
Case Number	22/02840/FUL
Application Type	Full Planning Application
Proposal	Use of detached, garage building as annexe to main residence at no. 23 Hanson Rd to form external store/ garden room including alterations/ extension to create 1st floor level office space with first floor 3no. bay window (resubmission of application 22/01897/FUL) (Amended description)
Location	Garage Site At Rear Of 23 To 31 Hanson Road Sheffield S6 6RF
Date Received	01/08/2022
Team	North
Applicant/Agent	Latham Davies Limited
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:

Drawing 23-HRD G DWG PL-02 Rev B Existing and Proposed Site Layout and Roof Plan published 13th October 2022

Drawing 23-HRD G DWG PL-03 Rev B Existing and Proposed Internal Floor Plan published 13th October 2022

Drawing 23-HRD G DWG PL-04 Rev B Existing and Proposed External Elevations published 13th October 2022

Drawing 23-HRD G DWG PL-05 Rev A Proposed Site Cross Sections published 13th October 2022

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.

Other Compliance Conditions

4. The use of the annex shall at all times remain incidental to the enjoyment of the main dwelling of No.23 Hanson Road and the annex shall not be sold or let as a separate dwelling and shall only ever be used by immediate family members of the occupiers of the main dwelling.

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

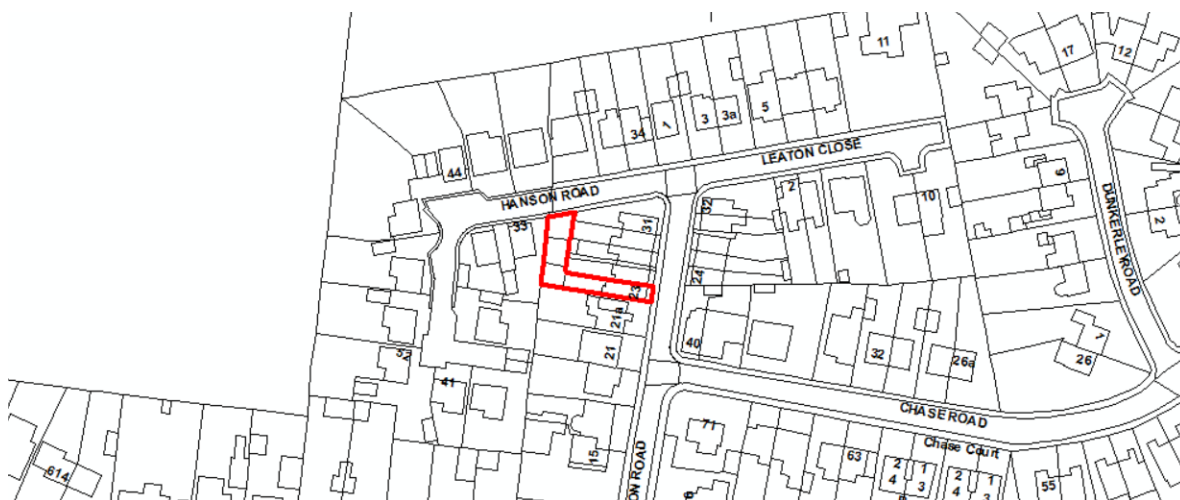
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings,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

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application relates to a site that is currently occupied by a detached double garage. This abuts the rear gardens of terraced properties on Hanson Road. The land falls away to the south. To the west are further residential properties in the form of a more recent housing development.

Planning permission is sought to convert the garage into an annex to be used in connection with one of the neighbouring terraced properties. The roof would be altered to present a gable end to the highway and the roof and walls clad in black metal sheeting. Within the roof an office space is proposed. This would be lit by way of roof lights and a high-level window on the rear elevation as well as a bay window on the front elevation.

On the ground floor the front portion of the garage would be used for storage purposes, retaining the roller shuttered garage door. The rear portion would be used as a garden room with a w.c. and spiral staircase in the central section of the building.

The yard area to the rear of the building has already been opened up, providing a larger garden for No.23 Hanson Road. Two parking spaces would be retained to the front of the building.

