

West and North Planning and Highways Committee

Tuesday 12 February 2013 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
12 FEBRUARY 2013**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence from Members of the Committee**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public.
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Minutes of Previous Meeting**
Minutes of the meeting of the Committee held on 22 January, 2013.
- 6. Sheffield Conservation Advisory Group**
Minutes of the meeting of the Committee held on 11 December 2012.
- 7. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee.
- 8. Applications Under Various Acts/Regulations**
Report of the Director of Development Services.
- 9. Dial House, Ben Lane: Update**
Report of the Director of Development Services.
- 10. Quarterly Overview of Enforcement Activity**
Report of the Director of Development Services.
- 11. Quarterly Update of Enforcement Cases in the West and North Area**
Report of the Director of Development Services.
- 12. 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 DPs 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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West and North Planning and Highways Committee

Meeting held 22 January 2013

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

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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 meetings of the Committee held on 2nd January and 8th January 2013 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 12th February 2013 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 to this Committee for this date as amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) following consideration of additional representations, additional and amended

conditions, as contained within a supplementary report circulated at the meeting, and, subject to additional conditions (i) the hours of operation at the site be 0700 hours to 1900 hours, Monday – Saturday and 0700 hours to 1300 hours on Sunday with no work to be undertaken on Sundays or Public Holidays, (ii) the Construction Method Statement to include details of the haulage route and (iii) an Information Board be erected at the site, an application for planning permission for the construction of a waste water treatment works at Morehall Fisheries, Manchester Road, Stocksbridge (Case No. 12/03066/FUL) be granted, conditionally; and

(c) (i) an application for planning permission for the erection of a detached dwellinghouse and garage at land adjacent to the Scout Hall, Uppergate Road (Case No. 12/03157/FUL) be granted, conditionally and (ii) The Director of Development Services to inform the applicants that measures should be put in place to ensure prospective purchasers of the property be made aware that the Scout Hall is regularly occupied by Scouts and other users, to alleviate any potential for future unjust noise nuisance complaints.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 7.1 The Committee received and noted a report of the Director of Development Services on a planning appeal against a decision of the City Council which had been submitted to the Secretary of State for determination.

Agenda Item 6

SHEFFIELD CONSERVATION ADVISORY GROUP

Meeting held 11th December, 2012

PRESENT:	<u>Name</u>	<u>Organisation</u>
	Dr. Philip Booth (Chair)	Co-opted Member
	Mr. Tim Hale (Deputy Chair)	Sheffield Chamber of Commerce
	Mrs Christine Ball	Civic Trust/South Yorkshire Industrial History Society
	Mr. Patrick Burns	Co-opted Member
	Mr. Howard Greaves	Hallamshire Historic Buildings Society
	Mr. Graham Hague	Victorian Society
	Mr. Bob Hawkins	Council for the Protection of Rural England
	Mr. Stanley Jones	Hunter Archaeological Society
	Mr. Philip Moore	Sheffield Society of Architects
	Mr. Andrew Shepherd	Society for the Protection of Ancient Buildings
	Dr. Alan Watson	Institution of Civil Engineers

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1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Prof. Clyde Binfield (20th Century Society), Mr. Rod Flint (Georgian Group), Mr. Bob Marshall (Royal Town Planning Institute) and Dr. Malcolm Tait (University of Sheffield).

2. **MINUTES,**

The minutes of the meeting held on 23rd October, 2012 were approved as a correct record subject to (a) the addition, in the attendance, of the words "Mrs Christine Ball Civic Trust/South Yorkshire Industrial History Society" and (b), the substitution, in item 2 of the words " (v) Mr. Hawkins would report" for the words "(iv) Mr Hawkins would report" and, in item 8 (a) the words "monument to Alderman Thomas Wylie, originally near Brightside Station" for the words "community monument" and, arising therefrom, the Group (i) noted that:-

(A) (1) John Mothersole, Chief Executive of the City Council had agreed to meet the Chair (Dr. Booth) and discuss the development of the Edwardian Extension of the former Jessop Hospital for Women;

(2) details of the site selection process involving the Extension had been published on the Council's website;

(3) Prof. Mike Hounslow, University of Sheffield, felt that it would not be appropriate for representatives of the University to meet representatives of the Group and discuss the

development;

(4) a campaigner against the development had contacted Mr Hale and Dr Booth to obtain their support for his campaign;

(5) the application for the development would be considered by the Council's City Centre and East Planning Committee at its meeting on 17th, December;

(6) the Sheffield Telegraph had published a letter and an article by Mr Greaves, regarding the development,

(7) the Telegraph and the Star had not published letters, regarding the development, from Mrs. Valerie Bayliss;

(8) the University had stated that it required from the site nineteen thousand square feet of space, rather than the original sixteen and a half thousand square feet of space;

(9) English Heritage could call in the application as the proposed demolition would amount to substantial harm to the building and there had been procedural failings by the architect, particularly in examining whether demolition was justified; and

(10) demolition of the building would set a precedent for development of other important buildings nearby;

(B) the proposed development of the Wicker as a gateway to the City would require the demolition of a timber yard at that location;

(C) (1) over the last few years, significant changes had been made to a number of crucible furnaces within the City, including replacing slate roofs with metal sheeting and the insertion of a flue through the roof of a furnace, which all involved major changes to what were essentially simple buildings;

(2) Mr Hawkins would liaise with the Head of Planning to enable investigation of these matters;

(3) the remains of a furnace, in the cellar of a house at Grenoside, had been added to the Statutory List; and

(4) the City Council had not yet received a copy of a report by Mr. Craig Broadwith, English Heritage, on Metal Trades Buildings at Risk within South Yorkshire;

(D) following its sale by auction, the Abbeydale Picture House would be used as a Climbing works/school. It was believed that it could be possible for the building to revert to its original use as a theatre;

(E) a bid for Heritage Lottery funding would be made to carry out restoration work on the organ at the City Hall;

(b) (i) approved the representation of the Group by the Chair (Dr. Booth) and Mr. Moore at a meeting with Mr. John Mothersole, regarding the proposed demolition of the Edwardian Wing of the former Jessop Hospital and (ii) thanked Mr Greaves for his efforts in connection with the development; and

(c) requested the Head of Planning, in the event that he obtains copies of the above report by English Heritage on Metal Trades Buildings At Risk in South Yorkshire, to make a copy available to the Group.

3. **CHAIR'S REPORT**

The Group noted that there was nothing to report under this item of business.

4. **HEAD OF PLANNING'S REPORT**

The Head of Planning reported that (a) (i) the closing date for submitting representations on the changes, proposed by the Government, to the permitted development rights regarding larger extensions was 24th December, 2012, (ii) the City Council had objected to the proposals and a number of other authorities had also objected strongly to

them and (b) the consultations on proposed changes to the granting of listed building consent would not go ahead, with the exception of the proposals regarding the certificate of lawfulness.

The Group noted the information.

5. **SHEFFIELD SUSTAINABLE DEVELOPMENT AND DESIGN PANEL**

The Group noted that the next meeting of the Sheffield Sustainable Development and Design Panel was scheduled to take place on 31st January, 2013.

6. **HERITAGE ASSETS**

The Group considered the following applications for planning permission for development affecting Heritage Assets and made the observations stated:-

- (a) **Construction of new main entrance, outpatients and ward building in south east of hospital building site, including new service yard and delivery zone, alterations to 8-10 Northumberland Road, closure of part of Durham Road and part of Durham Lane, alterations/extension of existing main entrance building on Clarkson Road and provision of new frontage, demolition of 9 Clarkson Street and demolition of extension at 5-7 Clarkson Street and at 12 Northumberland Road, at the Children's Hospital, Western Bank (Case Number: 12/03393/FUL).**

The Group felt that there was no objection, in principle, to the development, subject to justification of the loss of 9 Clarkson Street. The Group queried whether the development was too big for the site. The Group suggested that consideration be given to the possibility of the nearby car park of the University of Sheffield, on Clarkson Street, being used for the development, to reduce its impact on traffic movements within the area. The Group considered that it should be stressed that there could be no further development on Clarkson Street and Northumberland Road. The Group suggested that the wall to the access point should be of natural stone, with the details of scale of coursing and modelling being to the satisfaction of the Head of Planning. The Group welcomed the proposed green roofs.

- (b) **Refurbishment and conversion of Kutrite Factory to form 7 houses and 8 apartments at site of 1-7 Allen Street, 7,9,11,13 and 15 Smithfield and Snow Lane (Case Number: 12/03596/LBC)**

The Group felt that the information was both inadequate and inaccurate. The Group considered that the development did not respect or enhance the conservation area and that the proposed demolitions were unjustified. The Group suggested that the use for residential accommodation was acceptable, in principle, subject to careful treatment of the building and subject to the type of residential accommodation being appropriate. The

Group raised strong objections to the proposed treatment of the listed building.

NOTE: The Group deferred, pending a visit of inspection to the site, consideration of an application for development at Barnes Hall Farm, Bracken Hill (Case No: 12/03475/LBC and 12/03474/FULL)

7. MISCELLANEOUS ITEMS

Members of the Group reported on developments affecting Heritage Assets and Conservation Areas and the Group noted that:-

- (a) the proposed developments of the former Ranmoor and Ballard Halls of Residence had been advertised in the Sheffield Telegraph;
- (b) the City Council's Building Standards officers regularly checked the condition of the former Sufi Centre, Vincent Road. The building, which was still apparently in sound condition, was subject to planning permission for development as a hotel;
- (c) the furniture of the Highfields Library, which was being refurbished, had been removed and had possibly been sold;
- (d) sash windows were being replaced at 11-15 St Barnabas Road, which was a listed building;
- (e) the scheme for development of the former first-class dining room at Sheffield Station, for the Sheffield Tap, had been considered by the Group. It was anticipated that the refurbished building would re-open soon;
- (f) the City Council had sold Mount Pleasant to an individual. There had been, as yet, no enquiries regarding its future use;
- (g) planning permission for development of the former Anglican Chapel, General Cemetery, had been granted two years previously. The scheme had been considered by the Group;
- (h) work had begun on the residential development of the former Art College, Psalter Lane;
- (i) the scheme of development of the former St. John's Methodist Church, Crookesmoor Road, included the insertion of additional lighting;
- (j) the new extension to St. Thomas Church, Crookes, formed a link to the former Endowed School;
- (k) the former Pearl Works was for sale;
- (l) the planning officer overseeing the development of 17 Southgate,

Eckington, was in fact a private consultant, who was being retained by North East Derbyshire District Council ;

- (m) There were two planning applications for development of the former Hallam Towers Hotel. Notice had been served on the owner in connection with the condition of the building, following vandalism of the concrete links and subsequently a planning application for their demolition had been received. The windows would be boarded up and the vegetation would be tidied up along the Fulwood Road section of the site. A further application had been received, for revision of the conditions attached to the existing permission for its development; and
- (n) There had been no progress regarding the condition of Loxley Chapel.

(NOTE: The above minutes are subject to amendment at a future meeting)

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SHEFFIELD CITY COUNCIL West and North Planning and Highways Committee

Report of: Director of Development Services

Date: 12/02/2013

Subject: Applications under various acts/regulations

Author of Report: John Williamson 2734218

Summary:

Reasons for Recommendations

(Reports should include a statement of the reasons for the decisions proposed)

Recommendations:

Background Papers:

Category of Report: OPEN

Application No.	Location	Page No.
12/03876/FUL	Stocksbridge Furnishing 610 - 614 Manchester Road Stocksbridge Sheffield S36 1DY	17
12/03671/FUL (Formerly PP-02321033)	Carsick Service Reservoir Carsick Hill Road Sheffield S10 3LW	35
12/03054/FUL	Curtilage Of 18 Stumperlowe Hall Road Sheffield S10 3QS	69
12/03015/REM	Site Of Loxley College Myers Grove Centre Wood Lane Stannington Sheffield S6 5HF	87

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the West and North Planning and Highways Committee
Date Of Meeting: 12/02/2013

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	12/03876/FUL
Application Type	Full Planning Application
Proposal	Use of first and second floors as two houses in multiple occupation (HIMOs) including alterations to door and window openings (Re-submission of 12/01676/FUL)
Location	Stocksbridge Furnishing 610 - 614 Manchester Road Stocksbridge Sheffield S36 1DY
Date Received	04/12/2012
Team	West and North
Applicant/Agent	Andrew Bailey Architects
Recommendation	Grant Conditionally

Subject to:

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

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

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

- Drawing No. 01D (Proposed Site Plan)
- Drawing No. 02C (Plan and Section)
- Drawing No. 03D (Plans)
- Drawing No. 04 (Elevations)
- Drawing No. 05D (Proposed Elevations)

received on the 4 December 2012 from Andrew Bailey Architect,

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The development shall not be used unless the car parking accommodation as indicated on the approved plans has been provided in accordance with those plans (constructed and surfaced to the satisfaction of the Local Planning Authority) and thereafter retained/maintained for the sole purpose intended.

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

- 4 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 a basic scheme of repair/filling potholes on the roads adjoining the site before the development is brought into use. The detailed specification shall first have been approved in writing by the Local Planning Authority.

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

- 5 The development shall not be occupied unless sound insulation measures have been implemented in the area of the building that adjoins No. 616 Manchester Road (Bedroom 2 -First floor HMO and the Kitchen/Dining Room - Second floor HMO), details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter the approved sound insulation measures shall be retained.

In the interests of protecting the residential amenity of the occupants of No. 616 Manchester Road from potential noise 'break out' resulting from the two upper floor HMOs.

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

In the interests of the visual amenities of the locality.

- 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.

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:

IB6 - Development in Fringe Industry and Business Areas

IB9 - Conditions on Development in Industry and Business Areas

IB11 - Housing & Residential Institutions in Industry & Business Areas

BE5 - Building Design and Siting

H5 - Flats, Bed-sitters and Shared Housing

CS41 Creating Mixed Communities

The application is the re-submission of a recent planning application that was refused at the West and North Planning and Highways Committee in August 2012. This previous application sought full planning permission to change the use of three of the building's floors into 3 separate HMOs to provide accommodation for 17 persons. It was refused on two grounds, firstly, that the development would be an over-intensive use of the building leading to an increase in noise and disturbance to the detriment of neighbouring properties, and secondly, that the proposed lower ground floor accommodation would provide inadequate living conditions for the future occupiers due to the lack of sufficient daylight and limited outlook.

Policy IB6 of the UDP lists Housing (Use Class C3) as an acceptable use in a Fringe Industry and Business Areas. The building is not within the area where Article 4 Direction controls the concentration of HMOs. The principle of converting two of the building's floors into two separate HMOs should therefore be viewed acceptable.

The development is also considered to be acceptable from a highway perspective with the level of parking likely to be sufficient to meet the future needs of the HMOs future residents. On site provision would be provided for two vehicles with overspill parking located to the rear of the site.

It is acknowledged that the development is likely to increase noise levels and general activities within the immediate area. However, it is not considered that this would be so significant that it would be harmful to the residential amenity of neighbouring properties. The scheme has been amended with the omission of the lower ground floor HMO and the external staircase; both elements are considered

to satisfactorily overcome the concerns raised by Members with regard the over-intensification of the building and noise and disturbance issues.

Conditions have been attached that would secure sound proofing between the side boundary wall of the building and No. 616 Manchester Road, highway improvement works and the submission of all external works including hard and soft landscaping.

The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

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

You should apply for a consent to: -

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

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

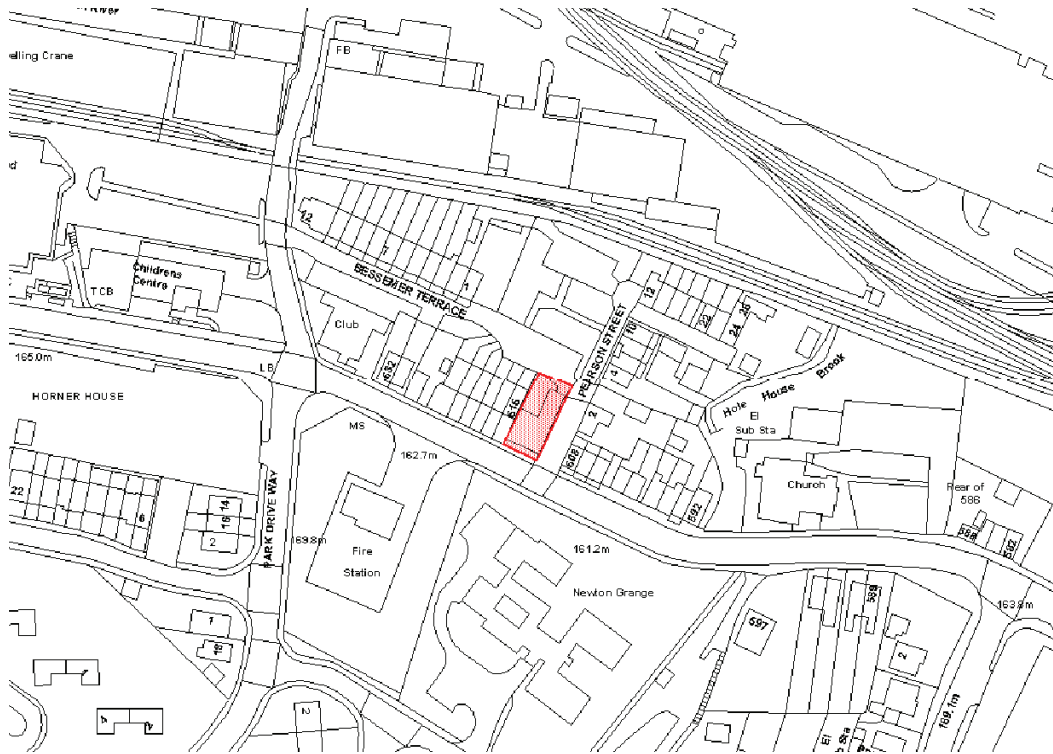
2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
3. 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.

4. 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 £97 or £28 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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BACKGROUND

The application relates to a retail premises in Stocksbridge. The property is situated on the northern side of Manchester Road and is occupied by Crofton Carpets.

Members will recall that a planning application to change the use of the building's lower ground, first and second floors from retail (A1) into 3 HMOS (Houses of Multiple Occupancy) was refused at the West and North Planning and Highways Committee in August 2012. This previous application involved utilising three of the building's floors to provide accommodation for 17 persons (2 with 6 bedrooms and 1 with 5 bedrooms). The external works to the property included the addition of 4 new window openings, the erection of an external staircase, rooflights and the opening up of two original lower ground floor openings that would create 'light wells' to the building's lower ground floor rooms.

At the planning committee, it was considered by Members that the proposal to change the building into three HMOs would lead to unacceptable noise and disturbance to the detriment of neighbouring properties owing to the use of the external staircase to access the two upper floor HMOs, and secondly, that the future living conditions of residents occupying the lower ground floor HMO would be unacceptable owing to insufficient light to habitable rooms.

For clarity, the full reasons are set out below:

- (i) The Council considers that the use of the building for a mix of a retail shop and three dwelling units providing accommodation for 17 people would be an over-intensive use of the building leading to an increase in noise and disturbance to the adjoining residential property and to the occupiers of houses on Pearson Street and Bessemer Terrace.
- (ii) The Council consider that the proposed lower ground floor accommodation would provide inadequate living conditions for the occupiers due to the lack of sufficient daylight into the accommodation and limited outlook from the lower ground floor accommodation and so would be contrary to Unitary Development Plan Policy IB11.

