can only be extended upwards by 750mm maximum and that anything further would be overbearing on neighbouring property 100 Wheel Lane. How then can a property which will stand nearly 4000mm above 98 Wheel Lane not be overbearing?

Green Belt and landscape issues

- The red line boundary should be amended to include the housing area only; the remainder of land owned by the applicant in the Green Belt should have a blue line boundary.
- No information has been submitted regarding how the Green Belt land is to be used.
- It is alleged that land levels on site have been altered.
- One of the trees surrounding the site has died and it is alleged that the applicant proposes to remove it.
- The property backs on to agricultural Green Belt land.

- The Green Belt boundary has been moved.
- The lack of clarity around parking arrangement is considered to be linked to future use of green belt land for parking.
- Concerns that council owned farm land to the rear may be sold for housing.
- The drainage information shows soakaways close to the boundary wall. It is requested that these should be moved further into the applicants plot, to prevent potentially detrimental effects on the retaining boundary wall.

Highway issues

- Two parking spaces are not considered to be adequate for a 5 bed dwelling.
- There are visibility and highway safety issues with the proposed access.
- Construction vehicles utilising the access would lead to congestion and would disturb the adjacent number 94.
- Turning facilities should be identified on plan for both dwellings.
- Highway safety issues due to existing congestion and that Wheel Lane is a “feeder road” to the M1 motorway.
- Congestion and road safety impacts on the Creswick Lane junction.

Other issues

- The ground levels should be reduced as suggested in the application in 2006.
- The garages from the previous submission have been removed; therefore where will future garages be located? The size of the dwelling suggests that garages will be required.
- Plans for one dwelling have been submitted rather than two, this makes it difficult to assess the proposal as a whole.
- It is understood that a second dwelling is to be developed on the remainder of the site; this would multiply the issues of this development.
- Previous proposals on the site have been more sympathetic and these should be reconsidered.
- Ground floor office window identified on plan but not on the east elevation.
- Height of the roof lantern not shown.
- Issues regarding the future development plot and whether it is adequate.
- The plans are not considered to be sufficiently detailed, particularly with regards to land levels and the relationship with neighbouring properties.
- Part of the boundary wall has been damaged during the land clearance.
- Numerous references have been made to Sanderson and Weatherall Design and Access statement from the 2006 application.
- The developer’s financial situation should have no bearing on any planning decision.
- The applicant is continuing the development prior to determination of the application.

- Lack of communication between the planning department and the applicant.
- Concerns have been raised with regards to changes to the committee date and inconvenience caused.
- Issues around communication from the Planning Service.
- The ridge height is 900mm higher than the previously approved scheme.
- Inconsistencies and errors in the drawings.
- The topographical survey does not show any levels in the rear garden of number 98 or the conservatory ridge.
- Many of the previous documents that were published and have been amended have been removed from the website.
- None of the neighbour objections have been addressed.
- The application should be deferred to a later date to allow for scrutiny of the documents.
- The local planning authority appears to have completely reversed its own policy regarding development of this site.
- Concerns that the project will create a precedent for properties of a similar scale to be built on Brownfield and Greenfield land which would spoil the aesthetics of the area.
- It has been commented that the fact that Ecclesfield Parish Council are objecting should be a major influence on any decision.
- Reference has been made to planning applications which relate to a number of properties on Wheel Lane. Concerns are raised regarding consistency and changes in circumstances since these applications were dealt with.
- Concerns that there is a conspiracy surrounding the application.

The remaining 7 letters of objection were received from MP Angela Smith, Councillor David Pepper, Grenoside Conservation Society (x2) and Ecclesfield Parish Council (x3).

Angela Smith MP

I am writing to you with regard to the above application for the construction of a five bedroomed property on Wheel Lane, Grenoside. A number of my constituents have expressed their concern with regard to this application for a number of reasons.

The proposed five-bedroomed property is significantly larger than other properties in the area and has more substantial footprint. In addition, the raised elevation of the land in comparison to neighbouring properties means that the property would be very overbearing, especially when viewed from its immediate downhill neighbour, and would dominate the street scene. As a consequence my constituents would contend that the development would not fit with the local vernacular.

I would ask that the Planning Committee takes into account the above issues when arriving at a decision on this application.

