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Case Number	19/02127/FUL
Application Type	Full Planning Application
Proposal	Demolition of garage and erection of a dwellinghouse
Location	7 Chantrey Road Sheffield S8 8QU
Date Received	05/06/2019
Team	South
Applicant/Agent	Paul Goudge Design
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:

Location Plan received 05th June 2019  
Amended Drawing published 20th September 2019 (ref: 4344/2/19 revision B)  
Site Elevations and Landscaping Layout received 27th September 2019 (ref: 4344/3/19 Rev A)

Reason: In order to define the permission.

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

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

3. The dwellinghouse shall not be occupied unless the front forecourt areas of the site are constructed of permeable/porous surface materials and sub base, or utilise measures to ensure surface water drains to areas of vegetation within the site. Thereafter the approved permeable/porous surfacing material and sub base, and surface water drainage measures shall be retained.

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

4. 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.

#### **Other Compliance Conditions**

5. 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 dwellinghouse shall be constructed without prior planning permission being obtained from the Local Planning Authority.

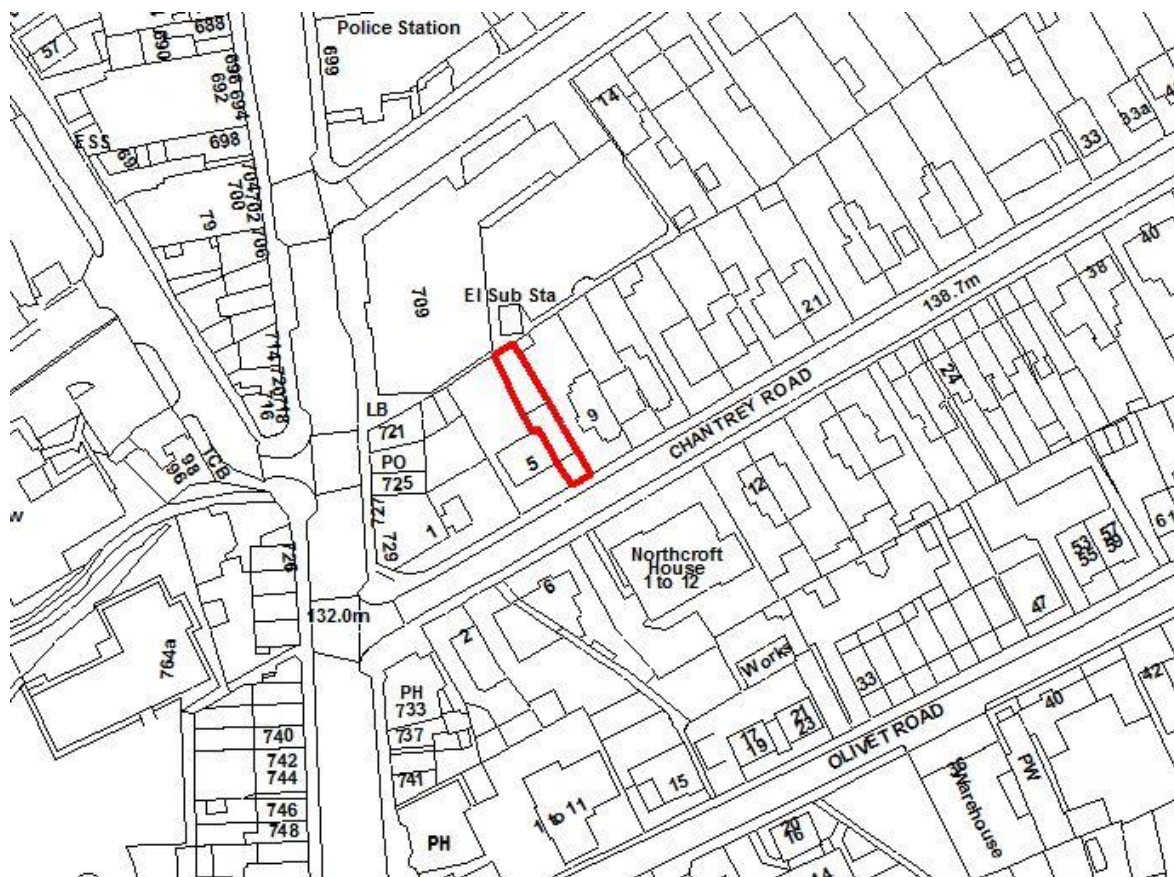
Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

