

West and North Planning and Highways Committee

Tuesday 31 July 2012 at 2.00 pm

**To be held at the Town Hall
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillors Peter Rippon (Chair), Trevor Bagshaw, Janet Bragg, Adam Hurst, Talib Hussain, Bob McCann, Roy Munn, Denise Reaney, Garry Weatherall and Joyce Wright

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The areas covered by the City Centre, South and East Planning and Highways Committee, include Arbourthorne, Beauchief, Birley, Dore, Ecclesall, Gleadless, Graves Park, Greenhill, Nether Edge and Totley.

The Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues. It is also responsible for determination of City Centre planning, development of transport matters and strategic development projects affecting the City as a whole.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Martyn Riley on 0114 273 4008 or email martyn.riley@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**WEST AND NORTH PLANNING AND HIGHWAYS COMMITTEE AGENDA
31 JULY 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence from Members of the Committee**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**
Minutes of the meeting of the Committee held on 19th June 2012
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Proposed Diversion of Part of the Footpath Between Belmont Drive and Edward Street, Stocksbridge**
Report of the Director of Development Services.
- 8. Applications Under Various Acts/Regulations**
Report of the Director of Development Services
- 9. Enforcement of Planning Control: Between 12 And 14 Cooks Wood Road**
Report of the Director of Development Services.
- 10. Record of Planning Appeal Submissions and Decisions**
Report of the Director of Development Services

The next meeting of the West and North Planning and Highways Committee will be held on Tuesday, 21st August, 2012 at 2.00 pm in the Town Hall

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

The existing Standards regime will be abolished from 1st July, 2012 by the Localism Act 2011. From this date, the way that your interests need to be registered and declared will change. Prejudicial and personal interests will no longer exist and they have been replaced by Disclosable Pecuniary Interests (DPIs).

The Act also requires that provision is made for interests which are not Disclosable Pecuniary Interests and requires the Council to introduce a new local Code of Conduct for Members. It is intended that provision will be made in the new Code for dealing with “personal” interests.

The Regulations in relation to Disclosable Pecuniary Interests have only recently been published by the Government and guidance is being developed for circulation to you prior to 1st July.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

**WEST AND NORTH
PLANNING AND HIGHWAYS COMMITTEE**

Meeting held Tuesday 19th June 2012

PRESENT: Councillors Garry Weatherall (Deputy Chair), Trevor Bagshaw, Janet Bragg, Katie Condliffe, Talib Hussain, Bob McCann, Ian Saunders and Joyce Wright

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1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed members of the public to the meeting and the basic housekeeping and fire safety arrangements were outlined.

2. EXCLUSION OF PRESS AND PUBLIC

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. APOLOGIES FOR ABSENCE FROM MEMBERS OF THE COMMITTEE

3.1 An apology for absence was received from the Chair (Councillor Peter Rippon) and Councillor Ian Saunders attended the meeting as the duly appointed substitute. An apology for absence was received from Councillor Roy Munn but no substitute was appointed.

4. DECLARATIONS OF INTEREST

4.1 Councillor Garry Weatherall declared an interest as a Member of the Ecclesfield Parish Council, in relation to those applications that the Parish Council had considered, but indicated that he would participate in their determination if they were to be considered by this Committee as he had not pre-determined his views on applications during the meetings of the Parish Council.

5. MINUTES OF LAST MEETING

5.1 The minutes of the meeting of the Committee held on 29th May, 2012 were approved as a correct record.

6. SITE VISIT

6.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 10th July 2012 at 10.00 am in connection with any planning applications requiring a site visit by Members prior to the next meeting of the Committee.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7.1 **RESOLVED:** That (a) the applications now submitted for permission to

develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report submitted to this Committee for this date in respect of other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) following consideration of an additional representation, as outlined in a supplementary report circulated at the meeting, an application for planning permission for conversion of shop (Class A1) to a two bedroomed ground floor flat, demolition of front and side extensions and erection of new front elevation and boundary wall (as per amended plans dated 7 June 2012) at Harphams of High Green, 39 Wortley Road, High Green (Case No. 12/01138/FUL) be granted, conditionally; and

(c) subject to an amendment to condition 2 (List of Approved Documents), as outlined in a supplementary report circulated at the meeting, an amendment to condition 21 that the development shall be constructed to Code for Sustainable Homes Level 3 rather than BREEAM 'Very Good', an application for planning permission for the erection of 2 residential care homes with associated landscaping works, access, car parking accommodation and storage facilities (as per amended plans received 22nd and 31st May 2012) at land between 522 And Wood Hill Grange Care Home, 526 Grimesthorpe Road, be granted, conditionally.

8. RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

- 8.1 The Committee received and noted a report of the Director of Development Services detailing (a) planning appeals recently submitted to the Secretary of State and (b) the outcome of recent planning appeals along with a summary of the reasons given by the Secretary of State in his decision.

REPORT TO WEST AND NORTH PLANNING AND HIGHWAYS AREA COMMITTEE

DATE 31 July 2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

ITEM

SUBJECT PROPOSED DIVERSION OF STOCKSBRIDGE FOOTPATH 63, BELMONT DRIVE

SUMMARY

To seek authority to process a Definitive Footpath Diversion Order

RECOMMENDATIONS

Raise no objections to the proposed diversions and dedications, as shown on the plans included as Appendices A and B, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected.

Authorise the Director of Legal Services to take all necessary action on the above matters under the powers contained within the Highways Act 1980 Section 119.

Authorise the Orders to be confirmed subject to:

- a. no objections being received, or
- b. in the event of any objections being received, they are resolved.

FINANCIAL IMPLICATIONS

None

PARAGRAPHS

N/a

CLEARED BY

Catherine Rodgers

BACKGROUND PAPERS

Path Order Files 3931 in Highway Records

CONTACT POINT FOR ACCESS

Sam Beaton

TEL NO: (27) 34448

AREA(S) AFFECTED

West and North

CATEGORY OF
REPORT

OPEN

31 July 2012

PROPOSED DIVERSION OF STOCKSBRIDGE FOOTPATH 63, BELMONT DRIVE

1.0 PURPOSE OF THE REPORT

1.1 To seek authority to process a Diversion Order to move part of the Public Footpath between Belmont Drive and Edward Street in Stocksbridge.

2.0 BACKGROUND

2.1 An application has been received from the landowner to divert part of Public Footpath number 63 in Stocksbridge.

2.2 At present, the Footpath follows one side of the wide drive way to numbers 4 and 5 Belmont Drive and then crosses it to follow a flight of steps down the hill. If the path was diverted to the other side of the drive way, directly to the top of the steps, there would be no need for pedestrians to cross the drive way half way down it.

3.0 PROPOSAL

3.1 It is proposed to divert the Footpath as shown on the plans attached as Appendices A and B.

3.2 The proposed diversion will provide more security and privacy for the owner of the drive way, without impacting negatively on the public with regard to ease of use or enjoyment of the Footpath.

4.0 CONSULTATIONS

4.1 Consultations have been carried out with Statutory Undertakers, the Emergency Services, the Community Assembly, appropriate user groups, and other relevant bodies. At the time of writing this report, not everyone consulted had responded. Those who have replied have not had any objections. If any objections are received they will be reported verbally to the committee.

5.0 LEGAL IMPLICATIONS

5.1 The Director of Legal Services has been consulted and has advised that it would be appropriate to process the Footpath diversion using the powers contained within Section 119 of the Highways Act 1980.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

6.1 The newly provided route path will no more or less convenient to use than the original line of the path.

7.0 ENVIRONMENTAL IMPLICATIONS

7.1 There are no particular environmental implications arising from the proposals in this report.

8.0 FINANCIAL IMPLICATIONS

8.1 All costs associated with the making of this Order have been met by the landowner. The effect of future maintenance liabilities on the existing Revenue Budget will be negligible.

9.0 RECOMMENDATIONS

9.1 Raise no objections to the proposed diversion, as shown on the plans included as Appendices A and B, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected.

9.2 Authorise the Director of Legal Services to take all necessary action on the above matters under the powers contained within the Highways Act 1980 Section 119.

9.3 Authorise the Order to be confirmed subject to:

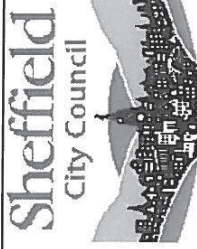
- a. no objections being received, or
- b. in the event of any objections being received, they are resolved.

John Bann
Head of Transport and Highways

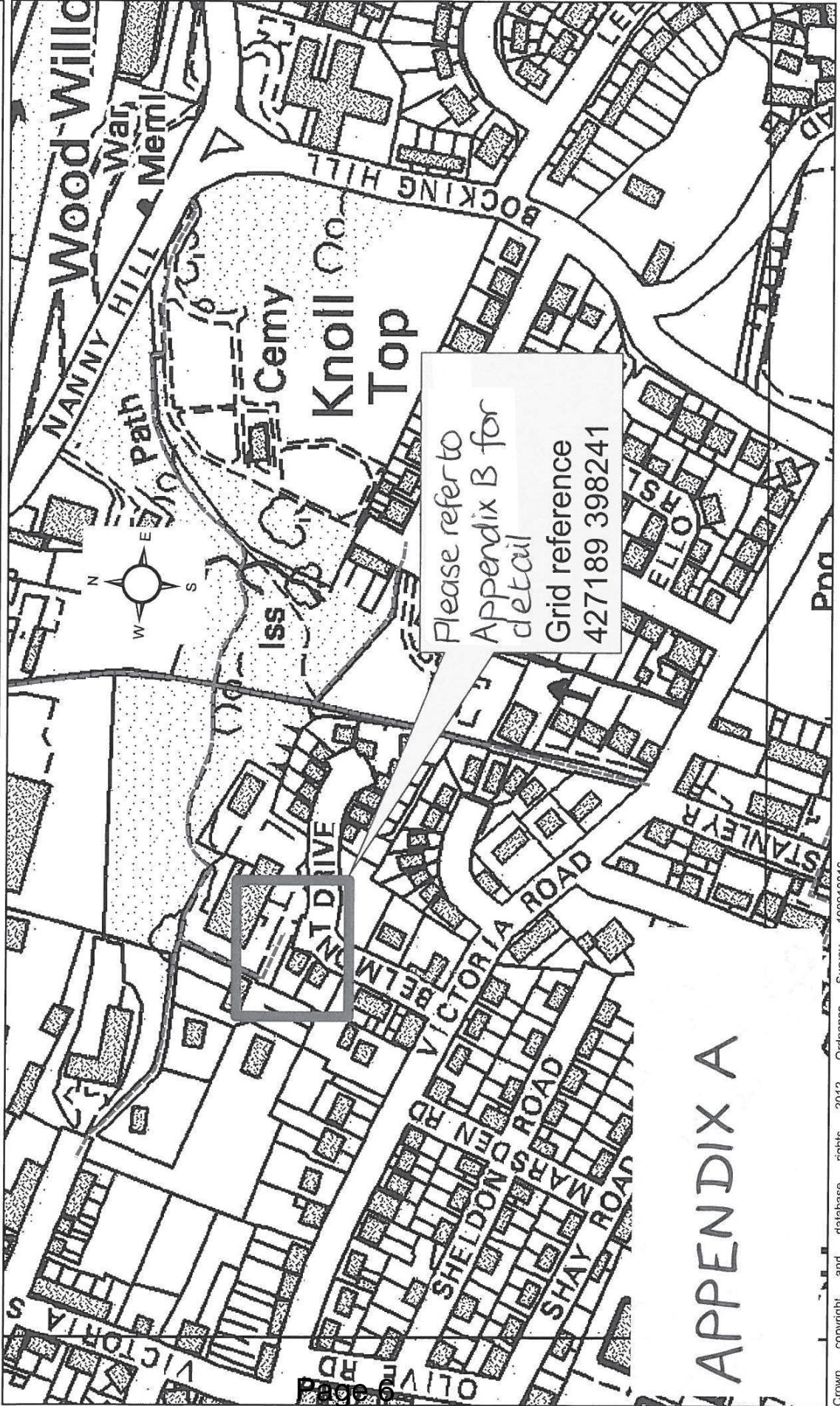
Date 18 July 2012

Proposed diversion of Stocksbridge Footpath 63 (Plan One)