LOCATION AND PROPOSAL

The application relates to an established retail premises (A1) in Stocksbridge. The building is situated on the corner of Manchester Road and Pearson Street and is identified in the UDP as being within a Fringe Industry and Business Area. The Draft SDF identifies the site as a Flexible Use Area. In these areas, housing (C3) is set out as an acceptable use with HMOs (C4), a use that would be considered on its individual merits.

The building is occupied by a carpet retailer (Crofton Carpets) with accommodation taken over four floors including a lower ground floor basement that is used as a warehouse/storeroom in connection with the business.

The building is a large extended property that is faced in a combination of natural stone, reconstituted stone and red brick. It is 'L' shaped in appearance with its principal and ground floor shop facing Manchester Road. The building is split levelled, presenting itself as a two-storey building onto Manchester Road and four storeys to the rear owing to the lower ground levels to its rear. To the rear of the property is a two and half storey off-shot. A first floor rear extension was added to the property's rear off-shot following the grant of planning permission in 2006. Pedestrian access is via a short ramp that rises up from Manchester Road.

Attached to its western side elevation is a short row of terrace properties (616-626 Manchester Road). To the east of the property, beyond Pearson Street, is the end terrace property of three dwellinghouses (No. 608 Manchester Road) and fronting onto Pearson Street, a two storey detached dwellinghouse (2 Pearson Street).

Pearson Street is an unadopted access road, which runs along the eastern side of the building before wrapping around the back of the property and the rear gardens of 616-626 Manchester Road before linking up with Bessemer Terrace. Off this access road is an area used for informal parking by the applicant and residents of the adjoining houses. Beyond this car park to the north is a small attractive public open space area.

Proposal

In response to the previous refusal of planning permission, the applicant is now seeking full planning permission to change the use of the building's first and second floors to provide two HMOs (each comprising 6 bedrooms, kitchen and dining rooms). The external alterations to the building include the addition of three rooflights (front roof slope), two side windows and a single rear entrance door. This revised scheme has omitted the external staircase from the development with the 2 HMOs now being accessed solely through the internal body of the building accessed from the rear.

As before, the building's ground floor will continue to be used as a carpet shop by the applicant.

RELEVANT PLANNING HISTORY

12/01676/FUL – Change of use of lower ground, first and second floors from retail (A1) to form 3 HMOs (2 with 6 bedrooms and 1 with 5 bedrooms) including works to building with erection of external staircase and 4 new window openings – Refused August 2012

06/02555/FUL – First floor rear extension to showroom/warehouse – Approved 11/09/06

SUMMARY OF REPRESENTATIONS

Nineteen objection letters have been received from the residents of twelve properties in response to the application. Responses have also been received from Stocksbridge Town Council, Councillor Philip Wood, a Local Ward Councillor and Councillor J Clarkson of Stocksbridge Town Council and Councillor Richard Crowther. Their comments are summarised below: -

- The quantity of occupants squeezed into this building is a major concern. The future occupants of the HMOs would be subject to unacceptable living conditions;
- Noise and disturbance Issues;
- Queries regarding the tenancy of the HMO, making reference to a bail or a homeless shelter;
- Pearson Street is too narrow for any further encroachment into this unmade road;
- The area referred to as communal ground is owned by Sheffield Homes. If they choose to sell or develop, who knows what the consequences of this land will be;
- The Council should be encouraging more shops not less;
- Could lead to an increase in crime in the area;
- Object to the proposed side windows of the building facing Pearson Street. This will lead to overlooking issues
- There is already a high number of affordable, low occupancy houses in the area;
- Parking and access issues; The road to the rear is not a service road but an unadopted residential road that is used to access the application property and six further terraced properties;
- Over the years, bats have been seen flying around the back of Manchester Road and these bats use this building for roosting at certain times during the year;
- The future occupants of the HMOs would be subject to unacceptable living conditions;
- The majority of houses in the area are 1-2 bedroom terrace housing. Any further housing should be 3-4 bed roomed;
- Locating of bins next to gable wall and back door will lead to potential smells, and vermin;
- The proposed 'overspill' parking area to the rear of the property is owned by Sheffield Homes and currently used by residents of 600-608 Manchester Road and some off Bessemer Terrace;
- Insufficient time to make representations on the application owing to the Christmas period;
- The immediate area is residential family homes. The development would be harmful to the character of the area;
- Query the view that the development would not generate high car ownership; Potential that each resident could have access to a vehicle each;
- Allowing the development could lead to further similar developments in the area that would have a negative impact on the whole of Stocksbridge;
- The development would lower the quality of the area and reduce house prices;

Stocksbridge Town Council objects to the change of use due to traffic management/congestion issues. The proposed change of use from business to housing is taking further business opportunities out of commission and is an inappropriate proposal for the area.

Councillor Jack Clarkson has written in on behalf of a number of residents. His comments are as follows:

- Insufficient time to make representations owing to the Christmas period and requested an extension in time;

Previous comments - 12/01676/FUL

- Unusual that there has been no local consultation with local residents;
- Unusual for a private developer to build a HMO without knowing if there is such a market for the unique nature of the use;
- It is believed by many people that the premises may be earmarked for bail/offenders/hostel;

Local Councillor Philip Wood is objecting to the proposed development. He comments that the development will take the properties beyond their original occupancy limit affecting both amenities and services. The development will increase the impact of noise, traffic and parking. Consideration should be given to the building being directly opposite a residential home.

Local Councillor Crowther is objecting to the application on the grounds of parking, highway access and character of the area and design. Running through these:

Parking - The amount of car parking is inadequate to serve the development. Only two parking spaces have been identified as part of the application. This is not considered to be sufficient to meet the future demands of the HMOs. While it is suggested that nearby land could be used as an informal overspill, the land in question is not owned by the applicant, and therefore the owner of the land could at any point sell the land or withdraw permission for parking. Such a restriction of access for parking would make parking impossible given the extant parking restrictions on this section of Manchester Road.

Highways Access - Pearson Street and Bessemer Terrace are not in a good state of repair, having uneven and potholed surfaces. It is queried whether the applicant filling in potholes would satisfactorily remedy the highway issues as it would be unreasonable to expect the applicant to undertake the potentially considerable work required to bring Pearson Street and Bessemer Terrace up to a reasonable standard of repair through rebuilding or resurfacing.

Character of the area - Concerns that an HMO in this location would be out of character within this predominately residential area.

Design - The South Yorkshire Regional Design Guide (SYRDG) states that there should be a minimum shared amenity space calculated by 50m² plus 10m² per unit. Whether a 'unit' is defined as a HMO, a block, a floor of a block or an

individual lockable room/bedspace, it is considered that the proposed shared amenity space is significantly below that which is recommended in the SYRDG.

PLANNING ASSESSMENT

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

- i) Principle of development – Policy and Land Use
- ii) Highway
- iii) Design
- iv) Living conditions of future occupants of the HMOs
- v) Effect of the development on the residential amenity of neighbouring properties
- VII) Neighbour Notification – Consultation
- VIII) Other Issues

These are considered in turn below.

(i) Principle of Development - Policy and Land Use

The site is within a Fringe Industry and Business Area in the UDP. Policy IB6 lists housing (C3) as an acceptable use.

Policy IB9 of the UDP relates to a number of conditions that development in industry and business areas should meet. Included within the list of conditions is (a) that the development should not lead to a concentration of uses which would prejudice the dominance of industry and business in the area, (b), it should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions and (f) any development should be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

Policy CS41 of the Core Strategy relates to creating mixed communities. This policy states that mixed communities will be promoted by encouraging development of housing to meet a range of housing needs and at part d) seeks to limit new or conversions to hostels, purpose-built student accommodation and Houses in Multiple Occupation where the community is already imbalanced by a concentration of such uses or where the development would create imbalance. To avoid a concentration of uses, the Core Strategy sets out that no more than 20% of residences within 200m of the application site should be shared housing.

Following revisions to the Use Classes Order in April 2010, a new use class (Class C4) was introduced. The new C4 class relates specifically to Houses in Multiple Occupation (HMO) and covers small shared dwellinghouses occupied by between 3 and 6 unrelated individuals who share basic amenities. Under the provisions of the General Permitted Development (Amendment) Order 2010 (GDPO), unless a Direction made under Article 4(1) of that Order, a use falling within Use Class C3 (Dwellinghouse) can move to Use Class C4 (HMO) without planning permission.

This is also the case the other way round with a HMO (Use Class C4) allowed to move to a dwellinghouse (Class C3) without the need to seek planning permission.

Members will be aware that an Article 4(1) Direction was made restricting dwellinghouses to be converted into HMOs (Use Class C3 to Use Class C4 of the GDPO) in certain parts of the city. This came into force in December 2010 and meant that owners of residential properties who wish to use them for HMOs would need to apply for planning permission to do so. The reason behind introducing the Article 4 Direction was to control the impact of new shared housing, in areas where there are already high concentrations of such uses.

It should be noted however, that the Article 4 Direction does not extend up to Stocksbridge. Residential properties in Stocksbridge can therefore be 'converted' into HMOs (between 3 and 6 unrelated individuals) without the need to seek planning permission. As housing is an acceptable use in a Fringe Industry and Business Areas under Policy IB6, the principle of converting part of the building into three separate HMOs should also be viewed to be acceptable since housing and HMOs are interchangeable within Use Classes of the GDPO.

As reported before, it is considered that the development to utilise part of the building to provide two HMOs would be in general accordance with both Policy IB6 of the UDP and Policy CS41 of the Core Strategy. It should also be noted that the principle of changing the use of the building was not issued as a reason for refusing the previous scheme.

(ii) Highway Issues

The submitted scheme indicates parking would be provided for two vehicles within the red-line boundary with overspill parking provided for four vehicles to the rear of the property adjacent to the communal open space. There is also parking available along the side of the building, if required. Although it is acknowledged that several of the objections received relate to inadequate parking provision and traffic generation, it is not considered that the proposal would lead to significant problems on either front. Given the type and scale of development proposed (HMOs), this level of parking is considered to be a reasonable amount with the likelihood of a high car ownership profile being low. While it is accepted that comments have been received that suggest that car ownership can be higher with HMOs, it is considered unreasonable to refuse the application when the likelihood of high car ownership is low. The site is also situated favourably with respect to public transport provision (plus the Supertram bus service) and within easy walking distance of Stocksbridge District Centre.

Moreover, although not within the applicant's ownership, over-spill parking does exist along the side elevation of the property and to the rear. It is considered that there are sufficient spaces within the area to accommodate additional parking should this be needed.

Pearson Street and Bessemer Terrace are unadopted public highways. Both highways are in a very poor state of repair, very uneven, with drainage/puddle issues. During a meeting with the applicant, agreement was reached regarding a

basic scheme of repair, filling potholes. It is recommended that conditions be attached that secures improvements to these highways and the parking provided as per the revised drawings.

Subject to the aforementioned conditions being attached, from a highways perspective, there are no objections to the granting of planning permission.

(iii) Design Issues

The proposed external works to the building to enable the conversion of the building are relatively small and are not considered to be detrimental to the character or appearance of the building. The level of intervention is minimal and largely restricted to the addition of three rooflights (front roof slope), two side windows and a new rear entrance door. The building's existing window openings that are currently blocked up would be opened up and subject to satisfactory design details that can be secured by condition, is likely to be of significant benefit to the character and appearance of the building. Policy BE5 and Policy CS74, which seek good design and the use of good quality materials in all new and refurbished buildings and extensions are therefore considered to be met.

(iv) Living conditions of future occupants of the HMOs and effect of the development on the residential amenity of neighbouring properties

UDP Policy H5 applies to 'shared housing'. It states that permission should only be granted for shared housing if the living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours. Inspection of internal designs and room sizes show that the living conditions of the future occupants of the residential accommodation are to acceptable levels.

Each of the two HMOs would be provided with en-suite bedrooms and a communal kitchen and dining facility. The applicant has also confirmed that the HMOs would accord with the guidance given in South Yorkshire Residential Design Guide (SYRDG) in terms of space standards which requires a minimum of 7 square metres for single bedrooms. The floor plans show that this standard would be met.

As detailed under the previous application for the provision of three HMOs, it is considered that the standard of accommodation that would be provided within each of the HMOs would be acceptable. Owing to the limited curtilage of the site, external amenity space would be restricted to a rectangular parcel of land of approximately 50 square metres between the side gable wall of the neighbouring property and rear off-shot. The SYRDG sets out that shared private space for flats should be provided with a minimum of 50 square metres plus an additional 10 square metres per unit. Based on this guidance, it is evident that the amount of shared private space that would be provided would not fully satisfy these standards. However, given the nature of the use as an HMO rather than a dwelling, it is not considered necessary that these guidelines are strictly adhered to with officers satisfied that adequate external provision would be provided for the two HMOs. It is expected that this space would only be used infrequently, but would still provide an adequate amenity area to the benefit of the HMOs future residents.

It is also worth noting that the site is located in very close proximity to a small area of public open space. It is considered that this area would provide residents an attractive and pleasant area to use in addition to the space provided within the site's curtilage.

In order to address the concerns raised by Members, the applicant agreed to omit the lower ground floor HMO from the scheme. This is determined to have two significant benefits that run to the heart of the two reasons for reason. Firstly, the revised scheme represents a less intensive use of the building with a net decrease of some 30% from the previous scheme in terms of the number of tenants and secondly, it fully addresses the second grounds of refusal regarding the inadequate living conditions of the future occupiers of the lower ground floor HMO, which has now been omitted from the scheme. It is considered that the revisions made to the scheme, particularly with regard the intensification of the building have been satisfactorily met with the future occupants now afforded acceptable living conditions.

(v) Effect of the development on the residential amenity of neighbouring properties

Policy IB11 of the UDP relates to Housing and Residential Institutions in Industry and Business Areas. This policy states that in Fringe Industry and Business Areas, residential institutions (C2) and housing (C3), including redevelopment will be permitted only where the development would not further constrain industrial or business development, next to an existing residential area and not suffer from unacceptable living conditions, including noise and other nuisances.

In terms of neighbouring properties' amenity, there is no doubt in officers' opinion that the development would increase the level of activity at the site. It is important therefore that the development use does not harm the residential amenity of neighbouring properties from unacceptable noise disturbance, problems of overlooking or other nuisances associated with the use. These are each assessed in turn below:

Noise disturbance

The main issue in officers' opinion is whether the development would lead to a significant increase in noise that would be harmful to neighbouring properties. The building is located in close proximity to a number of residential properties, the closest of these being No. 616 Manchester Road, which is attached to the side gable wall of the building. This adjacent end terrace house, however, is only attached to the rear section of the building with the main bulk of the building projecting forward of this house. The layout plans show that only two rooms of the HMOs would be attached to the side-wall of this house (Bedroom 1 of the first floor HMO and the dining/kitchen of the second floor HMO). To ensure that noise breakout from these two rooms is not harmful to the residents of this adjoining property, it is recommended that a condition be attached that secures a higher level of noise attenuation measures to be incorporated into the fabric of the building in the areas that abut this side gable wall.

The other property likely to be most affected by the development is No. 2 Pearson Street. Although this property has habitable windows within its elevation facing the application site, it is located more than 7.8m away from the nearest part of the building.

As Members will recall from the previous scheme, the sole means of access into the upper floor HMOs was by way of an external staircase. When considering the merits of the previous application, it was considered by officers that the use of this external staircase by the HMOs residents when entering and leaving the building could lead to some noise disturbance that would be harmful to the amenity of neighbouring properties. Although the staircase was not positioned near to habitable windows of neighbouring properties, officers suggested that any potential noise disturbance could be mitigated by the use of rubber treads and other measures that would 'deafen' the sound when being used by the HMOs future residents. However, even with these mitigation measures, it is accepted that it would be difficult to fully remove potential noise disturbances from the staircase. As such, following discussions with officers, the applicant agreed to revisit the internal layout of the building in order to incorporate an internal staircase within the body of the existing building. As a result of these revisions, it is considered that the concerns raised with regard to noise have been adequately overcome with any noise associated with the use unlikely to be unduly harmful to the residential amenity of neighbouring properties such that a recommendation for refusal could be substantiated.

It should also be noted that there is no evidence that officers are aware of that would suggest the type of tenure (HMO) would generate a greater level of noise than say if it were occupied by 6 residents that are living together as a single household (Dwellinghouse). To refuse the application on the 'perception' that the development would generate higher noise levels than other alternative tenure would be unreasonable.

Subject to conditions being attached that require details of the further soundproofing to the internal fabric of the building adjacent to 616 Manchester Road, it is not considered that the residents of neighbouring properties would be subject to unacceptable noise disturbance that would be harmful to their residential amenity to justify a refusal on these grounds.

Overlooking Issues

The only property directly affected from the development from overlooking is No. 2 Pearson Street. This property has two first floor windows that face the building; both windows appear to serve habitable room of the house. To overcome problems of overlooking between the two properties, the applicant agreed at pre-application stage to reposition one of the new side windows (Bedroom 3 –First floor HMO) further along this elevation. By doing this, it is not considered that this neighbouring property would be subject to any significant loss of privacy that would be harmful to its residential amenity.

Vermin/smells

Concerns have been raised that the development would lead to problems of vermin and smells from the location of the bins along the side gable wall of No. 616 Manchester Road. While this is noted, it is considered that the amount of bin storage would be acceptable to meet the demands of the HMOs and there is no reason to suggest that it will lead to vermin or unacceptable amount of odours. This neighbouring property has no habitable windows within its side elevation, the only window being a bathroom window at first floor level. Any odours associated with the bin storage area is therefore likely to be low, while if any problems of vermin arise, this would be controlled separately through the Environmental Protection Services.

(vi) Consultation and procedural matters

Several of the representations received comment that owing to the Christmas period, residents have not been given sufficient time to make representations on the application. In response to these concerns, Members are advised that this application has been brought to Committee for a decision over 5 weeks beyond the expiry of the neighbour notification period (2 January 2013). It is considered therefore that residents have had ample time to make representations on this application.

Further concerns have been raised with regard to neighbour notification and public consultation. On this point, 28 neighbouring properties were consulted on this application and this includes all the immediate neighbouring properties along both Pearson Street and Manchester Road.

This level of neighbour consultation is considered to be adequate and more than satisfies the statutory obligations of the LPA in respect of this application, which is to consult adjoining properties only.

(vii) Other Issues

A resident of a neighbouring property has commented that the building has been used by bats for roosting at certain times of the year. As this is just anecdotal evidence, it would be unreasonable in officers' mind to seek the applicant to commission an ecological and bat report as a condition of approval. The applicant was nevertheless advised to consult the Council's ecological department for further advice. It has not been possible to include the response of the ecological department at the time of writing and rather than defer the application, all comments received will be reported verbally at the Committee.

Although concerns have been raised with regard the future tenure of the HMOs, Members are advised that it is not possible to control who occupies the building, whether these are students, young professionals or other groups of society. Any comments raised with regard to the future tenure of the HMOs should therefore be disregarded.

SUMMARY AND RECOMMENDATION

The application relates to a split-levelled A1 commercial building in Stocksbridge. The building has four levels of accommodation with the ground floor used as a carpet shop and the lower ground floor and upper floors presently used for storage in connection with the business. The building is situated within a Fringe Industry and Business Area. The Draft SDF identifies the site as a Flexible Use Area.

