
Case Number	18/02607/FUL (Formerly PP-07112188)
Application Type	Full Planning Application
Proposal	Erection of seven apartments in a three storey building with basement car parking and associated landscaping (amended description)
Location	Land At Rear Of 79 Dore Road Sheffield S17 3ND
Date Received	06/07/2018
Team	South
Applicant/Agent	Mrs Kate Gray
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:
 - Red Line Plan published on 30 January 2019 (Ref: 179/P/0.01/A)
 - Context Plan published on 24 January 2019 (Ref: 179/P/1.02/B)
 - Site Plans published on 30 January 2019 (Ref: 179/P/1.03/C & 179/P/1.04/C)
 - Lower Ground Floor Plan published on 30 January 2019 (Ref: 179/P/1.05/C)
 - Upper Ground Floor Plan published on 30 January 2019 (Ref: 179/P/1.06/C)
 - First Floor Plan published on 30 January 2019 (Ref: 179/P/1.07/B)
 - Second Floor Plan published on 24 January 2019 (Ref: 179/P/1.08/B)
 - Roof Plan published on 24 January 2019 (Ref: 179/P/1.09/B)
 - Tree Constraints Plan published on 30 January 2019 (Ref: 179/P/1.10/B)
 - West Elevation published on 24 January 2019 (Ref: 179/P/2.01/B)
 - East Elevation published on 24 January 2019 (Ref: 179/P/2.02/B)

- North Elevation published on 24 January 2019 (Ref: 179/P/2.03/B)
- South Elevation published on 24 January 2019 (Ref: 179/P/2.04/B)
- Section Plans published on 24 January 2019 (Ref: 179/P/2.05/B - 179/P/2.06/B - 179/P/2.07/A & 179/P/2.08/A)

Reason: In order to define the permission.

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

3. The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 3 litres/second should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to mitigate against the risk of flooding.

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

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

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

5. 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.

6. Large scale details, including materials and finishes, at a minimum scale of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before the relevant part of the development commences:
 - a) External walls associated with the undercroft car parking area/raised amenity area, including the material.
 - b) Windows, including reveals.
 - c) Doors.
 - d) Eaves, verges and parapets.

- e) Soffits.
- f) Rainwater Goods.
- g) Balustrades.
- h) Boundary treatments.

Thereafter, the works shall be carried out in accordance with the approved details.

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

7. Within three months of development commencing details of cycle parking accommodation serving the apartment block shall have been submitted to and approved in writing by the Local Planning Authority. The cycle store shall be secure and include a roof. Before first occupation the approved details shall be in place and thereafter such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

8. Before development commences a report shall have been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before development is occupied and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation of the development. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

9. No externally mounted plant or equipment, including rooftop plant, shall be fitted to the building unless full details thereof, including screening and acoustic emissions data as relevant, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment should not be altered.

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

10. A comprehensive and detailed hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority within three months of the development commencing.

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

Thereafter the soft landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

11. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

12. Within three months of the development commencing, details of privacy screens serving the balconies and external amenity space in the following locations shall have been submitted to and approved in writing by the Local Planning Authority:

- a) The southern boundary of the raised external amenity area set to the west of the apartment building.
- a) The southern side of the first floor balcony serving Apartment 6.
- a) The southern side of the southernmost second floor balcony serving Apartment 7.

Before first occupation of the development the approved details/screens shall be in place and they shall thereafter be retained.

Reason: In the interests of delivering a suitable form of development from an amenity perspective.

Other Compliance Conditions

13. None of the following roofs/external areas of the building shall not be used as a balcony, roof garden or similar amenity area and these spaces shall be accessed for maintenance only.

- a) With the exception of the Lower Ground Floor units, any roofs/external areas of the building serving the remaining apartments and which are set on the eastern elevation facing towards the Thornsett Gardens properties.

b) Any roofs/external areas of the building which are set on the northern and southern elevations facing towards Dore Road and Dore Lodge Gardens respectively.

c) The northern roof/external area on the western elevation associated with Apartment 7 and shown as 'No Access' on the approved plans.

