
Case Number	22/02768/FUL (Formerly PP-11370864)
Application Type	Full Planning Application
Proposal	Demolition of existing bungalow and erection of five detached dwellinghouses
Location	218 Wortley Road High Green Sheffield S35 4LX
Date Received	25/07/2022
Team	North
Applicant/Agent	CODA Studios
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 shall be carried out in accordance with the following plans:-

- Drawing No. 3011-002 (Proposed Site Sections)
- Drawing No. 3011-0401-HT01 (Proposed Plans and Elevations)
- Drawing No. 3011-0402-HT02 (Proposed Plans and Elevations)
- Drawing No. 3011-0403-HT03 (Proposed Plans and Elevations)
- Drawing No. 3011-0404-HT04 (Proposed Plans and Elevations)
- Drawing No. 3011-0405-HT05 (Proposed Plans and Elevations)

published on the 25 July 2022

- Drawing No. 3011-001 Revision B (Proposed Site Plan)

published on the 24 October 2022

Reason: In order to define the permission

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

3. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

4. 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)

5. The development shall not be used unless the sight line, as indicated on the approved plans, has been provided. When such sight line has been provided, thereafter the sight line shall be retained and no obstruction to the sight line shall be allowed within the sight line above a height of 1 metre.

Reason: In the interests of the safety of road users it is essential for these works to have been carried out before the use commences.

6. Details of a suitable means of site boundary treatment 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 and the development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

7. 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.

8. 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.

9. Unless it can be shown not to be feasible or viable no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

10. 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.

11. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no

building shall be occupied prior to the completion of the approved foul drainage works, details of which shall first be submitted to and approved in writing by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but limited to the following:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less than a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interests of sustainable drainage

12. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

13. The development shall be carried out in full accordance with the recommendations set out within the Preliminary Ecological Appraisal prepared by Whitcher Wildlife Ltd Ecological Consultants.

Reason: In the interests of enhancing the biodiversity of the site. It is essential that this condition is complied with before any other works on site commence given that damage to existing habitats is irreversible.

14. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

15. 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, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic

safety and the amenities of the locality.

16. Before the use hereby permitted commences, a Wildlife-Sensitive Lighting Scheme that seeks to mitigate the potential impact of light from the development on the site's existing trees shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity

Other Compliance Conditions

17. A nesting bird survey of the site's trees shall be carried out by a suitably experienced person in the event that work commences on site during the nesting bird season, which extends between March to September.

Reason: In the interests of biodiversity

18. The development 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.

Attention is Drawn to the Following Directives:

1. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

2. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
- Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday
 - 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - Details of site access & egress for construction traffic and deliveries.
 - A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.

3. 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.

4. 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.

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

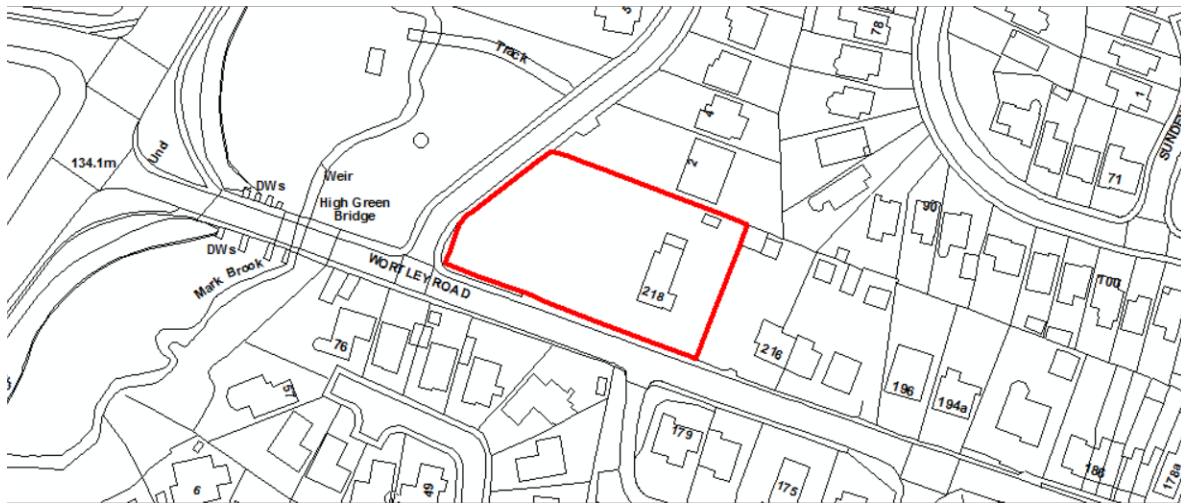
This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

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

7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.

