
Case Number	18/04599/FUL (Formerly PP-07457680)
Application Type	Full Planning Application
Proposal	Erection of 3 townhouses and detached dwellinghouse, and extension to two existing flats
Location	On The Brink Co-housing Community Ltd Brincliffe House 90 Osborne Road Sheffield S11 9BB
Date Received	10/12/2018
Team	South
Applicant/Agent	Tatlow Stancer Architects
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:

Proposed Site Plan Ref: 17999_19_REV A Scan Date 03 Apr 2019
Proposed Ground Floor Plans Ref: 17999_20_A1_REV A Scan Date 03 Apr 2019
Proposed First Floor Plans Ref: 17999_21_A1_REV A Scan Date 03 Apr 2019
Proposed Second Floor Plans Ref: 17999_22_A1_REV A Scan Date 03 Apr 2019
Proposed Elevations Ref: 17999_23_A1_REV A Scan Date 03 Apr 2019
Proposed Lodge Plans Ref: 17999_31_A3 Scan Date 10 Dec 2018
Proposed Lodge Elevations Ref: 17999_32_A3 Scan Date 10 Dec 2018

Reason: In order to define the permission.

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

3. Any intrusive investigation recommended in the approved Phase I Preliminary Risk Assessment Report (Phase 1 Geotechnical and Geo-environmental Site Investigation: Brincliffe House Ref 39272-001 Issue 1 (4.8.16) Eastwood and Partners) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

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

6. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

7. 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.

8. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Windows
Window reveals
Doors
Eaves
Railings

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

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

9. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

10. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

11. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

12. Notwithstanding the details on the approved plans, the location of the cycle store is not hereby approved. Before the proposed development is occupied, full details of the suitable cycle storage shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details before the relevant element of the development is brought into use and thereafter retained in accordance with the approved scheme.

Reason: In the interests of sustainable development, and to ensure protection to the Tree Root Protection Zones.

13. Notwithstanding the details on the approved plans, the location of the bin storage areas is not hereby approved. Before the proposed development is occupied, full details of the suitable bin storage shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details before the relevant element of the development is brought into use and thereafter retained in accordance with the approved scheme.

Reason: In the interests of sustainable development, and to ensure protection to the Tree Root Protection Zones.

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

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

15. Prior to occupation of the development hereby approved, details of two bat boxes and two bird boxes to be erected/installed on the buildings/trees within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of bio-diversity.

16. No demolition and/or 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 protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

17. The proposed new dwellings shall not be occupied unless all new areas of hardstanding are constructed of permeable/porous material. Thereafter the approved permeable/porous surfacing material shall be retained.

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

Other Compliance Conditions

18. The glazing in the first floor window on the elevation of the proposed lodge house facing north towards No. 12 Brincliffe Crescent shall be fully obscured to a minimum privacy standard of Level 4 Obscurity, the full details of which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved obscurity measures shall thereafter be retained and at no time shall any part of the glazing revert to clear glass.

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

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the proposed dwellings shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: To ensure that the traditional architectural character of the area is retained and there is no visual intrusion which would be detrimental to the amenities of the locality, in addition to an impact on nearby existing trees.

20. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

21. Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. 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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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. The applicant is advised that the Local Planning Authority has reason to believe that the application site may contain species and/or habitats protected by law. Separate controls therefore apply, regardless of this planning approval. You are advised to get the necessary licenses before any works on site are commenced.

Site Location



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LOCATION AND PROPOSAL

The application site relates to Brincliffe House, a large Victorian Villa which stands in mature grounds. At present the building is split into 12 units and is used as part of a shared community, with a detached coach house at the rear which provides accommodation for 1 additional unit.

The site is allocated as a Housing Area within the Unitary Development Plan, and also falls within the Nether Edge Conservation Area. The wider area is characterised by large properties that are set within large grounds and that are surrounded by mature trees and landscaping. The properties are generally set back from the road and behind strong boundary treatments. This site is slightly different to the immediate surrounding area as it is significantly larger than the immediate neighbouring properties and is set within grounds that reflect this.

The application seeks planning permission to erect 3 new townhouses which are intended to be located adjacent to the main building, make alterations to the existing dwellings within the main building and erect a detached dwelling towards Brincliffe Crescent. Amended plans have been received since the original application was lodged.