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.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

# Site Location



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## LOCATION AND PROPOSAL

The site lies within a Housing Area as defined in the Unitary Development Plan (UDP). The surrounding area is characterised by a mixture of building styles and designs which are predominately in residential use, however District Shopping Area on Chesterfield Road is approximately 40m away and a commercial site at Pyramid Carpets shares the rear boundary with the site. Pyramid Carpets has recently been granted permission in 2017 for a change of use to 14 apartments on the upper floors.

The application site currently comprises a flat-roofed single storey garage/storage building. This structure is physically attached to the neighbouring dwelling, 5 Chantrey Road though is used by a third party, and runs flush with the front building line facing the highway.

The street scene consists of a mix of detached, semi-detached, and terraced two/three storey dwellinghouses and an apartment block directly opposite the application site. The buildings along Chantrey Road vary in age, built form, character and materials with no prevailing architectural style.

Planning permission is sought for the demolition of the existing garage and the erection of a single storey dwelling house of similar proportions in its place, with a driveway and off road parking to the front.

### RELEVANT PLANNING HISTORY (optional)

09/02578/FUL - Erection of a dwellinghouse.  
Refused 30.09.2009. Appeal dismissed

This application was for a two storey dwellinghouse and off-street parking bay. The application was refused as it constituted a cramped form of development in a site of restricted dimensions which would be detrimental to the character of the street scene. It was also considered to be an overdevelopment of the site and would result in overbearing to nos. 5 and 9 Chantrey Road. The proposed design of the dwellinghouse by reason of its scale, detail, fenestration and close proximity to no. 5 Chantrey Road gave the appearance of a semi-detached dwelling and was felt to be injurious to the character of no. 5 and the visual amenities of the locality and therefore was contrary to policy BE5 and H14 of the UDP and CS74 of the Core Strategy.

At appeal the case was dismissed by the Inspector who considered due to the proposal connecting to no. 5, it would create a mismatched semi-detached pair of houses that would disrupt the rhythm of the older houses. The new house would appear cramped and incongruous directly adjoining the existing, well proportioned, detached house. For this reason the new house would detract from the character and appearance of no. 5 Chantrey Road and the street scene along this length of Chantrey Road.

The Inspector also noted no.9 has a living room window in its side elevation, and the new house would dominate the outlook from that room and have an overbearing effect upon the living conditions of no. 9. Because of its size, position and the

location of windows in houses on either side, the new house would have been overbearing and would significantly detract from the outlook and living conditions of the immediate neighbours.

## SUMMARY OF REPRESENTATIONS

A petition with 26 signatures was received objecting to the proposed dwelling and raising the following points:

- Chantrey Road is one of the worst streets for parking and general traffic and pedestrian access.
- People are forced to park on the pavements either side of the road, leaving little room for pedestrians in order not to block the street for road users.
- We believe the new property will result in more problems for local residents and hope you will not approve the proposed development.

Councillor Ian Auckland has made a representation in respect of this application which raises the following points:

- The existing garage has been tidied and is a rather bland and unexceptional garage which has the appearance of being an 'add on' to no. 5 but is not sympathetic to the main house. The existing garage is unobtrusive and has a certain anonymity in terms of impact on the immediate streetscape and visual amenity.
- The reasons for the previous refusal have not been sufficiently mitigated.
- The proposal would constitute a cramped form of development which is detrimental to the character of the street scene.
- Running uphill from Chesterfield Road is a mix of house types of different ages and designs.
- The dwellings at the lower end of the street on the North side including nos. 5 and 9 form an attractive group. The connection of the proposed house would create a mismatched semi-detached dwelling which disrupts the rhythm of the houses.
- Being single storey does not overcome this mismatch and conflicts with the requirement that new development should be well designed and compliment the scale, form and architectural style of surrounding buildings.
- It is appreciated that 'new' should not always mean replicate the old; a degree of novelty and innovation in the proposal should not make acceptable a plan to turn a garage into a home.
- If granted, Permitted Development Rights should be removed from the property.