Site Location



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BACKGROUND

This application relates to 218 Wortley Road, a detached bungalow that is situated on the corner of Wortley Road and Farlow Croft in High Green.

The application site was granted outline planning permission in October 2020, under 20/01480/OUT to demolish the bungalow and erect five detached dwellinghouses. All matters were reserved except for access and layout.

A subsequent Reserved Matters (RM) application was submitted by the applicant in pursuant of the outline approval but was withdrawn in March 2022, under 21/01691/REM. This was withdrawn on the advice of officers as it was considered that the RM conflicted with the clear parameters of the outline permission in terms of the submitted layout and scale of the houses. The applicant was therefore advised that any significant variation from the outline permission would need to be submitted under a separate full planning application as it was not possible to achieve this through the Reserved Matters.

LOCATION AND SITE CHARACTERISTICS

No. 218 Wortley Road is a large, detached bungalow with attached double garage that sits within a generous residential curtilage of some 0.27 hectares. The site is enclosed on all sides by mature landscaping that provides extensive screening from both Wortley Road and Farlow Croft. The dwellinghouse is situated towards the eastern side of the plot with a small garden area between the bungalow and the eastern boundary and larger gardens to the west. Due to being unoccupied for a period of time, the land is now overgrown with evidence of some of the site's trees being removed. Vehicular access is taken from Wortley Road towards its junction with Farlow Croft, with a separate pedestrian access through a stone wall further to its east.

The steeply sloping site is raised up from Wortley Road with a high retaining wall running along part of the site's boundary to this highway. On site, the land rises up in a south-easterly and north-easterly direction with the land levels along its eastern boundary some 10m higher than its boundary to Farlow Croft.

The surrounding area is made of a variety of house-types, both traditional and more recent additions, with the main materials being natural stone, artificial stone and brick. There is no prevailing character of houses in the area. To its immediate north, set approximately 1.75m in from the shared boundary is a two-storey detached house (2 Farlow Croft) and to its east is a pair of traditional two-storey semi-detached stone houses, the nearest being No. 216 Wortley Road. This house (No. 216) is set back from the common boundary by approximately 13m. Across Wortley Road to the south is a small housing estate comprising of bungalows that take their access from Ashwood Road.

The application site is located in a Housing Area as identified on the UDP Proposals Maps.

PROPOSAL

Full planning permission is being sought to demolish the existing bungalow and erect five detached dwellinghouses (3 five-bedrooms and 2 four-bedrooms).

A new vehicular access serving all five properties would be created towards the site's north-western corner onto Farlow Croft.

RELEVANT PLANNING HISTORY

11/03556/OUT - Erection of 3 detached dwellinghouses – Refused 24 January 2012

19/01122/OUT - Demolition of dwelling and erection of 5 detached dwellings and provision of associated access (Outline application - Appearance, Landscaping and Scale - Matters Reserved) – Withdrawn 23 May 2019

20/01480/OUT - Demolition of dwelling and erection of 5 detached dwellings and provision of associated access (Outline application - Appearance, Landscaping and Scale - Matters Reserved) – Approved 07 October 2020

21/01691/REM - Erection of 5x detached dwellinghouses with car parking accommodation (Reserved matters application sought to approve appearance, landscaping and scale) – Withdrawn 18 March 2022

SUMMARY OF REPRESENTATIONS

Two site notices were posted within the vicinity of the site on the 2 September 2022.

Fifteen objections have been received in response to neighbour notification and the posting of site notices. Representations have also been received from Ecclesfield Parish Council and from Sheffield and Rotherham Wildlife Trust. A summary of these representations is set out below:-

Amenity Issues

- The construction of five detached properties would represent the overdevelopment of the site.
- The layout of the houses will result in limited sunlight due to the proximity of on-site and off-site trees.
- The proposed number of dwellings could affect the enjoyment and quality of life of residents living adjacent to the site with increase noise disturbance.
- The development has already affected views with the removal of some of the site's trees.
- Overlooking of the bungalows (Ashwood Road) across Wortley Road. Due to the disparity in height, the houses will look like 'look out' towers. Changing the orientation and layout of the houses seriously and permanently impacts on the privacy for existing residents on Ashwood Road.

