

# **West and North Planning and Highways Committee**

---

**Tuesday 2 October 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, Richard Crowther, Adam Hurst, Talib Hussain, Bob McCann, 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](http://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](mailto: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  
2 OCTOBER 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 11<sup>th</sup> September 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 Refuges for Pedestrians on the A61 near Salt Box Lane and Completion of Internal Highway Works Relating to Planning Application Number 05/04790/FUL**  
Report of the Director of Development Services.
- 8. Applications Under Various Acts/Regulations**  
Report of the Director of Development Services
- 9. Record of Planning Appeal Submissions and Decisions**  
Report of the Director of Development Services

---

**ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS**

---

A new Standards regime was introduced on 1<sup>st</sup> July, 2012 by the Localism Act 2011. The new regime made changes to the way that your interests needed to be registered and declared. Prejudicial and personal interests no longer exist and they have been replaced by Disclosable Pecuniary Interests (DPIs).

The Act also required that provision is made for interests which are not Disclosable Pecuniary Interests and required the Council to introduce a new local Code of Conduct for Members. Provision has been made in the new Code for dealing with "personal" interests.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to

you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

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.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email [lynne.bird@sheffield.gov.uk](mailto:lynne.bird@sheffield.gov.uk)

West and North Planning and Highways Committee

Meeting held 11 September, 2012

**PRESENT:** Councillors Peter Rippon (Chair), Janet Bragg, Roger Davison  
Adam Hurst, Talib Hussain, Bob McCann, Roy Munn, Denise Reaney,  
Garry Weatherall and Joyce Wright

.....

**1. EXCLUSION OF PUBLIC AND PRESS**

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

**2. APOLOGIES FOR ABSENCE FROM MEMBERS OF THE COMMITTEE**

2.1 An apology for absence was received from Councillor Trevor Bagshaw and Councillor Roger Davison attended the meeting as the duly appointed substitute.

**3. DECLARATIONS OF INTEREST**

3.1 Councillor Garry Weatherall declared an interest (i) 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; and

3.2 Councillor Talib Hussain declared an interest as a member of the South Yorkshire Police Authority and Councillor Garry Weatherall declared an interest as a relative was a member of staff within the South Yorkshire Police Service, in respect of an application for planning permission for the erection of a temporary marquee for use during the Spring and Summer, on the site of the 3G pitch at the Niagara Grounds, Niagara Road, but they both did speak and vote thereon.

**4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 21<sup>st</sup> August 2012 were approved as a correct record.

**5. SHEFFIELD CONSERVATION ADVISORY GROUP**

5.1 The Committee noted, for information, the minutes of the meeting of the Sheffield Conservation Advisory Group held on 21<sup>st</sup> August, 2012.

**6. SITE VISIT**

- 6.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 2<sup>nd</sup> October 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 Case No 12/01546/FUL and 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) an application for planning permission for the erection of a dwellinghouse with integral double garage on land opposite Springfield, Whitwell Lane (Case No. 12/02120/FUL) be granted, conditionally, subject to (i) Condition 5 being amended (A) by the substitution of the word "Southern" for the word "Northern" and (B) concerning the materials to be used for the surfacing of the driveway and (ii) Condition 2 being amended in respect of the revised plans received by the Local Planning Authority on 7<sup>th</sup> September, 2012, all as detailed in a supplementary report circulated at the meeting;

(c) an application for planning permission for the erection of a detached double garage at 385 Wood Lane, Stannington (Case No. 12/01239/FUL) be deferred to allow a visit of inspection to the site and to allow officers to review correspondence to the applicant in respect of the proposed development; and

(d) notwithstanding the officer's recommendation, the Committee considered that the benefits of the scheme and the long term sustainability of the Sports Ground and associated facilities outweighed the need to retain the unused cricket square, in respect of an application for planning permission for the erection of a temporary marquee for use during the Spring and Summer at the Niagara Grounds, Niagara Road (Case No. 12/00448/FUL) as such the application be granted conditionally, subject to no adverse direction being received from the Secretary of State.



## SHEFFIELD CITY COUNCIL

Development, Environment and Leisure Directorate

### REPORT TO WEST & NORTH PLANNING AND HIGHWAYS AREA BOARD

DATE 2<sup>nd</sup> October 2012

REPORT OF Head of Highways Maintenance Client

ITEM

SUBJECT Proposed refuges for pedestrians on the A61 near Salt Box Lane, relating to Planning Application Number 05/04790/FUL, and incomplete internal road works.

#### SUMMARY

This report relays to Members the response from Salt Box Developments Ltd (managed by Jaguar Estates Ltd) to the possibility of Planning Enforcement Action being pursued, and presents options for Members to consider and decide upon a strategy that should resolve the two issues outstanding at this development.

#### RECOMMENDATIONS

- 9.1 To note the content of this report.
- 9.2 For Members to decide which outstanding obligation is the most pressing and which will best serve the public interest and to authorize officers to take all necessary steps to ensure compliance by Salt Box Developments with Members chosen course of action.

FINANCIAL IMPLICATIONS

No

PARAGRAPH

CLEARED BY

Elaine Nunn

#### BACKGROUND PAPERS

CONTACT POINT FOR ACCESS

Mark Simons

TEL NO: 2736369

AREA(S) AFFECTED

Grenoside

CATEGORY OF  
REPORT

OPEN

DEVELOPMENT SERVICES  
REPORT TO NORTH & WEST  
PLANNING COMMITTEE  
02<sup>nd</sup> OCTOBER 2012

PROPOSED REFUGES FOR PEDESTRIANS ON THE A61 NEAR SALT BOX LANE  
AND COMPLETION OF INTERNAL HIGHWAY WORKS RELATING TO PLANNING  
APPLICATION NUMBER 05/04790/FUL

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to relay to Members the response from Salt Box Development Ltd (managed by Jaguar Estates Ltd) to the possibility of Planning Enforcement Action being pursued, and to put possible options forward for Members to consider and decide upon a strategy which should bring the outstanding matters to a satisfactory conclusion.

2.0 BACKGROUND

2.1 There are two outstanding issues at this development. Firstly the construction of the road inside the development has not been completed and therefore the Highway Authority has been unable to adopt the road as 'highway maintained at the public expense'.

2.2 Secondly, it was a condition of the Planning Consent for this development that pedestrian refuges be constructed on the A61 prior to work commencing on site and to date, these refuges have not been constructed although the majority of the development has taken place. There is also a requirement to resurface the footway abutting the development site boundary.

2.3 At it's meeting of 02/11/2010, this Committee received a report from the Director of Development Services which gave an update in relation to the provision of pedestrian refuges on the A61 near Salt Box Lane. Committee resolved that: (a) the report now submitted be noted; (b) the decision to provide refuges at the junction be reaffirmed; and (c) officers be requested to continue negotiations with the developer of Case No. 05/04790/FUL (for a period of up to three months) to seek a signed and sealed Section 278 legal agreement for provision of the refuges as outlined in the report and, should this not be agreed within three months, for the Director of Legal Services and Head of Transport & Highways to pursue enforcement action against the developer.

2.4 During the intervening period, progress has been made regarding development of an acceptable layout and bollard specification for the refuges. Verbal updates have been given by officers at various meetings of this Committee. However, the necessary work to construct the refuges has not yet begun and Members will see from the correspondence below that Jaguar Estates who manage the site do not anticipate the work being completed this year. Officers and Members have been sensitive to the need to reach a negotiated solution with the developer in order to try to ensure that Salt Box Developments Limited remain in an economically sound position to complete the development. However, the lack of progress has become



increasingly frustrating and culminated in The Chair requesting an internal meeting with officers from Planning, Highways and Legal, to discuss options for securing a more positive outcome than has thus far been achieved.

2.5 Section 3 below sets out in two e-mails the discussion that took place between The Chair and officers; together with the response from Rod Wadsworth of Jaguar Estates.

### 3.0 RECENT COMMUNICATION BETWEEN SCC & DEVELOPER

On 27/07/2012 15:48, Simons Mark wrote:  
Hi Rod,

As I mentioned over the phone last week, the Chair of Planning requested a meeting recently to discuss the proposed refuges associated with your Salt Box Lane scheme. He wanted Julian Ward (SCC Solicitor) and John Williamson to attend, such that options could be considered for accelerating progress. It was one of Julian's last meetings before leaving SCC. His position has since been filled by Deborah Eaton.

We reviewed the planning condition and reflected on the plans thus far prepared by Cannon (Dave Taylor). I explained the position you've stated in the past concerning the banks, the fact that there's still a further cell for you to develop, and that most of the development is rented, so you've not had a large capital receipt. We also touched on the fact that some internal highway works remain outstanding.

None-the-less, the view of the meeting was that planning permission had been granted in April 2006, and that the amount of delay in providing the refuges was/is unacceptable.

The meeting concluded that by the end of August, you should be in a position whereby you are able to demonstrate that you have made significant strides in progressing the scheme, with a firm indication of when the refuges will be constructed. If you are unable to achieve this by the end of August, I've been asked to inform you that Planning Enforcement action will follow. The meeting wasn't obviously expecting the refuges to have been constructed by the end of August.....but we need a clear indication of when later this year they will be built.

I'd be grateful for your thoughts. Please feel free to include all the above in your response.

Mark Simons  
Principal Highways Development Control Officer  
Highways Maintenance  
Sheffield City Council  
0114 273 6369

**From:** Rod Wadsworth [rodwadsworth@jaguarestates.com]

**Sent:** 30 July 2012 16:37

**To:** Simons Mark

**Cc:** Rippon Peter (CLLR); Williamson John; Wheeldon Ian; Eaton Deborah (CEX)

**Subject:** Re: 05/04790/FUL Salt Box Lane/A61 Refuges

All

I am well aware that this matter has been stewing for while, although only recently have we seen sufficient progress on design and specification to justify serious contemplation and implementation, after much delay and indecision within the Council itself. Similarly, I appreciate concern about seeing these highway works completed.

For the benefit of new names on this round robin, I have to reiterate some history.

This site is a Salt Box Developments Ltd project, managed by Jaguar Estates Ltd. Whilst consent may have been granted in April 2006, this was after terrible unforgivable delays that have inevitably contributed to the present state of affairs. A serious recession began in October 2007 and still prevails - triple dip ? Development finance in any shape or form has been absent from a crisis ridden banking system, leaving the industry decimated. This status quo is also unacceptable, but I have no answer. The project funders have been Yorkshire Bank Page 5 latterly brought shame on themselves and

the name of Yorkshire, by totally pulling out of commercial lending and leaving customers hanging out to dry with little chance of help from elsewhere - see various current press releases and other periodical commentary.

YB are still owed monies by SBD albeit not a lot, and retain their overall charge position. There is a small amount of cash in the account which YB are entitled to snaffle to reduce the debt, but I have managed to fob them off for now. That amount will cover outstanding highway work within the site, and maybe refuge island work, but not both. If you ask the existing residents which works they would wish to see completed first, I guess they will say those within the site.

We do not have recourse to other peoples money like the Plc companies who raise cash from a stock market or via rights issues. Liquidity remains an issue here and everywhere.

As I have always said, this project will be concluded as soon as possible, and it is utterly in our interests to do so. That includes refuge islands on the A61. You have to understand the difficulties in reaching this objective. The immediate one is to get rid of YB and replace with alternative funders, or mechanism to enable the works to be completed, including erection of the last four houses. One quick easy answer is for the Council to provide funding secured on the four undeveloped plots.

Alternatively patience is required whilst we try, as we have continually done, to obtain finance from elsewhere. This will be achieved, but is unlikely to be before the end of this year.

I would reiterate that the A61 works could be completed swiftly (subject to final costs), at the expense of other site works. I would not make this decision and if the Council wish to pursue that route, then maybe they ought to seek 'approval' from residents on this site first.

I trust the above explains our position. I am available for discussion as necessary.

Sincerely

Rod Wadsworth

#### 4.0 OPTIONS REGARDING THE INTERNAL ROAD ON THE SITE

4.1 The City Council could enforce the S38 Highways Act 1980 Agreement.

4.2 In January 2007, the City Council entered into a legally binding agreement between Salt Box Developments Limited and the Yorkshire Bank. Salt Box Developments Ltd as the owner of the land agreed to make up the road to the required standard and the City Council agreed that once this happened they would adopt the road as highway maintainable at public expense. Yorkshire Bank acted as Surety. In the event that Salt Box Development Limited default on the works then an immediate obligation is imposed on the Bank to Pay to the City Council the sum specified or do the works themselves.

4.3 Due to the economic downturn and the attempts to reach a negotiated settlement no firm schedule for the completion of the works has ever been provided by the City Council to Salt Box Developments Ltd and therefore neither the developer's nor the Surety's obligations have crystallized.

4.4 One possible course of action would therefore be to give Salt Box Developments Ltd formal notice under the S38 Agreement of an expected date for both commencement and completion of the road works and at the same time to serve a formal notice on Yorkshire Bank to inform them of this turn of events.

4.5 In the event that Salt Box Developments fail to comply with the work in accordance with the notice, either within the specified timescale or to the required standard, the City Council can then serve a further Notice on Yorkshire Bank requiring them to fulfill their obligations.

- 4.6 Salt Box Developments then have two choices; to find the money to do the work themselves, or not do the work and face the consequences with their bank.
- 4.7 Both the developer and the bank took the commercial risk that in the event of a failure by the developer to complete the work there would be a financial consequence. By signing the agreement, both parties accepted that they understood, and accepted, this risk.
- 4.8 It should be noted that the Section 38 bond covers only the internal work (new roads & footways) within the red-line boundary of the development site. If a decision is taken to call in the bond, the funds couldn't be directed towards provision of the refuges.
- 4.9 Correspondence with Jaguar Estates (section 3 above) suggests the funds are now in place to complete the internal road works, plus resurface the footway abutting the development site, though a funding gap still exists for provision of the refuges.
- 5.0 OPTIONS REGARDING THE PEDESTRIAN REFUGES ON THE A61
- 5.1 Condition 16 of the Planning Consent stated that pedestrian refuges should be built on the A61 before work started on site. The work has now largely been completed but the refuges have not been built. The City Council could serve an Enforcement Notice for breach of Planning Consent. However, from both a practical and legal point of view, it is difficult to see what this would achieve. There is no building work currently ongoing on site that could be stopped. Indeed, the objective now is to try to complete the site.
- 5.2 Another option might be for the City Council to enter into a Section 278 Highways Act 1980 Agreement with the developer whereby the City Council executes the works on terms that the developer pays the whole or part of the costs. The City Council must be satisfied that the works will be for the public benefit and they must fall within the Highways Authority's powers of improvement. However, this option still leaves the City Council with the problem of the recovery of the costs from a developer who says that he doesn't have the resources available. The City Council can recover monies owing under a S278 Agreement as a civil debt and having obtained a judgment, the outstanding sums can be registered as a local Land Charge or a Charging Order could be obtained from the Court which enables the City Council to register the Charge with the Land Registry so when the site or part is sold, the Council will be entitled to recover its costs from the proceeds of the sale. However, it is possible that other Charges exist on the land which will be in advance of the Council's Charge and these would be paid off before the Council's Charge. A Land Registry Search would reveal the existence of such charges. However, there is further uncertainty given the state of the property market and there seems to be no immediate prospect of any of the units being sold as most appear to be rented. Members may also wish to be mindful of any precedent that is set with this developer.
- 5.3 A controversial option for Members to consider is that given the amount of times these properties have been occupied, what evidence is there for an ongoing need for the refuges, specific to this development? Dependent on the view taken, agreement might be reached that this condition requiring the provision of refuges is unenforceable.

5.4 The developer's representative (Rod Wadsworth) has been invited to (and will attend) Committee, to give a statement and elaborate on the points contained within his e-mail above. He maintains that the serving of an Enforcement Notice will not help secure the funding required to complete the scheme, and that there are currently insufficient funds to complete the two outstanding obligations (the internal works and resurfacing the footway abutting the development site; & the refuges). Choosing to enforce completion of both obligations would undoubtedly have a financial impact on the developer and could even further delay completion of the outstanding highway works. Equally, the community, Members and Officers feel progress is long overdue.

## 6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 Provision of the facilities will assist pedestrian crossing movements for all age groups and degrees of mobility.

## 7.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

7.1 Provision of the refuges will ease pedestrian crossing movements of the A61, thereby improving connectivity to bus stops, possibly increasing patronage and a shift away from private car use.

## 8.0 FINANCIAL IMPLICATIONS

8.1 The developer will fund Sheffield City Council fees attributable to design and construction of the refuges, or design and construct the scheme themselves, paying checking fees to The Council. However, the costs currently being considered by the developer don't (owing to how long ago this all dates back to) take account of current requirements for Commuted Sums to cover ongoing maintenance of new highways infrastructure, under the terms of the new PFI Contract.

## 9.0 RECOMMENDATIONS

9.1 To note the content of this report.

8.2 Given the points made by the Developer and in 5.4 above, Members are recommended to decide which outstanding obligation is the most pressing and which will best serve the public interest and to authorize officers to take all necessary steps to ensure compliance by Salt Box Developments with Members chosen course of action.