Planning permission is being sought to convert the building's first and second floors into two separate HMOs. (Houses in Multiple Occupation). The building's ground and lower ground floor would continue to be used as a carpet retailer by the applicant. The two HMOs would provide accommodation for 12 persons (6 bedrooms in each). The external works to the building include the addition of three rooflights (front roof slope), two side windows and a single rear entrance door.

The application is the re-submission of a recent planning application that was refused at the West and North Planning and Highways Committee in August in 2012. This previous application sought full planning permission to change the use of three of the building's floors into 3 separate HMOs to provide accommodation for 17 persons. It was refused on two grounds, firstly, that the development would be an over-intensive use of the building leading to an increase in noise and disturbance to the detriment of neighbouring properties, and secondly, that the proposed lower ground floor accommodation would provide inadequate living conditions for the future occupiers due to the lack of sufficient daylight and limited outlook.

Policy IB6 of the UDP lists Housing (Use Class C3) as an acceptable use in a Fringe Industry and Business Areas. The building is not within the area where Article 4 Direction controls the concentration of HMOs such that change of use from C3 to C4 (HMO) can be made without planning permission. The principle of converting two of the building's floors into two separate HMOs should therefore be viewed acceptable.

The development is also considered to be acceptable from a highway perspective with the level of parking likely to be sufficient to meet the future needs of the HMOs future residents. On site provision would be provided for two vehicles with overspill parking located to the rear of the site.

It is acknowledged that the development is likely to increase noise levels and general activities within the immediate area. However, it is not considered that this would be so significant that it would be harmful to the residential amenity of neighbouring properties. The scheme has been amended with the omission of the lower ground floor HMO and the external staircase; both elements are considered to satisfactorily overcome the concerns raised by Members to the previously refused application with regard the over-intensification of the building and noise and disturbance issues.

Conditions have been attached that would secure sound proofing between the side boundary wall of the building and 616 Manchester Road, highway improvement works and the submission of all external works including hard and soft landscaping.

Subject to the conditions listed, it is considered that the development is acceptable and would be in general accordance with Policies IB6, IB9, IB11, BE5 and H5 of the UDP and Policy CS41 and CS74 of the Sheffield Core Strategy. The application is therefore recommended for approval.

Case Number	12/03671/FUL (Formerly PP-02321033)
Application Type	Full Planning Application
Proposal	Part demolition of existing redundant underground reservoir and erection of 5 no. dwellinghouses (Re-submission of planning application 12/02126/FUL)
Location	Carsick Service Reservoir Carsick Hill Road Sheffield S10 3LW
Date Received	23/11/2012
Team	West and North
Applicant/Agent	JVH Planning Ltd
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:

26402 A(00)00, 26402 A(00)01 Rev B, 26402 A(00)02 Rev K, 26402 A(02)01 Rev L (received 28th January 2013), 26402 A(02)02 Rev H, 26402 A(02)03 Rev G, 26402 A(02)04 Rev G (received 28th January 2013), 26402 A(02)05 Rev D (received 29th January 2013), 26402 A(02)06 Rev D (received 29th January 2013), 26402 A(02)07 Rev C, 26402 A(02)08 Rev C received 13th December 2012 and 2116/Rev B received 9th January 2013,

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:
- (i) Windows
 - (ii) Window reveals
 - (iii) Terrace guard rail to include details of their height and position
 - (iv) Gateposts to Units 2-5 and gates to each unit

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

In order to ensure an appropriate quality of development.

- 5 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.

- 6 The guard rails to the first floor terraces to the rear elevation of each unit as shown on the approved plans shall be provided in accordance with the details required by Condition 4(iii) and in accordance with the approved plans. Each guard rail shall be implemented prior to the first occupation of each respective unit and shall thereafter be retained in perpetuity to ensure that each terrace does not extend more than 2 metres from the living room windows as approved.

In the interests of the amenity of the adjoining occupiers.

- 7 The existing gatepost to the north-east corner of the site shall be dismantled and re-provided to comprise the gatepost and entrance to Unit 1 as set out on plan 24602 A(00)02 Rev K and shall be provided prior to the first occupation of Unit 1 and thereafter retained in perpetuity.

To ensure an appropriate quality of development within the Ranmoor Conservation Area.

- 8 Prior to the commencement of development, further details of the proposed boundary treatment fronting Carsick Hill Road, to include the re-use of the existing stone wall shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details and thereafter retained.

In order to ensure an appropriate quality of development.

- 9 A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

In order to ensure an appropriate quality of development.

- 10 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the dwellings hereby approved; which would otherwise be permitted by Class A to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 shall be carried out without prior planning permission.

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

- 11 Unless otherwise authorised in writing by the Local Planning Authority, surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second. Before the use of the development is commenced, a validation test to demonstrate that the necessary equipment has been installed and that the above flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

In order to mitigate against the risk of flooding.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewer i.e. a total protected strip width of 6 metres that crosses the site.

In order to allow sufficient access for maintenance and repair work at all times.

- 13 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be constructed in accordance with the drainage details submitted and shown on drawings submitted on drawings SK-C-FW-GA-001 (first issue) dated 27/06/2012 and C-SW-GA-002 (P1) dated 27/06/2012 prepared by Arup.

In order to ensure the development is properly drained and without detriment to the local sewerage.

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

To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 15 Prior to any works commencing on site, full details of the following shall have been submitted to and approved in writing by the Local Planning Authority and the construction works shall only be progressed in accordance with the approved details:

- (i) Construction method statement.
- (ii) Any temporary site access for construction traffic.
- (iii) Location of site compound and temporary car parking arrangements for contractors.
- (iv) Haulage routes.
- (v) Any times when construction works and movement of construction traffic will be restricted.

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

- 16 The development shall not be used unless 2.0 metres x 2.0 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.

- 17 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.

- 18 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.

- 19 Prior to works starting on site 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 remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

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

- 20 All vehicle and pedestrian areas within the site shall have been surfaced and drained to the satisfaction of Local Planning Authority prior to occupation.

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

- 21 The dwellings shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place (prior to the dwellings becoming occupied), and shall thereafter be retained.

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

- 22 Before the development is commenced, full details of the reprofiling works to the rear of the existing highway retaining structure flanking Carsick Hill Road shall have been submitted to and approved in writing by the Local Planning Authority (to include a condition survey of the existing wall, the specification of imported materials, method of compaction of imported materials). The works shall be completed only in accordance with the approved details.

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

- 23 The garage to Unit 5 hereby approved shall be used solely for the parking of vehicles in connection with Unit 5 and for no other purpose.

In the interests of the amenity of the locality.

- 24 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; and

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

- 25 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.

- 26 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 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.

- 27 Within six months of the commencement of development, further details of measures to enhance the biodiversity of the site, in accordance with the recommendations set out within the Ecological Appraisal prepared by Brooks Ecological Report (Reference: BE-R-0822-02 June 2012) shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to the first occupation of the dwellings hereby approved or in accordance with an alternative timescale to be approved by the Local Planning Authority and thereafter retained.

In the interests of biodiversity and to assist with the Green Link in accordance with Policy CS73 of the SDF Core Strategy.

Attention is drawn to the following justifications:

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

H10 - Development in Housing Areas

H14 - Conditions on Development in Housing Areas

H16 - Open Space in New Housing Developments

BE6 - Landscape Design

H7 - Mobility Housing

BE16 - Development in Conservation Areas

BE17 - Design & Materials in Areas of Special Character or Historic Interest

T25 - Car Parking in Residential Areas

CS23 - Locations for New Housing

CS26 - Efficient Use of Housing Land and Accessibility

CS31 - Housing in the South West Area

CS64 - Climate Change, Resources and Sustainable Design of Developments
CS65 - Renewable Energy and Carbon Reduction
CS67 - Flood Risk Management
CS73 - The Strategic Green Network
CS74 - Design Principles

On balance, it is concluded that the applicant has sufficiently revised the scheme to introduce a more varied housing form and design with a reduced massing to result in an appropriate development on a site that is allocated for housing. It will respect more closely the varied form and position of development on Carsick Hill Road and it will sufficiently preserve the special character of the Ranmoor Conservation Area. It is also concluded that it will not have an unduly detrimental impact on the amenity of adjoining occupiers.

The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

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

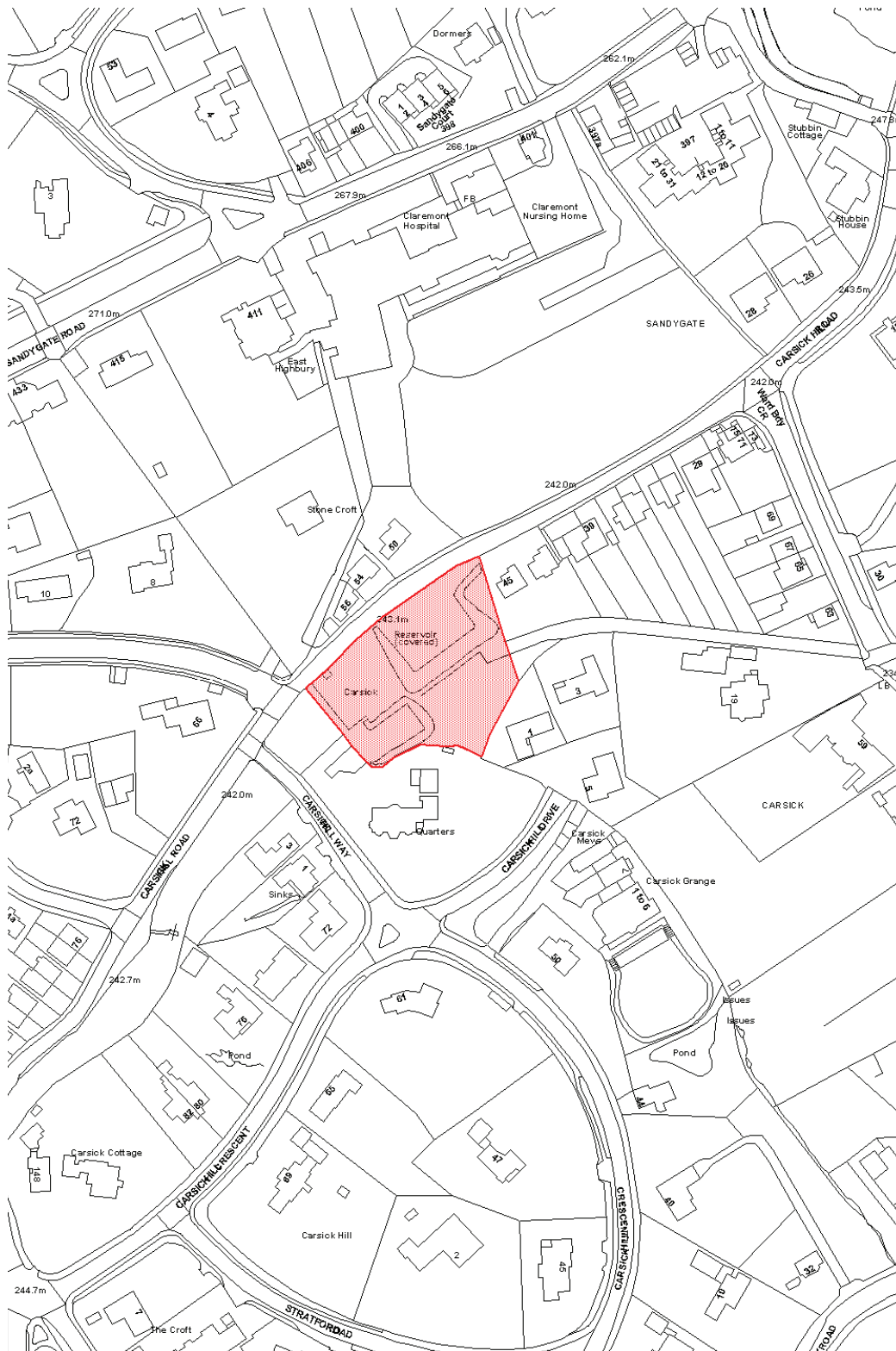
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or 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.
4. 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.
5. 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.

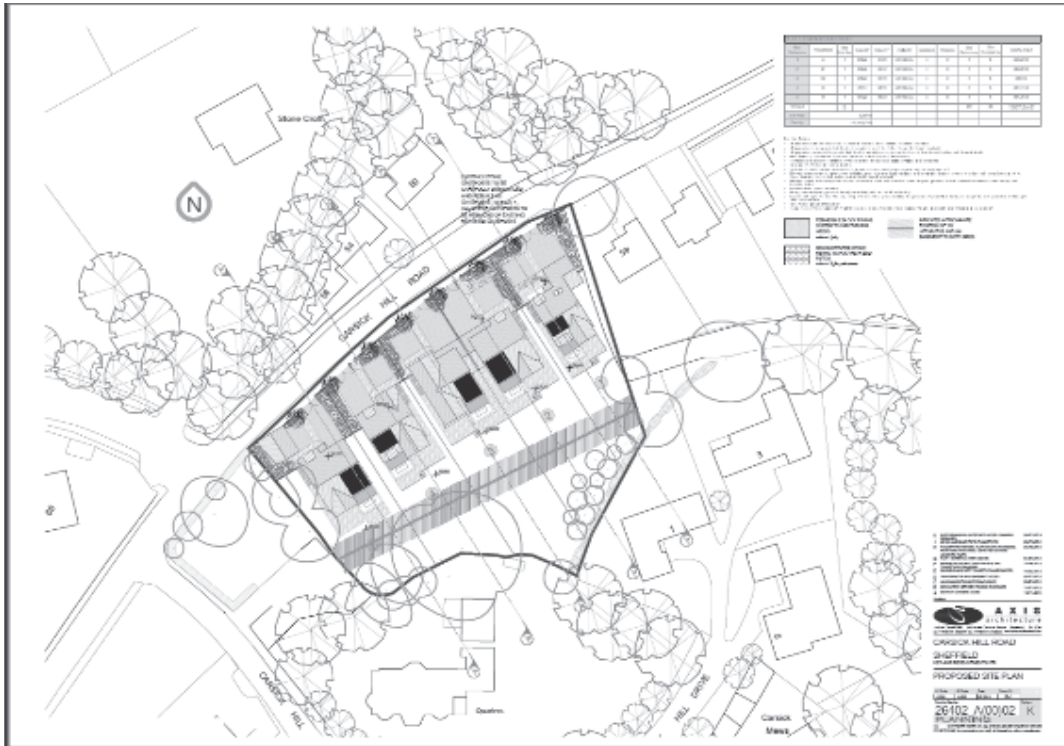
6. The proposed development will have implications for the existing retaining structure supporting Carsick Hill Road. You are advised under Section 167 of the Highways Act to contact Mr A Basford, 0114 275 7420, SCC Highways Maintenance Client, in order to secure the necessary approvals.
7. From the 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 £97 or £28 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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INTRODUCTION

This proposal is a revision to a previously submitted application for the erection of five detached houses on the site (12/02126/FUL), which was refused under Delegated Authority on 12th September 2012 for the following reasons:

1. The Local Planning Authority consider that the bulk, form and massing of the proposed development is inconsistent with the predominant character of development in the locality and it will therefore fail to respect, take advantage of and enhance the distinctive features of the neighbourhood, fail to preserve or enhance the special character or appearance of the Ranmoor Conservation Area or better reveal its significance and may limit the potential for a Green Link such that the Green Corridor is not enhanced as a result of this development. It is therefore considered contrary to Policies H14a and BE16 of the UDP, Policies CS31, CS73 and CS74 of the SDF Core Strategy and guidance within the National Planning Policy Framework.
2. Insufficient information has been submitted with the application to demonstrate that it is neither viable nor feasible for the development to provide a minimum of 10% of the predicted energy needs from decentralised or renewable or low carbon energy such that the application is considered to be contrary to Policy CS65(i) of the SDF Core Strategy.

The applicant has now submitted an amended scheme, which is the basis for this current application.

LOCATION AND PROPOSAL

This application relates to the site of a redundant underground reservoir on land fronting Carsick Hill Road in Ranmoor. The site is broadly rectangular in shape and extends to 0.36 hectares. It is understood that only part of the site (approximately 25%) is covered reservoir with the remainder being landscaped grounds with a small pump building to the north-west corner. The covered reservoir is situated in the north-east quadrant of the development site and is, effectively, a concrete shell covered with soil and grass. The top of the reservoir forms a plateau within the site approximately 1.5 metres below the level of Carsick Hill Road and the remainder of the site falls away from the covered reservoir to the boundaries on all sides. In terms of topography, the land rises across the application site from 234 AOD to 243 AOD at Carsick Hill Road.

The application site is bounded to the north by Carsick Hill Road – it lies at a lower level than Carsick Hill Road by approximately 1 to 2 metres with a traditional stone wall running across the length of the road frontage terminating in a gated entrance in the north-east corner of the site.

Opposite the site on Carsick Hill Road are the detached properties at 50-56 Carsick Hill Road, which are primarily two storey stone dwellings with a side gable roof although No.50 presents a front gable feature that extends to three storeys. These properties are relatively narrow in depth (varying between approximately 4 metres and 8 metres) but present a wide frontage to the street (between 10 and 12 metres) and are elevated between 1 to 3 metres above road level. They are also set back a distance of between 1.2 metres and 5.2 metres from the front boundary.

To the east, the site is adjoined by No.45 Carsick Hill Road, which is a modern brick two-storey dwelling with the first floor level of the property at approximately the same level as Carsick Hill Road. Further houses lie to the south east of the development site, accessed from Carsick Hill Drive. These are single storey bungalows whose ground floor level are approximately 9 metres below the level of Carsick Hill Road.

To the south of the development site stands a large brick-built dwelling named 'The Quarters'. The site bounding the development site to the west now has planning permission for the erection of a single 5-bedroom house.

Beyond the application site to the east, the properties on Carsick Hill Road vary in age, style and massing but predominantly comprise two storey side gable dwellings with a single three storey front gabled dwelling at 39-42 Carsick Hill Road. These properties have a combination of front gardens and driveway areas. To the west, the properties become large and predominantly comprise detached dwellings in generous grounds with stone boundary walls and hedges providing a primary feature.

This application proposes the part demolition of the underground reservoir and the creation of a new development platform to construct 5 x four bedroom dwellings. Three of the dwellings are detached of which two incorporate an integral double garage with one property comprising a separate garage to the

front of the house whilst two dwellings are link detached with linked integral garages. The dwellings have three floors; a lower ground floor, a ground floor and a first floor utilising the topography of the site such that the lower ground floor opens out at the rear only and the ground floors to Carsick Hill Road present the main entrances to the street. To Carsick Hill Way, the dwellings therefore extend to a two-storey elevation whilst they are three storeys to the rear.

Architecturally, the houses have been redesigned as part of this application to have a more individual appearance whilst also incorporating details that are appropriate to the character of the area. Accordingly, two of the properties feature projecting front gables of different heights and width whilst two incorporate a projecting square bay with the remaining property presenting a projecting front garage. The scale of the dwellings also vary across the site:

Immediately adjacent to No.45 Carsick Hill Road, the proposed dwelling (Unit 1) when viewed from ground level at the front elevation fronting Carsick Hill Road extends to a ridge height of 7.8 metres and an eaves height of 4.4 metres. To the rear, this property extends to a ridge height of 11 metres and an eaves height of 7.6 metres.

Adjacent to that, the pair of link-detached dwellings (Units 2 and 3) have a ridge height of 8.5 metres and an eaves height of 5.2 metres to the front elevation. To the rear elevation, the ridge height of these two units is 11.8 metres with an eaves height of 8.6 metres.

