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Case Number	19/02337/FUL (Formerly PP-07960346)
Application Type	Full Planning Application
Proposal	Demolition of bungalow and erection of 2no. dwellings and associated vehicular access
Location	34 Blackbrook Road Sheffield S10 4LQ
Date Received	25/06/2019
Team	West and North
Applicant/Agent	LSO Architects Ltd
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 A18-166/L(-0)10 D Block Plan and Existing and Proposed Site Plan (including red line boundary);  
Drawing A18-166/L(-0)11 C Street Views and Elevations;  
Drawing L(0-)01 F Plot 1 Plans and Elevations;  
Drawing A18-166/Plot 2 Plans and Elevations; and  
Drawing showing cross section through roof of Plot 1, all published 15/10/19  
Drawing A18-166/L(0)12 Plot 2 Section published 17/10/19

Reason: In order to define the permission.

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

3. No development shall commence until full details of measures to protect the existing highways trees to the south of the site, adjacent to the boundary with Lodge Moor Road which are 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.

4. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

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

5. 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.

6. 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.

7. The development shall not be brought into use unless the hard surfaced areas of the site are constructed of permeable/porous material. Thereafter the approved permeable/porous surfacing material shall be retained.

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

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. 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 dwellings 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.

10. The development shall not be used unless the car parking accommodation for each of the properties 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.

11. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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.

#### **Other Compliance Conditions**

12. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

13. Unless otherwise agreed in writing by the Local Planning Authority, the windows in the dormer to the rear of Plot 2, facing west towards the boundary with No.6 Lodge Moor Road 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.

14. The safety screens to the Juliette balcony and screen across the smaller window in the dormer on Plot 1 shall be fully glazed with etched glass to a minimum privacy standard of Level 4 Obscurity and no part of the balcony shall at any time be glazed with clear glass.

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

15. 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.

16. The development shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

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

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
2. 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.
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](mailto: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](mailto: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. 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.

6. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.

7. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

# Site Location



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## LOCATION AND PROPOSAL

The application relates to a bungalow situated on the corner of Blackbrook Road and Lodge Moor Road. The property is set back from the highway and is accessed from Blackbrook Road. A conifer high hedge forms the boundary with the street. The street scene is varied and the neighbouring plots are occupied by two-storey dwellings.

Planning permission is sought to demolish the existing bungalow and to erect a pair of detached two storey dwellings. The properties would have five bedrooms with accommodation in the roof space. Each of the properties would have their own vehicular access from Blackbrook Road and space to park two cars on the driveway to the front as well as a garage. To the rear would be a private garden area.

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

## RELEVANT PLANNING HISTORY

Planning permission was granted in 1993 for extensions to the property in the form of a first floor extension (application 93/02369/FUL, formerly 93/5360P refers). This effectively allowed the property to become a two-storey dwellinghouse. This consent was not implemented.

Permission was also granted in 1993 for the erection of a conservatory (application 93/02397 refers)

## SUMMARY OF REPRESENTATIONS

Councillor Woodcraft has commented that the proposed development occupies a prominent corner site. The buildings are closer to the street than neighbouring dwellings and this along with their greater height will have an overbearing effect on the immediate area.

The pre-dominant building finish along the street is brick, with the occasional rendered property. Roofs are universally tiled. If this application was passed it would be the only slate roof in the area.

In addition consideration should be given to the impact on immediate neighbours, with loss of privacy and light.

11 representations have also been received from occupiers of neighbouring dwellings and these raise the following issues:

The large properties are not in keeping with the area. They are higher than neighbouring dwellings and have a lot of glazing. Being set forward of the building line of the neighbouring dwellinghouses they would be particularly prominent within the street scene.

The development is next to a dangerous junction and would be detrimental to highway safety. Vehicles travel along this part of the highway at speed and the addition of a further drive would be hazardous to both vehicles and pedestrians.

The development would result in increased on-street parking in an area that is already busy with the neighbouring church, nursery and park.

The dwellings would be set closer to the highway which would obstruct visibility from the junction.

The proposal would be a high density development and would be an overdevelopment of the plot. The dwellings are too large for the plots upon which they would sit and the gardens are too small.