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

SUMMARY OF REPRESENTATIONS

Neighbours were originally notified of the application in August. As a result 8 representations were received objecting to the development, including a representation from the local ward Councillors - Cllrs Richard Williams, Penny

Baker and Vickie Priestley.

Amended plans were submitted in October and neighbours re-notified. As a result 8 representations, plus a letter sent on behalf of Cllrs Richard Williams, Penny Baker, and Vickie Priestley was received again.

The letter from the Councillors sets out that the amended plans would be overbearing on a number of neighbour properties due to the increased height and the re-orientation of the roof of the building, which will bring the bulk of the roof into closer proximity to the neighbours. The development would result in a loss of privacy and amenity, which would be exacerbated by the topography. The development would not assist with on-going car-parking issues in the local area. It would be out of character with other properties in the immediate vicinity in terms of design and materials, therefore having a detrimental impact on the local street scene.

If, however, the Committee is minded to approve this application, the Councillors set out that they would request that a condition be added to ensure that the new building cannot be used as a separate dwelling to the main house.

Issues raised by neighbours are summarised as follows:

The timeframe for neighbours to object is inadequate. The amendments to the scheme are minor and do not overcome previous concerns.

The site has been the subject of numerous applications for a new dwellinghouse, all of which have been rejected. This seems to be an underhand way of gaining a dwellinghouse on the site, with the plans showing the inclusion of a bathroom and kitchen area.

The development would result in a loss of privacy to occupiers of neighbouring dwellings. The large areas of glazing would allow for overlooking into the neighbouring dwellings and gardens.

There are already substantial problems with on street parking on Hanson Road and the development would put further pressure on on-street parking, increasing the footprint of the building to the front of the property, thereby reducing the area available for parking.

The development, through the alterations to the roof and proposed materials would be overly dominant and out of keeping in the street scene.

The proposal would result in significant overshadowing and loss of light to neighbouring properties.

The development would result in increased noise and general disturbance.

The proposal would result in light spill from the development which would adversely affect neighbours.

The property could be used as a holiday let.

Other non-planning related matters including loss of view have also been raised.

PLANNING HISTORY

The site has been the subject of several planning applications. Earlier this year a similar application for the conversion of the building into an annex was withdrawn. The plans proposed by that application sought to extend the building beyond the existing footprint to the front and rear, featured more glazing to the upper floor and a pergola beyond the rear elevation of the building. Application 22/01897/FUL refers.

Prior to that planning permission was refused for the change of use of the garage to a single dwellinghouse by application 20/00379/FUL. An appeal against this refusal was submitted.

The Planning Inspector found that the development would be detrimental to the character and appearance of the locality and would also give rise to unacceptable overlooking to neighbouring properties. In addition occupiers of the development would be overlooked. The appeal was dismissed.

Planning permission was refused for the change of use of the garage to a single dwellinghouse by application 19/01411/FUL. The application was refused as it was considered that the development would have an adverse effect upon the character and appearance of the area; occupiers of the dwellinghouse would not be afforded adequate living conditions and the development would result in unacceptable overlooking to neighbours.

The applicant lodged an appeal but did not provide all of the necessary paperwork to the Planning Inspectorate within the specified timescales. As such the appeal was returned and not considered.

Outline planning permission for the erection of a dwellinghouse on the site was refused by application 16/01520/OUT. This was an outline application. Access and landscaping were considered with all other matters reserved for subsequent approval. Indicative plans were provided which showed the proposed dwellinghouse to be two storeys with an open plan living area on the ground floor and two bedrooms on the floor above.

The application was refused as it was considered to be an overdevelopment of the site which would be detrimental to occupiers of neighbouring properties, contrary to UDP Policy H14, the Council's SPG on Designing House Extensions and Core Strategy Policy CS26.

Planning permission for the erection of the garage was granted by application 02/02897/FUL.

PLANNING ASSESSMENT

Background

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 NPPF is a material consideration in planning decisions. The NPPF was published in 2012 and was most recently revised in July 2021.

Assessment of a development proposal also needs to be considered in light of paragraph 11d) 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 addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, Paragraph 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.

The Council's revised 5-Year Housing Land Supply Monitoring Report, released in August 2021, includes a 35% uplift that must 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. As the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites the tilted balance will come into play.