The next property (Unit 4) has a ridge height from ground level at the front elevation of 7.8 metres and an eaves height of 4.4 metres whilst to the rear, it reflects the scale of Unit 1 with a ridge height of 11 metres and an eaves height of 7.6 metres.

The end property, adjacent to The Quarters (Unit 5) has a ridge height of 8.4 metres and an eaves height of 5.2 metres to the front elevation and a rear ridge height of 11.8 metres with an eaves height of 8.6 metres.

With regard to layout, the properties vary slightly in width with Unit 1 extending to a main front elevation width of 7.4 metres (excluding the projecting single storey garage) whilst the remaining units (Units 2-5) are typically 9.2 metres in width. The gap between each detached property is at least 4 metres. The maximum depth of the dwellings varies between 13.5 metres and 14.5 metres. The set back from the road frontage at the point of the existing stone boundary wall varies from between 7 metres (Units 3, 4 and 5) to 10 metres (Units 1 and 2).

The landscaping of the site comprises front and rear gardens. The application advises that it is the intention that all the trees on site will be retained with the exception of the three trees across the middle of the site. These trees will be removed and replaced with 7 new trees, which will be planted within front gardens, to strengthen the avenue of trees on Carsick Hill Road.

To provide access, it is proposed that a new section of footpath on the southern side of Carsick Hill Road, which currently terminates at 43 Carsick Hill Road, is

extended across the development site and that the existing stone boundary wall will be carefully dismantled and rebuilt on the back of the extended footpath, to form the front boundary walls to the proposed houses with vehicular access created through it. The application advises that the existing gatepost in the north-east corner of the site will be carefully dismantled and rebuilt to provide the entrance to Unit 1 with all other gateposts to the other units built to match.

In terms of materials to be used in the construction of the dwellings, the application advises that the main walling will be constructed in Splitface Yorkstone/Gritstone with weatherstruck natural mortar and smooth sawn stone copings/quoins/lintels/cills/surrounds to the openings. Feature walling to the side elevations of Units 1 and 4 will include cream colour through-coloured render with a synthetic reinforcing coat. Natural slate will be used as the roof material. Grey uPVC windows are proposed with all window/door furniture/ironmongery to be satin stainless steel.

The site lies within the Ranmoor Conservation Area.

For clarification, this application primarily differs from the previously refused application in the following ways:

1. Height of the development – the houses within the scheme previously refused were more consistent in their design and extended to a ridge height of between 9 and 9.6 metres at the front and between 12.5 and 13 metres to the rear. The dwellings now proposed vary with a ridge height of between 7.8 metres and 8.4 metres to the front and between 11 and 11.8 metres to the rear such that the overall height of the development has been reduced and more variation introduced.
2. The width of the units has been moderately reduced. Within the previous submission, the proposed dwellings extended to a width of 9.6 metres. In this case, Unit 1 extends to an elevation width of 7.4 metres (excluding the projecting single storey garage) whilst the remaining units (Units 2-5) are typically 9.2 metres in width.
3. The position of the units within the site is more varied with a set back from the existing stone boundary wall varying between 7 metres and 10 metres whereas the houses within the previously refused application were set back at least 8.4 metres from the highway. The gap between the properties has also been increased from approximately 2.4 metres within the previously refused scheme to 4 metres between the detached properties as part of this application.
4. The design of the proposed dwellings within this application is more varied than the previously refused scheme. As part of the previous scheme, each house presented a projecting front gable and had a more consistent appearance and front boundary treatment. As part of this application, more variation in the house design is introduced using mechanisms such as a projecting front garage to Unit 1, a detached front garage as part of the boundary wall detail to Unit 5, the introduction of a pair of link detached

dwelling as well as three detached houses rather than five similar detached units and the use of both gables and bay features.

RELEVANT PLANNING HISTORY

The only relevant planning history is the previously refused application referred to above:

12/02126/FUL: Part demolition of existing redundant underground reservoir and erection of 5 x three-storey dwellinghouses at Carsick Service Reservoir Carsick Hill Road Sheffield S10 3LW.

Refused: 12th December 2012

It is also advised that the Council have previously approved an application for the removal and pruning of trees within the Conservation Area (12/00614/TCA), which permits the removal of three self-set sycamore trees, a decayed Cypress conifer tree, two goat willow trees, a wind blown apple tree, a medium ash, which is deemed to be of limited quality and form, a medium elm of limited quality and form, two medium self set sycamores of limited quality and form and a holly tree of limited quality and form. This application also permits the pruning of a mature sycamore, of three mature maple trees and two holly trees. This was permitted in April 2012 before the submission of the above application.

SUMMARY OF REPRESENTATIONS

The application was advertised by means of neighbour notification as well as a site notice and a press notice to advertise the development as affecting the character of the Ranmoor Conservation Area.

A total of 16 representations have been submitted of which one expresses reservations with the remaining 15 expressing clear objections to the proposed development. This includes an objection from Councillor Sue Alston. An objection from the Ranmoor Society has also been received.

The letters of objection and reservation raise the following points:

Principle of development

- The new plans do not appear to have changed from the original plan;
- Too many houses on site and built extremely close together, which is not the character of the area;
- Reducing the heights of the houses does not alter why this proposal was declined initially and the changes do not address this serious matter;
- The site is one of the few green spaces in the area and important in a green city like Sheffield;
- The change is not significantly different from the previously rejected application;
- The revised proposals still provide for shoeboxes with no architectural merit, which are still a full floor too high and out of keeping with the area;

- The application was re-submitted over Christmas, which may result in a low response rate and it is hoped that previous opposition will also be taken into account;
- The proposals represent a serious threat to the quality of life of local residents and it threatens the natural environment in what is deemed a Conservation Area;
- It is clear that the site will be developed but the proposal should provide better access/parking and have a lower density/lower massing of development;
- The scheme continues to ignore the nature of this local pocket and the historic significant of the area and the forgers' cottages opposite. Comparison is only drawn in the application to the few houses between 55 Carsick Hill Road and Snaithing Lane and not those opposite;
- The houses need to be set back further in the site and maintain the building line; they should be reduced in height relative to surrounding properties and this could be achieved by making better use of the contours;
- The footprint of the houses should be reduced, which will reduce their mass and be more in keeping with the scale of surrounding development.

Design and Layout

- The properties are a heavy mass of uniform houses;
- The dwellings are large, close together and inconsistent with the predominant character of the area;
- The Council should take into account the total impact of this development and the developments on Carsick Hill Road, Carsick Hill Way and Carsick View Road.
- To squeeze five houses on is at odds with the surrounding houses and adds nothing to the area;
- The proposal will be at odds with the present and historic layout and fails to preserve the distinctive features of the area;
- The plans do nothing to address the potential for the green corridor nor do they incorporate the suggestion for more generous landscaped plots;
- Carsick Hill Road cannot be described as "a street with regular frontage development". Along its length, properties, many in natural stone, vary and sit to one side of the road or the other;
- The buildings are bulky and will be a blot on the landscape.

Scale

- The height is not significantly lower than the previously refused scheme and the properties will be closer to the road so the apparent height would be similar;
- Three storeys will be intrusive visually and through light pollution to the bungalows immediately adjacent;
- The proposed overall frontage is now even wider extending to the extremities of the site and even closer to the highway, so that they will appear substantial;
- The height of the houses would dominate the street and overlook nearby properties;

- The sheer mass and density of the houses continues to be out of sympathy with the cottages opposite;
- The residents claim that they are still present with 5 bulky high houses of very uniform design amassed into the site with little space between;
- Their regular bulk appearance is not consistent with the irregular open character of the surrounding properties;
- Although the roof height is lowered, they are closer to the road;
- The application highlights the houses at 39 and 41 Carsick Hill Road as examples of taller houses but they have no buildings opposite them;

Conservation issues

- The site is within the Ranmoor Conservation Area and the character and design of the buildings will be totally out of keeping with the surrounding historical buildings and cottages;
- Carsick Hill Road does not have properties facing each other on both sides of the road at any point such that the proposed development would change that character and significantly impact upon the street scene;
- Throughout the planning statement, comparison is only drawn with the few houses between 55 Carsick Hill Road and Snaithing Lane, which notably lack housing opposite. There is no reference to the old stone-built cottages (50, 54, 56) opposite, which are of historic significance and which can be traced back to the late 18th and early 19th century;
- Paragraph 5 appears dismissive of the Carsick area as a Conservation Area – no mention is made of the above cottages but reference is made to the fact that the houses take their cue from existing houses towards Snaithing Lane, to which there is no logic;
- This application offers nothing to the conservation of Ranmoor - Ranmoor is a conservation area and the most important question in considering this application is 'does it contribute anything positive to the conservation area?'
- Stone retaining walls characterise much of the length of Carsick Hill Road, opposite and around the proposed site. Although the plans describe a stone wall feature as being retained there is no suggestion of using the original stone;
- Nowhere along the length of Carsick Hill Road is there direct access from both sides of the road;
- The applicant states that it takes its cue from existing houses towards Snaithing Lane but there is no logic to this as the particular part of Carsick Hill Road is well away from the site and faces a high stone wall and trees.

Highways

- Carsick Hill Way is a narrow one-way road and visibility is non-existent.
- It is not clear whether there is adequate space to turn a vehicle within the curtilage;
- Cars are driven at speed along our road, particularly at peak times, even though the road is used daily by groups of school children and is very narrow in places (especially where the proposed buildings will be situated) so there is already a serious concern about safety for pedestrians and drivers on this road and any additional buildings will add to this problem;

- Increased traffic will increase the risk of accidents at the junction of Carsick Hill Road and Tom Lane/Stumperlowe Park Road.
- Carsick Hill Road is very narrow and only just wide enough for two cars to pass and there are regularly minor accidents;
- The properties opposite do not have off-road parking and park on the road so that there are regularly up to 5 cars parked on this stretch, which would make access to the properties very difficult;
- The revised plans appear to have an identical building line along Carsick Hill Road and do not address the highway concern that there is a need for carriageway widening and the removal of a pinch point adjacent to 45 Carsick Hill Road;
- On exit, there is insufficient turning room for vehicles if cars are parking on Carsick Hill Road and the addition of trees will restrict visibility further;
- Adding 5 access points onto the road will exacerbate safety issues for an already congested and narrow road;
- The current version of the Design and Access Statement has removed reference to the provision of a private access road as having been discussed with the Council's Planning Highways Officer. Why would a single private access road not be acceptable?
- It can be expected that the owners of five four-bedroom houses will possess more than ten cars in total. Additional parking by visitors and delivery vehicles would only exacerbate existing traffic risks, as would the impact of heavy site traffic during the period of construction;
- The revised plan for a separate garage to the east of the development could further restrict visibility at a very dangerous crossroads.
- This is a major pedestrian route for children walking to Tapton School and is already dangerous because of a narrow and uneven pavements; the plan to provide a pavement would create a greater danger as pedestrians would then be crossing where it would end at a very dangerous point near the junction of Carsick Hill Way and Carsick View Road and a site visit should be made w
- The front gardens have been reduced in length and the garages brought forward on Plots 1 and 5, which will reduce the curtilage and may result in parking on the highway;

Flooding and Drainage

- A conduit runs along Carsick Hill Road. Cellars and buildings are affected after heavy rain and any changes to the water table could have serious, unforeseen consequences for many local residents;
- The area surrounding the reservoir has a number of underground streams directly running through some of the nearby homes, which have already flooded in the past;
- The surrounding hard standing of these proposed new properties will increase rainwater run-off, due to the removal of green space, leading to possible flooding. The development will put further strain on existing drainage infrastructure;
- It is noted that Yorkshire Water have already notified the Council that drainage of surface water will not be allowed;

- The area gains its very name from the large number of springs and streams that are to be found underground and flow around properties in the area. As such there is already significant demand on the mains drainage and the conduit;
- The plans propose to drain surface water from 5 houses with considerable hard standing into the conduit. This has, in recent times been blocked, causing flooding to properties in Carsick Hill Way and below down towards Fulwood Road.
- The developers note that there is not sufficient room for the size of underground holding tank recommended by the Council for rainwater and they suggest a smaller tank and controlled flooding of the ground should severe weather strike. The Council should insist on their recommendation being implemented
- Concern about the ancient water board conduit (culverted in the 1890s), which lies to the south of the reservoir.
- Increase rainwater run-off due to the hard standing surrounding the houses, leading to the possibility of flooding;

Impact

- The external balconies to the rear will overlook the balconies on Carsick Hill Drive, which are much lower;
- Overlooking and the development will take the light of properties to the rear, as it is 3 storeys to the rear with steep roofs.

Other

- Concern about toxic gases from the original storage of water when the reservoirs are demolished;
- Concern about rats being disturbed;
- What will happen to the demolished concrete structure – will it be ground up on site, which will result in unacceptable noise levels;
- It will result in fewer mature trees, reduced green space and an intensification of buildings in the Conservation Area;
- The construction work will result in noise pollution and an increase in heavy vehicles on the road, which will impact on the quality of life of residents;
- Will the wall be maintained or demolished; there is currently not a path on the south side of the road and this needs proper consideration;
- The character of the boundary wall will change with 5 double driveways even if the existing stone is re-used;
- The potential loss of trees such as the Silver Birch near the boundary is further evidence of the lack of concern or understanding of the character of the area;
- Objector considers that the bio-diversity report is riddled with inaccuracies and does not agree with the conclusion that there is little of interest on the site; the pond in their garden is about 100 metres from the site and had 51 frogs at mating time and some of them may live on the reservoir site during the year – in addition, the site is well used by bats and owls and badgers have been seen on Carsick Hill Way. The resident is also unclear where

Sandygate Ponds are and wonders if they mean the University Nature Reserve?

The Ranmoor Society have written to express their concern over the proposed development, which they consider to be inappropriate for the following principal reasons:

There is convincing evidence that the modified application does not alter the conclusions of the previous refusal of planning permission and the objections of the Ranmoor Society to this application are the same as previously and they consider it an inappropriate development of the site.

The Ranmoor Society raised the previous objections to the development:

- i. The types of property in this area are diverse, but in this application comparison with surrounding properties has been selective. The proposed development is directly opposite a row of ~200 year old cottages and would be completely out of sympathy with these buildings. In particular there is a real concern that the proposed height of the properties is excessive, with dominance both across Carsick Hill Road and over the properties lower down the hill on Carsick Hill Drive. With the inclusion of roof space the properties are 3 storeys high at the front and 4 storeys at the rear. A close packed row of 5 such houses is too much for this location.
- ii. One of the important features of the Conservation Area is the low housing density. The relatively high density proposed here, while no doubt in line with general building strategy, is inappropriate for the Conservation Area.
- iii. This part of Carsick Hill Road was incorporated into the Conservation Area in 2005, presumably to conserve the character of the road from unacceptable development. This application seems to be at odds with this.
- iv. Carsick Hill Road is very narrow, with significant on street parking, and access onto the road from the five proposed houses would be hazardous.
- v. There is some concern about whether the use of the conduit for drainage is appropriate.

The Ranmoor Society also point out that one of the important features of the area is the low density of housing and the relatively high density proposed here, whilst no doubt in line with general building strategy, is inappropriate within the Conservation Area.

PLANNING ASSESSMENT

This application proposes the part demolition of the underground reservoir and the creation of a new development platform to construct 5 x four bedroom dwellings. The key issues to consider in the determination of this application include the following:

- (i) Principle of development - Policy and Land Use;
- (ii) Design;
- (iii) Impact on the Ranmoor Conservation Area;
- (iv) Impact on the amenity of adjoining occupiers;

- (v) Highways and;
- (vi) Flood Risk.

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

Policy and Land Use

Paragraph 12 of the National Planning Policy Framework 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 Sheffield Unitary Development Plan (UDP), the application site is designated within a Housing Area. Policy H10 of the UDP determines that within such areas, housing is the preferred use such that the principle of housing development on this site is wholly consistent with the UDP.

It is also noted that the National Planning Policy Framework advises at Paragraph 216 of Annex 1 that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to (i) the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given), (ii) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and (iii) the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In this case, the Sheffield Development Framework Proposals Map indicates that the site is still within a Housing Area but it is also the location for the convergence of three Green Links, which forms part of the Green Network. It is determined that there are no unresolved objections in relation to the Green Network and there appears to be no inconsistency between the Council's policies in this regard and the NPPF such that the location of the Green Links can be given some weight in the planning decision. Policy CS73 of the SDF Core Strategy relates specifically to the Strategic Green Network and advises that within and close to the urban areas, a Strategic Green Network will be maintained and where possible enhanced and this mainly follows the rivers and streams of the main valleys. However, the policy also confirms that a network of more local Green Links and Desired Green Links, such as those running through the application site, will complement these Green Corridors. In this case, it is considered that the provision of residential gardens around a proposed housing development could contribute to the network of Green Links. As part of the previously refused application, it was determined that the layout of the scheme and the lack of significant gaps between the houses could limit the potential for a Green Corridor such that it was concluded that in addition to the concerns about scale and design, the Green Corridor was not enhanced contrary to Policy CS73. In this case, it is noted that the gaps between the houses has increased from circa 2.4 metres to 4 metres and that there is now scope for soft landscaping as well as a hard edge to the side elevation of the houses. There

is also scope for planting to the front and rear gardens such that the scheme could contribute to the green network. As such, subject to an appropriate landscaping scheme being implemented, it is not considered that the scheme could now be refused solely on the failure to enhance the Green Network since the site does not form part of the Strategic Network and the proposed gardens will provide a habitat and a means for wildlife to move through the urban area.

It is also relevant to acknowledge Policy CS23 of the SDF Core Strategy, which relates to locations for new housing and advises that the main focus will be on suitable, sustainably located, sites within, or adjoining the main urban area of Sheffield (at least 90% of additional dwellings) and Policy CS31 (Housing in the South-West Area), which states that priority will be given to safeguarding and enhancing its areas of character. In this case, the site does lie within the urban area and the proposal is therefore consistent with the objectives of Policy CS23. Compliance with Policy CS31 in terms of safeguarding and enhancing the area of character is considered further below.

With regard to site density, Policy CS26 of the SDF Core Strategy advises that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. Subject to the character of the area being protected, densities will vary according to the accessibility of locations. The policy advises that in the wider urban area (outside the City Centre etc), a density of 30 to 50 dwellings per hectare is appropriate although densities outside these ranges will be allowed where they achieve good design, reflect the character of an area or protect a sensitive area. In this case, the application form states that the site area extends to 0.36 hectares and the development proposes five dwellings, which results in a density of 14 dwellings per hectare. This is significantly below the density threshold of 30-50 dwellings per hectare and represents a low density of development but it is considered that this density relates appropriately to the character of the surrounding area and is therefore appropriate in this instance such that it is not considered to be contrary to Policy CS26. This low density will also ensure that the character of the area is protected in accordance with Policy CS31.

Thus, overall, the principle of a housing development is in accordance with the sites designation in the UDP as a Housing Area as defined by Policy H10 and it is also considered compliant with Policy CS31 of the SDF Core Strategy in delivering housing within the main urban area. With regard to site density, whilst the density at 14 dwellings per hectare is significantly below the density threshold of 30-50 dwellings per hectare recommended by Policy CS26 of the SDF Core Strategy, it is determined that a lower density development that relates appropriately to the low density of the surrounding area is appropriate in this instance such that the proposal is not considered to be contrary to Policy CS26. It is also concluded that the gap between the detached houses has been increased as part of this revised application to allow both soft and hard landscaping and the proposed gardens will provide a habitat and a means for wildlife to move through the urban area such that it is sufficiently compliant with Policy CS73 of the SDF Core Strategy.