The proposal would increase the amount of hard surfacing which could result in increased flooding. There is also a culverted stream close by and rain water can tend to 'puddle' on the highway.

The development would have an overbearing effect upon neighbouring property and would result in a loss of light.

The proposal would result in increased overlooking to neighbouring dwellings and gardens, particularly from the upper floor windows and balconies.

Three mature trees along Lodge Moor Road would be affected by the development and they should be protected.

Concerns about noise and dirt during demolition / constructions works were also raised; however this is not a planning consideration.

## 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 within a Housing Area in a relatively sustainable location, close to local services and a bus route. Within such areas UDP Policy H10 sets out that housing is the preferred use.

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. 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. The site is within a sustainable location, close to good public transport links and is surrounded by residential properties. The erection of dwellinghouses on this greenfield site would assist in meeting the Council's targets for the development of housing across the city and complies with Core Strategy Policy CS24.

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, 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 two dwellings on a piece of land with an area of approximately 945sqm. The development would have a density of approximately 21 dwellings per hectare. Although lower than the density stipulated by Core Strategy Policy CS26, the density is considered to be appropriate for this site. It is similar to the density of some of the surrounding residential plots and any increase in density would be likely to have a harmful effect upon the character and appearance of the area.

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.

Paragraph 117 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.

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 in accordance with the revised NPPF as well as UDP Policy H10 and H14 and Core Strategy Policy CS24 and CS26.

#### Street scene

The street scene along Blackbrook Road consists of a mix of detached and semi-detached dwellings of varying styles with a mixture of bungalows and two-storey properties. Some have had the loft converted to provide additional accommodation and have dormers to the front elevation. The predominant building material is brick; however the immediate neighbouring dwellinghouse (No. 32 Blackbrook Road) has a rendered finish and No.39 on the opposite side of the street has a rendered front. In addition the neighbouring property on Lodge Moor Road (No.6) has a rendered frontage.

To the side of the site, on Lodge Moor Road are three mature trees which are in the highway. The site boundary to the highway (Blackbrook Road and Lodge Moor Road) consists of a low wall with a high 2m (approx.) high conifer hedge.

Amended plans have been received which reduce the overall height of the proposed development slightly, such that the proposed dwellings would be set down into the site and the ridge height would be the same as the ridge of the neighbouring dwellinghouse (No.32 Blackbrook Road). The ridge height of the proposed dwellings would also be lower than that of No.6 Lodge Moor Road.

The proposed dwellings would sit forward of the building line in this location; however the properties would still be set back around 7m from Blackbrook Road and around 6m from Lodge Moor Road.

Further along Blackbrook Road to the south properties are set a similar distance from the highway and St Luke's Church to the north is set forward to a similar degree. It is considered that on balance the setting forward of the dwellings would not cause serious harm to the visual amenities of the area.

The proposed dwellings are of a modern style, with large areas of glazing and would have a rendered finish. Large window openings improve outlook and reduce reliance on artificial light. The property on Plot 1 would have a dormer facing towards the highway. As stated above there are other examples of rendered properties within close proximity of the site as well as front facing dormers.

It is considered that the properties would be sited far enough from the trees on Lodge Moor Road to prevent any damage to the trees from occurring (it is recommended that a pre-commencement condition be attached to any consent requiring full details of tree protection measures that will be utilised, including details of protective fencing).

The site lies in an area of mixed character. It is not within a Conservation Area and it is considered that overall the development would not be harmful to the character and appearance of the area. Paragraph 130 of the NPPF (2018) 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.

Although the proposed development is considered to be acceptable in terms of design, it is recommended that full details of materials be secured by way of condition to ensure an appropriate quality of development.

#### Amenity

The new dwellings would be set back from Blackbrook Road a minimum of 6.8m. The properties on the opposite side of Blackbrook Road are at a lower level (approximately 1m lower); however there would a separation distance in excess of 31m, across the highway, and it is considered that the development would not give rise to unacceptable levels of overshadowing or overlooking to these dwellings.