Councillor David Pepper:

The proposed dwelling is out of proportion, has very little garden space and inadequate parking provision for a 5 bedroom house. There are concerns that the Green Belt land to the rear will become an over flow car park. Drawings submitted suggest that part of the Green Belt is to be incorporated in to the residential curtilage. The proposed development is too large for the site and does not respect the semi-rural location. It is requested that this application is referred to the Planning Committee.

Grenoside Conservation Society (two letters of objection):

The proposed dwelling is considered to be out of proportion with the surroundings. Very little garden space is included and if a second house were to be developed there would be issues with parking leading to concerns that the Green Belt area will be used for parking. The development should be sympathetic to the semi-rural location. It is requested that the application is referred to the Planning Committee.

Reference is made to 18/00924/COND1 landscape and surface water plan, which looks to incorporate green belt into the site. This suggests that green belt will be absorbed in the residential garden.

Grenoside Conservation Society reports to be glad to see the buildings have been removed from the green belt.

Ecclesfield Parish Council (EPC) (three letters of objection):

EPC Planning Committee are objecting and recommend refusing this application on the grounds that it will be overbearing and impact the nature of the land, it is not in keeping with the other properties, the dwelling will stand significantly higher than the other properties and this proposal will dominate the landscape significantly. Are Highways aware of the impact of this application? A site visit should be made to see the distance from the front and back from Cinder Hill Lane, Grenoside so Members will be able to see the impact that this application will have on the surrounding area.

A representative from this Committee will also be present at the Planning Committee meeting with regards to this application.

The plans have now been amended but Ecclesfield Parish Council wish to repeat the objection submitted as above as the changes to the plans do not in any way address our objections.

Response to representations

The representations received and summarised above are referred to and addressed within the following report.

PLANNING ASSESSMENT

Policy Context

This assessment will take account of relevant policies from the National Planning Policy Framework (2018), the Sheffield Development Framework Core Strategy and the Sheffield Unitary Development Plan.

Principle of the development

The application site is entirely within a designated Housing Area as defined by the Unitary Development Plan (UDP).

Policy H10 states that housing is the preferred use in these areas and therefore the principle of the development is acceptable from a land use perspective.

The area to the rear of the application site, defined by a blue line on the submitted plans, is Green Belt land in the applicant's ownership. No development is proposed in the Green Belt.

The proposal is considered to constitute an infill plot which is located between two existing dwellings in an established housing area.

Density

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Core Strategy Policy CS26 states that new housing will be required to make efficient use of the land, but the density of new housing should be in keeping with the character of the area. For the majority of the urban area, which includes the application site, this policy recommends a density of 30-50 dwellings per hectare, however it also states that densities outside this range will be permitted where they achieve good design, reflect the character of an area or protect a sensitive area.

The site area of this application is approximately 0.12 hectares, and with one dwelling proposed on the site results in a density of 8 dwellings per hectare. The proposal is below the recommended density for the area; however the application proposes a single dwelling with garden that is suitably comparable in size with the surrounding properties on Wheel Lane, it is also demonstrated elsewhere in this assessment that the proposal represents good design. It is therefore considered that the proposal would reflect the character of the area and the proposed density can be accepted.

Housing Land Supply

Paragraph 73 within the NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer. In addition, Core Strategy Policy CS22 (Scale for the Requirement for New Housing), sets out Sheffield's housing targets until 2026.

In relation to Sheffield's current housing land supply position, although the latest monitoring shows the city has in excess of a 5-year supply of housing sites against the CS targets, these targets pre-date the National Planning Policy Framework and should now be considered out of date.

The latest Government household growth projections suggest that housing need in the city is higher than was previously planned for in the Core Strategy and, as such, the city currently has an approximate 4.5 year supply of housing using the latest growth projections.

It is clear that a residential proposal such as this would make a positive contribution towards the identified housing supply shortfall, even if this is limited, and this should be offered appropriate weight as a material consideration.

Previously Developed Land

Within the NPPF definition of previously development land it is made clear that a site will be excluded from being classed as previously developed if 'the remains of the permanent structures or fixed surface structures have blended into the landscape.'

In this case there is some ambiguity as to whether the site should be classed as previously development, or not previously developed. For completeness both scenarios are considered in this section of the report.

- If Previously Developed

Core Strategy Policy CS24 (Maximising the use of previously developed land for new housing) states that priority will be given to the development of previously developed sites.