RELEVANT PLANNING HISTORY

A prior approval application was submitted for the 'Use of office building (Use Class B1 - Business) for residential accommodation (Use Class C3 – dwelling houses). Application No. 15/00151/ORPN:

Planning permission was granted in 2016 for the 'Demolition of detached garage and part of rear extension, alterations and extensions to building including roof extensions and provision of balconies to form 12 apartments and communal facilities, erection of two-storey detached building to form communal workshop/store/studio with apartment above with associated car parking and landscaping works. Application No. 16/01197/FUL.

There have been several smaller applications under S73/NMA routes to the original consent 16/01197/FUL, which sought minor changes (application numbers 17/01078/NMA, 17/02590/NMA, and 17/00839/FUL refer).

Planning permission was refused in 2017 for the erection of 3 dwelling houses. Application No. 17/01341/FUL. The details are discussed in the relevant sections below.

There have been a large number of applications approved for works to the trees within the grounds of Brincliffe House.

SUMMARY OF REPRESENTATIONS

Following the posting of site notices, and neighbour notification, 6 representations have been received. Issues raised in the objections include:

- All houses on this side of Brincliffe Crescent to its junction with Kingfield Road are large detached houses standing in large grounds. This contributes enormously to the spacious character of the Brincliffe Area.
- The proposed detached lodge will have an adverse impact on the separation space between the applicants existing building and its boundary, having a piecemeal erosion of the established principles, breaking the rhythm of the character of Brincliffe Crescent.
- The position of the lodge is where a greenhouse was, and this should not mean it's appropriate for a 2 storey building to be used as a dwelling. Its location appears random without consideration to the original house, the street scene or the conservation area.
- The design of the 3 proposed new houses does not respect the original Victorian house or the character of the conservation area, being completely out of character.
- The flat roof is out of keeping, with the design being architecturally incongruous. It does not follow the pattern of roof pitches, and is unsympathetic to the original Gothic design. The design needs to be changed to be the same height as the main building under pitched roofs.
- The third storey is completely out of keeping and will cause immediate issues overlooking neighbouring properties.
- The footprint of the new developments represent an over development of the site.
- There is concern about the number of trees which all have TPO's on them and are to be removed or severally pruned.
- There would be a loss of mature trees and wildlife implications.
- The site is too small to provide adequate amenities for any more residents, which includes families with young children.
- 2 additional car parking spaces per dwelling are noted, but the car parking for the entire scheme should be reviewed. Additional car parking should be provided, with Brincliffe Crescent being very narrow with insufficient parking for existing residents at present.
- All of the existing car parking spaces are fully utilised by private cars and two permanently sited motorhomes. Overspill parking is likely on Brincliffe Crescent, which narrows to a pinch point outside the site.
- The nursery at the Towers whose sole entrance and exit is directly onto Brincliffe Crescent which has recently been granted consent to increase the number of children attending, increase car parking pressure.
- There is already a problem for collection and storage of domestic refuse for the existing residents.
- All rooms in No. 12A Brincliffe Crescent, and both back and front garden will be completely overlooked.
- There will be overlooking from the upstairs windows of the 3 new houses facing in the direction of Brincliffe Crescent and any balconies/roof terraces towards No. 12A and 12B Brincliffe Crescent.
- The lodge building will have an overlooking effect on 7, 9 and 11 Brincliffe Crescent, especially due to its elevated position.
- There is not a significant difference between the current application and the previously rejected scheme (17/01341/FUL).
- The lodge house is moved forward of the building line at 12A and 12B Brincliffe Crescent, having an over dominance on the streetscape.

- The proposal does not follow the street pattern along Brincliffe Crescent, large properties having wide plots with identifiable space between the buildings.
- The proposal will sit in front of the main property, and will detract from the existing street scene and feeling of a spacious setting with mature gardens for this historically significant house. .
- If a lodge is acceptable in principle, this should be off Osbourne Road.
- There will be additional noise from more residents and traffic, especially from the entrance along Brincliffe Crescent.
- This disturbance from the development and during construction will impact on neighbours amenities especially an immediate neighbour with health problems.
- The development would set a precedent result in similar inappropriate developments, destroying the Brincliffe character area.
- The previous works on the site were very disruptive and took two years to complete, impacting on neighbouring properties through noise, dust, lighting etc.
- The question of financial viability of 'On The Brink' mentioned in the application, is not a matter of relevance to a planning application.
- If Sheffield City Council is minded to approve the principle, a smaller alternative design should be submitted. One that has very strong constraints on the construction details.

