
Case Number	19/04119/FUL (Formerly PP-08291500)
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse (Resubmission of 19/00167/FUL)
Location	Land To The Rear Of 12 Worrall Drive Sheffield S35 0AT
Date Received	13/11/2019
Team	West and North
Applicant/Agent	Burnell Briercliffe 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:

L.01 - Location plan
P.04 - Site plan as proposed
P.05 - Plans and sections as proposed
P.06 - Site Plan showing footprint of previous scheme
S.02 - Site Section as proposed
E.03 - Elevations as proposed
E.04 - Street elevation to Mowson Lane
E.05 - Proposed elevations compared to previous scheme
E.06 - Street elevation and site section compared to previous scheme

Reason: In order to define the permission

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

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

3. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

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

5. The dwellinghouse shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the dwellinghouse commencing, and shall thereafter be retained.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

6. Notwithstanding the submitted plans, the dwellinghouse shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority showing a reduced height boundary wall to the immediate east of the driveway, thereby creating intervisibility between pedestrians using the public footpath and vehicles leaving the drive. The boundary wall shall have been provided in accordance with the aforementioned approved details prior to occupation.

Reason: In the interests of pedestrian safety.

7. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, crossing the existing grassed public footpath leading to the driveway, including full details of gates to the driveway shall have been submitted to and approved in writing by the Local Planning Authority. The dwellinghouse shall not be used unless the surfacing has been provided in accordance with the approved plans and thereafter such surfacing shall be retained.

Reason: To ensure satisfactory parking provision in the interests of pedestrian safety and the amenities of the locality.

8. The development shall not be used unless a screen wall as shown on the plans has been erected along the northern site boundary in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such boundary treatment shall be retained.

Reason: In the interests of the amenities of the locality and occupiers of the proposed dwelling it is essential for these works to have been carried out before the use commences.

Other Compliance Conditions

9. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the side or rear elevation(s) facing north towards Worrall Drive or west to No 13 Mowson Lane of the dwellinghouse hereby permitted without the prior written approval of the Local Planning Authority.

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

11. The first floor windows on the elevation of the dwellinghouse facing north towards Worrall Drive shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

12. 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 dwelling 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.

13. The dwelling shall not be occupied unless the hard surfaced areas of the site are constructed of permeable/porous surfacing material and sub base. Thereafter the approved permeable/porous surfacing material and sub base shall be retained.

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

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. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

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. 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.

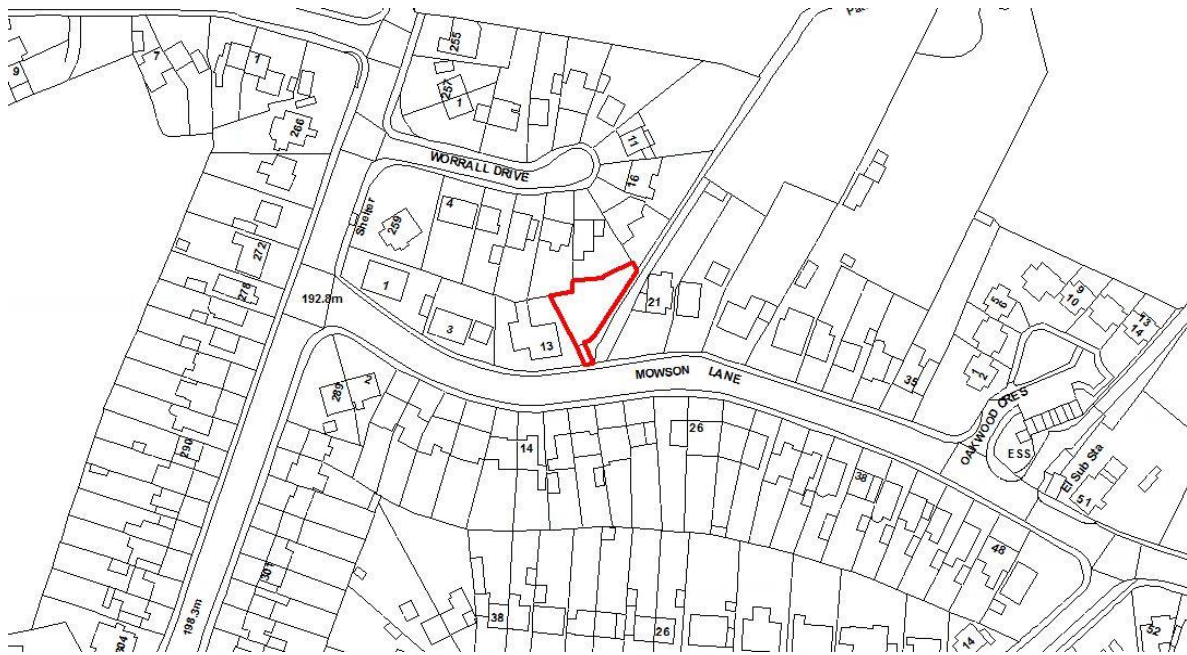
5. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