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

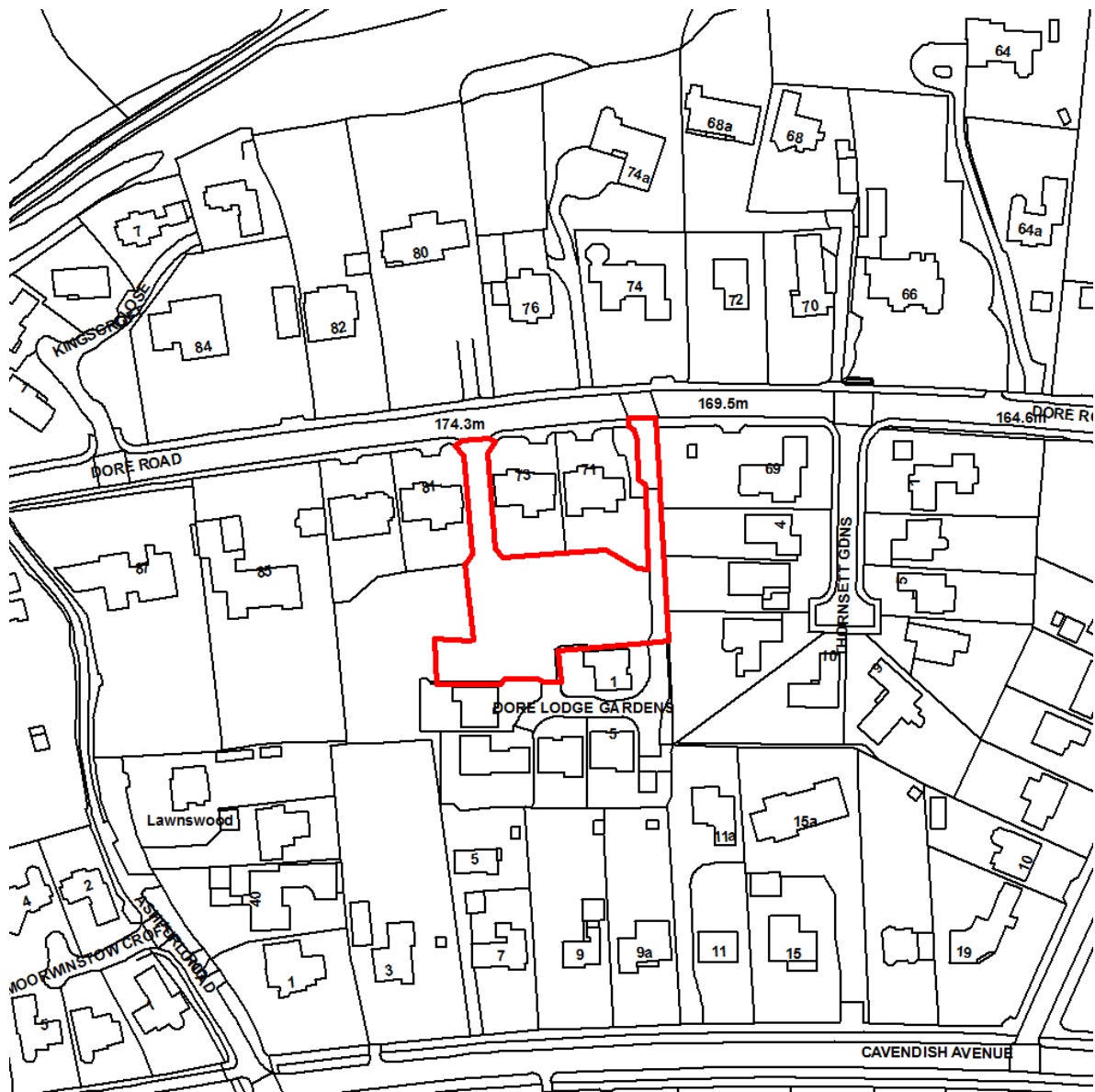
14. The hereby approved car parking accommodation within the site, as indicated on the approved plans, shall be provided before any unit is occupied and shall thereafter be retained for the sole use of the occupiers.

