
Case Number	21/04810/FUL (Formerly PP-10388297)
Application Type	Full Planning Application
Proposal	Demolition of existing single storey garage/storage building and erection of 3x dwellinghouses with parking and landscaping (Resubmission of 21/02982/FUL)
Location	Land At Rear Of 14-16 Oldfield Avenue Oldfield Grove Sheffield S6 6DR
Date Received	12/11/2021
Team	West and North
Applicant/Agent	JUMP Architects
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

2. The development shall be carried out in accordance with the following plans:-

- Drawing No. A-101 Rev D (Site Location and Block Plan)

published on the 12 November 2021

- Drawing No. A-110 Rev J (Site Ground Floor Plan and Elevations as Proposed)

- Drawing No. A-111 Rev H (Proposed Unit Plans and Elevations - Site 1)

- Drawing No. A-112 Rev A (Proposed Unit Plans and Elevations - Site 2)

- Drawing No. A-113 (Proposed Unit Plans and Elevations - Site 3)

published on the 12 January 2022

Reason: In order to define the permission

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

3. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

4. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

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

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

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

6. 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 dwellinghouses shall not be occupied unless such means of site boundary treatment has been provided in

accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

7. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing and layout of the car parking accommodation shall have been submitted to an approved in writing by the Local Planning Authority. The dwellinghouses shall not be occupied unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

Other Compliance Conditions

8. The rear dormer bathroom windows on the south facing elevation of the three properties shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and any opening part of the window shall be positioned at least 1.7m above finished floor level. No part of the window shall at any time be glazed with clear glass.

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

9. The lowest part of the rooflights on the south facing roofslopes of the three properties serving the study rooms shall be positioned at least 1.7m above finished floor level.

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

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the dwellinghouses; which would otherwise be permitted by Class A to Part I of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: To prevent the overdevelopment of the site, bearing in mind the restricted size of the plots.

Attention is Drawn to the Following Directives:

1. 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.

2. 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.
3. 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
4. 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.
5. The site is located close to Northern Powergrid apparatus. Great care is therefore needed and all cables and overhead lines must be assumed to be live. The developer is advised to read the letter received from Northern Powergrid prior to commencing work on site, which can be found on the application's case file on the Council's website.
6. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

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

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street

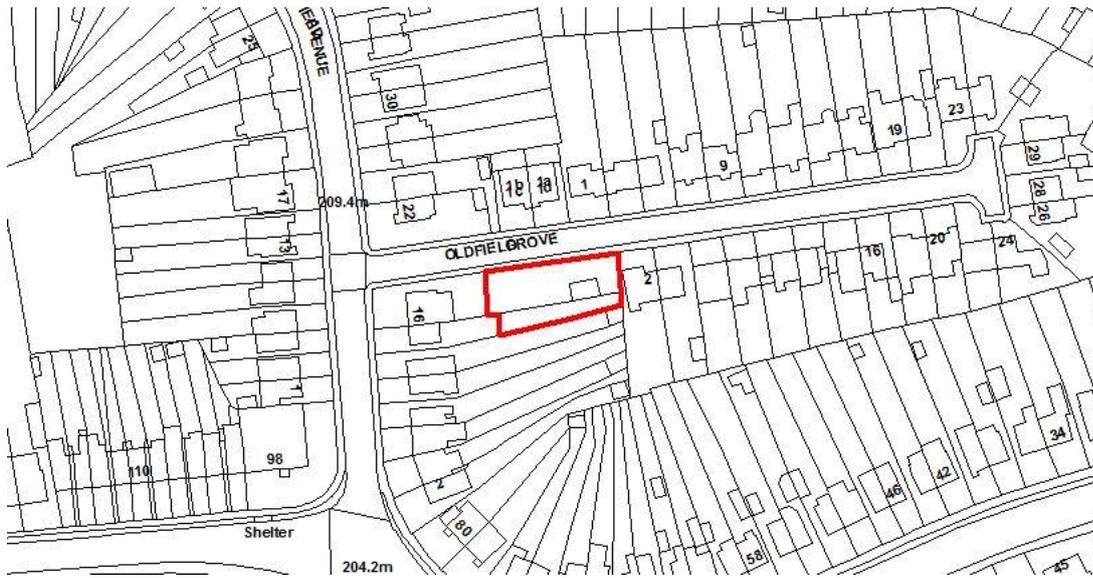
Sheffield
S1 2SH

Tel: (0114) 273 6136

Email: dawn.jones@sheffield.gov.uk

7. The applicant is advised to consider the incorporation of hedgehog friendly boundary treatments to allow hedgehogs and other small mammals to continue foraging.

