

Agenda Item 7a

Case Number	24/01800/FUL (Formerly PP-13164578)
Application Type	Full Planning Application
Proposal	Single-storey front extension to detached rear outbuilding to form 1x dwelling (use class C3) with associated access and parking and demolition of detached garage and car port
Location	Rear Of 110 Bradway Road Sheffield S17 4QW
Date Received	18/06/2024
Team	South
Applicant/Agent	Jane Newman Planning
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 hereby permitted shall be carried out in complete accordance with the following plans, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Drawing No. 101 Revision C Location Plan, Proposed Site Plan and Proposed Site Entrance Detail published 16/09/2024

Drawing No. 102 Proposed Floor Plans & Elevations published 18/06/2024

Bat Survey (Dated July 2024) published 02/09/2024

Arboricultural Impact Assessment (dated 29th September 2024) published 30/09/2024

Reason: In order to define the permission.

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

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

3. The dwellinghouse shall not be used unless the vehicle/pedestrian intervisibility splays indicated on Drawing No. 101 Revision C (Published 17/09/2024) 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.

4. The dwellinghouse 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.

5. 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 dwellinghouse 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.

6. No development shall commence until the tree protection and ground protection measures as set out in the Arboricultural Impact Assessment (published 30/09/2024) have been implemented. 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.

7. The ecological enhancements detailed in Table 3 of the Preliminary Ecological Appraisal and Biodiversity Impact Assessment dated September 2024 (published 17/09/2024) shall be implemented prior to the first occupation of the dwellinghouse and these measures shall thereafter be retained.

Reason: To increase biodiversity.

Other Compliance Conditions

8. The materials to be used externally shall match those of the existing building in colour, shape, size and texture.

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

9. The development shall be carried out in accordance with the recommendations set out in Section 4 of the Bat Survey (produced by Armstrong Ecology Ltd dated July 2024) published 02/09/2024.

Reason: To meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.
3. This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.
4. The applicant is advised to investigate whether owners of adjoining property need to be consulted under the Party Wall Act 1996.
5. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority

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. 0730 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 Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@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.
8. 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>

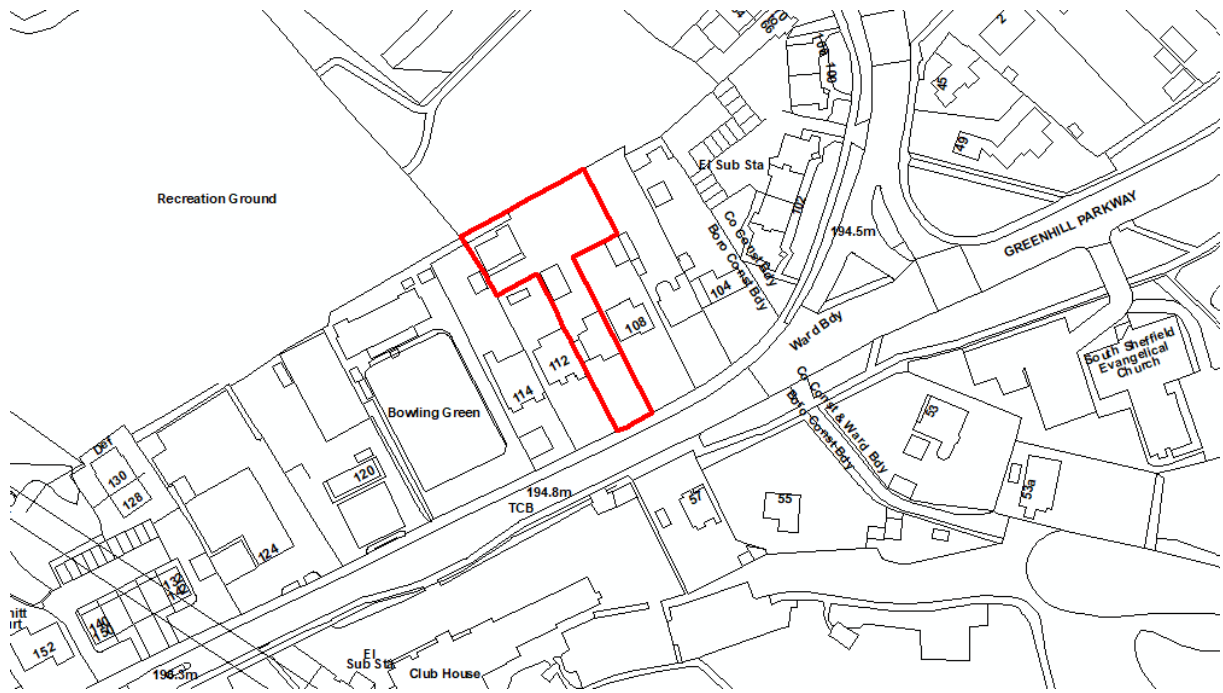
The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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.

9. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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

Site Location



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LOCATION AND PROPOSAL

The application relates to a detached outbuilding and part of the residential garden associated with No. 110 Bradway Road.

The application proposes a single-storey front extension to the detached outbuilding to form a single dwellinghouse with associated access and parking and demolition of an existing detached garage and car port to the side of No. 110 Bradway Road.

PLANNING HISTORY

From the planning history at the site, it is noted that the subject outbuilding was originally a self-contained bungalow.

In 1997 (97/1396P) permission was granted for the erection of a large detached dwelling (positioned more towards Bradway Road) and this is now No. 112 Bradway Road. The former bungalow was conditioned as being retained and used solely as an ancillary building for the new No. 112 and not to be occupied as an independent dwelling.

In 2000 (9A/0728P) permission was refused for the erection of a dwelling house at No. 112 (this time with the former bungalow to be used as self-contained living accommodation)

In 2001 (9B/0305P) permission was granted to construct a pitched roof over the ancillary building.

In 2001 (9B/0307P) permission was granted for a revised scheme for the erection of the new dwelling house at No. 112. The existing bungalow was conditioned as to be ancillary and not to be used for any other purpose.

In 2001 (01/01606/FUL) permission was granted for the building to be incorporated into the curtilage of No. 110 for use as a Games Room. Condition 8 of that permission stated that the building should remain incidental to the enjoyment of No. 110 and not be used for any business use.

In 2023 (23/02693/FUL) permission was refused for alterations and extensions to the detached outbuilding to form a dormer bungalow (this included raising of the ridge height and erection of a dormer window) and the erection of a further detached dormer bungalow with associated parking/turning facilities and an access driveway plus the erection of a store, associated with the retained No. 110 Bradway Road. This application was refused on five grounds, summarised as follows:

- overdevelopment
- the layout being out of character with the general grain and layout of existing residential properties in the immediate locality
- intensification of use of means of vehicular access/egress which it was deemed would be detrimental to safety of road users and free and safe flow of traffic on Bradway Road

- that the development would result in loss of or significant damage to trees of public amenity value
- that the development provided poor level of amenity for future occupiers, due to inadequate outlook and significant reduction in natural light to main habitable spaces caused by proximity to trees of public amenity value

REPRESENTATIONS

Neighbouring properties have been informed of the proposal by individual consultation letters.

20 representations have been received, which include representations 7 individual properties, from Cllr Smith and Cllr Otten, a petition with 38 signatories objecting to the proposal and a petition in favour of the proposal with 41 signatories.

Objections

Cllr Smith objects to the proposal as it is considered that the previous reasons for refusal on the refused scheme are still valid.

Cllr Otten wrote to endorse objections submitted by neighbouring properties.

The 38 signature petition objects on the grounds that the development destroys the character of Bradway, removes gardens, trees, biodiversity and green spaces, increases traffic and creates a precedent.

Objections raised through the individual representations and the petition can be summarised as follows:

Scale and Design

- inappropriate density
- back land development with no established street front
- out of character with prevailing grain of development in locality
- overdevelopment
- proportions of bungalow would be out of character with neighbourhood and local context
- green garden character of neighbourhood would change

Amenity Issues

- would spoil quiet enjoyment of gardens of neighbouring properties
- loss of privacy
- overlooking
- noise and light pollution
- does not achieve recommended 10m separation to neighbouring boundaries
- vehicular access/drive extremely close to principle and side elevation of flanking properties, with associated noise and disturbance
- windows in north elevation directly face heavily wooded area, resulting in poor natural light and outlook to two bedrooms

- windows in south elevation achieve a separation of 5.5m to boundary, falling short of 10m recommendation in supplementary planning guidance
- internal design layout results in extremely cramped accommodation