Steve Robinson  
Head of Highways Maintenance Client  
19 September 2012

# Agenda Item 8



SHEFFIELD CITY COUNCIL  
PLACE

8

REPORT TO WEST AND NORTH PLANNING AND  
HIGHWAYS COMMITTEE

DATE 02/10/2012

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.
10/01915/REM	Land At Station Road And Manchester Road Deepcar Sheffield	5
11/03980/OUT (Formerly PP-01755827)	377 Fulwood Road Sheffield S10 3GA	31
12/01239/FUL (Formerly PP-01943575)	385 Wood Lane Stannington Sheffield S6 5LR	39
12/01653/FUL (Formerly PP-02007245)	Land To The North Of Low Lathe Farm Low Lathe Lane Sheffield S36 2TB	46
12/01788/FUL (Formerly PP-02034905)	83 Slayleigh Lane Sheffield S10 3RG	56





SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To The NORTH & WEST Planning And Highways Committee  
Date Of Meeting: 02/10/2012

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	10/01915/REM
Application Type	Approval of Reserved Matters
Proposal	Erection of 341 dwellinghouses with associated car parking accommodation and landscaping works (application to approve appearance, layout and scale relating to outline scheme ref. 03/00020/OUT) (Amended description and revised plans received 06.07.2012)
Location	Land At Station Road And Manchester Road Deepcar Sheffield
Date Received	14/06/2010
Team	NORTH & WEST
Applicant/Agent	J S Bloor (Measham) Ltd
Recommendation	Grant Conditionally

Subject to:

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

ME\_0003\_10\_SP1F  
M90\_SS\_01  
M90-3254-SK01 Rev A,  
M90-3250-SK01 Rev A  
M90-4261-SK01  
M90-3210-SK01 Rev A

M90-3251-SK01 Rev A  
M90-2255-SK01  
M90-2251-SK01  
M90-4253-SK01 Rev A  
M90-4262-SK01 Rev A  
M90-4262-SK02  
M90-4252-SK01 Rev A  
M90-4266-SK01 Rev A  
M90-3253-SK01  
M90-3351\_3350\_SK01 Rev A  
M90-3351\_3350\_SK02 Rev A  
M90-3252-SK01 Rev A  
M90-52\_SKD  
M90-42AC56-SK01 Rev A  
M90-4256-SK01  
M90-4256SP-SK01 Rev A  
M90-42AC56SP-SK01 Rev A  
M90-T63-SK01 Rev A  
M90-T63-SK02  
M90-3257-SK01 Rev A  
M90-3255-SK01 Rev A  
M90-4273-SK01 Rev A  
M90\_8250-PL\_01  
M90\_9304-SK01\_PL  
M90\_9304-SK02\_PL  
9304-SK01\_ELE1  
9304-SK01\_ELE2 received 6th July 2012 and 555-101-A1 and  
M1\_EM\_BD\_01 received 19th September 2012

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 2 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.

- 3 Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Window reveals  
Eaves and verges  
Entrance canopies  
Heads and cills

Thereafter, the works shall be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 4 Details of a suitable means of site boundary treatment for each unit 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 and each unit shall not be first occupied unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

In the interests of the visual amenities of the locality.

Attention is drawn to the following justifications:

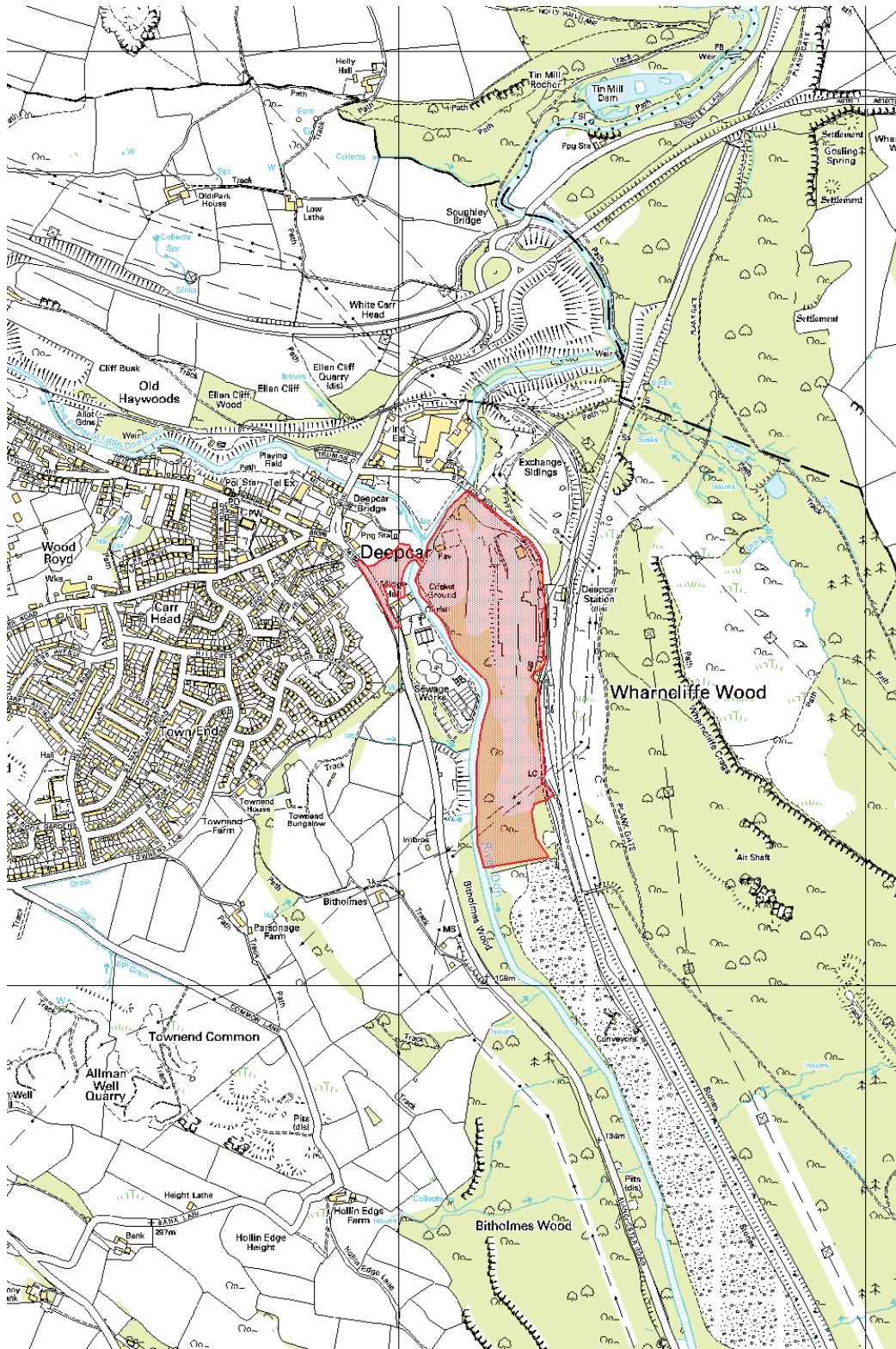
1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

BE5 - Building Design and Siting  
CS22 - Scale of the Requirement for New Housing  
CS26 - Efficient Use of Housing Land and Accessibility  
CS41 - Creating Mixed Communities  
CS74 - Design Principles  
National Planning Policy Framework

This application seeks to discharge Conditions 1 and 2 of 03/00020/OUT by providing details of the appearance, layout and scale (the Reserved Matters) of the residential element of the development as required by the outline permission. It is not a new application for planning permission as this has already been granted by the outline conditionally approval and this proposal conforms to the masterplan established by the outline permission and raises no new policy issues in respect of the principle of development. It is considered that the layout and design of the proposed development does create an attractive, safe and comfortable place to live that also sufficiently reflects local character both within the neighbourhood and the wider city and incorporates houses that are designed to the appropriate scale. It is also not considered to 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](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details are at the top of this notice.

# Site Location



© Crown copyright and database rights 2011 Ordnance Survey 10018816

## INTRODUCTION

The West and North Planning Committee granted outline planning permission for the residential and mixed-use development of the land at Station Road and Manchester Road on 15th June 2007 in accordance with 03/00020/OUT. The outline planning permission addressed matters of access and the principle of development only with all other matters of appearance, landscape, layout and scale reserved for future considerations and such details were required in accordance with Conditions 1 and 2 of 03/00020/OUT.

This application seeks to discharge Conditions 1 and 2 of 03/00020/OUT by providing details of the appearance, layout and scale of the residential element of the development. A separate application to discharge the details of landscaping as required by Conditions 1 and 2 remains under consideration in accordance with application 10/01928/REM; this proposal will be updated to reflect the housing design set out within this application pending the determination of this application. The final design and layout of the mixed-use element of the original outline approval, which relates to the area of land fronting Manchester Road and includes for the provision of buildings for use as a shop and the provision of a community building, is also pending in accordance with application 10/01902/REM and does not form part of the consideration of this application.

Members are therefore advised that this application relates solely to the discharge of Conditions 1 and 2 of 03/00020/OUT to discharge details of appearance, layout and scale of the residential development approved in outline. All other conditions imposed on the outline planning permission, including conditions to require that no development shall be commenced until details of a scheme to relocate the existing water water treatment works (Condition 3 of 03/00020/OUT), that no premises pursuant to the outline permission shall be occupied without the prior written consent of the Local Planning Authority, prior to the completion of works to close and decommission the existing waste water treatment works (Condition 4 of 03/00020/OUT) and conditions relating to remediation (Condition 11) must still be complied with by the applicant but do not form part of the consideration of this application.

## LOCATION AND PROPOSAL

The application site lies on the eastern edge of Deepcar to the east of the River Don and Manchester Road (A6102). The site is located on a steep west-facing slope that extends up from the river to the former railway sidings at the former Deepcar Station. A belt of mature trees borders the site along the bank of the river. It is an extensive site that extends south from Station Road for some 800 metres along the bank of the River Don.

To the north of the application site is an existing employment area comprising manufacturing, office and open storage uses on both sides of Station Road, together with some cottages and a public house. Station Road presently provides the only vehicular access to the site.



Along the majority of the eastern boundary of the site is the former Sheffield to Manchester railway, which ran via Penistone and the Woodhead Tunnel. This section of the line is still operational but for freight only, as far as the Stocksbridge Steelworks, which is reached by a branch just to the north of the former Deepcar Station. To the east of the railway, the valley side is steeply contoured with pronounced rock outcrops, known as Wharncliffe Craggs. The slope is heavily wooded.

To the west of the site, on the west bank of the River Don is the Stocksbridge Waste Treatment Works as well as a residential property at Midge Hall. Immediately to the west of the works, but at a higher level, is Manchester road (A6102). Beyond Manchester Road to the west are further residential properties that slope up the hillside.

The site has been vacant for many years having previously been primarily occupied by the R G Stein Brickworks. The buildings relating to this activity were cleared in the late 1980s although some roadways, hardstanding areas etc. remained. The site has been the subject of previous investigations that highlighted the presence of relict structures, shallow mine workings and contamination on the site that without remedial action would render parts of the site unsuitable for residential redevelopment. However, the applicants have already commenced work required to remediate such contamination and to prepare a stable development platform. In addition, settling ponds have now been established on site to treat contaminants.

This application seeks to discharge Conditions 1 and 2 of 03/00020/OUT by providing details of the appearance, layout and scale of the residential element of the development.

The original outline planning permission approved in accordance with 03/00020/OUT was granted on the basis of a Masterplan drawing that indicated a gross housing area of 14.20 hectares with the outline planning report to Committee referring to the construction of over 400 dwellings on this site. Furthermore, the original submission of this application referred to the construction of 370 dwellings. However, this application confirms the details of the development in relation to appearance, layout and scale that the applicant now wishes to progress on site such that the application now proposes the construction of 341 dwellings on this site comprising the following housing mix:

- 6 x 1 bedroom apartments
- 16 x 2 bedroom apartments
- 155 x 3 bedroom houses
- 164 x 4 bedroom houses

The layout of the development is primarily determined by the form and topography of the site and by the highway arrangement. As per the outline approval, which approved matters of access, the main vehicular access into the site will be from Manchester Road via a newly constructed road bridge, which will provide the access into the estate roads. This vehicular access road will become the primary route through the estate running north to south through the centre of the site

following the topography of the land. Further secondary roads will secure access to the remaining parts of the site including a circular route to serve the northern part with additional inter-connecting estate roads, a secondary route along part of the northern boundary as well as a secondary route running adjacent to the riverside area at the southern end of the site with additional interconnecting routes running east-west across the topography. It is noted that an access road is indicated on the eastern boundary of the site connecting into a separate housing site that also runs along the eastern boundary – this site is the subject of a separate planning permission (09/01782/FUL) which relates to the erection of 29 dwellinghouses and including the construction of an access road, emergency link road, realignment of private vehicle access, car parking area and a drop-off area for a possible rail halt, which was approved in September 2009.

With regard to the scale of development, the application confirms that the majority of the proposed development is two storeys in height to reflect the local vernacular with the exception of groups of houses that front onto the balancing ponds near the entrance to the site, which extend to three storeys to highlight the entrance to the estate and also at key nodal points within the estate, such as at prominent road junctions, where the houses extend to three storeys with the third storey largely within the roof space.

The appearance of the dwellinghouses is largely reflective of the standard house types developed by the applicant, Bloor Homes and a total of 20 house types are proposed across the estate as a whole. However, as a result of discussions between the applicant and Officers to reduce the number of house types introduced across the site and to create a more consistent approach to the house design and to provide some uniformity of building styles along the street, there are features that are predominant across all house types including:

- Artificial stone heads and cills;
- Consistent bay window design to reflect the local vernacular on all house types with bays;
- Introduction of first floor window head details, to create space between the top of the window and the eaves which is reflective of the local vernacular;
- Simplification of the porch design to a predominant flat roof porch detail;
- Introduction of a window hierarchy and an improved solid to void ratio of fenestration to brickwork to reflect the local vernacular.

Whilst a range of house types are proposed, the applicant has sought to group house types along the street to reinforce a rhythm to the design of the streets. Accordingly, there is a consistency to the house types selected along the streets within the estate by repeating house types along particular stretches of the estate with repeated features such as front gables, bay windows, window design and porch details whilst also introducing some slight variation in building heights and building details.

The submitted site plan also indicates the provision of five 'ponds' at the entrance to the site, which are a combination of containment ponds to accommodate the proposed Sustainable Urban Drainage System and also a mine water treatment area. Details in relation to the drainage of the site and the remediation of the mine

water are the subject of separate planning conditions on the outline permission (Conditions 9 and 11 respectively) and are therefore not part of the consideration of this application but for information purposes, Members are advised that the ponds indicated on the site plan provide the following function:

With regard to the SUDS containment ponds, the applicant has advised that the site is being treated as Greenfield in terms of the discharge of water to the River Don such that they are obliged to restrict the discharge of surface water or storm water to rates much the same as if the site were agricultural land, which requires storage on site. On this site, the SUDS will take the form of large underground pipes at the southern end where levels are steep and ponds or swales would be impractical, whilst at the northern end, the surface water will be stored in a containment basin next to the bridge. This area will only be a pond in periods following heavy rainfall and it will then slowly drain away over the following few hours when the peak storm impact on the River Don has passed, such that for the vast majority of the time, this area will be a grassy hollow. With regard to the mine water treatment, the applicant has advised that to the east of the site were old coal and ganister workings and as a result of that, a drain was laid over 100 years ago to take water entering the mine to the River to protect those workings. It is understood that it used to discharge directly into the River and the ferric hydroxide (ochre) would commonly appear in the River as an orange stain. For clarification, Ochre is harmless to aquatic life but looks unsightly. The applicant advises that some time prior to Bloor's acquisition of the site, the pipe was broken and the mine water seeped onto the site roughly at the southern edge of the old cricket pitch rather than flowing directly to the River. A series of reed beds evolved naturally around the mine water seepage and has played an effective natural role in cleaning the ferric hydroxide from the water and the orange staining in the River Don has disappeared. The applicant considers the mine workings to be the responsibility of the Coal Authority but have been working with them to find a solution, which is to form a mine water treatment area. This comprises two settlement lagoons where the ferric hydroxide can settle out of the water for managed removal after a few years (removal approximately every 2 to 3 years). The water then passes through a reed bed, which cleans it further and ultimately passes into the River via the original pipe. The applicant advises that the quality of the water entering the River has been agreed with the Environment Agency and the treatment area has been designed to achieve this and meet the standards of the Coal Authority who Bloor Homes ultimately expect to take over the future maintenance of the treatment area. It is understood that these particular ponds will be fenced and screened. The applicant also advises that the mine water treatment area now covers a larger area than originally proposed and it is partly for this reason that the number of houses now proposed is reduced from that originally envisaged within the outline planning permission.