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. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
3. 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. 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.
4. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
5. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/coalauthority.

Site Location



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LOCATION

The application relates to a site of approximately 0.2 hectares in area, which is located in the Dore area of the city and is entirely within an allocated Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP).

The site is currently vacant and cleared, having previously been part of the curtilage of one large property. It does not benefit from a principal road frontage but does have an established vehicle access from Dore Road. In terms of topography the land falls from north to south and west to east.

The surrounding area has a strong residential character with housing set to the east across Dore Lodge Gardens, which acts as an access road to a small residential cul-de-sac of five houses that sits to the south. Dore Road is set to the north and separated from the application site by two recently completed detached houses. To the west of the application site is an additional area of cleared land, beyond which are further residential properties.

Three trees that are subject to Tree Preservation Orders (TPOs) are set within the application site and sit along the eastern boundary adjacent to the access road known as Dore Lodge Gardens.

PROPOSAL

The proposed scheme is for the erection of seven apartments (5 two bedroom and 2 three bedroom) in a single block that will range between two and three storeys and also provide additional accommodation within the roof space.

The proposal will follow a relatively traditional approach to the building form, including the incorporation of a pitched roof, but there are also some more contemporary elements such as larger windows within the principal elevations. The main external materials will be brick and stone and the roof is proposed to be slate.

Externally the proposal will see several apartments provided with separate amenity areas and further communal amenity is also provided on a podium to the west of the block. Vehicle and pedestrian access into the site is taken from the existing access point along Dore Road with 18 car parking spaces provided across the scheme. This car parking will be provided by an in part undercroft space that will sit below the podium amenity area.

RELEVANT PLANNING HISTORY

Permission was granted conditionally for 13 dwellinghouses under planning reference 08/04870/FUL. Approximately eight of these units would have been provided within the current red line with the remainder either provided on the land to the west or fronting Dore Road.

SUMMARY OF REPRESENTATIONS

There have been 20 representations received in respect of this application, following notification to residents of the original and later amended submission.

Those in Objection

17 representations have been received in objection to the proposals, including two from the Dore Village Society and these raise the following points:

- Detached family housing would be much more in keeping with the area.
- The height of the block should be substantially reduced as it is excessive for the plot and does not reflect adjacent housing.
- Approving this scheme would set a dangerous precedent for similar sites in terms of density and scale.
- The proposal is an overdevelopment of the plot and is out of character with the adjoining housing which reaches two storeys in height.
- The application does not follow the pattern of development previously approved for the site.
- The site is not well laid out and does not relate well to surrounding highways.
- The garage/podium would form an unsympathetic appearance from the internal street.
- The proposed density is excessive and should not be supported.
- The proposal would be a massive intrusion of privacy. Of particular note is the impact for the residents of Thornsett Gardens owing to the scale of overlooking created from the windows and balconies within the east facing elevation and this infringement also relates to neighbouring gardens.
- Amending the floor plans to place main living room windows in the west elevation and bedroom windows in the east elevation does go some way to alleviate overlooking, but this remains a notable issue.
- The eastern building line for the apartment block is closer to the Thornsett Gardens properties than was the case for the previous scheme on the site (approved in 2008 (08/04870/FUL)).
- Can screening be utilised to the balconies to aid with privacy issues.
- Following revisions the balconies on the east facing elevation will not have access to them, how will this be monitored in the future and how will these areas be maintained.
- The height and scale of the building will result in an overbearing and shadowing effect on the surrounding properties.
- No sunlight analysis has been submitted with the application.
- Removing trees on the eastern boundary would heighten the negative amenity impact as these create much needed screening for the Thornsett Gardens properties.
- Can trees be planted between the gable wall and 71 Dore Road so these residents are not looking at a blank gable wall.
- Vehicle access is proposed from Dore Lodge Gardens and this would result in increased traffic adjacent to residential boundaries. This would also result in this road having to be designed to adoptable standards.