Design

The National Planning Policy Framework confirms at Paragraph 56 that the Government attaches great importance to the design of the built environment. At Paragraph 58, it confirms planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but also over the lifetime of the development; establish a strong sense of place, create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, respond to local character and history and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation and be visually attractive as a result of good architecture and appropriate landscaping. Within the SDF Core Strategy, Policy CS74 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. Within the UDP, Policy H14(a) advises that within Housing Areas, new development or change of use will be permitted provided that new buildings are well designed and would be in scale and character with neighbouring buildings.

Given the requirement to respond to local character and reflect the identity of local surroundings, the key issues in this case therefore relate to the scale, layout and design of the proposed dwellings and also how this scheme addresses the concerns of the previously refused application, which was refused on the grounds that it failed to respect, take advantage of and enhance the distinctive features of the neighbourhood, and that it failed to preserve or enhance the special character or appearance of the Ranmoor Conservation Area or better reveal its significance.

With regard to layout and scale, the application proposes five dwellinghouses of which three are detached with the remaining pair link detached to provide some contrast within the street in comparison to the previously refused scheme where five detached houses of the same type were placed consistently across the site.

As noted above, the scale of the houses as part of this application has been reduced – their ridge heights now vary between 7.8 metres and 8.4 metres to the front and between 11 and 11.8 metres to the rear compared to between 9 and 9.6 metres at the front and between 12.5 and 13 metres to the rear as part of the previously refused scheme such that the houses have reduced in height by approximately 1.2 metres to the front and between 1.2 metres and 1.5 metres to the rear. Their width has also been reduced by a minimum of 0.4 metres with the main house of Unit 1 (excluding the garage) reduced in width by 1.8 metres. The depth of the houses proposed remains more consistent with the previously refused scheme.

In assessing the character of the surrounding area and the site's context, it is acknowledged that there are a mix of house types and design within the immediate area of Carsick Hill Road. It is also considered that the character of Carsick Hill Road changes along its length – the detached properties at 43 and 45 are the most modern dwellings along the street and are different in character to those that run eastwards from No.41 onwards, which are more traditional dwellings typically set back approximately 5 metres from the back edge of pavement. Architecturally,

these dwellings also vary in character and comprise a mix of semi-detached and detached dwellings that are predominantly two storeys albeit with 3 storeys at 39-41 Carsick Hill Road. The height of the semi-detached pair at 39-41 is estimated at 9.5 metres to the ridge with the height of 43 Carsick Hill Road estimated at 6.5 metres and then dropping down to 3.5 metres at 45 Carsick Hill Road, which presents only a single storey to the street. More immediate to the application site are the cottages opposite; these are primarily two storeys with one three-storey gable feature with stone being the predominant material. These cottages form the immediate context of the application site and it is noted that they are relatively narrow in depth (varying between approximately 4 metres and 8 metres) but present a wide frontage to the street (between 10 and 12 metres) and are elevated between 1-3 metres above road level. They are also set back a distance of between 1.2 metres and 5.2 metres from the boundary. The height of the two storey cottages opposite the site is estimated at approximately 6 metres to ridge.

In assessing this application, the reduction in scale of the proposed houses and the amended form of the dwellings to be less consistent with one another is welcomed. Moreover, it must be acknowledged that the predominant character of development in the locality is two-storey to the street, to which this proposal is compliant fronting Carsick Hill Road. It is the case that the proposed houses will be taller than the two storey cottages directly opposite but these new houses will clearly need to be constructed to modern floor to ceiling heights. It is also noted that they are lower than the dwellings at 39-41 Carsick Hill Road and that Unit 1 is lower than Units 2-5 to provide some transition in height across the site from the reduced scale of No.45 Carsick Hill Road. It is also noted that as part of this application, the provision of rooflights have been omitted to limit the potential for additional accommodation within the roofspace, which can further be controlled by means of removing Permitted Development rights such that a planning application would be required for any future conversion of the roofspace.

With regard to the layout and form of the houses, it is determined that this application does seek to deliver a less consistent house type across the site. The five houses now proposed comprise three different types of house and are distinguished from each other in terms of the position, form and size of the front gables with only two houses incorporating a front gable, the provision of either a detached or integrated garage with Unit 5 incorporating a garage within the front boundary wall, which can be a traditional feature within the area and Unit 1 comprising a projecting front garage as well as subtle variations in width and height. Their positioning of the houses on the site is broadly consistent with the building line established by 43 and 45 Carsick Hill Road, which is staggered in form although Unit 5 is set back a little further; this is not inappropriate given that it is the end property and adjoins the corner plot of Carsick Hill Road and Carsick Hill Way.

It must be acknowledged that any development on the application site will result in one of the few sections on Carsick Hill Road with houses on both sides of the road and it is therefore important that the scale and form of development is appropriate. It is considered that the omission of accommodation within the roofspace as part of this application, the reduction in height of the dwellings and the amended form of the house with the introduction of a pair of link-detached and three detached dwellings comprising three house types has sought to address the concerns raised

in the previous application that it was too consistent. It is now considered to respect more closely the varied form and position of development on Carsick Hill Road and the revised architectural approach assists in mitigating the previous concerns about the depth of dwellings such that overall, it is determined that the development does seek to respect the distinctive features of the neighbourhood in its scale and layout. This is further reinforced by the use of traditional building materials including splitface yorkstone/gritstone with natural mortar and smooth stone copings/quoins/cills with a natural slate roof stone and slate, which is appropriate in the area. It is noted that render is proposed to the side elevations of Units 1 and 4 but it is accepted that render is evident in the locality such that it is not inappropriate to a side elevation. Moreover, it is also noted that grey UPVC windows are proposed and whilst timber is a more traditional material, there is evidence of UPVC windows in the vicinity of the site and the use of grey frames does provide a higher quality appearance that is appropriate to the contemporary design of the houses. Thus, given that the site is allocated within a housing area such that the principle of housing is wholly appropriate, it is concluded that on balance, the scheme now sufficiently enhances the features of the neighbourhood in accordance with guidance within the NPPF, Policy CS74 of the SDF Core Strategy and H14a of the UDP.

Impact on the Ranmoor Conservation Area

The application site lies within the Ranmoor Conservation Area. The Council's Ranmoor Conservation Area Statement of Special Interest published in 2000 notes that Ranmoor's Special architectural and historic interest derived from being the city's foremost Victorian residential suburb. It confirms that Ranmoor is notable for the low density of its built development, which is reflected in a pattern of medium or large houses, most set in spacious grounds. It also notes that the most common facing material in Ranmoor is sandstone, normally roughly dressed and laid in regular courses with the use of finely cut ashlar stone generally restricted to architectural details and up until around 1900, Welsh slate was the prevailing roof material. Due to the large average size of plots in Ranmoor, the Statement notes that the landscape design and historic planting of private gardens makes an important contribution to the special character of the Conservation Area.

With regard to planning policy, Policy BE16 of the UDP advises that permission will only be granted for proposals where it would preserve or enhance the special character or appearance of the Conservation Area and Policy BE17 advises that a high standard of design using traditional materials and a sensitive and flexible approach to the layout of buildings and roads will be expected for new buildings. In addition, the NPPF advises at Paragraph 208 that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. 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 favorably.

The previous application was refused on the grounds that the bulk, form and massing were considered inconsistent with the predominant character of development in the locality such that it failed to respect, take advantage of and enhance the distinctive features of the neighbourhoods. The applicant was

advised that a more varied form of development set within more generous landscaped plots would be more appropriate to the distinctive character of the Ranmoor Conservation Area. Moreover, with regard to the use of materials, whilst the use of stone and slate was welcomed as forming a key material within the locality, the use of render to the front elevation was not deemed comparable with the predominant character of buildings within the immediate locality of the site and particularly those situated opposite, which strongly contribute to the heritage value of the Conservation Area. However, the revised scheme has sought to address these matters to the extent that render has been omitted from the front elevations in favour of stone, the scale of development has been reduced in terms of the width and height of the dwellings as detailed above and there is more variation in design and form across the site. In addition, the existing stone boundary wall and traditional gate at the north-east corner of the site to Carsick Hill Road will be re-used to ensure continuity of the boundary style, which will also be secured by means of planning conditions. Accordingly, on balance, given that the site is appropriate for housing development and its existing character will clearly change as a result, it is now concluded that the proposal does sufficiently preserve the special character of the Ranmoor Conservation Area by contributing to the provision of medium to large dwellings set within a landscaped plot using traditional materials in accordance with Policy BE16 of the UDP and guidance within the NPPF.

Landscape and Ecology

Policy BE6 of the UDP advises that good landscape design will be required in all new developments. It states that applications for planning permission should include a suitable landscape scheme that provides relevant information (a), provides an interesting and attractive environment (b), integrates existing landscape features into the development, including mature trees, hedges and water features (c) and promotes nature conservation (d). It is also relevant to note guidance within the National Planning Policy Framework (NPPF) with regard to biodiversity, which advises at Paragraph 109 that the planning system should minimise impacts on biodiversity and provide net gains where possible.

In this case, the application includes the submission of an Ecological Appraisal of the site and a detailed landscape scheme.

The Ecological Appraisal is based upon the results of a desk top study to identify species or habitats that are considered important in a local context and to identify any species recorded locally as well as a walkover survey of the site, which was undertaken on 8th June 2012. Site conditions are considered sufficiently stable on this site that the walkover survey is still deemed reliable.

The desk top study revealed that the records for the site indicate a range of common and ubiquitous bird species; badger activity in the area and several records for bat species. The South Yorkshire Amphibian and Reptile group also confirmed that Great Crested Newt is not recorded in this area. The site survey revealed that the site is likely to provide some value to foraging bats due to the presence of the mature trees but the development is considered unlikely to have a significant negative impact on bat foraging as there are no buildings on site likely to

support bat roosts with the only roost potential being the ivy growing up the trees. The survey concludes that the site supports no suitable breeding habitat for amphibians but it will provide plenty of suitable habitats for foraging and nesting by common species of urban and garden birds. With regard to protected mammals, there is no evidence of any species on site nor is it a suitable species for reptiles. The Ecological Assessment does, however, recommend that to prevent the proposed works impacting on nesting birds, clearance of any trees and shrub on site will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened. It is also advised that the Sandygate Ponds Local Nature Site (to the south of the application site) is dependant on a flow of water which issues just below the site's southern boundary and although the sites change of use will present no direct impacts on the Sandygate Ponds, removal of reservoirs could affect the hydrology of this spring line and watercourse and it is recommended that sufficient information is gained on local hydrology prior to works to ensure that such impacts can be avoided. Finally, it is noted that Tree 3 on the south east boundary of the site has potential to support sporadic roosting by solitary non-breeding bats during the summer months. Whilst loss of such roosting will not be significant to local bat populations, steps will need to be in place to prevent the potential killing or injury of bats. Should works to this tree be required (including the stripping of ivy recommended in the arboricultural report), they should be carried out during the period (November to February) when bats are least likely to be present. Any works carried out outside of this period will need to be preceded by a suitable bat survey demonstrating absence in accordance with the requirements of the Wildlife and Countryside Act. Finally, it is recommended that the ecology of the site could be enhanced by planting a range within the south-east and south-western facing elevations of new builds, which can be secured by means of a planning condition.

With regard to landscaping, the application notes that the trees to the west of the site lie within the ownership of the adjacent plot and are unaffected by this application. The major group of trees that separate the proposal from the dwellings in Carsick Hall Drive to the south are retained. The landscape scheme indicates new tree planting along the site frontage with five new ornamental pear trees, which will be heavy standard trees for immediate effect. The applicant advises that this is supplemented by ornamental shrub planting within each of the front garden to the new dwellings as well as planting between Units 1 and 2 and 3 and 4; these will also be planted as semi-mature specimens in order to provide a mature feel to the site from the outset. It is advised that all species will contain foliage and/or flowers and most are evergreen to provide all year-round visual interest. The landscape submission also notes that recent tree and shrub planting has been implemented in the rear gardens of plots 1-3; this includes maple, birch and whitebeam with shrubs including hazel, laurel and privet.

It is considered that subject to seeking the provision of bat boxes as a condition of the planning permission and ensuring that the landscape scheme is implemented in accordance with the details outline above, that the proposed gardens can provide a habitat and a means for wildlife to move through the urban area to promote nature conservation and bio-diversity. The use of heavy standard planting

for a more mature finish to the site in the first instance will also ensure an attractive environment for the site. Accordingly the application is considered to sufficiently comply with Policy BE6 of the UDP and guidance within the NPPF.

Impact on the amenity of adjoining occupiers

Policy H14 of the UDP relates to conditions on development within Housing Areas and advises at H14c that new development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space, which would harm the character of the neighbourhood.

With regard to site layout and the relationship to adjoining residential properties, the Council presently has no specific guidelines in relation to the construction of new dwellings. However, the privacy and distance standards set out in the Supplementary Planning Guidance Note 'Designing House Extensions' are considered relevant. SPG Guideline 4 requires a minimum separation distance of 10 metres from a rear elevation to a rear boundary for the reason of privacy as well as amenity. SPG Guideline 5 recommends that two storey structures should not be placed within 12 metres of main aspect ground floor windows in neighbouring dwellings and also notes that an extension built up to or near a boundary with another property is in danger of being overbearing.

In this case, all gardens exceed 10 metres in length to accord with SPG Guideline 4. With regard to Guideline 5, it is noted that Plot 1 is within 12 metres of the side elevation of 45 Carsick Hill Road, which includes a living room window on this flank elevation. However, it is understood that this is a secondary window with the main window to the rear such that it is considered that such proximity does not warrant a further reason for refusal.

SPG Guideline 6 advises that to protect and maintain minimum levels of privacy a minimum distance of 21 metres between facing main windows should be achieved, which may need to be greater on sloping land or where a dwelling is higher than surrounding properties. To the front, it is advised that the proposed houses have been pulled forward in comparison to the previously refused scheme such that Unit 4 is approximately 19 metres from the front elevation of No.56 Carsick Hill Road. The distance between 50-54 Carsick Hill Road and the proposed dwellings is in excess of 21 metres. However, with regard to No.56, it is considered that distances across a street should be assessed in terms of the appropriate character for the area and it is not unusual within Sheffield for front-to-front distances to fall well below 22 metres. In this case, the proposed dwellings respect the established building line for houses to the south of Carsick Hill Road such that their position on the site is appropriate as set out above and the relationship between the two sides of the road is therefore considered acceptable, particularly as the properties at 50-56 Carsick Hill Road sit at a higher level than the application site.

To the rear, with properties on Carsick Hill Drive, there is an oblique angle between the proposed dwellings and 1 Carsick Hill Drive, which is positioned to the rear of Units 1 and 2 at a distance in excess of 30 metres. However, there is a significant change in level between the properties to the rear and it is therefore appropriate

that consideration be given to whether the proposed development will be overbearing. In this regard, reference is made to a guidance document prepared by the Building Research Establishment (BRE) - "Site layout Planning for Daylight & Sunlight. A Guide to Good Practice", the principle of which is reflected within the South Yorkshire Residential Design Guide. This rule advises that taking a horizontal line extending back from the centre point of the lowest window, a line should be drawn upwards at 25 degrees and all built development facing a back window should be below the 25 degree line. In this case, based upon the cross sections provided by the applicant, the scheme indicates that the relationship between Plot 1 and 2 in relation to 1 Carsick Hill Drive is well below this 25 degree line and exceeds the minimum back-to-back dimension of 21 metres between habitable rooms for the purposes of privacy and to avoid an 'overbearing' relationship. The relationship between Units 4 and 5 and The Quarters is similar in terms of topography and these new units also lie in excess of 30 metres from the main house at The Quarters such that the relationship is considered acceptable.

It is advised that balconies are proposed at the rear first floor level above the projecting lower ground floor dining room. To ensure that there is no perception of overlooking, the balconies do not extend for the full length of the projecting dining room but rather a guarding rail is introduced at a depth of 2 metres from the living room, which is then set in by 2 metres from the edge of the projecting dining room. The guarding rail to Unit 1 will be at a distance of 36 metres to the rear elevation of 1 Carsick Hill Drive whilst the guarding rail to the balcony to Unit 2 will be at a distance of 33.8 metres to the rear elevation of 1 Carsick Hill. This is well in excess of the 21 metre privacy distance noted above and the balconies are therefore considered acceptable as a principle in this instance subject to a condition that the guarding rails are implemented prior to the first occupation of the dwellings and thereafter retained.

Thus, whilst acknowledging that the proposed dwellings do extend to 3 storeys to the rear, this is a consequence of addressing the topography of the site. The applicant has also demonstrated that the dwellings fall below the 25 degree rule such that it cannot be demonstrated that the proposed houses will result in loss of light or be overbearing in the context of planning guidance.

It is therefore concluded that due to the distance between the proposed development and the nearest residential properties and the topography, the development will not be detrimental to the amenity of adjoining occupiers by virtue of loss of privacy or loss of daylight/sunlight and therefore sufficiently accords with Policy H14 of the UDP.

Highways

Policy T25 of the UDP advises that housebuilders will be required to provide off-street car parking appropriate to the development. In addition, Policy H14(d) of the UDP advises that new development in housing areas will be permitted provided that it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

In this case, each unit provides a garage and a driveway with direct access onto the highway via a newly created dropped kerb. There are no specific highway

objections to the development in principle although they have highlighted a potential need for some carriageway widening and the removal of a pinch point adjacent to No 45 Carsick Hill Road in order to improve vehicle movement. This, however, would mean that the proposed footway would have to be moved back slightly behind the new kerb line and would impact on the street layout and the character of the street.

Highways Development Management also considers that the wall should be reduced to 1 metre above the level of the adjacent carriageway in order to improve both pedestrian and vehicular visibility. The applicant advises that the existing wall will be dismantled and re-built to enable for the construction of a footpath and it is considered that a wall of 1 metre would be appropriate and still retain the character of the area on this part of the street.

It is therefore concluded that the proposed development does deliver an appropriate level of car parking and will not endanger pedestrians and accords with Policies T25 and H14d of the UDP.

Sustainability

Policy CS64 of the Core Strategy relates to climate change, resources and sustainable design of developments and advises that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and function in a changing climate. They must also be designed to use resources sustainably. The supporting text to CS64 advises that to satisfy the policy, all new residential developments of 5 dwellings or more should achieve the Code for Sustainable Homes Level 3. The applicant has confirmed in writing that all houses within the development will achieve Code Level 3 such that the development is in accordance with Policy CS64.

Policy CS65 of the Core Strategy, which relates to renewable energy and carbon reduction, applies to both new buildings and conversions and requires all significant developments to secure the following, unless it can be shown not to be feasible or viable:

- (i) Provide a minimum of 10% of the predicted energy needs from decentralised and renewable or low carbon energy AND (ii) generate further renewable or low carbon energy or incorporate design measures sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. This would include the decentralised and renewable or low carbon energy required to satisfy (i).

Part (ii) of Policy CS65 has been omitted as a requirement in the current economic climate and in light of changes to Building Regulations. However, the requirement to provide a minimum of 10% of the predicted energy needs from decentralised and renewable or low carbon energy unless feasible or viable remains. The applicant has confirmed that the development can achieve 10% of the predicted energy needs from decentralised and renewable or low carbon energy by using solar panels on the southern roof

elevations and subject to the details being submitted by condition, it is therefore confirmed that the proposal can accord with Policy CS65(i).