PROW Group
Sheffield City Council
Howden House
Union Street
Sheffield
S1 2SH

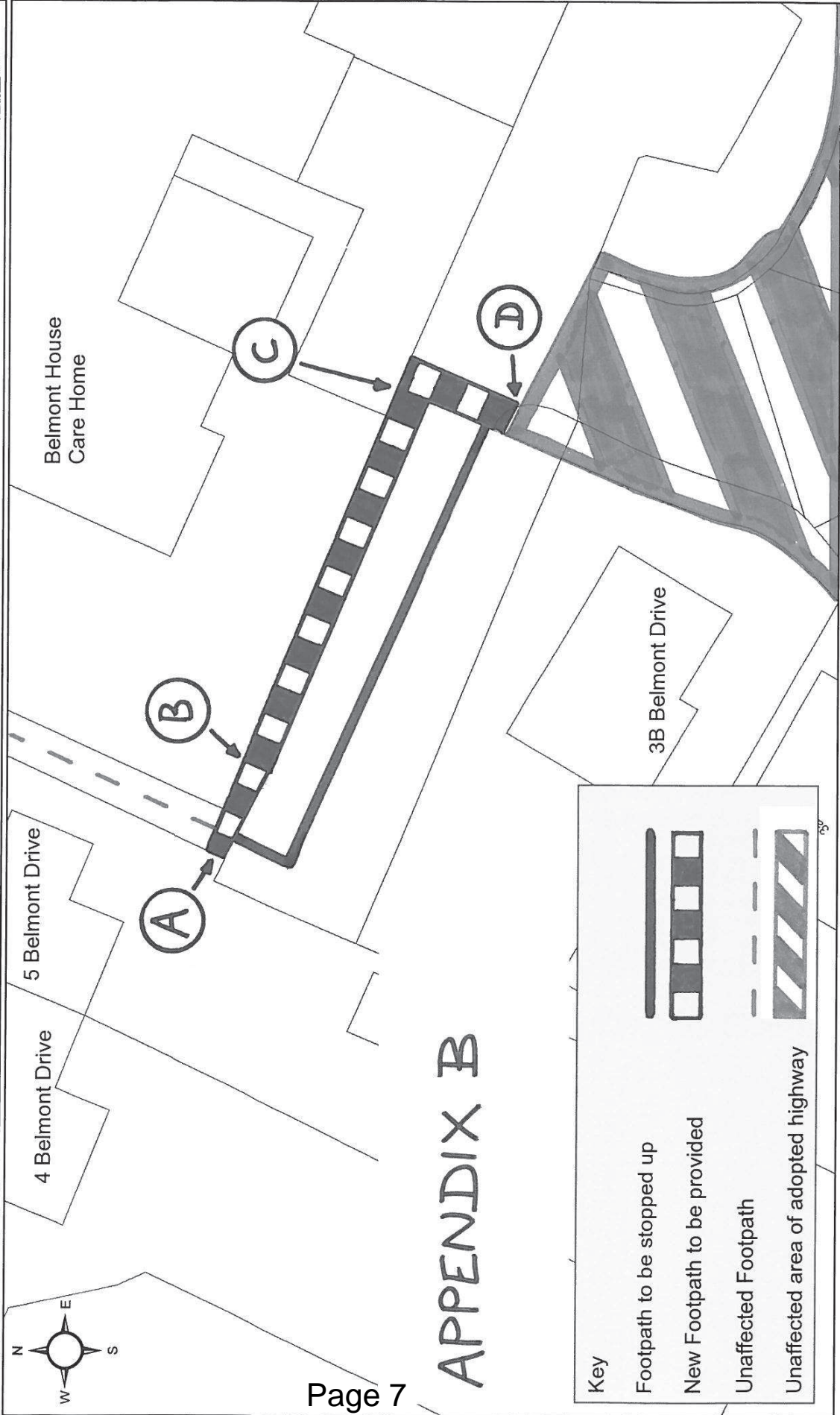


Scale: 1:2,500



APPENDIX A

Proposed diversion of Stocksbridge Footpath 63 (Plan Two)



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REPORT TO WEST AND NORTH PLANNING AND
HIGHWAYS COMMITTEE

DATE 31/07/2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES ITEM

SUBJECT APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

SUMMARY

RECOMMENDATIONS

SEE RECOMMENDATIONS HEREIN

THE BACKGROUND PAPERS ARE IN THE FILES IN RESPECT OF THE PLANNING
APPLICATIONS NUMBERED.

FINANCIAL IMPLICATIONS N/A

PARAGRAPHS

CLEARED BY

BACKGROUND PAPERS

CONTACT POINT FOR
ACCESS

John Williamson

TEL
NO:

0114 2734944

AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

Application No.	Location	Page No.
12/01655/FUL	Oughtibridge Band Hut Station Lane Oughtibridge Sheffield S35 0HS	5
12/01605/FUL	18 Blackbrook Drive Sheffield S10 4LS	16
12/00685/FUL (Formerly PP-01858103)	Site Of Pinegrove Country Club Myers Grove Lane Sheffield S6 5JH	26
12/00585/FUL (Formerly PP-01821953)	Loxley Works Low Matlock Lane Sheffield S6 6RP	41

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To The NORTH & WEST Planning And Highways Committee
Date Of Meeting: 31/07/2012

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

NOTE Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

Case Number	12/01655/FUL
Application Type	Full Planning Application
Proposal	Alterations and extension to band practice building (as amended 25.06.12)
Location	Oughtibridge Band Hut Station Lane Oughtibridge Sheffield S35 0HS
Date Received	22/05/2012
Team	NORTH & WEST
Applicant/Agent	Barry W Stancer
Recommendation	Grant Conditionally

Subject to:

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

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

- 2 The development must be carried out in complete accordance with the following approved documents:

red-lined location plan received on 22.5.12 and drawing titled Proposed Extensions [Revised] dated June 2012 received on 25.6.12,

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 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.

In order to ensure an appropriate quality of development.

- 4 The rooflight windows on the elevation of the building facing east shall be made non-openable and fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of them shall at any time be made openable or glazed with clear glass without the prior approval of the Local Planning Authority.

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

- 5 The door on the elevation of the building facing east shall remain closed except in times of emergency.

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

- 6 Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the local planning authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

- 7 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.

In the interests of the safety of road users.

- 8 Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the extensions shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

H10 - Development in Housing Areas
H14 - Conditions on Development in Housing Areas
CF1 - Provision of Community Facilities
CS74 - Design Principles

Overall it is considered that the development complies with the relevant policies and proposals in the development plan, and would not give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at www.sheffield.gov.uk/planningonline or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

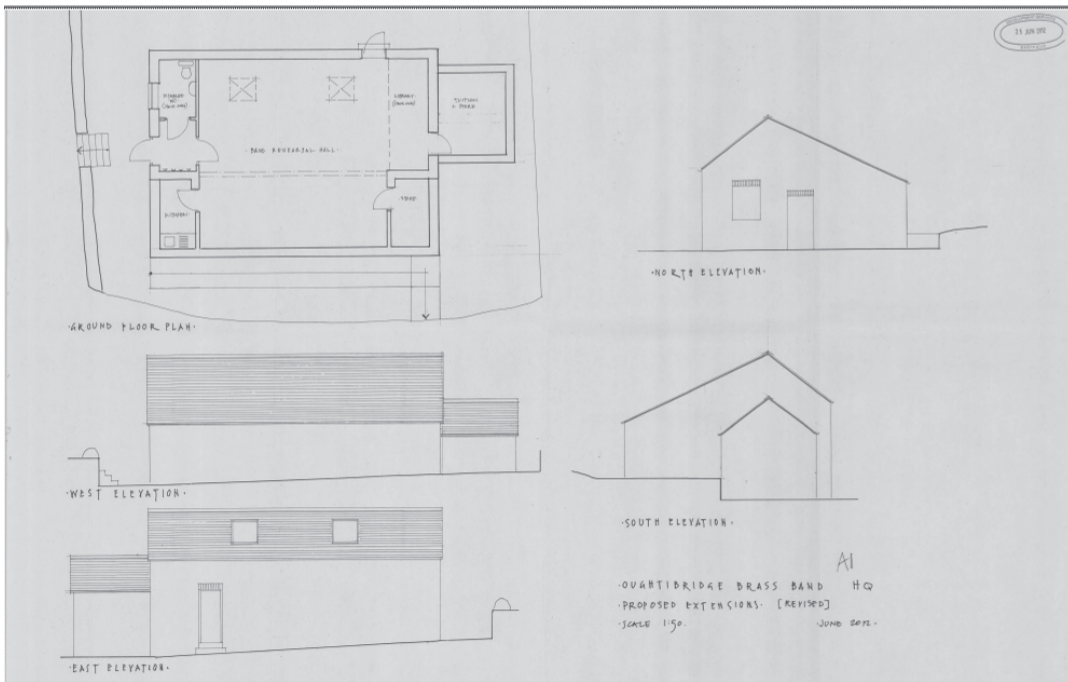
1. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and

the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.

- 2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

Site Location







LOCATION

The site lies on the south side of Station Lane at Oughtibridge alongside its junction with Waterside Gardens and is slightly sunken below the adjacent footpaths bordering the site. Waterside Gardens is a residential cul-de-sac which also provides access to a sports ground.

The site's east and south boundaries adjoin the rear gardens of houses at nos. 1 and 3 Waterside Gardens. The site lies opposite Coronation Park. The remainder of the surrounding area is predominantly residential.

The existing band hut is single-storey with a ridged roof and sited centrally on the site.

PROPOSAL

The proposal seeks full planning permission to extend the band hut. The applicant has stated that the improved facility would enable the Training Band, who currently practice at Oughtibridge Church, to also use the hut.

The senior band currently uses the hut for practice on Tuesday and Friday evenings (7.30pm – 9.30pm). The junior band practice is held on Fridays in the early evening (6.30pm -7.30pm).

This application has been amended since its original submission to reduce the height of the rear extension and to revise the extent of the extension and its appearance.

The original submission sought to provide a single-storey extension wrapping around the west and south side of the existing hut with a mono-pitched roof.

The proposal as amended no longer wraps around the south west corner of the building but instead splits the proposal into two separate extensions, one off the rear (south) elevation and the other off the west side elevation of the hut.

The proposed extension on the south side of the band hut would project 3 metres from the building, would be 3.8 metres wide and 4m high to its ridge. It would provide a small room for tuition and storage.

The proposed extension on the west side of the building would project 3 metres towards the road and would run the length of the existing building with an eaves height of 2.6 metres. The plane of the existing roof on this west side of the building would be raised slightly to accommodate the extension. The existing ridge of the building would remain at its existing height. This extension would provide approximately 22 sq metres of additional rehearsal space, a small kitchen and store area.

The proposal also includes inserting a new fire escape door on the eastern elevation of the existing building and the provision of two high level roof lights on the east facing roof slope. A disabled persons wc would be provided within the existing building.

Both extensions would be faced in brick with slate roofs.

Externally, a ramped path would be provided to the building from the existing footway.

RELEVANT PLANNING HISTORY

In June 1992 an established use certificate was granted for the use of the building as a band room. It was demonstrated that the building had been in use as a band room since the 1960s (application no. 92/0701P refers).

In July 1992 full planning permission was granted for the residential development of the land now known as Waterside Gardens (application no. 92/0067P refers).

In 1997 full planning permission was granted for extensions and alterations to the band room and provision of car parking accommodation. The approved scheme raised the ground floor level of the proposed building to that of the adjacent street level, enlarged the building by building close to its eastern boundary and extended towards its western boundary (application no. 97/0283P refers). This planning permission was not implemented and has since lapsed.

In 2008 full planning permission was granted for a replacement building on the site comprising the erection of a single/two-storey building for use as meeting rooms/community centre (application no. 07/03242/FUL refers). This planning permission was not implemented and lapsed in July 2011.

SUMMARY OF REPRESENTATIONS

The current application was publicised by letters to neighbouring occupiers and by display of site notices.

18 representations have been received objecting to the proposal. The objections relate to the following matters:

- site is not suitable to band or residents, other facilities available, other options open to the band, it would benefit village if they took one of them;
- there is just enough parking for the residents of the area, there is no parking for the band hut, persistent parking on pavements causing residents to walk in road;
- if the use of the hut is increased further there will be more cars littered around homes making it increasingly dangerous for pedestrians, have regard to emergency vehicle access, additional 11 or 12 cars making a total of 24 on band nights;
- extension to unsightly building, the band hut is an eyesore and the proposed development even more so;
- design out of character and keeping with the area, could appear as a warehouse, west elevation is bland lacking features such as doors/windows, lowering rear wall could create more sympathetic offshoot;
- materials do not match the other houses in the area, use of brick and slate is now out of keeping with surrounding estate and new builds;
- cut out daylight and sun to no. 1 Waterside Gardens, loss of light to no. 5 Waterside Gardens, skylight windows overlook no. 5 Waterside Gardens, exits to be on side by the houses not roadside;
- impairs access to maintain property;
- address hut's security, the north and west boundaries of the plot are not secure;
- two trees removed and not replaced, no proposals to replace trees, would benefit from quality landscaping;
- existing structure contains asbestos;
- drawings vague, not enough information on them, no clear indications of size;
- there has been no consultation with residents of Waterside Gardens;
- nothing has changed since previous application;

36 representations of support have been received:

- important for junior band to be able to perform with senior band;
- uprated facility will benefit band and services it provides to community;
- will not give rise to extra noise or parking;
- band practice times for main band are 1.30pm to 9.30pm on Mondays and 7.45 to 9.30pm on Fridays, the trainee band practice on Friday, these are not prime times or heavy usage, public parking outside the park is not heavily used at those times, car parking is an issue generally but caused by changing times, the band cannot be blamed for car parking problem from the gala;
- generally 10 to 12 cars turn up for practice, the area can support that;

- will retain character of building, is sympathetic to the area and its community;

Bradfield Parish Council have no objections to this application providing all planning rules are followed and welcome the initiative as it is to provide facilities for the junior band where facilities are inadequate at present.

PLANNING ASSESSMENT

Policy Issues

The Sheffield Unitary Development Plan (UDP) identifies the site as being within a Housing Area where community facilities and institutions within use class D1 which includes the band room are acceptable uses in principle (Policy H10 refers). Policy CF1 of the UDP promotes the provision of community facilities.

This is an established facility and its continued use complies with UDP Policies H10 and CF1.

Highway and Transportation Issues

The existing building has no on-site car parking. There are lay-by parking facilities on Station Lane in the vicinity of the site. The lay-bys next to Coronation Park can accommodate up to 15 cars. The proposal is located close to existing bus stops on Low Road. Within the last few years double yellow lines have been introduced along sections of Station Lane and into the junction with Waterside Gardens to prevent indiscriminate parking causing road safety problems.

There are safe opportunities to park on street in the vicinity of the site. Parking opportunities also exist along the site's frontage to Waterside Gardens.

There are no highway objections to this relatively small scale expansion of the premises. This modest expansion will not materially impact on the demand to park on-street. Conditions are recommended to promote alternatives to using the car and to improve and inform travel choice through a travel plan for users of the band hut.

Effect on the Amenities of Residents and the Locality

Policy H14 of the UDP relates to conditions on development in Housing Areas including matters of design, amenity and highway safety. Policy BE5 seeks good design in new development. Policy CS74 of the Sheffield Development Framework (SDF) Core Strategy seeks high quality design.

The site is located at the entrance to a residential cul-de-sac, Waterside Gardens. The east and south boundaries of the site adjoin the rear gardens of nos. 1 and 3 Waterside Gardens. There is a house to the west of the site on the opposite side of the road at no. 4 Waterside Gardens. There are also residential properties on Station Lane further to the east and west of the site.