- If Not Previously Developed

Core Strategy Policy CS24 states that 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 housing on greenfield sites will only be developed in certain circumstances, including within or adjoining urban areas, as long as annual monitoring shows that there is less than a five year supply of deliverable sites.

Completions of properties have not reached the stated 12% and are closer to 5%. In addition, it is recognised that the site is within an existing urban area and there is also not currently a five year supply of deliverable sites.

In both scenarios it is therefore considered that developing the site for housing is suitably compliant with Policy CS24.

Local Nature Site

The site falls within a Local Nature Site with geological interest as identified by the UDP Proposals Map.

UDP Policy GE13 states that development affecting Local Nature Sites should, wherever possible, be sited and designed to protect and enhance the most important features of natural history interest.

GE13 goes on to state that where development would decrease the nature conservation value of a Local Nature Site, that decrease should be kept to a minimum and compensated for by the creation or enhancement of wildlife habitats elsewhere within the site or local area.

This particular site is an infill plot within an established housing area and was previously a covered reservoir which has been infilled. The only notable recognisable features relate to boundary walls and these are being retained within the development. It is therefore not considered that it is proportionate to consider further opportunities to create or enhance wildlife habitats elsewhere within the site or local area, although a new garden area is being created.

Given the above the development is considered to comply with the relevant sections of Policy GE13.

Design and Street Scene

Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF identifies what planning policies and decisions should ensure development achieves with respect to design this includes:

- They will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- They are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- They are sympathetic to local character and history, including the surrounding built environment and landscape setting.....

Paragraph 130 of the NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The part of UDP Policy H14 which is most relevant to design and street scene states that new development will be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped.

UDP Policy BE5 'Building Design and Siting' also provides design guidance stating good design and the use of good quality materials will be expected in all new and

refurbished buildings and extensions. Section a) within Policy BE5 also notes that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS74 'Design Principles' expects high quality development. Section e) for example states that developments should contribute to place making and are of a high quality.....

It is not considered that this part of Wheel Lane has a distinctive character; however; the majority of dwellings are elevated above street level. Bungalows, dormer bungalows and two-storey dwellings are read in context with the site. Approaches to design also vary with the dwellings directly adjacent being a traditional brick bungalow and a more contemporary dormer bungalow with a largely rendered finish. Garages at lower ground level which abut the highway are also a common feature on the street which impacts on the building line and the overall character of the area.

Due to the incline of the hill from east to west the majority of dwellings naturally stagger in height. However the height differences do not follow a rigid or consistent pattern. For example, due to previous extensions and land level differences, the ridge height of number 98 is significantly higher than neighbouring dwelling number 100. However the height difference between numbers 100 and 102 is much reduced.

The position of the new dwelling within the plot is consistent with the building line of Wheel Lane. The dwelling is positioned to the left of the site with an adjacent plot indicated for future development. This suggested subdivision of the plot is consistent with plot sizes on Wheel Lane and does not raise concerns with regards to the impact on the street scene.

A number of concerns have been raised with regards to the height of the proposed dwelling. However, given the varied appearance of Wheel Lane, it is not considered that the proposed dwelling would result in an overly dominant or intrusive feature in the street scene in this respect, even with an increase in ridge height of approximately four metres when compared to number 98, as similar changes in ridge levels exist in the immediate area of the site.

In response to points made in the neighbour representations and for clarity the following is also worth noting from a street scene perspective:

- Previously approved schemes for this site included a reduction in the ground level, notably within the 2009 application a lower ground floor garage was approved. It is not intended that land levels will be lowered within this proposal.
- The street scene elevations provided indicate that the proposed dwelling is approximately 900mm higher than a previous scheme on the site.
- The overall height of the proposed dwelling has not been reduced within the amended plans and remains as originally proposed.
- The local planning authority has assessed the proposal based on current land levels which have been witnessed on site.

In terms of design detail, the proposal includes front dormer windows which are a common feature in the street scene. While the design lacks a traditional front door,

on balance this is not considered reasonable grounds to refuse the application. The applicant has included a double height feature window in order to maintain an active frontage and break up the overall scale and massing of the dwelling, which is accepted, and overall the proportions and features of the frontage are considered to be an appropriate response to the context.