Design

- The scale, proportion and design of the houses does not reflect the look or feel of other adjacent properties in the area, which are mainly stone or artificial stone construction.
- The development will create a dominant and obtrusive feature that will compromise the character of the area.
- An application by the site's previous owner was refused for the reason that it would break the established building line that is formed by the west elevation of 218 Wortley Road and the front elevation of dwellings to the east side of Farlow Croft, resulting in a prominent and obtrusive development which would detract from the open character of the streetscene and be detrimental to the visual amenities of the area.
- The proposed buildings will be substantially higher than the existing bungalow and will dominate the skyline.
- The removal of trees would totally change the nature of the site, which was once a green area now developed with overpowering redbrick houses. This would be compounded by that the predominate view from Wortley Road and Farlow Croft would be rear gardens, adorned by structures that residents will place within them.
- Future residents will wish to secure their rear gardens with 2m high fences along the Wortley Road/Farlow Croft boundaries, which will look unsightly.
- The development would have an overbearing appearance.
- Accept that development of some form will be granted, but further consideration should be given to the characteristics of the locality. This part of Wortley Road is made up of larger detached properties of individual design and style. A more discerning approach should be taken, perhaps with 3 large properties with larger grounds and amenity space.
- The development will change the character of the area, which will affect the narrow tree-lined entrance to the houses

Highways

- The development will result in a significant increase in on-street parking.
- The proposed properties do not have sufficient parking and garage space to

- serve the development.
- Wortley Road is a busy primary road, which carries multiple bus services. At peak times traffic can be backed up, so any additional street parking could adversely affect visibility and present a potential safety hazard.
 - The part of Farlow Croft where access would be taken is structurally weak and has been subject to subsidence and land slippage. It would be more preferable to utilise the existing access from Wortley Road.
 - A structural survey should be carried out to assess the impact of additional dwellings, traffic and parked cars at the entrance to Farlow Croft.
 - There is a likelihood that HGVs carrying plant machinery and materials will have to wait at the end of Farlow Croft while waiting to gain access into the site.
 - It is evitable that residents and visitors of the houses will park along Farlow Croft so close to the junction.
 - There will be an issue of egress from the site causing a bottleneck queuing to access Wortley Road. There is often a tailback from vehicles joining the A61 from Wortley Road.
 - The proposal to use Farlow Croft is only a means of reducing building costs. The previous application was approved utilising the existing access from Wortley Road. The developers should amend their design to fit this approval.
 - There is no allowance for visitor parking

Wildlife and Landscape Issues

- The semi-woodland setting of Farlow Croft has always provided a sanctuary for many species of wildlife including bats. There is concern that the development that will require the removal of many trees will have a negative impact on the biodiversity of the area.
- A survey does not appear to have been carried out to assess the impact on wildlife and explore options to mitigate its affects.
- Trees have recently been felled on site in advance of the application being submitted. Although the trees are not protected, it is an offence under Section 1 of the Wildlife and Countryside Act 1981 to knowingly damage or destroy nests and eggs.
- The existing trees and potentially the bungalow is a haven for the roosting of bats.
- Concerned that the developer will remove the majority of the trees/ or that future occupiers will seek their removal to improve their living environment.

Drainage Issues

- The sewage and waste water provisions for Farlow Croft were installed in 1984 based on a maximum of 24 dwellings. The report by YW does not make it clear what provisions will be provided for the additional 5 houses. Confirmation is needed to ensure the current system is able to cope with the additional dwellinghouses and the potential financial liability to be borne in the event of a system collapse.
- The removal of trees is likely to increase the likelihood of flood event.

Other

- No public planning application notification has been displayed at the site location
- Concerned that the time to make comment on the application is short.
- How long will this process take, as it has been going on for so long without it ever being completed.
- The number of valid objections to the proposed development, across previously rejected applications are still valid

Sheffield and Rotherham Wildlife Trust

Sheffield and Rotherham Wildlife Trust objects to the application due to the lack of an ecology report or any species surveys of the site. Without this information, it is not possible to ascertain the potential impacts of the proposed development on wildlife and habitats on site.

It was disappointing to hear that a number of trees have been felled during this year's bird nesting season with no apparent ecological survey or advice having been undertaken.

As well as an ecology report and species survey, the applicant should provide a BNG report to show how the applicant will provide a net gain for the site. The assessment should be made based on the previous tree survey for the baseline before the tree felling was carried out.

Should planning permission be granted, a sensitive lighting scheme for both the construction phase as well as the development itself should be provided to prevent light spill onto areas for nocturnal foraging and commuting species.

Any enclosed boundaries should include gaps to allow hedgehogs to move freely around the site.

All new trees and shrubs should be native species that will provide maximum benefits for biodiversity such as native wildflower, fruit trees and hedgerow species.

Ecclesfield Parish Council

Ecclesfield Parish Council raise no objection to the application

PLANNING ASSESSMENT

Policy Context

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

The relevant development plan for the site is the Sheffield Local Plan which includes the Sheffield Core Strategy and the saved policies and proposals map of the Sheffield Unitary Development Plan (UDP).