- Dore is an area of high car ownership and as such the number of car parking spaces being proposed is completely inadequate and overflow car parking would be created onto Dore Road.
- Provision for service and emergency vehicles is inadequate.
- The passing place for vehicles is poor and will not function.
- The width of the access to Dore Road is not sufficient and is therefore dangerous.
- There is not public transport on Dore Road and as the walk to Dore Village is uphill car dependency is inevitable.
- It seems inevitable that the trees on the eastern boundary, which are subject to Tree Preservation Area, will be impacted negatively by the development and there will be pressure for ongoing works to these.
- There is no indication of the direction of mains services, particularly foul water drainage. The adjoining development has experienced problems in this regard having had to pump sewerage uphill for discharge along the access road.
- The submission does not show how the wider site would be redeveloped and therefore the impact of the development as a whole cannot be judged.
- This type of development was not what was promised when the residents of 83 Dore Road purchased their property.
- The Thornsett Gardens properties are not included on the submitted information and this includes showing these in section drawings.
- It has taken this developer several years to build four houses on the adjacent land and this is likely to take even longer with the associated disruption for existing residents being unacceptable.
- Questions have been raised as to the accuracy of the land ownership certificates.
- The residents of a property on Dore Road have highlighted the fact that another resident who lives elsewhere has made a representation claiming to reside at this property.
- The application was submitted when many neighbours are on holiday and therefore they can't comment on it.
- The proposal does not support or revitalise the local economy and does nothing to reinforce the neighbourhood and community.
- The scheme is advertised as a three storey building when in fact it is four storeys, this is misleading.

Those in Support

Three representations have been received in support of the proposals for the following reasons:

- The proposals are well designed and in keeping with the houses along Dore Road.
- The proposals will not impact on the residents of 73 Dore Road in terms of amenity.
- The proposals will benefit and support the local retailers of Dore.
- Hopefully the proposals will see young families move to the area.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Land Use

The site is located entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP). As such, the proposed housing use is preferred in accordance with Policy H10 within the UDP.

Housing Land Supply

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Development of Brownfield Land

The site is classed as previously developed (brownfield) land and the Council's Core Strategy prioritises development in such areas. The development is therefore considered to comply with Policy CS24.

Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land.

Policy CS31 (Housing in the South West) within the CS states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

The recommended density for a site such as this, which is within an urban area but more than 400 metres away from a District Shopping Centre or high-frequency bus

route, is between 30 and 40 dwellings per hectare, as set out in Policy CS26. This scheme achieves a density of approximately 34 dwellings per hectare, which is within the acceptable density range. As such the proposals are considered to comply with the above policies.

Design

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

Policy CS74 (Design Principles) within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

Scale & Footprint

There are a variety of house types, with regard to scale and massing, in the immediate area and this includes large detached properties set to the south of the application site and fronting Dore Road to the north. There are also smaller detached properties in the vicinity, including bungalows set to the east of the site fronting Thornsett Gardens.

In terms of the proposed scale and setting aside the lower ground floor level for the time being, the principle of a two storey building with accommodation provided in what would be a notable roof space is established in the vicinity, including by properties on the northern side of Dore Road for example.

As a result of the proposed land levels, when taking account of the lower ground floor the ridge height of the new building will only be approximately 600mm higher than the ridge height of the new properties that front Dore Road, which ensures the scale of the block will not feel unduly excessive in the context. In addition to this, the proposed building will be largely screened from Dore Road along with the other surrounding public highways by existing buildings and this offers some additional discretion to include a feature such as the lower ground floor.