Four representations were received from members of the public, 3 of the comments object and 1 is neutral, all of the comments are from people living locally.

Planning Issues Raised:

- The area needs to retain green areas for wildlife and to 'soak up' rainfall. With more houses being converted into flats or more occupancy it is adding stress to facilities that don't appear to have been adapted.
- The new dwelling does not look in keeping with the surrounding houses; it should blend into what is largely a Victorian Road. The proposal will appear attached to no.5 Chantrey Road which is a detached dwelling. Once permission is given for conversion, it sets the precedent that it may expand further in future and lead to loss of privacy.
- The garage acts as a boundary wall to no. 5 and its demolition will temporarily lead to loss of privacy until the new dwelling is constructed.
- Previous applications for a dwelling on this site have been refused by local and central government on grounds of insufficient amenity between nos. 5 and 9 Chantrey Road.
- A lack of parking spaces was a factor in denying previous applications to expand on this site. Since the last application there has been a huge increase in traffic in this street. Chantrey Road is very narrow, and cars park on the pavement which results in people with prams or in wheelchairs having to use the road. Parking issues will be compounded by the conversion of Pyramid Carpets to 14 flats on Newlyn Road.
- The proposal will reduce the privacy of adjacent dwellings.
- Out of the 15 neighbours notified, 12 are in a block of flats for the elderly and vulnerable and may not have access to a computer to comment. There are other neighbours in close proximity to the site who I believe should have been notified.
- It will add even more stress to the drainage/sewerage system; the drainage system on the street seems over-stretched and inadequate with nearby cellars flooding.

#### Non-Planning Issues Raised:

- The recent alterations made to the garage have resulted in no. 5's cellar flooding through the wall rather than the cellar floor.
- Issues relating to noise as a result of the proposals are still relevant today.
- The proposed demolition of the garage will impact the boundary wall with no. 9 and will destroy a range of plants including fruit trees which cost several thousand pounds and was carefully planned as a miniature eco system and is now threatened.
- The proposal will devalue the property at no. 5 Chantrey Road.
- The occupants of no. 5 will not be able to access the gable of the building for repairs etc.

#### PLANNING ASSESSMENT

The main issues to be considered are whether the principle of the development is acceptable in land use policy terms, the design of the proposal and its impact on the surrounding street scene, the effect on future and existing occupiers and whether suitable highways access and off-street parking is provided.

- 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'.

Paragraph 11 of the NPPF stipulates that housing applications should be considered in the context of the presumption in favour of sustainable development and, that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Local Planning Authority is in the process of updating its five year housing land supply position but given the changed assessment regime identified in the NPPF (2018, as updated in 2019) and associated Practice Guidance, further detailed work is required. The Local Planning Authority will therefore be undertaking additional work to reflect the requirements of national policy and guidance, before publishing conclusions in a monitoring report (expected later this year). At the current time, the Council cannot demonstrate a five year supply. The Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites, and this includes the appropriate buffer. Consequently the policies that are most important for determining this application are automatically considered to be out of date.

The issue of a shortage in housing land availability is a material consideration which supports the principle of residential development at this site and the proposal would provide a small but helpful contribution to the local supply of housing land, in a sustainable location.

Policies CS23 and CS24 of the Core Strategy seek to ensure new housing is located in sustainable, previously developed locations within or adjoining the main urban area of the city.

The site is within an existing urban area and sustainably close to a regular bus route and within walking distance of local schools and services.

As a garage/storage building occupies the plot, this parcel of land is classed as previously developed land, the development of this small urban brownfield site to replace the garage with new housing complies with the aims of policies CS23 and CS24.

In addition, it is noted that the conversion of the storage/garage B8 unit to C3 dwellinghouse can be carried out via the prior notification process under Class P, Part 3, Schedule 2 of the General Permitted Development Order.

There are therefore no land use policy reasons why the development should be resisted.