#### RELEVANT PLANNING HISTORY

The application site has an extensive planning history, the most relevant of which is summarised below:

03/00020/OUT: Residential and mixed use development (resubmission application)  
Approved: 15th June 2007



07/04438/REM Ground Remediation and Site Clearance (Discharge of Condition 11a imposed by application number 03/00020/OUT)  
Approved (part): 10th July 2008

08/05419/COND: Submission of condition details in relation to Condition 11b - removal, containment or otherwise rendering harmless any contamination.  
Approved: 12th November 2008

09/02796/FUL: Erection of a footbridge across the River Don with associated earthworks, tree works and landscaping.  
This application relates to the footbridge proposed at the southern end of the site to provide a second pedestrian access onto Manchester Road in close proximity to bus service provision. The application is still pending as it requires the submission of an updated Flood Risk Assessment.

09/03619/COND: Application to approve conditions in relation to condition numbers 3. Relocation of waste water treatment works and 4. Completion of works to close and decommission existing waste water treatment works relating to planning permission 03/00020/OUT  
Details not approved: 9th February 2010 and conditions remain outstanding on the grounds that the information submitted in 2009 was insufficient to discharge the condition.

10/01899/OUTR: Residential and mixed use development (Application to extend time limit for implementation as imposed by 03/00020/OUT).  
This application remains pending and would be withdrawn following the approval of this application in accordance with the recommendation.

10/01902/REM: Mixed use development comprising the erection of buildings for use as shops (Use Class A1), professional services (Use Class A2), food and drink use (Use Class A3), offices (Use Class B1), workshops (Use Class B2), nursery/crèche (Use Class D1), health club/gym and community building (Use Class D2) with associated car parking accommodation and landscaping works.

This application relates to the area designated for 'Employment Land including ancillary A1/A3' within the approved outline plan on land to the east of Manchester Road and the west of the River Don. The application seeks to discharge matters of access, appearance, landscaping, layout and scale and remains pending subject to a commercial assessment of the scope for delivering retail/offices/professional services on this site. However, the applicant has confirmed that the principle of delivering a community centre and a small retail unit remains a key part of this application, which will be re-assessed in due course. The Planning Committee will consider this application in due course.

10/01908/REM: Substitution of house types (Plots 1-34, 291-297, 318-331, 337-390).

This application was submitted in June 2010 and is a further Reserved Matters submission that relates to the original outline proposal in terms of site layout. It

seeks to remove apartments from any residential development and replace these parts of the site with housing to create 76 dwellings. The applicant has advised that application 10/01908/REM will be withdrawn pending the determination of application 10/01915/REM should it be approved in accordance with the recommendation as the latter represents the scheme that Bloor Homes wish to pursue on site.

10/01922/REM: Erection of 275 dwellinghouses with associated bridge, infrastructure, access roads, garaging, car parking accommodation and the formation of public open space and landscaping

This application was submitted in June 2010 and is a Reserved Matters submission to discharge all reserved matters of scale, appearance, landscaping, layout and access relating to the outline permission 03/00020/OUT but introducing a 100 metres offset to the building frontages from the boundary of the waste water treatment works. This application was submitted to secure an option of retaining the waste water treatment works in their current location, contrary to Condition 3 of 03/00020/OUT as above. However, the applicant has advised that it will be withdrawn pending the determination of application 10/01915/REM, should it be approved in accordance with the recommendation, as the latter represents the scheme that Bloor Homes wish to pursue on site.

10/01928/REM: Provision of hard and soft landscaping  
This application represents the Landscaping Reserved Matters submission for this site and is pending consideration. Once the layout and form of the housing is resolved, a revised landscaping scheme will be prepared as a revision to this 10/01928/REM application.

10/01956/COND: Application to approve Condition 8 (drainage strategy), Condition 19 (archaeological work) and Condition 20 (ecological survey) as imposed by 03/00020/OUT.

This application remains pending subject to the resolution of the housing layout and design and will be reassessed following the approval of this application in accordance with the recommendation.

The following applications relate to adjoining sites that are also within the ownership of Bloor Homes but have been considered separately:

09/01782/FUL: Erection of 29 dwellinghouses and associated garages, associated engineering works, including construction of access road, emergency link, realignment of private vehicle access, car parking area, drop off area for possible rail halt and associated landscaping (Amended scheme to 08/01847/FUL) at The Sidings, Deepcar Station Yard, Station Road. Approved: 9th September 2009

## SUMMARY OF REPRESENTATIONS

This application was initially the subject of public consultation in June 2010 when the following 9 representations were received comprising four comments, 3 objectors and concerns/objections raised by Stocksbridge Town Council and the Council for the Protection of Rural England (CRPE):

Three local objectors raised the following concerns:

- i. Planning permission for housing on this site should be rejected and should never have been proposed in the first place;
- ii. It will damage local woodland and put added pressure on building more houses in the Peak District National Park;
- iii. No reason to build houses in Deepcar as it is part of the Green Network;
- iv. The number of houses is far too high for the area and would put a tremendous strain on local services;
- v. The development would have an adverse impact on wildlife;
- vi. The houses will be crammed in and are very close to the sewage works;
- vii. The houses are a standard design that you would see anywhere;
- viii. It will change the character of the area, which is already becoming like a dormitory town, particularly as the site is not really connected to the rest of Deepcar;
- ix. The development will total over 700 houses given all the applications proposed, which totally disregards the quality of life of existing residents;

Four residents submitted the following comments as part of the original consultation:

- i. The size of the development with a single access onto Manchester Road will result in congestion on an already congested highway;
- ii. The site is low lying and there is no provision for flood defences on the planning documents;
- iii. Concern about consideration of the development on early years schooling.
- iv. Concern about surface water drainage, which is identified as a problem for residents on Carr Grove with water diverting from Carr Road down onto Carr Drive.
- v. Concern about the extra volume of traffic that the development will create;
- vi. Concern that Station Road is the only access, which is unsafe for emergencies;
- vii. Concern that the road bridge is not suitable for additional traffic and that there are already major traffic problems at the junction between Vaughton Hill and Manchester Road and Carr Road.

Stocksbridge Town Council made the following comments in 2010:

- i. That Stocksbridge Town Council raise their objection/concerns due to the over-development of the site with more housing having been added;
- ii. That Councillors noted that the Highways Agency had contacted Sheffield City Council to request that no decision be made for at least six months (Note: this was not in relation to this application but to the application to renew the permission - 10/01899/OUTR outlined above, which will be withdrawn pending the determination of this application as there is no requirement for a renewal application);
- iii. That red brick will not blend with the surrounding area and buildings should be stone faced;
- iv. The Councillors noted that the pond settlement issues were not, in their view, resolved with the Coal Authority not assuming responsibility for the mine-water run off and assurances were needed that Bloor Homes will accept the responsibility of keeping this area safe;
- v. The public footpath running alongside the area has been blocked off without prior notification;
- vi. Councillors noted that SCC should assess the impact of all the proposed development in the area and that Bloor's should potentially fund the opening of a tram/rail link following the recent reduction in costs involved.

The Council for the Protection of Rural England objected to the outline planning permission and in response to the original submission of this application in 2010, they highlighted the following concerns:

CPRE believe that the Reserved Matters application does not address relevant policies within the SDF Core Strategy, with particular regard to Policies CS64 and CS65 (Climate Change and Sustainability) and Policy CS74 (Design Principles). With regard to the latter, CPRE consider that the standard house types distributed within a standard road layout is inappropriate in this location and do not respect the character of the area. CPRE consider that the development should incorporate natural gritstone and slate roofs (characteristic materials of the locality), increase the amount of green space, introduce extensive tree planting throughout and, if possible, green roofs.

Finally, CPRE note that the presence of Nightjar on Wharncliffe Chase is a concern as it is a priority species under the UK Biodiversity Action Plan and the close proximity of residential development will adversely affect this species, which as a ground nesting bird is particularly sensitive to disturbance.

Given the length of time since the previous consultation and the submission of revised plans, this application was the subject of a further public consultation in August/September 2012, which included direct neighbour notification and the posting of site notices and a press notice. A further 6 responses have been

received comprising 1 letter in support, a letter of concern from Stocksbridge Town Council, 3 letters from local residents raising objections/concerns and a letter of objection from Stocksbridge Town Councillor Jack Clarkson.

The resident in support of the application advises that the site is an eyesore and the sooner it is developed the better.

Stocksbridge Town Council advise that at their meeting It was resolved that the Council write expressing concern over the use of Station Road by heavy traffic, which appeared to be in conflict with planning permissions previously granted, noting that the bridge on Station Road had been deemed unsuitable for such vehicles. Councillors have also requested an assessment by Highways if the junction at Station Road/Vaughton Hill is to be used in the future by traffic from the proposed development.

The Sheffield Wildlife Trust has written to object to the proposal stating that they have had insufficient time to properly formulate a response to this very large planning application and cannot easily find the ecological information for this application to assess it. (They were advised that they could have extra time but no further response has been submitted). The Wildlife Trust also consider that building this number of houses in the flood plain 'does not seem like a good idea' and note that there is very little green space, green infrastructure or biodiversity in the site plan.

Further objections raised include the following:

- i. The number of houses proposed would overwhelm the infrastructure of Deepcar and Stocksbridge;
- ii. The roads are already extremely busy, making it difficult commuting into Sheffield.
- iii. The schools, doctors, dentists etc. would not be able to cope with the extra people.
- iv. It is too close to Wharnccliffe Woods and the Sites of Special Scientific Interest and would be extremely bad for the wildlife.
- v. Concern about the impact that the traffic to this development will have on Station Road as it has two ends that are very different from each other - the end closest to Vaughton Hill is very busy with a give way/one way system allowing priority to traffic coming down the hill. The system often gets ignored or misunderstood and is frequently the cause of accidents, near misses and road rage. Extra traffic here would not be good. There is also the entrance to Wharnccliffe Industrial Estate, which has traffic including heavy goods vehicles coming and going constantly during daylight hours.
- vi. One side of Station Road is used by people working on the Industrial Estate to park their cars.

- vii. Slightly further on the road is the entrance to Thorpes Lorry Park that has steel gates that are kept locked. As driver's come and go, they must park their wagon on the road in order to get out and unlock the gates. The road is sometimes blocked and if there was more traffic, it could back up to the junction with the already dangerous Vaughton Hill. Extra traffic could be dangerous on this already very busy section of road.
- viii. The other end of Station Road is very quiet; there is no through traffic. This is one of the most important assets that the road enjoys and it means that this end of Station Road is a peaceful and pleasant place to live. If the road were to become an access to the new housing estate, this would be lost.
- ix. There is another bridge at this end of Station Road. It is only wide enough for single file traffic. If Station Road were to be used as access to the new estate a giveway/one-way traffic system similar to the one on the Vaughton Hill Bridge would need to be introduced to this bridge.
- x. The plans show a circular "drop off point" to be built at the top of Station Road next to the existing original station house. What measures will be taken to prevent traffic from gaining access to the estate from this new roundabout at the top of Station Road?
- xi. At what stage of the development will the new access bridge from Manchester Road be built? There will be a point where the profit available to the developer from the houses yet to be built will be less than the money needed to build a bridge. How will you ensure that the bridge is built before this point is reached?
- xii. What safeguard is there to stop the development being half built and then being left without a bridge?
- xiii. How will the construction workers access the site before the bridge is built?
- xiv. There will be a period when both construction workers and new homeowners will need access.
- xv. If a temporary site access were to be provided from Station Road, what assurances do we have that the temporary access will not, as the years of development progress, become permanent?

Stocksbridge Town Councillor Mr Clarkson raises the following concerns:

- i. Neither the City Council planning department or Bloor's have seen fit to consult with Stocksbridge Town Council or local Community forum members regarding the new proposals, which will see the introduction of over 370 houses to the town, an estimated 1700 potential new residents and possibly around 800 vehicles;



- ii. These amendments will seriously impact on the infrastructure of the environment of the site, and that of the surrounding area of Deepcar and Stocksbridge;
- iii. The site is susceptible to flooding and there was much talk about rainwater run off at the last committee hearing when the application was approved, yet here we have amended plans houses and more highway, which will a serious impact on any rainwater run off and affect 'other unfortunate residents' down stream;
- iv. The amended plans show houses and roadways crammed onto the site including the 2 x new proposed storm resettlement ponds, which will dramatically affect the feel and appearance of the estate. It will also affect the everyday living on this development in respect of young children playing near to the ponds, especially in respect of young children who are naturally inquisitive of water;
- v. This is simply not a tweaking of an application but one that will effect the whole infrastructure of the area in relation to medical, and educational facilities to name a few. Councillor Clarkson considers that the developer has again pushed aside any Community facilities or offered up any open space whatsoever to develop a large playing area for older children, and as such a further loss of amenity has occurred;
- vi. The application is completely different to the original one, with houses crammed onto the site;
- vii. The fact that the plan of the site and landscape of the proposed development has dramatically changed will seriously impact on traffic usage and parking space including an increase in carbon emissions and fumes in the locality;
- viii. The larger concentration of houses on a particular site will be 'over bearing' and will simply create a feeling of crammed-in properties; this will effect the and dramatically change the locality, including lack and loss of open space for LAP's (Local Areas of Play) which are not clearly identified on the new plans;
- ix. The new riverside walk needs to be constructed of permeable hard materials to allow cyclists, wheel chair and pram users to be able to access the footpath;
- x. The LAP's that were identified on the original plan were identified for children in the age range of between 4- 7 years, what open space facilities are intended for the older children between 8-16 Yrs (Where is there a proposed football field)? If older children are expected to access the 'Don' playing fields, they will have to cross the busy Vaughton Hill and main arterial roads;

- xi. Councillor Clarkson considers that a major estate such as this should provide a specific area of play for older children and this is not evident.
- xii. Who will be responsible for the maintenance of the settlement ponds? Who will be responsible for the safety of the ponds, What will the depth of these be? Will they be fenced, patrolled to ensure their security?
- xiii. No 'Community facilities' seem to feature on the site?
- xiv. If the application is granted [Councillor Clarkson] would like to ask that a condition be made for the sewage works be removed and re-sited before any such work commences on the proposed development;
- xv. Is there is to be a new transport plan submitted for the proposed amended development as the roadways have changed in respect of length, width and gradient etc?
- xvi. Is the emergency access along Station Road still earmarked for emergency vehicles only?

#### PLANNING ASSESSMENT

This application seeks to discharge Conditions 1 and 2 of 03/00020/OUT by providing details of the appearance, layout and scale (the Reserved Matters) of the residential element of the development as required by the outline permission. A reserved matters submission is not a new application for planning permission as this has already been granted conditionally by the outline approval; this proposal conforms to the masterplan established by the outline permission and raises no new policy issues in respect of the principle of development. Furthermore, this application seeks to construct 60+ fewer houses than considered acceptable within the terms of the outline permission.

As such, it is not necessary to reconsider the principle of residential development on this site, which has been firmly established by the outline consent and the consideration in this case is whether the appearance, layout and scale are acceptable.

However, it is relevant to acknowledge that the provision of new housing would assist with the objectives of Policy CS22 of the SDF Core Strategy to meet the Council's requirement for new housing in the plan period and Policy CS23 of the SDF Core Strategy (Location for New Housing), which confirms that at least 90% of additional dwellings should be within the main urban area of Sheffield. It is also consistent with Policy CS41, which seeks to create mixed communities and states that a wide range of housing should be provided within large schemes such as this. The proposal meets this policy by providing a range of 2, 3 and 4 bedroom properties.

Design and External Appearance



This application seeks to discharge details of layout, scale and appearance in respect of the proposed residential development of the land at Station Road and Manchester Road as required by the outline planning approval.

The National Planning Policy Framework (NPPF) confirms at Paragraph 56 that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people. At Paragraph 58, it confirms that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected and that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but also over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments and;
- Be visually attractive as a result of good architecture and appropriate landscaping.

Within the Unitary Development Plan, Policy BE5 relates to building design and siting and advises that good design and the use of good quality materials will be expected in all new developments. It should seek to achieve original architecture and a design on a human scale with varied materials that break down the overall mass of development. In addition, Policy CS74 of the SDF Core Strategy also relates to design principles and advises that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including (Policy CS74c) the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials. Policy CS74 also confirms that development should:

- Contribute to place making; be of a high quality, that contributes to a healthy, safe and sustainable environment, that promotes the city's transformation;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;

- Enable all people to gain access safely and conveniently, providing, in particular, for the needs of families and children, and of disabled people and older people.

In terms of context, the application site lies to the east of Deepcar and is, to some degree, segregated from the existing urban development that surrounds it. Furthermore, given the scale of the site, it can almost be considered a stand-alone development that must generate its own site context whilst also having some regard to local surroundings. In this context, it is noted that the character and form of the surroundings is mixed; around Vaughton Hill, Manchester Road and Carr Lane, there are a number of older traditional properties (Victorian/Edwardian era) constructed predominantly in stone but also in red brick as well as a mix of newer properties at both Mill Lane (off Vaughton Hill) and within the Rookery Estate, which are predominantly modern estate dwellings constructed in brick.