The dwelling on Plot 2 has been sited to ensure that the '45 degree rule' (as set out by Guideline 5 of the Council's Supplementary Planning Guidance on House Extensions) is not breached with regards to windows in the front of No. 32 Blackbrook Road. There are windows on the side elevation of No.32 which appear to serve habitable rooms and are original to that property. The two-storey part of the dwellinghouse on Plot 2 has been positioned so that it would not be directly in front of these windows. The single-storey element to the rear would have a flat roof and, being set at a slightly lower level, would not have a significantly greater effect upon these windows than the existing bungalow.

No habitable room windows are proposed on the side elevation of the property on Plot 2 facing towards No. 32 Blackbrook Road (a single bathroom window is shown at first floor level which would be obscure glazed). On the other side elevation, facing Plot 1 a number of windows are proposed including, a study at ground floor level. Overlooking from this window would be prevented by boundary treatments. Two shower room windows are proposed on the first floor (which would be obscure glazed). Within the roof a further two windows are proposed on the side elevation. One would serve a bathroom and the other would provide additional light to the master bedroom. Due to the proximity of the proposed dwellinghouse on Plot 1 this would not allow for significant overlooking to neighbouring properties.

On the rear elevation of the proposed dwellinghouse on Plot 2 ground floor windows (which would serve a kitchen / diner and utility room) would be prevented from overlooking the garden of No.6 Lodge Moor Road by the proposed boundary treatment of a 2m high close boarded fence. The ground floor level would also be lower than that of No.6 (by approximately 600mm).

At first floor level two bedroom windows are proposed. There would be a distance of just under 11m from these windows to the site boundary. The property would be positioned at a right angle to No.6 and so direct overlooking from window to window would not occur. The development would result in increased overlooking to the garden of No.6 Lodge Moor Road; however the proposed dwellinghouse would be set further from the boundary than the existing property which could potentially add roof lights or a rear facing dormer without the need for planning permission. It is considered that on balance the harm that would be caused by the first floor windows of the dwellinghouse on Plot 2 is not of sufficient to warrant a refusal of the application.

On the upper floor of the property on Plot 2 amended plans have been received which reduce the size of the rear facing dormer. The dormer would have two windows; however these would serve a bathroom and dressing room. It is recommended that a condition be attached to any consent requiring these windows to be obscure glazed to prevent overlooking. The master bedroom would be lit by way of roof lights to the rear with additional windows on the front elevation (facing onto Blackbrook Road).

With regards to the dwellinghouse on Plot 1, this would not result in unacceptable overlooking or overshadowing to properties on the opposite side of Blackbrook Road, again being set at least 31m from these properties.

There would also be a distance of over 25m from the proposed dwelling house to properties on the opposite side of Lodge Moor Road (No.36 Blackbrook Road and properties within 'The Pines' cul de sac). As such it is considered that the development would not result in unacceptable overlooking from windows in the side elevation, or significant overshadowing of these properties.

The dwelling on Plot 1 would be set in around 6m from the boundary with Lodge Moor Road and it is considered that the development would not be particularly overbearing upon the street. The property would be sited in front of No.6 Lodge Moor Road; however it would not breach the '45 degree rule' with regards to windows in the front or rear of No.6 and it is considered that the development would not give rise to unacceptable overshadowing or loss of light to No.6.

There are no habitable room windows on the side of No.6 and the main aspect from the rear of the proposed dwellinghouse on Plot 1 would look onto the blank gable of No.6 at a distance of around 12m. This is complicit with Guideline 5 of the Council's Supplementary Planning Guidance on Designing House Extensions.

Amended plans have been received reducing the amount of glazing within the rear facing dormer of Plot 1 and also altering the position of the windows so that they reduce the level of overlooking to No.6. The dormer would have a Juliette type balcony (allowing the window to be opened; however people would not be able to step outside). It is recommended that the balustrading to the balcony be of etched glass, so that people within the room are not as visible; thereby reducing the perception of being overlooked.

Each of the properties would have a rear garden and the dwellinghouse on Plot 1 would also have garden space to the side which would be of a useable size and relatively private. A higher boundary treatment in this location would be acceptable given that there is already a high hedge along the boundary. The amenity area of Plot 1 would be around 165sqm and Plot 2 would have around 100sqm of useable amenity space. This is considered to be ample.