The UDP Proposals Map identifies the site as being within a Housing Area. The NPPF is a material consideration in planning decisions. The NPPF was published in 2012 and has subsequently been revised in 2018, 2019 and 2021 with consequent changes to some paragraph numbering.

Assessment of a development proposal also 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:

- i) 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
- ii) 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.

In terms of Paragraph 11, the Council's revised 5-Year Housing Land Supply Monitoring Report, which was released in August 2021, includes the updated Government's standard methodology and a 35% uplift to be applied to the 20 largest cities and urban centres in the UK, including Sheffield. The monitoring report sets out the position as of 1st April 2021 – 31st March 2026 and concludes that there is evidence of a 4-year supply of deliverable supply of housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important development plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. In this instance, the so called 'tilted balance' is triggered, and planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance that include Conservation Areas, listed buildings and the green belt provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

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

It is considered that the main issues relevant to this application are:

- The Principle of Development – Policy and Land Use
- Highway Matters
- Design
- Ecology and Landscape Matters
- Residential Amenity
- CIL Issues
- Other Issues and

- Titled balance

The Principle of Development – Policy and Land Use

The application site is identified within the Sheffield Unitary Development Plan as a Housing Area. Under Policy H10 of the UDP housing is the preferred use of land.

The application should also be assessed against Core Strategy Policies CS24 and CS26. Policy CS24 relates to the use of previously developed land for new housing and states that priority will be given to the development of previously developed sites and that no more than 12% of dwelling completions be on greenfield sites between 2004/05 and 2025/26. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface. Amongst other things, the definition excludes land in built-up areas such as residential gardens.

Core Strategy Policy CS24 is considered to be broadly consistent with the NPPF, which states at paragraph 119 that policies should set out a strategy for meeting need in such a way that 'makes as much use as possible of previously-developed or 'brownfield' land', and at paragraph 120 part (c) that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes, and at part (d) to promote and support the development of under-utilised land and building, especially if this would help to meet identified needs for housing.

The proposal involves the development of a greenfield site, as the definition of previously developed land as set out in the NPPF excludes residential gardens in built-up areas. In this instance, the most recent figures show that the Council is currently achieving a dwelling build rate of over 95% on previously developed land and therefore the development of this greenfield site would not conflict with Core Strategy CS24.

Core Strategy Policy CS26 relates to the efficient use of housing land. In parts of the urban area that are 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 allow allowances outside these ranges in instances where they achieve good design, reflect the character of an area or protect a sensitive area.

This policy is broadly consistent with government guidance contained in the NPPF. Paragraph 124 states that planning policies and decisions should support development that makes efficient use of land, that amongst other things, takes into account the identified need for different types of housing, and the availability of land suitable for accommodating it. At paragraph 125 it goes on to say that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. At part (b) it states that the use of minimum density standards should be considered for other parts of the plan area and that it may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density.

The erection of five dwellinghouses on a site of 0.27 hectares would equate to a density of 18 dwellinghouses per hectare. The number of dwellings per hectare would

therefore fall below the recommended density range set out in Policy CS26 (30-50 dwellings). However, as described above, the policy does allow for densities outside the range in instances where they achieve good design and reflect the character of the area. In this instance, it is considered that a lower density can be justified, with the proposed number of houses being consistent with the number approved under the outline approval in 2020. It is also considered that a lower density would be more reflective of the character of the area, with a number of properties within the surrounding area being built at lower densities, and importantly a lower density would allow for improved amenity for both the future occupants of the dwellinghouses as well as limiting the need for additional tree removal to accommodate further houses.

While it is noted that paragraph 125 of the NPPF sets out that decisions should avoid homes being built at low densities where there is an existing shortage of land for meeting identified housing needs, it is considered that developing the site at a lower density to provide five dwellinghouses can be justified. It is also material that the NPPF at paragraph 69 recognizes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and states at part (c) that to promote the development of a good mix of sites, local planning authorities should support the development of windfall sites through decisions and give great weight to the benefits of using suitable sites within existing settlements for homes.

The site is situated within an established residential area at a time when the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Having regard to this and the need to make optimal use of sites where there is a shortage of deliverable housing sites as described in paragraph 120 at part d of the NPPF, the proposal to demolish the bungalow and erect 5 dwellinghouses should be given significant weight, which will make a small but valuable contribution to the supply of housing.

For the reasons outlined above and given that the site benefits from an extant outline planning permission to erect 5 detached houses, the principle of redeveloping the site as submitted should be viewed acceptable.