Rural style facing bricks are proposed as the main facing materials with black weatherboarding to the dormer cheeks, stone lintels and cill detailing is also proposed. The existing stone boundary wall to the front and sides of the site are to be retained. These proposed finishes are viewed as appropriate given the context.

It is also noted that the design and relative heights are very similar to the planning permission that was granted earlier this year (Ref: 18/00924/FUL). Whilst that decision was quashed, the reasons for it being quashed related to hardstanding in the Green Belt, not the proposed design and scale of the dwellinghouse.

Having considered the surrounding context and elements such as the use of high quality materials and features, the proposed design is considered to accord with Part 12 of the NPPF "Achieving well-designed places", including the paragraphs highlighted above. Furthermore the proposed building design and siting is considered to accord with the corresponding UDP and Core Strategy design policies and principles referred to above.

Concerns from local residents about design have been fully assessed but it is not considered that the proposed design is harmful and so a refusal on these grounds would not be warranted in your officers' view.

Landscape and Green Belt impacts

Paragraph 127 of the NPPF requires developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting.....

UDP Policy GE4 states that the scale and character of any development which would be conspicuous from the Green Belt should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

UDP Policy BE6 'Landscape Design' requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation to be removed or retained. Development should also try to integrate existing landscape features and also use native species where appropriate.

The site has previously been cleared therefore no trees or planting were identified during the case officer site visit which would be affected by the development. Mature trees to the rear of the site in the Green Belt are adequately distanced from the development; therefore their protection is not a concern of this particular application.

A number of representations received suggest that land levels on site have been altered. A number of case officer and enforcement visits, as well as reference to historical images, suggest that land levels have broadly remained unchanged over

the last nine years. The application must be assessed on the basis of the existing land levels.

Details of hard and soft landscaping on the site have been submitted which includes a lawn area, planting and laurel hedging to parts of the site boundary. It is considered that the details provided satisfy the requirements of UDP Policy BE6 and the implementation of the scheme would be covered by condition, if Members are minded to approve the application, including a requirement for 5 years maintenance of the landscaping.

The red line boundary has been amended across the plans confirming that no part of the Green Belt will be incorporated into the residential curtilage.

Although no development is proposed within the Green Belt it is acknowledged that the proposed dwelling will be conspicuous from the Green Belt land to the rear. The proposal relates to an infill plot on an established residential street. It is therefore considered that as the dwelling will be viewed in context of the surrounding dwellings it will not form an incongruous or intrusive feature when viewed from the Green Belt.

Officers are satisfied that the Green Belt boundary indicated is correct. This has been cross referenced with Unitary Development Plan maps.

Based on the above the development is considered to be suitably in keeping with the area and where possible has conserved and enhanced the landscape and natural environment. It is therefore considered to accord with the related local and national policies listed above.

Drainage

Drainage details submitted within the Surface Water Plan (revision C) show two small soakaways and areas of soft landscaping. These features, or an alternative drainage arrangement if deemed necessary, will be subject to approval at the Building Regulations stage.

Residential Amenity

Paragraph 127 within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

UDP Policy H14 states that new development will be permitted provided that the site would not be over developed and the development would not deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood.

It is noted that the neighbouring conservatory at 98 Wheel Lane is shown on the section plans and main site plans, but not on some of the other plans forming part of the application which have been submitted for the purposes of assessing matters other than the design and scale of the proposed dwelling, these being the surface water plan, wheel washing plan and landscape plan. Officers have been able to assess the impact of the proposed development on this neighbouring property on the

basis of the plans which do clearly show the conservatory. It is not considered essential for the conservatory to have been included on the other plans that relate to surface water, wheel washing and landscaping.

Although at this time a single dwelling is proposed it is acknowledged that the intention is for a future development directly adjacent. Nevertheless the site layout indicates that approximately 150 square metres of rear garden space will be provided even with a plot retained for potential future development. The siting of the dwelling respects the established front building line of Wheel Lane allowing for a sizeable front garden area. The proposal is therefore not considered to be an over development of the plot.

Three windows are proposed in the side elevations at ground level only. The window in the east elevation facing number 98 will be obscured and set off the boundary and this would be secured by planning condition should Members be minded to approve the application.

The openings in the west elevation do not serve main habitable rooms and are adequately distanced from number 94, the gable wall of which is approximately 20 metres away; therefore it is not considered that this neighbouring property will experience unreasonable reductions in privacy.

