

West and North Planning and Highways Committee

Tuesday 23 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, Adam Hurst, Talib Hussain, Bob McCann, Roy Munn, Denise Reaney, Garry Weatherall and Joyce Wright

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

The areas covered by this Board include Chapeltown, Crookes, Fulwood, Grenoside, Grimesthorpe, High Green, Hillsborough, Lodge Moor, Loxley, Oughtibridge, Parson Cross, Ranmoor, Stannington, Stocksbridge, Walkley and Worrall.

The Committee is responsible for planning applications, Tree Preservation Areas, enforcement action and some highway, footpath, road safety and traffic management issues

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

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

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

FACILITIES

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

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

**WEST AND NORTH PLANNING AND HIGHWAYS COMMITTEE AGENDA
23 OCTOBER 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 3. Apologies for Absence from Members of the Committee**
- 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 2nd October, 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. Applications Under Various Acts/Regulations**
Report of the Director of Development Services
- 8. Record of Planning Appeal Submissions and Decisions**
Report of the Director of Development Services

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

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)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

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

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SHEFFIELD CITY COUNCIL

West and North Planning and Highways Committee

Meeting held 2nd October 2012

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

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1. APOLOGIES FOR ABSENCE FROM MEMBERS OF THE COMMITTEE

1.1 There were no apologies for absence.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

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

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 11th September 2012 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 23rd 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.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **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 12/01653/FUL (formerly PP-02007245) 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) subject to a revision to condition 2, and an additional condition that 'Notwithstanding the approved plans, no work shall commence on site until revised details of the proposed fenestration treatment to Plots 313-331 have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and thereafter retained.', as outlined in a supplementary report circulated at the meeting, an application for reserved matters approval for the erection of 341 dwellings with associated car parking accommodation and landscaping works (application to approve appearance, layout and scale relating to outline scheme ref. 03/0020/OUT) (amended description and revised plans received 06.07.2012) at land at Station Road and Manchester Road, Deepcar (Case No. 10/01915/REM) be granted, conditionally;

(c) following consideration of an additional representation from the Loxley Valley Protection Society, as contained within a supplementary report circulated at the meeting, an application for planning permission for the erection of a detached double garage at 385 Wood Lane, Stannington (Case No. 12/01239/FUL) (formerly PP-01943575) be refused as the Committee considered that (i) 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 and as such it would therefore be contrary to Policy H14 of the Unitary Development Plan and (ii) the proposed development would be overbearing in relation to the adjoining residential property and would therefore result in an unacceptable affect on the living conditions of the occupiers of adjoining property and as such the development would be contrary to Policy H14 of the Unitary Development Plan; and

(d) following consideration of an additional representation, as contained within a supplementary report circulated at the meeting, an application for planning permission for the 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) at 83 Slayleigh Lane (Case No. 12/01788/FUL) be granted, conditionally. However, should the requirement of condition one on the approval notice not be complied with, authorisation is given for legal action including enforcement action to be taken to ensure compliance with this condition."

(Note. The application for outline planning permission for the demolition of garage and outbuilding and erection of 2/3 storey extension to existing building to form new cookery school at 377 Fulwood Road (Case No. 11/03980/OUT) (formerly PP-01755827) was withdrawn from consideration prior to the meeting).

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

7.1 The Director of Development Services submitted a report outlining to Members the response from Salt Box Developments Ltd (managed by Jaguar Estates Ltd)

- to the possibility of Planning Enforcement Action being pursued and presented options for Members to consider and decide upon a strategy that should resolve the two issues outstanding at this development.
- 7.2 The report stated that there were two outstanding issues at this development. Firstly the construction of the road inside the development had not been completed and therefore the Highway Authority had been unable to adopt the road as 'highway maintained at the public expense'.
- 7.3 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 had not been constructed, although the majority of the development had taken place. There was also a requirement to resurface the footway abutting the development site boundary.
- 7.4 At its meeting held on 2nd November 2010, the Committee received a report from the Director of Development Services which gave an update in relation to the provision of refuges on the A61 near Salt Box Lane. The 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 the 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 and Highways to pursue enforcement action against the developer.
- 7.5 During the intervening period, progress had been made regarding development of an acceptable layout and bollard specification for the refuges. Verbal updates had been given by officers at various meetings of the Committee. However, the necessary work to construct the refuges had not yet begun and Jaguar Estates who manage the site did not anticipate the work being completed this year. Officers and Members had been sensitive to the need to reach a negotiated solution with the developer in order to try to ensure that Salt Box Developments Ltd remained in an economically sound position to complete the development. However, the lack of progress had become increasingly frustrating and culminated in the Chair of the Committee requesting an internal meeting with officers from Planning, Highways and Legal Services to discuss options for securing a more positive outcome than had thus far been achieved.
- 7.6 Rod Wadsworth, representing Jaguar Estates Ltd., attended the meeting and informed the Committee that the highway works outlined in the report would commence shortly. However, he could not commit to work on the refuges being installed at the present time due to a lack of funding available to support the works.
- 7.7 **RESOLVED:** That (a) the report be noted;
(b) the Director of Development Services be informed of the concerns of the Committee that the situation had been allowed to remain unresolved up to this point;
(c) requests that officers continue dialogue with Jaguar Estates Ltd. to attempt to

resolve the issues outlined; and

(d) a further report be submitted to the Committee in four months outlining progress made since this meeting in attempting to resolve the issues outlined in the report.

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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



SHEFFIELD CITY COUNCIL
PLACE

REPORT TO WEST AND NORTH PLANNING AND
HIGHWAYS COMMITTEE

DATE 23/10/2012

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.
12/02745/FUL	1-39 Storth Park Sheffield S10 3QH	5
12/02640/FUL (Formerly PP-02154655)	The Fireplace Shop 568 Langsett Road Sheffield S6 2LX	16
12/02621/FUL (Formerly PP-02156494)	52 - 54 Church Street Oughtibridge Sheffield S35 0FW	25
12/02503/FUL	Curtilage Of 6 Watersmeet Road Sheffield S6 5FA	31
12/01716/FUL	Twigg Bros 51 Toyne Street Sheffield S10 1HH	43
12/01702/REM (Formerly PP-02002535)	Land To Rear Of 15 To 31 And Adjacent To 38 Hanson Road Sheffield S6 6RF	64
12/01599/FUL (Formerly PP-02003035)	Land At Rear Of 1 To 5 Austin Close Loxley Road Sheffield S6 6QD	87
12/01003/FUL (Formerly PP-01891484)	8 Carsick Hill Way (Land Adjoining The Quarters) Sheffield S10 3LY	98

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To The NORTH & WEST Planning And Highways Committee
Date Of Meeting: 23/10/2012

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	12/02745/FUL
Application Type	Full Planning Application
Proposal	Removal of parapet and formation of pitched roofs to flats
Location	1-39 Storth Park Sheffield S10 3QH
Date Received	28/08/2012
Team	NORTH & WEST
Applicant/Agent	Hooley Tratt Partnership 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:

323/03, 323/04, 323/05

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Prior to the commencement of development samples of the proposed facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

Attention is drawn to the following justifications:

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

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

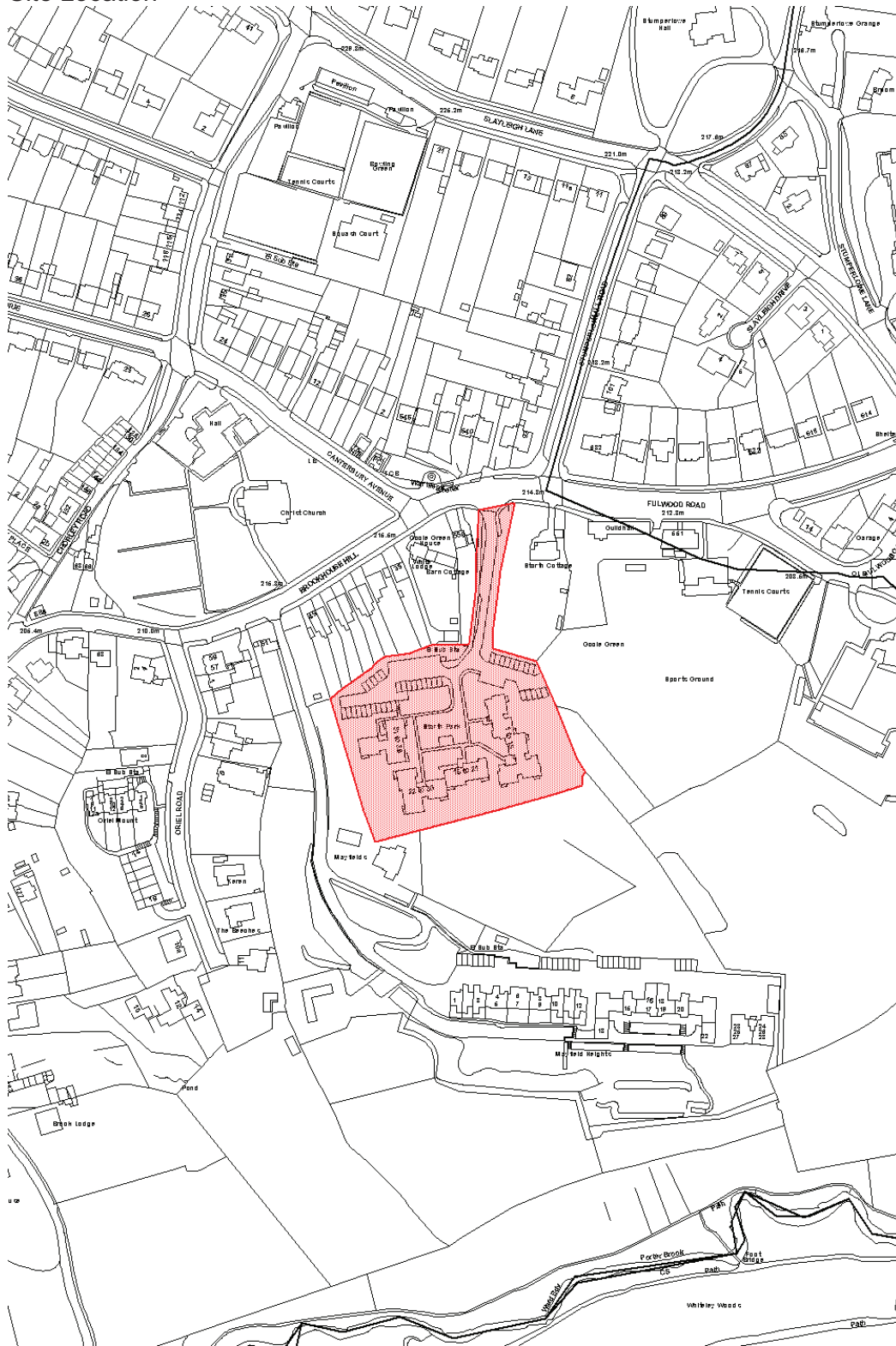
BE16 - Development in Conservation Areas

GE8 - Areas of High Landscape Value and the Peak National Park

The proposal development will not detract from the character of the flats themselves, furthermore, the scheme will not be harmful to key views into and out of the Conservation Area and Area of High Landscape Value. The development will not have an adverse impact on the amenities of nearby residents. Overall, it is considered that the scheme complies with Unitary Development Plan Policies H14, BE16 and GE8 and Supplementary Planning Guidance on Designing House Extension, as such it is recommended for approval.

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

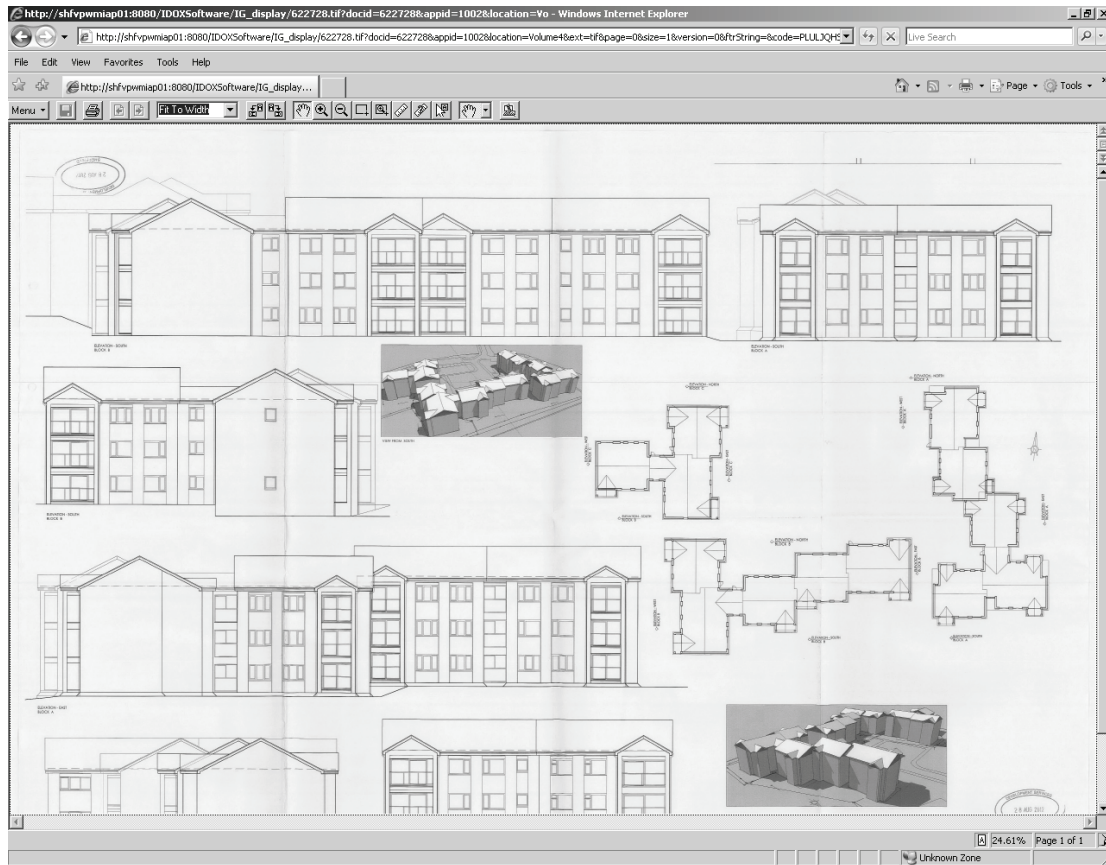
Site Location



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LOCATION AND PROPOSAL

The application relates to Storth Park flats which comprise 39 flats in 3 separate blocks arranged in a “U” shape. The flats are three storeys high and are of a 1970’s minimalist design constructed from redbrick with a flat roof.

The areas to the north and west of the site are predominantly residential and characterised by dwellings of varying scale and designs whilst open Green Belt land lies to the south. The site itself falls within a housing area and the Fulwood Conservation Area as designated in the adopted Sheffield Unitary Development Plan. The Conservation Area is characterised by historic Listed Buildings, workers cottages and attractive Victorian properties.

The flats are accessed via a private driveway off Fulwood Road, the scale and siting of the flats is such that they are not visible from this public highway. The site is located on a hillside and is prominent in long range views to the south across the Mayfield valley Area of High Landscape Value.

Planning permission is sought to construct pitched roofs above the flat roofs in order to reduce maintenance costs of the flat roofs and make the building more sustainable for its long term future.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

A total of 30 letters of representation have been received, of these 21 are in support and 9 are opposed to the scheme

17 of the letters of support are from residents of Storth Park whilst 4 are from non residents.

The points raised in support of the application include:

Proposals will improve insulation and reduce energy bills

Roofs will blend better into the Fulwood landscape, and will blend in with the other pitched roofs on Mayfield Heights flats and the converted hospital development
When viewed from across the Mayfield Valley the development would appear less stark and incongruous

Maintenance of a pitch roof is less harmful to the environment than a flat roof

Less maintenance and therefore less disruption

Pitched roof will have a longer life span

Would urge the committee to investigate the possibility of adding solar panels and the latest green technology wherever possible

Cost of maintaining/replacing roofs must be levied against owners of all the apartments

Flat roofs require maintenance using chemicals and materials which can be harmful to the environment

A pitched roof has lower and more predictable life cycle costs than a flat roof, this is beneficial for residents many of who are on fixed incomes

Decision to add a pitched roof was democratically chosen by all residents

The concerns raised with regards to the proposal are based on the following grounds:

The flats are of two distinct heights, the highest backs on to properties on Brookhouse Hill

The flats are out of character with the other properties in the area

An increase in height will increase their over-dominance in the area and detract further from the character of the conservation area.

Flats are not in keeping with surrounding Victorian and Edwardian properties and adding pitched roofs would make them more noticeable

For at least half the year there is no relief from the strong impact that these flats have on the area given that there is only tree cover in the summer

A higher roof would obliterate the horizon

Modern flat roofs are watertight and carbon friendly,

An eco-friendly planted roof could be investigated

New building in Ranmoor will have flat roofs

Sheffield University has a centre for excellence for green roofs, such a solution would be much more in keeping with the conservation area and soften the view across the Mayfield Valley

Imagine that the original planning permission specified that the height of the development and that the flats have been built to that, the new proposal would go much higher
Dwellings to the north of the flats already look onto large expanse of brick work, the proposal would make this worse
Would negatively impact on views
Proposal will be detrimental to the quality of life of residents on Brookhouse Hill
Development will dwarf neighbours on Brookhouse Hill and be over dominating
Surrounding area is mainly stone and slate and the development would not blend in with the Mayfield Valley
Gable end will be imposing to property to the south, a sloping roof would be less dominant and noticeable
A gable is proposed just 9.5 metres away from the site boundary with Mayfields and just 18 metres from the rear elevation
UDP policies GE2 and GE4 and government national policy guidance are relevant and require development within or conspicuous from the Green Belt to preserve its character
UDP policy BE16 relates to development in Conservation areas and requires careful consideration of the impact of development on Conservation Areas including significant views into or out of the area
Impact of views into the Conservation Area and from the Green Belt need to be carefully considered
Proposed new pitched roofs are predominantly orientated in a north/south direction but the gable nearest to Mayfields is in an east/west direction which would appear incongruous.
A hipped roof instead of a gable nearest to Mayfields would reduce the impact on Mayfields and reduce the impact on views from Whiteley Woods/Forge Dam, the Mayfield Valley and Ringinglow
There are two windows in the gable elevation of Mayfields which are not shown on the plans

PLANNING ASSESSMENT

Policy H14 “Conditions on Development in Housing Areas” states that development will be acceptable provided it is well designed and in keeping with the character of the area, it would not have an adverse impact on the amenity of neighbouring residents and it would provide safe access to the highway network.

Policy BE16 “Development in Conservation Areas” states that development must preserve or enhance the character of appearance of the Conservation Area.

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

Policy GE8 “Areas of High Landscape Value and The Peak National Park” states that development which is conspicuous from Areas of High Landscape Value or the Peak National Park must protect and wherever appropriate enhance, the

appearance and character of the Area of High Landscape Value and Peak National Park.

Supplementary Planning Guidance on Designing House Extensions is also relevant and expands upon the principles of Policy H14.

Design

Urban Design have objected to the proposal on the basis that the new roof will harm the character of the flats and increase their bulk and scale leading to increased visibility from the local area and across the valley.

The proposal involves the removal of the existing parapet roof and its replacement with pitched gable end roofs, small projecting gables will be constructed above the front projecting elements of the flats. The resulting roof will be 2.4 metres higher than the top of the existing parapet wall.

The flats are of a 70's design and are not characteristic of the Conservation Area which comprises a range of Listed Buildings, attractive Victorian housing and historic workers cottages. It is considered that the addition of the pitched roof will not be harmful to the character of the flats themselves.

However, there are several key features of Conservation Area which the proposal could impact upon and which need to be carefully considered, including it's hillside location on Sheffield's urban/rural fringe and views out of the Conservation Area over the Porter Valley. Furthermore, the impact on the Green Belt and area of High Landscape Value need to be considered.

The Conservation Area Appraisal outlines the key views and vistas to/from the Conservation Area, these include the views from Christ Church's churchyard, westward views over the rooftops to Peak District and southward views to sheep grazing on the other side of the valley. The siting of the flats to the rear of properties on Brookhouse Hill, at a lower height and screened by trees is such that they are not highly visible from public areas within the Conservation Area and do not feature in any views out of the area towards the Mayfield Valley (clearly this is not the case when viewed from private dwellings on Brookhouse Hill but this is not a material planning consideration). The increase in height will not impact on views out of the Conservation Area from public viewpoints.

The flats are visible from long range views across the Mayfield Valley, it is considered that the addition of the roofs will make the development more prominent especially in winter when tree cover is limited. Nevertheless, the development is viewed against the backdrop of land which rises to the north and residential dwellings set at higher levels. Pitched roofs are a common feature in the immediate locality and therefore the development will not be out of keeping with the surrounding context. As such the development will not detract from the openness of the Green Belt and will not be harmful to the Area of High Landscape Value.

The tower of Christ Church which stands in an elevated churchyard is a local landmark which is prominent in views from the other side of the valley. The proposal will not impact on views of the church as this is elevated in comparison to the flats. As such and despite concerns raised from Urban Design it is considered that the development is acceptable in design terms and will not detract from the Conservation Area or Area of High Landscape Value and complies with UDP policies H14, BE16, GE4 and GE8.

Amenity Issues

Residential properties are located to the north and south of the flats, the impact on residents of these flats must be carefully considered.

Properties to the north on Brookhouse Hill have their rear elevations facing the flats on Storth Park. Distances of between 24 and 30 metres separate the rear of these dwellings from their garden boundaries, with the total separation between dwellings and flats at Storth Park being a minimum of 55 metres. Additionally, the dwellings on Brookhouse Hill are set at a higher level than Storth Park flats. The separation and height differences are more than adequate to ensure that the increase in height of 2 metres is not unacceptably overbearing or overshadowing to occupiers of these dwellings. The impact on view is raised in objections from residents on Brookhouse Hill, it is highlighted that loss of view is not a material planning consideration.

The neighbouring property to the south "Mayfields" is set in relatively close proximity to the boundary with Storth Park with a distance of 17 metres separating buildings. Comparable guidance can be found within guideline 5 of the Supplementary Planning Guidance on Designing House Extensions which states that a two-storey side extension built directly in front of main ground floor windows of a neighbouring dwellinghouse should be set away by at least 12 metres. As detailed the separation distance in this instance is 17 metres, however Storth Park is set at a higher level and is a three-storey block of flats. Nevertheless, that being said, the increase in height is only 2.4 metres higher than existing and is to the north of Mayfields, the roof element taken by itself will not be unacceptably overbearing or overshadowing. Additionally, original drawings of Mayfields indicate that the few windows to the north elevation of the dwelling serve non-main rooms including a utility room, bathroom and hallway. All main rooms have their aspects to the east, west and south of the dwelling and the main garden area is to the east, therefore it is considered that the proposal will not have an unacceptable impact on the living conditions of occupiers of Mayfields.

The development will not have an adverse impact upon the living conditions of occupiers of nearby residential dwellings and therefore complies with UDP Policy H14 and Supplementary Planning Guidance on Designing House Extensions.

Highways

The development will not have any impact in highway terms

RESPONSE TO REPRESENTATIONS

Several comments were made about the performance and longevity of flat roofs. It is not considered necessary to discuss the merits of a pitched roof versus a flat roof as part of this planning application, the above report focuses on the suitability of the proposal in relation to design and amenity considerations.

A green roof would have sustainability benefits, however, the applicant has applied for a pitched roof and therefore the merits of this approach must be assessed.

The inclusion of a hipped roof on the elevation nearest to Mayfields would be at odds with the gable roofs proposed throughout the development and would result in an uncoordinated development which would appear awkward when viewed from the surrounding area.

SUMMARY AND RECOMMENDATION

The proposal development will not detract from the character of the flats themselves, furthermore, the scheme will not be harmful to key views into and out of the Conservation Area and Area of High Landscape Value. The development will not have an adverse impact on the amenities of nearby residents. Overall, it is considered that the scheme complies with Unitary Development Plan Policies H14, BE16 and GE8 and Supplementary Planning Guidance on Designing House Extension, as such it is recommended for approval.

Case Number	12/02640/FUL (Formerly PP-02154655)
Application Type	Full Planning Application
Proposal	Change of use from vacant A1 (retail) to A2 (betting office), including alterations to shopfront and installation of satellite dish and air-conditioning units to rear elevation
Location	The Fireplace Shop 568 Langsett Road Sheffield S6 2LX
Date Received	28/08/2012
Team	NORTH & WEST
Applicant/Agent	RR 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 Number A/AJB/1962/12/04
Drawing Number 406-SF
Drawing Number A/AJB/1962/12/02 rev A

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the access and facilities for people with disabilities, as shown on the plans, shall have been submitted to and approved in writing by the Local Planning Authority and the betting office shall not be used unless such access and facilities have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

To ensure ease of access and facilities for disabled persons at all times.

