

Case Number	24/00047/FUL (Formerly PP-12664719)
Application Type	Full Planning Application
Proposal	Demolition of rear garage and erection of three-storey detached dwellinghouse
Location	87 Knowle Lane Sheffield S11 9SN
Date Received	05/01/2024
Team	South
Applicant/Agent	Ben Smith Architectural Limited
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development hereby permitted shall be carried out in complete accordance with the following plans and documents, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Drawing No. 210.002 Revision 05 Proposed Floor Plans published 23/04/2024

Drawing No. 210.003 Revision 04 Proposed Elevations published 23/04/2024

Drawing No. 210.004 Revision 05 Site Location Plan and Proposed Site Plan published 23/05/2024

Drawing No. 210.005 Revision 04 Proposed Street Elevation published 23/04/2024

Arboricultural Report & Impact Assessment prepared by AWA Tree Consultants published 19/04/2024

Reason: In order to define the permission.

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

Condition(s)

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

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

4. 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.

5. The proposed demolition and development shall be carried out in accordance the Arboricultural Report & Impact Assessment prepared by AWA Tree Consultants published 19/04/2024.

Reason: In the interests of protecting the tree adjacent to the site and in the interests of the visual amenities of the area.

6. The approved landscape works, as shown on Drawing No. 210.004 Revision 04, shall be implemented prior to the occupation of the dwellinghouse. 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 it is essential for these works to have been carried out before the use commences.

7. The dwellinghouse shall not be used unless the car parking accommodation for 2 cars 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.

8. The dwellinghouse shall not be occupied unless the sight line, as indicated on the approved plans (Drawing No. 210.004 Revision 04), has been provided. When such sight line has been provided, thereafter the sight line shall be retained and no obstruction to the sight line shall be allowed within the sight line above a height of 1 metre.

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

9. The dwellinghouse shall not be occupied unless the hardsurfaced areas to the front of the site are constructed of permeable/porous materials. Thereafter the 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.

10. The dwelling shall not be occupied unless the bin store has been provided in accordance with the approved details and, thereafter, the bin store shall be retained and used for its intended purpose and bins shall not be stored on the highway at any time (other than on bin collection days).

Reason: In the interests of highway safety and the amenities of the locality.

11. Before any above ground works commence details of the proposed EV charger, solar PV panels and air source heat pump shall be submitted to and approved in writing. These features shall be installed before the dwellinghouse is occupied. Thereafter the agreed equipment shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that the dwelling makes energy savings in the interests of mitigating the effects of climate change.

Other Compliance Conditions

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

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

13. The first floor window on the rear elevation of the dwellinghouse 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 adjacent property.

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. 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.

3. 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.

4. The applicant is advised that measures to facilitate the provision of gigabit-capable full fibre broadband should be considered as part of implementing this development and for more details please contact hello@superfastsouthyorkshire.co.uk and/or refer to the Informative Note on <https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/provision-of-gigabit-capable-full-fibre-broadband-for-dwellings-and-developments.pdf>.

5. 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.

6. You are advised of the following, in relation to potential coal mining risks at the site:

Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other groundworks and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain permission to enter or disturb Coal Authority property will result in the potential for court action.

Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

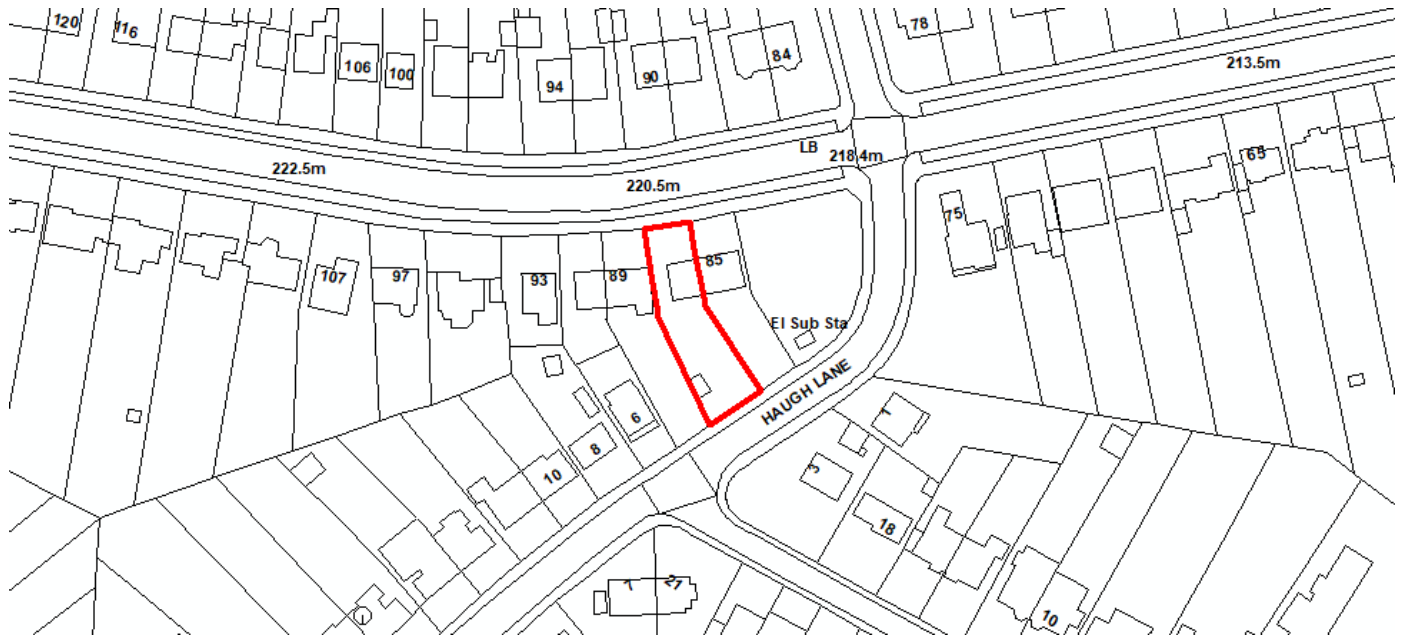
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Site Location



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Location and Proposal

The application relates to the rear garden area of No. 87 Knowle Lane.

No. 87 Knowle Lane is a two-storey semi-detached dwellinghouse. Land levels within the rear garden of the subject property fall from the rear elevation, quite significantly and the rear boundary of the site fronts Haugh Lane.

The application proposes demolition of an existing detached garage and the erection of a detached three-storey dwellinghouse with associated amenity space and car parking accommodation. The proposed dwelling would front Haugh Lane.

Relevant Planning History

There is no relevant planning history at the property.

Summary of Representations

Neighbouring properties have been informed of the proposal by individual consultation letters and a site notice has been displayed close to the site on Haugh Lane.

24 letters of objection have been received, issues raised can be summarised as follows:

Design Issues

- Proposed house is too crammed into the site, providing no garden, is too high and out of character in the area
- Height is out of scale with surrounding buildings
- Inappropriate modern design which is very tall and out of character with surrounding properties
- Introduction of front dormer an unwelcome proposal, would be an alien feature in street scene
- Design is unconventional, with limited visibility of garden making it unsuitable/unappealing as a family home
- Despite extensive glazing to front elevation, other elevations are dominated by glazing which represents poor design
- Would be very dominant on Haugh Lane and out of scale
- High density form of development is out of character with open and green nature of local area
- New build appears to deviate from building line, set closer to road and out of keeping with the area

Amenity Issues

- Internal layout appears contrived, resulting in unacceptable outlook from main living areas
- Will cause overshadowing and overlooking
- Would dominate garden of neighbouring property
- Overdevelopment
- Loss of privacy for nearby properties
- Due to elevated position of houses on Knowle Lane separation distances are substandard and rear garden will be overlooked
- Will impact negatively on smaller house next door, blocking light and being very

closely crammed onto their boundary

Highways

- Proposed driveway would be blind to traffic coming from Knowle Lane
- Vehicular and pedestrian safety concerns
- Pedestrian safety as walking route to local schools
- Increased risk of traffic accidents
- Increased on street parking
- Existing garage and entry point have not been used by current property owners

Other Issues

- Suburban gardens provide important habitat for many species and loss of green space would have detrimental effect on urban wildlife
- Contribute to a reduction in biodiversity
- Impact on mature trees adjacent to site
- Impacts on services in the area, such as drainage, electricity and utilities

Non Material Planning Considerations

- Application for houses to the rear of 51-55 Knowle Lane was rejected in 2023. This proposal would conflict with same policies
- Similar application for dwelling to rear of 89 Knowle Lane previously refused
- Housing density increase by stealth – other sites likely to come forward with proposals for further dwellings along Haugh Lane
- Building noise, disruption and traffic during construction phase
- If granted, probable that wooded area on corner of Haugh Lane would be developed
- Would set precedent for future planning applications
- Would compromise views of many surrounding neighbours

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, as the Local Plan has been submitted for examination 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.