Site Location



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BACKGROUND

This application relates to part of the rear garden curtilages of 14-16 Oldfield Avenue, a pair of semi-detached dwellinghouses in Stannington. Until recently, the application site benefited from planning permission to demolish the property's garage and erection of two dwellinghouses. This permission, under planning reference No. 18/03386/FUL, lapsed on the 8 January 2022.

A subsequent application to erect 2 dwellinghouses and 2 apartments on this site (21/02982/FUL) was withdrawn on the advice of planning officers in October 2021.

LOCATION AND SITE CHARACTERISTICS

No.s 14-16 Oldfield Avenue are located on the corner of Oldfield Avenue and Oldfield Grove in a predominantly residential area in Stannington. These two properties sit within generous plots (633 square metres in respect of No. 16) with front gardens to Oldfield Avenue and rear gardens that extend for over 42m. The rear garden of No. 16 fronts onto Oldfield Grove on its northern side.

The application site covers an area of approximately 475 square metres, the majority of which (approximately 347 square metres) forms part of the rear garden of No. 16 Oldfield Avenue. To its east is the western property of a pair of two-storey semi-detached dwellinghouses (No. 2 Oldfield Grove), to its south is the rear garden belonging to 12 Oldfield Avenue and to the west is the retained rear gardens of Nos 14-16 Oldfield Avenue.

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

PROPOSAL

Full planning permission is being sought to erect three detached dormer bungalows on this site. The dwellinghouses would be identical in appearance, each two-storey in height and having 2 first floor bedrooms. Each property would be allocated with two off-street parking spaces, accessed from individual driveways from Oldfield Grove, and have rear gardens some 53 square metres in area.

The area of the application site has increased by approximately 133 square metres (38%) from the site area that was approved in January 2019 for two houses following the applicant's acquisition of part of the rear garden of No. 14 Oldfield Avenue.

RELEVANT PLANNING HISTORY

In 1990 outline planning permission was granted for the erection of a bungalow on this site. This permission lapsed in 1993 (application no. 90/0745P refers).

Two applications for extensions at No. 16 have been granted. In 1991 for an extension to the kitchen and to form a wc and lobby (application no. 91/0651P). In 2015 full planning permission was granted for a two-storey side extension and single-storey rear extension. This permission has since been implemented (application no. 15/01976/FUL).

18/03386/FUL - An application for the demolition of a garage and erection of 2no. dwellings with associated parking was approved on 8 January 2019.

21/02982/FUL - An application for the demolition of garage/storage building and erection of 2 dwellinghouses and 1x apartment building comprising 2 flats, with associated parking and landscaping was withdrawn on 20 October 2021.

SUMMARY OF REPRESENTATIONS

A high number of objections (27 in total) have been received in response to the application. An objection has also been received from Bradfield Parish Council. A summary of the responses is set out below:

Design

- Unacceptable backland development;
- The development does not conform to the pre-established pattern of surrounding buildings in terms of design;
- Out of character with surrounding properties;
- Overdevelopment of the site;
- The development is too close to No. 2 Oldfield Grove;
- Development does not respect the building line.

Highway Issues

- Oldfield Grove is a cul-de-sac, and the application site is at the top of the road which leads on to Oldfield Avenue. This will cause hazards for both drivers and pedestrians including children;
- Increased traffic;
- The positioning of the houses close to the road, where there is no kerbing, will result in the development becoming more cramped, which could lead to problems with access from emergency services;
- It is often a struggle to park on Oldfield Road. When vehicles are parked at the top of the road, which obstructs views of the junction;
- Impinge on emergency vehicle access;
- Vehicles used in the construction would lead to parking on both sides of the road and cause an obstruction and be dangerous to road users.

Amenity Issues

- Loss of light;
- Noise disturbance during construction and post development;
- Loss of privacy;
- Overshadowing;
- The development would have an overbearing appearance on neighbouring properties.

Other Issues

- Impact on wildlife. Foxes and hedgehogs have been seen visiting the site and surrounding area

Non-material Issues

- Loss of views across the valley;
- The applicant's motives.

Bradfield Parish Council recommends refusal of the application due to overdevelopment of the site.

PLANNING ASSESSMENT

Policy Context

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

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

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

Assessment of a development proposal also needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

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

currently unable to demonstrate a 5 year supply of deliverable housing sites.

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

The proposal involves the erection of three dwellinghouses (Use Class C3). In this instance, there are no protected areas or assets of particular importance as described in footnote 7 of paragraph 11 within the boundary of the application site. The NPPF emphasises the importance of the delivery of housing, and that importance is heightened with the tilted balance engaged. The most relevant policies in respect of this application should therefore be viewed as out of date in line with paragraph 11 (d) of the NPPF and, unless adverse impacts would significantly and demonstrably outweigh the benefits of the development, planning permission should be approved.