The proposed extension, as amended, on the south side of the building would be subordinate to the existing southern gable of the building. It would project 3 metres from the building leaving a gap of approximately 0.6 metres between the proposed extension and the boundary with the rear garden of no. 1 Waterside Gardens and a gap of 2.6 metres to the boundary with no.3. This southern extension would be approximately 3.8 metres wide and 2.6 metres high to its eaves and 4 metres high to its ridge. The ridge of this proposed southern extension would be below the height of the existing ridge of the building.

There is an existing wall and panel fence approximately 2.2 metres high running along this boundary with no.1 Waterside Gardens and a boundary fence approximately 1.8 metres high running alongside the rear garden of no.3 Waterside Gardens.

The eaves and gable of the proposed extension would project above the existing boundary treatment. Whilst the proposed extension would be close to the neighbour's boundaries it is considered that the height and massing of the proposed southern extension to the building would not significantly overshadow or overbear the adjoining residential properties at nos. 1 and 3 Waterside Gardens. No windows are proposed in this southern extension. It is a small scale extension that would be subordinate to the existing building

The proposed extension on the west side of the building would project 3 metres towards the road and would run the length of the existing building with an eaves height of 2.6 metres. The plane of the existing roof on this west side of the building would be increased to accommodate the extension. The existing ridge of the building would remain at its existing height. The proposed extension would be approximately 3.8 metres from the southern boundary of the site with no. 1 Waterside Gardens.

It is considered that there is sufficient separation between this western extension and the houses at nos. 1 and 4 Waterside Gardens to ensure that the proposed extension would not significantly overshadow or overbear the residential properties at nos. 1 and 4 Waterside Gardens. No windows are proposed in this western extension.

It is considered that subject to conditions restricting the use of the proposed door to times of emergency, and ensuring the rooflights are obscure glazed and fixed shut, the proposed alterations to insert the door and two high level windows into the eastern side of the existing building would not significantly overlook or harm the amenities of residents at no. 3 Waterside Gardens.

The proposed extensions are subordinate to and in keeping with the simple and functional appearance of the existing hut. It is considered that the use of brick and slate to match the existing hut is appropriate for this building and would not harm the appearance of the streetscene. The proposed extension would not be unduly intrusive on this corner site.

The proposal complies with UDP Policies H14 and BE5 and SDF Core Strategy Policy CS74.

SUMMARY AND RECOMMENDATION

The proposal is an acceptable use in principle.

The existing building has no on-site car parking. There are safe opportunities to park on street in the vicinity of the site.

There are no highway objections to this relatively small scale expansion of the premises. This modest expansion will not materially impact on the demand to park on-street. Conditions are recommended to promote alternatives to using the car and to improve and inform travel choice through a travel plan for users of the band hut.

Whilst the proposed extensions would be close to the neighbour's boundaries it is considered that their height and massing would not significantly overshadow or overbear the adjoining residential properties.

The proposed alterations to insert the door and two high level windows into the eastern side of the existing building would not significantly overlook or harm the amenities of residents subject to conditions restricting the use of the proposed door to times of emergency, and ensuring the rooflights are obscure glazed and fixed shut.

The proposed extensions are subordinate to and in keeping with the simple and functional appearance of the existing hut. It is considered that the use of brick and slate to match the existing hut is appropriate for this building and would not harm the appearance of the streetscene. The proposed extension would not be unduly intrusive on this corner site.

The proposal complies with UDP Policies H10, CF1, H14 and BE5 and SDF Core Strategy Policy CS74.

It is recommended that planning permission is granted subject to conditions.

Case Number 12/01605/FUL

Application Type Full Planning Application

Proposal Demolition of existing conservatory and erection of single-storey rear extension to dwellinghouse

Location 18 Blackbrook Drive
Sheffield
S10 4LS

Date Received 24/05/2012

Team NORTH & WEST

Applicant/Agent MG Design Services Ltd

Recommendation Grant Conditionally

Subject to:

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

In order to comply with the requirements of the Town and Country Planning Act.
- 2 The development must be carried out in complete accordance with the following approved documents:

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.
- 3 The proposed facing materials shall match the facing materials to the existing building.

In the interests of the visual amenities of the locality.
- 4 The proposed roofing materials shall match the roofing materials to the existing building.

In the interests of the visual amenities of the locality.

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

H14 - Conditions on Development in Housing Areas and SPG - Designing House Extensions

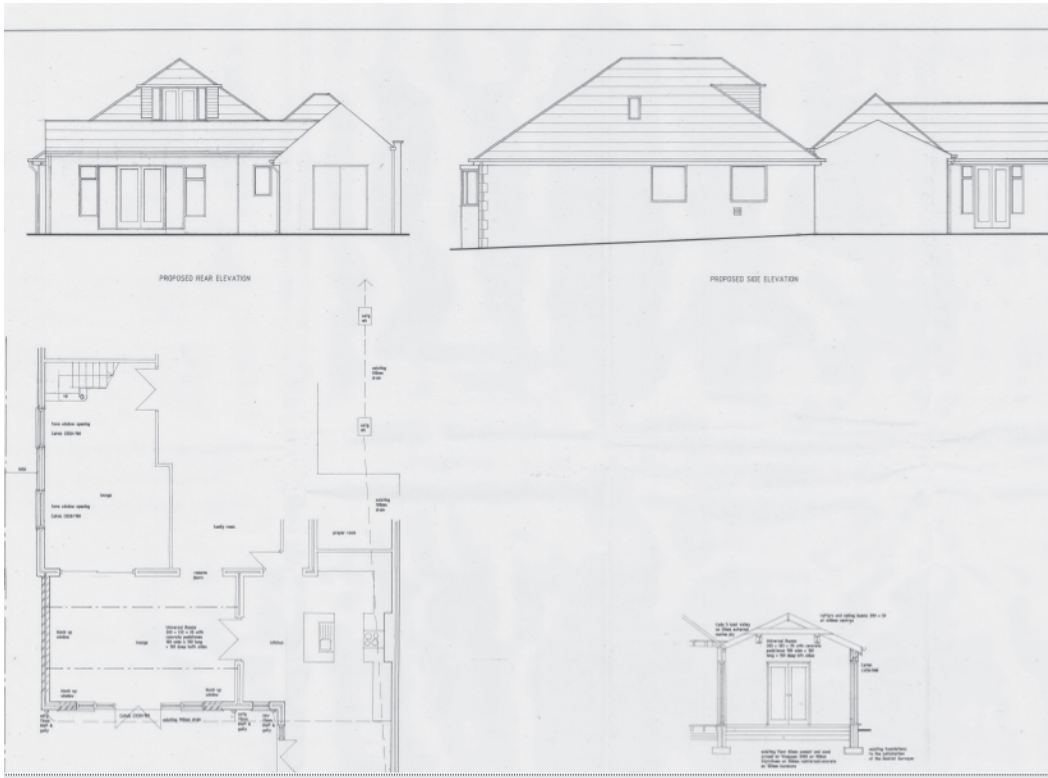
The proposed extension to the property is considered to be acceptable in terms of its design, form, scale, impact upon the street scene, the impact upon the residential amenity of neighbouring properties and highways and is therefore satisfactory with regards Policy H14 of the adopted Unitary Development Plan and the principles of the adopted SPG on Designing House Extensions.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at www.sheffield.gov.uk/planningonline or by calling the planning officer, contact details are at the top of this notice.

Site Location



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LOCATION AND PROPOSAL

The application relates to a detached dormer bungalow. The property has a driveway to the front/side with the main amenity space being to the rear. The property has previously been extended to the rear.

The street scene consists of detached bungalows similar to the subject property. The property is located within a residential area designated as a Housing Area in the adopted Unitary Development Plan.

The application seeks consent for the erection of a single storey rear extension to the dwelling house in place of the existing single storey rear conservatory.

RELEVANT PLANNING HISTORY

- | | |
|--------------|---|
| 03/04105/FUL | Single storey rear extension, erection of dormer window and conservatory to the rear of the dwelling house (amended plans 12/12/2003)
Granted Conditionally 23/12/2003 |
| 04/00071/FUL | Single storey side/rear extension to dwelling house (amendment)
Granted Conditionally 27/02/2004 |
| 12/00254/FUL | Single storey rear extension to dwelling house
WITHDRAWN 20/03/2012 |

SUMMARY OF REPRESENTATIONS

There have been 10 letters of neighbour representation regarding this application. The following comments have been made:

- Concern about the current application relative to the previous application submitted in terms of structural capacity and being a stepping stone for further applications and development.
- The dwelling is already in multi occupancy and cannot accommodate the number of cars which already exist at the property due to the limited off street parking.
- The practice of creating large properties from small properties should be discouraged.
- The roof proposed is unattractive for neighbours and it would be preferred if a hipped roof was proposed.
- The plans submitted do not show the whole ground floor and this should be provided in order for neighbours to make a decision. It also does not make clear if any other rooms are to be designated. The current proposal does not appear to result in a gain of space compared to that which was previously sought.
- The proposal is completely out of character with the street scene.
- The roof line of the proposed extension will be visible from the road and such an extension will alter the character, appearance and aspect of the area.
- The roof line will affect the sunlight reaching the neighbouring property.
- The property is already over-extended and over-developed given the character of the area and the surrounding highway network.
- The house is supporting multiple occupancy not common to the road which is primarily small family/retirement and development will take the properties beyond their original occupancy limit, affecting both amenities and services.
- The resulting increase in noise to neighbouring properties is already problematic and allowing an extension which creates more residential space, as this does, will only increase the impact of noise, traffic, parking etc.
- It has been noted by one of your own planning officers that they are surprised the current extension received approval given its significant increase in footprint. Surely this is in itself a cause for a common sense rejection of plans which further increase living space. A conservatory is for casual use, the proposed change is not and should be rejected.
- Parking is already a problem with many visitors to the church attending services, pre-school, afterschool clubs and functions. There is insufficient space on the drive of no. 18 for their cars and this exacerbates the problem, especially in the event of emergency services.
- Whilst these new plans would appear to retain the existing footprint they raise concerns about the usage of the building. Converting the conservatory into a fully insulated, permanent building facilitates the reconfiguration of the ground floor to accommodate the 2/3 extra bedrooms applied for previously and this will resurrect many of the objections raised about the previous application.

- Increased usage will result in a loss of privacy and a significant increase in noise to neighbours.
- The roof that is proposed to replace the existing glazed conservatory roof terminates in a vertical gable end that would project beyond the existing roof line and hence be visible from the street behind the main bungalow roof. Significantly, the submitted plans leave out the front elevation that would reveal this. It is needlessly ugly and detracts from the pleasing rhythm of the pyramid-shaped roofs as viewed from the street. It should be modified to take the form of a hipped roof, tapered back in line with the main roof so that it would be much less visible from the road. That would also be less overbearing on no 16 next door. It would make no difference to the accommodation available in the new room.
- The two additional windows are proposed on the side. They are clearly against policy, in that they will give a negative effect on the application property and the adjacent property, due to overlooking to a prominent habitable room and begs the question as to why are these windows now needed, when they were not before.
- The conservatory can readily be made into two bedrooms without anyone knowing. This clearly would then have implications on over development. Leading to intensification of use and parking problems, which is clearly one of the reasons the planning department would have refused the first application.
- The addition of a gable roof means that the extension will be overbearing to neighbours and can be seen from the road, why could a flat roof not be achieved.

Councillor Sangar has made the following comments:

Most of the properties on Blackbrook Drive are bungalows and large extensions run the risk of altering this valued character of the area. The proposed roof-line of this extension would be visible from the front, and would detract from the regular appearance of the roofs of the bungalows on Blackbrook Drive.

There is concern whether such a large conservatory would be granted permission if it were submitted now, and hence the concerns regarding the appropriateness of allowing a brick extension on the footprint of the conservatory.

The extension represents over-development and would be over-bearing when viewed in context with its neighbours and would detract from the amenity value of the area.

Councillor Sidebottom has made the following comments

Whilst previous applications have been permitted, would so large an extension still be permitted now?

Whilst the footprint is the same, the roof profile is different and the gable proposed would be visible from the highway as well as reducing evening sun light into their gardens. The major difference is that although the extension is the same footprint the roof profile is completely different.

PLANNING ASSESSMENT

As the property is located within an area designated as a Housing Area in the adopted Unitary Development Plan, Policy H14 'Conditions on Development in Housing Areas' is the most relevant policy.

Policy H14 states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood and it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Policy H14 is supplemented by an adopted SPG on Designing House Extensions. This document provides more detailed guidance on matters such as design, overbearing and privacy.

The proposed rear extension will not result in the creation of a larger footprint of extension than currently exists in the form of a conservatory. The proposed new extension will be differ from the former conservatory being constructed in brick rather than glazing and will have a gable wall rather than a hipped roof. There are no objections in principle to the development, and given that the footprint will essentially remain the same, there are no objections in principle in relation to the projection and scale of development. It is noted that there are some concerns in relation to the use of the extension in the future and whether it will always be used as a lounge, but provided that the use remains residential, and does not become a House in Multiple Occupation, i.e. occupied by unrelated persons as separate households then the use of the room is not necessarily a material planning consideration.

In terms of the height of the extension; the roof will be constructed in the form of a gable rather than a hipped roof as per the existing conservatory and the ridge height will be approx. 3.8metres in height compared to a ridge height of 3.2metres for the hipped dwelling. It is not necessarily considered that this additional height will result in overbearing to the neighbouring properties; through distance to No. 20 and through the existence of garaging to the boundary with No.16 which provides a buffer and limits the potential for any unreasonable overbearing or overshadowing to No.16.

In terms of the design of the extension it is noted that the extension's roof does not necessarily create the cleanest of junctures, but equally it is a reasonable design solution. The matter has been discussed with the agent and if a further design revision is available then this will be presented to members at committee. It is noted that there are a number of concerns from local residents that the roof line for

the rear extension will be visible from the rear, and be harmful to the visual amenity of the street scene.