Open Space

Policy H16 of the Unitary Development Plan requires that the developer make a financial contribution towards the provision or enhancement of public open space within a kilometre of the application site. On this site, the contribution amounts to £10,222.75 which has been secured by means of a Section 106 Unilateral Agreement such that the proposal is compliant with Policy H16.

Disabled Access and Mobility Homes.

Policy H7 of the UDP states that all new housing shall provide a proportion to be constructed to allow conversion for use by people with disabilities. The Design and Access Statement confirms that level access will be provided from the garage to the front door where a level threshold will provide access to the ground floor. A fully accessible WC/shower will be provided on the ground floor and there is opportunity to create a temporary bed space in the study. The potential for a through-the-floor-lift will be provided as will a stairlift, which would provide access to lower ground and first floors. At lower ground floor level, level access thresholds at external patio doors will provide access to garden areas. Due to levels differences across the site, plots 1, 2, 3 & 4 will feature raised terraces from which gardens will be accessed via steps whilst the garden to plot 5 will be fully accessible. The applicant also confirms that throughout the development, door and hallway widths, sockets and controls heights will all be provided, so as to be fully compliant with Approved Document Part M of the Building Regulations. It is therefore considered compliant with Policy H7 of the UDP.

Flood Risk and Drainage.

Policy CS67 of the SDF Core Strategy relates to flood risk management and seeks to reduce the extent and impact of flooding through a range of measures including the use of Sustainable Urban Drainage (SUDS) and limiting surface water run-off.

In this case, the application site is not within a Flood Zone as identified by the Environment Agency and the consideration in relation to flood risk is one of land drainage and limiting surface water run-off. As noted above, a number of objectors have raised concerns about the proposed discharge of water into the conduit, which runs along Carsick Hill Road as cellars and buildings are affected after heavy rain and objectors consider that any changes to the water table could have serious, unforeseen consequences for many local residents.

The application submission includes a drainage strategy, which advises that the drainage proposals for the development are to collect the surface water runoff from the building/s and car park and discharge under controlled conditions by either gravity to the existing culvert or pumped to the combined sewer in Carsick Hill Road. To limit discharge to the permitted Greenfield rate (5 l/s) an attenuation structure will be necessary. This can take the form of an underground tank, geo-cellular structure, above ground pond or a swale. The application states that it is

estimated that the attenuation tank would need to provide a storage volume of 25m³ to cater for a 1:30 year storm event without flooding or exceeding the permissible discharge rate. In addition, the Technical Guidance to the National Planning Policy Framework requires that the surface water runoff from up to a 1 in 100 year (with an additional 30% allowance for climate change) event is attenuated to the same discharge rates with all exceedance volumes retained on site.

Yorkshire Water has confirmed that they have no objection to development on this site and it is considered that suitable drainage for the site can be achieved subject to a condition in accordance with Policy CS67 of the SDF Core Strategy.

RESPONSE TO REPRESENTATIONS

The representations from objectors to the scheme relating to the form of development, highways and drainage are addressed in the report above. The outstanding matters are considered below:

- i. The site is an open green space that enhances an historic neighbourhood – whilst the site is a green space, it is not allocated as open space within the UDP Proposals Map, as noted above.
- ii. Impact of construction works on a narrow, busy road: the construction works will result in noise pollution, and an increase in heavy vehicles on our road; this will negatively impact on the quality of life, as well as increasing the risk to pedestrians and road users. The noise and congestion will be intolerable in what is usually a quiet area. The application is recommended for refusal but were it to be recommended for approval, it would be acknowledged that construction work can be disruptive but it is temporary and is controlled under Environmental Protection Act regulations rather than through the planning process to ensure that the impact on adjoining occupiers is minimised.
- iii. The developers note that there is not sufficient room for the size of underground holding tank recommended by the Council for rainwater and they suggest a smaller tank and controlled flooding of the ground should severe weather strike. The Council should insist on their recommendation being implemented. The Council require the applicant to limit discharge to the permitted discharge rate of 5 l/s, which is appropriate for Greenfield sites. This will be secured by means of a planning condition and the Council is satisfied that surface water discharge from the site will be under suitably controlled conditions. Moreover, details of the drainage strategy will also be required for compliance with Building Regulations.
- iv. What will happen to the demolished concrete structure – will it be ground up on site, which will result in unacceptable noise levels; the concrete will be crushed on site, which may lead to some temporary disturbance but the noise associated with demolition and construction and the impact of such works is primarily controlled by the Environmental Protection Act 1990.

- v. Concern about rats: there is no evidence to suggest that rats will become a nuisance as a result of the demolition of the underground reservoirs.
- vi. The objector notes that Yorkshire Water have already notified the Council that drainage of surface water will not be allowed; This is not the case; Yorkshire Water have no objection in principle subject to separate systems of drainage and a restricted rate of 5/l/s.
- vii. The revised plan for a separate garage to the east of the development could further restrict visibility at a very dangerous crossroads; the garage is more than 50 metres from the junction and is not considered to restrict visibility.

SUMMARY AND RECOMMENDATION

This application proposes the part demolition of the underground reservoir and the creation of a new development platform to construct 5 x four bedroom dwellings.

The principle of a housing development on this site is in accordance with the sites designation in the UDP as a Housing Area in accordance with Policy H10 and it is also considered compliant with Policy CS31 of the SDF Core Strategy in delivering housing within the main urban area. With regard to site density, whilst the density at 14 dwellings per hectare is significantly below the density threshold of 30-50 dwellings per hectare recommended by Policy CS26 of the SDF Core Strategy, it is determined that a lower density development that relates appropriately to the low density of the surrounding area is appropriate in this instance such that the proposal is not considered to be contrary to Policy CS26

With regard to design and the impact on the Ranmoor Conservation Area, it is concluded that as a result of a reduction in the height and width of the dwellings, the amended form of the houses, the variation in appearance, the use of traditional materials and the increased gap between the houses that this application has sought to address the concerns raised in the previous application with regard to the concern that the scheme was too consistent in form and massing. It is now considered to respect more closely the varied form and position of development on Carsick Hill Road and that it does sufficiently seek to respect the distinctive features of the neighbourhood in its scale and layout. The scheme is therefore concluded to sufficiently enhance the features of the neighbourhood in accordance with guidance within the NPPF, Policy CS74 of the SDF Core Strategy and H14a of the UDP and to sufficiently preserve the special character of the Ranmoor Conservation Area in accordance with Policy BE16 of the UDP and guidance within the NPPF.

With regard to landscaping and ecology, it is concluded that an appropriate quality of landscaping will be achieved and that the proposed gardens can provide a habitat and a means for wildlife to move through the urban area to promote nature conservation and bio-diversity and to promote green links through the site to accord with Policy BE6 of the UDP, Policy CS73 of the SDF Core Strategy and guidance within the NPPF.

It is also concluded that the proposed development can deliver Mobility Housing in accordance with Policy BE7 of the UDP and will not be detrimental to the amenity of adjoining occupiers by virtue of loss of privacy or loss of daylight/sunlight and therefore accords with Policy H14c of the UDP.

With regard to highways, it is concluded that the proposed development does deliver an appropriate level of car parking and accords with Policies T25 and H14d of the UDP.

With regard to sustainability, the applicant has confirmed in writing that all houses within the development will achieve Code Level 3 such that the development is in accordance with Policy CS64. It has also been demonstrated that the development can achieve 10% of the predicted energy needs from decentralised and renewable or low carbon energy by using solar panels on the southern roof elevations in accordance with Policy CS65(i).

Finally, it is considered that suitable drainage for the site can be achieved subject to conditions in accordance with Policy CS67 of the SDF Core Strategy.

In conclusion, the proposed development is therefore sufficiently compliant with relevant policies within the UDP and SDF Core Strategy such that in accordance with Paragraph 12 of the National Planning Policy Framework, which confirms that 'proposed development that accords with an up-to-date Local Plan should be approved, the application is recommended for approval subject to conditions and a Section 106 to secure a contribution towards open space in the locality.

Case Number	12/03054/FUL
Application Type	Full Planning Application
Proposal	Erection of a detached dwellinghouse (revised plans received 14th January 2013)
Location	Curtilage Of 18 Stumperlowe Hall Road Sheffield S10 3QS
Date Received	28/09/2012
Team	West and North
Applicant/Agent	Chris Gothard Associates
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:

2052/01 Rev E received 17th December 2012, 2052/02 Rev G (Floor Plans) and 2052/03 Rev G (Elevations) received 14th January 2013 and 2052/04 Rev B received 17th December 2012,

unless otherwise authorised in writing by the Local Planning Authority.

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

In the interests of the visual amenities of the locality.
- 4 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.

- 5 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.

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

In the interests of the visual amenities of the locality.

- 7 The proposed green/brown roof (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/brown roof(s) shall be provided prior to the use of the building commencing unless otherwise approved. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

In the interests of biodiversity.

- 8 The Local Planning Authority shall be notified in writing upon completion of the green roof.

To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 9 Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the

development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

In the interests of the visual amenities of the locality.

- 10 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.

- 11 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:

- (i) Windows
- (ii) Window reveals (to be a minimum of 150mm to windows to the front elevation and 100mm to all other elevations)
- (iii) Garage door reveal (to be a minimum of 450mm unless otherwise approved in writing)
- (iv) Entrance canopies
- (v) Balcony screening

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

In order to ensure an appropriate quality of development.

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

To ensure satisfactory drainage arrangements.

- 13 No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

To ensure satisfactory drainage arrangements.

- 14 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.

- 15 The development shall not be used unless the car parking accommodation and vehicle turning space as shown on the approved plans has been provided in accordance with those plans, surfaced and drained to the satisfaction of the Local Planning Authority, and thereafter retained/maintained for the sole purpose intended.

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

- 16 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.

- 17 Prior to the commencement of development, further details of the provision of bird and bat boxes to be installed onto the mature trees to be retained within the site in accordance with the recommendations of the Ecological Appraisal prepared by the Protected Species Surveys dated August 2012 shall be submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be installed prior to the first occupation of the dwelling hereby approved and thereafter retained.

In the interests of bio-diversity.

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 and SPG - Designing House Extensions

BE6 - Landscape Design

T25 - Car Parking in Residential Areas

CS23 - Locations for New Housing

CS26 - Efficient Use of Housing Land and Accessibility

CS31 - Housing in the South West Area

CS67 - Flood Risk Management

CS74 - Design Principles

Guidance within the National Planning Policy Framework (NPPF)

It is concluded that the applicant has sufficiently revised the scheme to create a contemporary dwelling on a Greenfield site that is allocated for housing that appropriately reflects rather than replicates the character of development within the locality. It is also demonstrated that it will not have an unduly detrimental impact on the amenity of adjoining occupiers.

The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

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. 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.
2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines 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.
3. The applicant is advised to have regard to the recommendations of the Ecological Assessment prepared by Protected Species Survey dated August 2012 and particularly the recommendations of Paragraph 4.7.
4. 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 £97 or £28 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

This application relates to part of the curtilage of 18 Stumperlowe Hall Road and comprises the garden to the west of the main house that was occupied by a walled swimming pool with a hard surfaced area around it and landscaping. No.18 is a substantial two storey detached property that is situated to the south of Stumperlowe Hall Road, close to its junction with Chorley Road. It is of a traditional appearance with a hipped tiled roof comprising a white rendered façade with two projecting double height front gables that are detailed with mock Tudor panelling. No.18 extends to a width of approximately 20 metres, a depth of 8 -10 metres and a ridge height of approximately 9.8 metres.

The site is accessed from a private driveway from the junction and the driveway rises up as the house sits above the road by as much as 3 metres. The application site is broadly rectangular in shape, albeit irregular with a width at the southern boundary of 10 metres and a road frontage width of approximately 20 metres and a depth of approximately 50 metres. It extends to an area of approximately 0.08 hectares.

The surrounding area is entirely residential in character. Immediately to the west, the site is adjoining by the detached property at 1 Chorley Road from which it is separated by a high hedge. The property at No.1 is also substantial in scale and incorporates a hipped tiled roof and is detailed in white render. 1 Chorley Road sits approximately 3 metres above the level of the application site. To the rear, which is to the south, the application site is adjoined by the rear garden of 3 Chorley Road, which is a further traditional white rendered property. To the north, the application site bounds the highway and looks towards the properties opposite at 14 -18 Stumperlowe Hall Road.

This application proposes the construction of a detached four-bedroom dwellinghouse with integral garage. The dwellinghouse is designed in a contemporary style with flat green roofs in a modular form. Utilising the topography of the site, the dwelling extends to three modern storeys to the front facing towards Stumperlowe Hall Road and two modern storeys to the rear. As such the dwelling extends to a height of 8.6 metres to the top of the flat roof to the front and to 5.8 metres to the rear. The width of the ground floor to the front extends to 12.4 metres with the first floor (ground floor to the rear) at a slightly reduced width of 12.2 metres. The modular design of the development means that the top second floor extends to only 7.7 metres in width as it is set in from the main side façade of the premises facing 1 Chorley Road by 4.5 metres. In terms of the position of the dwelling within the site, the most forward façade of the ground floor at the front of the dwelling sits approximately 3.5 metre forward of the main building line established by 1 Chorley Road and 18 Stumperlowe Road and is positioned 14 metres back from the rear edge of pavement at the closest point. There is a gap of approximately 3.5 metres between the flank wall of the proposed dwelling and the flank wall of 1 Chorley Road and approximately 5.9 between between the eastern elevation and the dwelling at 18 Stumperlowe Road at the closet point. The rear garden extends to a minimum depth of 20 metres. It is proposed that the dwelling house be constructed in natural stone laid in random lengths. The windows will be powder-coated grey aluminium with stone heads and cills that run above and

below the windows for the length of the module. It is also proposed that the flat roofs to each module incorporate a green roof.

Vehicular and pedestrian access to the site is achieved from the private driveway that already serves No.18 with direct access onto Stumperlowe Hall Road. As per the existing site, the house will be raised above the level of the road such that the driveway is at a level of 231.700 AOD compared to the road level at 230.4 AOD such that it is a minimum of 1.3 metres above the level of the road.

Members are advised that the scheme has been revised in the course of the application process. Key revisions include a reduction in the overall scale of the property such that the overall width has decreased by 1.5 metres, an amendment to the window configurations to provide a more balanced relationship between the stonework and the window openings, simplification of the materials palette to provide a high quality stone finish, the introduction of deep window reveals to provide depth to the window detailing and, as a result of the reduction in the width of the building, the property has been moved slightly to the east which has increased the spacing between the proposal and the existing flanking properties. On the basis that the main concerns of local residents who submitted an objection to the development related to the principle of a house, the principle of a modern design and highway concerns, neighbours have not been reconferred on the revised scheme as it was felt that it would not address their concerns as a contemporary dwelling is still proposed with the same level of parking provision as the original submission.

RELEVANT PLANNING HISTORY

There is no planning history relevant to this site.

SUMMARY OF REPRESENTATIONS

The application was advertised by means of neighbour notification as well as a site notice. A total of seven objections to the development have been received from neighbouring properties; their concerns are summarised below:

Principle

- This, and other permissions for new houses granted within the gardens of 8 and 10 Stumperlowe Hall Road, will cause considerable problems with the waterways and the buildings and the associated comings and goings will have a negative impact on the character of the surrounding area;
- Objector thought that this sought of infill was no longer considered appropriate and was to be prohibited. Note: the objector is referring to the Government's decision to change gardens from Brownfield Land to Greenfield. However, each application must still be considered on its merits and on the basis of planning policy;
- Plot is not big enough to accommodate a second house.

Design

- Policy CS26 of the Core Strategy states that the density should be in keeping with the character of the area – the proposed build is a flat roof contemporary design that is very different to the traditional housing;
- The design of this new build goes against the priority to safeguard and enhance the local character, which in the south-west is because of the concentration of attractive and distinctive neighbourhoods;
- The scheme would appear to go against CS74, which requires development to respect, take advantage of and enhance the distinctive features of a city;
- The design is not in keeping with other property in the area and the comparative property mentioned is not in the area (Design and Access Statement refers to Newfield Court on Slayleigh Lane);
- The architecture should blend in with the area and this contemporary design would set an undesirable precedent;
- The contemporary design of such a large property appears shoehorned in detracting from the appearance of the environs and there are no equivalent new builds in the locality;
- 'This is the sort of contemporary rubbish that is springing up everywhere and ruining the suburbs because architects have no taste any more than planners'.
- Design is completely out of character.

Impact

- The raised platform of the houses will overlook the properties directly opposite;
- The first floor suite balcony will overlook the garden of No.20;
- The proposal has a second floor balcony that will overlook the garden of No.3 Chorley Road; these houses were designed to enjoy privacy in their rear gardens and this balcony will result in loss of privacy. There are trees at present but these could be removed.

Traffic

- This is a dangerous corner that is used more and more by HGVs and other commercial vehicles and this will exacerbate concerns;
- The three-way junction is already hazardous and construction traffic would make this worse;

- There will be more cars parked in the vicinity once this house is built which will increase traffic problems;
- The three-way junction is particularly hazardous in winter when there is ice.

Other

- The development is in close proximity to the Grade II Listed 'The Barn' opposite and will have a worrying effect on the value of properties in the area. Note: The Barn is situated more than 40 metres to the north-east and is screened by landscaping such that the proposal is not considered to affect the Listed Structures. Moreover, the impact on property value is not a material planning consideration;
- Suggesting that hedges will screen the house is not a reason to grant planning permission as the hedge could be removed.

Drainage

- Concerns about run-off as No.20 takes ground water/run-off from No.18 and the situation may be exacerbated by the removal of trees, the digging of foundations and groundworks.

PLANNING ASSESSMENT

This application proposes the construction of a contemporary detached four-bedroom stone dwellinghouse with integral garage within the curtilage of 18 Stumperlowe Hall Road on a part of the garden on which a swimming pool enclosure was previously sited.

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

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

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

Policy and Land Use

Paragraph 12 of the National Planning Policy Framework 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 Sheffield Unitary Development Plan (UDP), the application site is designated within a Housing Area. Policy H10 of the UDP determines that within

such areas, housing is the preferred use such that the principle of a house on this site is wholly consistent with the UDP.

In 2010, the Government reclassified gardens from Brownfield land to Greenfield land. In this context, Policy CS24 of the SDF Core Strategy relates to 'Maximising the Use of Previously Developed Land for New Housing' and advises that priority will be given to the development of previously developed sites (Brownfield) and no more than 12% of dwelling completions will be on Greenfield sites in the period between 2004/05 and 2025/26. In the period 2004-2012, 94.88% of dwelling completions were on Brownfield Land such that the construction of 1 dwelling on a Greenfield site will not be contrary to Policy CS24.

Policy CS23 of the SDF Core Strategy relates to locations for new housing and advises that the main focus will be on suitable, sustainably located, sites within or adjoining the main urban area of Sheffield (at least 90% of additional dwellings). Policy CS31 (Housing in the South-West Area states that priority will be given to safeguarding and enhancing its areas of character. In this case, the site does lie within the urban area and is therefore consistent with the objectives of Policy CS23. Compliance with Policy CS31 in terms of safeguarding and enhancing the area of character is considered further in the report below.