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:

S4 - District Centre Shopping

S7 - Development in District and Local Shopping Centres

S10 - Conditions on Development in Shopping Areas

The proposed change of use from an A1 retail unit to an A2 betting office is considered to be acceptable in principle, with regards Policy S4 and S7 of the adopted Unitary Development Plan. The overall change of use and scheme of works is considered to be acceptable and is satisfactory with regards Policy S10 of the adopted Unitary Development Plan. Whilst the concerns of local residents are noted, it is not considered that there are sufficient, reasonable planning grounds to justify a refusal of planning permission.

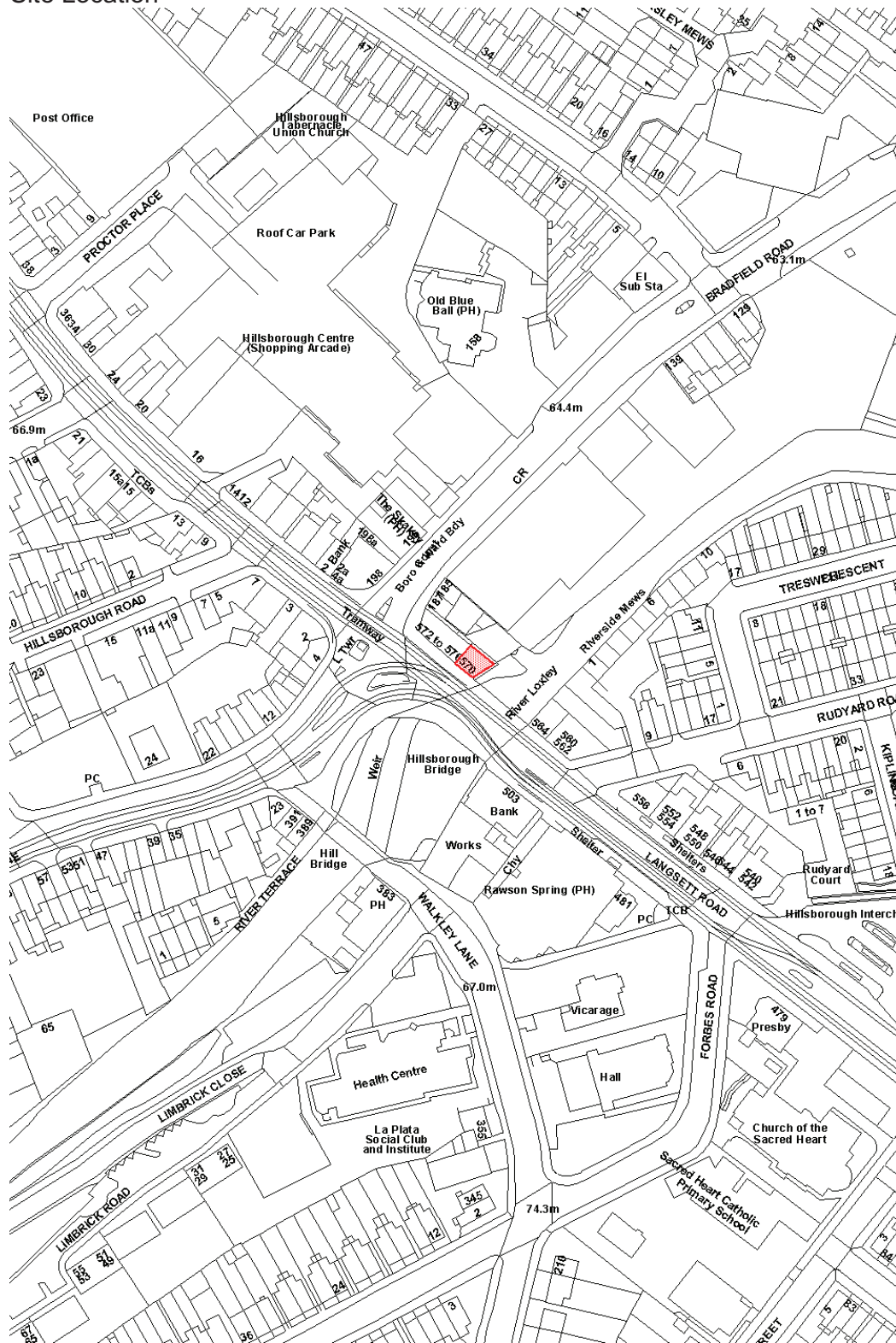
This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at www.sheffield.gov.uk/planningonline or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

1. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £85 or £25 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

Site Location



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LOCATION AND PROPOSAL

The application relates to a currently vacant unit, formerly occupied by 'The Fireplace Shop' on Langsett Road. The premises are sited next to the River Loxley adjacent to Hillsborough Bridge. The premises have public access from Langsett Road whilst there is a locked gate and elevated walkway around the rear of the property.

The property is located within Hillsborough Shopping Centre and is designated as a Local Shopping Centre in the adopted Unitary Development Plan. Being sited adjacent to the river the unit also falls within Flood Zones 3b and 2 of the Strategic Flood Risk Assessment.

This application seeks consent for the change of use from a retail unit (use class A1) to a betting office (use class A2). The development proposes the alteration of the shop front and the installation of a satellite dish and two air conditioning units to the rear of the property.

RELEVANT PLANNING HISTORY

12/02641/ADV One internally illuminated fascia sign and one internally illuminated projecting sign.

Application Pending Consideration

SUMMARY OF REPRESENTATIONS

There have been 19 letters of representation regarding this application.

16 of these letters have been objections with the following comments made:

1. There are already 3 betting shops and there is no need for a third.
2. The existing betting shops, gaming centre, money lenders and drinking establishments are enough and already cause some problems.
3. The betting shop, in addition to those which already exist will bring anti social behaviour.
4. The unit is a prime retail unit and should be retained as such.
5. A betting shop would be worse than a vacant unit.
6. We should be encouraging quality retail uses into Hillsborough not another betting shop.
7. Many people in Hillsborough are on low wages and suffering during the recession, and the community should not be confronted with another bookmakers. The use will encourage debt.
8. It is wrong to encourage people into debt.
9. The proposed use will detract from the community feel of the area, particularly at the crossroads where there is already a pub and a cash shop.
10. The use will degrade the family friendly feel of the area.
11. The use will lead to more litter and a downmarket feel

12. We should be encouraging a variety of businesses back into Hillsborough to make it once more the vibrant centre it once was. Uses should encourage all ages and bring shoppers back to Hillsborough.
13. New beneficial businesses may be put off investing in the area; if there is are a large number of businesses that are associated with more deprived areas, such as betting shops.
14. General disagreement with the principle that any business is better than no business.
15. Fitzalan square is an example of urban blight which people want to pass through quickly. Hillsborough should not be allowed to go any further down this route.
16. The positioning of the satellite dish and air conditioning units would be almost in the outside area of the adjacent legends Sports Bar. They would create excess noise for customers. They could instead be sited to the side of the building which does have any direct neighbour.
17. Facilities should be provided for customers who smoke outside the premises. There is a bookmakers as an existing neighbour and this creates an enormous problem for us as they do not clean up after their customers and we work hard to keep the area clean.
18. The UDP is out of date, in accordance with guidance contained within the National Planning Policy Framework.
19. Consideration should be given to the emerging policies of the City Policies and Sites document which states in policy C4 that, change of use from shops will only be acceptable if a) more than half the length of the frontage of units in the centre within 50metres either side of the shop would still be in use as shops. Detailed have been submitted that show that at least half the length of the frontage within 50metres either side of No.568 is in non A1 use class.
20. A further betting office would be contrary to the emerging policy and would contribute little to the balance of uses at this important part of the centre.
21. The general feeling within the community should be respected.

3 of these letters have been letters of support with the following points made:

1. If the shop isn't used as a betting office, will it become another charity shop or fast food outlet, of which there are already enough.
2. The betting shop won't necessarily cause anti social behaviour.
3. If the shop is left empty then it would only end up being vandalised.
4. The shop could be used to create jobs.
5. A betting shop is better than an empty shop, people can choose whether they use it, and it will help stop the area turning to rot.
6. A betting shop would at least bring trade into Hillsborough, keeping the local economy going; an empty shop is not only of no value to anyone, but also makes the area look bad. Town centres such as Rotherham are an example of the detrimental effect of empty shops on the local economy. They drive people away and into 'out of town' shopping centres, leaving deserted town and city centres.
7. Objector doesn't use betting shops but also wouldn't stop others from doing so.

PLANNING ASSESSMENT

Policy

The application is located within Hillsborough District Shopping Centre.

The Core Strategy designates Hillsborough as a District Centre in Policy CS34 and states that, "District Centres will be encouraged in their role of providing everyday needs with a range of retail, leisure and community facilities appropriate in scale and function to the role of the centre. They may also include concentrations of specific shops or services in response to the market in their particular area."

Policy CS36 'Hillsborough District Centre' states that, Hillsborough District Centre will be maintained and supported at around its present size by consolidating development and by continuing environmental improvements and centre management.

The adopted Unitary Development Plan, saved policies, also support Hillsborough as a district shopping centre. Policy S4 'District Centre Shopping' states that retail development will be promoted in district shopping centres.

Policy S7 'Development in District and Local Shopping Centres' states that shops (use class A1) will be the preferred use, whilst offices used by the public (use class A2) will be an acceptable use. The supporting text for the policy refers that offices and other business uses should be developed sensitively so that the shopping role of the centre is not undermined.

An assessment has been made, using business rate data of the uses within the District Shopping Centre, and this shows that at present 61% of the units are in retail use (use class A1). In order for the Local planning Authority to consider that the shopping role of the District Centre was undermined, this number would need to fall to below 50%. As this is not the case, the proposed change of use is considered to be acceptable in principle as it will not undermine the role of the district centre in the purest planning terms.

It is noted that a number of objections have been raised regarding the number of betting shops within the local area, but in planning terms no account can be taken of this, as the policy only requires that 50% of the units be retail, and does not specify a limit on the number and types of uses outside of this.

There is an acknowledged perception that being in a prominent location within Hillsborough centre, it will be viewed as another betting shop and may affect the overall perception of health and vitality of the area. However, perception is not a material planning consideration, and cannot be considered as a reason for refusal.

Policy S10 ' Conditions on development in Shopping Areas' states that in shopping areas, new development or change of use will be permitted provided that it would:

a) Not lead to a concentration of uses which would prejudice the dominance of preferred uses in the area or its principle role as a shopping centre

As per the previous paragraphs the proposed use would not prejudice the dominance of preferred uses in the area or the centre's principle role as a shopping centre.

b) Not cause residents or visitors in hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

There are no such properties immediately adjacent such as would suffer from unacceptable living conditions as a result of the proposed change of use. There are no concerns arising from Environmental Protection regarding the installation of the air conditioning units.

d) be well designed and of a scale and nature appropriate to the site

The proposed change of use will result in the alteration of the shop front, the details of which have been submitted, and it is considered that this is acceptable. The unit will remain its predominantly glazed frontage, as is befitting the siting within the district shopping centre. The new shop front will be aluminium framed and this is considered to be desirable. The existing tiling to the frontage will be retiled, which will freshen the appearance of the building.

The air conditioning unit and satellite dish will be located to the rear of the property and will not have an effect upon the street scene. The scale of the air conditioning units being proposed is commensurate with the scale of the building.

e) Comply with policies for the built and green environment as appropriate.

The proposed change of use is considered to comply with other appropriate policies.

f) be served adequately by transport facilities and provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

The access and transport arrangements will remain the same as for the previous use, and the proposed change of use will not result in any intensification of the use, such as would justify any change to the current arrangements. It is also noted that the site is in a sustainable location close to bus and tram routes.

Overall, the proposal is considered satisfactory with regards policy S10 of the adopted Unitary Development Plan.

Flood Risk

The subject site is located within a high and medium risk flood zone, and is adjacent to a main river. The proposal will not result in any new footprint of

development, with the air conditioning units being positioned on the wall. The changes proposed will not result in an impediment to access to the river, nor will the works impede the flow of flood waters.

The applicant has submitted a flood risk assessment detailing how the building will be designed internally to minimise flood damage. This is considered to be acceptable, given that the application is a change of use of an existing building, and the capacity to make significant changes is limited.

RESPONSE TO REPRESENTATIONS

As established earlier in this report, the number of betting shops and other outlets are not a material consideration in this application, as 61% of the units in Hillsborough District Centre are in retail use, which satisfies the requirements of the policy.

Fear of anti social behaviour is not in itself a material planning consideration or reason for refusal.

Whilst it might be desirable to retain the unit for retail, as the number of units available for retail has not fallen below 50 % there is no scope in planning terms to require this.

The encouragement of quality uses and a variety of businesses to enhance the vibrancy of the centre, the maintenance of the community or family friendly feel of the area, the visual impact of uses and a 'downmarket' feel and the potential off-putting of potential investors in the area is noted, but they are not necessarily material planning considerations such as could be used to reasonably justify the refusal of planning permission.

The case of Fitzalan Square is noted, but each site and application must be considered on its own merits and these are set out earlier in this report.

The debate as to whether a betting shop is worse than a vacant unit or vice versa is noted but as the number of units has not fallen below the 50% threshold then it is not the place of planning to become involved in this debate, as at the current level it is not considered that either the vacancy or the betting office would prejudice the dominance of preferred uses in the area.

The moral arguments regarding debt and betting are not for consideration by the planning system.

The satellite dish and air conditioning unit are not considered to offer a significant noise intrusion, particularly given background noise levels. It is not considered that these would cause a significant noise problem for customers from the adjacent bar area.

The potential for a bin for cigarette butts could be the subject of a condition which it would be reasonable to impose.

The Unitary Development Plan is not out of date, it contains saved policies as whilst the comments of para. 214 of the NPPF are noted, it is considered that paragraph 215 is actually relevant, as these deals with 'other cases' i.e. plans prior to 2004. The NPPF states that, "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)." It is not considered that the aims of Policy S10 conflict with the NPPF.

Regarding the fact that weight should be given to the emerging Policies, then whilst it is noted that these have been through the consultation process it is considered that limited weight can be given to Policy C4 as this was the subject of objection during the consultation process.

The feeling of the local community is noted and recorded however, in purely material planning terms the proposal is considered to be acceptable.

SUMMARY AND RECOMMENDATION

The proposed change of use from an A1 retail unit to an A2 betting office is considered to be acceptable in principle, with regards Policy S4 and S7 of the adopted Unitary Development Plan. The overall change of use and scheme of works is considered to be acceptable and is satisfactory with regards Policy S10 of the adopted Unitary Development Plan. Whilst the concerns of local residents are noted, it is not considered that there are sufficient, reasonable planning grounds to justify a refusal of planning permission. A recommendation is therefore made for approval subject to conditions.

Case Number	12/02621/FUL (Formerly PP-02156494)
Application Type	Full Planning Application
Proposal	Re-siting, boxing in and fencing off of Air Conditioning Unit for Internal Refrigeration Units
Location	52 - 54 Church Street Oughtibridge Sheffield S35 0FW
Date Received	23/08/2012
Team	NORTH & WEST
Applicant/Agent	DK Designs C/o Mr D Keeton
Recommendation	Refuse

For the following reason(s):

- 1 The Local Planning Authority consider that the proposed development would be detrimental to the amenities of the locality and to the living conditions of nearby residents owing to the noise disturbance which is generated by the existing unit and the resiting of this will not remove the matter of noise disturbance. The proposal is therefore contrary to Policy H14 of the Unitary Development Plan.

Site Location



LOCATION AND PROPOSAL

The application relates to No.52-54 Church Street, Oughtibridge. The property is a two storey terraced property fronting Church Street, changing to a three storey property at the rear. The property is currently occupied by a convenience store. There is a yard/garden area to the rear of the property which serves the commercial element of the property, as well as the residential units which also occupy the terrace.

The subject property is located within a predominantly residential area, which is designated as a Housing Area in the adopted Unitary Development Plan. The property is surrounded by residential properties, to the rear, side and front of the property.

This application seeks planning consent for the re-siting, boxing in and fencing off of the air conditioning unit for internal refrigeration units. It is also noted that the air conditioning unit which the applicant is seeking to re-site, does not have planning permission, and this application will therefore also consider whether retrospective consent should be granted for the unit in its original position, should the proposed new site not be deemed acceptable.

RELEVANT PLANNING HISTORY

There is no relevant planning history for this property.

SUMMARY OF REPRESENTATIONS

There have been 5 letters of neighbour representation regarding this application. The following comments have been made:

1. The noise from the refrigeration unit is unacceptably high and is causing disturbance to neighbours.
2. The noise is affecting the sleep of local residents including school children, and is generally affecting the quality of life of local residents including the enjoyment of homes and gardens.
3. The movement of the unit to ground level and soundproofing is considered to be an excellent solution given the excessive noise.
4. Time has been spent trying to find a solution for the applicant, it is now time to consider the neighbouring residents.
5. The site has been visited by the Council's Environmental Protection Officer who has commented that that the unit is operating at unacceptably high noise levels, that background noise is low and that it would be preferably removed as a long terms solution.
6. Request the enforcement action is taken to remove the equipment and replace it with a more appropriate solution.

7. The proposal is against the aims of the UDP and the 'healthy Sheffield 2000' strategy as it is causing harm to the quality of life and the living environment of occupiers.
8. The noise is low frequency and penetrates through the walls, windows and roof.
9. This is not a unique refrigeration problem, with only one solution, other refrigeration solutions exist without the need to mount an external compressor unit in a quiet residential location.
10. There are factual inaccuracies with the application regarding the site plans and the completion dates for the works.
11. The proposal to reduce the noise by a wooden fence will not reduce noise to an acceptable level. It is not the case that it is the sight of the compressor rather that it is the concern; it is its case as a source of noise.

Bradfield Parish Council has commented that they have no objections to the proposal however, they do have concerns at the lack of scaled plans.

PLANNING ASSESSMENT

Policy

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

Policy H14 states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood, it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians. Policy H14 also refers to non housing uses, and criteria k) states that the development should not lead to air pollution, noise, smell, excessive traffic levels or other nuisance or risk to health and safety for people living nearby.

Visual Impact

The proposed position of the re-sited air conditioning unit will not result in a significant visual impact, and is not considered to be harmful. The repositioned box and the associated fencing would be at ground level which would minimise its intrusiveness visually for neighbours. An appropriate condition could also be worded to ensure that the timber fencing is treated/painted to ensure that it does not have an unacceptable impact.

Noise Impact

The existing unit already generates a noise level which is disturbing to residents and it is not considered that the re-siting of the unit will result in a significant reduction in this.

The Environmental Protection Service has taken noise measurements of the existing plant. The measurements taken show levels of between 8 and 13dB over background levels. British Standard (BS4142) gives general guidance on the likelihood of complaints and states that if the rating level is more than 10 dB above the background level this is an indication that 'complaints are likely'. The BS also states that at 5dB above background level that 'complaints are possible'.

In most circumstances when dealing with a noise nuisance from plant and equipment installing suitable noise reduction measures would result in a satisfactory outcome. However, given the low background noise levels at the rear of Church Street and the close proximity of residential properties to the unit, achieving an adequate noise reduction is very difficult. The measures proposed are not considered to provide sufficient noise attenuation in order to enable local residents to enjoy the use of their gardens or to have undisturbed sleep, and it is likely that nearby residents will suffer from permanent disamenity.

In considering the concerns of residents and the advice of the environmental protection service the proposal is considered to be unacceptable and contrary to the aims of Policy H14.

RESPONSE TO REPRESENTATIONS

Advice and assessment by the Council's Environmental Protection Service supports local residents' claims regarding noise nuisance.

The general disturbance to residents and their quality of life is considered to be contrary to the aims of Policy H14.

Whilst the support for the movement of the unit to ground level and soundproofing is noted, it is not actually considered that this will address the excessive noise and it is recommended that this should not be accepted as a solution to the problem.

The matters in relation to the plan and dates are noted, but the plan appears to be the same as the Ordnance Survey plans, and the dates of commencement are not considered to be crucial to this element of the planning application.

ENFORCEMENT

The existing air conditioning unit which serves the refrigeration units within the shop is at present unauthorised. The quiet nature of the site in terms of background noise levels, combined with the close proximity of residential properties means that the unit as existing has an unacceptable impact upon the amenities of the neighbouring residential properties. The Council's Environmental Protection Service has assessed the existing air conditioning unit and as stated earlier in this report has found operating noise levels to be between 8 and 13 dB above background levels. This is an unacceptable impact upon residential amenity, and it is therefore considered that in planning terms the proposal is contrary to the aims of Policy H14 of the adopted Unitary Development Plan.

It is not considered that there is another appropriate location that the unit could be located to which would not result in an adverse problem to residents. There may be some potential to site the unit internally, and this would not need planning permission. In terms of the current situation then it is considered that the maintenance of the current status quo is not an acceptable solution for residents, particularly when the development has been clearly identified as a problem and contrary to Policy H14.

SUMMARY AND RECOMMENDATION

The proposed re-siting of the air conditioning unit is considered to be unacceptable given that it will simply be re-siting a unit which is already causing a noise nuisance, and insufficient noise mitigation is proposed as part of the scheme. The proposal is considered to be contrary to Policy H14 of the adopted Unitary Development Plan.

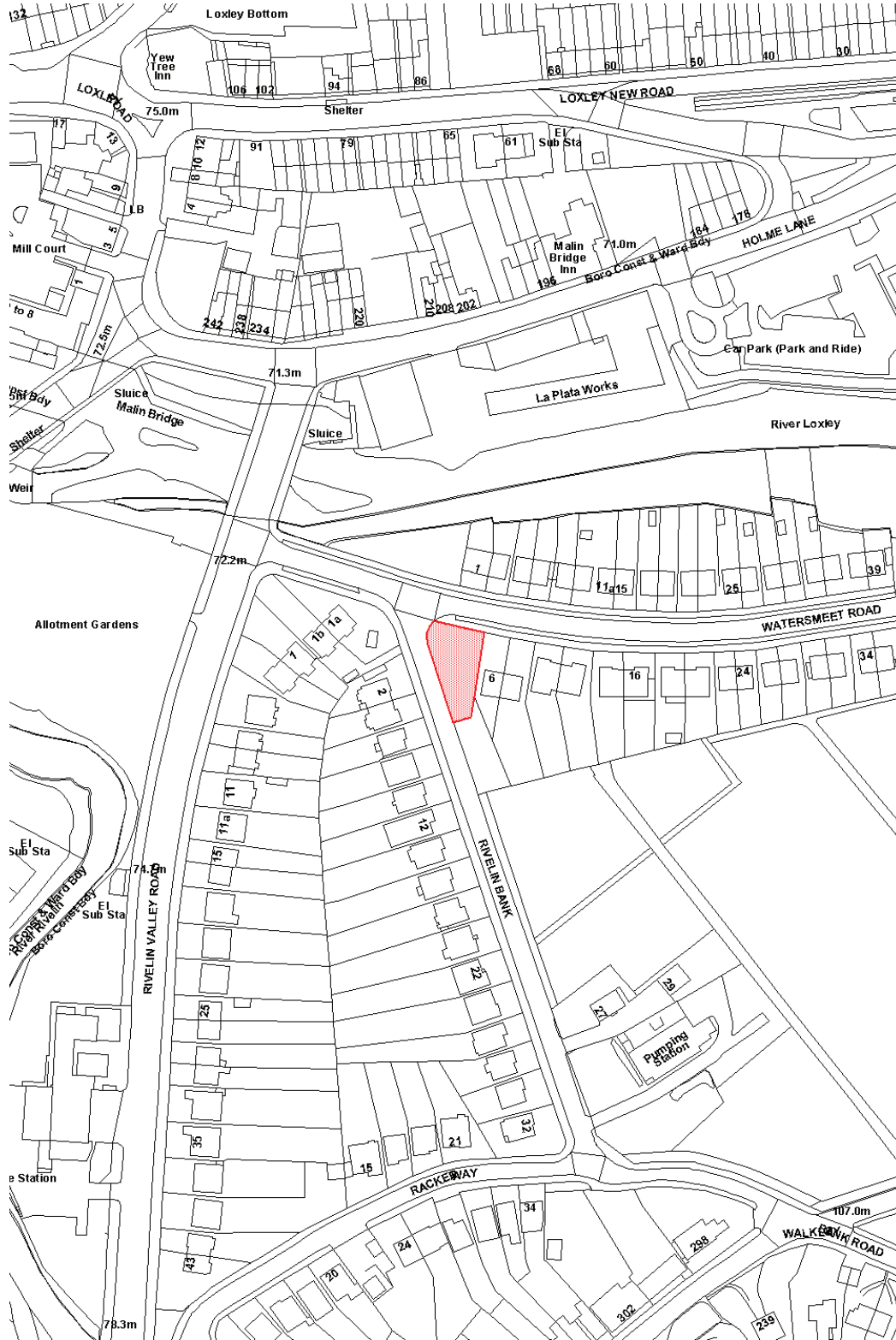
The existing unit which is to be re-sited is currently unauthorised, causing a nuisance and is contrary to Policy H14 of the adopted Unitary Development Plan. Given the inappropriate nature of the development it is recommended that the committee refuse the application and the applicant be given 28 days from the date of the decision to remove the air conditioning unit. Authorisation is also requested for enforcement action to be taken to ensure the removal of the unit if the applicant does not remove it within the required time frame.