With regard to the layout of the housing development within this application, this has primarily been determined by the principles of the masterplan approved as part of the outline permission and, in particular, by the position of the highways within the site, which in turn, is principally determined by the topography and form of the site. The current layout has also been determined by the need to accommodate the rainwater attenuation 'ponds' and the mine water treatment area. The plan approved as part of the outline permission indicates a single access road into the site from Manchester Road, which then provides a primary vehicular route running north-south with the topography of the land with further secondary roads running across the topography from east to west. This layout has been progressed through to the form of development now proposed with a primary north-south route through the estate supplemented by secondary north-south routes and east-west inter-connecting routes. The layout of the houses is then aligned to front the highways; such an approach ensures that the layout of the proposed development delivers a strong consistent building line with a uniformity to the position of the dwellings as they relate to the street. The layout of the house types also relate to their location within the site with a more urban form on the north and eastern edges of the site and a higher proportion of semi-detached dwellings whilst those properties fronting onto the Riverside area are typically detached. In addition, the layout of the houses typically ensures a back-to-back relationship between gardens, which is considered appropriate.

Overall, it is considered that the proposed layout of the houses achieves a strong building line throughout the estate that is designed to be sympathetic to the topography and form of the site and which also ensures that the potential of the site to accommodate development is maximized.

#### Scale

The scale of the proposed residential development is primarily two-storey, which is consistent with the predominant character of residential development within the locality. However, the site is punctuated with elements of three-storey development; this comprises two house types with an additional level of accommodation within the roof space or within a front gable feature as well as the provision of 3 x three-storey apartment blocks, which form Units 313-321 and 324-321. The three-storey development is proposed only at key intersections of the

estate roads to provide some form of hierarchy and way-finding within the development; it is also three storey facing onto the settlement ponds at the entrance to the site to maximise the open area in front of these properties at Plots 335-340, 313-321 and 324-321. This approach is considered appropriate to ensure a development that responds to local character in terms of the predominant scale of development surrounding the site whilst also optimising the potential of the site to accommodate development.

## Appearance

A key consideration in the determination of this application is the design of the proposed houses. Whilst acknowledging that the applicant is a volume housebuilder utilizing standard house types, it is still necessary to ensure that the development is of a high-quality and respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods.

Given the size of the site and its outlying location in relation to Deepcar, it is considered that although the site is highly visible, it is removed from the existing settlement and is relatively self-contained. As such the development can establish its own character and sense of place without having to strictly adhere to a specific local style. The most remarkable and therefore the most influential contextual consideration is considered to be the landscape setting. Consequently, a comprehensive landscape strategy will be a key part of ensuring that the development sits comfortably within its context and these details will be submitted as part of the discharge of the Landscaping Reserved Matters in accordance with application reference 10/01928/REM in due course. Nevertheless, it is still determined that the houses should relate to the wider locale and to that extent, the proposed house types have been revised in the course of the application to include the following key principles:

- Traditionally houses of this scale in Sheffield have adopted relatively simple forms and detailing, and a restrained palette of materials and this simplicity of palette is now proposed within this application, comprising predominantly red brick and artificial stone cills and lintels. Whilst there is evidence of stone-faced buildings within the locality, red brick is a traditional material within the City and it is considered that a high quality red brick will sit appropriately with the stone detailing;
- The proposed house types now incorporate clipped verges and a clear hierarchy of windows; these are both features of local housing and the latter is deemed to be particularly important in helping to establish a relationship between the buildings and the street;
- Head and cill details have been revised to extend beyond the width of the window openings and, in brick houses, are simply detailed in stone;
- The heads of first floor windows will be visible, which is a feature of traditional housing within the locality;

- The applicant has been advised that windows should have an appropriate depth of reveal; the applicant has advised that this is achievable and details will be required by means of condition;
- Render was originally proposed as a material but it is not traditionally a material that is widely used in this area and has subsequently been omitted;
- The porches have predominantly been amended to the usual local treatment for a front door, which is a flat-headed.

In addition, within the application process, the applicant has reviewed the number of house types proposed across the site and how each house type relates to the street. Accordingly, rather than introducing a significant range of different house types along a stretch of street, the applicant has sought to group house types to ensure some consistency to the streets. For example, at the entrance to the site, at Plots 1-9, only three house types are utilized with one house type grouped together and then interspersed with a different house type in a pattern that is then repeated to contribute to a sense of place making and planning the estate rather than simply imposing a variety of house types into the street. This approach is reflected throughout the estate.

Furthermore, the proportion of the windows has been amended in the course of the application to achieve more generous solid to void ratios by increasing the size of windows as well as introducing some hierarchy to the windows with typically larger windows to the ground floor.

Members are advised to note that a review of the design of the three-storey apartment blocks is still on-going as there is still further necessary design development in relation to these units and Members will be advised of any revised proposals at the Committee with details of updated plans.

Finally, with regard to boundary treatments, the applicant has indicated a variety of boundary treatments dependent on the position of the property within the site with a combination of brick boundary walls, hedges and railings to be utilized with timber fencing to rear boundary. The provision of boundary treatment on a plot-by-plot basis will be required as a condition of this application.

In conclusion, whilst acknowledging that the application does propose the introduction of standardized house types across the estate, it is considered that the design of these dwellings has sought to reflect the identity of local surroundings and materials by utilizing an appropriate quality of materials. Further details of these materials (including samples) will be required by condition to ensure that they are of a suitably high quality. Furthermore, the dwellings introduce features that are evident in the locality including bay windows, flat-headed porches, chimneys, head and cill detailing and front gable detailing.

Overall, given that the site is relatively self-contained such that it can establish its own character and sense of place without having to strictly adhere to a specific local style, it is concluded that the layout and design of the proposed development does create an attractive, safe and comfortable place to live that also sufficiently

reflects local character both within the neighbourhood and the wider city and incorporates houses that are designed to the appropriate scale. Thus, in seeking to discharge Conditions 1 and 2 of 03/00020/OUT in relation to the scale, layout and appearance of the houses, it is concluded that the submission does accord with the objectives of Policy BE5 of the UDP, Policy CS74 of the SDF Core Strategy and guidance within the NPPF.

#### Impact on the Amenity of Existing and Future occupiers

Given that this application relates to the scale and layout of the proposed dwellings, it is appropriate to consider the amenity of future residents. The Council has no specific guidelines in relation to the construction of new dwellings. However, the privacy and distance standards set out in Supplementary Planning Guidance Note 'Designing House Extensions' are considered relevant. SPG Guideline 4 requires a minimum separation distance of 10 metres from a rear elevation to a rear boundary for the reason of privacy as well as amenity and a distance of 21 metres between main rear elevations. In this case, there are some instances where the 21 metres is not achieved and a garden depth of only 9 metres is viable due to the narrowness of the site and the positioning of the dwellings between the highways that follow the topography of the site. However, in these cases, the properties do achieve an amenity area in excess of 50 square metres, as required by Guideline 4 of the SPG. It is therefore concluded in this instance, that each property will secure an appropriately level of privacy and amenity.

#### Affordable Housing

Members are advised to note that the issue of affordable housing was addressed as part of the outline planning consent with a requirement within the Section 106 agreement to ensure that no less than 5% of dwellings constructed as part of the development are provided as affordable housing.

#### Open Space

Members will note that the layout of development does not include the provision of any specific play areas. However, it is the case that there is no condition on the outline approval requiring for the provision of a specific play area such that it cannot be sought as part of this Reserved Matters approval. However, the Fourth Schedule of the Section 106 requires the provision of not less than 10% of the site area as open space (including the Riverside Walk), which the applicant must still comply with. It is anticipated the woodland area to the east of the River Don, opposite Plots 210-220, 232-240, 253-261 and 267-294 will form the area of open space, the details of which will be required as part of the Schedule of the 106 in due course and which will form part of the Landscaping Reserved Matters (10/01928/REM), which remains outstanding.

#### Highways

Members are advised that matters of access were addressed at the determination of the outline planning application in 2007, which fully considered the highway impact of the development of the 400+ houses proposed at that time such that the

application was approved subject to a number of conditions relating to highway improvements (Conditions 13 and 14 of 03/00020/OUT), provision of appropriate visibility splays (Condition 15), the submission of a design brief for the construction of the highways and bridge including consideration of phasing, haulage routes etc (Condition 16) and the submission of an appropriate Travel Plan (Conditions 17 and 18). These conditions remain in place for the applicant to address prior to construction commencing. It is also relevant to note that this application proposes a reduction in the number of houses to 341 compared to the 400+ houses envisaged as part of the outline with a subsequent reduction in traffic movement.

Members are also advised that the primary vehicular access into the site must remain as approved as part of the outline permission via the new road bridge to be constructed across the River Don onto Manchester Road. For clarification, the applicant has confirmed in writing by letter dated 19th September 2012 that the outline consent shows the site access taken from Manchester Road with emergency access and pedestrian access points onto Station Road and nothing in this Reserved Matters application seeks to deviate from the approved scheme.

It is acknowledged that prior to the construction of the road bridge, a temporary works access may be required via Station Road, which already provides access to the Corus tip and has also provided the access onto the site whilst the remediation of the site has been implemented. Indeed, consideration of how the development will be phased will be required in order to discharge Condition 15 and it is not appropriate for this matter to form a condition of this application on the basis that Circular 11/95 in relation to the Use of Conditions notes at Paragraph 45 that 'the only conditions that may be imposed when reserved matters are approved are conditions which directly relate to those matters' – i.e. to matters of layout, scale and appearance. Nevertheless, it is considered that the details will be required in accordance with Condition 15 of 03/00020/OUT in any event.

## RESPONSE TO REPRESENTATIONS

Many of the representations to this application refer to the principle of a housing development on this site, the impact of housing on local services, the impact on wildlife and the effect on local highways. However, such matters cannot be taken into account in the determination of this proposal as the principle of development has already been clearly established by the outline permission (03/00020/OUT), which granted consent for the potential on this site for significantly more houses (400+) and this Reserved Matters application falls within the scope of the outline permission such that the principle of the development cannot be re-visited. Indeed, as noted above, this application seeks only to discharge Conditions 1 and 2 of 03/00020/OUT by providing details of the appearance, layout and scale of the residential development.

However, in response to the more specific concerns raised, the following is advised:

- i. "The houses are a standard design that you would see anywhere". This is addressed fully in the report above.



- ii. “The development will total over 700 houses given all the applications proposed, which totally disregards the quality of life of existing residents”. The development will not total over 700 houses as only 341 houses are proposed as part of this application with a further 29 proposed on the adjacent site in accordance with 09/01782/FUL so the Bloor Homes site will accommodate a maximum of 370 dwellings.
- iii. “The site is low lying and there is no provision for flood defences on the planning documents”. As noted above, this is a Reserved Matters application, which is effectively a discharge of Conditions 1 and 2 of 03/00020/OUT such that all other conditions on that permission remain to be complied with, including Condition 5 of 03/00020/OUT, which states that no development for housing within the 1 in 100 year floodplain can occur until a Flood Risk Assessment is submitted and approved in writing by the Local Planning Authority.
- iv. “Concern about consideration of the development on early years schooling”. This is a Reserved Matters application, which is effectively a discharge of Conditions 1 and 2 of 03/00020/OUT such that all other conditions on that permission and the requirements of the Section 106 still need to be complied as part of the implementation of this scheme. The Section 106 in relation to 03/00020/OUT requires the sum of £300,000 to be paid to the Council for the provision or enhancement of education facilities in the vicinity of the development with £100,000 payable prior to the commencement of the first house and the remainder upon the first and second anniversaries of the date of commencement.
- v. “Concern about surface water drainage, which is identified as a problem for residents on Carr Grove with water diverting from Carr Road down onto Carr Drive.” Conditions 7-10 of 03/00020/OUT relate to the provision of an appropriate drainage system and include a requirement for details of drainage to be submitted and approved in writing. As such, consideration of surface water drainage is not appropriate to this application and will be dealt with by formal discharge of the above conditions where details are required.
- vi. “Concern that Station Road is the only access, which is unsafe for emergencies.” The outline permission identifies Station Road as a second emergency access with the main new road bridge into the site providing a primary access; this principle is unchanged by this application.
- vii. “Red brick will not blend with the surrounding area and buildings should be stone faced.” This is fully addressed in the report above.
- viii. “The pond settlement issues are not resolved with the Coal Authority not assuming responsibility for the mine-water run off and assurances were needed that Bloor Homes will accept the responsibility of keeping this area safe.” The ownership of the ponds is a matter for the applicant. The continued remediation of the site is a matter to be controlled in accordance with Condition 11 of 03/00020/OUT and is not for consideration as part of this application.

- ix. “The Reserved Matters application does not address relevant policies within the SDF Core Strategy, with particular regard to Policies CS64 and CS65 (Climate Change and Sustainability) and Policy CS74 (Design Principles).” The Core Strategy was not adopted at the time of the granting of outline planning permission when matters of principle, such as compliance with Policies CS64 and CS65, need to be considered. However, as this application relates to the appearance, scale and layout of development, Policy CS74 is relevant and is considered fully in the report above.
- x. “The standard house types distributed within a standard road layout are inappropriate in this location and do not respect the character of the area.” This is addressed in the report above.
- xi. “The plans show a circular “drop off point” to be built at the top of Station Road next to the existing original station house. What measures will be taken to prevent traffic from gaining access to the estate from this new roundabout at the top of Station Road?” The drop-off is not part of the application site but forms part of the adjoining site for which planning permission for 29 houses has already been granted in accordance with 09/01782/FUL. This approval includes an area identified as a drop off area facility to allow for passengers to access the railway line should there be the future introduction of passenger services on the Sheffield–Stocksbridge line and indicates that access will be secured via the new bridge proposed to provide access into this application site.
- xii. “At what stage of the development will the new access bridge from Manchester Road be built? There will be a point where the profit available to the developer from the houses yet to be built will be less than the money needed to build a bridge. How will you ensure that the bridge is built before this point is reached?” The phasing of development and the provision of the bridge is not a matter that can be addressed as part of this application as noted in the report above. It is the case that the outline planning permission requires vehicular access to be provided via the new bridge across the River Don onto Manchester Road to which the applicant will need to comply in order to implement the permission.
- xiii. “What safeguard is there to stop the development being half built and then being left without a bridge?” As noted above, the outline planning permission requires vehicular access to be provided via the new bridge across the River Don onto Manchester Road to which the applicant will need to comply in order to implement the permission.
- xiv. “How will the construction workers access the site before the bridge is built?” It is anticipated that construction works will have to use Station Road before the bridge is built as they have been whilst the remediation of the site has been implemented.
- xv. “If a temporary site access were to be provided from Station Road, what assurances do we have that the temporary access will not, as the years of



development progress, become permanent?" As noted above, the outline approval requires vehicular access to be provided via the new bridge across the River Don onto Manchester Road with only an emergency access link onto Station Road.

- xvi. "The amended plans indeed show houses and roadways crammed onto the site including the 2 x new proposed storm resettlement ponds, which will dramatically affect the feel and appearance of the estate." The issue of design and layout is fully assessed in the report above.
- xvii. "The application is completely different to the original one, with houses crammed onto the site." As noted in the report above, the outline approval refers to the construction of 400+ houses with only 341 now proposed within this application such that the extent of housing development has reduced from that originally deemed acceptable.
- xviii. "A major estate such as this should provide a specific area of play for older children and this is not evident." This is addressed in the report above.
- xix. "Who will be responsible for the maintenance of the settlement ponds? Who will be responsible for the safety of the ponds? What will the depth of these be? Will they be fenced, patrolled to ensure their security?" Maintenance of the settlement ponds will be the responsibility of the applicant but will require compliance with Condition 11 of 03/00020/OUT. The applicant has confirmed that the settlement ponds will be fenced.
- xx. "No 'Community facilities' seem to feature on the site." The Community facility was always proposed as part of the mixed-use part of the development and is a feature within a separate application - 10/01902/REM, which is still pending consideration.
- xxi. "A condition should be imposed for the sewage works to be removed and re-sited before any such work commences on the proposed development." Condition 4 of the outline permission requires that no premises erected on site shall be occupied without the prior written consent of the Local Planning Authority prior to the completion of works to close and decommission the existing waste water treatment works. The applicant must still comply with this condition in implementing the scheme that is under consideration as part of this Reserved Matters application.

## SUMMARY AND RECOMMENDATION

This application seeks to discharge Conditions 1 and 2 of 03/00020/OUT in relation to the submission of the Reserved Matters for the appearance, layout and scale of the residential development of this site. A separate application to discharge the Reserved Matters in relation to landscaping in accordance with Conditions 1 and 2 of 03/00020/OUT remains under consideration (application reference 10/01928/REM) and it is anticipated that it will be revised pending the determination of this application.

A reserved matters submission is not a new application for planning permission as this has already been granted conditionally by the outline approval; this proposal conforms to the masterplan established by the outline permission and raises no new policy issues in respect of the principle of development. Furthermore, this application seeks to construct 60+ fewer houses than considered acceptable within the terms of the outline permission granted in 2007.