With regard to site density, Policy CS26 of the SDF Core Strategy advises that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. Subject to the character of the area being protected, densities will vary according to the accessibility of locations. The policy advises that in the wider urban area (outside the City Centre etc), a density of 30 to 50 dwellings per hectare is appropriate although densities outside these ranges will be allowed where they achieve good design, reflect the character of an area or protect a sensitive area. In this case, the application form states that the site area extends to 0.08 hectares and the development proposes one dwelling, which results in a density of 12.5 dwellings per hectare. This is clearly significantly below the density threshold of 30-50 dwellings per hectare and represents a very low density of development but it is considered that this density relates appropriately to the character of the surrounding area, which is characterised by dwellings set within generous gardens and it is therefore appropriate in this instance such that the application is not considered to be contrary to Policy CS26.

Thus, overall, the principle of a house on the application site is in accordance with the site's designation in the UDP as a Housing Area in accordance with Policy H10 and it is also considered compliant with Policies CS23 and CS31 of the SDF Core Strategy in delivering housing within the main urban area. Although on a Greenfield site, in the period 2004-2012, 94.88% of dwelling completions were on Brownfield land such that the construction of 1 dwelling on a Greenfield site will not be contrary to Policy CS24, which limits development on Greenfield land to no more than 12% of completions. Finally, although the density of development at 12.5 dwellings per hectare is significantly below the recommended density of 30 to 50 dwellings per hectare set out within Policy CS26, the policy acknowledges that densities outside this range will be allowed where they achieve good design or

reflect the character of an area as in this case, where the character of surrounding development is also low density. The principle of development is therefore in accordance with relevant policies within the UDP and SDF Core Strategy.

Design

The new National Planning Policy Framework (NPPF) confirms at Paragraph 56 that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Within the Unitary Development Plan, Policy BE5 relates to building design and siting and advises that good design and the use of good quality materials will be expected in all new developments. In addition, Policy CS74 of the SDF Core Strategy also relates to design principles and advises that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

In this case, the applicant proposes a very contemporary dwelling in contrast to the more traditional character of the area. However, it must be acknowledged that the character of residential development within the locality is extremely varied ranging from the Grade II Listed 'The Barn' to the north-east of the site to the large detached properties that adjoin the site to the more modern houses to the north opposite the application site on Stumperlowe Hall Road. However, the proposed development does respect the character of development within the locality to the extent that it proposes a detached dwelling that is set within a landscaped setting, it is set back from the road; the building line, whilst forward of the adjoining dwellings, is reflective of the curved highway onto which it fronts and it proposes to utilise traditional materials such as stone, which is evident in the locality albeit that the adjoining houses are both render. The Council's policies on design and those within the NPPF do not require development to necessarily replicate surrounding design but rather to respect it and take advantage of the areas distinctive features; the way in which the property addresses the topography of the site with three floors to the front and two to the rear within a landscaped setting is part of the areas character and a contemporary appearance will not detract from that. The flat roofs are contrary to traditional form but they will be planted as green roofs, which will further add to the landscaped character of the area such that overall, given that the site is deemed appropriate for residential development in principle, the scheme is considered to sufficiently enhances the features of the neighbourhood in accordance with guidance within the NPPF, Policies CS31 and CS74 of the SDF Core Strategy and BE5 of the UDP.

Landscape and Ecology

Policy BE6 of the UDP advises that good landscape design will be required in all new developments. It states that applications for planning permission should include a suitable landscape scheme that provides relevant information (a), provides an interesting and attractive environment (b), integrates existing landscape features into the development, including mature trees, hedges and

water features (c) and promotes nature conservation (d). It is also relevant to note guidance within the National Planning Policy Framework (NPPF) with regard to biodiversity, which advises at Paragraph 109 that the planning system should minimise impacts on biodiversity and provide net gains where possible.

In this case, the application includes the submission of an Ecological Appraisal of the site, which was undertaken in August 2012. It reveals that the habitats within the main development area are considered to be of low conservation value and do not meet the criteria as a priority habitat type. There is evidence of some protected species within close proximity to the site such that a licence will be required from Natural England to undertake works on site but this is a separate process to the determination of a planning application and is not considered to impede the determination of this application. Overall, the Appraisal concludes that the proposed landscaping of the site will increase the potential for wildlife foraging and the application should also take the opportunity to provide enhancements to biodiversity by installing bat and bird boxes onto retained mature trees, which is proposed as a condition of this application.

With regard to landscaping, it is advised that the hedges along the site frontage and the eastern boundary of the site as well as the mature vegetation and trees to the rear of the site will all be retained as shown on the submitted plans. A further detailed landscaping scheme will also be required but based upon the retention of the existing mature vegetation, the proposed provision of green roofs, the introduction of new planting to surround the new house, it is concluded that the landscaping will provide an attractive environment for the site and provide enhancements to bio-diversity in accordance Policy BE6 of the UDP and guidance within the NPPF.

Impact on the amenity of adjoining occupiers

Policy H14 of the UDP relates to conditions on development within Housing Areas and advises at H14c that new development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space, which would harm the character of the neighbourhood.

With regard to site layout and the relationship to adjoining residential properties, the Council presently has no specific guidelines in relation to the construction of new dwellings. However, the privacy and distance standards set out in the Supplementary Planning Guidance Note 'Designing House Extensions' are considered relevant. SPG Guideline 4 requires a minimum separation distance of 10 metres from a rear elevation to a rear boundary for the reason of privacy as well as amenity. SPG Guideline 5 recommends that two storey structures should not be placed within 12 metres of main aspect ground floor windows in neighbouring dwellings and also notes that an extension built up to or near a boundary with another property is in danger of being overbearing. Guideline 5 also highlights that two-storey structures built alongside another dwelling will have more serious effects on windows of that other dwelling than a single storey extension such that the Council require that the furthest extent of a two storey extension makes an angle of no more than 45 degrees with the nearest point of a neighbour's window.

In this case, the garden depth extends to more than 20 metres in length, which significantly exceeds the requirements of SPG Guideline 4. With regard to Guideline 5, there are no main aspect windows within 12 metres of the proposed development on either 18 Stumperlowe Road or 1 Chorley Road such that the application is also compliant with Guideline 5 in this regard.

It is noted that there are windows in the west elevation facing towards 1 Chorley Road; however, two of the windows are located on the lower ground floor of the house, which sits significantly below the ground level of 1 Chorley Road such that there is no issue with overlooking. The other window on this elevation is at first floor level but it is a secondary high level window that will provide additional daylight into the dwelling but will not result in direct overlooking.

It is also acknowledged that the new house will bring 18 Stumperlowe Hall Road and 1 Chorley Road in closer proximity to another dwelling in comparison to the form of existing dwellings. However, the siting of the proposed house addresses the topography of the site and the ridge height of the proposed dwelling is lower than the eaves of the existing dwelling at 1 Chorley Road such that it is not considered that it will be overbearing in relation to this existing house. Due to the position of the dwelling on the site in relation to adjoining properties, there is no breach of the 45-degree rule in accordance with Guideline 5.

SPG Guideline 6 advises that to protect and maintain minimum levels of privacy a minimum distance of 21 metres between facing main windows should be achieved, which may need to be greater on sloping land or where a dwelling is higher than surrounding properties. To the front, there are no properties directly opposite the application site as it is situated opposite the junction of Stumperlowe Hall Road and Chorley Road. The properties at 16-18 Stumperlowe Hall Road lie at an oblique angle at a distance of more than 30 metres. To the rear, there are no properties facing the site but the side boundary of the garden of 3 Chorley Road lays more than 20 metres from the rear façade of the house; it is also the case that there is mature tree and shrub planting to this rear boundary, which is to be retained as part of this application.

It is acknowledged that a balcony is proposed to the first floor at the rear of the dwelling as a balcony to the master bedroom, which has a low brick parapet and a glass balustrade. The residents of the properties to the rear have expressed concern with regard to overlooking and loss of privacy from the balcony. However, the edge of the balcony is approximately 20 metres from the rear boundary, which is considered a sufficient distance to ensure that there is no perception of loss of privacy, particularly given the mature tree planting to the rear boundary. To ensure that this planting is retained, a condition is proposed to restrict the removal of any of the existing trees from this rear boundary. There is a greater potential for overlooking of the garden of 18 Stumperlowe Road but it is determined that this garden will be at an oblique angle to the balcony and further planting to this side boundary will further mitigate any concerns.

It is therefore concluded that the proposed development complies sufficiently with the guidelines recommended within the Council's Supplementary Planning

Guidance Note 'Designing House Extensions' and it will not result in the loss of privacy or amenity of adjoining premises such that it sufficiently accords with Policy H14 of the UDP.

Highways

Policy T25 of the UDP advises that housebuilders will be required to provide off-street car parking appropriate to the development. In addition, Policy H14(d) of the UDP advises that new development in housing areas will be permitted provided that it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

In this case, the application proposes a double garage and generous driveway, which will utilise the existing private drive that serves 18 Stumperlowe Hall Road.

It is acknowledged that representations have raised concerns about the speed and volume of traffic passing through the adjacent three-arm junction of Stumperlowe Hall Road with Chorley Road, particularly in winter time when the combination of gradients and ice cause traction problems for cars. Objectors feel that under these circumstances, it would be inappropriate to grant planning permission for further residential development. Concerns have also been raised in relation to development associated on-street parking causing masking/visibility difficulties for pedestrians trying to cross the road.

However, it is considered that vehicle movements associated with the proposed dwelling are unlikely to compound the historical problems. The street scene in this particular location is relatively commonplace throughout the City and the vehicular access is already established, serving number 18 Stumperlowe Hall Road. No physical alterations are proposed to the existing vehicular access arrangements and the proposed dwelling will have adequate on-site car parking accommodation and vehicle turning space such that the scale of development will not noticeably alter the existing on-street car parking characteristics locally. A salt/grit-bin has also been provided to help in inclement weather conditions at the Stumperlowe Hall Road junction with Chorley Road. Accordingly, it is concluded that from a highways perspective, there are no reasons to recommend that this application be refused and it can be considered to accord with Policies T25 and H14d of the UDP.

Drainage.

Policy CS67 of the SDF Core Strategy relates to flood risk management and seeks to reduce the extent and impact of flooding through a range of measures including the use of Sustainable Urban Drainage (SUDS) and limiting surface water run-off.

In this case, the application site is not within a Flood Zone as identified by the Environment Agency and the consideration in relation to flood risk is one of land drainage and limiting surface water run-off. It is considered that suitable drainage for one dwelling can be achieved subject to a condition to require further details in relation to drainage and surface water run-off in accordance with Policy CS67 of the SDF Core Strategy.

RESPONSE TO REPRESENTATIONS

The concerns raised within the representations in relation to the design and character of the development, how it relates to the context, traffic and drainage issues are fully addressed in the report above.

SUMMARY AND RECOMMENDATION

This application seeks the construction of a detached four-bedroom contemporary dwellinghouse with a modular flat roof design that extends to three floors to the front and two floors to the rear with the flat roofs utilised to accommodate green roofs.

The principle of a house on the application site is in accordance with the site's designation in the UDP as a Housing Area in accordance with Policy H10 and it is also considered compliant with Policies CS23 and CS31 of the SDF Core Strategy in delivering housing within the main urban area. Although on a Greenfield site, in the period 2004-2012, 94.88% of dwelling completions were on Brownfield land such that the construction of 1 dwelling on a Greenfield site will not be contrary to Policy CS24, which limits development on Greenfield land to no more than 12% of completions. Finally, although the density of development at 12.5 dwellings per hectare is significantly below the recommended density of 30 to 50 dwellings per hectare set out within Policy CS26, the policy acknowledges that densities outside this range will be allowed where they achieve good design or reflect the character of an area as in this case, where the character of surrounding development is also low density. The principle of development is therefore in accordance with relevant policies within the UDP and SDF Core Strategy.

Whilst acknowledging that a contemporary house is proposed within an area of traditional housing design, it is concluded that the Council's policies on design and those within the NPPF do not require development to necessarily replicate surrounding design but rather to respect it and take advantage of the areas distinctive features; the way in which the property addresses the topography of the site with three floors to the front and two to the rear within a landscaped setting is part of the areas character and a contemporary appearance will not detract from that. The flat roofs are contrary to traditional form but they will be planted as green roofs, which will further add to the landscaped character of the area such that overall, given that the site is deemed appropriate for residential development in principle, the scheme is considered to sufficiently enhances the features of the neighbourhood in accordance with guidance within the NPPF, Policies CS31 and CS74 of the SDF Core Strategy and BE5 of the UDP.

It has also been demonstrated that the proposed development is sufficiently sited to ensure that there is no loss of privacy or amenity to adjoining occupiers by virtue of overlooking or being overbearing as the development accords with the privacy and distance standards set out in the Council's Supplementary Planning Guidance Note 'Designing House Extensions'.

With regard to landscaping, it is concluded that the retention of much of the existing mature vegetation, the proposed provision of green roofs and the introduction of new planting will provide an attractive environment for the site and provide enhancement to bio-diversity in accordance Policy BE6 of the UDP and guidance within the NPPF.

Finally, it is concluded that from a highways perspective, there are no reasons to recommend that this application be refused and it can be considered to accord with Policies T25 and H14d of the UDP and suitable drainage for the site can be achieved subject to a condition in accordance with Policy CS67 of the SDF Core Strategy.

On the basis of the above, the proposed development is in accordance with up-to-date planning policy and in accordance with Paragraph 14 of the NPPF is therefore recommended for approval subject to conditions.

Case Number 12/03015/REM

Application Type Approval of Reserved Matters

Proposal Erection of 69 dwellinghouses (Application to approve appearance, landscaping, layout and scale) in relation to planning permission ref. 11/00915/OUT)

Location Site Of Loxley College Myers Grove Centre
Wood Lane
Stannington
Sheffield
S6 5HF

Date Received 25/09/2012

Team West and North

Applicant/Agent JVH Planning Ltd

Recommendation Grant Conditionally

Subject to:

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

Location Plan, drawing number 4133/31.
Site Layout, drawing number 4133/01, revision K.
Colour Site Layout, drawing number 4133/01/CL, revision K.
Landscape Layout, drawing number 4133/11 revision A
Overall Concept Plan, drawing number 4133/OAC, revision B.
Gross/Nett Areas Plan, drawing number 4133/GNA revision C.
Engineering Layout 1 of 2, drawing number 3607-C-D1-01, revision B
Road Construction Details, drawing number 3607-C-D3-01, revision D
External Works Sheet 1 of 2, drawing number 3607-C-D1-05, revision B
External Works Sheet 2 of 2, drawing number 3607-C-D1-06, revision B
Longitudinal Road & Sewer Sections Sheet 1 of 3, drawing number 3607-C-D2-01.
Longitudinal Road & Sewer Sections Sheet 2 of 3, drawing number 3607-C-D2-02.
Longitudinal Road & Sewer Sections Sheet 3 of 3, drawing number 3607-C-D2-03.
1.2m High Post & 4-Rail Fence, drawing number, 1.2p&4r.
1.2m High Feature Railings, drawing number, 1.2fr.
400mm High Brick Wall, drawing number, 0.4fbw.
1.8m High Screen Fence, drawing number, 1.8sf.
1.8m High Screen Fence with 100mm gap, drawing number, 1.8sfg.

1.8m High Pier & Panel Wall, drawing number, 1.8p&p.
1.8m High Acoustic Screen Fence, drawing number, 1.8asf.
1.8m High Pier & Panel Wall with Acoustic Boarding, drawing number,
1.8p&p(ac).
600mm High Gate Post Detail (440mm square), drawing number, 0.60x.44.
600mm High Gate Post Detail, drawing number 0.60gp.
Detached Single Garage (style 1 & 3 Group House types), drawing number,
G(A) revision B.
Attached Single Garage LHS (style 1 & 3 Group House types), drawing
number, G(B) revision B.
Attached Single Garage RHS (style 1 & 3 Group House types), drawing
number, G(D).
Detached Shared Garage (style 1 & 3 Group House types), drawing
number, G(B)G(D) revision A.
Tree Protection Fencing Layout & Details, drawing number 2343/1.
Auto tracking of Turning Heads Pantechonicon, drawing number 3607-C-D9-
04.

received on the 25 September 2012 and 28 January 2013 from Ben Bailey
Homes,

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

Attention is drawn to the following justifications:

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

GE1 - Development in the Green Belt
GE2 - Protection and Improvement of the Green Belt Landscape
GE3 - New Building in the Green Belt
GE4 - Development and the Green Belt Environment
GE5 - Housing Development
BE5 - Building Design and Siting
H7 - Mobility Housing
CS71 - Protecting the Green Belt
CS74 - Design Principles

An application to demolish the existing buildings and develop the upper part of the site for housing with the lower part on the site laid out for open space and sports pitch provision was granted in outline in December 2012, under planning reference No. 11/00915/OUT. Only access was considered under the outline approval with appearance, landscaping, layout and scale all reserved for future consideration. The principle of developing the site for housing has therefore been established.

The application is seeking approval of all remaining Reserved Matters. The submitted scheme shows the erection 69 two-storey detached and semi-detached houses.

As Members may recall, the applicant submitted an indicative layout as part of the outline application, which showed the erection of 71 dwellinghouses with a single access point serving the large part of the site from Wood Lane. The details submitted under this Reserved Matters application follow closely to the indicative layout with the internal access road and general layout of the houses consistent to this original scheme. It is considered that the latest scheme represents an appropriate form of development that would preserve the open character and appearance of the Green Belt. The applicant has agreed to make a number of changes to the scheme that has significantly lifted the design quality of the development. The development incorporates house types that have a similar form to local housing with features that include hipped roofs, chimneys, bay windows, a hierarchy of windows, simple flat-roofed porches. The use of render is used relatively sparingly on properties in significant locations within the townscape, such as at junctions or terminating a view. The dwellinghouses have been arranged to establish a relatively consistent building line and a hierarchy of boundary treatments have been employed. It is accepted that the proposed house types are not innovative. However, the dwellinghouses generally have well proportions elevations, with reasonably generous windows aligned one above the other, and reflect the character of the surrounding area.