In terms of footprint the proposed block is again similar to the larger detached houses fronting onto Dore Road, as well as several other properties in the area.

When the above factors are accounted for it is considered that there is suitable precedent in the area for the scale of the building being proposed and any visual impact will be largely hidden from main public highways because of the backland nature of the scheme.

Massing and Materials

The principal materials across the building are stone, brick and slate and all of these are used within the immediate context. This will include the facing material to the raised amenity space, the final details of which will be secured via planning condition.

A number of approaches have been employed to ensure the elevations are well articulated and the mass is suitably broken down. This includes projecting bay features, the utilisation of both stone and brick across the facades and generous full height window openings. The use of features such as bay windows and gable features also reflect buildings within the immediate context and this is welcomed.

In terms of form, the utilisation of mainly pitched roofs reflects the context with the smaller flat roofed 'wings' being subordinate features. There are elements of the form that do not achieve symmetry and therefore unbalance the principal elevations to a degree. However such elements are limited and this has been necessary to address concerns around amenity impacts on neighbouring properties.

It is therefore considered that the massing and materials utilised provide a suitably sympathetic response to the context whilst also achieving a welcome level of articulation.

Layout/External Areas

The building is located centrally within the site and this allows amenity space to be provided to both the front and rear of the block, which is to be utilised as both private and communal amenity space. This approach is reflective of the traditional layout for housing plots in the area and creates no concerns.

Sustainability

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

In relation to the requirements of CS63, the site is considered to be well served by sustainable forms of transport, being within approximately 800 metres of Dore Railway Station and the high frequency bus route that runs along Abbeydale Road

South. In addition, the scheme is located within an established urban area and will include sustainable drainage measures to reduce surface water run-off.

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

Until recently residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

The applicant has confirmed that the 10% target will be achieved across scheme and this is likely this will be achieved through the incorporation of air source heat pumps.

Overall, it is considered that the proposal meets the local sustainability policy requirements.

Highways

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.'

Policy CS51 (Transport Priorities) within the CS identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

Section d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

Vehicle Access

The access point into the site from Dore Road is already in existence and is considered to be designed to the required standards in terms of width and visibility splays in both directions.

The width of the access road itself is approximately 4.4 metres, with the minimum width for two cars to pass being 4.1 metres. It is also worth noting that given the

design of the access at its junction with Dore Road it is possible for two vehicles to pass, hence avoiding vehicles having to reverse onto Dore Road.

Traffic Generation

It is estimated that the vehicular traffic movements associated with the proposals would be in the order of 40 - 50 per day and this would not be considered a level of additional vehicular movement that would represent a material increase over and above the existing movements on Dore Road.

Pedestrian Access

The access road is designed as a shared surface and given the low number of vehicular movements likely to be associated with the development it is considered quite acceptable from a highway safety point of view to use a shared surface design.

It is also worth noting that the access is straight and visibility along its length is good, which reduces the potential for conflict between vehicles and pedestrians.

Car/Cycle Parking Provision

The scheme incorporates 5 two bedroom apartments and 2 three bedroom apartments. In accordance with Sheffield City Council Information Sheet Three: Car Parking Guidelines, the maximum parking standards for a two/three bedroom unit would be two parking spaces, with an additional visitor space provided for every four apartments, which would result in 2 visitor spaces in this case. The overall maximum car parking provision for this development would therefore be 16 spaces for residents and visitors.

This scheme actually provides 18 spaces, which slightly exceeds the maximum standard. However, as this ensures that any additional parking does not create undue issues on the surrounding highways it can be accepted.

A condition will be imposed to ensure details of secure cycle parking will be provided as part of the completed scheme.

Drainage/Flood Risk

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding. However, several measures will be incorporated to reduce surface water runoff by 30%, including the provision of soft landscaping.

Subject to complying with conditions, Yorkshire Water and the Land Drainage section consider these proposals as acceptable in principle and the scheme is therefore in accordance with Policy CS67.