Accordingly, this application seeks to discharge details of layout, scale and appearance in respect of the proposed residential development of the land at Station Road and Manchester Road as required by the outline planning approval. In this regard, it is considered that the site is relatively self-contained and can establish its own character and sense of place without having to strictly adhere to a specific local style. It is concluded that the layout and design of the proposed development does create an attractive, safe and comfortable place to live that also sufficiently reflects local character both within the neighbourhood and the wider city and incorporates houses that are designed to the appropriate scale. Thus, in seeking to discharge Conditions 1 and 2 of 03/00020/OUT in relation to the scale, layout and appearance of the houses, it is concluded that the submission does accord with the objectives of Policy BE5 of the UDP, Policy CS74 of the SDF Core Strategy and guidance within the NPPF and the Reserved Matters are therefore recommended for approval subject to conditions.

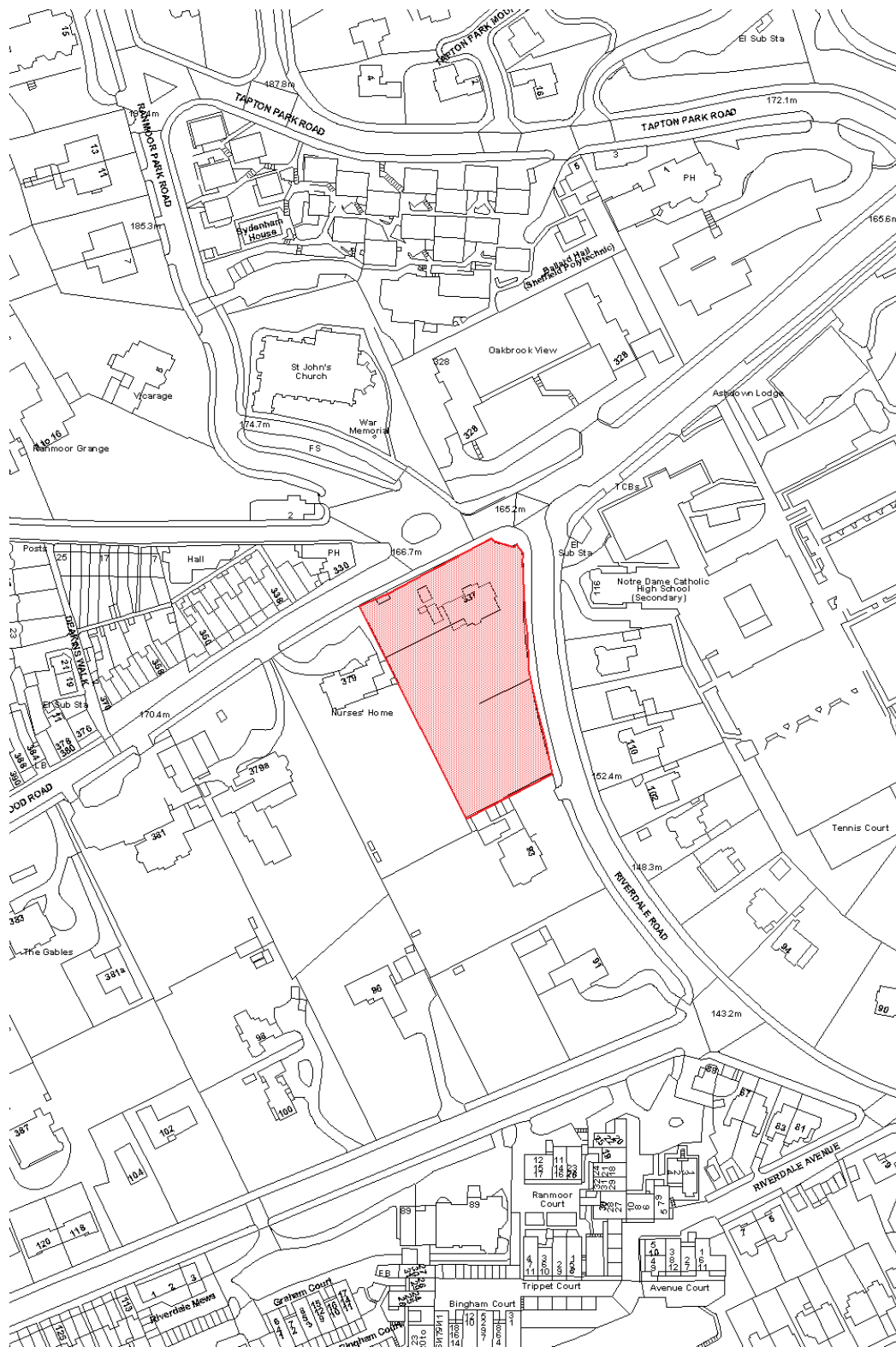
---

Case Number	11/03980/OUT (Formerly PP-01755827)
Application Type	Outline Planning Application
Proposal	Demolition of garage and outbuilding erection of 2/3 storey to existing building to form new cookery school
Location	377 Fulwood Road Sheffield S10 3GA
Date Received	22/12/2011
Team	NORTH & WEST
Applicant/Agent	Chrissie Clarke Projects
Recommendation	Refuse

For the following reason(s):

- 1 The Local Planning Authority considers that the proposed development, by reason of its siting, scale and massing would be contrary to the prevailing pattern of development in the Ranmoor Conservation Area, and would be harmful to the character and appearance of the area. The development would also detract from the special architectural and historic interest of the site. In these respects the development would be contrary to Unitary Development Plan Policy H14, BE15 and BE16 and Core Strategy Policy CS74.
- 2 The Local Planning Authority considers that the proposed development would damage or detrimentally affect the long term stability of the protected trees along the Fulwood Road frontage which may result in their loss, detrimentally affecting the visual amenities of the locality and the appearance of the Conservation Area. In these respects the development is deemed to be contrary to Policies BE15, H14 and GE15 of the Unitary Development Plan.

# Site Location



© Crown copyright and database rights 2011 Ordnance Survey 10018816



## LOCATION AND PROPOSAL

The application relates to land within the curtilage of 377 Fulwood Road (the Canton Orchard restaurant). The existing property on the site is an attractive building from the Arts and Crafts period, set back from and below the level of Fulwood Road with a belt of trees along the site frontage and further trees lining the eastern and western boundaries of the site.

To the front / side of the property, is a detached garage and outbuilding which are in the style of the original dwellinghouse with hipped rosemary tiled roofs. The property has been extended in the past with a single-storey extension that wraps around the side /rear of the building. Beyond this is a raised terrace and beyond that a car park for the restaurant, accessed from Riverdale Road.

Adjacent to the building are lawned areas. The site slopes down from north to south away from Fulwood Road.

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

Planning permission is sought for the removal of the garage and outbuilding and the erection of a cookery school. The purpose of the cookery school would be to educate students about Chinese and Japanese cuisine and culture.

The proposed development would be three storeys in height with the basement level dug into the site and would be attached to the main building.

The basement would provide a lounge/seminar room and store. On the ground floor would be the main entrance, teaching kitchen, toilets and store room. Above this would be 4 duplex apartments, each having an open plan lounge/dining/ kitchen area, wet room and bedroom (two of the apartments indicate single bedrooms and two double bedrooms) with stairs rising to a further double bedroom for each apartment which would be on a mezzanine level. Each apartment would

have a balcony facing west towards the boundary with No.379 Fulwood Road. The applicant has indicated that the accommodation would be occupied by visitors to the cookery school.

The proposed cookery school and associated accommodation would share the car park with the restaurant and the applicant has indicated that 30 people would be employed at the site as a result of the development. No details have been provided as to how this would break down / hours of operation etc.

The proposed development is of a contemporary design, with lots of glazing. Other materials would be natural stone, hardwood and galvanised steel.

## RELEVANT PLANNING HISTORY

In 1996 and 1997 planning permission was granted for the erection of a conservatory to the rear of the premises for use as ancillary facilities for the restaurant. Applications 96/00802/FUL and 97/00683/FUL refer.

An application for planning permission and an application for Conservation Area consent to demolish the existing restaurant building and to redevelop the site with 28 apartments in a 1 x 3 storey block and 1 x 4/5 storey block with associated car parking and landscaping was withdrawn in September 2006 (application 05/04345/FUL and 05/04347/CAC refer).

In 2007 an application for the erection of 10 two bedroomed flats in a 2/3 storey block to the rear of the property was refused (application 07/03518/FUL refers). It was considered that the proposed development, by reason of its layout and footprint, would be contrary to the prevailing pattern of development in the Ranmoor Conservation Area, detracting from the special architectural and historic interest of the site. It was also considered that the proposed development would damage or detrimentally affect the long term stability of the protected trees within the site which may result in their loss, detrimentally affecting the visual amenities of the locality and the appearance of the Conservation Area.

In 2008 planning permission for an area of raised decking to the rear of the property was refused (08/03808/FUL refers) and then an amended application approved (08/05635/FUL refers).

Most recently, in 2009 planning permission was granted for alterations to an outbuilding to the side of the premises for use as an additional storage area and staff toilets (application 09/00846/FUL refers).

## SUMMARY OF REPRESENTATIONS

No letters of representation have been received.

## PLANNING ASSESSMENT

The site is within a Housing Area and also within the Ranmoor Conservation Area. The development would also be close to mature trees along the Fulwood Road frontage and so policies relating to trees also need to be considered.

#### Conservation Area Issues

The site is identified on the UDP Proposals Map as being within the Ranmoor Conservation Area.

Policy BE15 – Areas and Buildings of Special Architectural or Historic Interest sets out that buildings and areas of special architectural or historic interest, which are an important part of Sheffield’s heritage, will be preserved or enhanced. Development which would harm the character or appearance of a Conservation Area will not be permitted.

UDP policy BE16 - Development in Conservation Areas states that the erection of buildings should be judged against their impact on the Conservation Area and development should preserve or enhance the character or appearance of the Conservation Area.

Core Strategy Policy CS74 – Design Principles sets out that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city including ... (d) the distinctive heritage of the city, particularly the buildings and settlement forms associated with... (iii) Victorian, Edwardian and Garden City suburbs.

A Statement of Special Interest for the Ranmoor Conservation Area was carried out in 1999, to serve as a review of the Conservation Area. The City Centre and West Planning and Highways Area Board endorsed the statement on 8 February 1999.

Under the heading Grain and Density, the statement sets out that ‘Ranmoor is notable for the low density of its built development. This is reflected in a pattern of medium or large houses, most set in spacious grounds.’

The statement also mentions the application site under the section Building Materials. This sets out that ‘During the early 1900’s, national architectural styles included the fashionable Arts and Crafts, often interpreted as mock-Tudor, in which the use of half-timbered gables, rendering and clay roof tiles was popular. Good examples of villas using these materials can be seen in... The Canton Orchard at 337 Fulwood Road.’ (The statement incorrectly numbers the property).

Under the heading Gardens and Open Space the statement sets out that: ‘Due to the large average size of plots in Ranmoor, the landscape design and historic planting of private gardens makes an important contribution to the special character of the Conservation Area. Some of the best examples of late Victorian villa gardens in Sheffield are to be found in Ranmoor.’

The Summary states that ‘Ranmoor’s special architectural and historic interest is principally derived from its significance as the city’s foremost Victorian residential



suburb. The high quality of buildings and townscape in Ranmoor expresses the considerable wealth of its early residents, who moved here in search of clean air and space... Ranmoor is therefore a lasting legacy of the heyday of the city's steel industry, during the late 19th and early 20th century.'

The proposed development would be largely on the footprint of the existing garage and outbuilding which are both single-storey structures. The proposed development would be sited around 0.5m closer to Fulwood Road and would be significantly greater in height than the structures they would replace.

As set out in the Statement of Special Interest for the Ranmoor Conservation Area, this section of Fulwood Road is characterised by large detached buildings set in extensive grounds with main buildings sitting on an established building line that is set back from Fulwood Road. Smaller scale outbuildings are often positioned to the front of the main building.

The proposed building would be almost as high as the gable feature on the main property that faces Fulwood Road and so would not appear ancillary to the main body of the property. Given the proximity to Fulwood Road (2.7m from the boundary) it would appear prominent within the street scene and when viewed from the junction with Riverdale Road would obscure views along Fulwood Road to the villas on neighbouring plots.

It is considered that the proposed development by virtue of its siting, scale and massing would have a negative impact upon the appearance of the existing Arts and Crafts property and on the character of the wider Conservation Area. In these respects the development would be contrary to UDP Policy BE16 and BE15 and would also be contrary to the aims of Core Strategy Policy CS74.

There are a number of trees along the site frontage that provide a degree of screening to the site and contribute to the 'leafy' feel of this section of Fulwood Road. A tree survey has been submitted with the application which looks at the quality of trees surveyed as well as the extent of root protection areas that would need to be imposed to ensure the survival of the trees during any demolition or construction works.

Along the Fulwood Road frontage are 7 trees, all of good to fair condition. The proposed development would encroach within the root protection zone of at least three of these trees – two large sycamores in good condition and a young elm of fair condition. Given that the development would be dug into the ground it is very likely that the excavations would sever the tree roots, leading to the demise of these three trees. Even if this were not the case, at around 10m in height the development would interfere with the canopy of the trees, requiring heavy pruning at best and ultimately would be likely to result in the removal of these trees.

Of a pleasant grouping of 7 trees, only 4 would be likely to remain if the proposed development were to proceed. It is considered that this would exacerbate the harm that the development would have upon the character and appearance of the Ranmoor Conservation Area.



UDP Policy GE15 'Trees and Woodland' sets out that trees and woodland will be encouraged and protected by requiring developers to maintain mature trees, copses and hedgerows wherever possible, and replace any trees which are lost; and by not permitting development which would damage existing mature and ancient woodland. It is thereby considered that the development would also be contrary to UDP Policy GE15.

#### Housing Area Issues

UDP Policy H10 – Development in Housing Areas sets out that within such areas housing is the preferred use, with other uses such as businesses, residential institutions and leisure and recreational uses listed as being acceptable.

The proposed use as a cookery school does not neatly fall into any of these categories and so is deemed to be 'sui generis' with the proposed use to be judged on its own merits.

Policy H14 - Conditions on Development in Housing Areas sets out that new development will be permitted provided that, amongst other things:

- new buildings are in scale and character with neighbouring buildings,
- 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;
- it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians;
- it would comply with Policies for the Built and Green Environment, as appropriate.

In principle the use as a cookery school with ancillary living accommodation may be acceptable. Provided adequate fume extraction equipment could be installed, the use of the proposed development would not be likely to have a harmful impact upon the character of the housing area and adequate living conditions could be provided. It is considered that the proposed development would not give rise to unacceptable levels of overlooking or loss of light to neighbouring properties. However, as discussed above it is considered that the proposed development would be harmful to the character of the neighbourhood and so in these respects the development is also deemed to be contrary to UDP Policy H14.

#### Highways Issues

On the application forms it has been indicated that the business would employ 30 people and the supporting information indicates that the cookery school would be operational in the daytime (however no details of anticipated opening hours have been provided).

There is a reasonably sized car park to the rear of the premises with some additional parking available to the front of the building.

Whilst the development may have the potential to generate significant levels of parking, it is likely that the peak times generated by the cookery school (assumed to be daytimes) would not coincide with peak times for the restaurant business

(assumed to be evenings). The site is within a sustainable location with good public transport links (main bus routes) along Fulwood Road. It is thereby felt that a highways based reason for refusal of the application cannot be substantiated.

#### SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of cookery school on land to the front of the Canton Orchard Restaurant, 377 Fulwood Road. The development would be three storeys in height with the basement dug into the ground and would be 2.7m from the highway.

The proposed development would be set forward of the existing building line and would be considerably higher than the buildings that it would replace.

The site is within the Ranmoor Conservation Area and is also within a Housing Area.

It is considered that the proposed development, by reason of its siting, scale and massing would have a harmful impact upon the Ranmoor Conservation Area and upon the character and appearance of the existing property, which is identified in the Statement of Special Interest for the Ranmoor Conservation Area, as being a good example of a late Victorian villa, set back from the highway in sizable open grounds.

The development would also be likely to result in the loss of several trees along the street frontage which also contribute significantly to the leafy suburban character of the Conservation Area.

In these respects it is considered that the proposed development would be contrary to UDP Policies BE15, BE16, GE15 and H14 as well as Core Strategy Policy CS74.