Highway Matters

UDP Policy H14 sets out at part (d) that in Housing Areas, new development will be permitted provided that it would provide safe access to the highway network and be provided with appropriate off-street parking and not endanger pedestrians.

These policies are not fully consistent with government policy contained in the NPPF, which states at paragraph 111 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The requirement to provide appropriate off-street parking is not therefore reflected in the NPPF, with government policy suggesting that the shortfall of off-street parking within a scheme should only be refused in instances where this would result in an unacceptable impact on highway safety or lead to severe impacts on the road network.

As described, the development would be accessed from a new driveway from Farlow Croft. The access road would extend along the northern side of the site with private driveways feeding off the road to accommodate 2 off-street parking spaces per

dwelling.

The scheme has been amended to account for comments received from Highways Officers. As illustrated on the revised site layout plan, the proposal now includes one visitor parking space in addition to the on-site parking, an area for refuse and recycling bins and shows safe access onto Farlow Croft with clear visibility splays/sight lines onto this highway in both directions when egressing the site.

Highways Officers have raised no objection to the proposal from a highway perspective subject to conditions that would include sight lines and car parking in accordance with the approved details and the submission of a CEMP that would cover such matters of wheel washing, parking of construction vehicles and site compound during the construction phase. While it is noted that a number of objections have raised highway safety concerns, the scale of the development (only 5 houses) should mean that any impact on the free flow of traffic would not be significant with only modest increase in vehicular movements on the surrounding road network, as well as safe means of ingress and egress from the site. The proposed number of parking spaces should meet the expected parking demands of the 5 houses and should prevent the need for any on-street parking along the adjacent highway that would prejudice highway safety.

UDP Policy H14 (d) and government policy contained at paragraph 111 are considered to be met.

Design

The development should be assessed against UDP Policies BE5 and H14 and Core Strategy Policy CS74. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. UDP Policy H14 relates to conditions on development in Housing Areas. It details at part (a) that new buildings and extensions should well be designed and in scale and character with neighbouring buildings. Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods.

These policies are broadly in line with the NPPF (paragraph 126) which states that good design is a key aspect of sustainable development, while paragraph 130 states that development should contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.

The applicant is seeking to erect five dwellinghouses on this site, a total that reflects the number approved for this site in October 2020, under the extant outline approval. As described, the application site occupies a corner site with Wortley Road forming its southern boundary and Farlow Croft its western boundary. The site slopes from east to west with a height difference of approximately 10m across the site. The site is currently occupied by a bungalow, which sits towards its eastern boundary. The surrounding local character comprises a variety of house types. Farlow Croft is a housing estate that comprise 3-storey properties along its eastern side with garages located at lower ground floor level. Along its western side are two-storey houses, although to their rear,

some are 3-storey in height to account for the topography of the site. Houses along Wortley Road are primarily 2-storey in height, although there are scatterings of bungalows and dormer bungalows as well as larger more pronounced 2.5 storey properties. Facing materials are also varied with natural stone, artificial stone, brick and render all being evident.

The proposed layout of the development has evolved from the scheme that was previously submitted and approved in outline and follows protracted discussions with officers. The five houses of the outline approval were to be laid out either side a central access road from Wortley Road, with two houses on the eastern side and three on the western side. On the indicative plan, the houses were all shown to be split-levelled with the houses to the east 2.5 storey facing the road and 1.5 storey to the rear. The houses to the west were shown as 1.5 storey at road level and 2.5 storeys to rear.

As submitted, the proposed five houses would now all be accessed from Farlow Croft with a new internal access road (cul-de-sac) extending along the northern boundary with the houses feeding off this road to the south and east. Three of the houses (Plots 1-3) would be sited parallel to Wortley Road, with rear gardens extending behind to Wortley Road. Plots 4 and 5 would be located at the end of the cul-de-sac, with Plot 4 angled to the road and Plot 5 being sited directly facing the end of the cul-de-sac. These two properties' rear gardens would be located to the south and east. All gardens would exceed 100 square metres, with Plots 1, 4 and 5 comprising rear gardens over 250 square metres.

There would be five different house types (3 five-bedroomed and 2 four-bedroomed), although the houses seek to create a harmonious group of properties that would reflect closely to each other in terms of their architectural treatment and external finishes. The houses would all be split-levelled to account for the topography of the site. Plots 1-3 would read as 2.5 storey houses from both their front and rear elevations, with Plots 4 and 5 being read as 2.5 storeys (front elevation) and 1.5 storeys at the rear. The design of the houses, whilst all slightly different in terms of scale and massing follow a similar form in terms of their external treatment with traditional dual pitched roofs with subservient front and/or rear off-shots, contemporary rear box dormers, large glazed rear patio doors and feature vertical double height glazing window panels along the side and front elevations. Materials are shown to be red brick, with slate effect roofs.