Upon considering these concerns, whilst there will be a small amount of projection above the roofline, given the street levels, the distance and the extent of projection it is not considered that the roof of the extension will have a considerable impact upon the street scene, such as would justify the refusal of the application. Nevertheless the potential for amendments has been discussed with the agent, along with the provision of a street scene elevation in order to demonstrate the impact of the roof of the extension. Details of this, if received, will be presented to members at committee.

In terms of impact upon privacy then there are no windows proposed for the side elevation of the extension, with the only windows being to the rear; and it is not considered that these windows will compromise the privacy of the neighbouring properties.

The provision of the two new openings in the side elevation of the dwelling house are permitted development as they serve the existing dwelling house.

RESPONSE TO REPRESENTATIONS

Each application is determined on its own merits and fears relating to previous applications or the likelihood of further applications is not a material planning consideration and is not justification for the refusal of this application.

The concerns relating to parking are noted, but the scheme is not proposing bedrooms, only the provision of a lounge. It would be unreasonable to not allow the rebuilding of the existing conservatory in brick on the grounds of off street parking. If the parking is a significant problem such as would compromise highway safety or emergency access then the matter should be referred to the council's highway section or the Police.

It is understood that the dwelling is in occupancy by a large extended family and not subdivided such as would constitute the dwelling being a house in multiple occupation.

The extension of small properties to large properties is considered to be an effective uses of land, so long as it does not compromise the overall character and appearance of the property and the area. Given that this application is for the rebuilding of an existing extension to the rear of the property, then the refusal of the proposal on these grounds is unreasonable

Concerns regarding the visual appearance of the roof and the impact of the extension upon the character and appearance of the dwelling and the street scene are noted and addressed earlier in this report.

The provision of a ground floor plan would be beneficial, but it is not considered that this is wholly necessary in order to determine the application and evaluate what exactly planning permission is being applied for.

Given the height of the extension proposed and the existence of the garage adjacent to the boundary and the small rear projection to the rear of No. 16, it is not considered that there will be a significant loss of light. The existing extensions along the boundary with No. 20 will limit the potential for any further loss of light arising from this proposed development.

If the occupiers are causing a noise nuisance then this is a matter for the Council's Environmental Protection Service.

The proposal does not necessarily result in the provision of additional living accommodation, rather a change in its form, and the existence of previous extensions does not necessarily mean that an otherwise appropriate extension should not be permitted.

The proposal has been considered by highways officers, and it is not necessarily considered that parking problems arising from the use of the church should preclude the rebuilding of the existing conservatory as a lounge.

The two windows proposed for the side elevation of the existing dwelling house are permitted development.

Changes to the internal layout of any property can be made without anyone knowing however, this does not necessarily mean that the site is being overdeveloped and there is no restriction upon the number of related persons who can live within a property in planning terms.

A flat roof would be an option, but it is the applicant's prerogative to submit a gable.

SUMMARY AND RECOMMENDATION

The proposed extension to the property is considered to be acceptable in terms of its design, form, scale, impact upon the street scene, the impact upon the residential amenity of neighbouring properties and highways and is therefore satisfactory with regards Policy H14 of the adopted Unitary Development Plan and the principles of the adopted SPG on Designing House Extensions. A recommendation is therefore made for approval subject to conditions.

Case Number 12/00685/FUL (Formerly PP-01858103)

Application Type Full Planning Application

Proposal Demolition of former country club and erection of dwellinghouse

Location Site Of Pinegrove Country Club
Myers Grove Lane
Sheffield
S6 5JH

Date Received 13/03/2012

Team NORTH & WEST

Applicant/Agent Burnell Briercliffe Architects

Recommendation Grant Conditionally

Subject to:

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

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

- 2 The development must be carried out in complete accordance with the following approved documents:

E.05, S.02, P.03, P.02, P.04, P.05, P.06, P.07, E.01, E.02, E.03, E.04, S.01

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Prior to the commencement of development samples of all external materials, including boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 4 Prior to the commencement of development details of all the materials proposed for the hard standing shall have been submitted to and approved in writing by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 5 No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

In the interests of biodiversity.

- 6 No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (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 unless otherwise approved.

In the interests of the visual amenities of the locality.

- 7 A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 8 Prior to the commencement of development details of the removal of invasive species (Japanese Knot Weed and Himalayan Balsam) shall be submitted to and approved in writing by the Local Planning Authority

In the interests of biodiversity.

- 9 Prior to the commencement of development a scheme for the disposal of foul and surface water shall be submitted to, and approved in writing by, the local planning authority. Thereafter the scheme shall be implemented as approved.

To prevent pollution of the Water Environment.

- 10 Prior to the commencement of development a scheme to improve the existing surface water disposal system shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

In order to mitigate against the risk of flooding.

- 11 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) submitted by Alan Burnell dated 13 March 2012 and the following mitigation measures detailed within the FRA: Finished floor levels are set no lower than 95.600m above Ordnance Datum (AOD).

In order to mitigate against the risk of flooding.

- 12 No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

In order to ensure that any contamination of the land is properly dealt with.

- 13 Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

In order to ensure that any contamination of the land is properly dealt with.

- 14 Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

In order to ensure that any contamination of the land is properly dealt with.

- 15 All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the

Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

In order to ensure that any contamination of the land is properly dealt with.

- 16 Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

In order to ensure that any contamination of the land is properly dealt with.

- 17 Prior to the dwelling becoming occupied, a scheme of general improvements shall have been implemented along the development site frontage in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority (including regularizing the highway margin, street lighting improvements, a small section of footway construction works to connect the site to the southern footway of Myers Grove Lane, and resurfacing the vehicular accesses)

In the interests of pedestrian safety and the interests of highway safety and the amenities of the locality.

- 18 No gates shall, when open, project over the adjoining highway.

In the interests of pedestrian safety.

- 19 The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise approved by the Local Planning Authority.

In the interests of the safety of road users.

- 20 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.

In the interests of the safety of road users.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, 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 dwelling shall be constructed without prior planning permission being obtained from the Local Planning Authority.

In order to ensure that the openness, character and appearance of this part of the Green Belt is retained.

- 22 The garden building to the west of the main dwelling shall not be sold or let as a separate building at any time.

In the interests of the amenities of the locality.

- 23 The development shall be carried out in accordance with section 5.2 "Recommendations" of the Bat Survey completed by Wild Scapes and dated 11/07/12.

Attention is drawn to the following directives:

1. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

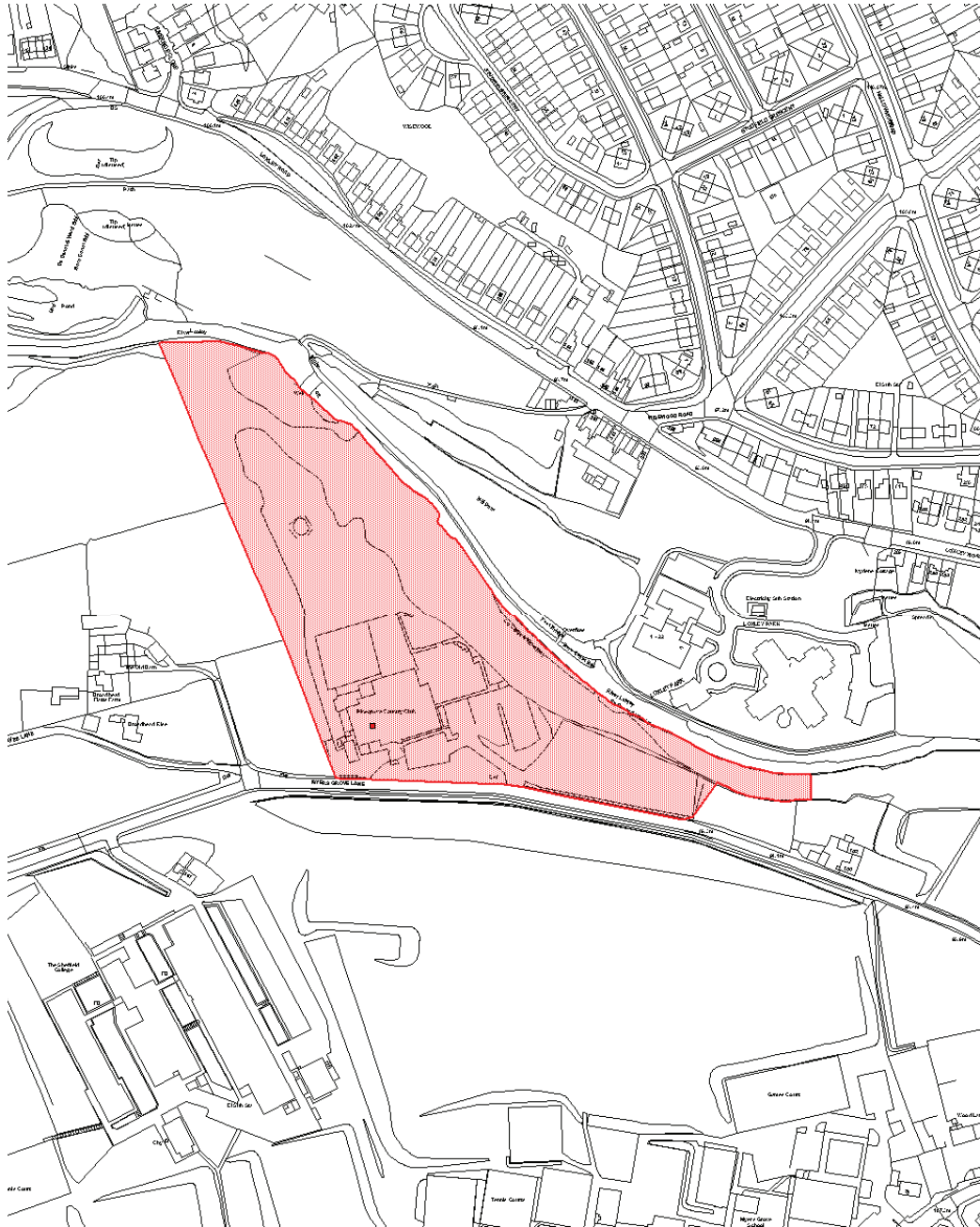
Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

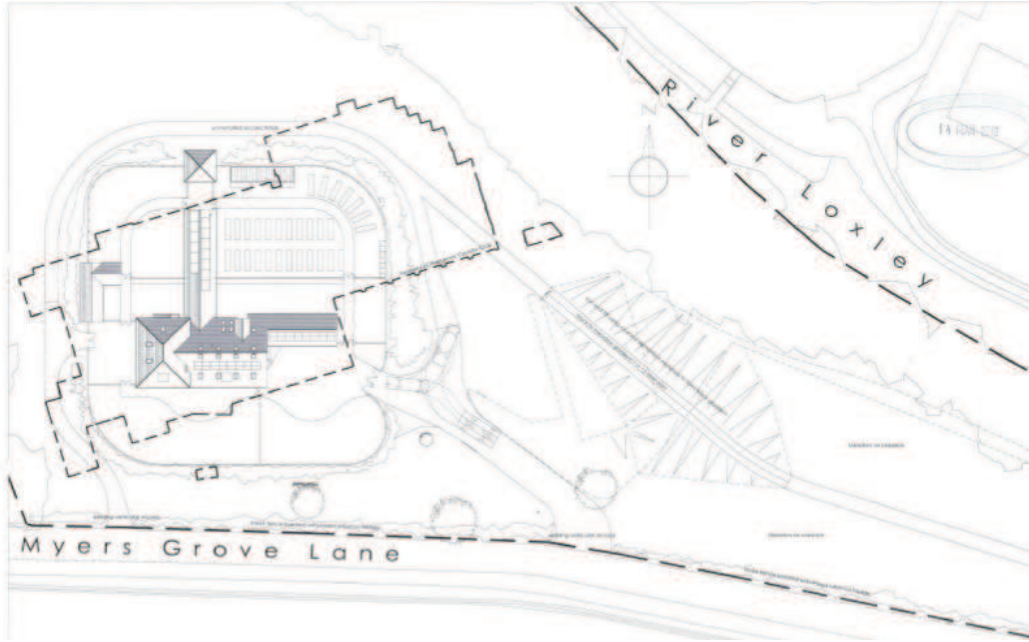
2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
3. The Council is responsible for allocating house numbers and road names to both new developments and conversions of existing buildings. Developers must therefore contact the Council's Street Naming and Numbering Officer

on (0114) 2736127 to obtain official addresses for their properties as soon as construction works commence.

Site Location



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LOCATION AND PROPOSAL

The application relates to a large site measuring 38,885 square metres formerly occupied by Pinegrove Country Club.

The site is located to the north of Myers Grove Lane and is elevated in relation to the highway. The front of the site is dominated by a large building which housed a sports hall, squash courts, bar and changing facilities. Surrounding the building are numerous hard surfaces which previously formed sports pitches and parking areas. The building currently occupies a floor area of approximately 3117 square metres, with hard standing occupying a further 6091 square metres. The remainder of the site consists of overgrown landscaped areas. The Country Club has not been in use since 2004 and suffered severe fire damage shortly after its closure. The building is now in a poor state of repair and the site is very overgrown.

The Loxley River borders the site to the north east, being set at a much lower level than the site. The land to the east and west of the site consists of heavily vegetated open spaces whilst playing fields associated with Myers Grove School are located to the south. The site and surrounding area are located within the Green Belt.

Planning permission is sought for a large detached house and gardens with a significantly smaller footprint than the existing building. The dwelling itself will provide spacious living accommodation and includes 5 bedrooms, a swimming pool, a hobby room, pottery room, workshop and space for 4 vehicles amongst other things. It is proposed to have large gardens to the front and rear with the remainder of the site being managed as mixed woodland, coppicing and meadow.