---

Case Number 12/01239/FUL (Formerly PP-01943575)

Application Type Full Planning Application

Proposal Erection of a detached double garage

Location 385 Wood Lane  
Stannington  
Sheffield  
S6 5LR

Date Received 01/05/2012

Team NORTH & WEST

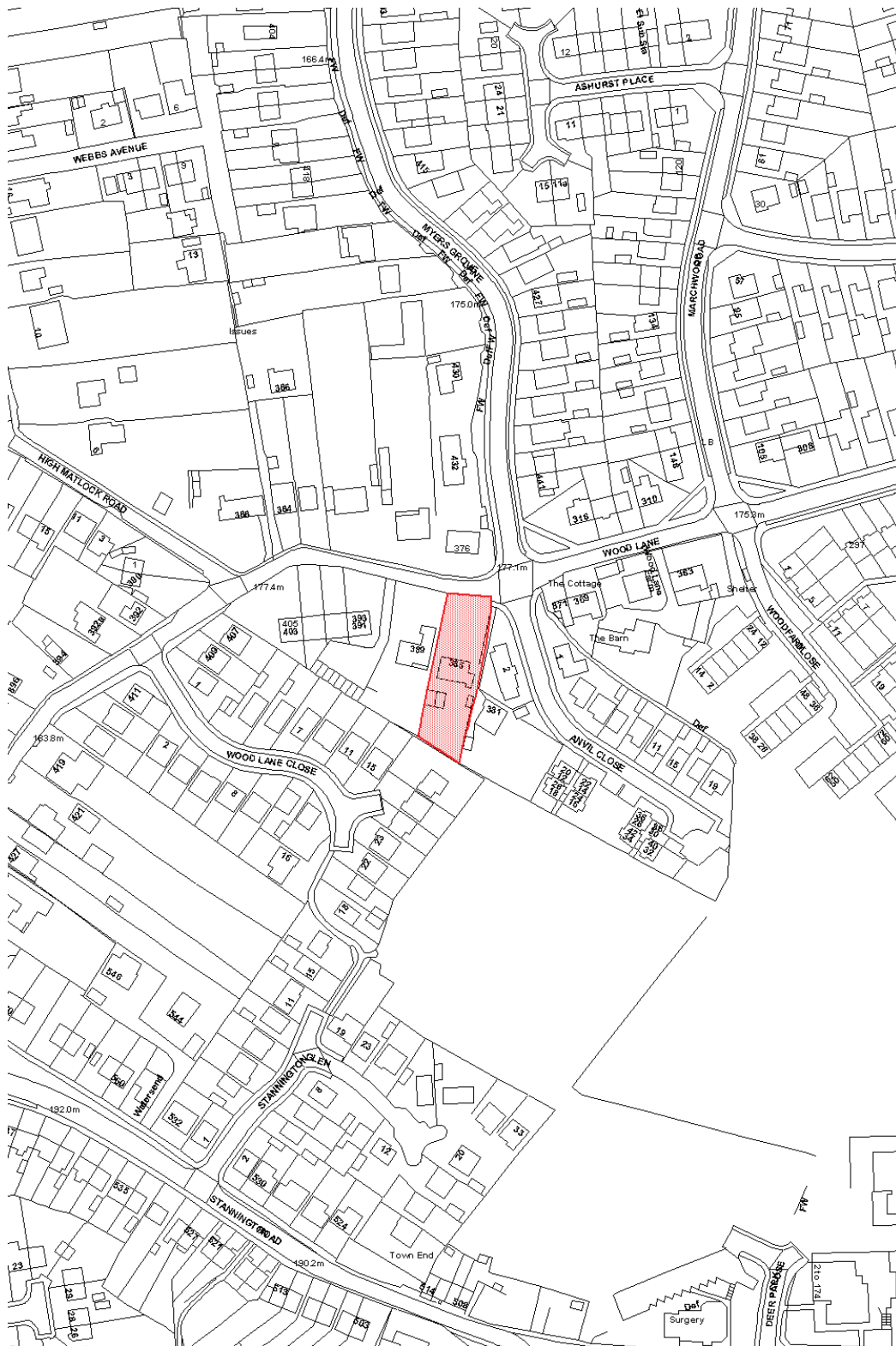
Applicant/Agent Andromeda Architecture Ltd

Recommendation Refuse

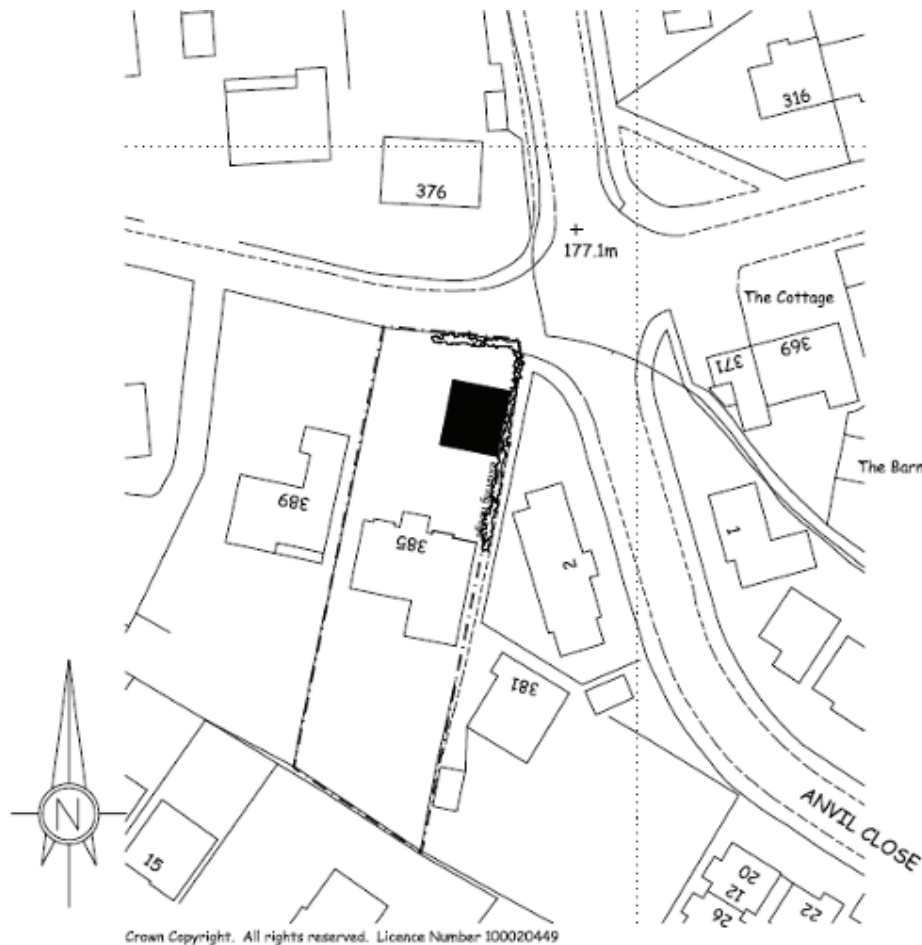
For the following reason(s):

- 1 The Local Planning Authority considers that the design of the proposed garage, by reason of its overall size and siting would be out of keeping with the design of the existing house and would be injurious to the character of the property itself and the street scene. It would therefore be contrary to Policy H14 of the Unitary Development Plan.
- 2 The Local Planning Authority considers that the proposed development would be overbearing in relation to adjoining residential property and would therefore result in an unacceptable affect on the living conditions of occupiers of adjoining property. As such the development would be contrary to Policy H14 of the Unitary Development Plan.

# Site Location



© Crown copyright and database rights 2011 Ordnance Survey 10018816



## LOCATION AND PROPOSAL

The application relates to a detached dormer bungalow which has been extensively altered and extended in the past. The property is set back approximately 23 metres from Wood Lane and is surrounded by other residential properties.

Planning permission is sought for the erection of a detached double garage located to the front of the property, set back around 5m from the highway. The garage extends to 8 metres in width and 7 metres in depth. It has a pitched roof with an eaves height of approximately 2.4 metres and a ridge height of 4.3 metres. The garage incorporates a double garage door to the west (side) elevation with all other elevations being blank and constructed in brick. It presents a blank side gable to the road frontage.

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

## RELEVANT PLANNING HISTORY

The site has been the subject of numerous applications for extensions and alterations.

Of most relevance, planning permission was sought for the 'erection of a garage with ancillary living accommodation above' under application reference 10/01689/FUL. This application was refused in July 2010 as it was considered that the development would have an adverse impact upon the character and appearance of the area and would be overbearing upon the occupants of the neighbouring property (No.2 Anvil Close). It was also considered that the proposal may give rise to unacceptable levels of overlooking to neighbouring dwellings.

A revised scheme for the 'construction of a detached garage with ancillary accommodation over' was later submitted in October 2010 under application reference 10/03380/FUL. This garage measured 8.5 metres in width x 7 metres in depth x 5.4 metres in height.

This application was refused by the West and North Planning Committee in January 2011 for the following reason:

The Council considers that the development as proposed will result in significant overlooking to the neighbouring property at 2 Anvil Close, causing a loss of privacy to the occupiers of this property. The height of the proposed development would also be overbearing to the occupants of the neighbouring property to the detriment of the living conditions of the neighbouring residents. This is contrary to Policy H14 of the Council's Unitary Development Plan.

The applicant submitted an appeal against this decision, which was dismissed on 31st May 2011. In dismissing the appeal, the Planning Inspector was of the view that the development also had a harmful impact upon the character and appearance of the area. The Inspector did feel that the proposed development by way of its height may be overbearing if the hedge between the two properties were ever to be removed and concluded that even if he were to accept that the hedge would remain, there were no matters to outweigh his concern that the proposal would unacceptably harm the character and appearance of the area and that given the Inspector's reservations about the hedge, the additional harm that could result to the local environment and to the living conditions of the residents of 2 Anvil Close added to his concerns. It was on these grounds that the Inspector dismissed the appeal.

## SUMMARY OF REPRESENTATIONS

Bradfield Parish Council has no objections to the proposal provided all planning rules are followed.

The Loxley Valley Protection Society object to the proposed development raising the following points:

- Although the proposed garage is now shown as single storey, it is still a large structure that will dominate the only part of the neighbouring garden at No 2 Anvil Close that is not already over-shadowed by the previous extensions to 385. As such it will seriously affect the amenity of the residents of No 2.

- We are concerned that the size of the garage is out of proportion with the bungalow, and it may be considered out of keeping with the street scene.
- There is space to locate a garage to the right hand side of the plot (when viewed from Wood Lane) which would not interfere or over-shadow any neighbouring properties, and this would seem to be a more sensible location.
- We suggest a site visit by Board members in view of the contentious planning history of the site.

A letter has also been received from the occupiers of the neighbouring property. This also objects to the development on the grounds that it would be overbearing and prominent in the street scene.

## PLANNING ASSESSMENT

### Policy

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area and so needs to be assessed against UDP Policy H14. This sets out:

‘In Housing Areas, new development or change of use will be permitted provided that:

- new buildings and extensions are well designed and would be in scale and character with neighbouring buildings; and
- the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood’

The Supplementary Planning Guidance: Designing House Extensions can also be applied to this proposal. Guideline 5 is concerned with overshadowing and overdominance; and Guideline 6 relates to overlooking and issues of privacy.

### Streetscene

The proposed building would be set forward of No.385 and at the closest point would be 5 metres from Wood Lane. This is in a similar position to the previous scheme that was refused and the appeal dismissed. The garage proposed by this application would be 8m x 7m and the roof would have a shallower pitch making the building around 4.3m high. The previously refused proposal measured 8.5m x 7m x 5.4m.

In determining the appeal for the previous application, the Inspector stated that ‘the proposal would result in a very substantial free-standing building in the front garden of the property. Being close to the junction of Wood Lane and Anvil Close, this is a relatively prominent location. Although roadside vegetation and a high boundary hedge exist, this new development would be a dominant feature in the street scene due to its overall size and proximity to the road.’

He went on to state ‘It would have a relatively squat design given its width, its height and the low pitch of the roof’.



Although lower in height, the dimensions of the building now proposed are not considered to be significantly different from the building that was refused planning permission and dismissed on appeal. It is considered that the proposed building would still be prominent within the street scene and given the sizeable, squat nature of the development, would still be harmful to the character and appearance of the area.

In these respects it is considered that the development would be contrary to UDP Policy H14.

#### Amenity

The proposed building would be close to the boundary with No. 2 Anvil Close at a distance of approximately 1 metre from the boundary. This is a modest bungalow on a corner plot and, at present, a high coniferous hedge forms the boundary between the two properties.

In dealing with the previous appeal, the Inspector was of the view that although identified for retention, should the hedge be removed, the development would have an overbearing impact upon the garden of No.2 Anvil Close and so would be harmful to the amenity of occupiers of this property. The Inspector also considered that whilst he had no reason to believe that the hedge would be removed, he also had no certainty, particularly as the ownership of the property could change in the future. He also noted that conditions relating to the retention of hedges are notoriously difficult to enforce, particularly if they include a requirement for maintenance at such a substantial height.

With this in mind, given that the garage proposed by this application is sited in approximately the same position as the appeal proposal and although slightly lower in height, it is still considered that the proposed development may be overbearing upon occupiers of the neighbouring property were the hedge to be removed.

No windows are proposed within the garage and so the development raises no overlooking issues.

#### Highways

The proposed garage would be large enough to accommodate two cars and there would be ample room to accommodate several others on the driveway. Accordingly, the proposal raises no highway safety concerns.

#### SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of a single storey detached double garage to the front of 385 Wood Lane.

This is a resubmitted scheme with previous applications for a garage with living accommodation above having been refused and an appeal dismissed. This application omits the living accommodation above the garage.



However, the garage proposed by this application would be sited in much the same location as the previously refused schemes and would be of a similar size. It is maintained that the development, by way of its siting, massing and external appearance would have a harmful impact upon the character and appearance of the area and would be contrary to UDP Policy H14.

Concerns also remain that the building, being within 1 metre of the boundary and being over 4 metres in height, would be likely to be overbearing upon the garden of No.2 Anvil Close, thereby having a harmful impact upon the amenity of occupiers of this dwellinghouse. This too would be contrary to UDP Policy H14.

It is therefore recommended that planning permission be refused.

---

Case Number 12/01653/FUL (Formerly PP-02007245)

Application Type Full Planning Application

Proposal Siting of one 5kW wind turbine on a 15m high pole with 5.5m diameter blades

Location Land To The North Of Low Lathe Farm  
Low Lathe Lane  
Sheffield  
S36 2TB

Date Received 06/06/2012

Team NORTH & WEST

Applicant/Agent Aspire Planning 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 numbers ASP -001, ASP-002 and 014-AD-00281 which were received on 20th June 2012  
  
unless otherwise authorised in writing by the Local Planning Authority.  
  
In order to define the permission.
- 3 Noise from the approved Evance R9000 wind turbine (when measured as a LA90 30 mins) shall not exceed background noise levels at the nearest noise sensitive property (when measured as a LA90 30 mins).  
  
In the interests of the amenities of nearby residents.
- 4 The wind turbine shall be removed and the land restored to its former state should the use of the turbine for power generation purposes cease.  
  
In the interests of the visual amenities of the locality and to protect the openness of the Green Belt.

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

GE4 - Development and the Green Belt Environment

GE13 - Areas of Natural History Interest and Local Nature Sites

CS63 - Responses to Climate Change

CS64 - Climate Change, Resources and Sustainable Design of Developments

The proposed turbine is deemed to be in accordance with guidance contained in the National Planning Policy Framework, Policies YH2 and ENV5 of the Yorkshire and Humberside Regional Spatial Strategy, Core Strategy Policy CS63 and CS64 as well as Policies GE1, GE2, GE4 and GE13 of the Unitary Development Plan.

The turbine would not have an adverse impact upon the character and appearance of the area or the environment, would not give rise to disamenity by way of excessive noise or shadow flicker and would be unlikely to interfere with radio, television or radar.

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](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details are at the top of this notice.

# Site Location



© Crown copyright and database rights 2011 Ordnance Survey 10018816

## LOCATION AND PROPOSAL

The application relates to land to the north of Low Lathe Farm and to the west of Holly Hall (which is in Barnsley's jurisdiction). The land in question is within the ownership of the occupants of Holly Hall. The site is on a hillside in open countryside, fairly close to sizeable electricity pylons.

Planning permission is sought for the erection of a single wind turbine on a tower 15m in height. The sweep of the turbine blades would have a diameter of 5.5m making the overall height of the structure just under 18m. The turbine would have three polyurethane blades, with a white finish. It is anticipated that the turbine would have a peak output of 5kW and would be connected to the Grid.

The site is identified on the Unitary Development Plan Proposals Map as being within the Green Belt and is close to the boundary with Barnsley Metropolitan Borough Council to the north and east. The site is also visible (albeit from a distance) from the Peak District National Park to the west. The site is also identified as being within an Area of Natural History Interest.

## RELEVANT PLANNING HISTORY

There is no relevant planning history relating to this site.

Earlier this year planning permission was granted for the erection of a wind turbine at Avis Royd Farm under application reference 11/01035/FUL. This is located approximately 3km to the west of the application site.

Planning permission has been granted, and a turbine erected, at Windy Bank Hall around  $\frac{3}{4}$  km to the west. This is a similar sized installation to the one proposed by this application but with a higher peak output of 15kW. This application was dealt with by Barnsley Metropolitan Borough Council under application reference 2010/1187. This installation has caused many complaints from local residents, with particular regard to noise.

## SUMMARY OF REPRESENTATIONS

Both Barnsley Metropolitan Borough Council and the Peak District National Park Authority have been consulted on the application. Neither authority has raised any objections. Barnsley state that although prominent, the development would have little impact upon the Borough, views of the turbine being from a distance. Their Regulatory Services also raise no objection with regard to noise.

Angela Smith MP has raised concerns about potential noise and also the concentration of wind farms in the Barnsley / North Sheffield area; the cumulative impact being of detriment to the appearance of the area and the Green Belt.

Hunshelf Parish Council has objected to the proposal on the grounds of visual intrusion and noise impact. They also question the contribution the turbine would make to renewable energy, as the turbines can only operate at certain wind speeds.