It is considered that the proposed layout of the houses on this site responds well to the topography of the site and in officers' opinion represents an improvement from that previously approved in outline. Previous concerns raised with the RM application primarily related to the overall scale and massing of the houses, which were viewed to have a very dominating appearance that failed to respond to the scale and massing of neighbouring properties, particularly as some of the plots read as 4-storey townhouses. These concerns in officers' opinion have been successfully addressed with the amended layout allowing the houses to sit more comfortably within the context of the site that works with the topography of the site to achieve a more measured approach to their scale and massing. The revised layout of the houses, with access being taken from Farlow Croft allows the houses to respond better to the adjoining highways, with the houses to Wortley Road following closely the building line to the street, something that the previous scheme failed to achieve. While the properties' rear gardens would back onto Wortley Road, it is considered that this arrangement can be supported in this

instance given the boundary wall to this highway and mature planting would help to limit views of the private gardens from this road. A condition seeking details of all site enclosures should be attached to any grant of planning, which will give officers control over its appropriateness in terms of materials and height. It is also acknowledged that the scale and massing of the houses would be materially larger than the scheme approved at outline, but in officers' opinion, the site can reasonably accommodate 2.5 storey houses with much of the properties' height derived from utilising the topography and existing ground levels of the site. There is no clear justification to limit the houses to single storey or 1.5 storeys only given the context of the surrounding area.

It is acknowledged that the proposed scheme would project forward of No. 2 Farlow Croft. In officers' view, this can be justified given that the site occupies a corner plot. The proposal does not relate to an infill development between existing properties where encroachment beyond an established building line could be harmful, while in this instance, the site's extensive natural screening along its side boundaries to the adopted highways should help limit any harm to street character. It is also material in officers' opinion, which significant weight should be given is that the layout of the houses forward of this property has been previously accepted through the granting of the outline permission.

Overall, it is considered that the proposal represents an acceptable design response to the site's characteristics, with the site able to accommodate five detached dwellinghouses without undermining the appearance of the surrounding and established residential neighbourhood. Cross section drawings submitted with the application evidence to officers' satisfaction that the overall scale and massing of the houses are an appropriate response to the site and would not appear overbearing or have a damaging effect that would be harmful to street character. The scale and massing of the dwellinghouses would not be inconsistent with a number of properties in the area, most notably along Farlow Croft, and can be justified as a variation to the scheme approved in outline. The dwellinghouses are considered to be high design quality with well-proportioned window and door openings that would make a positive contribution to the character of the area. Conditions seeking the submission of all facing materials should ensure a high-quality finish.

It is considered that UDP Policies BE5 and H14 (a), Core Strategy Policy CS74 and government policy contained in the NPPF would be met.

Ecology and Landscape Matters

UDP Policy GE11 relates to nature conservation and development, and it states that the natural environment will be protected and enhanced. It goes on to say that the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

These policies are broadly consistent with government policy contained in the NPPF at paragraph 174, which sets out that decisions should contribute to and enhance the natural and local environment through measures that include a) protecting and enhancing valued landscapes, sites of biodiversity, and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological

networks that are more resilient to current and future pressures.

Paragraph 180 of the NPPF sets out that when determining planning applications, local planning authorities should apply a number of principles, including a) that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Landscape Assessment

The application was accompanied by an Arboricultural Report prepared by AWA Tree Consultants. This survey was undertaken in September 2022.

The tree survey identified 22 individual trees and 6 groups of trees or shrub/hedge groups. Of the surveyed trees, the report details that 1 tree is retention Category U, 23 trees and groups are retention Category C, and the remaining four trees are retention Category B. These trees are largely around the perimeter of the site. The site's significant tree cover consists of smaller trees within dense shrub/hedge groups with the larger trees generally located along the eastern and western boundaries. Most of the trees are semi-mature with several early mature to mature trees. The report details that of the site's trees, two are of arboricultural significance, these being T23 and T26. T23 is a sycamore, and T26 is an oak, both are located close to the southern boundary. Of the other trees surveyed, T16 is a large oak that is situated on adjacent land to the east of the site. This tree is considered to have high amenity value. Along the western edge of the site are two tree groups (G2 and G3). These are a mixture of different aged coniferous trees with one birch tree. These have been assessed as having some collective amenity value and screening value but are individually all lower value.