Site Location



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LOCATION AND PROPOSAL

The application relates to a parcel of land to the rear of 12 Worrall Drive that backs onto Mowson Lane. The site is currently used as a garden to No.12 Worrall Drive. A public footpath runs along the eastern boundary and the site is between two dwellings on Mowson Lane.

Planning permission is sought for the erection of a detached dwellinghouse on the site. This would be in the form of a fairly modest 3 bedroomed dwellinghouse with living accommodation in the roof. The property would be accessed from Mowson Lane with an integral garage and drive. To the side and rear of the property a garden area is proposed.

This is a resubmission of a previously refused scheme, the development having been reduced in terms of scale and massing.

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

RELEVANT PLANNING HISTORY

Planning permission was refused by the Planning Committee in July 2019 for the erection of a detached dwellinghouse on the site. The application was refused as it was considered that due to the size of the proposed building and close proximity to the boundary the development would have an overshadowing and overbearing impact upon the occupiers of No.s 10 and 12 Worrall Drive as well as No.13 Mowson Lane. The development was felt to be contrary to the aims of Policy H14 of the Unitary Development Plan for Sheffield, and paragraph 127 of the National Planning Policy Framework. Application 19/00167/FUL refers.

Planning permission was refused for the erection of a bungalow by application 82/01335/FUL (formerly 82/2498P)

A further application for a bungalow and garage was refused by application 88/01664/FUL (formerly 88/1019P)

The applications were refused as it was considered that the proposal would represent an overdevelopment of the site, resulting in a property with little in the way of garden space which would be detrimental to local amenity.

It was also considered that the development would be hazardous to pedestrian and highway safety, due to poor visibility to the west.

SUMMARY OF REPRESENTATIONS

Bradfield Parish Council have objected to the proposal as they feel it is inappropriate development and there are concerns around access and egress.

An objection has also been received from the Worrall Environmental Group. This raises the following concerns:

The application would appear to land grab a section of a public footpath and could set a precedent.

The access would entail a metaled surface being put over a public footpath to obtain vehicular access which would result in a loss of habitat.

Vehicles passing over a public footpath and the pavement of Mowson Lane would create Health and Safety issues to any pedestrians, particularly senior citizens who regularly walk along here to the bus stop.

In addition 11 representations have been received from the occupiers of neighbouring properties. These raise the following issues:

The resubmitted plans would still be overbearing upon adjacent properties and would seriously compromise the aspect from neighbouring dwellings.

If allowed the proposed property could be extended in the future, thereby increasing its size.

The development could obstruct the public footpath and it is not clear how this will remain unobstructed should development go ahead.

The footpath is used by walkers and schoolchildren. It is important that public safety is considered.

Visibility from the access (on to Mowson Lane) would be restricted and the development would be detrimental to highway safety.

The amount of time the access has been used for is disputed. The applicant does not own the piece of land required for access and does not have a right of easement.

The development would be out of character with the area and would spoil the current street scene, altering the current open aspect.

The development would put increased pressure on local schools / doctors and services.

The development would be 'garden grabbing' and the proposed dwelling is inappropriate for the site.

The development would have an adverse effect on the residential amenity of properties adjacent to the proposed dwelling and the gardens for both the new property and No.12 would be too small for family homes.

Windows in the proposed dwelling would overlook neighbouring property.

3 previous applications have been refused. The proposed development does not overcome the previous reasons (of overdevelopment) for refusal. The siting of the development has not altered and it is still considered that the development would be detrimental to occupiers of neighbouring dwellings.

PLANNING ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (the NPPF) is also a material consideration.

Assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

This is referred to as the “tilted balance”.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, para 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer the policies which are most important for determining the application will automatically be considered to be out of date.

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.

Set against this context, the development proposal is assessed against all relevant policies in the development plan and the NPPF below.

Principle of Development

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area. Within such areas UDP Policy H10 sets out that housing is the preferred use of land.

UDP Policy H14 'Conditions on Development in Housing Areas' is also applicable. Policy H14 states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings, where the site would not be overdeveloped or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood, and it would provide safe access to the highway network and appropriate off street parking.

Policy H14 is supplemented by an adopted SPG on Designing House Extensions. Although written for house extensions the guidance given is still considered relevant for new dwellings. This document provides more detailed guidance on matters such as design, overbearing and overshadowing impacts as well as privacy.

Core Strategy Policy CS24 is also relevant. This policy states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26.

The Strategic Housing Land Assessment Interim Position Paper 2017 indicates that approximately 5% of gross dwelling completions since 2004/5 have been on greenfield sites. Although the site is classed as being greenfield, it is within a relatively sustainable location, close to public transport links and local services and is surrounded by residential properties. The erection of a single dwelling on this site would assist in meeting the Council's targets for the delivery of new housing and does not conflict with the aims of Core Strategy Policy CS24.

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 (2018, as updated in 2019) and associated Practice Guidance, further detailed work is required. We will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing our conclusions in a monitoring report later this year. At the current time, the Council cannot therefore 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.

This development would make a small contribution to the supply of housing within the city.

Policy CS26 of the Core Strategy relates to the efficient use of housing land. In parts of the urban area that are not near Supertram stops or close to high frequency bus routes such as here, it details that the density should be in the order of 30-50 dwellings per hectare. The policy does stipulate however that the density of new developments should be in keeping with the character of the area.

The proposal seeks to erect a single dwelling on a piece of land with an area of approximately 300sqm. The development would have a density of approximately 33 dwellings per hectare. In addition the retained plot of the host property (12 Worrall Drive) would be in the region of 340sqm. As such it is considered that the proposed development would not represent an overdevelopment of the site.

As set out above, the revised National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development and the lack of a 5 year housing land supply tilts the balance in favour of the development. Furthermore the density ranges specified in the Core Strategy are out of date and so greater weight should be attributed to guidance contained within the revised NPPF.

Paragraph 117 of the revised NPPF sets out that planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 123 places increased emphasis on avoiding low density housing development and ensuring that developments make optimal use of the potential of each site.

It is considered that the proposed development would be of an appropriate density and is in a relatively sustainable location. In principle the application is considered to be acceptable.

Street Scene

The proposed dwellinghouse would front onto Mowson Lane. Immediately to the west of the site is No.13 Mowson Lane. This is a traditional double bay fronted property of stone construction. To the east the site is bounded by a dry stone wall and hedge with a fairly wide grassed public footpath. Beyond this is No. 21 Mowson Lane which is a detached dwellinghouse, again of two storeys. Further along Mowson Lane are bungalows and on the opposite side of the lane are pairs of semi-detached dwellings. Building materials also vary with a mixture of stone, red brick and render.

Predominantly roofs within the area are hipped, however the site next door (No.13 Mowson Lane) has a pitched roof with gables to the side and properties on the other side of the road, where they have been extended, also have gables to the side and dormers and small gables on the front elevation.

The proposed dwellinghouse would be constructed from red brick with a slate roof and would be two-storeys with the upper storey partially located within the roof space. The roof would be hipped and would continue over the integral garage to the side. On the front and side elevation the eaves line would be broken to enable small gable features to be provided above the windows to Bedroom 1 and 2.

The main aspect of the property would be facing forward towards the highway with further windows on the side elevation (eastern elevation) giving views and access to the garden. On the rear elevation two upper floor windows are proposed which would

break up the mass of brick work and would provide light to bathrooms (and so would be obscure glazed).

The submitted street scene elevations show that the development would be respectful to the sloping nature of the site (which falls to the east), the proposed dwelling being set down between 0.65m – 1.3m below the level of the garden of No.13.

The eaves of the proposed dwellinghouse would be just slightly higher than those of No.21, thereby following the natural topography.

The applicant has indicated that the dry stone wall that forms the current boundary to the eastern side would be retained and rebuilt (to provide screening to the garden from the public footpath).