Highways Issues

- proposed roadway is very narrow, not wide enough for larger vehicles or fire engines
- access not wide enough for pedestrian access to pass cars
- access enters a busy main road with limited views of traffic to either side
- narrow and restricted access (no greater than 2.8m between No. 110 and 112 Bradway Road)
- increased likelihood vehicles would have to reverse onto Bradway Road
- inadequate turning provision
- poor visibility at site access
- increased traffic load at site access will place adjoining residents at risk of accidents
- visibility splays are drawn incorrectly and telephone mast would impede visibility
- inadequate off street car parking provision
- location of proposed dry riser does not comply with statutory fire regulations
- access and parking provision does not meet standards set out in South Yorkshire Residential Design Guide

Landscape, Ecology and Biodiversity Issues

- removal of a number of large trees to rear of property would cause problems for local wildlife
- proposed site plan indicates no trees or biodiversity along northern boundary, suggesting removal or substantial cut back of existing trees/vegetation
- overshadowing from existing tree canopies would lead to pressure to remove or significantly trim trees and hedges, compromising aesthetic and ecological value of the site
- submission contains omissions and errors in relation to landscape features at the site and surrounding the site
- garden of 110 Bradway Road is totally decimated
- appears hedgerow to boundary with No. 112 is to be removed and replaced with 1.8m high boundary fence. Hedgerow does not belong to site and permission to remove will not be given
- development will remove trees and mature gardens, which are considered distinctive features of area
- Omissions and inaccuracies in submitted biodiversity information
- No mention of how biodiversity net gain will be achieved
- Adverse impacts on protected species
- No Tree Survey
- Access drive could cause harm to root systems of existing trees
- Impact on ecology to adjacent green belt has not been referenced or accounted for

- Figures stated in preliminary ecology assessment are incorrect as all of front garden of 110 Bradway Road would need to be removed and hedgerows have been inconsistently measured
- 10% biodiversity net gain cannot be delivered on site and potential for mitigation or net gain is not covered in detail
- Proposals introduce hard surfacing within root protection areas of existing trees
- Yorkshire Water consultation infers that development will require new drainage system but tree survey does not account for this
- Strengthened and wider driveway will be required for loading of fire appliance vehicles, not accounted for in tree survey
- Tree Survey does not mention trees on Northern boundary which sit immediately outside of site ownership but could be impacted by pruning and pollarding works
- British Standards set out that hard surfacing should not exceed 20% of any existing unsurfaced ground within root protection area, proposal would vastly exceed this requirement and not addressed in submitted tree survey

Other Issues

- would set a dangerous precedent
- garden grabbing
- drainage issues due to increase in surface water run off
- several applications for development on this site have been refused in the past, reasons for refusal remain unresolved
- no plans, elevations or proposals have been submitted for the brick-built outbuilding to No. 110 Bradway Road
- use would be particularly vulnerable to the presence of contamination
- no site sections submitted as part of the application
- no indication of where bins would be stored and occupiers would be expected to traverse 45m+ distance to edge of highway
- fire strategy is not fit for purpose

Non-Material Planning Considerations

- continuous stream of planning applications has placed immense strain on the local community
- no prior consultation has taken place or outline planning permission been sought

Support

The 41 signature petition supports the scheme and asks that the planning application is granted.

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 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 (UDP) which was adopted in 1998. The National Planning Policy Framework published in 2018 and last revised in December 2023 (the NPPF) is a material consideration (paras 2 and 224 of the NPPF).

Paragraph 225 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF.

In all cases the 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 that protect areas or assets of particular importance (including SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provides a clear reason for refusing the development proposed; 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" and this assessment will have due regard to this.

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.

Under the revised NPPF, owing to the status of the emerging local plan, Sheffield is required to demonstrate a 4-year supply of housing (instead of 5 years). The 4-year supply figure is 3.01 years.

Because the Council is currently unable to demonstrate the required four-year supply of deliverable housing sites, the relevant policies for determining applications that include housing are considered to be out-of-date according to paragraph 11(d) of the Framework.

Set against this context, the development proposal is assessed against all relevant

policies in the development plan and the Framework below.

Principle of Development

The site lies within a designated Housing Area, as defined in the Unitary Development Plan (UDP). UDP Policy H10 (Development in Housing Areas) identifies housing as the preferred use of land in these areas. The proposal is considered acceptable in principle.

However, it should be noted that whilst the principle of the development is acceptable in terms of UDP Policy H10, the policy states that any proposal would also be subject to the provisions of UDP Policy H14 (Conditions on Development in Housing Areas) and UDP Policy BE5 (Building Design and Siting) being met. Furthermore, the principle of housing on this parcel of land is also subject to the more recent Core Strategy policies, as set out and assessed against below.