To accommodate the proposed development, one tree group would be removed (G3). While this group has some amenity value, the trees within the group have been classified as being Category C and are therefore of lower amenity value in terms of retention. The report details that due to the lower value of the trees, their removal will only have a minor negative arboricultural impact. Apart from this tree group, no other trees are proposed to be removed, which will include the retention of the site's Category B trees. The report does however detail that several trees will require crown lifting in order to prevent conflict with the development operations and avoid future nuisance issues as the trees mature. During the construction phase it will be necessary to erect protective fencing such as Heras type fencing for the trees to be retained, the details of which would be subject to a condition.

It is acknowledged that some trees were removed in advance of the application being submitted. This is regrettable for purposes of assessment but as none of the site's trees are protected, their removal did not require prior approval from the LPA. Nonetheless, with exception to a small group to the western side of the site that are shown to be removed, the vast majority of the site's trees would be retained. In doing so, the site will continue to benefit from significant tree cover that would help to soften the built form of the development as well as contributing to the overall landscape quality of the scheme.

Ecology

The application was accompanied by a Preliminary Ecological Appraisal prepared by Whitcher Wildlife Ltd Ecological Consultants. This report details that an initial site survey was carried out on the 19th of August 2022, followed up by a dusk emergence survey on the 30th of August 2022.

The survey found that the majority of the site comprises semi-improved grassland on account of the land being previously managed as a lawn, and a scattering of semi-mature and mature trees. No badger setts or field signs were found within the survey area. The survey also found no bat field signs such as droppings, insect wings or feeding remains within the bungalow and across the surveyed area.

The report details that the bungalow and attached double garage provides negligible potential for roosting bats. This also remains the case in respect of the site's trees, which have all been assessed as providing negligible potential for roosting bats. The survey area is assessed as having moderate suitability for foraging and commuting bats due to being connected to adjacent residential gardens and not being well lit through the night. The site's vegetation and buildings were found to provide suitable habitats for nesting birds.

In terms of the dusk emergence survey, this found a moderate level of foraging within the surveyed area with species including Common Pipistrelle, Soprano Pipistrelle and commuting Noctules, these relate almost entirely to the boundaries of the site, with the most activity on the eastern boundary. No bats were seen to emerge from the building during the survey.

The report recommends that a detailed planting scheme be prepared for the site utilising native species, which along with both bat boxes and swift cups should enable the site to achieve a biodiversity net gain in line with the requirements of the NPPF. Other recommendations of the report include all works to be undertaken outside of the nesting bird season, which extends to March to September, but in the event that works commence between these months, a nesting bird survey should be carried out by a suitably experienced person.

It is considered that the supporting PEA represents a sound and robust assessment of the site's ecological components. Officers fully support all the recommendations set out within the PEA, which upon their implementation and delivery, should provide net gains for biodiversity across the site. The Council's Ecology Section has stated that further assessment for Biodiversity Net Gain (BNG) should be carried out to ensure that the scheme is compliant with policy and delivers the requisite 'net gain' (NPPF 174, 180). It is therefore recommended that conditions be attached that requires the development to be carried out in accordance with the recommendations of the PEA and that a Landscape and Ecological Management Plan (LEMP) be submitted for approval.

Residential Amenity

UDP Policy H14 relates to conditions that new development or change of use proposals in Housing Areas are required to meet. Part (k) states that new development should not lead to air pollution, noise, excessive traffic levels or other nuisance for people living nearby.

This policy is broadly in line with government policy contained in the NPPF, where is

states at paragraph 130 part (f) that decisions should ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

In terms of amenity standards, as described above, the NPPF states that planning decisions should support development that makes efficient use of land, and states at paragraph 125 part (a) that in instances where there is an existing or anticipated shortage of land for meeting identified housing needs, planning decisions should avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In this context, it states at part (c) of this policy that when considering applications for housing, 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).

Also relevant is government policy contained at paragraph 185 of the NPPF, which states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life, as well as protect tranquil areas which have remained relatively undisturbed.

The application is bounded by residential properties to its north and east. No. 2 Farlow Croft lies to its north and No. 216 Wortley Road lies to its east. Residential properties are also located on the opposite side of Wortley Road.

In terms of No. 2, this property is a dormer bungalow and sits approximately 1m beyond the site's northern boundary. It is positioned towards the eastern side of the site's boundary and is orientated in an east-west direction with its primary living accommodation facing away from the application site. Inspection of this property found that it has no main windows within its side gable wall that would be affected by the erection of a house being erected on its southern side. As the nearest house (Plot 4) to No. 2 would not include any windows within its side elevation, it is not considered that the proposed development would harm this property's residential amenity with no significant loss of outlook or overlooking. Being on the southern side of No. 2, the application includes a sunlight study to assess the potential impact of the development on neighbouring properties. This study shows that overshadowing onto the side garden of No. 2 would be minimal and that any overshadowing of this property's garden emanates primarily from the site's existing mature trees that line the northern boundary rather than the proposed house.