The site is not within a Conservation Area and it is considered that on balance the development would not be harmful to the character and appearance of the area and so would comply with UDP Policy H14 as well as the revised NPPF. Paragraph 127 c) sets out that development should be sympathetic to local character and history while not preventing or discouraging appropriate innovation or change.

Paragraph 130 of the revised NPPF (2019) also sets out that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Given the wide variations in the street scene, the set-back nature of the site and the hipped roof, the proposed dwellinghouse is considered to be acceptable in terms of design. The property is smaller than that which was refused planning permission and the scale and massing have been greatly reduced.

Amenity

The new dwelling would be sited in front of the rear gardens of properties on Worrall Drive and has been arranged so that the main aspect from the property would be onto Mowson Lane and the garden to the side so that overlooking to the rear of properties on Worrall Drive would not occur.

The submitted plans indicate that a distance of 12m would be maintained between the rear of an existing single-storey extension to No.12 and the proposed dwellinghouse. No 12 has also been extended with a conservatory and this would be closer to the proposed dwellinghouse (with a separation of around 10m).

Properties on Worrall Drive to the rear would be at approximately the same level as the proposed dwellinghouse and the eaves and apex of the roof would be at a lower level than the existing properties to the north. The proposed dwellinghouse has been designed to try and minimise any overbearing or overshadowing impact of the development and is much smaller than the property that was previously refused.

Guideline 5 of the Council's SPG on Designing House Extensions sets out that a two storey extension should not be placed within 12m of ground floor main facing windows, to prevent unreasonable overshadowing or overdominance.

Paragraph 123 c) of the revised NPPF sets out that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The proposed dwellinghouse would be within 10m of conservatory windows on the rear of No.12; however the conservatory is at a higher level and is also served by windows on the side elevation and so would not be unreasonably overshadowed. The new dwellinghouse would be 12m from other ground floor windows in this property. On balance it is considered that the development would not result in unreasonable overshadowing or loss of light to properties on Worrall Drive and the expanse of the property that would be presented to Worrall Drive has been much reduced from the scheme that was previously refused.

No.13 Mowson Lane has windows on the ground floor that serve habitable rooms that look out to the east over the development site. The proposed dwellinghouse would be set back from the side of No.13 Mowson Lane so as not to be directly in front of these windows. These rooms are also believed to have secondary windows on the front and rear elevations.

No.13 has been extended with a single-storey projection to the rear, furthest from the boundary with the development site. The proposed dwellinghouse would be sited such that a separation distance of around 12m between the extension to No.13 and the proposed dwellinghouse would be maintained. It is worth noting that the 12m distance guide relates to the proximity of a full two storey height gable positioned on the same ground level. In this case the application site is at a lower level and the proposal is not a full two storeys. Therefore the impact is reduced.

The two-storey element of the proposed scheme has been set further from the boundary with No.13 than the scheme that was refused planning permission and the roof has been altered to be hipped, thereby lessening any overbearing effect. The roof over the garage to the side of the property would be a continuation of the hipped roof and it is considered that the massing of the building when viewed in this direction has been significantly reduced.

It is considered that, whilst the site is tight, the development as per this revised proposal, would not give rise to unacceptable levels of overshadowing or overdominance such as to warrant a refusal of the application.

On the rear elevation the proposed development would have two small windows on the upper floor. These would serve bathrooms and so overlooking towards properties on Worrall Drive would not occur. To prevent any potential future overlooking in this direction it is recommended that, should planning permission be granted, a condition be attached to any consent prohibiting these windows from being clear glazed and permitted development rights be removed so that new clear glazed windows cannot be inserted.

On the eastern elevation of the proposed dwellinghouse at first floor level a bedroom window is proposed. This would be afforded a view across to the front / side of No.21 Mowson Lane; however the attached garage of No.21 would be positioned between the two dwellings and there are no windows on the side of No.21. The proposed development would not allow for overlooking to the rear garden of No.21.

As already mentioned, the main aspect of the proposed dwellinghouse would be to the front, with a distance of around 30m between the proposed development and properties on the opposite side of Mowson Lane.

Guideline 6 of the Council's SPG on Designing House Extensions set out that a minimum separation distance of 21m should be maintained between main facing windows.