Housing Land Supply

Core Strategy Policy CS22 (Scale of the Requirement for New Housing) sets out Sheffield's housing targets until 2026; identifying that a 5-year supply of deliverable sites will be maintained. However, the NPPF now supersedes this, and the Council cannot demonstrate adequate Housing Land Supply at this point in time. Weight cannot therefore be afforded to the housing figures identified in Policy CS22.

Core Strategy Policy CS23 (Locations for New Housing) identifies that new housing will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure, within the main urban area of Sheffield. It is considered that weight can still be afforded to this policy on the basis that it links to key themes in the NPPF, including increasing the supply of new homes, regeneration and sustainable development, the efficient use of land, brownfield land development, sustainable development, and sustainable travel.

Paragraph 70 of the revised NPPF sets out that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

Core Strategy Policy CS24 (Maximising the Use of Previously Developed Land) prioritises the reuse of previously developed sites and sets out that no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. This is considered to align with the aims of the NPPF, in particular Paragraph 123.

As confirmed in the NPPF, a residential garden is considered to constitute a greenfield site. The latest Housing and Economic Land Availability Assessment, published in December 2022, reports that over the period 2004/05 to 2021/22 93.8% of new homes were built on previously developed land, and therefore 6.2% were on greenfield sites, which is well below the 12% set out in Policy CS24.

This development will make a small but positive contribution towards the Council's housing land supply of deliverable sites, and this is afforded moderate weight as a material consideration in the determination of this application.

As the Council is currently achieving a dwelling build rate on previously developed land that aligns with the policy requirement, the development of this greenfield site would not be considered to conflict with Core Strategy CS24 or the NPPF.

The site is in a sustainable location, within an established residential area, which provides access to community facilities and public transport routes. The proposal is considered to represent an efficient use of the land. The proposal is considered acceptable in housing land supply terms.

Density

Core Strategy Policy CS26 states that new housing will be required to make efficient use of the land, but the density of new housing should be in keeping with the character of the area.

For the majority of the urban area, which includes the application site, this policy recommends a density of 30-50 dwellings per hectare, however it also states that densities outside this range will be permitted where they achieve good design, reflect the character of an area or protect a sensitive area.

The site area is approximately 0.125 hectares, and with the resulting two dwellings on the site, this would equate to a density figure of approximately 16 dwellings per hectare.

Whilst the proposal would result in a lower density than that generally expected in such an area, the immediate locality is considered to consist of lower density housing than the policy recommendation and the plot size would be reasonable in comparison to others on the street scene and the local vicinity. A higher density would be considered out of character in this location and the proposal is therefore considered to accord with Policy CS26.

Green Belt Considerations

It is noted that the site lies adjacent to the Green Belt.

Policy GE4 states that the Local Planning Authority should consider views into and out of Green Belt for sites located adjacent the Green Belt boundary. The policy is considered to have some consistency with the NPPF but can only be afforded limited weight due to the fact that appeal decisions have found it to be inappropriate to conflate visual impact with Green Belt openness.

Notwithstanding this, it is considered that the existing outbuilding has very limited presence, when viewed from the Green Belt. It is set at a lower level than Green Belt land to the north, screened by an existing belt of trees and it is also viewed in context with existing dwellings along Bradway Road. The proposed extension to the building

would not be visible from vantage points within the Green Belt and as such, the proposal would not be contrary to UDP Policy GE4 and would be considered to have no impact on the openness of the Green Belt.

Design

UDP Policy BE5 (Building Design and Siting) seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions.

Core Strategy Policy CS74 (Design Principles) details that high quality development which would respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods will be expected.

NPPF paragraph 131 promotes high quality and beautiful buildings with good design being a key aspect of sustainable development that creates better places to live, work and establish communities.

NPPF paragraph 135 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 aims of the local and national design policies are considered to closely align and as such, the local policy is afforded significant weight.

This part of Bradway Road is considered to be suburban in character, consisting predominantly of detached dwellings set within relatively generous curtilages. Existing dwellings have an established street frontage and follow a consistent building line.

In isolation, the design of the scheme does not raise any particular concerns. The proposed extension is considered to have been suitably designed to complement the scale and appearance of the existing building. The extension would be finished in matching facing and roofing materials to the existing building and main habitable spaces would be afforded with reasonable sources of natural light and outlook.