Coal Mining Legacy

While a section of the site falls within the High Risk Area with respect to past coal mining activity, the proposed new building itself falls within a Low Risk Area. As such The Coal Authority has no objections to the proposals.

Access

Policy H7 (Mobility Housing) of the UDP has set standards for acceptable levels of mobility housing within residential development. However, as these standards are not part of an up to date local plan they have been superseded by the recently introduced Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time.

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout of the scheme itself level access is provided into the main entrance, mobility parking is provided in the basement and lift access is available within the building.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

Amenity of Future Occupiers

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.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

In relation to noise the site is surrounded on all sides by residential accommodation and therefore future residents will not be exposed to problematic sources of noise. Furthermore, owing to the past residential land use there are no land contamination matters that would need to be tackled as part of the construction phase.

Having assessed the submitted information in terms of internal layouts it is considered that occupiers will be afforded good living conditions in terms of space standards, outlook, light and privacy.

In relation to external amenity space several of the units will be provided with balconies or a small garden area, which is welcomed. However, the opportunity for balconies is restricted to an extent by the need to protect the residential amenity of adjacent occupiers. Residents will also have direct access to communal amenity space of an acceptable size.

Based on the above the proposal is considered to offer an acceptable level of amenity for future occupiers.

Amenity of Surrounding Residents

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.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

When approving new development an assessment needs to be made as to the impact on surrounding uses in relation to matters such as over shadowing, over dominating and privacy infringements. In this case such an assessment also needs have regard to changes in land levels.

Privacy

In respect to privacy there are no windows or balconies proposed in the northern or southern elevations facing towards the Dore Road and Dore Lodge Gardens properties and this is welcomed. In addition, the glazing facing west will look across the communal amenity area and then onto cleared land.

There are some windows within the northern section of the eastern elevation that could overlook a section of garden associated with 71 Dore Road owing to the rather awkward orientation of this plot. This has been guarded against through the existing boundary treatment and the use of an angled oriel window.

The windows facing east will look towards the rear gardens and rear elevations of the properties the front on Thornsett Gardens. These properties are set at a lower land level, with an approximate change of around 1.5 metres, and are of a smaller scale with number 6 Thornsett Gardens being a bungalow for example.

The lower ground floor windows within the proposed block will face onto an existing boundary fence and these do not cause any concerns. The closest windows within the upper floor will be in excess of thirty metres from the rear elevation of the Thornsett Road properties and over fifteen metres from the boundary, with other windows being set even further away owing to the staggered nature of the elevation.

This impact is not dissimilar to the established relationship created between 1 Dore Lodge Gardens and 8 Thornsett Gardens when the fact that the proposed building is set further to the west is accounted for to counter balance the difference in scale. It is also worth noting that during the course of the application the applicant has removed the balconies from the eastern elevation and reduced the amount of glazing, which is welcomed.

Any possible overlooking from the external landscaping/podium and balconies will be suitably mitigated through a combination of existing boundary treatments and privacy screens as appropriate.

Based on the above the proposals are considered to be acceptable from a privacy perspective.

Shadowing/Overbearing/Outlook

In relation to the shadowing, overbearing and outlook impacts of the apartment block on the rear elevations and gardens of the Thornsett Gardens properties, it is firstly noted that these existing properties are set to the east and at a lower level, with the difference in land level being approximately 1.5 metres. It is also noted that the ridge height of the proposed block will be approximately 10 metres higher than the ridges of some of the Thornsett Gardens properties.

To mitigate this impact on these existing properties the proposed block has been set away from their boundary by 15 metres as a minimum distance and is no closer than 30 metres from their rear elevations.

In addition and more specifically in terms of shadowing the South Yorkshire Residential Design Guide offers a useful point of reference to determine acceptability.

With this in mind, Section B1.3 identifies the 25 degree rule, which is defined by taking a horizontal line extending back from the centre point of the lowest window and drawing a line upwards at 25 degrees. All built development facing a back window should be below the 25 degree line to be considered to have an acceptable impact from a shadowing perspective. The plans submitted show that this 'rule' has been achieved.