Case Number	12/02503/FUL
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse
Location	Curtilage Of 6 Watersmeet Road Sheffield S6 5FA
Date Received	06/08/2012
Team	NORTH & WEST
Applicant/Agent	Mr S Pulfrey
Recommendation	Refuse

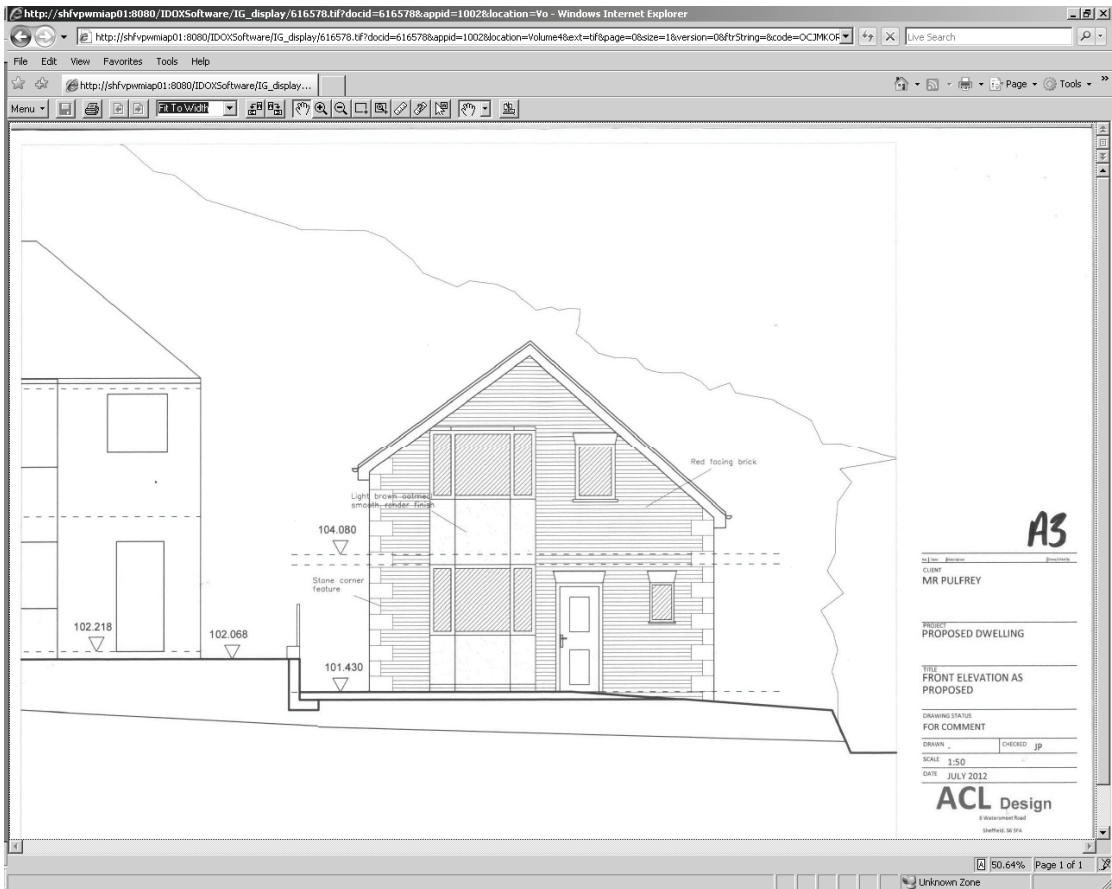
For the following reason(s):

- 1 The Local Planning Authority consider that the design of the proposed dwelling fails to take advantage of or enhance the distinctive features of the neighbourhood and will be an obtrusive feature within the streetscene given its prominent location within the site that detracts from the visual appearance of the street. It will also result in a form of development that is contrary to the character of the neighbourhood and, as such, would cause harm to the local area contrary to Policies BE5 and H14 of the UDP, Policy CS74 of the SDF Core Strategy and guidance within the NPPF.

Site Location



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INTRODUCTION

This application is a re-submission of 12/01300/FUL, which proposed the erection of a dwellinghouse within the curtilage of 6 Watersmeat Road. It was refused under Delegated Authority in June 2012 for the following reason:

1. The Local Planning Authority consider that the layout and design of the proposed dwelling fails to take advantage of or enhance the distinctive features of the neighbourhood and will be an obtrusive feature within the streetscene that detracts from the visual appearance of the street. It will also result in a form of development that is contrary to the character of the neighbour and, as such, would cause harm to the local area contrary to Policies BE5 and H14 of the UDP, Policy CS74 of the SDF Core Strategy and guidance within the NPPF.

Application 12/01300/FUL was a re-submission of 11/02286/FUL, which proposed the erection of a dormer bungalow on the site. This was refused under Delegated Authority on 15th September 2011 for the following reasons:

1. The Local Planning Authority considers that the proposed development would be out of scale and character in the street scene, detracting from the visual appearance of the street and would therefore be contrary to Policy H14 of the Unitary Development Plan.

2. The Local Planning Authority consider that the proposed development would constitute an overdevelopment of a site of restricted dimensions which would result in little in the way of useable amenity space, as well as an unsatisfactory environment for occupiers of the proposed dwellinghouse. This would be contrary to Policy H14 of the Unitary Development Plan.

There have been ten previous refusals for the construction of a new dwelling on land to the side and rear of 6 Watersmeet Road dating back to 1972, which are detailed in the Planning History Section below. This application is brought before the Planning Committee to help demonstrate to the applicant that the application is being treated fairly. The applicant has amended the proposals to try and address the previous reasons for refusal and these changes are assessed below.

LOCATION AND PROPOSAL

The application relates to garden land within the curtilage of 6 Watersmeet Road. No.6 is a two-storey semi-detached dwellinghouse situated on a corner plot at the junction of Watersmeet Road with Rivelin Bank. It is well set back from the road at a distance of approximately 10.7 metres. The scale of the property is consistent with other semi-detached properties within the street with a street frontage width of 5.5 metres and a depth of 7.4 metres. These semi-detached properties extend to an eaves height of approximately 5.3 metres and a ridge height of 8 metres with a hipped roof.

The application site is on sloping land, which rises to the south and east.

The surrounding area is residential in character – Watersmeet Road comprises a variety of buildings of which the majority are two-storey semi-detached red brick dwellings as well as a group of bungalows at 10-16 Watersmeet Road. The properties on Rivelin Bank are also predominantly bungalows.

This application seeks planning permission for the erection of a new two-bedroom dwelling on the site. It is set 3.5 metres forward of the building line of the property at 6 Watersmeet Road and is set 7.4 metres from the back edge of pavement. It extends to two storeys in height and presents a 6.7 metre frontage to Watersmeet Road and a maximum depth of 7 metres. It is 2.5 metres from the side boundary at the closest point and a minimum of 10 metres from the rear boundary.

The building is designed with a front gable roof with an unequal pitch such that the ridgeline of the roof is off-centre to create a lower eaves level adjoining the boundary with Rivelin Bank. Accordingly, the eaves height of the side elevation adjacent to No.6 Watersmeet Road is 4.05 metres but it is only 3.3 metres on the side elevation facing Rivelin Bank, which creates a sloping roof fronting this side elevation with the accommodation effectively within the roof space. The ridge height extends to 6.7 metres. The building has been designed to incorporate a front bay with two smaller windows to the front elevation. To the side elevation facing Rivelin Bank is a small ground floor window with a set of roof lights to provide daylight to the roof space accommodation. To the rear, there is window and a set of patio doors to the ground floor only with no windows to the side elevation facing No.6 Watersmeet Road.

RELEVANT PLANNING HISTORY

There is an extensive planning history to this site, which is detailed below:

12/01300/FUL: Erection of dwellinghouse

Refused: 20.06.12

11/02286/FUL: Erection of a dormer bungalow

Refused: 15.09.2011

09/02886/FUL: Erection of detached bungalow within the curtilage of 6, 8 And 10

Watersmeet Road

Refused: 01.12.2009

This application related to land to the rear of 6, 8 and 10 Watersmeet Road with vehicular access onto Rivelin Bank. The application was refused at Area Board on 1st December 2009 on the grounds that the development would interrupt an otherwise continuous belt of open and landscaped land to the east of Rivelin Bank, which would reduce its effectiveness as an environmental buffer and the fact that it would be overbearing in relation to adjoining residential property and would result in poor outlook and an unacceptable affect on the living conditions of adjoining occupiers. The applicant appealed this decision and the appeal was dismissed.

08/02035/FUL: Erection of 2 dwellinghouses to The Rear of 6, 8 And 10

Watersmeet Road

Refused: 16.06.2008

This application was also on land to the rear of 6, 8 and 10 Watersmeet Road with vehicular access onto Rivelin Bank. The applicant also appealed this decision and the appeal was dismissed.

07/04672/FUL: Erection of 2 dwellinghouses Within the Curtilage 6, 8 & 10

Watersmeet Road

Refused: 27.02.2008

95/02103/FUL: Use of land as extension to garden and erection of 1.8 metres high fence

Granted: 04.07.1995

88/03315/FUL: Erection of a dormer bungalow and garage.

Refused: 06.12.1988

87/02463/OUT Erection of dwellinghouse and garage

Refused: 22.12.1987

86/02113/FUL: Bungalow and garage.

Refused: 12.11.1986

74/00142/FUL: Erection of bungalow

Refused

SUMMARY OF REPRESENTATIONS

The application was advertised by means of neighbour notification.

One objection has been received and the objector states only that the comments made on previous applications (objections) have not changed as a result of this new proposal and the objection is maintained. Members are advised to note that the objector's comment on the previous application stated that the only reason for this application is financial gain and the objector's previous comments on the proposal still stand. They maintain a strong objection to any additional dwelling on this site.

PLANNING ASSESSMENT

This application proposes the construction of a two-bedroom dwellinghouse within the garden of No.6 Watersmeet Road. The key issues to consider in the determination of this application include the following:

- (i) Policy and Land Use – principle of development;
- (ii) Design considerations
- (iii) Highways
- (iv) Impact on the amenity of adjoining occupiers and amenity of future occupiers.

Principle of development – Policy and Land Use

The National Planning Policy Framework (NPPF) was published on 27th March 2012. Paragraph 11 of the NPPF confirms that Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At Paragraph 12, the NPPF 12 confirms that 'proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise'

With regard to housing, the NPPF confirms that the objective of the NPPF is to deliver a wide choice of high quality homes. At paragraph 53 of the NPPF, it advises that Local Planning Authorities should 'consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'. The glossary to the NPPF also confirms that private residential gardens are excluded from the definition of previously developed land.

Within the Adopted Unitary Development Plan Proposals Map, which is sufficiently up-to-date in this context for the purposes of the NPPF, the site is designated within a Housing Area.

Policy H10 of the UDP relates to development in such areas and advises that housing is preferred subject to compliance with Policies H12-H16 as appropriate. Accordingly, the principle of a house is acceptable subject to compliance with H12-

H16 of the UDP, of which H14 is the most relevant policy in this instance and is considered below.

Within the SDF Core Strategy, Policy CS24 confirms that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on Greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that the development of Greenfield sites may be acceptable on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds. In this case, the application site does not represent previously development land but the latest figures show that the Council is exceeding its target of achieving 88% of all development on previously developed land. The site is situated within walking distance from a range of shops, schools and good public transport service such that it could be regarded as a sustainable location in accordance with Policy CS24.

Policy CS26 of the SDF Core Strategy relates to the efficient use of land and accessibility and advises that housing development will be required to make efficient use of land but the density of new housing should be in keeping with the character of the area. For the majority of the urban area (which includes the application site), Policy CS26 recommends a density of 30-50 dwellings per hectare but it also notes that densities outside these ranges will be permitted where they achieve good design. In this case, the site area is approximately 0.027 hectares, which results in a density of 37 dwellings per hectare, which accords with the objectives of Policy CS26. However, the Government has deliberately removed any target densities for new housing in the NPPF, so greater weight should be given to the impact on the character of the area.

In summary, it is considered that given the site's designation within a Housing Area within the UDP, the principle of a house on this site is consistent with Policy H10 of the UDP and the primary issues is therefore whether the proposal would cause harm to the local area, which is considered in full below.

Design

Policy BE5 of the UDP 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. Similarly, Policy CS74 of the SDF Core Strategy 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. Finally, it is relevant to consider Policy H14 of the UDP, which relates specifically to development within Housing Areas and advises at H14 (a) that new buildings and extensions must be well designed and in scale and character with neighbouring buildings. Within the NPPF, it 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.

In this case, the proposed dwelling comprises a two-storey unit albeit with an off-set pitch such that the bathroom and stairs on the side of the property facing Rivelin Bank are effectively within the roof space.

It is noted that the previous application was refused on the grounds that the layout and design of the proposed dwelling failed to take advantage of or enhance the distinctive features of the neighbourhood such that the house was considered to be an obtrusive feature within the streetscene that detracted from the visual appearance of the street. It was also considered to result in a form of development that was contrary to the character of the neighbourhood.

It is acknowledged that the applicant has sought to review the previous reason for refusal and has created a more standard two-storey frontage to Watersmeet Road in terms of the fenestration treatment and has introduced a front bay, which is characteristic of the area. It is also acknowledged that the applicant proposes to use red brick and grey tiles, which would not be inappropriate in this locality although the introduction of stone quoins is not a feature within the immediate area.

However, Officers remain of the view that the design of the proposed dwelling has been determined by the limitations of the plot rather than representing a high quality design that respects, takes advantage of and enhances the distinctive features neighbourhood.

A key concern remains the position of the building within the plot. To achieve the minimum 10 metre garden length, the property is sited such that it is 3.5 metres forward of the building line of the adjoining dwellings at 6-8 Watersmeet Road. Whilst this building line is similar to the majority of properties on Watersmeet Road beyond Nos. 6 and 8, which are set back approximately 4 to 4.5 metres from the back edge of the pavement, it is considered that this site is prominently located at the corner of Watersmeet Road and Rivelin Bank and the position of Nos. 6 and 8 Watersmeet Road provide an appropriate set-back on the approach to Watersmeet Road at the junction with Rivelin Bank such that the proposed unit would be unduly prominent within the streetscene due to its location within the site.

With regard to the housing design, the context of the site is that with the exception of a group of bungalows at 10-16 Watersmeet Road, the predominant style of property on Watersmeet Road comprises two-storey 1930's style semi-detached houses constructed in red brick with front bay detailing and pavilion hipped roofs. The bungalows also include a front bay detail and are either pebble dashed or rendered although, as noted above, these are not predominant. The properties on Rivelin Bank predominantly comprise semi-detached bungalows with a front bay detail within a front gable and a hipped roof.

In this case, the property has an uneven front gabled roof pitch such that the ridgeline of the roof is off-centre, which is intended to create a lower eaves level adjoining the boundary with Rivelin Bank to reduce the impact to this elevation. The overall ridge height of this proposed dwelling is 6.7 metres – it is approximately 1.3 metres lower than the adjacent property at No.6 and 1.2 metres wider to the front elevation. Overall, it is considered that the proposed roof design is inconsistent with the principal character and form of properties within the locality, which predominantly have hipped roofs and the dwelling will appear as an incongruous feature within the streetscene, particularly given its prominent position

on the site. Moreover, whilst the front bay is welcomed as a feature, the remainder of the elevations are poorly articulated with the rear elevation in particular comprising only fenestration at the ground floor resulting in a significant proportion of blank brickwork.

It is acknowledged that the Design and Access Statement highlights the importance of the existing conifer hedge that surrounds the site in screening the proposed development from the street such that the applicant argues that the site has a minimal frontage onto Watersmeet Road and no frontage onto Rivelin Bank as it is heavily screened; the Design and Access Statement also suggests that only the roof of the proposed dwelling will be visible when viewed from the junction of Watersmeet Road and Rivelin Bank. Whilst the hedge is clearly in situ and does screen the site from the east and south-east, it is not considered that the provision of a screening hedge should be a sufficient justification to develop a scheme that fails to sufficiently reflect the form and character of the neighbourhood. Furthermore, whilst there is no reason to believe that the hedge is to be removed, there is no certainty that it will be retained in perpetuity, particularly as the ownership of the property could change in the future. Members are also advised that the imposition of a condition relating to the retention of a hedge is difficult to enforce, particularly if the condition includes a requirement for maintenance at such a substantial height to screen the property such that it is not considered appropriate in this instance.

Accordingly, it is therefore considered that the proposed design of the dwelling does not address the previous reason for refusal in that the proposed development would still be out of character in the street scene as a result of the building design, would represent an incongruous feature due to its position on the site and would not represent high-quality development that takes advantage of and enhances the distinctive features of the city. It is therefore considered contrary to Policies BE5 and H14 of the UDP, Policy CS74 of the SDF Core Strategy and guidance within the NPPF.

Amenity

Policy H14(c) of the UDP advises that within Housing Areas, new development must not be over-developed or deprive residents of light, privacy or security. In this case, it is relevant to consider the amenity of both existing occupiers that surround the site and future occupiers of the dwelling.

The proposed dwelling will sit at a lower level to No.6 as there is approximately a 2 metre level difference between the two properties. There are windows on the side elevation of No.6; however, these appear to be secondary windows and will not result in any undue overlooking.

The applicant has indicated the 45-degree line on the submitted plans – this line is used to protect adjoining occupiers from unreasonable overshadowing and over dominance as set out at Guideline 5 of the Council's Residential Design Guide (on house extensions, but equally applicable to new houses). It shows the proposed dwelling does not breach the 45 degree line from the front window of No.6 and nor does No.6 breach the 45 degree line from the rear doors of the proposed dwelling.

Guideline 5 does acknowledge that the difference in height of adjoining ground levels may significantly alter the effect of an extension on the neighbouring property but in this case, the rear elevation provides a set of patio doors and a set of windows to the ground floor bedroom such that it is not considered that No.6 will be overbearing or overshadow to such an extent that a refusal is warranted on these grounds.

Guideline 10 of the Designing House Extensions SPG advises that a garden size of 50 square metres is the minimum for a two or more bedroomed house and a minimum distance to the back boundary from the rear elevation of 10 metres is also normally required for reasons of neighbour's privacy as well as amenity, to which this application now complies.

With regard to the front elevation, it is noted that windows on the front elevation of the proposed dwellinghouse would look across to properties on the opposite side of Watersmeet Road. However, there would be a distance of 21 metres to the nearest property (No.1 Watersmeet Road) and this is considered to be adequate to prevent unacceptable levels of overlooking or overshadowing from occurring. To the rear there would again be a distance in excess of 21m to properties on the opposite side of Rivelin Bank and so it is considered that the proposed development would not have an adverse impact upon the amenity of occupiers of these neighbouring properties.

Overall, it is not considered that the proposed development will be detrimental to the amenity of the future occupiers or adjoining occupiers by virtue of loss of privacy and is therefore in accordance with Policy H14(c).

Highways

Policy H14(d) of the UDP advises that within Housing Areas, new development must provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

In this case, the plans indicate the provision of two off-street parking spaces to the front of the property with (access onto Watersmeet Road). Highways Development Management raises no objection to the scheme and it is considered that this level of parking is adequate for a two-bedroom house such that, from a highway safety point of view, the proposal is deemed to be acceptable.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of a two storey two bedroom dwelling on a prominent site at the corner of Watersmeet Road and Rivelin Bank.

Whilst the principle of a residential property on this site is acceptable in accordance with Policy H10 of the UDP and Policies CS24 and CS26 of the SDF Core Strategy and it is deemed to not be harmful to the amenity of adjoining properties or future occupiers, it is considered that the design of the proposed dwelling results in an incongruous development within the street given its prominent location within the site. This conclusion acknowledges that the existing conifer hedge does screen

the site at present but this is deemed an insufficient justification to develop a scheme that fails to sufficiently reflect the form and character of the neighbourhood particularly as the imposition of a condition relating to the retention of a hedge is difficult to enforce and therefore not appropriate in this instance.

It is also determined not to represent a high quality design and is out of scale and character with the street scene such that it would detract from the visual appearance of the area and cause local harm contrary to Policies BE5 and H14 of the UDP, Policy CS74 of the SDF Core Strategy and guidance within the NPPF.

The application thus fails to comply sufficiently with up-to-date planning policy such that in accordance with the NPPF, which states that a proposed development that conflicts with up-to-date policy should be refused, the application is recommended for refusal for the reasons set out above.

Case Number	12/01716/FUL
Application Type	Full Planning Application
Proposal	Demolition of existing garage and erection of 12 dwellinghouses with 7 parking spaces and associated landscaping
Location	Twigg Bros 51 Toyne Street Sheffield S10 1HH
Date Received	07/06/2012
Team	NORTH & WEST
Applicant/Agent	Wireframe Studio
Recommendation	Grant Conditionally Legal Agreement

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:

101 rev P2
102 rev P2

112 rev P2
104 rev P2
109 rev P2
110 rev P2
106 rev P2
105 rev P2
111 rev P2
107 rev P2
108 rev P2

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Prior to the commencement of development, samples of the following materials shall be submitted to and approved in writing by the Local Planning Authority:

Facing brickwork
Roofing tile
Stone for boundary wall
windows

Thereafter the development shall be constructed in accordance with the approved details.

In the interests of the visual amenities of the locality.

- 4 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
dormer windows
eaves and verges

In order to ensure an appropriate quality of development.

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

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

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

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

- 7 The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements

which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 8 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

- 9 No doors or windows shall, when open, project over the adjoining highway.

In the interests of pedestrian safety.

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

In the interests of the safety of road users.

- 11 The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

- 12 Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

In order to control surface water run off from the site and mitigate against the risk of flooding.

- 13 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

To ensure ease of access and facilities for disabled persons at all times.

- 14 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the provision of 25% mobility housing shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

To ensure ease of access and facilities for disabled persons at all times.

- 15 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:

- a) a minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy;

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

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

- 16 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 has been achieved,

shall be submitted to and approved in writing by the Local Planning Authority.

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

- 17 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority

To ensure satisfactory drainage arrangements.

- 18 The site shall be developed with separate systems of drainage for foul and surface water on and off site

To ensure satisfactory drainage arrangements.

- 19 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works

To ensure satisfactory drainage arrangements.

- 20 The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres / hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

In order to mitigate against the risk of flooding.

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

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

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

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

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

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

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

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

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

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:

H7 - Mobility Housing

H10 - Development in Housing Areas

H14 - Conditions on Development in Housing Areas

H16 - Open Space in New Housing Developments

BE7 - Design of Buildings Used by the Public

CS24 - Maximising the Use of Previously Developed Land for New Housing

CS26 - Efficient Use of Housing Land and Accessibility

CS41 - Creating Mixed Communities

CS74 - Design Principles

The proposal is considered acceptable in design terms, the scheme has been designed to reflect the character of the surrounding area though the siting, scale, details and materials of the dwellings and will sit comfortably in the locality. The development will not have an unacceptable impact on the living conditions of surrounding residential properties. The development will have a mixture of off-street and on-street parking, which given its sustainable location in close proximity to a District Shopping Centre and excellent public transport links will not have an adverse impact on the local highway network. The scheme complies with the National Planning Policy Framework, Unitary Development Plan Policies H7, H10, H14, H16 and BE7 , Core Strategy Policies CS24, CS26, CS41 and CS74 and Supplementary Planning Guidance on Designing House Extensions.