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

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

- The Principle of Development – Policy and Land Use;
- Highway Matters;
- Design;
- Residential Amenity;
- CIL Issues;
- Other Issues; and
- Titled Balance

The Principle of Development – Policy and Land Use

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

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

Core Strategy Policy CS24 is considered to be broadly consistent with the NPPF, which states at paragraph 119 that policies should set out a strategy for meeting need in such a way that 'makes as much use as possible of previously-developed or 'brownfield'

land', and at paragraph 120 part (c) that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes, and at part (d) to promote and support the development of under-utilised land and building, especially if this would help to meet identified needs for housing.

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

Core Strategy Policy CS26 relates to the efficient use of housing land. In parts of the urban area that are close to high frequency bus routes such as here, it details that the density should be in the order of 40-50 dwellings per hectare. The policy does allow allowances outside these ranges in instances where they achieve good design, reflect the character of an area or protect a sensitive area.

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

In this instance, the erection of three dwellinghouses on this site would equate to a density of approximately 63 dwellinghouses per hectare. The density of the development would therefore be greater than the upper limit of the range set out in Policy CS26. However, as described above, the policy does allow for densities outside the range set out in the policy in instances where they achieve good design and reflect the character of the area.

It is accepted that the prevailing character of the area is houses that sit within generous plot sizes, meaning that the densities are much lower than the range set out in the policy. This is most evident with the post-war houses along Oldfield Road, where densities are in the order of 30-50 dwellings per hectare on account of their long linear rear gardens. However, there are examples of housing being built at a higher density, particularly along Stannington Road and the apartment scheme immediately across from the site on Oldfield Road. In view of this, and the government's current position as set out at paragraph 125 of the NPPF that decisions should avoid homes being built at low densities where there is an existing shortage of land for meeting identified housing needs and knowing that the Council is currently unable to demonstrate a 5 year of deliverable housing sites, it is considered that developing the site at a higher density to provide three dwellinghouses can, on balance, be justified.

It is also material that the NPPF at paragraph 69 recognizes that small and medium

sized sites can make an important contribution to meeting the housing requirement of an area, and states at part (c) that to promote the development of a good mix of sites, local planning authorities should support the development of windfall sites through decisions and give great weight to the benefits of using suitable sites within existing settlements for homes.

For the reasons outlined above, it is considered that the principle of developing the site for housing should be viewed to be acceptable.

Highway Matters

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

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

As described above, each dwellinghouse would be allocated with two off-street parking spaces on driveways alongside the respective dwellinghouse. Highways Officers have raised no objection from a highway safety perspective subject to the attachment of conditions that would include details of the proposed surfacing of the driveways and the provision of two spaces per dwellinghouse in accordance with the submitted plans.

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

Design

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

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

The three dwellinghouses would be sited relatively centrally on the site with each property comprising front and rear gardens and driveways to the side for parking two cars. The design of the dwellinghouses (dormer bungalows) would be near identical to one another with a footprint of some 8m by 7.1m, a height to eaves of 3.4m and a ridge height of 7.25m. They would be constructed with a traditional pitched roof and designed with two front dormers and one rear dormer window. They would be constructed with facing brickwork, grey uPVC windows and a tiled roof. Features of the properties include brick soldier window heads, contrasting brickwork to their eastern side gables, rear bi-folding doors and composite front door with glazed side panel. Each house would be provided with a rear garden approximately 53 square metres in area and a designated rear bin store.

The proposed dwellings are in a similar alignment with the side elevation of No. 16 Oldfield Avenue but would sit forward of the front elevation of No. 2 Oldfield Grove in order to achieve adequately sized rear gardens.

Design improvements have been secured during the course of the application with amendments to the size of the front dormer windows, and the introduction of a feature gable wall and side windows that would better accentuate the gable wall when approaching from the site from the east along Oldfield Grove.

The design and appearance of the proposed dwellinghouses is considered to be acceptable and the use of brick and tile as external materials is in keeping with the locality. Though slightly different in respect of their lower eaves, it is considered that the proposed dwellings would not appear intrusive and, overall, their scale and massing would not appear out of keeping within the streetscene.

The proposed siting of the houses, forward of No. 2 Oldfield Grove, is not ideal but it is similar to the scheme for 2 houses approved in 2019. Also, it would not significantly detract from the character and appearance of the street scene as the two properties at the western end of Oldfield Grove have been extended to the side, which is considered to allow for some flexibility in the building line.

On balance it is considered that the proposal represents an acceptable architectural response to the site's characteristics, with the site able to accommodate three modest sized dwellinghouses without undermining the appearance of the surrounding and established residential neighbourhood.