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

UDP Policy H10 sets out that in such areas housing is the preferred use, subject to compliance with other Development Plan Policies as appropriate.

Policy H14 sets out that within Housing Areas new development will be permitted provided new buildings would be in scale and character with the site and the site would not be overdeveloped or deprive residents of light, privacy or security.

Paragraph 119 of the revised NPPF sets out that planning policies and decisions should promote an 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.

The National Planning Policy Framework (paragraph 130) also states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character. Innovation should not be prevented but developments should add to the quality of an area whilst providing a high standard of amenity for existing and future users.

The local and national policies are well aligned and so weight can be afforded to the local policies.

Effect on Character and Appearance

The street scene is varied. To the east of the site are traditional terraced dwellings. These are stone fronted, generally with brick to the side and rear elevations and slate roofs.

On the opposite side of the street are a mixture of detached and semi-detached dwellings of brick and render construction. These properties have hipped and gable ended roofs that are tiled.

To the west of the site is a relatively new development of detached properties faced in stone with slate roofs.

The existing garage is of brick construction with a tiled roof with the ridge running parallel to the highway. The proposed alterations would see the roof replaced and rebuilt so that the ridge runs parallel to the neighbouring terraced dwellings with gable ends facing north and south.

The building would have a contemporary appearance, clad in black metal sheeting with oak soffits and gable panels. On the front elevation the cladding would project slightly to the front so that the garage door and window above are recessed (the actual footprint of the building would remain the same).

There are no other properties that look like this in the immediate vicinity; however the same could be said for the existing garage which has a squat appearance and is at odds with the two-storey neighbouring properties. The turning of the roof, although not significantly increasing the height of the roof of the building, will give the building more verticality and the gable to the highway would mirror that of the

neighbouring terraces.

The proposed materials are different to those on neighbouring dwellings; however there is a wide mix in the area and it can be argued there is not a single over riding material. Paragraph 130 of the NPPF sets out that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Paragraph 134 sets out that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit with the overall form or layout of their surroundings.

It is considered that the development would bring about improvements to the appearance of the building and on balance the overall street scene, adding to the eclectic mix of building styles in the vicinity. This is on the proviso that high quality materials are used. Paragraph 135 of the NPPF sets out that local planning authorities should seek to ensure that the quality of approved development is not diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved materials). It is recommended that should planning permission be given, a condition is attached requiring details of all external materials to be provided.

In terms of the effect development would have upon the character and appearance of the area the proposal is considered that on balance the development would accord with UDP Policy H14, as well as paragraph 130 and 134 of the revised NPPF.

Effect Upon Neighbours

The proposed development would utilise the roof space, creating an upper floor and room within the roof which would be used as an office. A 'standard' window would be inserted on the gable on the front elevation. This would face onto the highway with a distance in excess of 21m to the dwellings on the opposite side of the road, which are at a higher level. The separation, across the street would be greater than that of neighbouring properties as the building is set back from the highway. It is considered that unacceptable levels of overlooking in this direction would not occur.

On the rear elevation on the upper floor a high-level window is proposed. This too would not result in overlooking, as can be demonstrated by the site cross sections.

Two arrays of roof lights are also proposed. These are to be set high on the roof at ridge level and so people using the room would not be able to see out from them.

On the ground floor no new windows are proposed on the front elevation. To the

rear a set of bi-folding doors are proposed. These are to replace an existing window and door.

The building is surrounded by neighbouring residential properties; however the development would not give rise to significantly greater overlooking from the ground floor windows, the ground floor and gardens of neighbouring dwellings to the south being largely screened by the existing boundary walls.

The building is overlooked by neighbours; however what needs to be remembered here is that this is not creating a new dwellinghouse, it is creating an annex to be used by occupiers of the neighbouring terraced property (No.23) who are already overlooked to a degree by neighbours.

It is acknowledged that previous schemes for the conversion of the garage for use as a separate dwellinghouse have been refused on the grounds that the development would result in unacceptable levels of overlooking and that occupiers of the property would in turn be overlooked, however, the current proposal is different. The use of the building will not be as intense, upper floor windows to the rear would be high level as would the roof lights which also run in a different direction to previous proposals.