RELEVANT PLANNING HISTORY

Planning permission was refused through application 04/04113/FUL for the erection of 58 dwellings, a children's play area and public open space for the following reasons:

"The Local Planning Authority consider the proposed development would have an adverse impact on the openness of the Green Belt and it is considered there are no very special circumstances that would allow a development of the scale proposed. The proposal is therefore contrary to Policies GE1, GE2, GE3, GE4 and GE5 of the Sheffield Unitary Development Plan and National Planning Policy Guidance Note 2: Green Belts".

"The proposal would have an adverse impact on the Loxley Valley and would therefore be contrary to The Loxley Valley Design Statement, approved supplementary planning guidance".

"The Local Planning Authority consider that the application site is removed from local facilities and transport and is therefore not in a sustainable location and contrary to National Planning Policy Guidance Note 3: Housing".

SUMMARY OF REPRESENTATIONS

Three letters of representation have been received, the points raised are outlined below –

- Development will remove the current eyesore
- A single dwellinghouse is the best possible outcome for this site
- Site is a health and safety hazard close to a school
- Design is well thought out and in keeping with surrounding properties
- Unclear what will be seen from the Loxley Valley as current site is very prominent from Loxley
- Existing trees should be retained
- Banks of river should be cleared
- Site should not be used to store builders rubble and waste once the development is completed

SUMMARY OF CONSULTATIONS

Loxley Valley Protection Society:

- whilst application represents a departure from the UDP, it can only be seen as an improvement in terms of the openness of the Green Belt. It will remove a long standing eyesore from the valley side, use of large amount of site for woodland and meadow will remove hardstanding.
- Reference to annex C of PPG2 should be removed as it refers to major developed sites in the Green Belt, none of which have been identified by the Local Planning Authority.
- The use of the garden house should remain ancillary to the main dwelling.
- The design of the gates should be suitably rural in appearance.

- A full ecological survey must be submitted
- Mature trees on site should have TPO placed on them or should be conditioned for retention
- Pleased that the height of the building is to be lower than existing, however would request extra planting to improve visual amenity
- Managed woodland should be done in accordance with expert advice
- Hope that only coppiced wood will be used to power log burning boiler and stoves
- It is essential that sufficient planting is carried out to the front of boundary walls
- External lighting should be strictly controlled
- Bat and bird boxes should be provided
- Hard standing should not be visually intrusive in colour
- Development should not be used as a precedent for other Green Belt development
- Permitted development rights should not extend beyond the boundary wall

Loxley Valley Design Statement Group:

- The proposal is an admirable solution to a problematic site, however several comments in relation to the Loxley Valley SPG.
- Accept that the applicant has had regard to the SPG in designing the property, however feel that prominence of boundaries should be reduced by appropriate planting to disguise boundary wall.
- Would like to know what materials are to be used for hard surfacing.
- SPG also refers to bird boxes, floodlighting and satellite dishes, applicant should be reminded about these matters.

Bradfield Parish Council: No objections provided all planning rules are followed.

CPRE:

- Support the proposed development
- Existing building is in a poor condition, is unattractive and potentially hazardous, meaning that sensitive redevelopment is welcomed
- Proposal is acceptable in light of Green Belt policies in the NPPF, in particular paragraph 81 and 89.
- Development would also be in line with Core Strategy policies CS24 and CS71
- The proposal is designed with sustainability in mind and makes good use of renewable energy. Rainwater will be harvested and part of the garden used for food production
- Dwelling is in keeping with other buildings in the area and meets criteria of sustainable development described in the NPPF.

PLANNING ASSESSMENT

Policy

The National Planning Policy Framework (NPPF), states that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt, including looking for opportunities to enhance damaged and derelict land.

Paragraph 89 of the NPPF describes how new buildings in the Green Belt are inappropriate development except in several circumstances including, “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), where redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”. Policy GE3 of the Unitary Development Plan (UDP) “New building in the Green Belt” states that that “the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than agriculture, forestry, essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses which would comply with Policy GE1”.

Policy GE4 “Development and the Green Belt Environment” states that “the scale and character of any development which is permitted in the Green Belt, or would be conspicuous from it, should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment”.

The development is located in close proximity to Myers Grove school, is approximately 500 metres from the nearest bus stop and approximately 800 metres from the nearest shops. It is considered that these distances are acceptable, particularly given the fact that the development is for only one dwellinghouse. It is noted that one of the reasons for refusal of the previous application was that the site was not in a sustainable location, nevertheless the proposal was for 58 dwellings and so was significantly different to the current proposal.

Impact on Green Belt

As highlighted previously the existing site consists of a large fire damaged country club which is in a poor state of repair and associated poorly maintained hard surfacing and landscaping. The existing building has a footprint of 3117 square metres, with a further 1098 square metres of canopied areas and 6091 square metres of tarmaced areas. The proposed dwellinghouse has a footprint of approximately 495 square metres with around 2400 square metres of walled garden area. The proposed dwelling will occupy the equivalent of 16% of the floor area of the existing country club and its highest point will be no higher than the existing building. The total area of the dwelling, gardens and forecourt will be less than the footprint of the country club building alone, excluding the large amounts of tarmac currently on the site. The areas outside of the boundary of the dwelling, to include large areas of tarmac will revert to meadow, coppice or managed woodland, this will improve the appearance of the site in the Green Belt.

Overall, it is considered that the proposal will have a lesser impact on the openness of the Green Belt than the existing building, as such the scheme is considered to be acceptable in accordance with Paragraph 89 of the NPPF.

It is considered that the fact that the dwelling will have less of an impact on the openness of the Green Belt and that the remainder of the site will be sensitively managed constitute very special circumstances in accordance with UDP policy GE3.

Design

Core Strategy Policy CS74 "Design Principles" requires high quality development which respects and takes advantage of the distinctive features of the city.

The Loxley Valley Design Statement Supplementary Planning Guidance is also relevant and sets out detail to ensure development is sympathetic to the character of the Loxley Valley.

The demolition of the existing building is considered to be desirable and will have a beneficial effect on the visual amenities of the locality.

The proposal is for a large dwellinghouse featuring a two-storey element to the west with a hipped roof and wrap around verandah at first floor. The building steps down to the east, having a large roof area which will provide habitable rooms and then steps down again to form a garage block. The building is large in scale, however it is well articulated which will break up its mass.

The dwellinghouse will be constructed from natural stone with a slate roof and windows with a powder coated aluminium finish. The use of natural materials reflects the character of dwellings to the east and west.

It is acknowledged that the proposal represents a very large dwellinghouse, however as detailed in the previous section the development will be significantly smaller than the existing country club building. The area surrounding the dwelling is relatively undeveloped with the nearest residential properties being over 130 metres to the west and 250 metres to the east. The footprint of the proposal appears to be larger than dwellings in the locality, however it is argued that given the remoteness of the site and the reduction in scale in comparison to the previous approval that it will not be detrimental to the character of the area.

The property is to be located towards the front of the site, ensuring that it interacts well with street scene and does not extend development further into the open Green Belt. The wall surrounding the site will somewhat reduce the interaction with the street scene. Nevertheless, given the remoteness of the site the desire to provide security is appreciated. Furthermore, the appearance of the wall will be reduced by planting to the front, details of which will be secured by way of condition.

Views of the site are visible from across the valley to the north in Loxley. The proposal will result in the removal of the derelict building which at present is an

eyesore in the locality and replace it with a well designed dwellinghouse of smaller scale. As such the appearance of the site from long range views will be significantly improved.

A small “garden house” is proposed to the west of the dwelling to be used as living accommodation during construction and as ancillary accommodation thereafter.

The building is to be constructed from painted softwood boarding walls with stained softwood windows and resin/limestone slates to match the colour of the slates to the main house. The garden building will be partially shielded by the proposed boundary wall and will appear subservient to the main dwellinghouse. A condition will be attached to any approval to ensure that the use of the garden building remains ancillary to the main house.

Amenity Issues

The dwelling itself will provide adequate amenity for occupiers. Owing to the separation distances between the proposal and the nearest neighbouring residential properties the scheme will not have an adverse impact on the amenities of any neighbouring residents.

Landscaping

A landscape survey has been undertaken, this revealed 53 items of vegetation, 5 of which are trees/groups identified as retention category “A”, 15 trees and groups are retention category “B”, 30 trees/groups are retention category “C” and 3 trees/groups are identified for removal. The best species of trees and those which provide most amenity value are poplar and sycamore trees along the west and north east banks of the site. There are a number of spruce and pine planting along the west banking which are out of character on the site and could benefit from thinning.

The Design and Access Statement identifies that the woodland will be managed with some being used for coppicing. Conditions will be attached to the application requiring details of which trees are to be retained and which removed, replacement planting and protection details. Information on the species to be planted around the boundary wall will also be conditioned for subsequent approval.

Protected species

A bat survey has been undertaken, this identified a bat roosting in the building and that the site is important for foraging. The applicant will need to apply for a licence from Natural England, this will include a method statement to ensure works do not injure or kill bats and will provide mitigation for the loss of the roost.

Contamination

The site was formerly used as a landfill site, the applicant includes a ‘Report on Site Conditions’ document. This recommends an investigation of the known contamination on site, and suggests that remediation will be required. However,

this report is not sufficient in itself, and does not fulfil all the criteria specified in the standard conditions for land affected by contamination. As such it is necessary to attach conditions to the application requiring contamination surveys and potential remediation to be undertaken.

A report has been submitted with regards to slope stability, this states that although there are signs of minor slippage there is not evidence of deterioration of the slope conditions within the last 5 years. Nevertheless, the report recommends that structures should not be placed within 30 metres of the top of the slope and gardens should not be within 25 metres of the top of the slope. These distances are reflected in the submitted drawings.

Flooding

The site falls within a Flood Zone 2 and therefore has a medium probability of flooding. The applicant has submitted a Flood Risk Assessment with the application this shows that the maximum height of the river in a flood event would be 76.8 metres and the site is significantly higher at 95.5 metres. Nevertheless previous knowledge of the site suggests that flooding may have been from surface water run off.

In accordance with the NPPF a sequential test should be carried out to ascertain if development could be located in an area with a lower probability of flooding. A sequential test has not been submitted, however the development would undoubtedly fail such a test as there are numerous other locations within the city where a single dwellinghouse could be sited.

Nevertheless, in this instance it is considered that an exception can be made for several reasons. Firstly, the proposal represents the best approach to developing a derelict eye sore in the Green Belt, it is unlikely that a more suitable use could be found for the site. Furthermore, the development will significantly reduce the amount of hard standing and built form on the site, reducing these features by approximately 9750 square metres, this will increase permeability and reduce surface water run off. The applicant is committed to using rainwater harvesting from all roof areas, utilising two separate tanks to supply water for the house, pool and garden area. Finally, the Environment Agency have been consulted on the application and have not raised any objections subject to several conditions being attached to any approval.

Highways

The dwelling will be served by the existing vehicular access point which will lead to a secure entrance court. The use of the existing crossing does not raise any highway or pedestrian safety issues.

There is no footway along the development site frontage and the four lighting columns (again along the development site frontage) are dilapidated/substandard. Pedestrians can however walk to the site along the southern footway of Myers Grove Lane, before crossing a grass verge and the carriageway to gain access. A

small section of grass verge would need converting to footway, with the kerbs lowered for wheelchair/pram use.

The site would also benefit from regularizing the highway margin along the site frontage replacing the lighting columns and resurfacing the existing vehicular crossings/access. These improvement works will be secured by way of an appropriately worded condition.

The plans also indicate a track which will go from the workshop/van garage round the rear of the house and provide access to the meadow/coppice to the east of the site. This will allow for regular maintenance of this area and is deemed to be acceptable.

SUMMARY AND RECOMMENDATION

The proposed redevelopment of a derelict and unkempt site with a single dwellinghouse in the Green Belt is considered to be acceptable with regards to the NPPF and Policies GE3 and GE4 of the Unitary Development Plan. The proposed dwellinghouse whilst relatively large, is significantly smaller in scale than the existing country club and is designed to reflect the character and appearance of the surrounding area. As such the proposal will serve to increase the openness of the Green Belt. The site will be managed with trees of high amenity value being retained and the woodland being managed. Whilst the site is within flood zone 2 and not sequentially preferable, it is considered that the proposal represents the best opportunity to improve the appearance of the site.

Case Number	12/00585/FUL (Formerly PP-01821953)
Application Type	Full Planning Application
Proposal	Partial demolition and refurbishment of industrial unit to form 11 cottages, erection of garage block and provision of associated landscaping and parking accommodation (as per amended drawings received 8 June 2012)
Location	Loxley Works Low Matlock Lane Sheffield S6 6RP
Date Received	03/03/2012
Team	NORTH & WEST
Applicant/Agent	Coda Studios Ltd
Recommendation	Grant Conditionally

Subject to:

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

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

- 2 The development must be carried out in complete accordance with the following approved documents:

Drawing 1849 001 (Proposed Ground Floor Plan)
Drawing 1849 002 (Proposed First Floor Plan and Elevations)
Drawing 1849 003 (Proposed Section and Elevations)
Drawing 1849 004 (Existing Plans, Elevations and Location Plan)
Drawing 1849 005 Revision C (Proposed Site and Location Plan)
Drawing 1849 006 (Garage Block –Plans and Elevations)

received on the 8 June 2012 and 18 July 2012 from Coda Architects,

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The development 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.

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

- 4 No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the is/are brought into use.

Highway Improvements:

Squaring up the junction of Low Matlock Lane with Loxley Road, including improvements to visibility in both directions at the junction.
Improvements to vertical alignment of Low Matlock Lane.
Implementation of drainage scheme for Low Matlock Lane.
Improvement to surfacing of Low Matlock Lane, to accommodate loading of six-axle refuse vehicle.
Provision of lighting.
Any accommodation works to existing street furniture.

To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development.

- 5 Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

- 6 No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

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

- 7 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.

In the interests of the safety of road users.

- 8 The development shall not be used unless that part of the road providing access thereto has been provided in accordance with the approved plans.

In the interests of the safety of road users.

- 9 The development shall not be used unless turning space for vehicles has been provided within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such turning facilities shall be retained.