Barnsley Cllr Robert J Barnard and Cllr John M Wilson have raised concerns about the turbine and have also cited problems associated with the Green Moor mast (Windy Bank Hall). The Cllrs ask for the impact of low frequency noise, shadow flicker and the cumulative impact of these developments on the green belt to be taken into account as well as the impact upon wildlife.

3 representations have also been received from local residents who are concerned about noise and sensory effects, the impact upon the appearance of the area, particularly as there are already several turbines of a similar size in the area with potentially more planned, shadow flicker, and impact upon wildlife. One of the letters provides papers and research into the physiological impacts that such wind turbines may have.

The impact upon the appearance of the area is considered in this report but loss of view is not a reason to refuse an application.

One of the representations also questions the extent of neighbour notification. Occupiers of neighbouring properties have been consulted as have neighbouring local authorities (Barnsley and Peak Park). Stocksbridge Town Council was also notified as was the Public Rights of Way Group.

## PLANNING ASSESSMENT

The site is located within the Green Belt in a fairly prominent location on rising land.

Paragraph 91 of the National Planning Policy Framework sets out that 'When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances include wider environmental benefits associated with increased production of energy from renewable sources.'

The Government has set out its intentions to abolish Regional Strategy through the Localism Bill; however for the time being policies contained within the Regional Spatial Strategy (RSS) for Yorkshire and the Humber remain in force and are a material consideration. The RSS contains policies which seek to address climate change and encourage the use of renewable energy sources. Policy YH2 of the RSS seeks to reduce Greenhouse Gas emissions by 20-25% compared to 1990 levels. Policy ENV5 of the RSS further promotes the use and development of renewable energy sources and refers to the aims of Policy YH2.

Core Strategy Policy CS63 – Response to Climate Change promotes developments that generate renewable energy and Policy CS64 – Climate Change, Resources and Sustainable Design requires developments to reduce energy consumption and carbon emissions.

Unitary Development Plan Policies GE1 – Development in the Green Belt, GE2 – Protection and Improvement of the Green Belt Landscape, GE3 – New Building in

the Green Belt and GE4 – Development and the Green Belt Environment are also applicable. These policies set out measures to maintain, enhance and improve Green Belt Areas and to restrict inappropriate urban development, except in very special circumstances.

#### Policy Issues

The site is within a fairly prominent Green Belt location and so will have some impact upon the open character and appearance of the area. UDP Policy GE3 – New Building in the Green Belt sets out that the development other than for the purpose of agriculture, forestry or essential facilities for outdoor sport and recreation will not be permitted, except in very special circumstances.

As justification for the development the applicant has put forward the argument that the proposed turbine is a relatively small scale wind turbine and a stand-alone structure, which would provide clean, renewable energy.

It is indicated that the proposed turbine would be connected directly to the grid, however it is anticipated that the turbine may be able to meet the equivalent of the current energy needs of the occupants of Holly Hall, producing an annual yield of 9,167KwH, their current consumption being around 6,750 KwH. The production of this renewable energy would therefore reduce carbon emissions and would contribute towards the Government target of cutting greenhouse gas emissions. The development would also help the city to meet the requirements of the Regional Spatial Strategy.

As mentioned above, the NPPF does state that very special circumstances may include wider environmental and economic benefits associated with increased production of energy from renewable sources, whatever their scale, and so this should be given significant weight in determining proposals.

The benefits of the production of renewable energy therefore need to be weighed against the harm the development may have upon the character and appearance of the area.

#### Design and Visual Impact

The proposed wind turbine would be located within a field to the west of Holly Hall and to the north of Low Lathe Farm.

The land in this location slopes quite steeply from north to south with the proposed turbine set towards the northern horizon. Being in open country, views of the site are afforded from a long distance and it would be able to be seen, albeit fleetingly, from certain locations within Deepcar / Stocksbridge to the south. However, given the size of the turbine it is considered that it would not be particularly prominent from these distant locations, the neighbouring electricity pylon being of far greater prominence (the pylon is almost double the height of the proposed turbine and has a greater bulk).

The site is not close to any main roads but is criss-crossed by a number of footpaths and access tracks for the surrounding farms. The turbine would be highly visible from these access ways. However, as mentioned above the turbine would be sited fairly close to existing electricity infrastructure and so would not be introducing a new vertical feature into an area that is totally open.

The site is not within an Area of Outstanding Natural Beauty or an Area of High Landscape Value.

The turbine would be connected to the grid through underground cabling and so no external equipment cabinets would be required. In addition, the tower upon which the turbine would be mounted as well as the blades are fairly slender, thereby lessening the visual impact.

Several of the letters of objection received are concerned with the cumulative impact the turbine would have upon the character and appearance of the area with planning permission having been granted earlier this year for the turbine at Avis Royd Farm to the west as well as the Windy Bank Hall turbine within the Barnsley area.

The turbine at Avis Royd is some 3km to the west of the site and this turbine would not be viewed in the same context as the one proposed by the current application. The turbine at Avis Royd, when viewed from most angles would be set against the backdrop of the hillside whereas this turbine is more prominent being towards the top of the slope.

Closer to the site is the turbine at Windy Bank Hall which is around  $\frac{3}{4}$  of a kilometre to the west on a similar elevation. From distant views it is likely that both of these turbines would be able to be seen at the same time, however it is considered that given the distance between the two installations and the pylons and electricity cables that run between, these two turbines would not appear related and certainly would not be viewed as a commercial wind farm.

It is considered that the visual impact of the proposal would not be so harmful as to justify the refusal of planning permission on this basis.

#### Noise issues

Most of the representations received have objected to the proposed turbine on the grounds of noise. This is due, in part, to issues arising from of the similar sized turbine sited at Windy Bank Hall (within Barnsley's jurisdiction) that has caused serious amenity issues.

With this in mind, the proposed noise impact of the scheme has been carefully scrutinised. Based on the noise data provided for the single turbine, the sound pressure levels will be within acceptable levels at both on and off site receptors. The turbine is highly unlikely to result in noise levels that give rise to any disamenity off site.



The Product Certification for the proposed wind turbine ( Ref.Evancewind R9000 UK MCS Certification Summary, Issue 03), shows that noise levels from the wind turbine will not exceed background noise levels when measured at the nearest noise sensitive properties to Low Lathe Farm.

The 'Noise Label' for the proposed wind turbine (certified by the British Wind Energy Association, BWEA) shows that the proposed wind turbine does not generate tonal noise (tonal noise indicates that a wind turbine is more likely to cause a noise nuisance). The Acoustic Data Summary in the above document shows noise levels generated by the window turbine to be 35dB at a distance of 134m.

Given that the nearest noise sensitive property from the proposed wind turbine is a distance of 160m it is considered that a refusal of the application on the basis of disamenity by way of noise cannot be justified.

#### Shadow Flicker Impact

Shadow flicker problems occur when the shadow of rotating wind turbine blades fall across the windows of nearby housing in direct sunlight. The rule of thumb, applied in PPS22 (which although abolished still provides useful guidance), is that shadow flicker can occur within 10 rotor diameters of the turbine, which would equate to a distance of 55 metres in this case.

The nearest residential property is 160m from the site to the east and this is within the ownership of the applicant. To the south Low Lathe Farm and Old Park House are respectively 180m and 270m from the site. Other properties at Green Moor are to the north and east and are in excess of 600m from the site.

It is considered that given the topography of the site and distances of properties from the proposed development shadow flicker is not anticipated to be a problem.

#### Radio, Television and Radar Interference

It is the responsibility of developers to address any potential impacts taking into account Civil Aviation Authority, Ministry Of Defence and Department of Transport Advice in relation to radar and aviation and legislative requirements on separation distances prior to an application being submitted. The Joint Radio Company Ltd (a joint venture between the UK energy industries and the National Grid) do not foresee any potential problems based on known interference scenarios and the data provided.

#### Highways

It is considered that the proposed wind turbine would not result in any highways safety concerns being sited well away from the A616 trunk road to the south.

#### Ecological Issues

The site is just within an Area of Natural History Interest. The Local Nature Site listing describes the site as 'comprising a long narrow strip, primarily of grassland on the northern boundary of Sheffield. The south-facing aspect and steep free-draining slope have contributed to making the site an area of dry acid grassland...Much of the grassland is unimproved and most of the site is grazed. There are rock outcrops and a large number of dry stone walls in varying states of repair which provide ideal habitat for small mammals and reptiles. Some areas of scrub, mainly gorse (*Ulex europaeus*) or western gorse (*Ulex gallii*) provide variety and good habitat for birds associated with this type of farmland, including sky larks and yellowhammers. There is a mature hedgerow along some of the southern boundary of the site which includes a good variety of hedgerow species.'

Though there may be isolated incidents of bird strike generally associated with wind turbines, it is not considered that the proposed development would pose any major ecological issues. The turbine would be of a small scale and located close to the existing electricity pylon. Studies have found that the risk from wind turbines to most species is very low with a far greater risk from overhead lines, moving cars and domestic cats.

UDP Policy GE13 – Areas of Natural History Interest and Local Nature Sites sets out that development which would damage Areas of Natural History Interest will not normally be permitted. Development affecting Local Nature Sites should, wherever possible, be sited and designed so as to protect and enhance the most important features of natural history interest.

The site of the proposed wind turbine would be towards the northern edge of the Local Nature Site, adjacent to pasture land. The turbine would occupy a very small area of land and could be installed with minimal disturbance.

Natural England has produced technical guidance entitled 'Bats and Onshore Wind turbines' which suggests a 50 metre buffer zone should be maintained between turbines and woodland areas. The proposed turbine would be well in excess of this distance, sited around 120m from a tree belt to the south and east of Holly Hall and a similar distance from trees / scrub to the north and west at Green Moor Delf.

There are no ecological reasons to prevent the siting of a wind turbine in this location.

## RESPONSE TO REPRESENTATIONS

One of the representations cites physiological and sensory effects as a reason for objecting to the proposed development and has provided papers on research carried out in America and elsewhere.

Much of this research does seem to relate to much larger commercial wind farm installations; however the objector does also look at the effects that the recent turbine at Windy Bank has had. This installation is closer to residential properties at Green Moor than the current proposal and, although of a similar height was for a more powerful turbine. This turbine has caused problems due to noise which Barnsley MBC has sought to rectify.

Sensory impacts are hard to quantify and at present there are no planning policies, national or local relating to this subject - just because a wind turbine can be sensed (this could simply mean that it can be seen) does not necessarily mean that it will cause harm. The quantifiable aspects of the application (noise and shadow flicker) have been assessed and the development is deemed to be acceptable with regard to these criteria.

In the absence of any current policies relating to sensory effects, it is considered that a refusal of the application on these grounds cannot be justified.

Other issues raised by objectors have been dealt with in the main body of the report above.

## SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of a wind turbine on a 15m high pole within the Green Belt on the hillside to the north of Deepcar.

It is considered that the proposed turbine would not have a significantly adverse impact upon the open character and appearance of the area, would not give rise to disamenity by way of excessive noise or shadow flicker and would be unlikely to interfere with radio, television or radar. The proposed development poses no ecological reasons to substantiate a refusal of the application

In this instance the production of renewable energy is deemed to constitute 'very special circumstances' that would allow such development within the Green Belt.

It is considered that the application is in accordance with guidance contained in the National Planning Policy Framework, as well as Policies YH2 and ENV5 of the Yorkshire and Humberside Regional Spatial Strategy. The proposed development is also in accordance with Core Strategy Policy CS63 and CS64 and does not conflict with UDP Policies GE1, GE2, GE3, GE4 or GE13.

It is thereby recommended that planning permission be granted with conditions to ensure that any noise from the installation does not cause disamenity as well as a condition requiring the turbine to be removed should its function cease.

---

Case Number	12/01788/FUL (Formerly PP-02034905)
Application Type	Full Planning Application
Proposal	Retention of boundary wall incorporating proposals to reduce the height of wall sections along Slayleigh Lane and Hallamshire Road and erection of new gates (Amended description) (As amended 31/08/2012)
Location	83 Slayleigh Lane Sheffield S10 3RG
Date Received	19/06/2012
Team	NORTH & WEST
Applicant/Agent	Sharplink Designs LTD
Recommendation	Grant Conditionally

Subject to:

- 1 The walls shown on the approved drawings shall be reduced in height in accordance with the approved drawings within 3 months of the date of this permission.

In the interests of the visual amenities of the locality.

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

drawing no. SL 01 Rev P2, 02 Rev P2, 03 Rev P2 and 04 Rev P2 received on 31.8.12

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

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 Developments in Housing Areas

BE6 - Landscape Design

CS74 - Design Principles

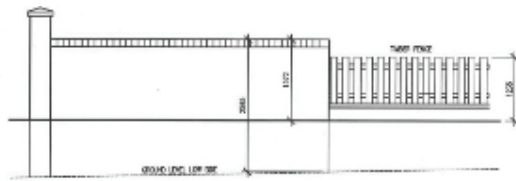
Overall it is considered that the development complies with the relevant policies and proposals in the development plan, and would not give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance

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](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details are at the top of this notice.

# Site Location

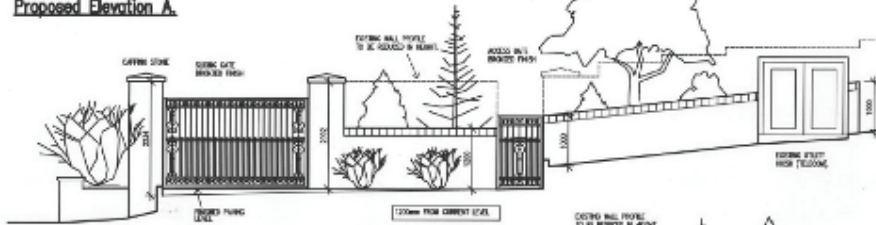


© Crown copyright and database rights 2011 Ordnance Survey 10018816

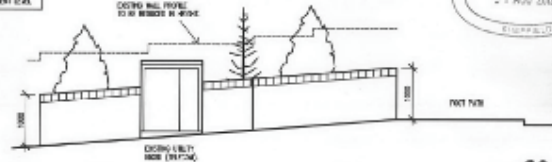
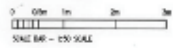


Amended Plan  
"SET 1"

**Proposed Elevation A.**

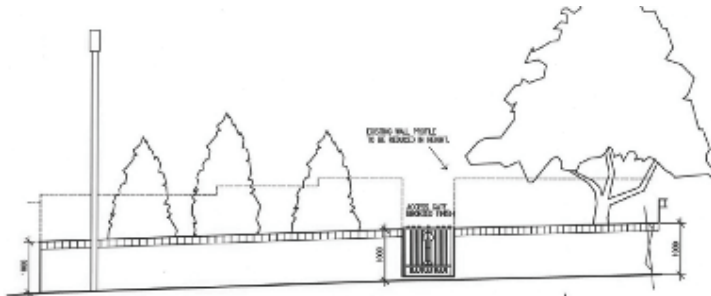


**Proposed Elevation B.**



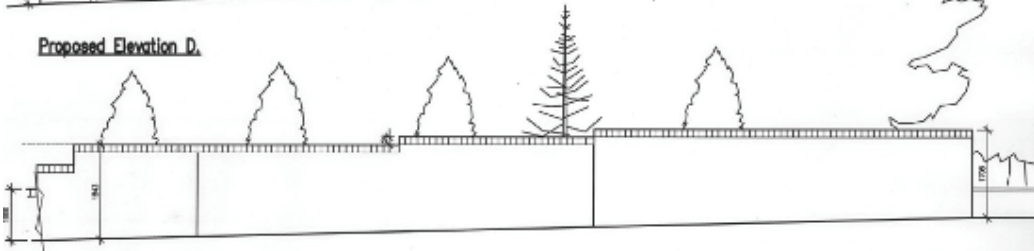
**Proposed Elevation C.**

A3



REVISIT  
Amended Plan  
"SET 1"

**Proposed Elevation D.**



**Proposed Elevation D.**









## LOCATION

The site comprises a detached dwelling and its garden situated on the corner of Slayleigh Lane and Hallamshire Road in a predominantly residential area at Fulwood.

Boundary walls between 1.7 and 2.2 metres in height have recently been erected alongside this property's frontages to Hallamshire Road and Slayleigh Lane, and walls/fencing up to 2.7 and 2.0 metres in height respectively have been erected on part of the side boundaries alongside no. 81 Slayleigh Lane and no. 98 Hallamshire Road, all without the benefit of planning permission.

## PROPOSAL

This application has been amended since its original submission.

As originally submitted, this application sought retrospective planning permission to retain these boundary walls as currently constructed, and sought full planning permission to erect a pair of 2.2 metre high gates across the drive access and two 1.9 metres high gates at the pedestrian entrances.

The application has since been amended and now proposes to reduce the height of the walls constructed on the Slayleigh Lane frontage, reduce the height of part of the wall constructed on the Hallamshire Road frontage, retain the remaining part of the wall on the Hallamshire Road frontage at its constructed height, simplify the proposed gate design, and to undertake some planting on the garden side of the walls.