Similarly, as the development would not result in an intensification of use, it is not introducing an additional family into this space, and so would not result in greater noise and general disturbance to people using neighbouring gardens. In terms of privacy it is considered that the development would not be harmful to residential amenity.

The alteration to the roof would improve the outlook from the terraced properties to the east on Hanson Road. These properties have rear off-shots and some have been extended. Rear gardens are generally open and several of the properties have small outbuildings / sheds which sit along the boundary with the building. At the closest point there is a separation distance of around 11m from the building to the rear of the dwellings. The development will increase the height of the eaves (by less than 0.75m). It is considered that this increase in height would be mitigated by the fact that rather than facing the brick gable of the building as at present (which is significantly higher than the increased eaves height), the properties would look towards a roof which would be sloping away from them.

The overall height of the building would not be significantly increased, and it is considered that the proposed alteration would not result in significantly greater overshadowing or loss of light to properties to the east, particularly given the orientation.

The oversailing roof would project slightly to the front of the building. There is adequate separation from the site to properties on the opposite side of Hanson Road to the north to prevent unacceptable overshadowing.

To the west there is a gap to the neighbouring dwelling (No.33) of around 2.5m at the closest point. The rear the building would not extend any further into the yard area than existing. The increase in height of the eaves and re-orientation of the

roof may result in a degree of increased overshadowing to No.33 at certain times of the day; however the 45-degree rule would not be breached and any additional impact would be modest. On balance it is considered that unacceptable levels of overshadowing or loss of light would not occur.

The rear yard to the garage has been opened up to connect to the rear garden of No.23, thereby increasing the amenity space afforded the occupiers of this dwellinghouse. No significant alterations to the boundary treatments are proposed.

It is considered when considered in the round, the development would comply with UDP Policy H14 and paragraph 130 of the revised NPPF in terms of the effect the development would have upon residential amenity.

It is however recommended that conditions be imposed removing permitted development rights (so further additions / alterations cannot be made without the need for planning permission) and restricting the use of the building so that it can only be used in connection with the neighbouring dwellinghouse. This is particularly important given the past planning history of the site.

Highways

The development would see the loss of the use of the building for parking (in any case the building is used for storage purposes rather than parking); however being set back more than 5m from the highway, two parking spaces in front of the building would be retained. The development would have no impact upon highway safety.

RESPONSE TO REPRESENTATIONS

Issues of the effect the development would have upon the character and appearance of the area, residential amenity and highway safety have been covered elsewhere in the report.

Future intentions for the use of the building cannot be considered here and this would not be a valid reason for withholding planning permission. The application proposes the use of an existing building for residential storage purposes, as a garden room and home office above in connection with a neighbouring home.

It is acknowledged that in the past planning applications for the conversion of the building have been rejected; however these proposals have involved an intensification of use.

As set out above it is recommended that should planning permission be granted conditions be imposed restricting the use.

The development may result in increased light spill from the rooflights and windows; however the building is within a dense residential area and it is not considered that this would provide sufficient justification for a refusal of the scheme. It is considered that any light spill from the proposal would not result in significant harm to the occupiers of neighbouring property.

The period that neighbours were given to make representations was adequate and in line with local planning authority's protocols and procedures. The same number of representations were received at each round of public consultation.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the conversion of an existing garage into a residential annex to be used in connection with a neighbouring dwellinghouse.

The site is within a housing area and is surrounded by residential properties.

The proposed alterations would see the roof over the building altered and the building clad in dark metal sheeting and oak panels. The building would have a striking modern design; however, provided good quality materials are used it is considered that on balance it would not be harmful to the character and appearance of the area.

It is also considered that the development would not result in unacceptable levels of overlooking to neighbouring dwellings and gardens or result in excessive overshadowing or loss of light, noise and general disturbance. On balance it is considered that the development would not be harmful to residential amenity.

The development would accord with policies contained within the UDP Policy, Core Strategy and the revised NPPF.

It is recommended that planning permission be granted with conditions requiring full details of all materials, removing permitted development rights and restricting the use so that the annex cannot be used, sold or let as a separate dwellinghouse.

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