#### Density of Development

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy requires housing developments to make efficient use of land, but that it should be in keeping with the character of the area. In this location, near to high frequency bus

routes in the urban area, the policy identifies that a density of 40-60 dwellings per hectare would be appropriate. Densities outside of the appropriate ranges will be allowed whereby they achieve good design and reflect the character of an area.

This proposal is for 1 dwelling on a site which is 0.013 hectares in area and would represent approximately 76 dwellings per hectare. In this instance the site has limited dimensions which have the effect of increasing the density. However the site can comfortably accommodate the dwelling.

- Design Issues

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

Chapter 12 of the NPPF requires good design, whereby paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively for making places better for people.

The site currently comprises a flat-roofed single-storey garage that has recently been modernised. The structure is physically attached to the neighbouring dwelling no. 5 Chantrey Road and runs flush with the front building line facing the highway. The street scene consists of a mix of detached, semi-detached and terraced dwelling houses, with an apartment block directly opposite in a wide variety of architectural designs, sizes and ages. Within the immediate vicinity red brick is dominant although there is some render evident. Front boundaries are low brick or stone walls with hedging/shrubs above.

This application proposes a single storey dwelling taking a contemporary form. The footprint of the dwelling is similar to the existing storage/garage building and maintains the same width as existing. The dwelling has been designed to have a single storey elevation to reflect the existing building so that it does not impact on the built form of the locality. This is a positive response to the previously refused and appealed scheme which contained a two storey form.

The proposed dwelling would be 0.6m taller than the existing garage and would project further to the rear by approx. 1.3m. The overall proportions are considered to be similar to the existing garage. Additionally the dwelling maintains the existing building line.

Whilst it is accepted that there aren't any flat roof buildings in the immediate area, the scale and massing of the dwelling reflects that of the existing garage and a flat roof is considered an appropriate feature of this contemporary form.

The current appearance of double garage doors would be replaced with a front entrance door and two narrow windows of similar height to the front door. The materials are proposed to be 'Atlas Smooth Blue' facing brick to all elevations with



anthracite/grey cladding around the front entrance door as a visual contrast to the neighbouring properties.

Although red brick is the dominant local material, this approach is also considered appropriate, in order to ensure the dwelling is read as a stand-alone building of contemporary form, visually distinct from no.5 which it adjoins. The alternative of an attempted replication of details, and materials of neighbouring properties would have resulted in a squat dwelling, 'bolted' onto it's neighbour, out of scale with neighbouring properties and that would have read falsely as a an addition to no.5.

The width of the plot is approximately 4.6m wide fronting onto Chantrey Road. Within the surrounding context, nos. 13 and 20 through to 32 Chantrey Road have similar plot widths, albeit there are dwellings in the vicinity, particularly immediate adjacent to the applicant site which are wider.

The plans show the existing forecourt to the front of the dwelling is to be retained and an existing gate to be removed to allow for a vehicle to park on the forecourt. This is a common feature along the street and reflects the current arrangement.

Overall, the buildings are well designed and whilst they do not replicate the existing neighbouring buildings, they are considered to sit comfortably within the street scene. Subject to satisfactory building materials being used, a good quality scheme can be achieved and the proposals will comply with Policies BE5, H14, and CS74 and the NPPF Chapter 12.

#### - Living Conditions

Policy H14 part (c) and (d) requires that new development in housing areas should not cause harm to the amenities of existing residents. Paragraph 127 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. 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.

#### Impact on Neighbouring Occupiers

The closest neighbouring properties are No. 5 Chantrey Road located to the South West, and no. 9 Chantrey Road to the North East. To the North of the dwelling is a commercial unit which is to be converted into 14 flats. Directly opposite to the South is a block of flats.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes. These guidelines include that rear garden lengths should be at least 10 metres, to ensure that privacy is retained. Single storey extensions should project no more than 3m to prevent adverse overshadowing and over bearing of neighbouring dwellings.