The proposal, as amended, reduces the height of the two sections of boundary walls fronting Slayleigh Lane from the constructed heights of 2.1 and 1.7/1.9 metres down to 1.2 and 1 metre high. It reduces the height of the wall on the splayed corner from 1.7/1.8 metres down to 1 metre high, and reduces the height of the first 12 metres length of walling on the Hallamshire Road frontage from the constructed height of 1.9/2.0 metres down to 1 metre high where it then steps back up to the retained height of 1.85 metres.

The remaining 18 metre length of 1.7/1.9 metre high walling on Hallamshire Road that flanks the rear garden of no.83 would be retained at its constructed height.

The amended proposal retains the gate piers on Slayleigh Lane, and the walls and fencing alongside the side boundaries of no.81 Slayleigh Lane and no.98 Hallamshire Road as built.

The amended proposal seeks to erect a 1.9 metre high sliding gate across the drive access, a 1.4 metre high pedestrian gate on the Slayleigh Lane frontage, and a 1.1 metre high pedestrian gate on the Hallamshire Road frontage.

## RELEVANT PLANNING HISTORY

In the 1980's full and then outline planning permission was granted for the erection of a dwelling on the rear garden of no. 83 Slayleigh Lane with a frontage to Hallamshire Road (applications nos. 82/1359P and 88/1730P refer). Neither of these permissions were implemented.

In 2009 full planning permission was granted for alterations and extensions to the dwelling at no. 83 Slayleigh Lane including two-storey side extension with first floor rear balcony, first floor two-storey side extension and two-storey front extension (application no. 09/01220/FUL refers).

## SUMMARY OF REPRESENTATIONS

The application and its subsequent amendment have been publicised by letters to neighbouring occupiers.

In respect of the application as originally submitted the following representations were received:

2 letters have been received from adjacent occupiers at nos. 81 Slayleigh Lane and 98 Hallamshire Road stating no objections.

10 representations have been received objecting to the proposal as originally submitted:

- the wall is very tall, the wall is an eyesore, given greater emphasis as prominent and elevated corner, look of an industrial estate, resembles a secure compound, gives impression of a prison fortress;
- house already hugely extended and altered, area very open, green, safe;
- out of keeping with local streetscape, the height of the wall is out of keeping with other boundary walls in the neighbourhood, properties locally have low walls, no walls or boundaries marked by trees and shrubs, supplemented by taller hedges if greater privacy is required by house owners;
- height of wall on Hallamshire Road is too high and oppressive;
- style of large stone blocks at odds with boundary walls of nearby properties
- exceeds height of usually permitted boundary walls;
- mature pine adjacent to wall on Hallamshire Road;
- previous wall and greenery screening suited the character of the area, attractive outlook, mature shrub/hedge removed to build wall;
- not apparent whether foundations laid, no new foundations excavated, built on old wall base less than 0.5 m high;
- distracting to road users, busy junction on school, bus and commuter route;
- where footpath affected no making good undertaken;
- set a dangerous precedent;
- only benefit of such high walls is they obscure a property out of keeping with area;
- consider a low wall with a hedge or shrubs behind, prefer boundary walls to be reduced significantly;

An objection has been received from Councillor J. Sidebottom relating to;

- concern about precedent if allowed these walls particularly against the footpath on Hallamshire Road, this stretch of wall adjacent to footpath at nearly 2 metres

high and 40 metres long is quite oppressive for pedestrians walking here, if approved could make refusal of similar applications difficult;

- all dwellings fronting Hallamshire Road have low walls less than 1 metres high, some have high hedges behind to protect their privacy, a solid stone wall of this length is not in keeping with character of houses on Hallamshire Road;
- the wall on Slayleigh Lane is not adjacent to the footpath, it has a grass verge in front of it, it has gate breaks in it, is of a shorter length than the wall on Hallamshire Road frontage and is stepped and presents a less oppressive outlook for pedestrians;
- negotiate to reduce height of wall fronting Hallamshire Road as it affects pedestrian amenity and is not in keeping with the character of Hallamshire Road.

Following the submission of amendments to the application, the following representations have been received:

9 representations have been received to the amended plans relating to the following matters;

- the general approach to reduce the wall in some parts is welcome;
- majority of the elevation to Hallamshire Road remains almost 2 metres high, a wall of this height is out of place, unsightly, unnecessary, contrary to character of area typified by low front walls without high screens and open on both sides of the road, out of keeping with all other properties, does not contribute to sense of community;
- gates unnecessarily ostentatious, over ornate and when open stand above wall;
- odd mismatch alongside no 98 Hallamshire Road, return elevation alongside no. 98 Hallamshire Road is not in keeping with neighbouring properties where shrub screening is established as the norm for privacy purposes;
- artificial stone does not reflect the red brick walls with shrubbed screening to Slayleigh Lane;
- other corner plots have low/unobtrusive walls and hedges;
- sets a dangerous precedent;
- if the applicant wishes to preserve the privacy of their rear garden they should re-instate a screen of shrubs and/or trees as destroyed to build the wall.

## PLANNING ASSESSMENT

### Policy Issues

The Sheffield Unitary Development Plan (UDP) identifies the site as being within a Housing Area. Policy H14 of the UDP relates to conditions on development in Housing Areas including matters of design, amenity and highway safety. Policy BE6 seeks good quality landscape design in new developments and refurbishment schemes. Sheffield Development Framework (SDF) Core Strategy Policy CS74 expects high quality development to respect, take advantage of, and enhance distinctive features of the city, its districts and neighbourhoods including townscape and landscape character.

### The Boundary Walls As Constructed

The frontage to Slayleigh Lane gradually rises with the incline of the road up to its junction with Hallamshire Road. The wall on this frontage has two gaps in it, one for a vehicular access and one for a pedestrian gate.

As constructed, this Slayleigh Lane frontage comprises two gate piers (2.8 and 2.2 metres high) either side of the vehicular access, a 3.7 metre length of wall 2.1 high between the two entrances, and a wall stepping up the frontage varying in height from 1.7 to 1.9 metres.

The boundary of the property fronting the junction of Slayleigh Lane and Hallamshire Road is splayed and the ground levels continue to gradually rise up to Hallamshire Road.

The wall as constructed on this splayed corner is 7.6 metres long and steps up the frontage with a height varying from 1.7 to 1.8 metres.

The boundary alongside Hallamshire Road has a shallower gradient. This section of the boundary wall has a gap for a pedestrian gate in it.

The wall as constructed on the Hallamshire Road frontage varies between 1.7 and 2 metres high.

The ground levels of the front garden of no.81 Slayleigh Lane are approximately 1 metre lower than the adjacent land levels on no. 83. The wall and timber fence constructed alongside this boundary between the front gardens of these two properties is up to 2.7 metres high from the lower level.

The boundary alongside no.98 Hallamshire Road rises up towards the frontage. A 1.8 metre high timber fence and a stepped wall between 1.7 and 2 metres high has been constructed along part of the boundary between the gardens of these properties.

The walls are constructed of coursed artificial stone with an artificial stone capping. The proposed gates are metal with a bronzed finish.

#### Impact on the Character of the Locality

Prior to the erection of these walls at no.83 Slayleigh Lane its frontages comprised low walls and a mix of shrub planting and trees.

The surrounding area is predominantly residential in character. There are wide grassed highway verges along the southwest side of Slayleigh Lane and along the north side of Hallamshire Road.

The houses in the immediate locality are mainly set back from the street frontage with moderately sized front gardens, and either low walls, hedging or other soft planting, or a combination of low walls and planting on their front boundaries.

This is also a characteristic of most corner properties in the locality although there are some exceptions to this.

The low rise flats on the opposite corner have mainly planted frontages to Slayleigh Lane and Hallam Grange Crescent. However just beyond these there is a high stone and screen block wall alongside no.14 Hallam Grange Crescent and a low wall supplemented by a fence set back from the verge alongside Hallam Grange.

Near to the next street corner (Hallamshire Road/Drive) to the south west of the site there is a high screen block wall with conifers behind alongside Hallamshire Road which forms the rear boundary of the property at no.3 Hallamshire Drive.

More modest exceptions are at the junction of Hallamshire Road/Crimicar Lane where there a low boundary wall is supplemented by a fence with garden planting behind (Mayfields). There are short lengths of fencing alongside Barncliffe Road near its junction with Hallamshire Road (no.71 Hallamshire Road), and also behind a low wall alongside Hallamshire Close near its junction with Hallamshire Road (no.9 Hallamshire Road).

Therefore whilst the general character of the area is of low walls and soft planting to the street frontages particularly on Slayleigh Lane, there are instances of higher walls and fences at or near corner sites along Hallamshire Road and its continuation into Hallam Grange Crescent.

The erection of walls not exceeding 1 metre in height above ground level adjacent to a highway used by vehicular traffic on this site is permitted development by virtue of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The proposal as amended seeks to reduce the height of the wall on the Slayleigh Lane frontage and on the splayed corner facing the junction down to 1.2 and 1 metre in height.

It is considered that the proposed 1.2 and 1 metre high walls on the Slayleigh Lane frontage and along the splayed corner of the site would not be visually intrusive into the streetscene and would be in keeping with the general character of Slayleigh Lane. The retention of the 2 metre high gate piers and proposed erection of the 1.9 metre high gate to the vehicular access will not be significantly intrusive or harmful to the appearance of the street.

The proposed reduction in height of a section of the wall fronting Hallamshire Road to 1 metre would not be visually intrusive into the streetscene and would be in keeping with the general character of Hallamshire Road.

The 1.7 to 1.9 metre high section where it flanks the rear garden of the house at no.83 is visible and prominent within the streetscene on Hallamshire Road. Having higher boundary walls on frontages alongside rear gardens on Hallamshire Road and Hallam Grange Crescent is not unprecedented. The wall at no.83 is of solid stone masonry and compared to the screen concrete block walling elsewhere it has a more dominant appearance.

It is considered that whilst this 18 metre length of 1.7 to 1.9 metre high walling flanking the rear garden of no.83 is visible and prominent in the streetscene, it is not so unduly intrusive that it would be harm the appearance or general character of the area or this part of Hallamshire Road.

The walls and fencing along the boundaries with nos.81 Slayleigh Lane and 98 Hallamshire Road will not be unduly prominent in the streetscene.

Overall, the general impact of the walls as proposed in the amendments to this application is considered acceptable and compatible with the general character and appearance of the streetscene and would not be harmful to the visual appearance of this locality.

The proposal complies with Policies H14 and BE6 of the UDP and SDF Core Strategy Policy CS74.

#### Impact on the Amenities of Residents

The proposal includes erection of a 2.7 metres high wall and timber fence alongside the boundary with no.81 Slayleigh Lane and a 1.8 metre high timber fence and a stepped wall between 1.7 and 2 metres high along part of the boundary with no.98 Hallamshire Road.

It is considered that the height and massing of these walls would not significantly overbear or overshadow these adjacent properties or otherwise harm the living conditions of nearby residents.

The section of higher walling on Hallamshire Road would not significantly overbear pedestrians using the adjacent footpath on Hallamshire Road.

The proposal complies with Policies H14 of the UDP.

#### Highway and Transportation Issues

There are no highway objections to the proposed development.

The proposal complies with Policies H14 of the UDP.

#### ENFORCEMENT

This is a retrospective application seeking to remedy the unauthorised erection of boundary walls.

A condition is recommended requiring the walls to be reduced in height in accordance with the approved drawings within an appropriate timescale, in this instance 3 months.

Should the works to reduce the height of the walls not be carried out authorisation is sought to take appropriate action including, if necessary, enforcement action and

the institution of legal proceedings to secure the removal of the unauthorised boundary walls and fencing.

## SUMMARY

Boundary walls between 1.7 and 2.2 metres in height have recently been erected alongside this property's frontages to Hallamshire Road and Slayleigh Lane, and walls/fencing up to 2.7 and 2.0 metres in height respectively have been erected on part of the side boundaries alongside no. 81 Slayleigh Lane and no. 98 Hallamshire Road, all without the benefit of planning permission.

The application has since been amended and now proposes to reduce the height of the walls constructed on the Slayleigh Lane frontage, reduce the height of part of the wall constructed on the Hallamshire Road frontage, retain the remaining part of the wall on the Hallamshire Road frontage at its constructed height, simplify the proposed gate design, and to undertake some planting on the garden side of the walls.

Overall, the general impact of the walls as proposed in the amendments to this application is considered acceptable and compatible with the general character and appearance of the streetscene and would not be harmful to the visual appearance of this locality.

It is considered that the height and massing of these walls would not significantly overbear or overshadow these adjacent properties or otherwise harm the living conditions of nearby residents. The section of higher walling on Hallamshire Road would not significantly overbear pedestrians using the adjacent footpath on Hallamshire Road.

There are no highway objections to the proposed development. The proposal complies with Policies H14 and BE6 of the UDP and SDF Core Strategy Policy CS74.

## RECOMMENDATION

It is recommended that;

- (i) planning permission is granted subject to conditions, and
- (ii) the Director of Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised boundary walls and fencing at 83 Slayleigh Lane should the works to reduce the height of the walls in accordance with the drawings hereby approved be not carried out within 3 months of the date of the planning permission.

This page is intentionally left blank



DATE 02 October 2012

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

---

**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** Lisa Shaw

**TEL NO:** 0114 2734791

**AREA(S) AFFECTED**

**CATEGORY OF  
REPORT**

OPEN

This page is intentionally left blank

### 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 APPEALS RECEIVED

An appeal has been received against the decision of the City Council to refuse planning permission at its meeting held on 22<sup>nd</sup> May 2012 for a 15 metre high telecommunications streetworks monopole with 3 antennae, 2 transmission dishes, 2 equipment cabinets and ancillary development on land at Oak Lodge Farm, Thompson Hill (Case No 12/00963/TEL).

### 3.0 APPEALS DECISIONS - ALLOWED

An appeal has been allowed against the non-determination by the City Council of an application for planning permission, under Section 192, to establish the lawful use of a unit for the unrestricted sale of goods including food (Use Class A1) at 9 Kilner Way (Unit E) (Case No 11/02635/LD2)

#### Officer Comment:-

Planning permission was granted for the redevelopment of the Kilner Way retail park with a restriction on the amount of ordinary retailing as opposed to the amount of "large bulky goods" on the rest of the site. The permission given in 2002 was implemented. An application for alterations to the shop front plus some internal changes was subsequently granted. The developers then applied for a Certificate of Lawfulness of a proposed use as they wished to use Unit E for additional unrestricted retailing and argued that the planning permission given to amend the elevation also gave permission for the whole unit and did not have any restrictions on the use.

The Inspector came to the conclusion that, despite the application form only referring to the shop front and minor internal alterations, the fact that the application contained elevation drawings of the whole building and the significant difference between the original elevation and the now proposed elevation were sufficient to comprise "a new chapter in the history of the building" and as no restrictions were placed on the type of retailing, the use for unrestricted A1 retailing was lawful.

#### 4.0 APPEALS DECISIONS - DISMISSED

i) an appeal has been dismissed against the non-determination by the City Council of an application for planning permission, under Section 192, to establish the lawful use of units 1 to 4 for the unrestricted sale of goods including food (Use Class A1) at 2 to 8 Kilner Way (Units 1-4) (Case No 11/02639/LD2)

**Officer Comment:-**

This appeal relates to four further units within the Kilner Way Retail Park. These were built under a planning permission granted in 2007 and contained a restriction on the amount of unrestricted A1 retailing that could be provided. The appeal was submitted on the same basis as that for Unit E described above, relying on changes to the elevations granted permission on 2009 to allow unrestricted A1 retailing in these four units.

In this case, the Inspector considered that the elevation changes proposed in the 2009 scheme were not significantly different to the elevation granted in 2007. Although all elevations were shown in this application, the fact that the changes were not significant meant that this could not be taken as forming “a new chapter in the history of the building” and so the proposed use for unrestricted A1 retail would not be lawful and so dismissed the appeal.

ii) An appeal has been dismissed against the decision of the City Council to refuse planning permission, under delegated powers on 12<sup>th</sup> July 2012, for the demolition of a conservatory and erection of a two-storey side extension to a dwellinghouse at 95 Longley Lane (Case No 12/01427/FUL)

**Officer Comment:-**

The house is an end terrace of three facing over a triangle of land at the junction of Longley Lane and Herries Drive. The main issues with the proposed side extension were the effect on the character of the area due to the proximity of the extension to Longley Lane and the size and design of the extension.

The Inspector was of the opinion that, although the houses on Longley Lane are set back from the highway between 5 and 7 metres and the extension would have a width of over 60% of the original building and come to 2.7 metres from the highway, it would not be significantly out of line with other development on the frontage. It would not materially affect the open character of the approach to Longley Hall and Longley Park.

However, the window design differs from that of the original building and would appear incongruous and draw attention to the extension making it more conspicuous. The proposal to fully pebbledash the extension would contrast with the original house and prevent it blending in and so harm the character of the property and the surrounding area and make the extension more conspicuous and out of character.

For these reasons, the Inspector dismissed the appeal.

## 5.0 RECOMMENDATIONS

That the report be noted

David Caulfield  
Head of Planning

02 October 2012

This page is intentionally left blank