The alignment of the dwelling is similar to the neighbouring dwellings and therefore it is not considered that the proposed rear windows will lead to overlooking over and above what is expected and is considered acceptable in residential areas. Although Juliet balconies are proposed at first floor level; the principle is similar to that of a window opening as access is not permitted on to the flat roof. A condition will be attached to prevent any future use of the flat roof as a terrace, should Members be minded to approve the application.

Owing to 98 Wheel Lane being set at a slight angle a separation distance of between approximately 2.6 and 3.8 metres is achieved between the new dwelling and this neighbouring dwelling (98 Wheel Lane). Number 98 has been extended significantly including a raised ridge height, hip to gable extensions, dormer windows and a rear extension which projects approximately 3.4 metres. The rear extension is designed largely as a conservatory however the elevation facing the application site is formed of brick with high level windows. Number 98 does not have any other windows in its gable wall.

A topographical survey has been submitted and officers are satisfied that the levels and dimensions of the proposed new dwelling are both accurate and consistent with the topographical survey details.

The proposed dwelling at two-storey level will not project beyond the rear of the conservatory at number 98, therefore a 45 degree line will not be breached when taken from the closest rear facing window within this conservatory. Although this 45 degree 'rule' is a guideline within Sheffield City Council's Supplementary Planning Guidance: Designing House Extensions, so relates much more to house extensions, it is appropriate to employ it in this instance as a measure of acceptability given the

similarities in circumstance and as it sits within a document adopted by Sheffield City Council.

Concerns have been raised that given the height differences between the proposed single storey rear flat roof element and the conservatory at number 98 that it should be considered as a two-storey structure and as such the 45 degree 'rule' should also be applied here.

Owing to the changes in land levels the ridge height for this single storey rear flat roof element is indicated approximately 1.4 metres higher than the ridge of the conservatory at number 98. It is not considered that this level difference would require the single-storey element to be assessed against number 98 as a two-storey structure.

It is considered that, even with level differences taken into account, the approximate separation distance between the proposed new dwelling and number 98, which ranges between 2.6 and 3.8 metres, allows for an approximate 4.2 metre projection of the single-storey element of the development beyond the conservatory at number 98 to be deemed as acceptable. This separation distance will also ensure any impact on the garden area of number 98 will be within acceptable limits.

Due to the separation distances described above it is not considered that the proposal will lead to unreasonable over shadowing or overbearing/over dominating of number 98, even with the changes in land level accounted for.

The existing stone boundary wall between the application site and 98 Wheel Lane is not considered to be high enough to prevent overlooking across into number 98 from the proposed garden area. A section of solid timber boundary fencing along this side of the site is required in order to achieve a boundary treatment which totals 1.8 metres in height in order to address any issues of overlooking. It is proposed that timber fence panels will be attached to the top of the stone boundary wall to achieve a consistent height, as viewed from the applicant's land, along the boundary with number 98.

It is acknowledged that due to the difference in land levels the wall and fencing combined will appear higher at number 98. This will vary between approximately 2.1 metres and 2.8 metres as levels change across the site. The 1.8 metre high boundary treatment when erected on the application site would be standard boundary treatment which would accord with permitted development rights for the enclosure of land. Given this and the land level differences across the area it is considered that the impact would be similar to situations at neighbouring properties and it can be accepted.

There is an adequate separation distance, that being approximately 20 metres, between the gable wall of the new property and the corresponding element of number 94, to ensure undue shadowing and dominating will not occur to this neighbour, which does have windows in its gable wall.

Appropriate bin storage is indicated within the curtilage of the property close to the access lane. It is not considered that the proposed bin storage would impact on living

conditions at adjacent 94 Wheel Lane given that the proposal is for a single residential unit.

Given the above it is considered that the proposed dwelling accords with the NPPF and Policy H14 in terms of its amenity impact.

Highway issues

Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The relevant part of UDP Policy H14 relating to highways requires new development to have adequate on-site parking and safe access for vehicles and pedestrians.

Core Strategy Policies CS53 seeks to ensure that parking arrangements are adequate.

It is proposed that the existing access from Wheel Lane will be utilised. The access road is approximately 5.8 metres in width and is therefore considered to be sufficient for two vehicles to pass if necessary (and for construction vehicles to access the site). A distance of approximately 6 metres will be retained between the highway and the security gates in order to allow vehicles to pull clear of the highway when entering the site. Space is available for vehicles to turn around within the residential curtilage to allow vehicles to exit the site onto Wheel Lane in forward gear.