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

- Principle of Development
- Design
- Residential Amenity
- Highway Issues
- Ecology and Landscaping

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 significantly 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 considerable 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 predominantly 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.

Housing Density

Core Strategy Policy CS26 (Efficient Use of Housing Land and Accessibility) requires housing developments to make efficient use of land, but that it should be in keeping with the character of the area. In the general urban area, the policy sets out that a density of 30-50 dwellings per hectare would be appropriate.

NPPF Paragraph 128 states that planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services—both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

It is considered that Core Strategy Policy CS26 is consistent with the aims of NPPF Paragraph 128 and as such the local policy can be afforded significant weight.

The site area of this development is approximately 224 square metres, which would represent a housing density of 44-45 dwellings per hectare. Such a density is considered to represent an efficient use of the land, in line with requirements of Core Strategy Policy CS26. While it is acknowledged that the prevailing character of the area is of a lower density, consisting of properties sitting within more generous plots, there are examples of dwellings in more compact plots within the immediate locality and it is not considered that the proposed development would be out of character in this context.

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.

During the course of the application, following officer requests the scale of the proposed dwelling has been reduced. This assessment is based on the amended plans.

The proposed dwelling would front Haugh Lane. Haugh Lane has a mixed character, displaying a range of detached and semi-detached properties which vary in form and

architectural style. The proposed dwelling would sit within its own plot and would not particularly be viewed in direct context with neighbouring properties.

While the proposed dwelling has a contemporary appearance, it is not excessive in scale and is considered to have been suitably designed to complement the locality.

The dwelling would be finished in facing materials to complement the general materiality apparent in the locality. The dwelling will predominantly be faced in buff brickwork, the front and rear dormer features will be finished in a silicone render and the dwelling will feature a pitched roof, finished in smooth grey concrete tiles. Further details of the materials will be secured by condition but it is considered that the proposed materials are generally of appropriate quality and appearance and, considering the mixed palette in the locality, the materials are considered acceptable in principle.

The proposed dwelling is considered to respect the building line of Haugh Lane, established by properties further along the street. The dwelling would be set away from the adjacent highway, with landscaping and car parking accommodation provided to the site frontage. As proposed, it is not considered that the dwelling would appear overly prominent and the overall scale and design is considered acceptable.

The frontage of the site is relatively open in nature, featuring a low front boundary wall. This approach will aid in visibility for vehicles accessing and exiting the site. Hedging and planting is proposed to the side boundaries of the site to soften the frontage to a degree and planting is also proposed in a bed to the front of the property. The fact that dwelling does not extend across the entire width of the plot will also help to break up the site and will provide views through the site.

A double slatted cedar bin store is proposed to the front of the property. This will be set within the landscaped border, to provide a degree of screening.

Overall, the design of the scheme is considered acceptable and in this regard, the proposal is considered to meet the requirements of local and national design policies.

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 90 and 108m², when arranged over 3 floors. The proposed dwelling would provide approximately 113m² of gross internal floor area. While the floor plans do not make reference to any built-in storage, there is considered to be ample space to accommodate storage facilities.

In terms of sources of natural light and outlook, the dwelling has been designed with limited rear facing window or door openings to prevent privacy issues with properties along Knowle Lane, which are positioned at a higher ground level.

Two of the three bedrooms would benefit from relatively generous front facing window openings. It is acknowledged that the rear facing bedroom would have a limited outlook, as the rear facing window would be conditioned to be obscure glazed, to prevent privacy issues. This bedroom would however also benefit from a skylight and as such it is considered that the room would be provided with reasonable living conditions.

The main living space would be elevated from street level and would benefit from a generous front facing window, the space would also have side facing bi-folding doors providing access to a terrace and a large skylight. Such features would be considered to provide reasonable living conditions for future occupiers of the property.