The above guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

No. 5 Chantrey Road is positioned immediately to the South West of the proposed dwelling. There are no side facing windows proposed in the new dwelling that are likely to affect either neighbouring property. Rear lounge windows face down the garden. The garden is screened by an existing brick boundary treatment approximately 1m high. As the boundary wall is existing and currently allows for high levels of mutual overlooking between the applicant site and both no. 5 and 9 Chantrey Road it is considered the proposal will not create any adverse overlooking to adjacent occupiers.

The main habitable windows in No. 5 are positioned in the front and rear of the property. An existing wall and shed situated next to the existing garage/storage will ensure the rear window of number 5 will not experience unreasonable overbearing or over shadowing.

Number 9 Chantrey Road is situated away from the boundary with a staggered side elevation the separation is between approximately 2.9m and 3.8m. Taking into consideration that the dwelling will increase the height by approximately 0.6m and has a flat roof, the separation is considered sufficient to ensure no unreasonable overbearing or over shadowing of ground floor windows is experienced as a result of the new dwelling. This has overcome the concerns the previous two storey proposal raised.

It is recognised there may be some loss of direct sunlight to the driveway and some of the rear garden of number 9 in the late afternoon, but this will be similar to the existing building, and in this instance it is not considered to be to an unacceptable level.

All other properties are sufficient distance away from the proposal so that they are not adversely affected by the development.

#### Amenity for Future Occupiers

The proposed dwelling is considered to provide a good outlook from main habitable rooms, providing reasonable quality living accommodation for future occupants. The rear garden area provides approximately 53 square metres of private useable amenity space. This does comply with the guidelines in the SPG and SYRDG which require minimum garden size of 50 square metres for a two or more bedroomed house.

It is considered that the proposed development would not adversely impact on the amenities of existing occupiers to an unacceptable level, or on occupiers of the proposed new dwellings. Accordingly, the proposal complies with UDP policy H14 and paragraph 17 of the NPPF.

#### Highways Considerations

Policy H14 (part d) requires a development to provide safe access to the highway network and provide appropriate off-street parking and not endanger pedestrians.

Paragraph 103 of the NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling, focussing significant development in locations which are or can be made sustainable.

Paragraph 108 requires that safe and suitable access to a site can be achieved for all people, and para. 109 states that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety.

The existing garage/storage at 7 Chantrey Road contains car parking with one off street parking space. This is repeated in the proposal and in this location, this level of off-street parking is considered appropriate for a small 1 bedroom dwelling.

The off street parking relies on cars entering or exiting the site by reversing out onto Chantrey Road. Whilst it is acknowledged that this is a busy side road used by customers visiting shops along Chesterfield Road, there are similar scenarios either side of the application site whereby cars have to either reverse from or onto Chantrey Road, and therefore the risk to highway safety is not considered to be severe. The site is located within a sustainable location, and there are a number of bus stops within walking distance of the site and commercial facilities nearby on Chesterfield Road.

The proposal complies with Policy H14(d) and the NPPF.

#### Landscaping/Ecology

Policies GE11 and GE15 seek to protect existing trees and woodlands and promote nature conservation. However, the site does not contain any significant features in this regard.

The proposal indicates garden and planting areas and a condition will secure an acceptable scheme.

#### 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 block paving is proposed and a condition can ensure that a permeable sub base is employed or that surface water drains to soft areas within the site.

#### 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 4 with the charge for this development being £50 per square metre.

### Response to Representations

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

- Issues relating to flooding to adjacent dwellings, maintenance of neighbour dwellings, damage to neighbouring gardens and devaluation of neighbouring properties are not planning considerations.
- Owing to the restricted dimensions of the site, a condition removing Permitted Development Rights is considered appropriate.

### SUMMARY AND RECOMMENDATION

The principle of demolishing an existing garage/storage and erecting a dwelling on the site is considered acceptable in land use policy terms. The amendments secured to the proposal have resulted in a development that is considered to have an acceptable impact upon the character of the immediate street scene and wider area. It is considered that the development would avoid any implications in highway safety terms, and does not have a detrimental impact on the amenities of occupiers of neighbouring properties.

The proposal would represent efficient use of land, in a sustainable location and would provide a small contribution to the city's housing stock.

Therefore, the proposals comply with the applicable policies and guidance outlined above and it is recommended that planning permission is granted subject to conditions.