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

Attention is drawn to the following directives:

1. The applicant is advised that Japanese Knotweed is established on site. The site should be surveyed for knotweed and the necessary steps taken for removal in accordance with the Environment Agency document "The Knotweed Code of Practice.
2. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

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

You should apply for a consent to: -

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

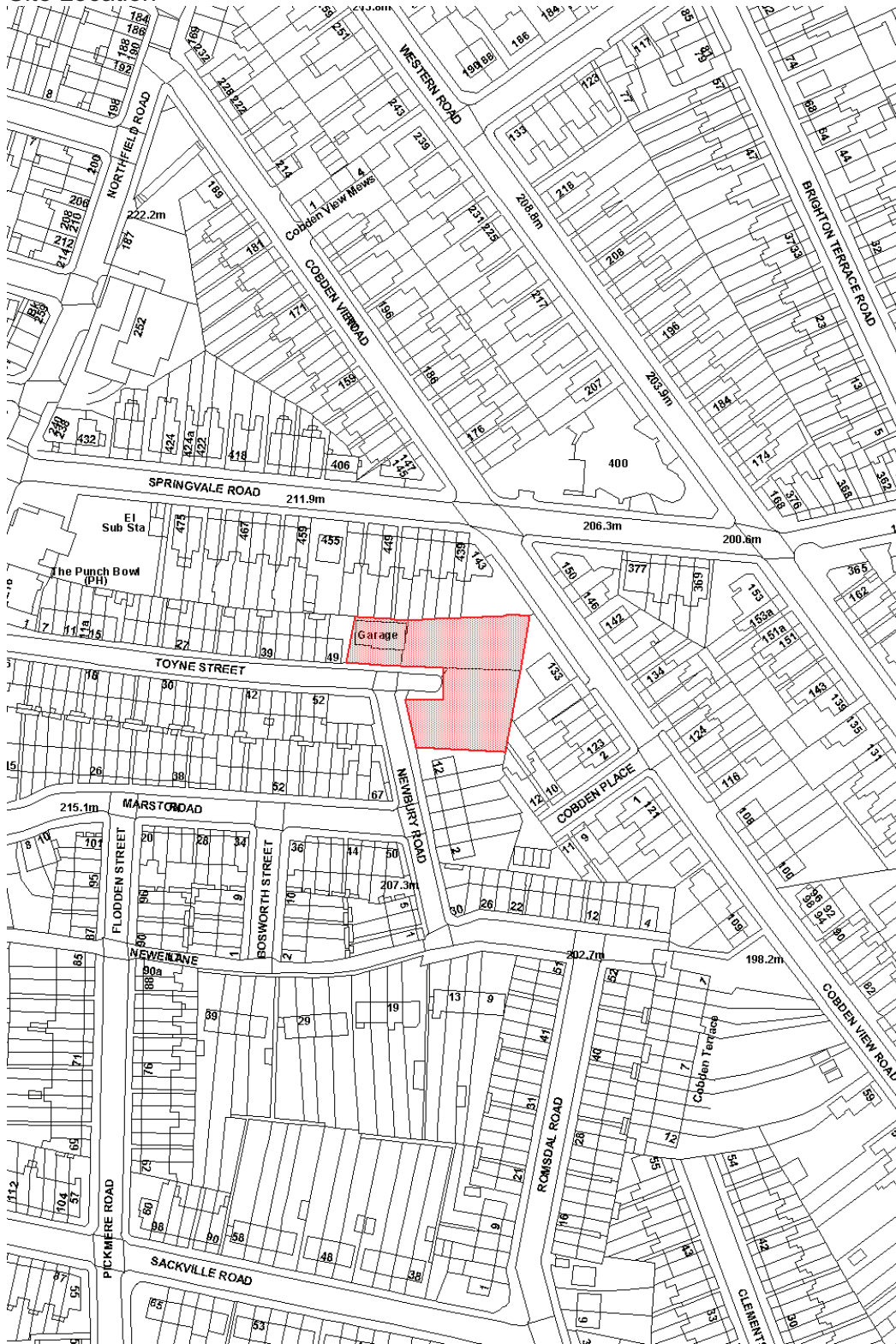
For the attention of Mr S Turner
Tel: (0114) 27 34383

4. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a

fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £85 or £25 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

Site Location



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LOCATION AND PROPOSAL

The application relates to an “L” shaped plot of land to the north and east of the junction of Toyne Street and Newbury Road. At present the land is occupied by a large detached brick built building which is in use as a commercial car garage, the rest of the site comprises overgrown landscaping and is used for storage of vehicles.

The site itself slopes gently down from west to east and is approximately level from north to south. To the west and south of the garage building the site is overgrown and used for vehicle storage, some more mature landscaping and trees are sited towards the eastern boundary of the site with Cobden View Road.

The surrounding area is predominantly residential and characterised mainly by small brick built terraced properties built up to the back edge of the footpath or with a small front garden. The site is allocated as housing in the adopted Sheffield Unitary Development Plan whilst Crookes District Shopping Centre is located 100 metres to the west.

Planning permission is sought for the construction of 12 2/3 bedroom dwellinghouses in two sets of terraces and associated landscaping and parking areas. The first set comprises 4 dwellings fronting Toyne Street whilst the second set comprises 8 dwellings running parallel to Newbury Road.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

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

Not opposed to the redevelopment of the site as at present it is an eyesore and blocks some light from rear garden, however do have concerns about plans as they stand

Loss of privacy

The dormer windows should be to the front of the property to prevent overlooking
Units 10 -13 extend beyond the rear building line

Parking is already problematic in the area due to narrow roads and on-street parking

The site is on the edge of the residents parking scheme and people often park here then walk to the university or hospital

It is inappropriate to have only 7 parking spaces for 13 houses

The 2001 census showed that 30% of homes with 2 rooms had 2 cars

Sheffield City Council guidelines state that one parking space per house would be appropriate

Four years ago there was a fire at the bottom of Toyne Street, the fire engine could not get down Toyne Street due to parked cars

Parking will not ease with the closing of the garage as their cars are gone by 5

Parking at the end of gardens on Springvale Road will lead to increased noise

There is no shortage of housing in the area

The local schools are full

It would spoil the character of the area to build new houses

Development will affect amount of light entering dwellings on Spring Vale Road

Badgers have recently been seen around the scrapyard

Bats have also been seen and it is suspected that they roost in the area of the scrapyard

The study will be used as a bedroom as may the living room if students live in the dwellings

Loss of trees would be detrimental to the appearance of the area

One of the proposed dwellings will span the entire width of the rear garden on 143 Cobden View Road and will be overshadowing

There are many houses in the area which have been for sale for a long period of time

Many landlords can no longer let out their dwellings in this area as students prefer to live in the city centre

The density of dwellings is very high, the desire for a high number of dwellings has lead to a contrived layout which is overdevelopment of the plot and will also be overbearing and result in a loss of privacy to neighbouring residents

Plots 5,6 and 7 are too close to 133 Cobden View Road

Drainage issues, at present the land to the west of the site becomes waterlogged, the development could make this worse and therefore a satisfactory drainage scheme should be submitted

Unclear what the boundary treatments will be, limited landscaping proposals have also been submitted

The development is not in keeping with the rest of Crookes which is characterised by development tight to and facing the highway behind small front gardens
Scheme is contrary to Unitary Development Plan policies BE1, BE5 and H14 and Supplementary Planning Guidance on Designing House Extensions

Following the receipt of amended plans a further six letters of representation have been received, the comments raised through these are detailed below –

Parking for 12 dwellings will attract at least 12 cars, the provision of only 7 spaces will mean further disruption to residents of Newbury Road, Marston Road and Toyne Street

The provision of an additional space does not alleviate concerns

Parking is already difficult in the locality and is getting worse, the proposal will cause traffic chaos on narrow roads which are already overused

The development may improve the look of the area but without sufficient parking it would be unfair to house owners in the immediate area

An email dated 28/8/12 states that parking was discussed in a pre-consultation meeting, it seems the parking issue was a done deal before it went public

The existing perimeter wall is falling down and has Japanese Knotweed growing through it, there are no plans for renewing this wall

A method statement for the safe removal of the Japanese Knotweed should be submitted prior to work commencing

The Groundsure report states that the area does not have a Radon problem however Westways School less than 250 metres away have had to act to reduce levels

The Groundsure survey states that there are no mobile phone masts within 250 metres of the site, when in fact there is one at the Horse and Rider just 170 metres away, can this survey be trusted?

Development will block light to rear gardens of properties on Springvale Road/Cobden View Road and make rooms in the rear of the house dark and cold, it will also cause a loss of privacy

Will overlook dwelling and garden at 133 Cobden View Road

Development is high density and results in an uncharacteristic and contrived layout which result overdevelopment and will deprive neighbours of light and privacy

No information in relation to drainage, boundary treatment and landscaping

Wildlife/bat issues have not been resolved

Development will put extra pressure on water/sewerage system and cause vermin problems

If permission is granted permitted development rights should be removed

A letter of objection has also been received from Councillor Geoff Smith who is concerned that the revised application is not an improvement on the original as it only reduces the number of houses by one. He is also concerned that the number of parking spaces is insufficient given the existing difficulties in the vicinity and that the re will be an unreasonable invasion of privacy.

PLANNING ASSESSMENT

Principle of Development

Policy H10 “Development in Housing Areas” sets out the preferred, acceptable and unacceptable uses in housing areas. The proposal will replace an unacceptable use (B2) with the preferred use (C3) and therefore subject to it complying with other relevant policies the principle of the proposed use is acceptable.

Policy H14 “Conditions on Development in Housing Areas” sets out criteria which development must comply with, including that it will be well designed, not have an adverse impact on the amenities of neighbouring residents and provides safe access to the highway. These criteria will be outlined in more detail in the relevant sections of the report below.

The site is classified as previously developed land in accordance with the definition in the NPPF as “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). As such it’s development will help achieve the requirements of Core Strategy Policy CS24 which sets a target of no more than 12% of dwelling completions to be on greenfield sites between 2004/05 and 2025/26.

Core Strategy Policy CS26 requires development to make efficient use of land but for the density of new development to be in keeping with the character of the area. The policy states that development near to a District Centre should achieve a density of 50 – 80 dwellings per hectare. The site area is 0.162 hectares, the proposal to construct 12 dwellings equates to a density of 74 dwellings per hectare.

Policy CS41 seeks to create mixed communities and by encouraging development to meet a range of housing needs including a mix of prices, types and tenures. The development proposes a mixture of 2 and 3 bedroom properties, small houses in particular are desirable in highly accessible locations such as this.

Design

Policy H14 (a) requires development to be well designed and in scale and character with neighbouring buildings. Policy BE5 “Building Design and Siting” also requires good design and the use of good quality materials.

Core Strategy Policy CS74 is also relevant and seeks to ensure development respects “...the scale, grain and context of the places in which development is proposed”. This Policy goes on to state that new residential schemes of 10 or more dwellings should achieve a Building for Life (BFL) assessment rating of good as a minimum. Building for Life has recently been updated, the new version is called Building for Life 12. An assessment has been undertaken and it is considered that the scheme broadly responds to the main design principles and would be likely to meet an appropriate BFL standard.

Character of area

It is proposed to remove the existing building in the north west corner of the site. The building is equivalent to two-storeys in height, is constructed from redbrick with a pitched roof and is used as a mechanics. The removal of the building will not be harmful to the character of the area. The remainder of the site is used for informal vehicle storage associated with the garage and is overgrown with vegetation. It is argued that the redevelopment of the site will remove the unkempt parcel of land and improve the general appearance of the area.

The surrounding locality is characterised predominantly by Victorian terraced dwellings which are set up to the back edge of the footpath or have a small front garden area. The dwellings on Toyne Street are predominantly finished in redbrick or render, whilst the dwellings on Marston Road are faced in natural stone. The dwellings immediately to the south of the site are slightly newer than the properties on Toyne Street and Marston Road, dating from the 1940s/1950s and are being characterised by bay windows and shallow pitched roofs.

The land slopes downwards from east to west with the terraces stepping down the hill to reflect this. The dwellings are densely spaced with all parking being on-street.

Scale and siting

The proposed development comprises two distinct blocks. The first and largest block comprises units 1 – 8 and runs parallel to Newbury Road on a north-south axis. The second block comprises units 10 -13 and runs parallel to Toyne Street on an east-west axis.

The block adjacent to Newbury Road consists of 8 terraced units set along a staggered building line which is in line with 12 Newbury Road to the south and then steps back into the site. The dwellings are set back marginally from the highway behind a low front boundary wall, this is typical of dwellings within the immediate locality.

The proposed dwellings will be approximately 1.5 metres higher than the dwellings to the south. Whilst the application site is marginally higher than the neighbouring land this difference does not account for the variation in ridge height. The scale of the dwellings including large floor to ceiling heights is more typical of the older terraced dwellings found on Toyne Street and Marston Street. As such it is considered that the heights and overall proportions of the dwellings are acceptable and in keeping with the character of the area. The difference in height in comparison to dwellings to the south will allow the development to be read separately and a distinction to be made between the new development and existing properties. The width of the properties are similar to existing terraces in the locality and will not appear out of keeping.

The block fronting Toyne Street consists of 4 units set along the same front building line as the existing adjacent dwellings. The proposed dwellings are set up to the back edge of the footpath in the same way as dwellings immediately to the west.

The properties have been designed to reflect the topography of the locality, with unit 13 being set slightly lower than No.49 and the heights of the adjacent dwellings stepping down the street similar to the existing pattern of development. The general scale of the properties in terms of height and width is comparable to existing terraced properties on Toyne Street.

The scale and siting of the proposed dwellings follow the general grain and form of development in the immediate locality, as such these elements are deemed to be acceptable and will not be out of keeping with the character of the area.

Detailing

The dwellings have been designed to reflect the character of nearby terraced dwellings and incorporate several features which are characteristic of the area. The positioning and scale of windows and doors is reflective of fenestration patterns on surrounding dwellings. As mentioned previously the dwellings have large floor to ceiling heights which result in the dwellings having a strong vertical emphasis. Shared covered gennels provide access through to back garden areas as is the case in neighbouring terraced properties. Finally, it is proposed to construct the dwellings from facing red brick work with stone cills and lintels and natural slate roofs to reflect the pallet of materials in the locality.

Rear dormers are proposed, these are not a traditional/original feature of properties in the locality, however there are numerous examples of dormer extensions. As such the addition of dormers is deemed to be acceptable, the dormers are centrally aligned and do not dominate the roof plane.

Overall, it is considered that the proposed scale, siting, form and materials of the proposed dwellings would result in a development which would be in character with the grain of the existing area. As such the scheme complies with UDP policies BE5 and H14 and Core Strategy Policies CS31 and CS74.

Amenity

Policy H14 (c) states development should not result in over-development, deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Supplementary Planning Guidance on Designing House Extensions is also relevant. Although the proposal is not for an extension, the principles of this document are relevant to new housing development and provide detail over and above that found in the Unitary Development Plan.

The site lies in close proximity to residential dwellings in all directions, the application has been assessed with regards to the impact on all dwellings adjacent to the site. Amendments have been made to reduce the impact of the proposal on surrounding residents, including the removal of unit 9, the removal of rear dormers to units 5 and 6 and the resiting of units 5 to 8.

The proposal will not be unacceptably overbearing or overshadowing to the dwelling to the south of the site No. 12 Newbury Road as this property does not have any main windows in the side elevation and unit one will not break a 45 degree line with the nearest ground floor window.

Dwellings on Cobden Place will have their rear elevations facing towards the application site. The orientation of these properties relative to the site is such that the new dwellings will not be placed directly in front of the rear elevations, this coupled with adequate separation distances will ensure there is not an unacceptable impact on the amenities of existing residents. Furthermore, there are several trees to the rear of these properties, within their boundaries which will offer some screening.

The nearest dwelling on Cobden View Road, No.133 is set between 1 and 11.5 metres from the rear boundary of the site and is set approximately 1.5 metres below the application site. A minimum distance of 14 metres separates the rear elevation of No. 133 from unit 5. Guideline 5 of the Supplementary Planning Guidance on Designing House Extensions states that a minimum of 12 metres should exist between developments in order to ensure that unacceptable overbearing and overshadowing does not occur. As this distance is exceeded it is considered that the development will not be unacceptably overbearing to No.133. Furthermore it is highlighted that 14 metres is the minimum distance and that owing to the angled siting of No.133 the distance is larger across the majority of the rear elevation of No.133.

A distance of 21 metres is generally required between main facing windows to ensure that unacceptable overlooking does not occur, however guideline 6 of the Supplementary Planning Guidance on Designing House Extensions states that “a reduced standard can be applied where two or more dwellings have windows that are not directly facing each other but angled away from 180 degrees”.

The dwellings closest to No.133 have had their rear dormer windows removed, this will reduce overlooking to No.133. Furthermore the first floor window in the rear elevation of these properties serve non-main rooms (bathroom and study), these will be conditioned to be obscurely glazed. A minimum distance of 18 metres will separate the rear of unit 4 from the rear of No.133, clearly this is less than the 21 metres recommended, however the oblique angle of No.133 will reduce any potential overlooking. Furthermore, these sorts of distances are similar to others in the immediate locality and are common of such densely populated areas. Distances of between 19 and 26 metres separate windows in the rear of units 1, 2 and 3 from the rear of dwellings on Cobden Street, the existing dwellings are all set at an angle to the proposed scheme and therefore it is considered that unacceptable overlooking will not occur.

Units 1 – 8 all have gardens in excess of 10 metres and therefore there will not be an unacceptable loss of privacy to rear gardens of properties on Cobden View Road.

Amendments have been made to the scheme to remove unit 9 which was sited in close proximity to the northern boundary as concern was raised that this would be

detrimental to the living conditions of occupiers of No.143 Cobden View Road and 436 Springvale Road. A distance of 16.5 metres will separate the rear elevations of properties to the north from the side elevation of unit 8. This distance is greater than the 12 metres recommended in guideline 5 of the Supplementary Planning Guidance on Designing House Extensions and as such it is considered that the development will not have an unacceptable impact in this direction. The windows in the side elevation facing north will be conditioned to be obscurely glazed given their proximity to the common boundary.

Units 10 to 13 are sited approximately 20 metres away from the rear projections of dwellings to the north on Springvale Road and have gardens approximately 7 metres long. These dimensions are less than recommended in relevant guidance (21 metres between windows and 10 metre garden length), however in this instance the distances are deemed to be acceptable for several reasons. Firstly, the garden size and relationship with the properties to the rear is similar to the established relationships which already exist on Toyne Street. Secondly, the impact of the dwellings will be less than the current garage building which is located in close proximity to the common boundary.

The development will not have an adverse impact upon the amenities of the dwelling to the west, No.49 Toyne Street as this property does not have any windows in the site elevation and the new dwellings will be set along the same front and rear building line as N.49.

Amenity of new dwellings

All properties will benefit from adequate light and outlook to main rooms.

The larger units 1 – 8, all have amenity spaces in excess of 50 square metres gardens of this scale are in accordance with relevant policy and of a standard suitable for a family dwellings. Units 10 -13 have smaller gardens of approximately 30 square metres, whilst below standard requirements, these are similar to other gardens on Toyne Street, smaller gardens are common of terraced dwellings. More over, the dwellings themselves are relatively small and therefore the amenity space is considered to be adequate. To avoid any significant encroachment into these rear gardens, it is recommended that the properties' 'Permitted Development' rights be removed. This can be secured by planning condition.

Sustainability

Core Strategy Policy CS64 "Climate Change, Resources and Sustainable Design of Developments requires new buildings and conversions to reduce emissions of greenhouse gases and be designed to use resources sustainably. In order to satisfy the requirements of this policy the developer has confirmed that the building will reach a minimum of level 3 in the code for sustainable homes, this will be secured via a condition.

Core Strategy Policy CS65 "Renewable Energy and Carbon Reduction" sets out objectives to support renewable and low carbon energy generation and also to further reduce carbon emissions. Policy CS65 requires new residential

developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy providing it is feasible and viable. The applicant has committed to this requirement suggesting that it will be achieved through solar electricity, solar hot water or heat pumps. The exact method has not yet been decided but this can be secured via way of an appropriately worded condition. Part b of CS65 requires development to generate further renewable or low carbon energy or incorporate design measures sufficient to reduce predicted carbon dioxide emissions by 20%. This requirement is currently not required given the carbon reductions required through building regulations introduced in October 2010.

Ecology

A bat survey has been undertaken to assess the potential for bats in the existing building, this found no evidence of bats. Advice has been sought from the ecology service who have suggested that the trees on site look unsuitable for bats.

A check has been carried out on the Biological Record Centre for badgers in the area, this showed the nearest records to be some distance away from the site. This coupled with the level of disturbance on site make it unlikely that badgers would be adversely affected by the propose development.

Open Space Contribution

Policy H16 of the Unitary Development Plan requires the developer to make a contribution to the improvement of recreation space in the locality, in line with details set out in the Supplementary Planning Guidance on Open Space Provision in New Housing Development. The financial contribution for this site amounts to £21,238.60 this will be used to provide/secure improvements to local open spaces.

The National Planning Policy Framework requires states that Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The contribution is to be made in line with the requirements of Policy H16, as outlined above. It is essential to contribute towards Open Space within the locality to ensure an improved environment for occupiers of the proposed development. The contribution has been worked out on the basis of the number and size of units and thus is proportionate to the scale of the development.

A signed legal agreement had not yet been returned at the time of writing this report, members will be updated on this situation at the committee meeting.

Access

Unitary Development Plan Policy BE7 “Design of Buildings Used by the Public” requires the provision of safe and easy access to buildings for people with disabilities. The access to the residential entrances will be level, with doors of an appropriate width to allow access for people in wheelchairs, thus meeting the requirements of policy BE7.

Policy H7 ‘Mobility Housing’ of the Unitary Development Plan states that a proportion of mobility housing will be encouraged except where the physical characteristics of the site make it impracticable.

The drawings indicate that a total of four units will comply with the mobility housing standards, this equates to a third of all dwellings. There are several outstanding issues which need to be resolved to ensure the dwellings comply with mobility standards; the applicant has been advised of this and members will be updated at committee.

Highways

A total of 8 off-street parking spaces are proposed for the development. However the removal of the garage and associated storage areas will allow for on-street parking on Toyne Street (to the fronts of units 10-13) and Newbury Road (to the fronts of units 1 -4) which is not currently available. The total number of on-street and off-street parking spaces available will be 14, this is in excess of 1 space per unit.

On-street parking is characteristic of the area and it is highlighted that the removal of the garage will lead to the associated loss of cars associated with this use and allow for increased on street parking.

It is noted that there are high levels of on-street parking in the locality, however the level of parking provision is deemed to be acceptable. Core Strategy Policy CS53 states that maximum parking standards should be applied to new development to manage the provision of private parking spaces. The maximum parking standards for a 2/3 bed house is 2 spaces, the fact that this is the maximum provision is highlighted.

The NPPF states that when setting local parking standards Local Authorities should take into account

the accessibility of the development

The availability of and opportunities for public transport

Local car ownership levels

An overall need to reduce the use of high emission vehicles

The site is located in a highly accessible location just 100 metres from the Crookes district shopping centre which benefits from a variety of shops and amenities and a high frequency bus route to the City Centre. Given this it is considered that the amount of parking provision is reasonable. Whilst noting the concerns raised by members of the public, when applying national and local policies in relation to

parking provision, it would be difficult to substantiate a reason for refusal on parking grounds.

Contamination

A Phase I Contaminated Land Survey has been submitted with the application, this highlights that the site has a moderate to high risk of contamination due to its use as a garage. It is therefore likely that remedial action will be required, however until a contaminated ground investigation is carried out this cannot be confirmed. Conditions will be attached to the application requiring further investigation to be carried out and remediation undertaken as necessary.

Landscaping

The development will involve the removal of several trees within the site, including sycamore trees which are growing in close proximity to boundaries. A short tree report has been submitted with the application, this states that the trees in close proximity to the boundaries are in danger of causing damage to retaining walls and summarises that no trees within the curtilage of the site are worthy of retention. The report recommends that consideration is given to planting trees within the new development, this will be secured by way of condition.

Hard landscaping within the site is shown to be tarmac with parking spaces being in a permeable material. A condition will be attached requiring further details of this, in particular it is considered that the scheme would benefit from permeable paving throughout to reduce surface water run off in the development. Details of soft landscaping will also be secured by way of an appropriately worded condition.

Boundary walls to the front of units and those visible from public areas are to be constructed from natural stone with stone copings with black powder coated metal gates. The use of high quality natural materials will result in a well detailed scheme.

SUMMARY AND RECOMMENDATION

The proposal is considered acceptable in design terms, the scheme has been designed to reflect the character of the surrounding area through the siting, scale, details and materials of the dwellings and will sit comfortably in the locality. The development will not have an unacceptable impact on the living conditions of surrounding residential properties. The development will have a mixture of off-street and on-street parking, which given its sustainable location in close proximity to a District Shopping Centre and excellent public transport links will not have an adverse impact on the local highway network. The scheme complies with the National Planning Policy Framework, Unitary Development Plan Policies H7, H10, H14, H16 and BE7, Core Strategy Policies CS24, CS26, CS41 and CS74 and Supplementary Planning Guidance on Designing House Extensions and is therefore recommended for approval.