In terms of amenity space, the dwelling would be provided with a rear garden area of approximately 70m². In addition to this, the property would benefit from a terrace area of approximately 13m². It is acknowledged that the depth of the proposed rear garden is relatively limited but it is considered that this is outweighed by the overall amount of amenity space being provided.

No. 87 Knowle Lane, as the host property, would also retain a reasonable sized rear garden, in excess of 100m² and 10m in depth. The proposal is not considered to represent an overdevelopment of the plot.

It is considered that the level difference between the garden of the proposed dwelling and the retained garden of No. 87 Knowle Lane would ensure that suitable privacy is provided with garden areas of both properties and, while there would be a degree of overlooking from rear facing windows of No. 87 Knowle Lane and from other neighbouring properties along Knowle Lane, it is not considered that this would be detrimental to the amenities of future occupiers of the proposed dwelling to such a degree as to warrant refusal of the application, and it is considered common for such an arrangement to occur.

Amenities of Occupiers of Neighbouring Properties

The siting of the proposed dwelling is such that unacceptable overshadowing implications would not arise for neighbouring properties. While it is acknowledged that a degree of overshadowing would occur towards the gardens of neighbouring properties, this would be over the rear portion of the gardens, rather than any particularly sensitive area close to the houses themselves. This would not be so severe as to detrimentally affect the amenities of these neighbouring properties to an unacceptable degree. The neighbouring properties benefit from generous garden areas, much of which would be unaffected by the proposal.

Owing to the siting of the proposed dwelling, at a lower ground level to properties along Knowle Lane, and the scale of the proposed dwelling, it is not considered that any unreasonable overbearing implications would arise.

The proposed dwelling would not result in unacceptable loss of privacy to existing neighbouring properties. As highlighted above, main outlook from habitable rooms will be concentrated out towards the front the property, comparable to existing dwellings along Haugh Lane. The proposed rear facing first-floor window will be conditioned to be obscure glazed and retained as such, to ensure privacy issues do not arise.

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.

Vehicular access to the proposed dwelling would be provided by an existing dropped crossing, serving a garage to the rear of the existing subject property. It is acknowledged that this access is in relatively close proximity to a tight bend. However, it is also noted that the road has a 20mph speed limit and it is not considered that the use of this existing vehicular access would be intensified to such a degree that would result in any highway safety implications.

It has been demonstrated that sight lines of 2.4m x 25m can be achieved, this will ensure that vehicles exiting the site can do so safely, with good visibility of any oncoming vehicles. This detail will be secured by condition to ensure that no obstruction to visibility will be permitted.

The dwelling would be provided with two off-street car parking spaces, which is considered acceptable provision. The existing property also benefits from off-street car parking provision to the front, which would be unaffected by the proposals.

It is noted that many of the neighbour objections relate to highway safety areas in the general area, and in particular at the junctions of Knowle Lane and Haugh Lane and Haugh Lane and Hooper Road. However, it is considered that the provision of one additional dwelling would generate approximately 6-8 vehicular movements per day and would not result in a marked increase in traffic or on-street parking demand.

Highways Officers have considered the proposal and raise no objections and it is not considered that the proposal would result in highway safety issues.

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 existing site features a detached garage, hardstanding, lawn, hedging and informal planting which includes 5 semi-mature apple trees. It is also noted that there is a mature oak tree located in the garden of the neighbouring property (No. 89 Knowle Lane), adjacent to the site of the proposed dwelling.

An Arboricultural Report has been submitted and this confirms that the adjacent oak tree is in good health, has good structural form and has a life expectancy greater than 40 years. The tree also has moderate amenity value in the wider locality. As such, any proposal should be mindful of this and ensure that it would not lead to any harm to this tree.

The proposal has been amended during the course of the application to reduce the potential impact on the adjacent oak tree and soft landscaping details for the site have also been provided. As amended, the footprint of the proposed dwelling has been reduced, with the main bulk of the dwelling being set away from the oak tree and outside of the root protection area. A raised terrace on piled footings is set within the root protection area but, as set out below, it is considered that this can be constructed without causing harm to the adjacent tree.

Following submission of the amended plans, a further Arboricultural Report and Method Statement has been prepared. This sets out that removal of the 5 semi-mature apple trees would be required to facilitate the development. These trees are noted to be of limited value, as several of the stems have significant leans and display cavities, these limit their value and prospects. Due to the low value of these trees, their removal can be supported as this would have only a negligible negative arboricultural impact.