As such these separation distances are considered as being sufficient to ensure unacceptable shadowing or overbearing will not be created and the outlook from the Thornsett Road properties will remain acceptable, even with the land levels and orientation accounted for.

In relation to the property to the immediate south (1 Dore Lodge Gardens) the rear elevation and rear garden of this property is set at a lower level and there are also several windows in the northern gable wall facing the application site.

Having considered the approved plans for this existing property it is clear the gable windows do not serve main habitable rooms with the floor plans indicating they service a utility room at ground floor and a dressing area and bathroom at first floor.

In terms of the impact on the rear windows of 1 Dore Lodge Gardens this existing property is set to the direct south, which means shadowing will not be created. In addition the main building will not breach a 45 degree line when taken from the closest rear facing windows of 1 Dore Lodge Gardens.

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.

The main block and podium of the proposal will however project beyond the rear elevation of 1 Dore Lodge Gardens and they may therefore impact on the garden of this neighbour, which is set at a lower level. However, these features will be set off the common boundary, the taller elements in particular, and a boundary fence already exists above the level of the existing garden, which acts as a visual block into the application site.

With respect to 71 & 73 Dore Road these properties are set to the north and are therefore most susceptible to shadowing impacts. It is also noteworthy that these properties are set at a higher level than the application site, this being around three metres in places. There are also substantial boundary treatments already in place in the form of a retaining wall and fence.

To suitably mitigate the impact on these existing properties from a shadowing, dominance and outlook perspective several steps have been taken with the most noteworthy being:

- The closest section of the block to the common boundary has been reduced in scale so that it sits only slightly above the top of the existing boundary fence.
- The taller element of this block is set approximately 16 metres from the rear elevation of the Dore Road properties.
- The 25 degree 'rule' as discussed above and set out within the South Yorkshire Residential Design Guide is complied with as shown on the plans.
- The roof will slope away from the Dore Road properties.

In addition to the above the areas of existing garden set closest to the proposed block will be the sections furthest away from the houses they serve, which includes an area to the east that is set at a lower level and associated with 71 Dore Road. As these are not what are traditionally classed as the most useable/sensitive part

of an external amenity area and as these gardens are reasonably generous in size any amenity impact on these spaces can be tolerated.

With the above in mind and when factors such as the difference in land levels and separation distances are accounted for, it would not be reasonable to refuse the scheme based on any shadowing, overbearing or loss of outlook impacts on the surrounding residential properties.

Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

The South Yorkshire Archaeology Service has confirmed that the site does not hold any archaeological interest.

Landscape/Trees

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodlands will be encouraged and protected. This is to be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

There are three trees that are the subject of Tree Preservation Orders located on the eastern boundary of the site and originally it was proposed to create two car parking spaces below the canopies of these trees with access taken from Dore Lodge Gardens. However, this created concerns in respect of the long term health of these trees and these elements have been removed from the scheme.

As a result the information provided now demonstrates that the building and associated excavations will not encroach into the Root Protection Areas (RPAs) and the existing land levels within these RPA's will see minimal alteration.

With the imposition of planning conditions to ensure suitable protection measures are in place during the construction phase officers are satisfied that these trees will be retained in good health.

In addition to the above the scheme is introducing new areas of soft landscaping on the site and this is welcomed. Based on these circumstances, the proposals are considered to be acceptable from a landscape perspective.

Ecology Considerations

Policy GE11 (Nature Conservation and Development) requires development to respect and promote nature conservation.

As the site is both vacant and cleared it is not considered that there are any ecology implications with respect to the development.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £80 per square metre.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

RESPONSE TO REPRESENTATIONS

A number of the points raised within the representations received in respect of this application have been addressed in the above assessment. The outstanding points are responded to as follows.

- Detached family housing would be much more in keeping with the area.