PLANNING ASSESSMENT

The main issues to be considered in this application are;

- The acceptability of the development in land use policy,
- The design scale and mass of the proposal, and its impact on the host building and the surrounding conservation area and street scene,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,
- The impact of the proposal upon the existing landscaping and ecology of the site.

- Land Use Policy

The application site falls within a Housing Area, and the principle of redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'.

Core Strategy Policy CS22 '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.

Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2019) and associated Practice Guidance further detailed work is required. We will

therefore be undertaking additional engagement with stakeholders before publishing our conclusions in a monitoring report. At this time decisions should therefore continue to be taken in light of the SHLAA Interim Position Paper (2017), which shows a 4.5 year supply of sites.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Core Strategy Policy CS24 'Maximising use of Previously Developed Land for New Housing' seeks to try and ensure that priority is given to developments on previously developed sites and that no more than 12% of dwellings should be constructed on greenfield land in the period up to 2025/26. It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds.

The provision of 4 new housing units on previously developed land represents a small but welcome contribution to housing supply in compliance with the aims of policy.

- Housing Density

Policy CS26 'Efficient Use of Housing Land and Accessibility' within the Core Strategy requires appropriate housing densities to ensure the efficient use of land. In this location, Policy CS31 'Housing in the South West' 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.

Policy CS26 'Efficient Use of Housing Land' sets out a recommended density range of between 30-40 dwellings per hectare for a site such as this, which is within an urban area but more than 400 metres away (as you would walk rather than as the crow flies) from a District Shopping Centre or high-frequency bus route.

Taking into account the 13 dwellings already on the site, (which is approximately 0.55 hectares), added to the 4 proposed in this application gives a density of approximately 29 dwellings per hectare. This is just about within the range set out in the policy and reflects the character of the area.

As such the proposal is in accordance with Policies CS26 and CS31 of the Core Strategy.

- Design and Conservation

Brincliffe House is located within Nether Edge Conservation Area which is a Designated Heritage Asset. Sheffield City Council has a commitment to the conservation of the character and appearance of this area which is supported by the addition of an Article 4. The Article 4 removes the majority of permitted development rights on domestic dwellings. This is particularly to control incremental changes to the elevations of a building facing a highway or area of open space. The Nether

Edge Article 4 was served on those properties within the conservation area which were identified as buildings of townscape merit such as this application building.

The Nether Edge Conservation Area appraisal demonstrates the importance of the large villas and the historic development of the wider Brincliffe Area. Brincliffe Crescent was one of the first streets to be laid out and these were developed gradually, generally on an individual basis in contrast to the larger estates around Kenwood and Nether Edge.

The generous plot sizes are recognised within the Conservation Area appraisal. It is also recognised that the character and layout of the area has been eroded in the past with sub division of plots. Brincliffe Crescent is identified as having the spacious character of the area eroded, and the implementation of the Conservation Area aims to prevent further deterioration of these important features.

Government guidance on Conserving and Enhancing the Historic Environment states that conservation of heritage assets should be appropriate to their significance. It states that significance derives not only from the heritage asset's physical presence, but also its setting. The property is a large Gothic Revival styled property set within large grounds and, although it has the grandeur and style found commonly within the conservation area, the setting of the building within large grounds is more unique. The grounds of the site and the grandeur of the building help identify how the conservation area developed. As such, the setting, architectural merit and the historic importance the building define the significance of the heritage asset.

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is backed up through UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

As the site also falls within the Nether Edge Conservation Area, Policy BE16 'Development in Conservation Areas' and BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' of the UDP are relevant. These policies require high quality developments which would respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, and which also seek to preserve or enhance the character of conservation areas and the cities heritage.

Chapter 12 of the NPPF(2018) requires good design, where paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively for making places better for people. Paragraph 130 requires that planning 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. Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally so long as they fit in with the overall form and layout of their surroundings.

The application seeks permission for the erection of 3 townhouses which are joined to the main building on the southern elevation. The part of the proposal has been designed as a contemporary flat roofed building, the massing of which now sits subservient to the main building, through the loss of the second floor. This allows the eaves to sit below those on the main building.

This majority of this area is currently hard stood, and with the proposed new building being set back significant from the principle front elevation (eastern elevation fronting Brincliffe Crescent), it's location, scale, massing and position are considered to respect the host building, and its setting. A light weight glazed link is proposed between the main building and the new building, with high quality natural stone proposed for the new houses. High quality detailing will be required in terms of window reveals, and this can be controlled through a condition on any approval, and the amended fenestration details allow the proposal to complement the existing building.