It is considered that the proposed development would not give rise to unacceptable levels of overlooking or overshadowing to neighbouring properties. The proposed separation distance between the properties would comply with guidelines contained within the Council's SPG on Designing Extensions.

The proposed development would have a small area of garden to the rear with a more useable area to the side. This would have an area in excess of 65 sqm. In addition the host property (No.12 Worrall Drive) would retain ample private amenity space, the main rear garden area being in excess of 80sqm.

When weighed in the balance it is considered that the development would not cause significant harm to the amenity of occupiers of neighbouring property and potential occupiers of the development would be afforded adequate living conditions. In this respect the development would comply with paragraph 123 and 127 of the revised NPPF as well as UDP Policy H14.

Highways

The proposed development would be accessed from Mowson Lane. The applicant currently has a right of vehicular access from Mowson Lane, which has in the past been used for accessing the property to park a caravan. The frequency of use of this access is disputed by neighbours.

In order to gain access to the property users have to traverse a grassed area to the south. To the east is a public footpath that may also share a small portion of this area. The grassed area is not owned by the Council and it is not clear who does own this area of land. The applicant has tried to investigate this, serving the correct notices and publishing an advertisement in the Sheffield Telegraph. No representations have been received as a result.

At present the boundary consists of a wall, approximately 1.25m in height with a conifer hedge planted behind. The applicant is looking to remove the hedge and extend the wall such that it is 1.8m in height, providing privacy to the garden.

It is considered that provided the area of land to the south of the access remains open, as it is at present, and no new gates are erected, the development would not be hazardous to users of the public footpath.

If planning permission is given full details of the proposed gates to the drive and surfacing of the grassed area in question should be made a condition of any consent as well as details of how water will be prevented from spilling onto the public highway. It is also recommended that the height of the wall at the access be reduced, such that it is no more than 1m in height to aid visibility for drivers exiting the site.

Subject to the imposition of such conditions it is considered that the use of the access point by a single dwellinghouse would pose no significant safety concerns for users of the footpath.

The submitted plans indicate that the proposed dwellinghouse would have space to park two cars within the site, clear of the public footpath, as well as an additional space within the proposed integral garage.

The level of parking proposed is adequate. No 12 Worrall Drive has parking to the front (accessed from Worrall Drive) and this would remain unaltered.

It is considered that the proposal would not result in an increase in traffic which would be detrimental to highway safety within the area.

The development would accord with UDP Policy H14 and, with heed to paragraph 109 of the revised NPPF (2019) which sets out that development should only be prevented 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, it is considered that a refusal on highways grounds cannot be justified.

Community Infrastructure Levy (CIL)

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

In this instance the proposal falls within Zone 3. Within this zone there is a CIL charge of £30 per square metre. The applicant has completed a CIL form which sets out that the development proposes 117sqm of residential floor space; however the applicant has also set out that they are to claim self-build relief.

Response to Representations

The effect development would have upon residential amenity and highway safety has been dealt with in the report above.

Obstruction of the public footpath during construction works would not be a reason to withhold planning permission.

It is recommended that if planning permission is granted, permitted development rights are removed so that the property could not be further extended or altered without the need for planning permission.

The Community Infrastructure Levy would require the developer to make a payment which would be used for local infrastructure projects.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of a single dwellinghouse on land to the rear of properties on Worrall Drive. The proposed dwellinghouse would front onto Mowson Lane from where the site would be accessed. Adjacent to the site is a public footpath.

In the absence of the Council's 5 year supply of housing land the tilted balance is in play in accordance with paragraph 11 of the NPPF as the most important policies for determining this application (housing supply, design and amenity) are considered to be out of date. Therefore the positive and negative aspects of the scheme must be carefully weighed.

The development site is within a housing area and is surrounded by residential properties. Although the site is tight, there would be space within the site to provide a dwellinghouse, associated parking and amenity space. It is considered that the development would not give rise to unacceptable levels of overshadowing or overlooking and the site would not be overdeveloped.

In applying the tilted balance in favour of sustainable development in paragraph 11 (d) of the NPPF it is considered that, the development would accord with UDP Policy H10 and H14, Core Strategy Policy CS24 and 26 as well as guidance contained within the revised NPPF and the Council's Supplementary Planning Guidance on Designing House Extensions. It is recommended that planning permission be granted with conditions.

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