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

- 10 Before the development becomes occupied, all vehicle and pedestrian areas within the site shall have been surfaced and drained in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

In the interests of pedestrian safety. In the interests of the safety of road users.

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

In order to ensure an appropriate quality of development.

- 12 Surface water and foul drainage shall drain to separate systems.

To ensure satisfactory drainage arrangements.

- 13 Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until such time as a scheme to dispose of foul and surface water drainage, including any balancing works and off site works, has been submitted to and approved in writing by the Local Planning Authority. This development shall be implemented in accordance with this scheme thereafter.

To ensure satisfactory drainage arrangements.

- 14 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no

building shall be occupied prior to the completion of the approved foul drainage works.

To ensure satisfactory drainage arrangements.

- 15 A comprehensive and detailed hard and soft landscape scheme for the site including enclosures and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority.

The soft landscaped areas shall then be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced to the satisfaction of the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, 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 to include satellite dishes and external lighting such as floodlights which materially affect the external appearance of the dwellinghouse shall be constructed without prior planning permission being obtained from the Local Planning Authority.

In the interests of protecting open character of the Green Belt.

- 17 No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

In order to ensure that any contamination of the land is properly dealt with.

- 18 Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

In order to ensure that any contamination of the land is properly dealt with.

- 19 Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report

which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

In order to ensure that any contamination of the land is properly dealt with.

- 20 All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

In order to ensure that any contamination of the land is properly dealt with.

- 21 Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

In order to ensure that any contamination of the land is properly dealt with.

- 22 Notwithstanding the submitted plans, full details shall be submitted to and approved in writing by the Local Planning Authority showing that at least 25% of the residential units, or a percentage otherwise agreed in writing by the LPA, are designed and constructed to mobility housing standards as set out in Mobility Housing - Supplementary Planning Guidance.

In the interests of the amenities of the locality.

- 23 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying the measures that would be incorporated into the development to ensure that the development is designed to reduce emissions of greenhouse gases and function in a changing climate. The report shall include details on the following:

Energy efficiency measures;
Solar energy capture, passive heating and cooling, and natural light and natural ventilation
Water consumption and water re-cycling;
Sustainable use of materials; and
Waste and promotion of recycling (both construction and occupation)

Thereafter the agreed measures shall be implemented in accordance with the approved report and thereafter retained and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

- 24 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development being obtained from decentralised and renewable or low carbon energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 25 The surface water discharge from the site is subject to a reduction of at least 30% compared to the existing peak flow. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 l/s/Ha is required. The detailed proposals for s.w. disposal, including calculations to demonstrate the reduction, must be submitted and approved by the LPA prior to commencement of building.

In order to mitigate against the risk of flooding.

- 26 Prior to the commencement of work on site, full details of the proposed soakaway and septic tank, which shall include site location and means of discharge or disposal shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure satisfactory drainage arrangements and prevent pollution of the water environment.

- 27 Unless otherwise approved the proposed green roof(s) (vegetated roof system) shall cover a minimum area of 80% of the roof and shall be provided prior to the use of the building commencing. Full details of the green roof construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. Unless an alternative specification is approved the green roof shall include a substrate based growing medium of 80mm minimum depth and incorporating 15 - 25% compost or other organic material and the vegetation type shall be herbaceous plants. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

In the interests of biodiversity.

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

GE1 - Development in the Green Belt

GE2 - Protection and Improvement of the Green Belt Landscape

GE9 - Re-use and Adaptation of Rural Buildings

BE5 - Building Design and Siting

H7 - Mobility Housing

H16 -Open Space in New Housing Developments

The principle of converting this former industrial building into an alternative use including housing is accepted under Policy GE9. The partial or complete redevelopment of previously developed sites (brownfield land) in the Green Belt, such as this is also in line with government guidance contained within NPPF.

The Local Planning Authority is satisfied with the proposed alterations to this attractive range of former industrial buildings. It is considered that the development represents a sympathetic conversion scheme with due consideration given to its former use. The development is not considered to raise any significant highway concerns or result in neighbouring properties to experience any loss of outlook, or loss of privacy that would be harmful to their residential amenity.

Conditions attached to the planning approval seek the submission of all external materials, including surface materials and the removal of the

property's PD' rights. These should ensure a high quality development is achieved and that the Council have control over any future alterations and/or extensions that could affect the character and appearance of the site or be harmful to its Green Belt setting.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at www.sheffield.gov.uk/planningonline or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

1. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

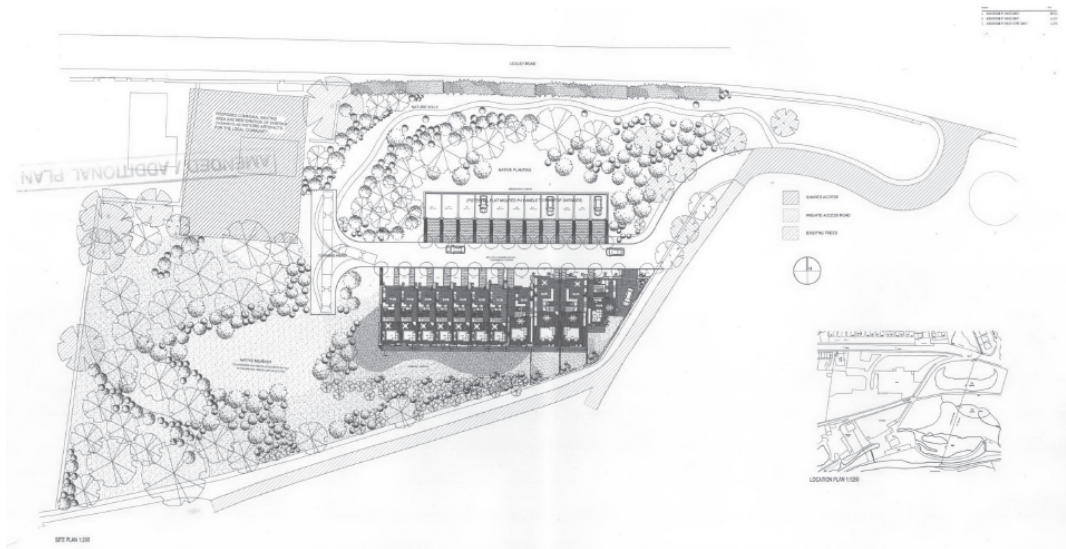
You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. The Council is responsible for allocating house numbers and road names to both new developments and conversions of existing buildings. Developers must therefore contact the Council's Street Naming and Numbering Officer

on (0114) 2736127 to obtain official addresses for their properties as soon as construction works commence.



LOCATION AND PROPOSAL

The application relates to Loxley Works, a former industrial site that is situated off Loxley Road. Loxley Works covers an area of approximately 1.02 hectare and is made up of a redundant and derelict factory building and associated hardstanding areas. It is situated on the southern side of Loxley Road and is accessed from Low Matlock Lane, an unadopted road that extends down quite steeply from Loxley Road. The site is situated within the Green Belt.

The site's industrial workshop dates back to the early 20th Century (Circa 1900-1910). The building is constructed in red brick and is roofed under a combination of slate, tin and asbestos. It is built in a series of three sections (Units 1-3), the older and more traditional elements of the building being Units 1 and 2. The building is in very poor condition with signs of subsidence and partially collapsed roofs and beams across the extent of build. An attractive feature of the site is an external perimeter wall with arched openings that abuts up against Low Matlock Lane to its east and southern sections.

The site is set significantly lower than Loxley Road, and is effectively hidden from the road. The site benefits from generous natural screening by dense and mature woodland beyond its eastern and southern boundaries. The site is situated approximately 100m to the north of the River Loxley and lies within Flood Zone 1. The nearest residential properties to the site are located along Loxley Road to the north and north-west (434 - 456 Loxley Road) and also along Low Matlock Lane to the west (Greenwheel House and Green Wheel Barn). A breakers yard is located to the south of the site.

The applicant is seeking full planning permission for the partial demolition and refurbishment of the existing former industrial building to provide 11 dwellinghouses (8 two-bedrooms and 3 three-bedrooms). The applicant is also seeking approval to erect a single storey garage block to the north of the building. This building would provide covered parking and storage for 11 vehicles with

hardstanding in front to accommodate a further vehicle in front of each garage (22 in total). The proposal includes the removal of a large area of impermeable surface through the opening the land up for gardens and a large meadow.

RELEVANT PLANNING HISTORY

No relevant planning history

SUMMARY OF REPRESENTATIONS

Four letters have been received in response to the application as a result of neighbour notification and site notice. Letters have also been received from Bradfield Parish Council, Loxley Valley Protection Society, Loxley Valley Design Statement Group and Campaign for the Protection of Rural England (CPRE). These are summarised below: -

The residents of Green Wheel Barn have raised some concerns with the proposal. They have asked several questions regarding the position and means of discharge of the septic tank and soakaway and what measures will be taken with regard the dismantling of the asbestos roofing. The residents of this property also comment that the use of powder coated tin sheets are not in keeping with the area, and suggest the use of natural slate, highway issues relating to the proposed access and egress at the top of Low Matlock Lane and loss of privacy from the development.

The residents of 454A Loxley Road comments that whilst the development does seem quite sympathetic to the environment and will probably be a visual improvement on the current abandoned site, concerns are raised with the possible meadow and the proposed communal seating area on the western side of the site that have been provided with vehicular access that could be used as levers for future development. Also concerned that the development would result in more cars being added to an area that already suffers from a high level of traffic congestion.

The residents of 442 Loxley Road have commented that the houses should not be built at the top end of the site or be raised that would result in loss of privacy and views across the valley, no trees to be taken down, that the access road would be retained and not re-sited further up Loxley Road and that the access road be properly surfaced in tarmac. Another concern raised is noise pollution from the development's future occupants, which could be a particular problem as the valley has its own acoustics.

The resident of 456 Loxley Road is objecting to the development on the grounds that the site is within the Green Belt, the egress onto Loxley Road is blind and likely to present a danger to highway safety and waste disposal issues. The resident has also raised queries regarding post approval and what can be carried out beyond the original approval, procedural matters with regard time it took for letters to be received by residents and problems with accessing details on the website.

Bradfield Parish Council raise no objections to the proposal provide that all planning rules are followed but would recommend that a survey for protected species is carried out prior to the application being considered.

Loxley Valley Protection Society raises a number of issues. These are listed below:-

- The application is a departure from Green Belt Policies contained in the SDF and UDP and very special circumstances must be demonstrated.
- The design is on the whole very good and innovative and consider that it would fit in with its surroundings;
- Consider that natural slates should be used instead of the metal sheeting proposed;
- Queries whether any of the adjacent trees are TPO'd. If not they need to be.
- The building should be no higher than existing;
- Conditions should be attached that seeks the retention of the stone wall at the top end of the site onto Loxley Road;
- Care should be taken with the proposed type and colour of surface materials;
- The access/egress onto Loxley Road is very difficult particularly at peak times and any extra traffic is likely to add to the existing traffic problems at Malin Bridge;
- The application states no contaminated land but given the site history, this is likely. All necessary reporting needs to be carried out to ensure the site is appropriately remediated.

Loxley Valley Design Statement Group accept that, although the site is in the Green Belt the development is a basic design and it would be a reasonable solution to a problem site. The reason for this is that the site is (i) previously developed (Brownfield site), (ii) edge of the Green Belt, (iii) adjacent to existing housing, (iv) in a sustainable location and (v) development is small in scale.

They do suggest that some issues should be taken into account with regard the development proposal. These are:-

- Although the corrugated steel sheeting is a feature of the existing building, it is inappropriate to housing and recommend the use of natural slate;
- Consideration should be given to eliminating any harsh contrasts to existing background surroundings which would make the development visually prominent. Care should be taken with regard the colour treatment of doors and window frames.
- All landscaping should follow Landscape Guidance (c) and (d) of the Design guide;
- Ground surfaces should comply with Landscape Guideline (f)
- Provision of owl and bat boxes should comply with Guideline (t)
- Light pollution is inevitable and should be minimised by compliance with Landscape Guideline (j), Building Guideline (p)
- The use of satellite dishes comply with Building Guideline (n).

Campaign for the Protection of Rural England (CPRE) support the principle of the development and states that the development complies with the new NPPF policies on Green Belt development and is also in line with Policies CS24 and CS71 of the Core Strategy. It is important that the very highest standards of design are adhered to and that every effort is made to ensure that harm to the character of the area is minimised and benefits maximised.

Of some concern is the level of parking provision. CPRE consider that 23 parking spaces for the 11 dwellinghouses is excessive and that this aspect of the design should be rethought. Such a heavy reliance on motorised transport also calls into question the sustainability of the development.

PLANNING ASSESSMENT

It is considered that the main issues relevant to this application include the following:-

- a) The Principle of development – Policy and Land Use
- b) Design
- c) Highway
- d) Landscaping
- e) Residential Amenity
- f) Access
- g) Sustainability
- h) Open space provision
- i) Ground contamination
- j) Flood Risk
- k) Ecological
- l) Archaeology
- m) Other

These are considered in turn below.

(a) Principle of Development - Policy and Land Use

Policy GE9 of the UDP relates to the re-use and adaptation of rural buildings. This policy is relatively permissive in respect of the conversion and re-use of rural buildings to alternative uses provided that the existing buildings are capable of such conversion without significant alteration, extension or structural rebuilding, the new use would not harm the landscape or character of the countryside, and in the case of a building of local interest, the conversion would not harm its historic character, fabric, essential features or setting.

Government guidance with regard the re-use of existing buildings in the Green Belt is contained within the recently published National Planning Policy Framework (NPPF). Under the new National Planning Policy Framework, there are some subtle, but significant changes in policy affecting previously developed land and existing buildings in the Green Belt (Paragraph 89). The following type of development is no longer inappropriate development (previously requiring very special circumstances to justify it):

limiting infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would have no greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development [previously this approach could only be applied to existing 'major developed sites' that were specifically identified in the development plan.