Case Number	12/01702/REM (Formerly PP-02002535)
Application Type	Approval of Reserved Matters
Proposal	Erection of 12 dwellinghouses (Application to approve landscaping, scale, access, appearance and layout in relation to outline planning permission ref. 08/03194/OUT) (as amended 30.07.12, 13.09.12 and 05.10.12)
Location	Land To Rear Of 15 To 31 And Adjacent To 38 Hanson Road Sheffield S6 6RF
Date Received	12/06/2012
Team	NORTH & WEST
Applicant/Agent	England And Lyle
Recommendation	Reserved Matters Approved Conditionally

Subject to:

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

drawing no. 0127_HTA Rev B, HTA1(M) Rev B, HTB Rev B, HTB1 Rev B, HTC Rev B, HTD Rev C, HTD1(M) Rev B received on 13.9.12; drawing nos. 0127_01 Rev B, 02 Rev B, 03, 04, 05, 09 received on 13.9.12; and drawing nos. 0127_06 Rev E, 07 Rev E, 08 Rev D, 10 Rev C, 11 Rev B received on 5.10.12

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 2 Notwithstanding the submitted details, prior to construction of the road, full details shall have been submitted to and approved in writing by the Local Planning Authority of long-sections and cross-sections, drainage, illumination, margins (to be 700 mm wide), construction details, materials, and the transition from segregated to shared surface at the end of Leaton Close. None of the houses shall become occupied unless the road serving the houses has been constructed in accordance with the above-mentioned approved details.

In the interests of the safety of road users.

- 3 Notwithstanding the submitted details, prior to construction of the garages, full details shall have been submitted to and approved in writing by the Local Planning Authority of the internal dimensions (to be 6 metres long and 3 metres wide). None of the houses shall become occupied unless the garages have been constructed in accordance with the above-mentioned approved details.

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

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

In the interests of the safety of road users.

- 5 Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

In the interests of the safety of road users.

- 6 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 7 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.

- 8 Large scale details, including materials and finishes, at a minimum of 1:10 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Windows
Window reveals
Doors
Eaves and verges

External wall construction
Brickwork detailing
Roof
Ridge & valleys
Rainwater goods

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

In order to ensure an appropriate quality of development.

- 9 Notwithstanding the details shown on the submitted drawings, no tree, shrub or hedge within the green buffer zone as defined on the Proposed Landscape Scheme And Boundary Details drawing no. 0127_06 Rev E shall be removed or pruned without the prior written approval of the Local Planning Authority.

In the interests of the visual amenities of the locality and for the avoidance of doubt.

- 10 Notwithstanding the details hereby approved a comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority in accordance with Condition no. 6 of outline planning permission no 08/03194/OUT.

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
H14 - Conditions on Development in Housing Areas
H15 - Design of New Housing Developments
GE15 - Trees and Woodland
CS74 - Design Principles

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

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the

application report at www.sheffield.gov.uk/planningonline or by calling the planning officer, contact details are at the top of this notice.

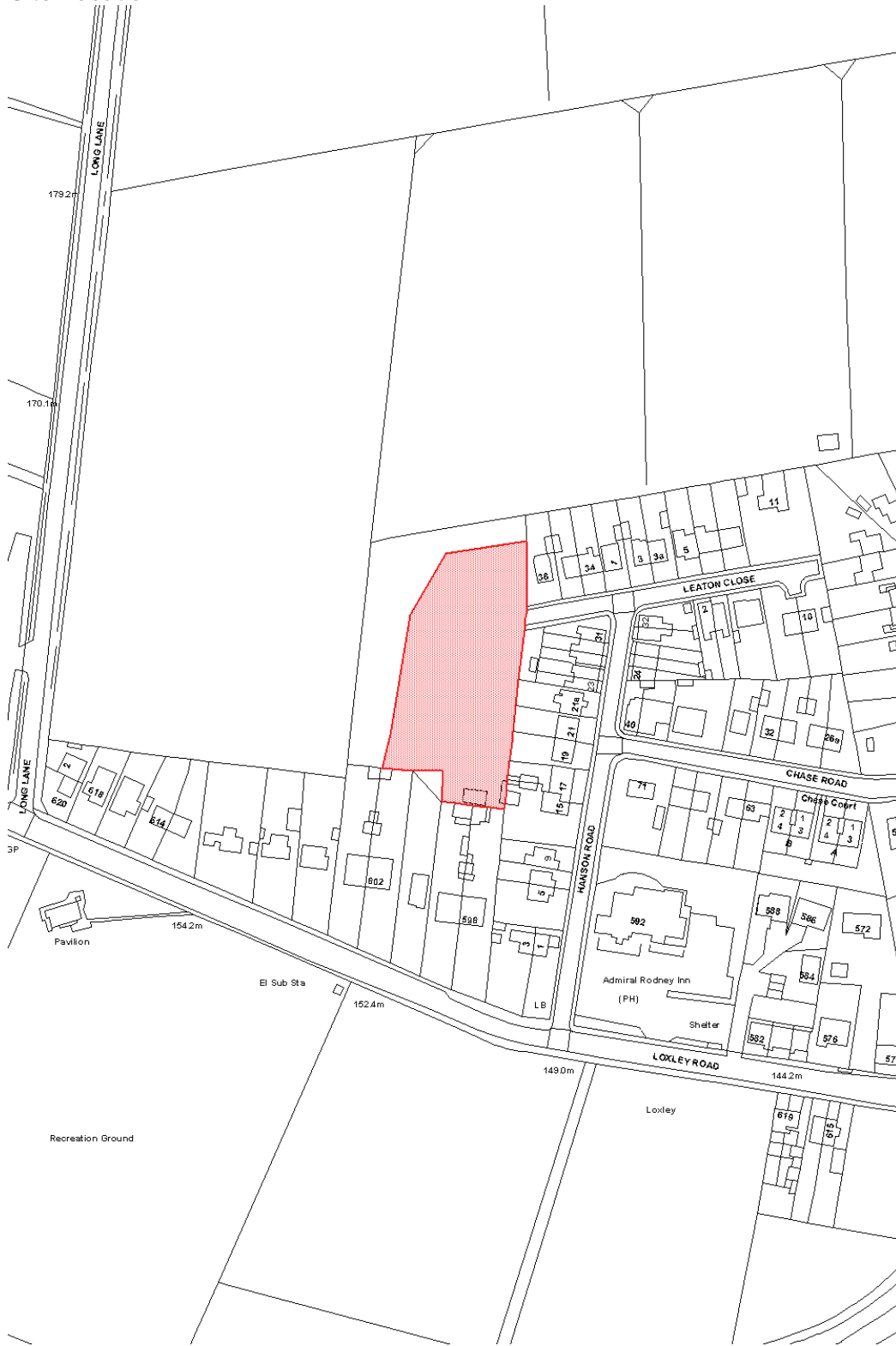
Attention is drawn to the following directives:

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

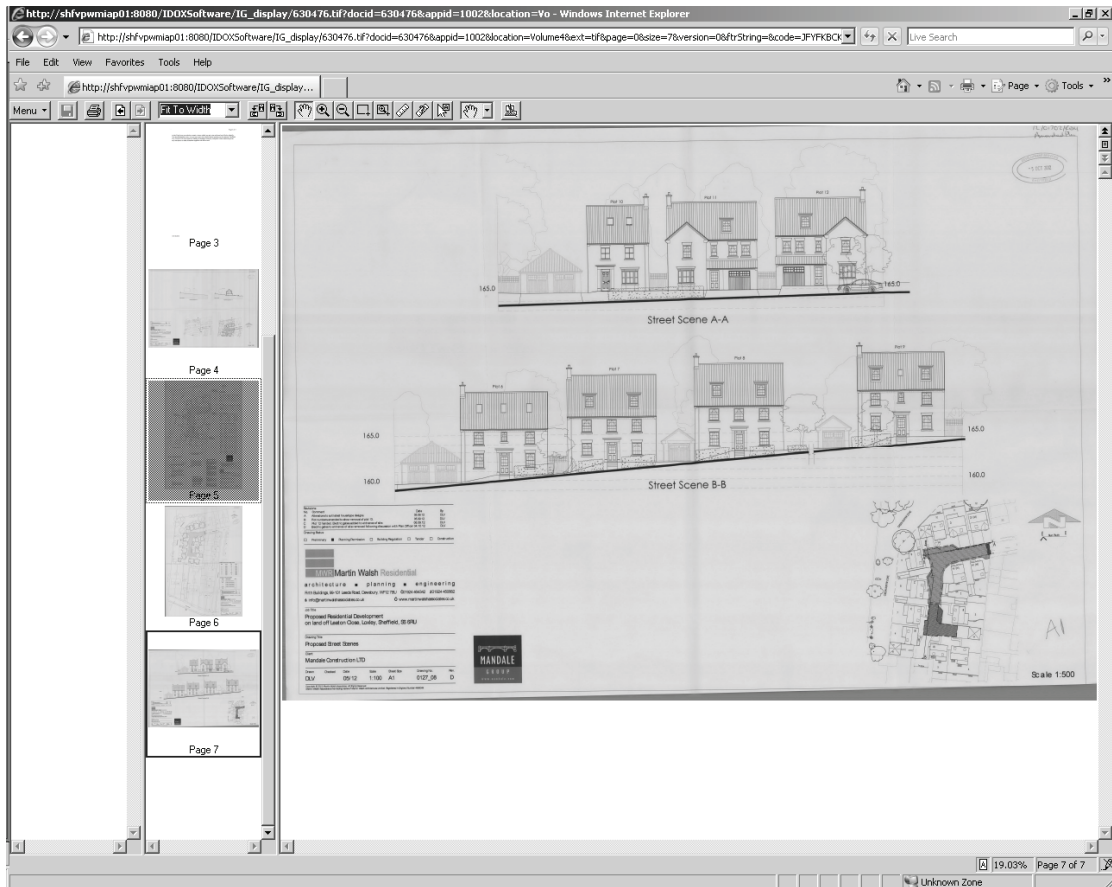
If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

2. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

Site Location



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INTRODUCTION

Outline planning permission for the erection of 14 dwelling houses on this site was granted on appeal in 2009 (application no. 08/03194/OUT refers).

The outline planning permission addressed the principle of development. The outline application indicated access as being off the northwest end of Hanson Road where there is currently a field access gate.

The outline planning permission reserved by condition the details of access, appearance, landscaping, layout and scale for subsequent approval.

This current application seeks approval of these five reserved matters of access, appearance, landscaping, layout and scale.

A separate application to extend the time limit for submitting reserved matters on this outline planning permission has also been submitted by the applicant (application no. 12/02252/OUTR refers).

LOCATION

The site is located at the western end of the built up area of Loxley and forms part of an existing field. A strip of land within this field running inside its north and west boundary is excluded from the application site.

To the east and south the site adjoins the side and rear gardens of houses off Hanson Road and Loxley Road. To the north and west the site adjoins the remainder of the field beyond which is open countryside.

The site comprises approximately 0.38 hectares. There is a change in level of approximately 8 metres from the northern boundary of the site down to its southern boundary. The site is mainly unkempt grassland with several trees towards the southern boundary of the site.

The strip of land outside the application site on the west and northern boundaries of the site also contains several trees alongside the boundary of the field.

PROPOSAL

This application seeks approval of the reserved matters of access, appearance, landscaping, layout and scale in connection with an outline planning permission for the erection of 14 dwellings on the site.

This reserved matters application has been amended since its original submission to reduce the number of dwellings and revise their layout, appearance and landscaping.

The outline planning permission is for 14 dwellings. These reserved matters originally showed a layout with 13 dwellings on the site. The amendment to these reserved matters has reduced this to 12 dwellings.

The layout has been revised to reflect the loss of a house in the southeast corner of the site where two originally proposed houses have been replaced with one larger house.

The design of the proposed road at its access off Hanson Road has been revised to move the transition between the two types of road design closer to the end of Hanson Road.

The orientation of the houses on two of the plots close to the site entrance has been revised such that their front elevations would now run parallel to the access road.

The house types on three of the plots have been revised to meet mobility housing requirements, and some of the house types have been revised to reposition dormer windows from the front to the rear elevations.

The rear boundary of the plots alongside the buffer strip has been corrected to match that shown on the outline planning permission and some proposed rear garages have consequently been re-sited. The landscaping proposals have been clarified to include the planting details for the buffer strip.

As amended, the proposal comprises 2 x three/four-bedroom houses, 4 x four-bedroom houses and 6 x five-bedroom houses. Each house would have three floors of accommodation with the upper floor being within the roof space.

The dwellings are of traditional appearance and would be faced in stone with slate roofs and upvc windows, doors and rainwater goods. The roofs incorporate dormers and roof lights.

3 of the 12 dwellings are designed as mobility housing.

The access to the development is off the north western end of Hanson Road.

The proposed layout consists of houses either side of a cul-de-sac which runs westwards into the site and turns south following the gradient down the site with the southern most houses grouped around the end of the road. The three mobility house types are sited nearest the site access.

The landscaping scheme includes tree planting along the eastern boundary (8 trees) and within the site alongside the proposed road (15 trees). Shrub planting is proposed to some of the front gardens of the housing plots. A stone wall is proposed where some of the side gardens flank the road. A post and rail fence and hedge planting is proposed along the rear boundary of the house plots where they back onto the adjacent green buffer strip. Wild flower/grass seeding is proposed within the green buffer strip to the east of the site.

RELEVANT PLANNING HISTORY

In 2009 outline planning permission was granted on appeal for the erection of 14 dwellings on this site (application no. 08/03194/OUT refers).

Condition no. 1 of outline planning permission 08/03194/OUT states that the matters of access, appearance, landscaping, layout and scale are reserved for subsequent approval.

The other conditions of the outline planning permission relate to;

- timescale for submission of the reserved matters (condition no. 2),
- timescale for implementation of the development (condition no. 3),
- undertaking an ecological survey of the site before work on site is begun (condition no. 4),
- agreeing details of mitigation measures contained in the applicant's biodiversity survey, tree survey and landscape strategy (condition no. 5),
- agreeing a landscape scheme (condition no. 6),
- retaining specified trees and providing temporary tree protection fencing (condition no. 7),
- agreeing details of sustainability measures contained in the applicant's Sustainability Statement (condition no. 8),

-restricting vehicles/plant/machinery required in connection with site clearance, preparation and construction from entering and leaving the site before 0900 hours or after 1600 hours on Mondays to Fridays (condition no. 9).

Conditions no. 2 has been complied with by the submission of this reserved matters application.

No other applications to discharge conditions have been submitted yet.

SUMMARY OF REPRESENTATIONS

This application has been publicised by letters to adjacent residents, by site notice and advertisement.

26 representations objecting to the proposals have been received relating to the following matters:

Access and Highway Related Matters:

- access to the site is inadequate, against the use of Hanson Road as an access to the development site, this is a narrow road, cars park on Hanson Road, Hanson Road has an extremely tight corner at the top which causes difficulty for larger vehicles to negotiate, unsafe;
- create congestion problems in the area, additional traffic movements, road safety problems, increase risk of accidents, make road more dangerous for children to play out on, danger to motorists, cyclists and pedestrians;
- junction off Loxley Road onto Hanson Road is very bad, visibility is poor, blind bend, extra traffic using this dangerous junction, a bus route runs off Loxley Road/Hanson Road/Chase Road, difficulty with volume of traffic it encounters, more houses would cause more problems;
- problem now for refuse collection and emergency vehicles due to narrow junction of Hanson Road and Leaton Close, how would emergency services, large furniture removal vans get through to proposed site, access not suitable for construction traffic;
- noise pollution, vehicle lights pointing into living room, development is at the expense of existing peaceful cul de sac;
- traffic study should be revisited with consideration paid to greater number of occupants and bedrooms proposed;
- no provision for much needed car parking, garages too small for their cars;
- could another access be found, access off Loxley Road would be more sensible, use plot of land at 598 Loxley Road to create access, take access from Long Lane due to problems on Hanson Road and Chase Road;
- the appeal decision clearly states that the access will be via Hanson Road;
- increase difficulty to use drive to property on Leaton Close;
- reduce construction time to 3pm to avoid time when school children returning along Hanson Road/Leaton Close;
- there is no right of access to the site via the route shown, stone wall was knocked down and replaced with gate;
- double yellow lines on both sides of Hanson Road will have major impact reducing parking facilities for residents;

Appearance, Layout and Scale Related Matters:

- plans of houses not in keeping with surrounding housing, only six houses all on Loxley Road are two and half storeys, 13 houses of two and half storeys is excessive, 13 estate houses do not add to beauty of Loxley countryside, houses will impact on the green belt, individually styled houses may be accepted better, large bungalows or detached houses with big gardens will be more tasteful;
- this is not a mixed development with smaller more affordable housing, no local demand for such large houses;
- footprint for 13 houses is overbearing and should be radically scaled down;
- houses and gardens on Hanson Road would be overlooked, insufficient consideration given to steep incline of the site resulting in two and half storey buildings being overbearing especially to residents on Loxley Road which are below the buildings, site numbered 7 is 3 metres higher than 602 Loxley Road;
- siting and height of house on plot 4 would dominate rear garden of 17 Hanson Road contrary to Policy H15 of UDP;
- concern about privacy and right to light as one of the dwellings is immediately adjacent to the gable end of no. 38 Hanson Road which contains a dining room window;
- too many houses, too many people;

Landscape Related Matters:

- land is a habitat for a diverse range of wildlife, flora and fauna, trees and wildlife on the field should be protected, likely that some are protected species, poplar trees on western boundary appear to have been removed on drawings, important to preserve tree roots, not clear where soakaways/ponds are to be sited;
- worried if houses built near the trees;
- who will decide removal of trees in poor condition;
- mountain ash/rowan trees are small not suitable for screening site, limes not evergreen unsuitable for screening in buffer zone;
- bad practice to plant new trees alongside older trees;
- shrubs outlined are low growing of little interest to birdlife;
- no measures for buffer zone and maintenance after 5 year period;
- replacing trees with shrubs is not acceptable;
- no provision for boundaries that back onto Hanson Road or Loxley Road to have any trees replaced, suggest tree planting on south side to break effect of houses from Loxley Road;
- no marked dimensions for the green buffer zone;
- need for a 1m wall and extra drain on southern boundary;
- look at reasons why planning permission was refused, loss and harm to open space, out of character in immediate locality, does not conserve landscape;
- believe this is a greenbelt area;
- previous biodiversity survey at odds with appeal decision;
- look of Loxley Road from surrounding areas would be greatly altered and damaged, the field gives a natural edge to Loxley, to build any houses would be damaging, a disaster and an eyesore changing Loxley as a village for ever;
- a further ecological survey is required by an approved organisation;
- consultation with ecology is a key factor;
- loss of green spaces must be resisted;

Policy Matters:

- loss of greenfield when brownfield sites need improvement;
- understand it would contravene national planning policy guidelines and Unitary Development Plan Policies BE18 (development in areas of special character), GE4 (development and the green environment), GE11 (nature conservation and development), GE12 (sites of special scientific interest and local nature reserve), GE13 (areas of natural history interest and local nature sites), GE15 (trees and woodland);
- likely to be contrary to the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992;
- contrary to the Loxley Valley Design Statement planning Guidelines Draft Section 2.1;
- contrary to Policy H15 of UDP;

Construction Matters:

- if permitted how long would residents be subject to heavy works traffic plying backwards and forwards with resultant traffic noise and pollution, inconvenience.;
- machinery has been observed on the site;

Drainage Matters:

- drains onto Loxley Road from Hanson Road are inadequate so further development would cause problems, drainage systems in area already operating at capacity, problem with removal of surface water should be looked into, how overcome problem of no satisfactory outfall for surface water due to small culverted watercourse and soakaway systems being not acceptable, increase in foul sewerage system would lead to problems, will there be sufficient capacity in the system to cope;
- valley is clay based full of natural springs, water courses run down hillside, draining by ponds and sumps would create problems;
- there would be an increase in flooding in a problematical area at the bottom of Hanson Road/Loxley Road junction, what remedial action could be necessary;
- drainage is not addressed on the plans;
- consultation with land drainage is a key factor;

Sustainability Matters:

- contrary to statements in Sustainability Statement Loxley Road does not have transport that travels down Loxley Road, primary school and Malin Bridge tram terminal are further than stated, Admiral Rodney is now a restaurant, there is no longer a post office on Loxley Road, residents can't get their children into Loxley primary school, does green buffer zone incorporate all the healthy trees, tree roots to be a hazard to houses, houses will suffer flooding;
- Loxley does not have its own shopping hub, none of the local businesses are struggling;
- the site is not part of the urban environment but a rural area, not possible to maintain biodiversity, environmentally unfriendly;

- local school is heavily oversubscribed, no option to expand, Children, Young People and Families portfolio should be consulted;
- little scope for additional facilities to support the development;
- jeopardise a delicately balanced community;

Other Matters:

- this should be a new application, has not built within 6 months;
- there should be a public meeting, all residents should be brought together with the Council, Mandale Construction and the [Planning Inspectorate] Service to air their views, developers have not carried out a proper consultation;
- a neighbour has stated they have requested a review of the outline decision and freedom of information requests and ask that no action be taken until these have been received and considered.

An objection has been received from Councillor K Condliffe relating to the following matters:

- Residents feel very strongly about this development. Whilst they understand that the development has been approved and this application only refers to reserved matters; there is a lot of concern about access to the site. These concerns are as follows:

Hanson road has an extremely tight corner at the top when turning left which causes difficulty for larger vehicles to negotiate.

- the street itself is often highly congested due to many parked vehicles owned by the current residents of the road.

-residents are concerned about damage which may be caused to their vehicles by passing lorries and construction vehicles.

-some residents with children have also expressed concern about how safe the road would be with the increased frequency in traffic, as it is primarily a residential area.

-it would appear from the officer's report that they didn't visit the area at peak times eg evenings and weekends so they wouldn't be able to recognise the scope of how congested the area gets. Could they go out again at a more appropriate time to reassess the situation?

-on the weekend of 19/20 June local residents witnessed a Fire Engine trying to turn left at the top of Hanson Road, they were only there to fit someone a smoke alarm, but the vehicle could not make the turn and subsequently not get up the road: and had to park up opposite where the proposed entrance to the estate is blocking the road.

-refuse vehicles cannot currently get up the road and have to park at the junction of Hanson Road/Leaton Close and have to do a turn in the road, blocking the bottom of Heaton Close (?Leaton Close) and bins are brought to the vehicle. How will this be impacted when there are 13 more houses in the area?

-large vehicles such as delivery vehicles find it difficult to navigate the estate and often have to reverse up roads and block access/egress to the roads in order to unload.

-in addition, residents have concerns about the safety of vehicles coming out of the bottom of Hanson Road onto Loxley Road as often, this requires pulling out blindly as visibility is very poor. There are concerns that an accident may occur.

A letter has been received from N Clegg MP who has been contacted by a local constituent and is writing in his capacity as a constituency MP. His constituent has raised the following objections:

- the land is now a habitat for a diverse range of wildlife, flora and fauna;
- the access to Leaton Close and Hanson Road are in no way suitable for any additional traffic, let alone construction traffic which would be required;
- I understand the drainage system in the area is already operating at capacity;
- the local primary school is already oversubscribed with no option to expand;
- there is little or no scope for the development of additional facilities to support further housing in the area unless development is to occur on 'green belt' land which of course must be resisted.

The Campaign to Protect Rural England state that the application should be refused unless it is significantly altered to reflect the simpler traditional building style:

- the simpler curved cul de sac layout with predominantly semi-detached dwellings indicated on the outline proposal rather than the high density detached dwellings in a courtyard layout as proposed is more in keeping with the local character of the area;
- the design of the properties does not respect the traditional character, these are more modern than the traditional Sheffield style homes which provide local distinctiveness, the traditional properties are generally close to the road which they face, semi-detached or terraced and built in traditional gritstone with slate roofs;
- the development comprises two and half storey detached properties at a high density with square dormer windows and more ornate doorways, they do not compliment the surrounding traditional building style, contrary to Policy CS74 part C in the Core Strategy and saved Policy BE5 part A in the UDP.

Bradfield Parish Council recommends refusal:

- it is on a green field site; there are highway issues for example narrow road access; danger to pedestrians; dangerous access/egress to and from the site and drainage issues. Residents have also noted to the Parish Council their concerns regarding the proposed size of the houses and their close proximity to existing properties.