This report also notes that the new development would encroach into the root protection area of the neighbouring oak tree. However, due to the presence of the existing garage and hard standing, the root extent into this area is considered likely to have been limited. It is considered that with limited intervention in this area and with the employment of special foundation design, the development could proceed without negative impact on the tree roots.

The report recommends that demolition of the garage should be undertaken from the east and south, working inwards from within the footprint of the existing garage (often referred to as “top down, pull back”), with care taken not to damage the overhanging crown of T4.

Where replacement of the existing hardstanding is due to take place, within the root protection area of the oak, due to the presence of the existing hardstanding and garage it is likely that an existing compacted hardcore sub base exists beneath. As such, it is recommended that the existing hard standing sub base be left in place, with the new hard surface laid on top, with no excavations lower than the existing hard standing sub base. With such an approach, it is considered that the retained tree should remain largely unaffected by the works.

In terms of ecological impact, the loss of existing landscaping features within this garden area is regrettable but the proposed soft landscaping details provided are considered to result in a net gain in biodiversity at the site. In particular, the proposed hedging would amount to a 6 linear metre increase in hedging overall, three rowan trees would be provided along the rear boundary to compensate for the loss of the apple trees, shrub and herbaceous planting would take place as well as the provision of a swift brick in the gable wall and log piles to encourage invertebrates. The proposed landscaping works would be secured by condition.

Coal Mining Risk

It is noted that part of the site falls within a Coal Mining Referral Area, although the location of the proposed dwelling falls wholly outside the defined High Risk Area. Nevertheless, a Coal Mining Risk Assessment (CMRA) has been submitted.

The Coal Authority has reviewed the submitted CMRA and confirms that the report contains sufficient information to demonstrate that the application site is, or can be made safe and stable for the proposed development, in terms of coal mining legacy. The Coal Authority raises no objection to the application but has provided informative notes to be added to any decision notice.

Sustainability

Core Strategy Policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be designed to reduce emissions of greenhouse gases and to function in a changing climate.

Throughout the NPPF runs a presumption in favour of sustainable development. One of the three overarching objectives, noted in Paragraph 8.c), is an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. NPPF Chapter 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change) also sets out expectations that the planning system should support the transition to a low carbon future in a changing climate.

It is considered that Policy CS64 is consistent with the aims set out in the NPPF and can therefore be afforded significant weight.

The proposal includes various sustainability measures, including the provision of an electric car charging point. The installation of flush solar panels to the front facing roof plane and the provision of an air source heat pump will ensure that the dwelling has sustainable energy sources.

Sustainable drainage measures are also proposed in the scheme, it is intended that runoff surface water from the dwelling will be taken to a soakaway located in the rear garden and permeate into the ground.

Vehicular hardstanding to the front of the property will be constructed in a permeable paving material, with some water volume stored in the granular sub-base and a positively connected attenuation system.

Thermal elements, such as walls, floors, roof and glazing will be specified to meet the current U-values, and it is expected that the dwelling will exceed the required thermal values for a new dwelling.

Large South facing windows are proposed, which will allow natural daylight into the spaces, reducing the need for electric lighting and during winter months providing some additional heat. North facing elevations have reduced glazing for privacy with neighbours but this will also provide a more thermally efficient fabric overall and reduce heat loss.

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

Issues relating to the design of the proposed dwelling, potential amenity impacts on neighbouring properties, highways issues, landscaping and biodiversity issues are considered to have been addressed in the report above.

In terms of the capacity of local infrastructure, such as drainage and utilities, it is not considered that the provision of a single dwelling would result in such a demand to be regarded as unacceptable. Refusal on such grounds would be considered unreasonable.

In terms of other applications in the locality, each application must be considered and determined on its own merits. It is not considered that any decision on this site would set a precedent for development of unsuitable sites.

Any issues arising during the construction phase would be covered by means outside of the planning system. It would be unreasonable to resist the application on this basis.

Loss of views 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 proposed dwelling is considered to have been suitably designed and is not 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 has been designed to help reduce energy consumption and will incorporate features such as an air source heat pump, to provide clean renewable heat and the installation of photovoltaic panels, to generate renewable electricity.

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, the site is not within a protected area and the proposal would not impact on any assets of particular importance. 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.

Recommendation: Grant conditionally