The single-storey elements of the properties would come closer to the rear boundary (with No.6) than is usually desirable (Guideline 4 of the Council's SPG sets out that usually a separation distance of 10m from the rear of a property is desirable to ensure sufficient amenity space is provided); however it is considered that, on balance, in this case a reduction in this distance would not result in significant harm. Sufficient amenity space would be provided and overlooking to No.6 would be prevented by the proposed boundary fence and lower floor levels.

Paragraph 123 of the NPPF, in discussing increased density, sets out 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).'

It is however recommended that permitted development rights be removed to ensure that the properties cannot be further extended or out buildings erected without planning permission, given the restricted nature of the site.

Subject to the imposition of conditions requiring obscure glazing to windows in the rear facing former of Plot 2 and the screens to the balconies on Plot 1 to be of etched glass, it is considered that on balance 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 122 and 127 of the revised NPPF as well as UDP Policy H14.

## Highways

Each property would have its own drive with access taken from Blackbrook Road. The existing property has a driveway and garage so in effect the development would only be adding one further vehicular access.

The properties would each be able to accommodate two cars clear of the highway on the drive and in addition each property would have a further parking space within the garage. The level of parking proposed is considered to be adequate.

Local residents have raised concerns over the proximity of the drives to the junction of Blackbrook Road and Lodge Moor Road.

In this part of Blackbrook Road the highway is relatively wide with a footway and verge before the carriageway. In addition the boundary of the development plot with at the corner of Lodge Moor Road is chamfered, to preserve visibility for vehicles emerging from this junction.

Highways have confirmed that the development raises no highway safety concerns subject to the imposition of a conditions requiring the drives to be surfaced in a bound material (to ensure that gravel chippings are not used which could be transferred to the highway) and visibility sight lines are maintained where vehicles emerge from the drives, in the interest of pedestrian safety.

It is considered that the development would accord with UDP Policy H14 and paragraph 109 of the revised NPPF (2019) which sets out that 'development should only be prevented or refused 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'.

## 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 5. Within this zone there is a CIL charge of £80 per square metre. The applicant has completed a CIL form which sets out that the development proposes 649sqm of residential floor space; however they have also indicated that they will be seeking to claim self-build relief.

## Drainage

Yorkshire Water have been consulted on the application and have raised no objection, subject to the imposition of conditions requiring details of how surface water is to be drained and any discharge into the public sewer should be restricted. It is recommended that such conditions be imposed.

## SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of two dwellings on the site of an existing bungalow. The existing property is of no architectural merit and does not particularly contribute to the character and appearance of the area. The demolition of the existing property raises no issues.

In its place two detached dwellings are proposed. Each would have 5 bedrooms, the accommodation being provided over three levels, with the upper floor being within the roof space.

The properties are large and would have a modern appearance, with more glazing than neighbouring properties; however it is considered that on balance the development would not be harmful to the character and appearance of the area. The neighbouring properties to either side have a rendered finish and other properties within close proximity have dormers on the front elevation. Existing trees along Lodge Moor Road would not be affected by the development.

The dwellings would each have space to park two cars on the driveway to the front as well as a car within the garage. This is considered to be sufficient off-street parking for the development.

The development would see the creation of an additional driveway close to a junction (of Blackbrook Road and Lodge Moor Road); however the development raises no highway safety concerns.

Each property would have sufficient private amenity space and it is considered that the proposal is of an appropriate density characteristic of the locality.

The development would result in a degree of increased overlooking to the rear garden of No.6 Lodge Moor Road; however on balance this is considered not to cause sufficient harm to warrant a refusal of the application. A degree of overlooking of this garden already exists (from windows in the side of No.32 Blackbrook Road). The plans have been amended to reduce the loss of privacy to occupiers of No.6.

It is considered that the development would accord with the aims of the revised NPPF, providing housing in a sustainable location. In addition the development would be in accordance with UDP Policy H10 and H14 and Core Strategy Policy CS24 and 26.

It is recommended that planning permission be granted with conditions.

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