Loxley Valley Protection Society object:

- the pre application public consultation carried out by the developer should be given very little weight as it was carried out with only a few days to comment;
- pre application advice not detailed;
- agree and support comments made by CPRE;
- the indicative design although for one more property is much less cramped;
- the type of house, all large 4-5 bedroom on three storeys detached with separate garages is too intensive for a development which is on the edge of the Green Belt and contrasts sharply with the layout of the two detached and 11 semi's in the outline which fits in better with the current street scene and housing requirements in this area;
- the more cluttered proposed layout allows for less garden;

- the frontages are closer to the roadway, 3 of the buildings are close and closer to 3 of the mature protected trees in the buffer zone which could lead to their eventual removal;
- there appear to be less of these trees in the buffer zone than in 2008;
- the proposed layout in relation to no. 38 is forward of the building line of the properties in Leaton Close and close enough to block the light from the existing side windows of this property to the detriment of the quality of life of the existing residents;
- support many of points made by neighbours in relation to access, drainage/flooding and development should not be at expense of the quality of life of existing residents;
- the Inspectors report requires an ecological survey by a qualified person(s), no trees to be removed, any removed tree to be replaced;
- a tree in the garden of the house on Loxley Road next to the boundary of the site has been removed from the current application so will need to be replaced if this removal is sanctioned;
- that there are less trees on the current plan than previous requires a review of the trees with replacement of any lost since August 09 as well as further planting;
- the developer's planning statement gives very little information on type and position of planting, it is important to have this in this location on edge of Green Belt which becomes the peak District National Park, no scheme seems to exist for the landscaped buffer zone;
- building close to tree canopies on plots 7, 10 and 13 could result in root damage and eventual loss of tree;
- the trees should be TPO'd;
- the development will be well screened by the buffer trees from across the valley providing they are enhanced and maintained;
- the development as it stands does not conform to the Planning Inspectors Report and should be refused.

Wadsley and Loxley Commoners object:

- the land is a natural habitat and a buffer zone between the built up Loxley area and Wadsley and Loxley Common which is a designated Nature Reserve and an important recreational resource;
- the building of houses so close to the Common would be detrimental to its fauna and flora and a tremendous loss of natural habitat that is so vital to wildlife.

PLANNING ASSESSMENT

The principle of the development of this site for housing has been established by the granting of outline planning permission.

This application seeks approval of the reserved matters of access, appearance, landscaping, layout and scale in connection with the outline planning permission.

Policies H15 and BE5 of the Sheffield Unitary Development Plan (UDP) and Policy CS74 of the Sheffield Development Framework (SDF) Core Strategy seek good quality design in new development.

Policy H14 of the UDP relates to conditions on development in Housing Areas including matters of design, amenity and highway safety.

Policy GE15 encourages the protection of trees and woodlands.

The supplementary planning guidance contained in the Loxley Valley Design Statement supplements the policies of the UDP relating to landscape, buildings and the green belt in the valley.

Access

The principle of gaining access to the site from the northwest end of Hanson Road was established by the outline planning permission. The appeal decision letter also stated that the Planning Inspector was satisfied that the development would provide sufficient off-street parking, and did not consider that the number of vehicles likely to be generated by the proposal would significantly exacerbate the existing situation. The Planning Inspector did not consider further restrictions of on-street parking on Hanson Road to be necessary or desirable.

The details of access submitted with this reserved matters application conform to the access proposals indicated in the outline planning permission.

The location of the access off Hanson Road is the same as considered in the outline planning permission. The number of dwellings proposed has reduced from 14 to 12 dwellings, and the proposed mix of house types has changed from the 6 x three-bedroomed and 8 x four-bedroomed houses indicated on the outline to the 2 x three/four-bedroom houses, 4 x four-bedroom houses and 6 x five-bedroom houses proposed in these reserved matters.

The likely traffic generated by this mix of house types proposed in the reserved matters will not significantly increase the number of vehicles generated by the development or harm highway and pedestrian safety on Hanson Road and the local road network.

Hanson Road has segregated carriageway and footpaths. The proposal seeks to provide a shared surface access road within the site. The transition between these two road layouts is proposed at the point of access to the site.

The proposed access arrangements show an acceptable design for this transition. Further details of the specification of the transition between the two road types will be required and such details can appropriately be conditioned.

There are no highway objections to the proposed access details as amended.

Appearance

The proposed dwellings are generally of traditional appearance and would be faced in stone with slate roofs. The proposed dwellings each provide three floors of accommodation with the upper floor being within the roof space. The dwellings

would have ridged roofs with roof lights and dormer windows providing daylight into the upper floor rooms. The design of the dwellings generally gives greater emphasis to the elements and proportions of features on the ground floor of the elevations with a clear hierarchy of windows. The mix of house types provides variety within these general themes.

The topography of this sloping site enables the roof heights of the proposed dwellings to step down the site. The proposed appearance of the dwellings provides a consistent character to the development and would integrate well with the existing character of the area.

Conditions are recommended to ensure satisfactory details are secured.

Landscaping

The ecological assessment has identified no species of significance in the existing grassland on the site. The proposals for the buffer zone seek to retain the existing trees and shrubs. The remaining vegetation within the buffer zone would be destroyed by herbicide treatment in readiness for wildflower establishment. The existing trees and shrub growth would be protected from the herbicide treatment.

The applicant intends for the buffer zone to be collectively managed by the owners of the proposed dwellings.

The proposed hard landscaping of the site will primarily comprise the surfacing of the shared access road and private driveways and the provision of walls and fences within the development. The soft planting scheme includes planting 15 trees, providing shrub planting to parts of most of the front gardens of the proposed dwellings, and seeding within the buffer strip.

Of the 15 trees proposed for planting, 3 trees would be alongside the site access, 5 trees would be alongside the eastern boundary where it adjoins the rear gardens of houses off Hanson Road, and the other 7 trees would be alongside the proposed shared access road.

Within the proposed layout, some of the plots would have walls fronting the access road. A 1.1 metre high stone wall is proposed alongside part of the access road where it adjoins the side of Plots 2 and the front and side of Plot 3. A 2 metre high stone wall would continue alongside the drive to Plot 3.

Low retaining walls are proposed within the rear gardens of several of the plots to soften the gradient of their gardens. A 1.8 metre high timber fence and trellis is proposed on part of the southern boundary across an easement strip.

A post and rail fence is proposed along the rear garden boundaries of those plots adjoining the buffer strip. A hedgerow of mixed species is proposed alongside this fence.

The buffer strip would be enhanced with mixed wild flower and grass seeding.

The proposed landscaping arrangements are acceptable in principle. The types of species and extent of soft planting is satisfactory and appropriate for the site. Full details of the landscaping scheme are required to be submitted separately under condition no. 6 of the outline planning permission.

Layout

The layout of the proposed development generally comprises detached houses sited either side of a shared access road with a group of detached houses around the end of this proposed cul-de sac.

The existing houses on the north side of Hanson Road and Leaton Close are generally set back from the road frontage with front gardens.

The proposed houses on the north side of the proposed access road are similarly set back to those on the north side of Hanson Road albeit that they are approximately 1.2 metres further forward of the existing houses. The design of the proposed house type on this first plot into the site incorporates a two-storey gabled feature on its southeast corner.

It is considered that this forward projection of the proposed dwellings would not be unduly intrusive or overbear or overshadow the existing adjacent dwelling.

The house at no.38 Hanson Road has a ground floor dining room window in its side elevation overlooking the site in addition to a larger dining room window on its rear elevation. The proposed layout shows a separation distance of approximately 1.8 metres between the side elevations of the existing dwelling at no.38 and the proposed dwelling adjacent to it. It is considered that whilst this side window would be overshadowed by the proposed dwelling the window is a secondary window to the dining room and the resultant loss of amenity would not be significant.

The existing houses on the west side of Hanson Road have their rear elevations and rear gardens facing the site.

The proposed layout has two houses on the south side of the first section of access road off Hanson Road. These two proposed houses are sited close to the road frontage and their orientation has been revised on the amended plans so that their front elevations are parallel to the access road. There are no windows proposed in the east facing gable of the easternmost of these two plots. The layout provides approximately 20 metres separation between the main rear elevations of nos. 27 to 31 Hanson Road and the side of the proposed dwelling.

Of the remaining two plots alongside the eastern boundary of the site, one achieves approximately 23 metres separation between its eastern facing rear windows and the main rear elevations of houses off Hanson Road, and the other achieves approximately 21 metres between its east facing gable and the main rear elevations of houses off Hanson Road.

It is considered that the proposed layout of dwellings on the eastern part of the site achieves sufficient separation between the proposed dwellings and the existing

dwellings on Hanson Road to ensure that the amenities of existing and future occupants are safeguarded.

To the south of the application site, the existing houses off Loxley Road also have their rear elevations and rear gardens facing towards the site. These houses are much lower than the application site.

The proposed layout has three houses along this southern boundary, two of which have their main rear elevations facing southwards. The proposed layout achieves approximately 40 metres separation between the opposing elevations of these and the houses on Loxley Road, and approximately 38 metres between the southern gable of the third house and the main rear elevations of the houses on Loxley Road.

It is considered that the proposed layout achieves sufficient separation between the proposed dwellings and the existing dwellings on Loxley Road to ensure that the amenities of existing and future occupants are safeguarded, and that these separation distances will ensure that the proposed development would not significantly overbear, overshadow or overlook the existing houses at a lower level on Loxley Road.

Within the site the proposed layout achieves satisfactory separation distances between the proposed dwellings and provides appropriate outdoor garden space for each of the dwellings.

There are no highway objections to the layout of the access road. The proposal achieves sufficient off-street parking for the proposed dwellings. A condition is recommended to ensure satisfactory details of the garages are secured.

Scale

The proposed mix of house types has a varied width and depth of buildings proposed. Their individual heights are generally similar and all have a traditional appearance. The sloping nature of the site results in a ridge lines being stepped down the site in keeping with the surrounding townscape.

It is considered that the scale of the proposed buildings is acceptable and in keeping with the locality.

The Reserved Matters

Overall, the details of these reserved matters of access, appearance, landscaping, layout and scale would ensure a good quality of development in keeping with the locality. The proposal complies with UDP Policies BE5, H14, H15 and GE15 and Policy CS74 of the SDF Core Strategy.

Impact on the Amenities of Residents

The proposal achieves satisfactory separation distances between existing and proposed dwellings and sufficient outdoor garden space for the proposed dwellings. It is considered that the proposed development would not cause significant harm to the living conditions and amenities of existing and future residents.

Open Space

A planning obligation was entered into at the outline stage to secure the provision of a financial contribution to the provision and enhancement of open space in the locality.

Highway and Transportation Issues

The principle of accessing the site off Hanson Road was considered in the determination of the outline planning permission.

Drainage

Yorkshire Water Services Limited raised no objections to the outline planning application subject to satisfactory drainage details including restricting the rate of surface water run-off.

The Planning Inspector's decision letter stated that drainage will have to comply with the requirements of the appropriate statutory undertakers. Whilst the potential for a sustainable urban drainage scheme was identified in the package of sustainability measures submitted with the outline planning application, no other drainage conditions were imposed on the outline planning permission.

Conditions of the Outline Planning Permission

In addition to the reserved matters details, the applicant has provided a summary of their intentions with regards to subsequent submissions to address the requirements of the remaining planning conditions.

The submission of this reserved matters application complies with conditions nos.1 and 2 of the outline planning permission. A separate application has been submitted by the applicant to extend the time limit for submission of the reserved matters (application no. 12/02252/OUTR refers).

Condition no. 3 of the outline planning permission requires the development to begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved. This condition will continue to apply.

Condition no. 4 of the outline planning permission requires an ecological survey of the site and the buffer strip to be carried out by a suitably qualified person before any work on site is begun including site clearance/preparation to ascertain whether the site is used by protected species and provide a schedule of measures to preserve or enhance any identified habitat of a protected species.

An ecological survey has been submitted with this reserved matters application. The applicant has stated the ecological survey was undertaken in May 2012 prior to preparation of the reserved matters application. The appraisal confirmed that there are no priority habitats on the site. The green buffer zone contains trees with a potential for roosting bats. The site provides potential habitat for nesting birds during the bird breeding season. The report recommends that: if any work is carried out to the trees on the northern and western boundary of the buffer zone a bat survey shall first be undertaken to ensure there are no roosting bats present; all vegetation clearance is carried out outside the nesting bird season or is preceded by a nesting bird survey; and any site lighting scheme be designed to minimise impact on the green buffer zone.

These details will also need to be submitted as part of a conditions application to address the requirements of this condition.

Condition no. 5 of the outline planning permission requires that no development shall take place until details of mitigation measures contained in the applicant's biodiversity survey, tree survey and landscape strategy have been submitted and approved and thereafter carried out and retained.

The applicant has submitted details of soft landscaping and planting with this reserved matters application. The applicant envisages that the buffer zone will remain unaffected by the development proposals, that all trees and vegetation will be maintained in accordance with this condition, that the buffer zone will be collectively managed by the owners of the proposed dwellings and that no drainage infrastructure will be installed in the buffer zone.

These details will also need to be submitted as part of a conditions application to address the requirements of this condition.

Condition no. 6 of the outline planning permission requires details of a hard and soft landscaping scheme for the site and the buffer strip to be submitted and approved and implemented and thereafter retained and cultivated for 5 years.

The reserved matters submission outlines the main aspects of the landscaping of the site and buffer strip. These and additional specification details will also need to be submitted as part of a conditions application to address the requirements of this condition.

Condition no. 7 of the outline planning permission requires that for up to 5 years from the date of occupation of the dwellings no retained trees to be cut down, uprooted, destroyed, topped or lopped other than in accordance with the approved plans without the approval of the Local Planning Authority, and if any are removed another tree shall be planted. This condition also requires the provision of temporary tree protective fencing before any equipment, machinery or materials are brought onto the site for the purposes of development.

The applicant has stated that the existing trees outside the application site are to be retained and has provided details of the protection measures to two of the trees nearest the application site.

Condition no. 8 of the outline planning permission requires details of the sustainability measures described at the outline stage to be submitted and approved before development takes place.

The applicant has stated that the proposed development will meet Code for Sustainable Homes Level 3 and envisages a range of measures including, solar panels, wood burning stoves, improved building fabric to achieve higher levels of insulation and efficient condensing boilers with energy efficient thermal heat store.

These and other details will need to be submitted as part of a conditions application to address the requirements of this condition.

The final condition, condition no. 9, of the outline planning permission requires that no vehicles, plant or machinery required in connection with site clearance, preparation and construction shall enter or leave the site before 0900 hours or after 1600 hours on Mondays to Fridays nor at any time on Saturdays, Sundays, Bank or Public Holidays.

SUMMARY

The principle of the development of this site for housing has been established by the granting of outline planning permission.

This application seeks approval of the reserved matters of access, appearance, landscaping, layout and scale in connection with the outline planning permission.

The details of access submitted with this reserved matters application conform to the access proposals indicated in the outline planning permission.

The likely traffic generated by the mix of house types proposed in the reserved matters will not significantly alter the number of vehicles generated by the development. The proposed access arrangements show an acceptable design.

There are no highway objections to the proposed access details as amended.

The proposed dwellings are generally of traditional appearance and would be faced in stone with slate roofs. The proposed dwellings each provide three floors of accommodation with the upper floor being within the roof space.

The topography of this sloping site enables the roof heights of the proposed dwellings to step down the site. The proposed appearance of the dwellings provides a consistent character to the development and would integrate well with the existing character of the area.

The ecological assessment has identified no species of significance in the existing grassland on the site.

The proposed hard landscaping of the site will primarily comprise the surfacing of the shared access road and private driveways and the provision of walls and

fences within the development. The soft planting scheme includes planting 15 trees, providing shrub planting to parts of most of the front gardens of the proposed dwellings, and seeding within the buffer strip.

The proposed landscaping arrangements are acceptable in principle. The types of species and extent of soft planting is satisfactory and appropriate for the site. Full details of the landscaping scheme are required to be submitted separately under condition no. 6 of the outline planning permission.

The layout of the proposed development generally comprises detached houses sited either side of a shared access road with a group of detached houses around the end of this proposed cul-de sac.

It is considered that the proposed layout achieves sufficient separation between the proposed dwellings and the existing nearby dwellings to ensure that the amenities of existing and future occupants are safeguarded. Within the site the proposed layout achieves satisfactory separation distances between the proposed dwellings and provides appropriate outdoor garden space for each of the dwellings.

There are no highway objections to the layout of the access road. The proposal achieves sufficient off-street parking for the proposed dwellings. It is considered that the scale of the proposed buildings is acceptable and in keeping with the locality.

Overall, the details of these reserved matters of access, appearance, landscaping, layout and scale would ensure a good quality of development in keeping with the locality. The proposal complies with UDP Policies BE5, H14, H15 and GE15 and Policy CS74 of the SDF Core Strategy.

RECOMMENDATION

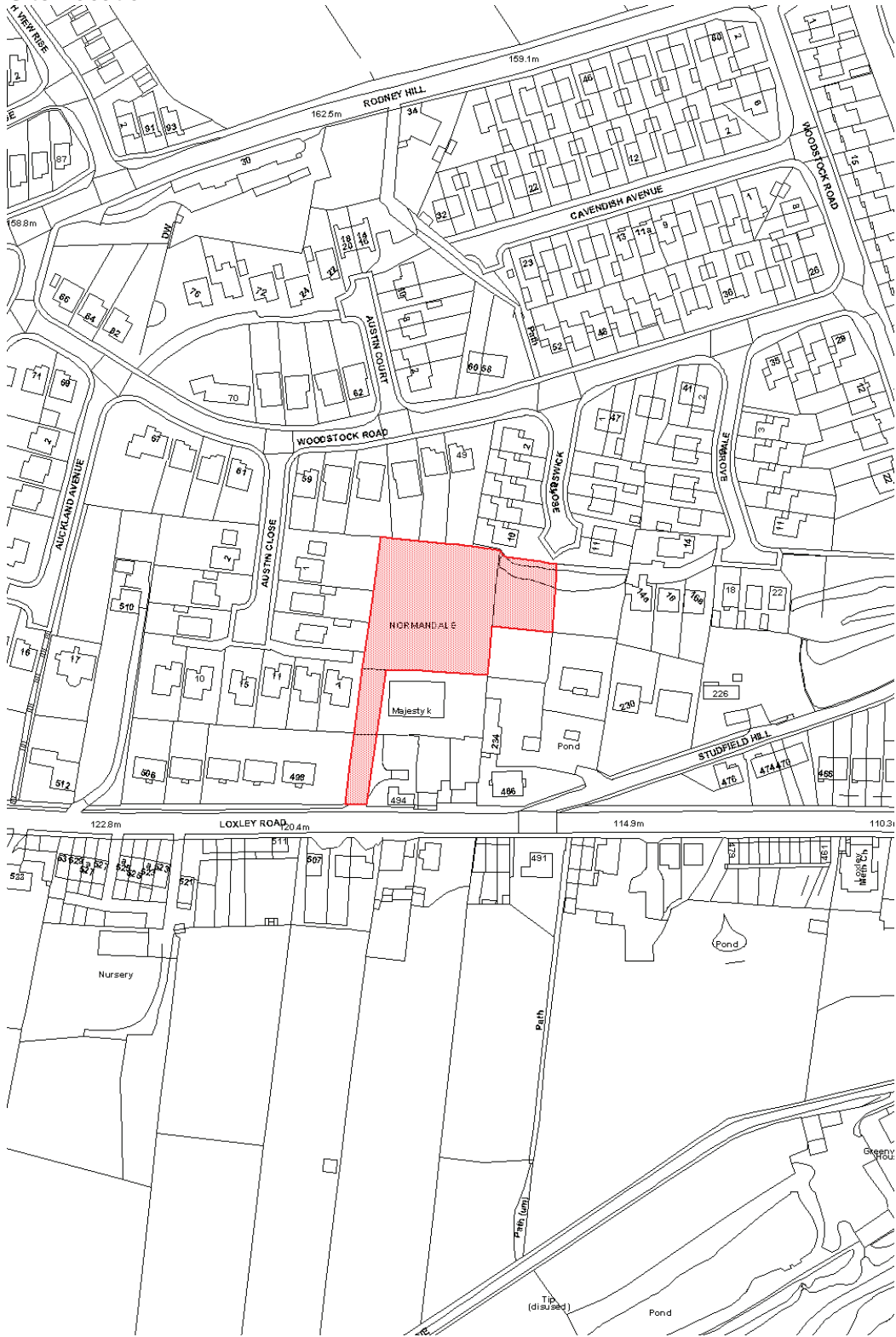
It is recommended that this reserved matters application be approved.

Case Number	12/01599/FUL (Formerly PP-02003035)
Application Type	Full Planning Application
Proposal	Erection of 3 detached dwellings with associated garages and landscaping
Location	Land At Rear Of 1 To 5 Austin Close Loxley Road Sheffield S6 6QD
Date Received	31/05/2012
Team	NORTH & WEST
Applicant/Agent	DLP Planning Ltd
Recommendation	Refuse

For the following reason(s):

- 1 The Local Planning Authority consider that the use of the proposed means of vehicular access / egress to and from the site would, by reason of its steep gradient would be detrimental to the safety of road users and the free and safe flow of traffic on Loxley Road and, as such, contrary to Unitary Development Plan Policy BE9, BE10 and H14, as well as the aims of Core Strategy Policy CS51.
- 2 The proposed development, by reason of its siting would be likely to result in the loss of trees that are considered to be of high amenity value. The loss of these trees would be injurious to the visual amenities of the locality and so the development is considered to be contrary to Policy GE15, BE6 and H14 of the Unitary Development Plan.

Site Location



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LOCATION AND PROPOSAL

The application relates to an area of land to the rear of dwellings on Austin Close, Woodstock Road and Keswick Close. The site is accessed from Loxley Road which is at a considerably lower level to the south.

The site was at one time a paddock but has since become overgrown and dishevelled in appearance, however the land has not previously been developed and is deemed to be a 'greenfield' site.

To the front of the site a single dwellinghouse and collection of outbuildings have over the years received planning consent to be demolished and replaced with two new dwellings – 494 Loxley Road which is also known as The Hunting Lodge and follows the building line along Loxley Road, and 496 Loxley Road which is named as The Majestic. This is a sizeable property set on the hillside. Throughout the planning history relating to the site the retention of the greenfield paddock area has always been sought.

Planning permission is sought for the erection of three dwellinghouses on the former paddock. These would be accessed from Loxley Road using the access that serves 'The Majestic'. The dwellings on Plots 1 and 2 would be orientated to face down the slope, parallel to The Majestic and properties on Loxley Road. These dwellings would be two-storeys in height with 4 bedrooms, each with an integral double garage to the front.

The third dwellinghouse on Plot 3 would be at right angles to the other two properties and would be larger with accommodation on three levels. On the lower ground floor would be a double garage and games room, on the groundfloor a bedroom, two living rooms, a kitchen and dining room and on the first floor two large bedrooms.

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 planning applications.

In 2002 planning permission was sought for the erection of 2 dwellings on land to the rear of 494 Loxley Road (02/00181/FUL refers). The layout indicated a smaller property approximately on the site of The Majestic (this was called Plot 2) and a larger property on the rear paddock area of the site (Plot 1) which covered the site of the current application. This application was refused by the North and West Area Board as it was considered that the proposed development would represent development of a Greenfield site, contrary to the objectives of PPG3. The development was deemed to be unsustainable and the decision notice stated that preference should be given to the development of brownfield sites.

It was also considered that the development would give rise to unacceptable levels of overlooking, and so would be contrary to UDP Policy H14 and that the

engineering works involved to build upon such a steep slope would be likely to have an adverse impact upon the amenity of local residents

An appeal was submitted and this was subsequently dismissed by the Planning Inspectorate. The Inspector upheld the view that Plot 1 to the rear of the site was greenfield in nature and that development of this part of the site would be against the aims and objectives of PPG3 and RS12.

The Inspector was of the view that the proposed development on Plot 1 would not result in overlooking to properties on Woodstock Road, however concerns were raised as to the impact the development on Plot 2 would have upon the occupiers of 234 Studfield Hill. The Inspector also felt that noise and general disturbance caused during construction works would not in itself be sufficient to warrant a refusal of the application.

The applicant then sought planning permission for the erection of a single dwellinghouse, which was largely on the site of Plot 2, amending the siting so it would no longer result in unacceptable levels of overlooking or overshadowing to No.234 Studfield Hill (application 02/02166/FUL refers). This property was in the approximate position of 'The Majestic' and was granted planning permission in September 2002.

In 2005 a further planning application was submitted which sought consent to alter the position of the dwellinghouse that had now gained planning approval. This application sought to move the property further from Loxley Road, encroaching more into the former paddock area that had been established as Greenfield land (application 05/04612/FUL refers).

This application was refused as it was considered that the proposal represented development of a green field site in a prominent location of considerable local amenity value. An extensive supply of previously developed land existed within the city, and as such the proposal was considered to be contrary to the need for sustainable forms of development as required by Planning Policy Guidance 3 'Housing'.

It was also considered that the proposed design of the development by reason of size, scale and extensive residential curtilage would be out of keeping with the character of the area and would be injurious to the visual amenities of the locality, contrary to UDP Policy H14.