In response, there is no in principle objection with an apartment scheme on this site as this provides diversity in terms of housing stock.

- Approving this scheme would set a dangerous precedent for similar sites in terms of density and scale.

In response, each scheme is considered on its individual merits and the above assessment has demonstrated that the scale and density are not uncommon in this area.

- The application does not follow the pattern of development previously approved for the site.

In response, there is no requirement for this to occur and this scheme must be considered on its own merits.

- Following revisions the balconies on the east facing elevation will not have access to them, how will this be monitored in the future and how will these areas be maintained.

In response, a planning condition will be attached to ensure access is restricted to maintenance only. If breached the local planning authority have the discretion to enforce.

- No sunlight analysis has been submitted with the application.

In response, issues with respect to shadowing have been discussed in the above assessment and it was not considered proportionate to request a formal sunlight study.

- Can trees be planted between the gable wall and 71 Dore Road so these residents are not looking at a blank gable wall.

In response, tree planting is proposed in this area.

- Vehicle access is proposed from Dore Lodge Gardens and this would result in increased traffic adjacent to residential boundaries. This would also result in this road having to be designed to adoptable standards.

In response, access is no longer being gained from Dore Lodge Gardens.

- There is no indication of the direction of mains services, particularly foul water drainage. The adjoining development has experienced problems in this regard having had to pump sewerage uphill for discharge along the access road.

In response, generally speaking details of main services would be dealt with outside of the planning process. It is noted specifically in relation to drainage Yorkshire Water has not objected to the scheme subject to conditions.

- The submission does not show how the wider site would be redeveloped and therefore the impact of the development as a whole cannot be judged.

In response, it is not considered as necessary to consider the redevelopment of the site in its entirety as each application can be judged on its own merits.

- This type of development was not what was promised when the residents of 83 Dore Road purchased their property.

In response, this is a matter between the relevant parties and does not form a material planning consideration.

- The Thornsett Gardens properties are not included on the submitted information and this includes showing these in sections drawings with the development.

In response, this information has been provided and offered due consideration.

- It has taken this developer several years to build four houses in the adjacent land and this is likely to take even longer with the associated disruption for existing residents being unacceptable.

In response, the local planning authority does not control the length of time a development project takes to complete. Furthermore, disruption is an unfortunate consequence of such projects.

- Questions have been raised as to the accuracy of the land ownership certificates.

In response, these matters have been investigated and the red line plan adjusted appropriately.

- The residents of a property on Dore Road have highlighted the fact that another resident who lives elsewhere has made a representation claiming to reside in their property.

In response, this has been investigated and resolved.

- The application was submitted when many neighbours are on holiday and therefore can't comment on it.

In response, this application has been through two rounds of neighbour consultation and residents have had ample opportunity to comment.

SUMMARY AND RECOMMENDATION

This planning application is for the erection of 7 apartments in a single block that will reach three storeys in height and provide additional accommodation in the roof space. The scheme also includes an undercroft car park with an amenity area on the podium/roof above.

The block will generally follow a traditional approach to design, including the incorporation of a pitched roof, but also includes some more contemporary detailing. Overall it is considered that the scale and design of the block is suitably reflective of the context and it is supported.

The scheme is located within a Housing Area, redevelops a vacant site and falls into the acceptable density range. All of these are seen as positives.

The vehicle access to the site from Dore Road exists and meets acceptable highway safety standards, as does the internal site layout for both pedestrians and vehicles. The slight overprovision of car parking is not of concern as this will ease any possible parking pressure on surrounding highways.

Whilst the site creates challenges in terms of protecting existing residential amenity owing to issues such as changing land levels, it is considered that the correct balance has been achieved in this respect when factors such as standoff distances are accounted for.

The scheme will provide 10% of predicted energy through sustainable sources and will also ensure the three protected trees on the eastern boundary will be retained in good health.

As such the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

RECOMMENDATION

Grant Conditionally.