While the proposal is essentially a form of back-land development, which will have no established street frontage, it is considered important to note that the core building already exists and the proposal seeks to retain and convert this, with the provision of a relatively modest extension (resulting in approximately 37% increase in the volume of the building overall).

While it is acknowledged that the previous application was refused on the basis that the layout of the proposed two dwellings would be out of character with the general grain and layout of existing residential properties in the immediate area, this current application is considered materially different. The proposal would result in very little additional built form, as the second dwelling is no longer proposed. The existing outbuilding, which has no impact on the immediate streetscene, would be retained with relatively minimal intervention (i.e no increase in height as previously proposed).

The proposed dwelling would also be afforded a more generous plot than in the previously refused scheme. This is considered to be more in keeping with plot sizes in the wider locality. The proposed dwelling would not be apparent in the general streetscene, due to its discrete siting and it is considered that the increase in activity at the site would not be excessive. In contrast to the previous application, it would be considered unreasonable to resist this application on the grounds of being out of character with the general grain and layout of the locality due to these factors.

The previous scheme was also refused on the grounds of overdevelopment, with it being considered that the development appeared cramped on the site and in too close proximity to neighbouring dwellings.

The proposed dwelling would benefit from a garden area in excess of 350m² and while the extension to the building would be set close to common boundaries with No. 112 and No. 114 Bradway Road, the overall scale of the proposed extension in terms of height and massing is not considered excessive. The property would remain relatively screened from these neighbouring properties by existing dense hedging and additionally by proposed fencing.

No. 110 Bradway Road would retain a rear garden area of approximately 125m², and while this is smaller than other properties in the immediate locality, it is not considered to be inadequate in size.

Considering that the proposal now comprises of a single dwelling, which will benefit from outlook towards a relatively generous garden area and the fact that the existing property will retain a reasonable sized garden, the proposal is not considered to represent an overdevelopment of the plot.

Overall, the proposal is considered acceptable in design terms.

Amenity for Future Occupiers

UDP Policy H15 b) seeks to ensure appropriate amenity for residents in the design of new housing developments.

NPPF paragraph 135 f) promotes, amongst other things, a high standard of amenity for existing and future users, safety, and quality of life, which is consistent with the aims outlined in UDP Policy H15 (b). Therefore, it is considered that significant weight can be attached to this local policy.

The proposed dwelling would provide living space of good proportions and with reasonable sources of natural light and outlook.

Nationally described space standards set out that a 3-bedroomed property should provide a minimum gross internal floor area of between 74 and 195m², when arranged over a single floor and that 2.5m² of built in storage should be provided. The proposed dwelling would provide approximately 95m² of gross internal floor area and the floor plans indicate that each bedroom would be provided with built-in storage, which would exceed 2.5m². In this regard, the dwelling would be considered

to provide a decent standard of living accommodation.

In terms of sources of natural light and outlook, it is noted that bedroom 1 would only benefit from a single window, which would be relatively limited in terms of natural light and outlook, considering the proximity to the site boundary and presence of mature trees adjacent to the site.

Bedroom 2 would benefit from three window openings, two north facing windows, which again would receive relatively limited natural light and means of outlook, and one window east facing, towards the amenity space.

Bedroom 3 would benefit from relatively a generous east facing window opening and a further set of patio doors facing south towards the boundary with No. 112 Bradway Road. While the patio doors would provide an outlook towards the common boundary with No. 112 Bradway Road, it is not considered that this would lead to unreasonable privacy implications as there is existing dense hedging along the boundary, further boundary fencing is proposed and the opening is situated at ground floor level.

Overall, it is considered that two of the three bedrooms will benefit from decent provision of natural light and outlook and while Bedroom 1 would be limited in such regards, it is not considered that this would result in poor living conditions within the proposed dwelling overall.

The main living space would benefit from generous glazing, in the form of wide bi-folding doors providing an outlook towards the amenity space. The space would also benefit from rooflights.

As detailed above, the proposed dwelling would benefit from a garden area in excess of 350m², which is considered ample for the size of the property.

Amenities of Occupiers of Neighbouring Properties

The proposed extension to the building would be set relatively close to boundaries with No. 112 and 114 Bradway Road but it is not considered this would lead to issues of unreasonable overbearing, overlooking or over shadowing.

The proposed extension is single-storey in nature and features a shallow pitched roof, the ridge of which would sit lower than the ridge height of the existing building. Existing dense hedging would effectively screen the proposed extension from view and it is noted that both neighbouring properties also have existing detached outbuildings along the affected common boundaries, providing a further buffer/screening.