Congestion and highway safety concerns in this area are acknowledged, however it is not considered that the very limited number of vehicle movements associated with the development will lead to any unacceptable impact on highway safety and certainly not to any cumulative impacts on the road network which would be classed as 'severe', which are the NPPF tests in this respect.

Parking provision for three vehicles is indicated on the submitted plans. This meets the maximum parking standard for a five bedroom property as set out in the Council's latest Car Parking Guidelines published in August 2016. Limited on street parking is also available on Wheel Lane and achieving the maximum standard is viewed as acceptable as this will ensure any impact related to on street parking will be reduced.

In relation to points made in representations made by residents the following should be noted:

- With vehicles able to exit the site in forward gear it is considered that the proposal to utilise the existing access track is a safer option than the provision of a new front driveway which may require vehicles to reverse out into Wheel Lane. It is also considered that visibility is acceptable.
- It is not a planning requirement for a garage to be provided.
- It is not considered that the proposed development for a single dwelling will lead to any significant road safety issues at the nearby Creswick Lane junction.

- The private track is the only proposed access to the site. The applicant was asked to consider a separate pedestrian access to the front of the property however this was declined. There is no policy requirement to insist on this and it is not a reason in itself to resist the proposal.
- It is proposed that domestic waste will be taken down the track to the highway for collection. It is not considered that this limited pedestrian activity on the track will be a disamenity to occupiers of 94 Wheel Lane.
- Details of suitable wheel wash facilities for the construction phase have been submitted with the application (drawing number A(PL)-010), this would be conditioned if Members are minded to approve the scheme.
- Details of the proposed driveway drainage scheme have also been submitted on drawing A(PL)-015. These details are considered to be acceptable and will be conditioned if Members are minded to approve the scheme.

The proposed access and parking arrangements are considered to accord with the NPPF, UDP Policy H14 and Core Strategy Policy CS53.

Public Sector Equality Duty

The committee is obviously aware of the Public Sector Equality Duty in Section 149 of the Equality Act 2010 which requires public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and other prohibited conduct;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a protected characteristic and persons who do not share it.

Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Members should consider whether there are any circumstances which could lead them to conclude that the proposed dwelling house would have implications for persons with any particular protected characteristic to an extent that would impact on equality of opportunity between such persons and persons without that particular protected characteristic and if so what weight if any should be attached to that when making their decision and whether any other action needs to be taken.

Community Infrastructure Levy

The site lies within Housing Zone 3 where residential development is subject to a charge of £30 per square metre. The applicant has applied for a self-build exemption.

RESPONSE TO REPRESENTATIONS

The majority of the matters raised within the representations have been addressed in the above assessment. The remaining comments are addressed as follows:

A surface water plan has been submitted with this application which excludes any green belt land.

Amended plans have been submitted to address the discrepancy with the window in the east elevation. Details of the roof lantern have also been confirmed and are considered acceptable. Additional drawings and a topographical survey have also been provided clarifying levels information.

Amended plans have been received which address discrepancies in how the conservatory at number 98 has been represented. It is indicated that the single-storey element of the new dwelling will be approximately 1.4 metres higher than the conservatory ridge.

Notwithstanding previously submitted plans, officers consider that the revised plans are consistent and accurately represent the proposed scheme in relation to neighbouring dwellings.

Officers consider that a thorough assessment of the application has been possible based on the submitted plans and the site visit carried out. The application has been assessed against relevant planning policies.

It is accepted that there are differences between what has been previously approved on the site and what is currently being recommended for approval. The current proposal has been assessed on its individual merits.

Concerns have been raised that superseded drawings have been removed from the website. Plans relating to the current application are available within the online case file. Plans relating to previous applications are filed within their individual case files.

Reference has been made within the representations to the Design and Access Statement submitted by Sanderson and Weatherall in application 06/04610/OUT. This supporting submission does not form part of the assessment of this current application.

The erection of a single dwelling is proposed in this application. Issues and comments relating to a second dwelling are not material to this particular application.

If any development is taking place prior to determination of the application it is done so at the applicant's risk and could be subject to enforcement action.

A comment has been received with regards to the possible sale of the farmland to the rear of the site. This is not a material consideration in the determination of this planning application.