Permission was refused in 2017 for the erection of 3 dwellings within one building towards the eastern boundary of the site fronting onto Brincliffe Crescent. The refusal was on the grounds that the proposed building had a very wide, horizontal design approach. This was out of scale and character in the street scene, due to the proposed materials, built form, massing and detailing, as was also considered to adversely impact on the setting of the Victorian building.

Following on from intensive pre-application discussions, the design approach for the lodge building is now more in keeping with the style and proportions of a traditional gate house/lodge building. The position of the gate lodge building is on the existing area of hardstanding, with a scale of 1.5 storeys under a natural slate pitched roof, with a traditional bay, entrance porch and chimney. Whilst arguably a gate lodge may have been positioned towards the Osbourne Road entrance, its position in this application close to the Brincliffe Crescent boundary is acceptable. This amended design approach features natural stone, and its overall scale, massing and design is now considered acceptable, and does not dominate the principle elevation (eastern elevation), maintaining the general open character of the gardens, retaining much of the existing soft landscaping.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, (the conservation area in this instance), greater weight should be given to the asset's conservation. Paragraph 196 requires where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be outweighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The public benefit in this instance is the small contribution to the housing land supply.

The proposal is therefore complies to policies H14, BE5, BE16 and BE17 of the UDP, Core Strategy Policy CS74, and Paragraphs 130-131, 193-196 of the NPPF.

- Living Conditions.

In relation to the proposed developments, the closest neighbouring properties are No. 12 Brincliffe Crescent which is located to the north of the site, No. 12a and 12b Brincliffe Crescent which are located to the south of the site, the properties on the opposite side of Brincliffe Crescent (7,9 and 11) and the occupiers of the existing main building on the site.

UDP Policy H14 'Conditions on Development in Housing Areas' requires that (c) the site should not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood. Policy H5 'Flats, Bed-Sitters and Shared Housing' part (a) required that living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours. These are further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice detailed guidelines and principles for new build structures and their relationship to existing houses. These SPG guidelines include that two storey dwellings which face directly towards each other should be a minimum of 21 metres, and that rear garden lengths should be at least 10 metres, to ensure that privacy is retained. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window to prevent adverse overbearing and overshadowing.

The 3 new dwelling houses are located to the south of the main building. These are positioned approximately 20-25 metres away from the rear boundary with 12a, and 12b Brincliffe Crescent. No. 12a and 12 b are themselves located away from this boundary and are located over 35 metres away from the proposed buildings. The proposal would not significantly impact upon natural light and outlook currently afforded to No's 12a and 12b. The windows are over 25 metres away from the boundary which is more than recommended guideline between facing windows which is considered acceptable. Roof terraces are proposed to the second floor of each of the 3 new dwellings which are accessed internally. Again, these are located over 25 metres from the boundary with No. 12a, 20 metres to the boundary with No. 12b. Whilst these roof terraces are elevated, it is not considered with these distances that they would create a level of adverse overlooking which would cause a detrimental level of overlooking to occupiers of these nearby properties.

The proposed lodge building is located approximately 7.8 metres away from the boundary to the north, closest to No. 12 Brincliffe Crescent. No. 12 itself is located away from this shared boundary with an access driveway serving the property behind at No. 10, along the boundary. It is not considered that the proposal will give rise to any unacceptable overbearing or overshadowing to occupiers of No. 12. Windows are limited to a kitchen window on the ground floor, a single window at first floor level which serves a bathroom, and a roof light serving the bedroom at high level. The bathroom window can be conditioned for obscure glazing, and as such it is not considered that the proposed lodge building will create any adverse overlooking to occupiers of No. 12. There is a distance of approximately 24.5 metres to the boundary between the proposed lodge building and the southern elevation with No. 12a. This is considered sufficient distance to ensure no adverse overbearing, overshadowing, or overlooking will be created to occupiers of No. 12A. Likewise, there is over 30 metres between the existing main Victorian building and the proposed lodge building, maintaining adequate distances to protect amenities. The

properties on the opposite side of Brincliffe Crescent are sufficient distance away from the proposal with the public highway running between them, and it is not considered that any adverse amenities issues are created to occupiers of these properties.

All other properties are sufficient distance away from the proposed building, and therefore there will be no detrimental impact on occupiers of these adjacent properties.