The proposed scheme involves partial redevelopment but it does not appear that it would have any greater impact on the openness of the Green Belt and is therefore acceptable in Green Belt terms.

The NPPF, paragraph 51 (which applies to all areas, not just Green Belt) says that local planning authorities should normally approve applications for change to residential use from commercial use where there is an identified need for housing in the area, provided there are not strong economic reasons why such development would be inappropriate. Given the significant need for new housing and lack of a 5-year supply of deliverable sites, this statement should be given considerable weight.

The other key considerations here are:

(a) whether the scheme would be sustainable in terms of its impact on travel patterns and access to local services and facilities.

Under the NPPF, emerging Development Plan Documents (DPDs) can now be a material consideration in decisions on planning applications. Draft City Policies and Sites document policy C1 says that, for developments involving 10 or more dwellings, there should be a local convenience shop and at least 5 other services and facilities available within reasonable walking distance of the site. Our analysis indicates that the development would comply with this policy (it shows 2 local convenience shops and 6 other types of local facilities (3 Post-boxes, 1 School, 1 Community Centre, 1 Place of Worship, 1 Pub & 2 Parks). It should be emphasised however, that even if the development did not comply with C1, the draft policy has been subject to some objections, so carries only limited weight at this stage.

(b) whether the development would be consistent with paragraph 30 of the NPPF which says 'local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport'.

There is a reasonably frequent bus service along Loxley Road. The scheme would therefore be consistent with this aspect of the NPPF.

(c) whether the partial demolition and redevelopment of the buildings would adversely impact on buildings which may be of historic interest –

Although the building only dates back to the early 20th Century, it is considered that the building is worthy of retention, and more so, the site has been historically

linked to industrial use since the late 17th Century. Rather than its complete redevelopment, it is considered that converting the building, albeit in part only should be supported in principle.

It is acknowledged that the proposed conversion of the building to form 11 dwellinghouses could injure the openness of the Green Belt with the development of gardens and potential domestic paraphernalia associated with its use. However, it is not considered that the development would lead to the encroachment of urban development into the countryside. The development involves the conversion of part of a redundant factory building. It does not involve any significant rebuilding with the dwellinghouses and garage block being entirely absorbed within the footprint of the existing building. While gardens are proposed to the rear of the dwellinghouse, these have been kept to a minimum with only three of the units being provided with a designated boundary to their amenity space. The remaining eight properties are provided with small terraces and a communal garden. A condition removing the properties' 'PD' rights would ensure that the LPA has control over any future extensions/outbuildings that could be harmful to the open character of the Green Belt and site's landscape setting.

(b) Design Issues

Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style of surrounding buildings, the use of special architectural treatment be given to corner sites and that designs should take advantage of the site's natural features.

The existing structure is a redundant mill building that is in extremely poor condition owing to the number of years of neglect. The existing fabric is in decay, the extent of which is evidenced by the supporting structural support. In brief, the structural report details that a section of the building (unit 1) shows signs of envelope damage with considerable decay to the west gable wall and the south walls. The concrete slab flat roof to the rear of Unit 2 is severely corroded and that the steel roof trusses have suffered water damage and extensive corrosion has occurred. The structural report confirms that Unit 3 is of most concern structurally and has suffered extensive damage to its timber roof structure, many of the trusses and purlins have collapsed along with the roof covering.

On account of the extent of deterioration to the building, the applicant is seeking to demolish Unit 3 completely with the proposed dwellinghouses designed to exist within the refurbished envelope of the mill building. The original footprint of the mill is to be retained and made good and where necessary re-built. The pitch and height of the roof would be re-built to the same profile and height as existing and would be covered in a proprietary corrugated powder coated steel sheeting. The plans show a first floor would be constructed to provide two floors of accommodation across the length of the building. At ground floor, each of the units would be provided with large window openings to both front and rear elevations with side oak sliding screens. The upper floors would be lit by a series of vertical

paired rooflights. It is proposed to use reclaimed brick, aluminium doors, vertical timber boarding and 'Conservation style' rooflights.

The scheme involves creating a new access road with a garage block in the approximate area of the existing central workshop (Unit 3). The proposed garage block would be located to the north and run parallel to the existing and retained mill building. It would provide parking for 11 vehicles with hardstanding to the front of each garage. To reduce the impact of the garage block on the openness of the Green Belt, the plans show that this would be partially submerged and bedded into the existing hillside. The garage would be topped out using concrete and a green roof system in order to blend the structure into the site's natural topography. The garage doors would be timber with a glazed side screen.

The proposed development is considered to be of very high quality with the scheme seeking to retain much of the attractive and historic element of the original mill building. It is considered that due care has been given to the proportions of new fenestrations with the existing building envelope with the alternating pattern of window arrangement with timber screens providing relief to the building's linear and regular façade. Although some concerns have been raised with regard the use of steel roof sheeting and rooflights, the applicant is keen to retain the industrial nature of the building. It would be unreasonable in officers' opinion to insist that natural slate is used on the building or the series of paired rooflights be omitted when these features aim to reflect the characteristics of industrial building typologies. It is not considered that these elements would harm the character or appearance of the site, and can be appropriately detailed at condition stage.

A condition seeking full details of all external materials should be attached to any grant of planning permission to ensure a high quality scheme is achieved as should a condition removing the properties' 'Permitted Development' rights in the interests of preserving the integrity of the building and openness of the Green Belt.

(c) Highway Issues

Low Matlock Lane is a private access road carrying Definitive Footpath BRA/60B. It joins Loxley Road at quite an acute angle resulting in poor visibility to the left, compounded by a stone wall running to the rear of the footway. Loxley Road is significantly higher than Low Matlock Lane, which falls steeply as it heads towards the River Loxley. The surfacing is a mixture of materials, mainly of a gravelly nature. During heavy rain, surface water from Loxley Road runs down Low Matlock Lane causing flooding on the corner of Loxley Works. There appears to be no positive drainage along the Lane. During the site visit, water was seen pouring from pipes poking from the walls of the Works, which had created a stream by eroding the gravel surfacing of the Lane. Visibility to the right upon joining Loxley Road is partially obstructed by vegetation.

The site visit was attended by a representative of Veolia. There is currently a breakers yard and a residential property just beyond the development site, further along Low Matlock Lane. Refuse collection is via a small van. Veolia have no other vehicle that can negotiate the Lane. Even with the van, its turning movements are restricted to left in & right out of Low Matlock Lane. This is owing to the acute angle

at which the Lane joins Loxley Road. Visibility is also a problem for the van to the left.

For an additional 11 cottages, the requirement for Veolia would be for Low Matlock Lane to be able to accommodate a 6 axle refuse vehicle. In terms of the Highways Department's requirements, the Lane would need to be brought up to adoptable standards. This would involve squaring up the junction onto Loxley Lane, improving visibility on both directions, implementing a drainage scheme, improving the vertical alignment of the Lane, improving the surfacing of the Lane, and possibly providing some lighting over the initial section of the Lane. In squaring up the junction, the most cost effective solution might be to encroach slightly into the land contained within the blue-line boundary of the application submission.

(d) Landscaping Issues

The development does not involve any loss of trees that are considered to be worthy of retention with the areas of vegetation limited to along the site boundary, comprising mainly ruderal self set vegetation that is considered to be of little ecological or amenity value.

The location of the site within the Green Belt requires a development that assimilates into its landscape setting. This has been achieved with the proposed hard and soft landscaping proposals considered to be of very high quality with due consideration given to the landscape character of the site and surrounding area. The proposals include bordering the shared access road with landscaped areas and native species, the planting of a large number of native trees, construction of a nature walk and forming a wild nature meadow over large expanses of the site area. All hard-surfaces are specified as being porous with the applicant envisaging using a Grasscrete type permeable paving system.

While no details have been provided in terms of tree species, densities and treatment of the hard landscaping areas, these can be appropriately secured by condition.

(e) Residential Amenity Issues

The nearest residential properties to the site are situated to the north of the site along Loxley Road and to the west along Low Matlock Lane. The nearest of these (Greenwheel House) is situated over 55m from the nearest part of the building. This separation distance would exceed the recommended separation distances given in SPG Designing House Extensions, which is used as an empirical guide to assess the affect of development proposals including new build and residential conversion schemes on neighbouring properties. Any affect on neighbouring properties' amenities as a result of the development including Green Wheel Barn, a property that is situated beyond Greenwheel House would therefore be minimal.

It is also considered that the dwellinghouses' future occupants would benefit from a good level of amenity. Each of the units would be provided with two street parking spaces, good sized rear gardens and a secluded location with minimal overlooking. While it is acknowledged that the site is situated near to a breakers yard,

Environmental Protection Service (EPS) are satisfied that any noise associated with the breakers yard would be intermittent and unlikely to elevate average noise levels significantly. Impact noise could be an issue, but Lmax levels are usually only controlled in the night-time, so a breakers yard is not likely to require any control.

(f) Access Issues

Policy H7 of the UDP states that in all new or refurbished housing the provision of a proportion of mobility housing to meet local need will be encouraged except where the physical characteristics of a site make it impractical. The UDP defines a proportion to be a minimum of 25% of the units, which would equate in this instance to 3 units of the eleven dwellinghouses.

Unfortunately, the Design and Access Statement makes no reference to mobility housing. With exception to the means of access to and from Loxley Road, the site is relatively flat and would be feasible to provide mobility housing. To comply with Policy H7 therefore, it is considered appropriate to attach a condition that requires three of the eleven units to be built to full mobility standards unless otherwise shown not to be viable.

(g) Sustainability Issues

Policies CS64 and CS65 of the Core Strategy require all new developments of 5 dwellings to be designed to reduce emissions of greenhouse gases and function in a changing climate and, unless this can be shown not to be feasible and viable, provide a minimum of 10% of their predicted energy needs from renewable or low carbon energy.

The supporting Design and Access Statement does not make reference to either of the two policy requirements and concentrates mainly on the fact that the site is in a sustainable location in terms of bus routes into the city and the redevelopment of a brownfield site. It does however states that each house be provided with one general waste bin, preferably of the slim-line variety to encourage householders to reduce their general waste production. Nevertheless, to ensure that the policy requirements of CS64 and CS65 are met, it is recommended that conditions be attached as standard. The applicant has been advised of these policy requirements and that conditions would be attached to any grant of planning permission.

(h) Open space provision

An assessment of local provision has shown that there is a shortage of both informal and formal open space in the catchment area of the site. In accordance with Policy H16 of the UDP, for sites less than one hectare which involve the construction of five or more units, the developer is required to make an appropriate financial contribution towards the provision of open space in areas where there is a shortage. Based on eight 2-bedroom dwellinghouses and three 3-bedroom dwellinghouses, it has been calculated that a financial contribution of £12, 905.90 should be secured.

This contribution would be met through a planning obligation between the Council and the developer. At Section B5 of Circular 05/2005, it details that planning obligations must meet five tests. They must be i) relevant to planning, ii) necessary to make the proposed development acceptable in planning terms, iii) directly related to the proposed development, iv) fairly and reasonably related in scale and kind to the proposed development and v) reasonable in all other respects. With regard to this application, officers are satisfied that seeking a financial contribution of £12,905.90 that would go towards the provision of open space in the catchment of the site would satisfy the five tests set out in the Circular. As set out above, an assessment of local provision has shown that there is a quantitative shortage of both informal and formal space open space in the catchment area of the site. It is accepted that increases in a local population as a result of new housing puts pressures on the use of open space and recreational facilities in the area as set out in Policy H16. As the development would provide 11 additional housing units in the area, it is considered both reasonable and necessary to secure a financial contribution to meet the recreational and open space deficiencies in the area. The amount to be secured is also considered commensurate to the scale of the development.

The applicant has accepted the terms of the planning obligation and has signed the agreement to secure the required £12,905.90. The applicant has also provided a copy of his register of title.

(i) Ground contamination Issues

The previous use of the site makes contamination likely. There is also the potential for made ground to affect land quality on site. The proposed residential use with private gardens is therefore vulnerable to the presence of contamination. There is also the potential for made ground to affect land quality on site and the potential for mobilised contaminants polluting controlled water owing to flowing water crossing the site down to the River Loxley Valley.

It is recommended that the standard suite of ground contamination conditions be attached as standard. The applicant is agreeable to these conditions being attached.

(j) Flood Risk Issues

The application site is situated within Flood Zone 1 (0.1% or less annual probability of flooding). Owing to the site exceeding 1 hectare in area, the application was submitted with a Flood Risk Assessment (FRA) in order to demonstrate whether the development would be safe from flooding and would not increase the risk of flooding elsewhere.

The FRA details that the site is significantly higher than the adjacent River Loxley and stands a further 2m higher than Low Matlock Road at the point where it runs parallel to the site's southern boundary. The FRA also notes that the site's impermeable driveways would be replaced with block paving to allow for natural infiltration and a large area of impermeable surface would be removed and replaced by a meadow. Figures show that as a result of the reduction of

impermeable areas, there would be a reduction of runoff rates and volumes by 52% and 29% respectively. With the incorporation of further SUDS components in the design, the expected runoff rates would be expected to provide further betterment. The FRA concludes that the proposed development is appropriate for the flood risk at the site and would not increase flood risk to others. No comments have been received from the Environment Agency at the time of the report being written. Any comments will be verbally reported at Committee.

(k) Ecological Issues

The applicant commissioned ecology consultants to undertake an ecological assessment of the site and to establish whether the development would impact on species protected under the Conservation of Habitats and Species Regulations 2010. The supporting ecological assessment report details that the proposed development would not have a significant negative impact on the site biodiversity, and while the development will involve the loss of tall ruderal vegetation and scattered scrub, both habitats are known to be common both nationally and within the Yorkshire region, while, the proposed landscaping scheme contains species of local provenance. The bat report confirms that no bats or field signs to indicate the presence of bats or habitats to support such species were recorded.