The property known as The Majestic (496 Loxley Road) was then built and it came to light that the property had not been constructed in accordance with the approved plans, being slightly wider than the dwelling that was previously approved and coming closer to 234 Studfield Hill than the previously approved scheme. Minor alterations had also been made to the external appearance of the building and the height of the roof reduced slightly. As such a further application was submitted, seeking retrospective permission for these amendments, and this was approved in February 2008 (application 07/04482/FUL refers).

SUMMARY OF REPRESENTATIONS

Bradfield Parish Council recommends that the application be refused. The development would be garden grabbing, the site is Greenfield and has been the subject of previous appeals.

Loxley Valley Protection Society object to the proposed development. They make the following points:

The proposed development would require extensive engineering works and would significantly alter the character and appearance of the area

The access way would serve five properties and would be very steep and dangerous.

The size and design of the proposed dwellings would be out of keeping with the local vernacular and would be highly visible from across the valley.

The proposed development is likely to lead to the loss of mature trees which would further harm the character and appearance of the area.

The site is a greenfield site and development would not be in accordance with UDP Policy.

In addition 9 representations have been received from local residents. Two are in support of the scheme.

One of the letters in support is from the applicant, who is the owner of 'The Majestic'. This sets out that the development would provide good quality stone built properties for which there is a demand and would employ up to 5 people.

The other letter of support is from the occupiers of 'The Hunting Lodge' and supports the application for the same reasons (provision of good quality new housing and creation of jobs).

The nine letters of objection are from occupiers of properties around the site and raise the following issues:

The development would result in overlooking to neighbouring properties;

Extensive engineering works would be required which may affect the stability of the slope;

The development would be likely to lead to the demise of trees around the periphery of the site, thus having a harmful impact upon the character and appearance of the area;

The proposal would represent an overdevelopment of the site;

The proposed dwellings would be out of keeping with other properties within the area;

The access way is steep and dangerous. Would it be able to be used by the emergency services in such a situation?

The application is contrary to the Council's action plan on air quality as the traffic generated by the development would impact upon existing traffic problems at Malin Bridge.

The site is in a state of disrepair as a result of the actions of the applicant and has not been previously developed.

The land currently assists in acting as a soak away and the development may lead to increased rainwater run-off and flooding;

The site is a haven for wildlife, including protected species.

PLANNING ASSESSMENT

Principle of Development

The site is identified on the Unitary Development Plan Proposal Map as being within a Housing Area. UDP Policy H10 sets out that within such areas housing (use class C3) is the preferred use for redevelopment of the site, subject to meeting conditions set out in UDP Policy H14.

Policy H14 sets out that new development will be permitted provided that new dwellings are well designed and would be in scale and character with neighbouring buildings;

- The development would be well laid out with all new roads serving more than 5 dwellings being of an adoptable standard;

- 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.

Core Strategy Policy CS24 - Maximising the Use of Previously Developed Land for New Housing prioritises the development of previously developed land, requiring that no more than 12% of dwelling completions should be on greenfield sites between 2004/05 and 2025/26. In the period up to 2025/26, housing on greenfield sites can only be developed in certain instances:

- b. on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds; and

- d. in sustainably located larger sites within or adjoining the urban areas and larger villages, if annual monitoring shows that there is less than a 5-year supply of deliverable sites.

At present there is less than a 5-year supply of housing land and although the site is a Greenfield site this is no longer sufficient justification to warrant a refusal of the application (it should be noted that PPG3, upon which several of the previous appeal decisions hinged has since been abolished). The site is within the existing urban area and therefore the proposal may comply with CS24 b and d.

The key point on either of these two conditions is that the site must be sustainable and sustainably located. Paragraph 14 of the NPPF (National Planning Policy Framework) sets out the presumption in favour of sustainable development. It is considered that the site is sustainably located within the built up area of Loxley and enjoys access to the same facilities enjoyed by an existing community. There is a bus stop 40 metres from the site entrance for buses to the city centre, Loxley primary school is 800 metres from the site on foot. As such it is considered that the proposal does not conflict with policy CS24.

Core Strategy Policy CS26 – Efficient Use of Housing Land and Accessibility sets out that development will be required to make efficient use of land but the density of development should be in keeping with the character of the area. In areas such as this the site would be expected to be developed within the density range of 30 to 50 dwellings per hectare. The site measures approximately 0.321 hectares and therefore on paper a development of 10 to 16 homes may be acceptable. However, given the topography of the site, with its steep access drive, and in the interest of maintaining the character of the area, development with 3 dwellings as proposed would seem to be more appropriate. It is considered that attempting to meet the policy would harm the character of the area and would potentially overdevelop the site. The proposal as it stands is not deemed to be an overdevelopment of the site.

Highways Issues

The proposed development would utilise and extend the existing access way for 'The Majestic'. The site slopes very steeply from north to south, down towards Loxley Road.

Core Strategy Policy CS51 – Transport Priorities is applicable. The underlying principles of Policy CS51 are: a) Promoting choice by developing alternatives to the car; b) Maximising accessibility; c) Containing congestion levels; d) Improving air quality; e) Improving road safety; f) Supporting economic objectives through demand management measures and sustainable travel choices.

Section 10.2 of the Core Strategy states: Maximising accessibility means making places accessible to all users, including disabled people.

UDP Policy BE9 - Design for vehicles sets out that new developments and refurbishments should provide a safe, efficient and environmentally acceptable site layout for all vehicles (including cycles) and pedestrians. They will be expected to include the following: a) A clear definition of vehicle access and exit; b) Good

quality design of internal roadways and signs; c) Adequate manoeuvring, turning and parking space for service vehicles; d) Effective access at all times for emergency vehicles; e) Adequate standing space for operational vehicles when not in use, particularly within the premises from which they operate; f) Adequate parking space suitably located for vehicles used by people with disabilities; g) Parking areas designed to minimise the risk of crime against people and vehicles by making all parts of each area visible by users; h) Adequate safeguards for people living, working or walking at the site or nearby from exhaust fumes, traffic noise or risk of accident.

BE10 - Design of streets, pedestrian routes, cycleways and public spaces is also applicable. This policy sets out that the design and environmental improvement of streets, pedestrian routes and areas, cycleways and public spaces should, where appropriate and practicable: a) Make them convenient and safe to use for people with disabilities, elderly people, young people, and people with young children; b) Maximise the personal safety of pedestrians, particularly at night, and provide landscaping that does not significantly reduce visibility or form potential hiding places; c) Create attractive, welcoming and usable open areas where people can gather informally; d) Co-ordinate paving, street lighting, cycle parking, signs, street furniture, road crossing points and landscaping and other public utilities requirements; e) Lead to an overall reduction in the harmful effects of traffic, particularly near where people live; f) Minimise the conflict between pedestrians, cyclists and motorised traffic; g) Ensure that road layouts facilitate the efficient provision of public transport services; h) Be to a standard which will enable them to be adopted for maintenance at public expense.

Not all the sub-sections of the above three policies are applicable, but many are.

The most eastern of the proposed three new properties would be 107 metres from Loxley Road, and 14.350 metres above Loxley Road. The average gradient of the first 60 metre length of drive is in the order of 1 in 5. As it turns to serve the three additional properties, it runs more with the contours at 1 in 30, before rising again to 1 in 12.

Veolia have been consulted, and have expressed that the gradients are too severe for their vehicles to safely enter the site without grounding out on the back end. Any loose wash down debris on the surface could also cause the vehicle to slide/skid out of control. Swinging into the path of oncoming traffic whilst entering/exiting Loxley Road was another concern. Veolia have insisted on bins being presented to the bottom of the drive for a road-side collection.

Manually wheeling bins to the road-side, particularly with refuse inside, would be extremely difficult. The applicant has suggested a Management Company might drive the waste/refuse to the bottom of the drive on collection day. Doubts remain however, about how enforceable such an arrangement/agreement/condition would be.

When SY Fire & Rescue were consulted, they stated the same concerns as Veolia. The chassis of their old fleet are broadly similar to Veolia vehicles. The new Carp vehicles have a larger chassis. Doubts were expressed as to whether a Carp

would be physically able to enter the drive. Whilst every effort would be made to respond to an emergency, the drive doesn't comply with the criterion that SY Fire & Rescue apply. They would require their vehicle to reach within 45 metres of the furthest property, with the whole footprint being within 45 metres. They would need a private hydrant to tap into. The properties would also need fitting with sprinklers.

To conclude, the drive clearly won't be accessible to all users, particularly the elderly or disabled, other than by car. Refuse collection and emergency responses are a concern, as well as service vehicles such as furniture removals. Any loss of vehicle control (perhaps by visitors unfamiliar with the gradient) at the junction with Loxley Road could have serious road safety implications.

For the above reasons, the highways recommendation is that the application be refused.

Impact Upon the Character and Appearance of the Area

The proposed development would be in the form of three detached dwellings of stone construction. Two of the properties would be of similar, two storey appearance with the third property having a larger footprint and being of split level construction, providing accommodation over three levels.

There is significant variation in building types and styles within the area, ranging from traditional stone built properties along Loxley Road to more recent detached and semi-detached brick built properties on Austin Close, Keswick Close and Woodstock Road. Most recently the property granted planning permission immediately to the south of the site (The Majestic) is very large and imposing.

Given the variety of styles surrounding the site it is considered that a refusal of the application in design terms cannot be justified.

However, in the north western corner of the site, along the boundary are a number of mature trees which significantly contribute to the visual amenity of the area. The dwellinghouse proposed on Plot One would be sited in close proximity to these trees and would be within the root protection zone of at least two of these trees.

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.

UDP Policy BE6 – Landscape Design is also applicable. This sets out that good quality landscape design will be expected in new developments, to provide an interesting and attractive environment and it should integrate existing landscape features into the development, including mature trees.

It is felt that the development would be likely to lead to the demise of these trees. It is considered that the planting of replacement trees would not be sufficient to compensate for their loss. It would take some considerable time for any

replacement trees to reach maturity and so it is considered that the development, by way of the siting of the property on Plot One would be harmful to the character and appearance of the area and would be contrary to UDP Policy GE15 and BE6.

Residential Amenity Issues

The proposed dwellings on Plots 1 and 2 would be sited so that main habitable room windows would face in a north / south direction, maximising the views out across the valley. These properties have been sited such that they would not result in unacceptable levels of overlooking or overshadowing to neighbouring properties, with the separation distances as set out in the Council's Supplementary Planning Guidance on Designing House Extensions having been adhered to. The size of the rear gardens of each of these properties is also deemed to be adequate, having a distance in excess of 10m from the rear of the property to the boundary.

The proposed larger dwellinghouse on Plot 3 would be at right angles to the other two properties, facing in an east/west direction. The dining room and bedroom windows of this property would afford some overlooking of the proposed dwellinghouse on Plot 2 with a separation distance of 18m between principle bedroom windows. This is below the 21m that is usually required.

The dwellinghouse would be located 9m from the side elevation of No.10 Keswick Close; however given the relative orientation of these two properties and the level differences it is considered that the proposed dwellinghouse would not lead to unacceptable levels of overshadowing or loss of light to this property.

On the end elevation of the proposed dwellinghouse on Plot 3 (facing No.10 Keswick Close) a secondary kitchen and bathroom window are proposed on the ground floor and an en-suite bathroom window on the upper floor. It is considered that these windows would not give rise to unacceptable levels of overlooking to properties on Keswick Close.

It is thereby considered that the proposed development would not adversely impact upon the amenity of occupiers of neighbouring properties in terms of overlooking or overshadowing.

Flood Risk Issues

The site is within Flood Zone 1 with a low risk of flooding but given the steepness of the site the development must comply with Core Strategy Policy CS67 (Flood Risk Management) by using SUDs, limiting surface water run-off and using sustainable drainage management techniques to reduce surface water flooding of neighbouring properties downhill. This could be made a condition of any consent.

Ecology Issues

The applicant has submitted an ecological survey in support of the proposed development. This shows that whilst protected species may frequent the site, they do not reside there and so there are no ecological reasons to warrant a refusal of the application.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of three dwellinghouses on an area of land elevated significantly from Loxley Road.

The site is deemed to be on greenfield land (land that has not previously been developed), however the proposed development is small in scale, is within the confines of an existing settlement and is within a relatively sustainable location, close to public transport links and local amenities.

As the site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area, and there currently is not a 5 year supply of housing land available, it is considered that in principle residential development on this site may be acceptable.

However the access way to the proposed development is very steep and the properties would not be able to be serviced by refuse vehicles. South Yorkshire Fire and Rescue have also expressed concerns as to their ability to reach the properties in an emergency situation.

The development would not be inclusive, with disabled or elderly people having to access the properties by car. Concerns have also been raised as to the possibility of vehicles exiting the accessway onto Loxley Road in an unsafe manner (this is a classified road – B6077). It is considered that for these reasons the proposed development would be contrary to UDP Policy BE9, BE10 and H14 as well as Core Strategy Policy CS51.

The proposed development on Plot one would also be within the root protection zone of several mature trees which are considered to play a significant role in the visual amenity of the area, being visible from Loxley Road to the south as well as from various vantage points within the development to the north.

It is likely that the proposed development would lead to the demise of these trees and so it is considered that the development, by way of its siting would be injurious to the character and appearance of the area. As such the development is considered to be contrary to UDP GE15, BE6 and H14.

It is thereby recommended that planning permission be refused.

Case Number	12/01003/FUL (Formerly PP-01891484)
Application Type	Full Planning Application
Proposal	Erection of 5-bedroomed detached dwellinghouse and detached garage with associated landscaping and parking to include the removal of two trees (sycamore and cypress) (amended description - amended plans received 31.08.2012)
Location	8 Carsick Hill Way (Land Adjoining The Quarters) Sheffield S10 3LY
Date Received	10/04/2012
Team	NORTH & WEST
Applicant/Agent	Coda Studios Ltd
Recommendation	Grant Conditionally

Subject to:

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

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

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

1955-001 Rev E received 11th October 2012 1955-002 Rev C received 31st August 2012 1955-003 Rev C received 4th September 2012
1955-004 Rev A received 31st August 2012
1955-005 Rev C received 11th October 2012
1955-006 Rev B received 11th October 2012

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

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

In order to ensure an appropriate quality of development.

- 4 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:

Windows
Window reveals
Heads and cills
Gate

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

In order to ensure an appropriate quality of development.

- 5 No development shall commence until full details of measures to protect the existing trees and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development unless otherwise approved.

In the interests of the visual amenities of the locality.

- 6 Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 7 A comprehensive and detailed hard and soft landscape scheme for the site, to include three replacement mature trees to compensate for those that are to be removed, 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.

In the interests of the visual amenities of the locality.

- 8 The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped

areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 9 The dwellinghouse shall not be used unless 1.8 metres x 1.8 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

In the interests of the safety of road users.

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

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

- 11 The existing stone boundary wall around the site shall be retained as existing in accordance with the approved plans.

In the interests of the visual amenities of the locality.

- 12 Roof lights shall be conservation style whereby no part of the roof light shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

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

To ensure satisfactory drainage arrangements.

- 14 No buildings/structures shall be erected within 3 metres of the culverted watercourse that crosses the site.

To ensure satisfactory drainage arrangements.

Attention is drawn to the following justifications:

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

H10 - Development in Housing Areas
H14 - Conditions on Development in Housing Areas
BE5 - Building Design and Siting
BE6 - Landscape Design
BE16 - Development in Conservation Areas
CS26 - Efficient Use of Housing Land and Accessibility
CS74 - Design Principles

Policies H10, H14, BE5, BE6 and BE16 of the Sheffield Adopted Unitary Development Plan and Policies CS26 and CS74 of the SDF Core Strategy and guidance within the NPPF.

The application site has previously benefitted from residential consent for a single dwellinghouse and the principle of a house is in full accordance with the site's designation as a Housing Area. Whilst below the recommended density levels, it is considered to achieve an acceptable level of good design that reflects the character of an area and will sufficiently enhance the appearance of the Ranmoor Conservation Area. The loss of the Sycamore tree is accepted in this instance due to the fact that the tree is in decline. 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 or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

1. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

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

administration/inspection fee will be payable and a Bond required as part of the consent.

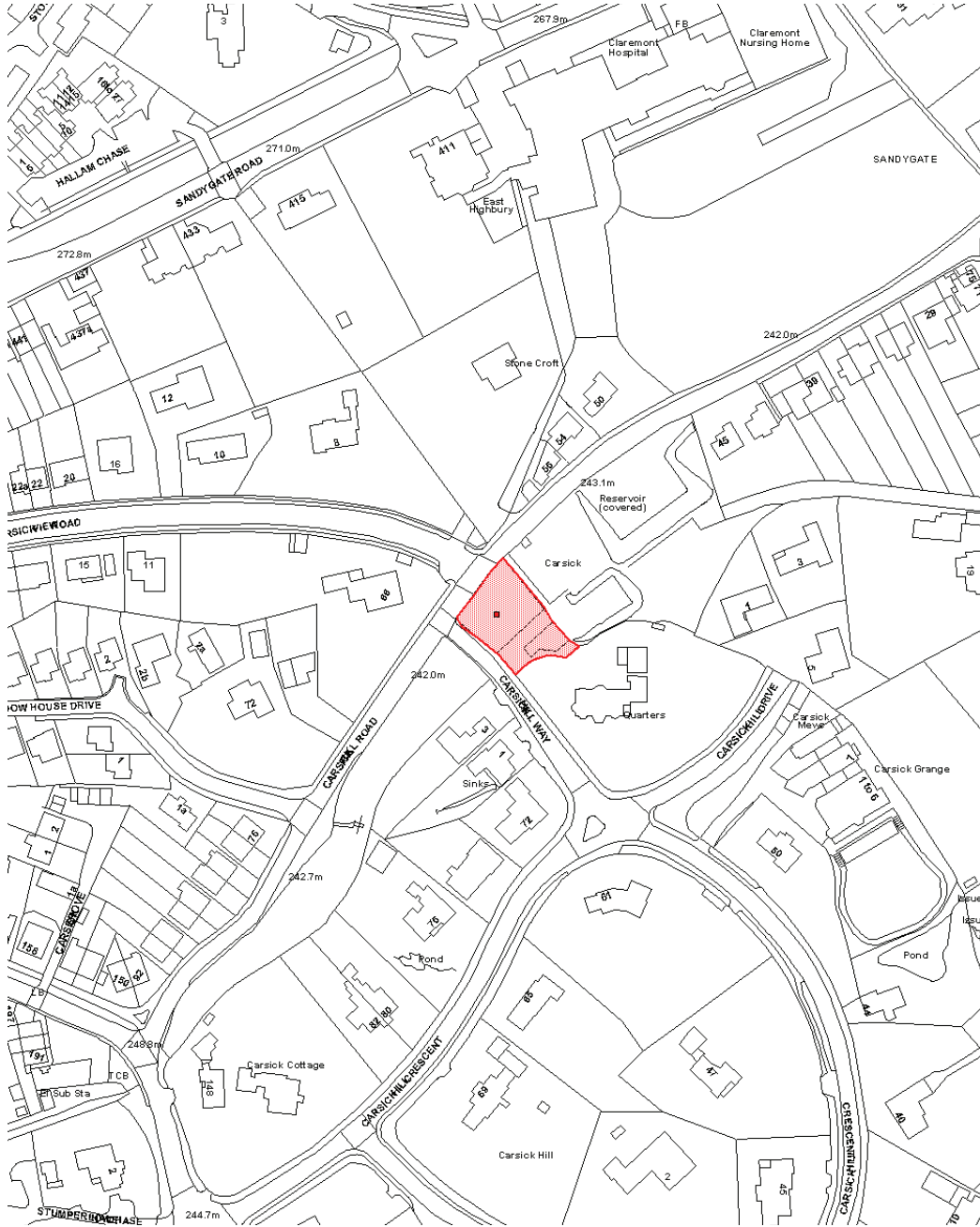
You should apply for a consent to: -

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

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

3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

Site Location



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LOCATION AND PROPOSAL

This application relates to a plot of land for which planning permission was previously granted in September 2005 for the erection of a dwellinghouse (05/01561/FUL); this permission has subsequently lapsed. The plot is situated at the corner of Carsick Hill Road and Carsick Hill Way, opposite the junction of Carsick Hill Road with Carsick View Road. The site effectively lies within the curtilage of 'The Quarters', which is a substantial detached Arts and Crafts style dwelling situated to the south. Indeed, a single storey outbuilding ancillary to the Quarters (the library) previously partly occupied the application site but has subsequently been demolished. The land rises towards the junction of Carsick Hill Way with Carsick Hill Road by just over 2 metres and is situated within the Ranmoor Conservation Area.

The site extends to an area of approximately 0.08 hectares and is characterised by a strong boundary treatment comprising a low stone wall with hedge and tree planting. There is also an existing gated vehicular access from Carsick Hill Way. The tree planting includes a significant Sycamore on the northern boundary of the site, opposite the junction of Carsick View Road as well as cypress trees to the northern and western boundary. There is also a mature Ash to the western boundary and a cedar on the south-eastern boundary adjacent to the boundary with Carsick Hill Way. As noted above, The Quarters lies to the south whilst opposite the site to the west is a woodland area to the south of which are two detached properties at 1 and 3 Carsick Hill Way that are of varying styles. A covered reservoir adjoins the site to the west, which has also been the subject of a recent application for residential development, which was refused primarily on the grounds of inappropriate design.

This application proposes the construction of a detached five bedroom dwelling with a separate detached garage. The dwelling is positioned almost centrally within the site and is set in a minimum distance of 2.4 metres from the boundary with Carsick Hill Way and a minimum of 6.4 metres from the front boundary with Carsick Hill Road. It extends to a main frontage of 12.6 metres and a depth of 9.6 metres. The dwelling effectively extends to three storeys albeit that the top floor is entirely within the roof space. Architecturally, the building has been oriented on an east-west alignment with the main frontage to the driveway, which is visible from Carsick Hill Way. This incorporates a narrow front gable and bay window. The rear and side elevations are more simply detailed with fenestration treatment with an additional bay window to the eastern elevation. The double detached garage, which extends to a width and depth of 5.8 metres and a maximum ridge height of 5.3 metres, is positioned in the south-eastern corner of the site adjacent to the boundary with the Quarters.

The proposal has been revised in the course of the application to amend the roof design, the proportion of the front gable, to include the provision of chimneys and to omit the pedestrian access to ensure the retention of the current boundary wall as existing. It was also amended to address the intention to remove the Sycamore Tree to the Carsick Hill Road elevation as well as the removal of a Cypress Tree from the eastern elevation and the laurels from beneath the Ash tree. It is also proposed to prune the Ash and Hazel Tree.

RELEVANT PLANNING HISTORY

The most relevant planning history is summarised below:

05/01561/FUL: Erection of a dwellinghouse
Approved: 14.09.2005

05/01567/CAC: Demolition of outbuilding
Approved: 14.09.2005

10/02592/COND: Discharge of condition relating to contract for redevelopment in relation to demolition of outbuilding.
Approved: 24.07.2010

SUMMARY OF REPRESENTATIONS

This application has been the subject of two periods of public consultation. The first round was undertaken in June 2012 – at this time, the application did not clarify that the Sycamore would need to be removed. Accordingly, in light of this new information, the application was invalidated pending a tree report, which was subsequently submitted in September 2012 when a second consultation exercise was undertaken. As a result of both these consultations, a total of 8 responses to the application have been received comprising 6 representations as two of the respondents have written in response to each of the two consultations.

Of the responses from the 6 local residents, one raises comments on the application; two raise objections to the impact on the trees but in these responses, one does not raise a specific objection to the principle and the other does not object to the design of the house. The remaining three letters raise general objections to the development.

A summary of the representations is set out below:

The letter of comment raises the following issues:

- There should not be an automatic assumption that open spaces should be development. This particular space contributes significantly to the character of this part of the Conservation Area. The land has possessory title only and has been used as a footpath and recreation area until gated off after its sale to Ackroyd and Abbott. There is also a covenant that it be used as garden land to the adjoining residence;
- The height and footprint is too great – it is 3 storey rather than 2 storey as described and the building would cover too great a percentage of the plot such that it would be obtrusive to neighbours;
- It is too close to Carsick Hill Way and Carsick Hill Road.
- No building may be erected within 3 metres of the culverted watercourse;

Carsick Hill Way is very narrow and the pavement of the west side is completely overgrown – there is no safe parking on the perimeter without blocking traffic;

- A condition on the previous permission required an intervisibility splay, which reflects the dangerous junction and the impact on pedestrians; Provision should be made for parking of construction vehicles so they do not block the road;

- Unless adequate turning provision is made, vehicles may reverse onto the one way road in a dangerous manner;

- The walls are protected and the proposed pedestrian gateway would seem an unnecessary loss;

- The trees are protected on the perimeter and care should be taken to ensure that they are protected.