In relation to No. 112 Bradway Road, a separation distance in excess of 16m would be provided between the proposed extended property and the rear elevation of this neighbouring property. This is considered suitable separation to prevent any harmful overbearing impacts and as the subject property is located to the north of this neighbour, it is not considered that the proposal would result in overshadowing.

In terms of potential overlooking from the proposed dwelling, outlook from main habitable spaces will be concentrated out towards the garden area of the subject property and would not prejudice privacy of neighbouring properties. A kitchen window is proposed facing towards the common boundary with No. 114 Bradway Road but this will be set at high level and existing boundary hedging would prevent any overlooking of the neighbouring garden. As discussed above, it is not considered that the patio doors associated with Bedroom 3 would detrimentally impact privacy for occupiers of No. 112 Bradway Road.

The proposed access to the property would run between No. 110 and No. 112 Bradway Road and would result in vehicles and persons not associated with those properties travelling in close proximity to them and their respective boundaries. However, it is considered that the number and nature of traffic and pedestrian movements and other activities associated with a single dwelling would be unlikely to be of a degree that would lead to unacceptable harm to nearby residents.

In relation to No. 112 Bradway Road, vehicles and persons associated with No. 110 Bradway Road currently utilise this access between the properties, to access the rear garden and the existing attached garage. While the proposed access would extend further and terminate beyond the rear of the garden of No. 112 Bradway Road, it is not considered that the proposal would result in a material difference to this existing situation.

In relation to No. 110 Bradway Road, a 1.8m high boundary fence is proposed to enclose the rear garden of this property and, subject to satisfactory detailing, this would be considered to provide suitable screening between the access and the amenity space associated with this property. While no separation or screening is proposed to the front of the site, this is a less sensitive area and again it is considered that vehicle/pedestrian movements associated with a single dwelling would not cause unreasonable impacts. Occupiers of the proposed dwelling and No. 110 Bradway Road (as the applicants) are/will be aware of the situation.

Land Quality

It is noted that the site has formerly been in use as a plant nursery and this could have been subject to potentially contaminative operations. However, the current use of the site is as a residential garden.

Officers in Environmental Protection have considered the application and advise that the plant nursery was present on the site between 1903 and 1920 and as such it is considered that there would be low potential for contaminants to remain present from this past use. Advisory directives are suggested to request that in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing in consultation with the Local Planning Authority.

Highways

UDP Policy H14(d) sets out 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.

This policy is not considered to be fully consistent with government policy contained in the NPPF, which states at paragraph 115 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.

During the course of the application further details in relation to the site access have been provided. This demonstrates that 2m x 45m sight lines can be achieved at the site access.

The proposed access is acceptable in highway safety terms and provides adequate visibility splays and pedestrian/vehicular visibility.

It is acknowledged that two vehicles would not be able to pass at the access point to Bradway Road but it is considered that the likelihood of this occurring would be relatively infrequent and it is not considered that this would constitute a highways safety risk to a degree which would warrant refusal of the application. Such instances could occur at the current property, where the occupiers own more than one vehicle or should visitors arrive at the property. It is also acknowledged that the proposal would result in an intensification of the use of this existing access point but it is not considered that the use of this existing vehicular access would be intensified to such a degree that would it result in unacceptable highways safety implications.

In regards to off-street car parking provision, the plans indicate that the proposed dwelling would be provided with three off-street car parking spaces and turning facilities, so that vehicles can exit the site in a forward gear. Car parking for the existing property, No. 110 Bradway Road, would be provided to the front of the property to an area of existing hardstanding. This would provide a minimum of two off-street car parking spaces, with vehicles utilising the shared access for a turning facility to ensure that vehicles can exit the site in a forward gear. The level of off-street car parking provision is considered acceptable and while it is acknowledged that turning within the shared access way could lead to potential for collision, it is considered that the likelihood of this would be low, as vehicles would be manoeuvring at low speeds within a familiar site and this would not represent a highways safety impact which would warrant refusal of the application overall.

Proposed improvements to the existing access point and provision of the off-street car parking provision can be secured by condition to ensure that these elements are implemented before use of the new dwelling is commenced and to ensure that no obstruction to visibility would be permitted thereafter.