(l) Archaeology

The development has been assessed to establish whether the development would have any affect on any archaeological remains. South Yorkshire Archaeology Service has inspected the available information for this site, including historic mapping and photographs as well as the Structural Assessment and the historical information included in the Design and Access Statement. From this, it is clear that the works are early 20th century in origin and their archaeological potential is minimal, particularly in view of the condition of the buildings. For this reason, it is not considered necessary to attach an archaeological condition.

(m) Other Issues

The occupants of the neighbouring property have requested information with regard the proposed septic tank and soakaway. Although the application details that these would be incorporated into the scheme, the supporting plans do not indicate the position or means of discharge. On account of this, it is recommended that a condition be attached that seeks full details in respect of both the septic tank and soakaway to ensure the development incorporates suitable methods of sewage and water disposal.

The safe disposal of asbestos is controlled under separate legislation (Control of Asbestos Regulations 2012) administered by the Health and Safety Executive. It is not considered appropriate to condition it under the terms of this application.

SUMMARY AND RECOMMENDATION

The application relates to a redundant and dilapidated industrial factory that is situated within a 1.02 hectare site along the southern side of Loxley Road. The site is identified within the Green Belt and lies within Flood Zone 1.

The proposal is for the partial demolition and refurbishment of the existing former industrial building to provide 11 dwellinghouses (8 two-bedrooms and 3 three-bedrooms). The scheme includes erecting a single storey garage block to the north of the building. This building would provide covered parking and storage for 11 vehicles with hardstanding in front to accommodate a further vehicle in front of each garage (22 in total). The proposal includes the removal of a large area of impermeable surface through the opening the land up for gardens and a large meadow.

The principle of converting the building into alternative use including housing is accepted under Policy GE9 of the UDP and is in line with government guidance contained within the recently published National Planning Policy Framework (NPPF).

It is considered that the proposed alterations to this former industrial building are acceptable with the proposed works considered to represent a sympathetic conversion that would retain many of the building's attractive features. Although concerns have been raised in terms of the use of corrugated roof sheeting on the building, given its former use, its use here as part of the conversion scheme can be justified and is unlikely to be harmful to the character and appearance of the building or surrounding area. To insist on the use of natural slate in officers' opinion would be unreasonable.

The development is not considered to raise any significant highway concerns or result in neighbouring properties to experience any loss of outlook, or loss of privacy that would be harmful to their residential amenity.

Conditions attached to the planning approval seek the submission of all external materials, including surface materials, the removal of the properties' PD' rights and the standard suite of highway conditions to ensure safe access on to the adjacent highway. These should ensure a high quality development is achieved and that the LPA have control over any future alterations and/or extensions that could affect the character and appearance of the development and ensuring the development does not lead to any highway safety implications.

For the reasons outlined above, it is considered that the application accords with Policies GE1, GE2, GE9, BE5, H7 and H16 of the UDP and Policies CS64 and CS65 of the Core Strategy and would be in line with government guidance contained in NPPF.

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



**REPORT TO WEST & NORTH PLANNING
AND HIGHWAYS AREA COMMITTEE**

DATE 31 JULY 2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

ITEM

SUBJECT ENFORCEMENT REPORT

UNAUTHORISED USE OF LAND FOR THE PARKING AND STORAGE OF DAMAGED VEHICLES AND THE UNAUTHORISED ERECTION OF A FENCE AND GATE BETWEEN 12 AND 14 COOKS WOOD ROAD, SHEFFIELD, S3.

SUMMARY

THE PURPOSE OF THIS REPORT IS TO INFORM COMMITTEE MEMBERS OF A BREACH OF PLANNING CONTROL AND TO MAKE RECOMMENDATIONS ON ANY FURTHER ACTION REQUIRED.

RECOMMENDATIONS

THAT AUTHORITY BE GIVEN TO THE HEAD OF DEVELOPMENT SERVICES OR HEAD OF PLANNING TO TAKE ALL NECESSARY STEPS, INCLUDING ENFORCEMENT ACTION, SERVICE OF A STOP NOTICE AND THE INSTITUTION OF LEGAL PROCEEDINGS, IF NECESSARY, TO SECURE THE REMOVAL OF THE UNAUTHORISED VEHICLES AND THE CESSATION OF THE UNAUTHORISED USE OF LAND FOR THE PARKING AND STORAGE OF VEHICLES.

FINANCIAL IMPLICATIONS

NO

PARAGRAPHS

CLEARED BY

CATHERINE RODGERS

BACKGROUND PAPERS

CONTACT POINT FOR ACCESS

KHALID MAHMOOD

TEL NO: 203 7758

AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

CLOSED
Paragraphs(s)

ENFORCEMENT REPORT

UNAUTHORISED USE OF LAND FOR THE PARKING AND STORAGE OF DAMAGED VEHICLES AND THE UNAUTHORISED ERECTION OF A FENCE AND GATE BETWEEN 12 AND 14 COOKS WOOD ROAD, SHEFFIELD, S3.

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Committee Members of a breach of planning control and to make representations on any further action required.

2. BACKGROUND

- 2.1 The land is situated between 12 and 14 Cooks Wood Road. The land is surrounded by residential properties. The site lies within a Housing Area as designated in the Sheffield Unitary Development Plan. The land has previously not been developed.
- 2.2 A number of complaints have been received regarding the use of this land as a scrap yard/storage and dismantling of damaged cars and an erection of a fence. A site visit was carried out and it was noticed that the land is being used for the storage of damaged vehicles and a boundary fence and gates had been erected.
- 2.3 Several site visits have been carried out and there has been no evidence to show that work is being carried out on these vehicles on the land. It would appear that many of the vehicles are in an un-roadworthy condition. The vehicles are brought onto the land on the back of recovery trucks. An illegal crossing point has also been created to gain access into the site, which is currently being investigated by highways.
- 2.4 A letter was sent to the owners of the site asking them to stop this unauthorised use and remove all the vehicles and the unauthorised fence and gate. To date, no attempt has been made to resolve this issue.

3. ASSESSMENT OF BREACH OF CONTROL

- 3.1 The use of the land for the parking and storage of damaged vehicles would require a change of use of the land from previously undeveloped land to storage of vehicles which falls under Use Class B8 - Storage.
- 3.2 It is considered that the parking and storage of damaged vehicles is an inappropriate use of land within this Housing Area. The loading and unloading of vehicles from the back of recovery trucks could be a source of excessive noise and disturbance for the living conditions of the neighbouring residents and the storage could also harm the appearance and character of the area.
- 3.3 Unitary Development Plan Policy H10 states that the use of land for open storage purposes in housing areas is unacceptable because such uses harm living conditions for people living nearby. They also attract frequent use of heavy vehicles in housing areas and are liable to cause noise nuisance.
- 3.4 Fences or gates above one metre in height when adjacent to a highway used by vehicles or the footpath of such a highway require planning permission.
- 3.5 The Photographs below show the land in question and clearly demonstrates the use is unacceptable in this residential area.





4. REPRESENTATIONS

- 4.1 Four complaints have been received from local residents. The complainant have concerns about the land is being used for commercial purposes without planning consent and the nuisance that is caused by the use of this land in this manner.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

- 5.1 The service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 enables the Local Planning Authority to issue Enforcement Notices where there has been breach of planning control. In this case the notice would require the removal of the unauthorised damaged vehicles and require the cessation of the use of the land for the parking and storage of damaged vehicles. There is a right of appeal to the Planning Inspectorate against the service of an Enforcement Notice. However it is considered that the Council would be able to defend any such appeal.
- 5.2 Section 183 of the Town and Country Planning Act 1990 provides for the service of a Stop Notice in conjunction with an Enforcement Notice, (S172). The Stop Notice would take effect within 3 days following the date of service, and an offence would be committed for any failure to comply with the Stop Notice. In this case the Stop Notice would require the cessation of the use of the land for the storage of damaged vehicles. A successful appeal against a stop notice can lead to a costs award against the Council for any losses incurred because work was

stopped, but only if there was found to be no breach of control. In this case the risk is considered to be non-existent.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications arising from the recommendations of this report

7. EQUAL OPPORTUNITY IMPLICATIONS

7.1 There are no equal opportunities implications arising from the recommendations of this report

8. RECOMMENDATIONS

8.1 That authority be given to the Head of Development Services or Head of Planning to take all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised vehicles and the cessation of the unauthorised use of the land for the parking and storage of vehicles.

D Caulfield
Head of Planning

18 July 2012



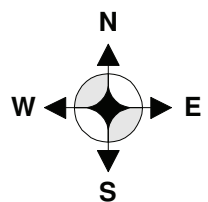
Development Services,
 Sheffield City Council,
 Howden House,
 1 Union Street,
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Scale : 1:1250



Date: 09 May 2016

**REPORT TO WEST AND NORTH
PLANNING AND HIGHWAYS
COMMITTEE**

DATE 31 July 2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

ITEM

SUBJECT RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

SUMMARY

LIST OF ALL NEWLY SUBMITTED PLANNING APPEALS AND DECISIONS RECEIVED, TOGETHER WITH BRIEF SUMMARY OF INSPECTOR'S REASONS FOR DECISION

RECOMMENDATIONS

TO NOTE

FINANCIAL IMPLICATIONS

NO

PARAGRAPHS

CLEARED BY

N/A

BACKGROUND PAPERS

CONTACT POINT FOR ACCESS Sue McGrail

TEL NO: 0114 2734404

AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

DEVELOPMENT SERVICES

REPORT TO WEST AND NORTH
PLANNING AND HIGHWAYS
COMMITTEE
31 July 2012

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

Appeals have been submitted to the Secretary of State against the decision of the City Council to refuse planning permission, under delegated powers, for:

i) amendments to the house type (Plot 1) previously approved by Case Nos. 06/04303/FUL and 10/01196/FUL at 17 Redmires Road (Case No 12/00322/FUL)

ii) the erection of a dwellinghouse with parking provision within the curtilage of Tudor Lodge, Long Lane (Case No 12/00465/FUL)

3.0 APPEALS DECISIONS - ALLOWED

(i) An appeal has been allowed against decision of the City Council to refuse planning permission, under delegated powers, for the erection of a first floor extension over an existing front porch at 15 Leawood Place (Case No 12/00394/FUL)

Officer Comment:-

The main issue in this appeal was the effect of the first floor front extension on the character and appearance of the locality.

The Inspector considered that the design of the extension was subordinate to the original house and reflected the modest scale and style of the house. The use of matching materials would reinforce this. The extension was considered to be in accordance with our Supplementary Planning Guidance – Designing House Extensions.

The proposal was considered to disrupt the general uniformity of the houses in this row but it would also be seen in context with a variety of house types in the locality, some of which had two storey front extensions. In these circumstances, the proposal was not felt to be an uncharacteristic addition and add to the variety in built form and would not be incompatible with the character of the area

The Inspector concluded that the proposal would be in keeping with the character and appearance of the area and would comply with UDP policies and Supplementary Planning Guidance and so allowed the appeal.

ii) An appeal has been allowed against the decision of the City Council to refuse planning permission for the use as a fast food takeaway (Use Class A5) at 62 Barncliffe Road without complying with an hours restriction condition (Case No 11/00893/FUL).

Officer comment:-

The condition prevented the premises from opening on Sundays and Public Holidays and was imposed to protect the living conditions of nearby residents.

The Inspector was of the view that the distinction between the working week and the weekend is not so sharp as it once was and that there was no firm evidence that the principle of opening on Sundays and Public Holidays would give rise to undue noise or disturbance. However, as it is part of a local shopping parade in a residential area, some restrictions are necessary to prevent undue disturbance. This being the case, the appeal was allowed but the hours of use were restricted to between 1700 hours and 2200 hours on Sundays and Public Holidays and retaining the established hours on all other days.

4.0 APPEALS DECISIONS - DISMISSED

i) An appeal has been dismissed against the decision of the City Council to refuse permission, under delegated powers, for the removal of a tree at 70 Woodstock Road (Case No 12/00277/TPO).

Officer Comment:-

The Inspector was of the view that the tree was visually prominent and decided that overall there would be a material adverse effect on the appearance of the local area if the tree were felled.

The Inspector considered the reasons given for the removal of the tree and concluded that the tree was healthy with a significant life expectancy.

The Inspector agreed that the tree has caused damage to the retaining wall and drive but was of the view that repairs can be implemented that allow the tree and built structures to co-exist.

ii) An appeal has been dismissed against the decision of the City Council to refuse planning permission, under delegated powers, for the erection of a single-storey extension to a dwellinghouse at 871 Unsliven Road (Case No 12/00070/FUL).

Officer Comment:-

The proposal was for an extension to the front of the house. The Inspector considered that the main issue was the effect of the proposal on the character

and appearance of the area.

The houses are set back from the highway with long front gardens and have something of a clean front building line. Although the proposed extension would project over 1.5 metres from the front elevation, she did not consider that it would be a prominent feature to the extent that it would undermine the relevant supplementary planning guidance.

However, exception was taken to the design of the extension in that it would have a hipped roof, departing from the gable design of the main house and have a squat appearance, at odds with the vertical proportions of the house. Although it would not be a prominent feature, it was considered to be clearly visible and so would be in conflict with UDP Policy H14 which requires extensions to be well designed and in character with neighbouring buildings. Accordingly, the appeal was dismissed.

iii) An appeal has been dismissed against an Enforcement Notice served by the City Council in respect of an unauthorised Change of Use of offices as shared residential accommodation at 365 Southey Green Road (Case No 09/02833/FUL).

Officer comment:-

The Inspector considered that the main issue was the effect of the proposed use on the living conditions of neighbouring residents having regard to noise and disturbance.

No indication was given as to how the building was to be divided and no information provided to indicate how noise may be satisfactorily controlled. Given that noise and disturbance had been a feature of its use as shared accommodation, the Inspector concluded that harm was likely to arise to neighbouring properties contrary to UDP policy H14 (k) and accordingly, the Inspector upheld the enforcement notice

The Inspector also considered the ground of appeal that the measures required to cease the use were excessive. He was of the view that there were no other lesser steps that could be taken so the appeal on this ground fell.

4.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

19 June 2012