The two letters objecting to the removal of the tree but not necessarily to the development in its entirety, raise the following comments:

- The footprint is too large and too close to Carsick Hill Way such that it will be overbearing;

- The size of the development relative to the plot may endanger the trees on the boundary;

- The positioning of the house will create a blind spot to traffic and pedestrians when exiting the driveway;

- Carsick Hill Way is narrow and easily blocked by commercial vehicles;

- The wall on the Carsick Hill Road side of the plot has been breached on at least two occasions by cars that have lost control on Carsick View Road in snow and ice.

- Objector is pleased to note that the general design and materials are sympathetic to the neighbourhood.

The objector writes in support of the Sycamore Tree and therefore against its removal although does not object to the proposed new house.

- The objector advises that as a developer, he considers it feasible to build within 6 metres of a tree with adequate precautions and tree protection.

- The tree is significant as it frames the road junction and was also historically a landscape barrier between the Victorian house on the top side of Carsick Hill Road and the Quarters.

The two remaining objections raise the following issues:

- The Plan overdevelops the site as the footprint occupies much of the site and the property is too close to the boundary walls. In this position, its height and scale would be overpowering and necessitates the removal of existing well-established trees;
- Carsick Hill Way is narrow and the erection of such a high property will exacerbate this situation;
- Concerns about egress from the drive;
- It is the existing trees and stone walls that characterise this green pocket of the Ranmoor Conservation Area and this provides for many different habitats;
- The objector therefore disagrees with the tree survey, which dismisses the impact of felling two trees as having very little effect on the tree stock because the area is well off for trees;
- The site should be developed within the constraints of the plot;
- House is too grandiose for the size of plot with an unimaginative design although acknowledges that this is a matter of personal taste;
- To lose two trees would be an obscenity merely so the applicant can enjoy more light on the patio;
- The sycamore and cypress are fine specimens and should be retained or the applicant should consider a smaller house;
- The trees should not be removed; they are in good condition and add to the landscape of the area;
- The Sycamore is a lovely mature tree and viewed from their property will help to soften the view to the proposed new house. The Cyprus is an impressive tree and will be a sad loss to the area if removed. There is considerable birdlife in the area and hacking down these trees without justification is just wrong.
- This is within a conservation area? The objection notes that 'this really should not have got to this stage';
- In relation to the recent application to remove 2 trees, especially the sycamore, the objectors are of the opinion that the author of the tree survey is quite flippant about their importance to the general landscape of this conservation area. It should be noted that this is a particularly large tree that is a feature of this part of Carsick Hill Road;
- The objector notes that there is also an abundance of day and nocturnal bird species in this area as well as bats in significant numbers so removal of the trees would represent a loss of habitat. It is clear that the house is too large for the plot rather than the tree being an obstacle and as such the proposed development is unsympathetic;

- The objector is also concerned that the beautiful cedar tree at the entrance to the plot will be damaged during construction. They note that this tree and its spread is not shown on the plan showing the proposed house giving the impression that the plot is more open and access will not be problematic.

PLANNING ASSESSMENT

This application proposes the construction of a detached five bedroom dwelling with a separate detached garage on land at the junction of Carsick Hill Road and Carsick Hill Way within the Ranmoor Conservation Area. It is a site for which planning permission was granted in 2005 for the construction of a detached four-bedroom house. The application also includes a proposal to remove the Sycamore Tree to the Carsick Hill Road frontage as well as the removal of a Cypress Tree from the eastern boundary and the laurels from beneath the Ash tree to the eastern boundary.

The key issues to consider in the determination of this application include the following:

- (i) Policy and Land Use – principle of development;
- (ii) Design considerations;
- (iii) Impact on the Ranmoor Conservation Area;
- (iii) Highways;
- (iv) Impact on the amenity of adjoining occupiers and future occupiers.

The Council is also required to consider any representations received as a result of the statutory consultation.

Principle of development

The National Planning Policy Framework (NPPF) was published on 27th March 2012. Paragraph 11 of the NPPF confirms that Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At Paragraph 12, the NPPF confirms that 'proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise'

Within the Adopted Unitary Development Plan Proposals Map, which is sufficiently up-to-date in this context for the purposes of the NPPF, the site is designated within a Housing Area. Policy H10 of the UDP relates to development in such areas and advises that housing is preferred subject to compliance with Policies H12-H16 as appropriate. Accordingly, the principle of a house is acceptable subject to compliance with H12-H16 of the UDP, of which H14 is the most relevant policy in this instance and is considered below.

Policy CS26 of the SDF Core Strategy relates to the efficient use of land and accessibility and advises that housing development will be required to make efficient use of land but the density of new housing should be in keeping with the character of the area. For the majority of the urban area (which includes the application site), Policy CS26 recommends a density of 30-50 dwellings per hectare but it also notes that densities outside these ranges will be permitted where they achieve good design. In this case, the site area is approximately 0.08 hectares, which results in a density of 12.5 dwellings per hectare; this is clearly below the guideline set out within Policy CS26; however, the construction of a detached property on this site is consistent with the character of development within the locality such that a development below the recommended density threshold is considered acceptable in this instance.

In summary, it is considered that given the site's designation within a Housing Area within the UDP, the principle of a house is consistent with Policy H10 of the UDP and Policy CS26 of the SDF Core Strategy and the primary issue is therefore whether the proposal would cause harm to the local area and Conservation Area, which is considered in full below.

Design

Policy BE5 of the UDP 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. Similarly, Policy CS74 of the SDF Core Strategy 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. Finally, it is relevant to consider Policy H14 of the UDP, which relates specifically to development within Housing Areas and advises at H14 (a) that new buildings and extensions must be well designed and in scale and character with neighbouring buildings.

In this case, it must be acknowledged that the application site benefits from a previous planning permission for residential development, which permitted a two-storey dwelling positioned between 1.8 metres and 3.5 metres from Carsick Hill Way. This approved detached house comprised a substantial contemporary dwelling constructed in natural stone and slate with an extensive modern fenestration treatment influenced by the Arts and Crafts style of adjoining buildings. It is also the case that the character of the area is largely detached properties set within substantial grounds albeit with some variance in the character and style of these houses, which allows a degree of flexibility in terms of building lines and character in relation to this site.

This application proposes a house on broadly the same footprint with the exception that that the dwelling now proposed is approximately 1 metre deeper than the previously approved house and is approximately 1 metre higher to the maximum ridge height. It is set in from Carsick Hill Way by a minimum of 2.4 metres, which exceeds the minimum of the previous approval. There are no clearly established building lines on this eastern side of Carsick Hill Way to which the development must comply such that the positioning of the property on the site is considered acceptable.

Architecturally, this application represents a simplified design to that previously approved. However, it is considered that it does incorporate features that are characteristic of the Conservation Area – in terms of materials, it is to be constructed with natural 65mm stone, which will be dyed to create a weathered look, with a natural stone roof and timber windows; this approach is consistent with the wider locality. It has also been revised in the course of the application to simplify the roof form and minimize the depth of the flank wall to Carsick Hill Way; as a consequence, it now presents a simple side gable elevation to the road. The detailing to the property includes a full height front bay feature on one side of the main entrance and a bay window to the ground floor of the other side to provide some articulation to the front elevation. The proportion of windows to brickwork is also appropriate and reflects a hierarchy to the window proportions, which is characteristic of the locality.

The front elevation will be visible approaching the site northwards from Carsick Hill Way but it is also the case that side windows are incorporated within the side gable to provide some interest to this elevation and natural surveillance to the street. Given the change in level across the site, only the first floor windows of the rear elevation will be visible from Carsick Hill Road and existing and future landscaping to this boundary will further screen this. The incorporation of chimneys is also designed to reflect the traditional character of buildings within the locality.

The concerns of surrounding residents regarding the scale and position of the dwelling within the site are noted. However, whilst it is a substantial property and has been designed with three levels of accommodation, the third floor is entirely within the roof space such that the scale of the development is effectively a substantial two-storey house and it is not dissimilar to the massing of the traditional suburban dwellings within the locality. With regard to concerns that it is overbearing due to its proximity to Carsick Hill Way, it is considered that the revised scheme actually presents a modest depth to Carsick Hill Way and given the change in levels across the site, the full height of this flank wall will not be visible to the street and will be further obscured by the existing stone boundary wall and planting. As noted above, there is no established building line to follow in this instance such that the position within the site is acceptable and is not considered to be over-bearing in relation to Carsick Hill Way.

It is noted that a garage was excluded from the previous permission. However, in this case, it is advised that the proposed detached garage is single storey only and will also be constructed in stone to match the main house. Furthermore, it is positioned within a recess within the boundary line such that it will not be unduly visible to the street and will be further screened by landscaping.

On the basis of the above, it is therefore concluded that subject to conditions to require large-scale details of key features such as window reveals and full details of materials, the proposed development is in scale and character with neighbouring buildings, utilises materials that are of a high quality and appropriate to the locality and will result in a sufficiently high quality development that respects and takes advantage of the distinctive features of the neighbourhood in accordance with Policies BE5 and H14 of the UDP and Policy CS74 of the SDF Core Strategy.

Landscape

Policy BE6 of the UDP introduces a requirement for new development to incorporate good landscape design. This is particularly important in this case given the site's location within the Ranmoor Conservation Area. A key element of the revised application is the removal of the Sycamore Tree to the Carsick Hill Road frontage as well as the removal of a Cypress Tree from the eastern boundary and the laurels from beneath the Ash tree to the eastern boundary. This element of the proposal has received specific objections from local residents who consider that the requirement to remove a tree is a consequence of the scale of the proposed property.

It should be noted that the previous approval indicated the retention of all trees although it is noted that the canopy of the sycamore touched the rear elevation of the house such that it is unclear whether the sycamore could have been retained had that permission been implemented. Nevertheless, in this case, the applicant is clearly stating that they wish to remove the Sycamore and a Tree Survey has been submitted to support this proposal. The Tree Survey indicates that this tree is rather large for its position and the crown seems to have died back slightly although not in a manner that would suggest it is significantly declining. However, the Survey does identify some major defects with the Tree. With regard to the Cypress tree, the Survey suggests that this is a non-descript specimen that needs to be removed to allow the project to progress and will assist the on-going growth of the Ash tree.

The Sycamore tree in particular is a prominent feature within the streetscene and its removal has been carefully considered. The Council's Landscape Architect has visited the site to view the tree and the Council's Trees and Woodlands Section have also visited the site and both have confirmed that the tree is in decline and is not viable for long-term retention. It is only on this basis the Council are willing to agree to the removal of this tree rather than its removal being a consequence of the proposed development. Moreover, a replacement tree of a large forest species is required in its place in a mature form, which will be shown on a revised plan and required by condition. The Council also raise no objection to the loss of the Cypress Tree and the Laurels in this instance, subject to satisfactory replacement planting. It will be a requirement by condition that all remaining trees within the site are retained and a revised plan indicating construction exclusion zones around retained trees and tree protection fencing in accordance with British Standards has also been sought to ensure that the remaining trees are protected. On the basis of the above, the proposed development is considered to comply with Policy BE6.

Impact on the Ranmoor Conservation Area

Policy BE16 'Development in Conservation Areas' states that new buildings should preserve or enhance the character or appearance of the Conservation Area. This approach is confirmed within the NPPF, which requires Local Planning Authorities look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. It advises at Paragraph 137 that proposals that

preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

In this case, the character of the Ranmoor Conservation Area is that of a leafy spacious suburb with many large nineteenth and twentieth century stone built houses set in large mature landscaped gardens. There are also a number of individually designed modern single and two storey dwellings within the Conservation Area. In this case, the application also proposes a detached stone built dwelling that is set within a landscaped setting, which is consistent with the character of the Conservation Area but it also reflects the progression of housing development with a further modern interpretation of traditional design.

It is considered that the setting of the building is particularly important within the Conservation Area. Whilst it is noted that two trees will be lost as part of this development, the hedge and stone boundary wall, which are characteristic of the site and locality, will be retained as existing. Furthermore, new tree planting is required by condition to compensate for the trees to be removed such that the landscaped setting of this detached building will be maintained in the long-term.

Thus, overall, the proposed development is considered to preserve the character and appearance of the Conservation Area and to preserve those elements of the setting that make a positive contribution. Given that the principle of a detached residential dwelling on this site is clearly established, it is therefore determined that it will also enhance the character of the Conservation Area by completing a development plot with an appropriate form of development in accordance with Policy H16 of the UDP and guidance within the NPPF.

Amenity

Policy H14(c) of the UDP advises that within Housing Areas, new development must not be over-developed or deprive residents of light, privacy or security. In this case, it is relevant to consider the amenity of both existing occupiers that surround the site and future occupiers of the dwelling.

The Council do not have specific guidance in relation to the construction of new dwellings but the standards set out within the Residential Design Guide on House Extensions are determined to be equally applicable to new houses.

Guideline 10 of the Designing House Extensions SPG advises that a garden size of 50 square metres is the minimum for a two or more bedroomed house and a minimum distance to the back boundary from the rear elevation of 10 metres is also normally required for reasons of neighbour's privacy as well as amenity, which is achieved in this case.

Guideline 6 of the Designing House Extensions SPG advises that a distance of 21 metres between primary windows should be achieved to protect and maintain minimum levels of privacy whilst Guideline 5 recommends a minimum distance of 12 metres between a main elevation and a flank elevation to ensure against unreasonable overshadowing or over-dominance of adjoining properties. In this case, the front elevation of the proposed dwelling is more than 25 metres from the

nearest property at The Quarters and also lies at an oblique angle such that it is not considered that there will be any adverse impact upon the amenity of this existing property. The flank elevation facing Carsick Hill Way lies opposite an area of woodland such that there is no direct overlooking of any property and no issue with the introduction of windows to this elevation. It is also more than 22 metres from the corner of the next nearest property at No.3 Carsick Hill Way, which is sufficient to ensure that there is also no impact on the amenity of this dwelling by reason of loss of privacy or being over-bearing. The nearest property to the north-east lies at a distance of 25 metres and is at a higher level whilst to the east, the site is presently a covered reservoir but even were this to be developed in the future, the proposed house is set-in by 7 metres from this boundary, which is also screened by mature trees to ensure the protection of the amenity of any future occupiers on this site.

Accordingly, it is concluded that the proposed development would not have any adverse impact upon the amenity of occupiers of these neighbouring properties by virtue of loss of privacy, loss of light or being over-bearing. It is also concluded that the proposed dwelling provides rooms of a sufficient size with large windows to provide sufficient natural daylight and a landscaped setting such that overall, the proposed development will not be detrimental to the amenity of the future occupiers or adjoining occupiers and is therefore in accordance with Policy H14(c) of the UDP.

With regard to the double garage, this is single storey and set within a corner of the site such that it is not unduly visible from the surrounding area and is of a sufficiently small scale that it will have no impact upon the amenity of adjoining occupiers.

Highways

Policy H14(d) of the UDP advises that within Housing Areas, new development must provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

In this case, it must be acknowledged that the principle of a single house has already been established on this site with access onto Carsick Hill Way, which is broadly unchanged by this proposal with the access shown in the same location and still serving a single dwellinghouse. The principle of such an access was deemed acceptable in 2005 and it is considered that highway circumstances are unchanged since that time.

However, in this case, the plans indicate the provision of a large driveway and a double garage, which is sufficient provision for a single detached house. The garage will also enable cars to turn within the driveway rather than reverse out onto Carsick Hill Way. Subject to conditions relating to the need for an appropriate inter-visibility splay, from a highway safety point of view, the proposal is deemed to be acceptable in accordance with Policy H14(d).

RESPONSE TO REPRESENTATIONS

The majority of representations in relation to this application relate to the size of the property, highway concerns and the loss of trees within the site, which are fully considered in the report above.

(i) There should not be an automatic assumption that open spaces should be development: As noted in the report above, the application site is within a Housing Area rather than open space.

(ii) The land has possessory title only and has been used as a footpath and recreation area until gated off after its sale to Ackroyd and Abbott. There is also a covenant that it be used as garden land to the adjoining residence; this is not a planning matter.

(iii) The walls are protected and the proposed pedestrian gateway would seem an unnecessary loss; The gateway has since been omitted from the scheme to ensure the retention of the wall.

(iv) No building may be erected within 3 metres of the culverted watercourse; a 3-metre protection zone is indicated on the plans.

(v) Carsick Hill Way is very narrow and the pavement of the west side is completely overgrown – there is no safe parking on the perimeter without blocking traffic. The application provides sufficient off-street car parking and there are no restrictions on parking within the locality.

(vi) A condition on the previous permission required an intervisibility splay, which reflects the dangerous junction and the impact on pedestrians; this is proposed once more.

(vii) The objector notes that there is an abundance of day and nocturnal bird species in this area as well as bats in significant numbers so removal of the trees would represent a loss of habitat; There is no specific suggestion that bats or birds roost within the Sycamore tree or other trees to be removed but it is acknowledged that they may be resident in the locality. However, bats are protected by the Wildlife and Countryside Act such that the removal of the tree will have to be undertaken with regard to the Act, which is considered sufficient to ensure their protection.

SUMMARY AND RECOMMENDATION

This application proposes the construction of a detached five bedroom dwelling with a separate detached garage on land at the junction of Carsick Hill Road and Carsick Hill Way within the Ranmoor Conservation Area. It is a site for which planning permission was granted in 2005 for the construction of a detached four-bedroom house. The application also includes a proposal to remove the Sycamore Tree to the Carsick Hill Road frontage as well as the removal of a Cypress Tree from the eastern boundary and the laurels from beneath the Ash tree to the eastern boundary.

Given the site's designation within a Housing Area within the UDP, the principle of a house on this site is consistent with Policy H10 of the UDP. The density of development is also deemed appropriate given the suburban character of the locality such that it is not contrary to Policy CS26 of the SDF Core Strategy.

With regard to the design of the dwellinghouse, taking into account the form and design of the previously approved house, it is concluded that subject to conditions to require large-scale details of key features such as window reveals and full details of materials, the proposed development is in scale and character with neighbouring buildings, utilises materials that are of a high quality and appropriate to the locality and will result in a sufficiently high quality development that respects and takes advantage of the distinctive features of the neighbourhood in accordance with Policies BE5 and H14 of the UDP and Policy CS74 of the SDF Core Strategy. It is also considered to preserve the character and appearance of the Conservation Area in accordance with Policy H16 of the UDP and guidance within the NPPF.

The loss of the Sycamore is permitted only on the grounds that it has been confirmed that the tree is in decline and is not viable for long-term retention and a suitable replacement will be provided. The loss of the Cypress is considered acceptable as it will enable the Ash to grow more effectively and again, a replacement will be sought. Subject to a condition requiring a detailed landscape scheme and the retention of all remaining trees, with appropriate tree protection measures in place, the application is in accordance with Policy BE6 of the UDP.

Finally, it is concluded that the development provides appropriate off-street parking and a suitable access in accordance with Policy H14(d) of the UDP and will not be detrimental to the amenity of the future occupiers or adjoining occupiers and is therefore in accordance with Policy H14(c) of the UDP.

In conclusion, the proposed development accords with an up-to-date Local Plan and, in accordance with Paragraph 12 of the NPPF, it should therefore be approved such that the application is recommended for approval subject to conditions.

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**SHEFFIELD CITY COUNCIL
PLACE**

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

DATE 23 October 2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

ITEM

SUBJECT RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

SUMMARY

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

RECOMMENDATIONS

TO NOTE

FINANCIAL IMPLICATIONS

NO

PARAGRAPHS

CLEARED BY

N/A

BACKGROUND PAPERS

CONTACT POINT FOR ACCESS Lisa Shaw

TEL NO: 0114 2734791

AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

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DEVELOPMENT SERVICES

REPORT TO WEST AND NORTH
PLANNING AND HIGHWAYS
COMMITTEE
23 OCTOBER 2012

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

2.0 APPEALS DECISIONS - ALLOWED

i) An appeal has been allowed, conditionally, against the decision of the City Council to refuse planning permission, under delegated powers on 10th November 2011, for the erection of a dormer bungalow in the garden at Brook Lodge, 185 Brookhouse Hill, Fulwood, Sheffield, S10 3TE (Case No 11/03065/FUL).

Officer Comment:-

Although within the Fulwood Conservation Area, the Inspector considered that the bungalow would have a garden of comparable size to existing houses in the area and would leave the existing house with a garden of appropriate and considerable size and still in character with the neighbourhood.

The area contains trees walls and hedges and the dwelling, having a low profile and being a distance from vantage points would not be noticeable from the Conservation Area or the Green Belt nearby. There are no highways objections to the proposal and the access for the proposed dwelling being in front of the existing houses was not considered to be a problem for existing residents, in terms of the creation of significant noise or disturbance. Accordingly, the appeal was allowed.

ii) An appeal has been allowed, conditionally, against the decision of the City Council to refuse planning permission, under delegated powers on 11th June 2012, for a single-storey side extension to a dwellinghouse at 71 Studfield Hill, Sheffield, S6 4SH (Case No 12/01073/FUL).

Officer Comment:-

The main issue here was the impact of the proposed extension on the property and the street scene.

The Inspector found that the proposed extension would be built in matching materials with a hipped roof. This not be detrimental to the street scene of the original house. The extension needed to be large enough to enable carers to have adequate working space.

The extension would, in the Inspector's view, be barely visible from the neighbouring property and have no harmful effects on the amenities of nearby occupiers. Similarly, it was considered that there would be no significant detrimental effect on the streetscene. This being the case, the Inspector allowed the appeal.

iii) An appeal has been allowed, conditionally, against the decision of the City Council to refuse planning permission, at its meeting held on 15th February 2012, for the erection of 5 x one/two bedroom flats/maisonettes in a two-storey block with rooms in the roof space at the garage block between Barnsley Road and 89 Idsworth Road, Fir Vale, Sheffield, S5 6UN (Case No 11/03581/FUL).

Officer Comment:-

The proposal replaces a garage court and although it is at a high density, the Inspector considered that the development would provide a building that is in character with the area, would support the creation of balanced communities, and be an efficient use of land. It was also noted that the Council cannot currently demonstrate a 5 year supply of housing land.

The Inspector agreed that the development did not provide private amenity space to the amount required in guidance but felt that this was not a "hard and fast requirement" acknowledging that the amount to be provided can be relative to the quality, quantity and accessibility of other local open space.

The development was also not considered to impinge on the amenities of neighbouring residents. The scheme was not found to be an overdevelopment of the site.

When considering the level of car parking provided, the Inspector considered that the location of the site was in a sustainable location, close to many facilities. Given this location, all residents may not feel the need to own a car. The development could make a contribution to balancing the transport system in favour of sustainable transport modes.

iv) An appeal has been allowed to vary a condition imposed by the City Council, under delegated powers on 5th April 2012, in respect of granting planning permission, for the amendments to house type (Plot 1) previously approved by Case Nos. 06/04303/FUL and 10/01196/FUL at Barncliffe House, 17 Redmires Road, Sandygate, Sheffield, S10 4LA (Case No 12/00322/FUL)

Officer Comment:-

This appeal relates to the condition imposed on the new dwelling to have obscured glazing to all side windows facing towards No. 451 Sandygate Road. The main issue being whether the condition was necessary and reasonable.

Of the four windows, the northernmost two provide light to a stair well, the other two, to the living room.

The Inspector considered that the views from the living room windows would be filtered by the Beech hedge on the boundary and, at a distance of 24 metres from the boundary, would not provide sustained views and so felt that they would not cause harmful overlooking or a perception of overlooking.

The condition was therefore varied by the Inspector, requiring only the northernmost two windows, to the stairwell, to be obscurely glazed.

3.0 APPEALS DECISIONS - DISMISSED

i) An appeal has been dismissed against the decision of the City Council to refuse planning permission, under delegated powers on 17th April 2012, for the erection of a dwellinghouse with parking provision to the rear of Tudor Lodge, Long Lane, Stannington, Sheffield, S6 6EE (Case No 12/00465/FUL).

Officer Comment:-

The main issue considered by the Inspector was the effect of the proposal on the character and appearance of the area.

The dwelling would require the removal of some semi-mature trees within the site to make way for it. The dwelling is also proposed to have a tall, asymmetrically pitched roof whose profile would be visible from the driveway. The Inspector considered that it would represent a departure from the pattern of development, with the roof sitting awkwardly when viewed with the other dwellings. It was felt that it would appear as a discordant and possibly jarring feature in its setting.

Furthermore, the proposal would leave both itself and the original house with confined garden space and with it running close to the site boundary; it would have a cramped appearance. The proposed access would cut across an otherwise untouched verge, underlining its intrusiveness.

Taking these points into consideration, the Inspector was of the opinion that it would harm the character of the area and would conflict with Policy H14, and CS74 and paragraph 53 of the National Planning Policy Framework.

5.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

23 October 2012

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