In regards to the vehicular accessway to the proposed dwelling, it is acknowledged that, this is quite limited in width, particularly where this would pass between the gable walls of No. 110 and No. 112 Bradway Road (width at this point is just below 2.9m). It is also noted that this could lead to issues of noise and disturbance for occupiers of these neighbouring dwellings. It is however noted that vehicles currently utilise this relatively narrow access to reach the existing detached garage and following the proposal, vehicles associated with No. 110 would no longer utilise this passage. The narrow access between the properties would remain in use in relation to a single property. As such, it is considered that the use of this accessway would not be materially increased, as it will essentially remain in use by a single property. A single dwelling would be considered to generate a relatively minor number of vehicular movements (likely in the region of 6-8 vehicular movements per day) and it is not considered that this would result in unacceptable harm to the amenities of neighbouring properties.

During the previous application concerns were highlighted that the proposed dwelling could not be directly accessed by a fire appliance due to the limited width of the vehicular access, where it would pass between No. 110 Bradway Road and No. 112 Bradway Road. It is also noted that, in order to comply with British Standards in relation to access for a fire appliance, the dwelling would be positioned in excess of the required 45 metres from the point at which a fire appliance could be positioned.

During the course of the application a Fire Statement has been submitted, this sets out a proposal to install a dry riser to the front and rear of No. 110 Bradway Road. This also sets out that a fire appliance could be accommodated within the existing frontage of No. 110 Bradway Road.

South Yorkshire Fire & Rescue (SYFR) have considered the application and the submitted Fire Statement and have raised some concern with elements of it. This issue has also been discussed with colleagues in Building Control, as fire safety is primarily an issue which is resolved through Building Control, rather than Planning. Officers have been assured that suitable solutions are achievable that will ensure the proposed dwelling will not be an unacceptable risk in terms of fire safety. This could for example include the provision of sprinkler systems. It would therefore be unreasonable to resist the planning application on fire safety grounds.

Overall, it is not considered that the proposal would result in an unacceptable impact on highway safety, or residual cumulative impacts on the road network. As such, the proposal is considered to be in accordance with NPPF Paragraph 115.

Ecology and Landscaping

Paragraph 180 of the NPPF 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.

The application is accompanied by a Preliminary Ecological Appraisal (PEA) and a Biodiversity Impact Assessment. A Bat Survey and Arboricultural Impact

Assessment have also been provided.

The existing site features the subject outbuilding, a detached garage, summerhouse, shed, areas of hardstanding, lawn, hedging, and informal planning. To the north of the site, there is a substantial group of mature trees running along the boundary of the adjacent Bradway Recreation Ground.

The PEA highlighted that the detached garage, which is proposed to be demolished, and the subject outbuilding provided moderate to high potential to be used by roosting bats. A Bat Survey has been carried out and no evidence of bat roosting was recorded. It was therefore concluded that it is unlikely that bat roosts are present in the building. A precautionary, pragmatic and reasonable approach to the development is recommended, and in the unlikely event of bats being discovered then works would be required to cease immediately and advice sought from a suitably qualified and licenced ecologist. The requirements set out in the Bat Survey can be secured by condition.

In regard to existing landscaping features, the proposal consists of an extension to the south elevation of the existing outbuilding, the demolition of the detached garage structure and provision of hardsurfacing. There are two existing trees within the site and it is proposed that these will be retained. Considering that the proposed extension is situated to the south facing elevation of the building, this element of the scheme would not affect these trees. While the proposed hardstanding would result in the loss of an area of lawn, this would not be considered to have a great ecological impact.

A number of ecological enhancements are proposed on site, as well as retention of existing features. This includes the provision of bird boxes, retention of retention of barge boards and ridge to the existing outbuilding as a potential bat roosting feature, incorporation of gaps to any fencing to allow for hedgehog passage and the provision of additional hedge planting.

The submitted Arboricultural Impact Assessment confirms that the development will not require the removal of any trees, that a degree of pruning of existing trees within the site is suggested but that such works would be recommended regardless of the planning application. Where hardstanding is proposed within root protection areas of trees within the site, it states that this can be carried out without causing harm to root health and function of existing trees through the use of no-dig solutions such as Cellweb and the assessment also sets out a tree protection plan and methodology for the demolition and proposed construction works.

The assessment has been considered by Landscape colleagues who are comfortable with the scope of the report and the proposals and recommendations of the assessment. It is considered important that the proposals and recommendations contained within the assessment are carried out and such recommendations can be secured by condition in the interests of protecting existing trees within the site.