Both existing occupiers of the main building and immediate neighbours will inevitably see an increase in residents on the site, but the noise and disturbance generated will not be a detrimental level. Some internal alterations/modifications are required to the units where the proposed extension is intended to be located. Whilst occupiers won't enjoy the same level of outlook as currently afforded to them, the outlook remains at a reasonable level.

The site has large grounds, which will provide sufficient shared amenity space for occupiers of both the proposed and the existing units on the site, with many of the units having small private areas/balconies/terraces.

Therefore it is considered on balance that the proposed development, will not impact on the amenities of occupiers of neighbouring properties, the existing occupiers of the main house, or future occupiers of the proposed units. The scheme accords with Policies H5, and H14 of the UDP.

- Highways

Policy H14 'Conditions of Development in Housing Areas' (part d) requires a development to provide safe access to the highway network and provide appropriate off-street parking and not endanger pedestrians. This is reinforced through Policy H5 'Flats, Bed-Sitters and Shared Housing', which requires at part (c) there would be appropriate off-street car parking for the needs of the people living there. The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling.

The proposal includes a total of 14 parking car parking spaces within the site. The applicants have submitted a travel plan which details how more sustainable methods of transport are promoted. Whilst the 14 parking spaces demonstrates a short fall from the 1-2 spaces normally required per unit, it is considered acceptable in this instance. There are also further hard surfaced areas, not formally proposed as parking spaces, and these would be potentially used during periods when further cars were present at the site. The proposal would not be considered to lead to additional on-street parking which would severely undermine local highway safety.

On this basis, the proposal would be considered to meet the relevant aspects of H14.

- Landscaping Issues

Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. This is supported through Policy BE6 'Landscape Design' which seeks at part (c) to integrate existing landscape features in the development including mature trees and hedges.

The conservation area appraisal states that the Nether Edge Conservation area is one of a number of residential areas that help give the City its distinctively green quality. In the general appraisal of the area the dominance of trees and wooded appearance of the area is recognised and noted as a means of softening the urban forms of the area.

The proposal seeks to remove 4 trees and undertake some pruning works, and details in the Tree Protection Plan. These are situated within the main body of the site, so have limited visual amenity to the wider public, and the landscape Officers have confirmed that the loss of the relevant trees can be tolerated.

A condition on any approval can ensure that suitable details of tree-protection plans are provided including a method statement for any construction works within the root protection zones. This includes the position of the bin storage area and cycle area which are not considered acceptable in this location so close to the retaining trees and within the root protection areas. A condition can ensure that a more appropriate location is provided.

- Ecology Considerations

Policy GE11 'Nature Conservation and Development' of the UDP requires development to respect and promote nature conservation.

An ecological survey has been carried out on the site recently which identifies that whilst there are protected species which forage within the site boundary, it is apparent on site that these species are not living on the site.

Overall, it is considered there are no ecological constraints on the proposed development. To ensure that the scheme achieves ecological enhancement and therefore complies with NPPF paragraph 170, conditions requiring the inclusions of mitigation measures in the final development (as recommended in the report submitted), including at least 2 bat boxes and 2 bird boxes are installed in suitable locations on trees and or within buildings within the site.

- Flood Risk and Drainage

The site does not fall within a high or medium risk flood zone that would affect the principle of the development, and as such does not require a Flood Risk Assessment to be carried out.

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. In this instance, any new areas if the areas of hardstanding could be constructed from a porous material, which would restrict surface water run-off, and this can be controlled through a relevant condition to any approval to ensure any alterations are to a minimum.

- Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. The application site lies within CIL Charging Zone 3 with the charge for this development being £30 per square metre.

RESPONSE TO REPRESENTATIONS

The majority of issues raised through the representations are discussed in the above report. Those which are not, are addressed in the section below.

- Issues with deeds, and covenants are not planning issues.
- Issues relating to noise and disturbance are an unavoidable consequence of construction. A development of this scale will need to adhere to separate Environmental Health legislation.

SUMMARY AND RECOMMENDATION

The principle of erecting 4 additional units on the site is considered acceptable in land use policy terms and represents efficient use of land, in a sustainable location and would make a small contribution to the city's housing stock. The proposals are considered to have an acceptable impact upon the character of the immediate street scene, the host building and the surrounding conservation area. It is considered that the development would avoid any implications in highway safety terms, does not have a detrimental impact on the amenities of occupiers of neighbouring properties, or future occupiers of the proposed dwelling, and does not create any landscape or ecology issues.

Therefore planning permission is recommended for approval subject to relevant conditions.

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