In terms of No. 216, this property's principal elevations face away from the application site and does not include any first-floor main windows within its side elevation that would be adversely affected by the development. In addition to this, a distance of over 10m would be maintained between the nearest houses (Plots 4 and 5) to this property's side boundary, which will prevent the houses having an overbearing appearance or lead to any loss of privacy that would be harmful to this neighbouring property's

residential amenity.

Adequate separation distances will exist between the dwellings and properties on the opposite side of Wortley Road to ensure that there is not an adverse impact on the amenities of these occupiers.

CIL Issues

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development.

The development is CIL liable and the site falls within CIL Charging Zone 3 and a CIL charge of £30 per square metre applies. There is an additional charge associated with the national All-in Tender Price Index for the calendar year in which the relevant planning permission is granted (£39.33 per square metres with indexation). All charges accord with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

Other Issues

EPS have also commented that they have no concerns in respect of potential land contamination.

As described, it is noted that the applicant undertook some site clearance in advance of the application being submitted that involved the removal of some of the site trees. This was not endorsed by officers, but as none of the site's trees are protected, separate approval from the LPA was not required. An email was received from the applicant's agent stating that the trees were inspected for nesting birds prior to the trees being removed. While it would have been preferable that the trees were retained as part of the redevelopment of the site, officers have no reason to believe or have evidence to the contrary that suggests that any nests were wilfully destroyed as part of the tree works.

Tilted Balance

As described above, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites with the revised 5-Year Housing Land Supply Monitoring Report concluding that there is evidence of only a 4-year supply of deliverable supply of housing land. Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date in accordance with paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In this instance, there are no protected areas or assets of particular importance and so paragraph 11(di) is not engaged. Consequently it is necessary to balance the benefits and disbenefits of the scheme in line with Paragraph 11(dii).

The NPPF emphasises the importance of delivery of housing, and that importance is heightened with the tilted balance engaged in this case, such that recommendation to support the proposed development is strengthened. The provision of housing is

afforded significant weight.

The application site is situated in a Housing Area where housing is the preferred use of land. The principle of developing the site at the density proposed has been established with the granting of outline planning permission in 2020. While the proposal includes the loss of trees, the number of which is not considered to be harmful to landscape character with the site continuing to benefit from extensive tree coverage, which include the retention of trees that are of high arboricultural value. The loss of trees could be compensated by additional tree planting through the attachment of conditions.

It has been found that vehicular access from Farlow Croft would not lead to any significant highway safety concerns with good visibility onto the highway and adequate on-site parking to serve the dwellinghouses. It is also considered that the residual cumulative impacts on the road network would not be severe given the modest scale of the development.

It is considered that the houses are of high design quality, which will make a positive contribution to the streetscene. No significant objection is raised in terms of the scale and massing of the houses, which respond positively to the site's characteristics and topography or in terms of the proposed layout from that previously approved.

It has also been found that the development would not lead to any adverse effect on the residential amenity of neighbouring properties with no significant loss of privacy, outlook or overshadowing. The residents of the houses would be afforded with a high level of residential amenity, with well appointed accommodation and good-sized gardens commensurate to family housing.

The proposal is not considered to represent the overdevelopment of the site, with the density not inconsistent with a number of properties in the area. The density (18 houses per hectare) also falls below the density range set out in Policy CS26 for new housing developments in remaining parts of the urban area (between 30 to 50 dwellings).

The balance is considered to be in favour of approving this application, as there are no significant adverse impacts that would significantly and demonstrably outweigh the benefits of the development. The provision of 5 dwellinghouses will contribute to meeting the current shortfall of housing in this sustainable location, to which significant weight should be given.

CONCLUSION AND RECOMMENDATION

This application relates to 218 Wortley Road, a detached bungalow that is situated on the corner of Wortley Road and Farlow Croft in High Green.

Full planning permission is being sought to demolish the existing bungalow and erect five detached dwellinghouses (3 five-bedrooms and 2 four-bedrooms).

For the reasons set out in the report and having regard to all other matters, it is considered that the proposal to erect five dwellinghouses represents an acceptable form of development and would be in general accordance with UDP Policies H10, H14, BE5 and GE11, Core Strategy Policy CS74 and government policy contained in the

NPPF.

It is therefore recommended that full planning permission be granted subject to the conditions proposed.