Residential Amenity

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

This policy is broadly in line with government policy contained in the NPPF, where it states at paragraph 130 part (f) that decisions should ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

In terms of amenity standards, as described above, the NPPF states that planning decisions should support development that makes efficient use of land, and states at paragraph 125 part (a) that in instances where there is an existing or anticipated shortage of land for meeting identified housing needs, planning decisions should avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In this context, it states at part (c) of this policy that when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

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

The siting of the proposed houses would provide sufficient separation distances to other properties in the immediate locality to ensure that the proposed development would not significantly harm the living conditions of neighbouring residents. While it is noted that the dwellinghouses would have short rear gardens, ranging between 4.4m-6.35m, it is considered that the depth of the gardens, on balance, can be justified. In coming to this view, weight is given to the recently expired permission that granted two houses on the main part of the site in 2019. In government guidance at paragraph 125 of the NPPF states that development proposals should make optimal use of each site at a time when identified housing needs are not met.

On account of the close relationship of the site to the rear garden of No. 12 Oldfield Avenue, the supporting plans show that the three properties' first floor accommodation (rear elevation) would be limited to a bathroom and study only, with no main outlook that would lead to problems of overlooking of this or other neighbouring properties' rear gardens. The first-floor rear dormer bathroom windows would be obscured glazed with no part of the window below 1.7m from finished floor level would be openable, and the rooflight serving the study would be positioned no lower than 1.7m above the room's finished floor level (both measures conditioned). It is not considered necessary for the rooflights to be obscured glazed given they are raised at least 1.7m above internal floor level.

The property most affected is No. 12 Oldfield Avenue, with all other neighbouring properties considered to be adequately distanced from the site. It is acknowledged that the dwellinghouses would be sited relatively close to the rear garden of No. 12, but their low profile and eaves height and set back from the common boundary would prevent them from having a significant overbearing impact. They would also be sited away from what is the main and primary useable garden area of this property. It is not disputed that the three dwellinghouses would reduce openness and views across the site from the rear gardens to the south, but loss of view is not a material planning

consideration.

As the size of the gardens are just above the minimum acceptable for a 2 bedroom dwellinghouse as set out in SPG Designing House Extensions (50 square metres), a condition is recommended to remove permitted development rights for extensions and outbuildings to ensure that the beneficial use of the gardens is not diminished.

CIL Issues

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

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

Other Issues

The Environmental Protection Service (EPS) state that the development raises no major issues in respect of noise, contamination or other issues. They do however recommend that advisory directives be attached to any grant of planning relating to external lighting, the control of working hours between the hours of 0730 and 1800 hours (Monday to Friday) 0800 and 1300 hours (Saturdays) and no working on Sundays or Public Holidays and in the event that unexpected contamination is encountered at any stage of the development process.

In terms of wildlife, it is noted that some residents refer to foxes and hedgehogs being seen on site and foraging within the surrounding area. This is not unusual in suburban areas and it is not considered that the presence of these animals is a reason to prohibit the development of the site for housing. It is not considered that the site provides a natural habitat for wild species or offers high biodiversity, which as described above, is made up of two domestic gardens that are mostly laid to lawn. However, a directive is proposed to advise the applicant to consider the incorporation of hedgehog friendly boundary treatments to allow them to continue foraging.

Tilted Balance

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

In this instance, there are no protected areas or assets of particular importance and the proposal would deliver a number of benefits as highlighted below. The NPPF emphasises the importance of delivery of housing, and that importance is heightened with the tilted balance engaged in this case, such that recommendation to support the proposed development is strengthened.

The application site is situated in a Housing Area where housing is the preferred use of land. While the density of the housing scheme weighs against the development, it is not considered that this in itself provides sufficient grounds to refuse the application. As described above, the site until very recently benefited from full planning permission for two houses on a site some 38% smaller.

It is considered that the erection of three dwellinghouses represents an appropriate form of development. They are of acceptable design quality and would sit reasonably comfortably within the site context without harming the character and appearance of the wider area.

The site is considered large enough to accommodate the proposed development with each dwellinghouse having a garden in excess of 50 square metres whilst retaining sufficient garden curtilages for 14 and 16 Oldfield Avenue.

It is also considered that the amenities of the occupants of neighbouring properties would not be unduly harmed by the development.

The balance is considered to be in favour of approving this application, as there are no significant adverse impacts that would significantly and demonstrably outweigh the benefits of the development. The provision of 3 dwellinghouses will contribute to meeting the current shortfall of housing in this sustainable location, to which weight should be given.

CONCLUSION AND RECOMMENDATION

The application relates to part of the rear garden curtilages of 14-16 Oldfield Avenue, a pair of semi-detached dwellinghouses in Stannington.

Planning permission to erect two dwellinghouses on part of the rear garden of No. 16 Oldfield Avenue was granted in January 2019, under 18/03386/FUL. This permission lapsed on the 9 January 2022.

The applicant is seeking full planning permission to erect three 2-bedroomed detached dwellinghouses on this site. The site is approximately 38% larger than the site previously approved in 2019 and now includes part of the rear garden of No. 14 Oldfield Avenue.

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

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

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