In regards to trees which sit outside the site, along the northern boundary, while these are not specifically assessed within the submitted tree report it is considered that, due to the scale and siting of the proposed development, the recommendations

set out in the assessment are sufficient to ensure that trees outside of the site boundary would be adequately protected.

Biodiversity Net Gain

The pre-development biodiversity value of the onsite habitat has been calculated as:

- 2.1610 habitat units for habitats measured by area
- 0.2730 habitats units for hedgerows (measured by length)

No irreplaceable habitat has been identified at the site.

The post development biodiversity value of onsite habitat has been calculated as 2.1477 habitat units, resulting in a net loss of 0.61%. There is no loss of hedgerow habitat proposed. It is concluded that 0.2294 habitat units and 0.0273 hedgerow units would be required to meet the 10% gain target.

The required 10% biodiversity net gain is not achievable through onsite provision, as this could not be reasonably secured for the required time period (30 years) within a residential garden. As such, this will need to be secured as off-site provision and it is understood that this will be provided through a habitat bank. Detail regarding the mandatory 10% net gain in biodiversity will be secured through a biodiversity gain plan, which can be secured by the statutory biodiversity condition that is embedded into all relevant planning approvals.

The Biodiversity Officer has considered the submitted information and confirmed that the application is sufficiently well supported by a competent ecological appraisal and the BNG assessment that confirms that no impacts to protected or priority habitats or species are likely and that the existing site comprises common unremarkable suburban garden habitat. Furthermore, they confirm that other aspects of the ecology assessment, such as proposed biodiversity enhancements are acceptable in principle.

Overall, it is considered that the proposal meets the requirements of NPPF Paragraph 180 and the required 10% biodiversity net gain can be secured.

Community Infrastructure Levy

The site falls within CIL Charging Zone 5 which attracts a CIL charge of £80 Per square metre. 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.

RESPONSE TO REPRESENTATIONS

It is considered that the majority of issues relating to scale and design, amenity impacts, highways issues, contamination, landscape, ecology and biodiversity issues have been addressed in the report above.

While the access arrangements may not strictly meet all of the technical requirements set out in the South Yorkshire Residential Design Guide, such requirements are guidelines and set out expectations for new housing developments. They are not considered wholly relevant to the consideration of an application of this scale, which also relates to an existing means of access. Highways colleagues have assessed the current proposals and are satisfied that suitable access to the retained and proposed dwelling can be provided, as set out in the report above.

The neighbours raise concern that the proposal could involve the removal of a number of large trees to the rear of the property but this is not proposed and the submitted tree survey confirms that the proposal can be carried out without harm to trees within the site and adjacent to it.

It is not necessary for the preliminary ecological assessment to assess any features beyond the red line boundary of the site.

For a scheme of this scale, which in effect represents a small extension of an existing building and areas of hardstanding, drainage issues would be dealt with at building regulations stage.

The originally proposed brick built store associated with No. 110 Bradway Road has been omitted from the proposal.

It was not considered that site sections were required to support the proposal as the site is relatively flat and no significant ground levelling works are anticipated.

The proposed dwelling would have a generous curtilage, with ample space to accommodate bin storage. While future occupiers would be required to place wheeled bins at the kerbside, this is not uncommon and would not be considered a reason to refuse the application.

It is acknowledged that a number of applications have been submitted at the site but the Local Planning Authority has a duty to assess any applications received.

There is no requirement for the applicants to carry out prior consultation on the proposal and neighbouring consultation has been carried out as part of the planning application process.

The application details that the dwelling will be connected to existing drainage systems and further detail would form part of a subsequent building regulations approval. For a development of this scale, drainage is not a material planning consideration.

SUMMARY AND RECOMMENDATION

The site lies within a designated Housing Area and as such the proposal is considered acceptable in principle.

The resulting dwelling would be of suitable appearance and would not be considered to detract from the appearance of the area. The proposed dwelling would provide

suitable living conditions for future occupiers and would not unduly harm living conditions for neighbouring dwellings.

The dwelling would include suitable off-street car parking provision and would not raise highways safety implications.

As the Council is currently unable to demonstrate the required 4 year supply of deliverable housing sites, the tilted balance is triggered and, in accordance with the NPPF, 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 respect, there are no protected areas or assets of particular importance and the report above demonstrates that the development would not result in any significant adverse impacts which would outweigh the benefits of the scheme.

The proposal would result in a small but welcome contribution to local housing provision in a sustainable location.

It is therefore recommended that planning permission is granted.

Recommendation: Grant conditionally