Issues relating to the length of the construction period are not something that could reasonably be resolved/managed for a minor application such as this.

There is no right to a view across another person's land within planning legislation.

Right to Light is governed by legislation which falls outside the planning process. This report has assessed the amenity impacts of the development on existing dwellings adjacent to the site.

Comments about permitted development rights being removed are acknowledged. A condition will be attached, should Members be minded to approve the scheme, revoking Schedule 2, Part 1 (Classes A to H inclusive) and Part 2 (Class A), of the General Permitted Development Order. This includes amongst other restrictions; extensions, outbuildings and new fences (although a boundary fence is needed between the site and 98 Wheel Lane and this is secured as part of this development).

Further comments received have also made reference to application 13/04217/FUL relating to works to 98 Wheel Lane which obtained planning permission in 2014. Comments have been made in relation to concerns the planning officer dealing with the application had about the increase in ridge height at number 98. When considering that application, the officer did raise concerns about the impact of the proposed roof alterations on the adjoining bungalow at 100 Wheel Lane, but those concerns related in part to overall design as well as height. When assessing that application the planning officer acknowledged that the roof alteration issues were finely balanced. They also stated that they were not convinced it would warrant a refusal. Whilst the originally proposed increase in ridge height at 98 Wheel Lane was not approved, an increase was still however justified within the officer report, with reference to the relationship of the proposals at 98 Wheel Lane with the previously approved scheme for two dwellings on the former reservoir site.

Concerns around communication between the Planning Service and neighbours have been noted. The planning officer has visited neighbouring dwellings and spoken to a number of local residents during the assessment of the application.

The Planning Service regrets that there have been a number of changes with regards to the committee date which have caused inconvenience to some.

Reference has been made to a number of planning applications over recent years on Wheel Lane. While consistency and precedent are considered within the planning process, each individual planning application is assessed on its merits.

Given the limited scale of the development, it is not considered that the associated increased traffic movements would impact on the structural integrity at number 94 Wheel Lane.

Within the representations it is stated that the 45 degree 'rule' as set out on Page 112 of the South Yorkshire Residential Design Guide (SYRDG) should be applied to this development. The SYRDG is not an adopted planning policy for Sheffield. Officers have however assessed the application against the 45 degree 'rule' as set out in the local planning authority's adopted Supplementary Planning Guidance: Designing House Extension and the proposed development does not breach that 'rule.'

Unfortunately there will be an element of disturbance associated with any development, and construction vehicles will form part of this. If Members are minded to approve the proposal a directive stating what Environmental Legislation deems to be reasonable working hours is to be attached to any notice as an informative.

The developer's financial situation does not have any bearing on this planning decision.

The LPA acknowledges that some residents who are opposed to the proposal have repeatedly expressed that they are not opposed to the general principle of development on the site. However that is irrelevant to the determination of the application that has been submitted.

Officers can confirm that all representations have been considered as part of the determination of the application.

SUMMARY AND RECOMMENDATION

All development within this application is contained within the designated housing area. No development is proposed in the Green Belt.

The assessment of the proposed development has been carried out in accordance with adopted local and national planning policy. The proposed development is considered to be in overall accordance with UDP Policies H10 and H14 relating to residential developments and the built environment.

Due to the use of high quality materials and features the proposed design is considered to accord with Part 12 of the NPPF "Achieving well-designed places". Furthermore the proposed building design and siting is considered to accord with UDP Policies BE5 and BE6 as well as Core Strategy design principles in Policy CS74. The overall scale and appearance is considered to be compatible in the street scene and will not detract from the character of the area.

Furthermore it is not considered that the development will deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood, including unreasonable reductions in living standards for neighbouring properties, it therefore accords with the corresponding sections of UDP Policy H14.

No matter if the site is classed as previously developed land or not, the proposals would comply with Core Strategy of Policy CS24 in this regard.

Whilst the density is lower than that recommended by Policy CS26, it is considered that a single dwellinghouse would conform to the general plot sizes in the locality so is in character with it. Policy CS26 for example allows for reduced density where local character needs to be protected.

It is concluded that the development is in accordance with the adopted policies of the UDP and Core Strategy and in compliance with the National Planning Policy

Framework. It is therefore recommended that planning permission be granted subject to the listed conditions.

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