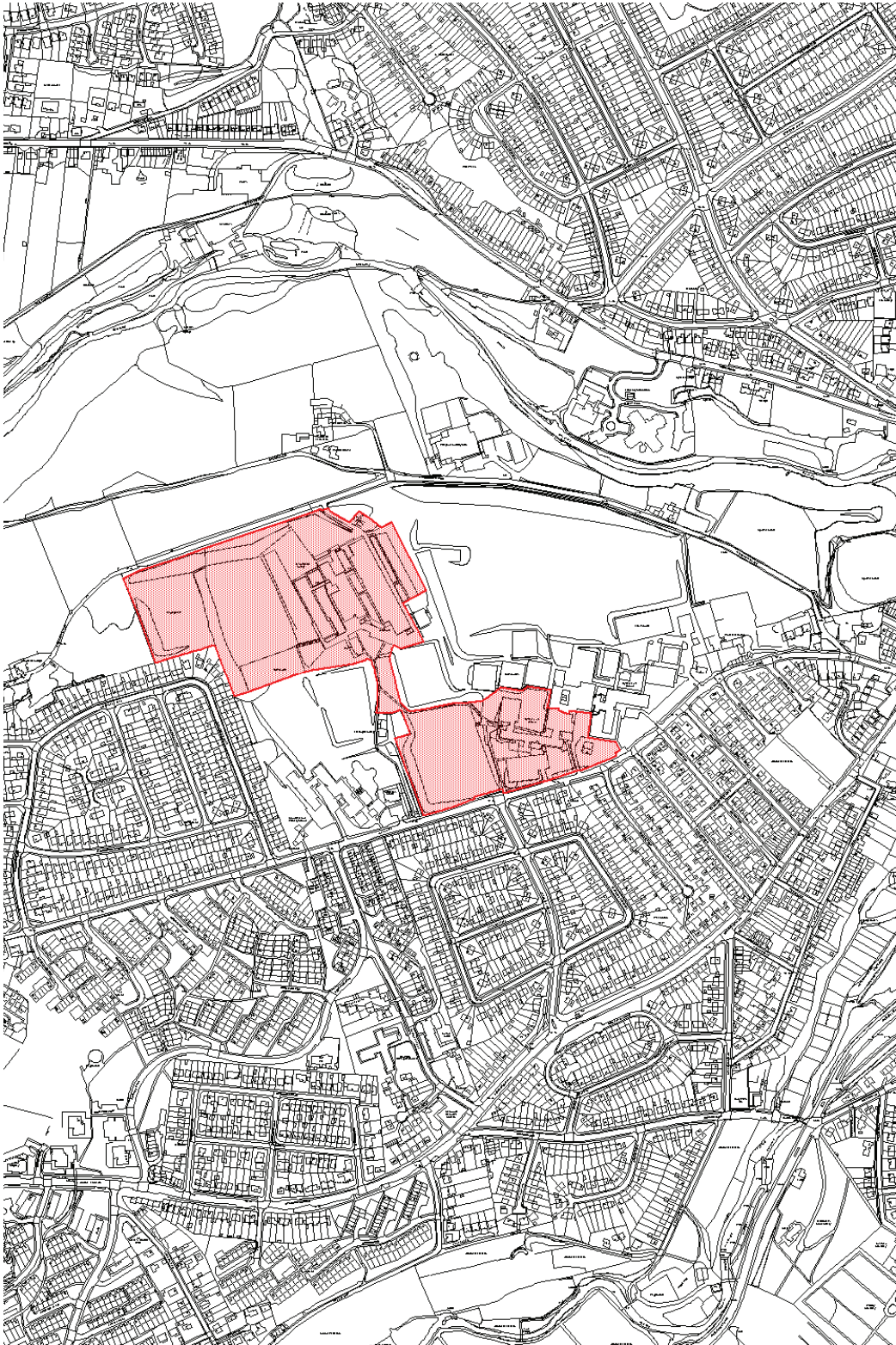
No objections are raised in terms of the proposed landscaping scheme, with the layout showing extensive planting across the site. The scheme also retains the mature elm tree that stands adjacent to Wood Lane between Plots 67 and 68.

Twenty of the units would be built to full mobility standards and all the houses have been laid out to satisfy the criteria set out in SPG 'Designing House Extensions, with a minimum separation distance of 21m between facing main windows and 12m from main windows and side gable walls. Given the distance from the development to neighbouring properties, any affect on these properties' residential amenity in terms of outlook, privacy and light would therefore be minimal.

The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

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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BACKGROUND

The application relates to Loxley College on Wood Lane, Stannington. Outline planning permission was approved in December 2011 for the demolition of the site's former college buildings and development of the site for housing (Planning reference No. 11/00915/OUT). The approved scheme includes a land swap with the formation of sports pitches on the lower part of the developed area of the site.

The applicant requested that only means of access be considered under the outline application with appearance, landscaping, layout and scale all reserved for future consideration, (the Reserved Matters). While these matters were reserved, in support of the outline application, the applicant provided an indicative layout plan showing the erection of 71 detached and semi-detached houses. In total, 48 conditions were attached to the planning approval, which include conditions seeking the delivery of affordable housing, a management strategy of the open space and playing pitches, highway improvement works and public art.

Since the approval of the outline, the applicant has submitted a further three applications, one seeking the removal of Condition No. 29 (Delivery of Affordable Housing) and two applications seeking the discharge of other conditions attached to the outline. More details on these applications are set out later within the report.

LOCATION AND PROPOSAL

Loxley College lies within the Green Belt. The total site comprises some 8.94 hectares of land consisting of two areas of buildings; one group on Wood Lane adjoining and to some extent appearing to be part of Myers Grove School, the other lower down the slope of the Loxley Valley, with access from Myers Grove Lane, and a much larger built footprint than the Wood Lane part. The buildings are a mixture of single, 2 and 3-storey buildings. Both groups of buildings have a dilapidated and partly vandalised appearance. Within the former campus are large areas of open space, former playing fields, hard surfaced courts and car parking areas.

The top part of the site drops down from the west in a terraced manner. On the western edge of the site is a strip of vegetation on a steep slope. The eastern boundary is the buildings of Myers Grove School. To the south is Wood Lane, with housing development on the opposite side, and open fields on the slopes of the Loxley Valley to the north. Open land lies to the north and the newly built Forge Valley Community School (formerly Myers Grove School) to the east.

Proposal

The applicant (Ben Bailey Homes and The Sheffield College) are seeking approval of Reserved Matters following the grant of outline planning permission to erect 69 dwellinghouses on the site in December 2011. The application is seeking approval of all the remaining Reserved Matters of appearance, landscaping, layout and scale.

The latest set of amended drawings was received on the 28 January 2013. These drawings show the erection 69 two-storey detached and semi-detached houses. There are eight different house types, each comprising either 3 or 4 bedrooms.

RELEVANT SITE HISTORY

11/00915/OUT – Demolition of buildings and development of site for residential accommodation and open space with sports pitches – Granted 19 December 2011

12/03327/FUL - Application to remove requirement for affordable housing (Application under Section 73 to remove condition 29 (affordable housing provision) of planning permission no. 11/00915/OUT – Refused 28 January 2013

12/03014/COND – Application to approve details in relation to 20 conditions – Part approval – 18 January 2013

REPRESENTATIONS

Thirty letters have been received in the response to this application as a result of neighbour notification and posting of site notice. A summary of the comments received is listed below:-

- Concerns with the possibility of floodlit leisure facilities to the rear of Marchwood Road;
- Permitting Sheffield College to sell the land contravenes the agreements made when the college assumed ownership;
- Permitting development on Green Belt land when 'very Special Circumstances' have not been shown sets a dangerous precedent;
- The proposal will result in increased traffic in the immediate locality which will result in congestion, pedestrian and traffic safety issues, car parking problems and problems for the flow of public transport;
- It would have an impact on the Malin Bridge traffic circulatory system, that already is at a standstill at peak times, and Holme Lane;
- Increased traffic during school arrival and departure;
- The proposal is contrary to Green Belt policies in the UDP;
- Disruption and increase level of noise, access issues;
- Loss of a view;
- College site should be cleared and left as open space;
- Forge Valley School is already oversubscribed, will rob school places from longstanding residents;
- Access issues to the existing Stannington Community College has been removed;
- The development does not enhance the environment;
- The scale of the development is too large and the elevations too high for its surroundings;
- The development should be on the footprint of the existing college buildings;
- The design of the development is of a boring and cramped urban housing estate, which is an updated version of 60/70s housing;
- The development lacks any architectural merit;

- The development will have an impact on local services such schools, doctors, dentists etc;
- The development will obscure views across the Loxley Valley;
- The current fields should be retained, improved and maintained for the use of the local community; revert to playing fields for Forge Valley Community School;
- Consultation should be taken with the adjacent schools to ensure the development, particularly during the construction phase does not effect the safety and security of the school and school children;
- No facilities detailed on the new recreational area (changing rooms etc);
- Concerns with the vast areas of mown grass that will form the playing pitches; further consideration should be given in terms of biodiversity of the site;
- The development should be aimed more at affordable housing rather than 4 bedroom private housing;
- The stone boundary wall along Wood Lane has deteriorated and should be restored and maintained in good order;
- The houses are located very close to the Shooters' Grove and Forge Valley Schools;
- The plans do not include any affordable housing;
- The Mobility units are all within the category of 4-bedroom detached houses. This seems to exclude people with disabilities unless they can afford the most expensive properties;
- The developer should aim high with sustainability/environmental standards. Code Level 5 for sustainable homes should be a target.

Representations have been received from Campaign for the Protection of Rural England (CPRE), Bradfield Parish Council, Sport England, Rivelin Valley Conservation Group, Loxley Valley Design Statement Group and Loxley Valley Protection Society (LVPS). These are summarised below:-

Campaign for the Protection of Rural England

In principle, CPRE supports the redevelopment of the site along the lines proposed as it will remove the former Loxley College buildings and open up the Loxley Valley to the benefit of the openness of the Green Belt. However, whilst broadly supportive of the outline application, CPRE are concerned about the following issues:

- incorporation of sustainable design and renewable energy technologies
- number of affordable dwellings; and
- management of open spaces (sports pitches, amenity space and wildlife areas);

CPRE go onto to state that if the concerns raised are not conditioned in the granting of this reserved matters application, this development will create an inappropriate residential development in the Green Belt. They advise that Sheffield City Council (SCC) must be satisfied that the development will improve the openness of the Green Belt and that its impact on neighbouring areas to the south of the site does not outweigh the benefits of opening up the northern area of the

site. They state that SCC must also ensure that the development is sustainable and that the varied open spaces are protected, maintained and accessible to the public.

Sport England

The original response from Sport England advised that the information submitted was considered to be lacking and prevented Sport England in making a full response. They advised that although the overall concept plan and landscape management specifications include reference to sports pitches there are no details such as exact measurements of the playing field to be lost to development and the area to be created as new playing field, and (ii) a Sports Impact Assessment that would set out details of consultation with National Governing Bodies of Sport and local clubs to assess the most appropriate type and size of pitches etc. The Sport England comments are more relevant to the conditions imposed on the outline consent and Sport England have subsequently been consulted on the discharge of conditions application, which provide details in relation to the playing field and the management of the sports facilities and they have advised that they have no objection to the Council discharging these conditions.

Rivelin Valley Conservation Group

It is considered that the layout and form of the development does not accord with Policy GE4 of the UDP in that the scale and character of the development is not in keeping with the area or conserve or enhance the landscape and natural environment. The development proposed is characterised by a standard layout of a housing estate as found in many urban areas. The gradation in levels of density to the north and west boundaries has not been achieved and this means that there will be an abrupt and hard edge to the development. The overall density should be reduced with greater landscaping areas, especially on the northern and western sides of the development.

There are times when there are significant problems on Wood Lane, particularly associated with the adjacent schools. These problems will be exacerbated by the development, thus further reason why the density should be reduced. It is anticipated that the type of dwellings will generate at least two vehicles per dwelling leading to traffic congestion. The Travel Plan should fully consider the implications for the local road network and road safety of the additional traffic that would be generated.

A further issue is that the sports pitches should be protected from any future development and a legal agreement should be entered into to ensure that this happens.

Loxley Valley Design Statement Group

The application is in breach of the SPG contained in Landscape Guideline (a) – Important views. The granting of this application would result in an almost continuous line of buildings along the northern side of Wood Lane and thereby lose the intermittent views into and across the valley currently being afforded. Only

fleeting glimpses would be achieved along the small gaps between houses which is only of footpath width and lined with trees.

Loxley Valley Protection Society (LVPS)

Loxley Valley Protection Society detail that they agree and support the objections of the Rivelin Valley Conservation Group that the layout of the proposed development should conserve and enhance the landscape in this Green Belt setting. They also support the comments raised by neighbouring properties that a large development such as this would increase the traffic flow from Stannington to the bottleneck at Malin Bridge. LVPS are not sure that the applicant have the Green Belt nature of this important site in the forefront of their thinking.

They highlight that it is important to maintain the important views into the Loxley Valley. Given that the proposal will generate a fully built-up frontage on Wood Lane, LVPS were hoping for more vistas into the Valley. This is cited in the RVCG.'s objection, where it states the layout should acknowledge the openness of the Valley beyond. They advise that there is one gap between the two halves of the proposed development and whether this will provide the desired vista is questionable, with tree planting proposed where the footpath curves round the bottom of the estate. The west end of the site drops away from Wood Lane, but only if the housing was very low rise, could views be maintained over it.

Although the external appearance of the houses fits in with the suburban semis in the surrounding estates, LVPS consider that the environmental sustainability specifications should be higher on a new development of this nature.

The layout of the houses gives the appearance of a good amount of space around the houses, especially where clustered to form larger joined up garden areas between the properties. But LVPS are concerned that the development, due to its Green Belt location should be conditioned for the removal of P D rights and extensions. The uniformity of the design should be conditioned for future retention, as on the prominent Acorn Estate, where materials such as window colours have to remain in keeping with the original specification.

Other issues raised by LVPS include the following:-

- Concerns that the development does not include any affordable housing;
- Wildlife meadow should also be included, as this would attract insects & support the rest of the food chain, encouraging birds & mammals;
- The planting schedule looks good, if the maintenance can be followed through over the long time scale proposed;
- As many trees as possible will be retained, including the now rare, identified healthy elm, near the Wood Lane side of the site. The provision of fruit trees is to be commended & could be extended to include other species.

PLANNING ASSESSMENT

Principle of Development

The principle of demolishing the existing college buildings and developing the site for housing has been established following the grant of outline planning permission in December 2012. A thorough and robust assessment was made during the course of the outline planning application regarding the merits of developing this sensitive Green Belt site. It was assessed against Policies GE1, GE2, GE3 and GE5 of the Sheffield Unitary Development Plan and PPG2: Green Belts (now superseded by NPPF).

For reference, under Annex C of PPG2 (which was relevant at the time of the decision but has now been replaced by the National Planning Policy Framework), provision was made for the redevelopment or development of Higher and Further Education establishments (HFE) in the Green Belt. In assessing whether the redevelopment of the site was appropriate development in the Green Belt, the applicant had to demonstrate that it met the four criteria set out in Paragraphs 1.6 and 3.1 of PPG2 and listed below.

- (i) It has no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible has less;
- (ii) It contributes to the achievement of the objectives for the use of land in Green Belts;
- (iii) It does not exceed the height of the existing buildings; and
- (iv) It does not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

It was considered that the re-development of the site met the terms of the criteria and did not represent inappropriate development in the Green Belt. The application was advertised as a departure from the Development Plan and was referred to the Secretary of State for approval. The SOS agreed to allow the LPA to determine the application in accordance with the recommendations of the Area Board and was conditionally approved in December 2011.

Highway Issues

Members are advised that access was not reserved and formed part of the outline approval. Although a number of concerns have been raised with regard highways and in particular traffic generation as a result of the development, these issues have already been considered and it is not necessary to consider these matters again under this Reserved Matters application. A condition has been attached that would ensure that all highway related work within the site boundary are carried out in accordance with the approved drawings.

Design and Layout

The applicant submitted a Design Statement in support of the application in order to demonstrate how the physical characteristics of the scheme has been influenced by a thorough process of local assessment, design evaluation and how it responds to the series of comments provided by Officers at pre-application stage. Five core principles and objectives of the development are set out in the Design Statement; these include a strong street scene and gate way to the buildings, simple road pattern and hierarchy, building format to reflect local character and a layout that is responsive to the local vernacular.

The Design Statement details that the scale, massing and height of the proposed development has been considered in relation to that of neighbouring buildings, which is predominantly 2 storeys, It is also advised that a hierarchy of zones create a sense of place whilst house types with dual aspect and hipped roof configurations have been placed at corners to enhance legibility.

The layout of the scheme follows closely to the indicative layout that was submitted as part of the outline application with the applicant remaining 'faithful' to the approved vehicular and pedestrian arrangements into and throughout the site. The density of the development has changed with the applicant reducing the scheme by two units from the outline and now stands at a total of 69 units. The development would consist solely of two-storey detached and semi-detached houses, comprising of eight different house types, the majority of which (61 units) would be faced in red brick.

In response to officers' concerns, in the course of the application, the applicant has made a number of changes to the scheme that in officers' opinion has significantly lifted the design quality of the development. The development now incorporates house types that have a similar form to local housing with features that include hipped roofs, chimneys, bay windows, a hierarchy of windows and simple flat-roofed porches. The use of render is used relatively sparingly on properties in significant locations within the townscape, such as at junctions or when terminating a view. The dwellinghouses have been arranged to establish a relatively consistent building line and a hierarchy of boundary treatments have been employed including low walls, railings and hedging. All these features are considered to reinforce corresponding changes in the construction and arrangement of the highway and key vistas, which are satisfactorily enclosed by buildings.

It is accepted that the proposed house types are not unduly innovative. However, the dwellinghouses generally have well proportioned elevations, with reasonably generous windows that are aligned one above the other and reflect the character of the surrounding area. While some reservations remain from a design perspective, particularly regarding the parking arrangements within parts of the site, these are not considered to dilute or diminish what is otherwise an acceptable quality scheme. The scheme includes many features that would enhance the quality of the area; the number of house types will add variation and interest to the development, due care has been given to corner plots, key vistas and how the dwellinghouses responds to the street. Furthermore, the houses all present themselves to the street with principal elevations facing onto the street and/shared driveways. These

elevations are legible, with the buildings forming a common line to reinforce and define the street scene both when viewed from within the site and from key areas outside including from Wood Lane.

It is considered that the site can readily accommodate the proposed number of dwellinghouses with officers satisfied that the development can absorb the degree of variation proposed across the site and the incorporation of nine different house types. The palette of materials is limited to two red brick types with only eight of the houses finished in a white render. A consistent dark grey roof slate will be used across all the units with the windows constructed in grey UPVC with a 100mm deep reveal and the doors in black steel.

On balance, the changes that the applicant has agreed to undertake to address officers' concerns are welcomed and sufficient to enable the scheme to be supported from an urban design perspective.

Policy BE5 of the UDP, which seeks good design and the use of good quality materials in all new buildings and Core Strategy Policy CS74, which seeks high-quality development that takes advantage of and enhance the distinctive features of the city, its districts and neighbourhoods are therefore considered to be met.

Residential Amenity Issues

The amended layout of the development site (Drawing No. 4133/01 Revision K) shows that the future occupants of the dwellinghouses would be afforded with a high level of amenity with generous gardens and outlook. The houses have been laid out to satisfy the criteria set out in the Council's SPG 'Designing House Extensions, with a minimum separation distance of 21m between facing main windows and 12m from main windows and side gable walls. The size of the gardens would all exceed 50 square metres, many far exceeding this amount.

It is also considered that the development would not adversely affect the residential amenity of properties opposite the site on Wood Lane. The layout plan shows that these would be in excess of 21m from the nearest house. Any affect on these properties' residential amenity in terms of outlook, privacy and light would therefore. be minimal.

Mobility Issues

Conditions were attached to the outline approval that requires a minimum of 25% of the dwellinghouses to be built to full mobility standards and the submission of details to secure acceptable and inclusive access throughout the site for less mobile persons. These details will be discharged through the submission of the formal discharge of conditions application but Members are advised that 20 of the units will be built to mobility standards, which represents 29% of the total units on the site and exceeds the requirements of UDP Policy H7. In addition, it can be noted that measures will be incorporated into the scheme to allow for improved mobility across the site such as a cross fall for carriageways at 1:40 and footways at 1:33, surface materials to the footways to be textured with non-slip properties

and blister paving to ensure that the scheme does provide facilities that will enable safe and secure access throughout the site.

Landscaping Issues

The proposed hard and soft landscaping proposals are shown on Drawing Nos. 4133/01 Revision K (Site Layout Plan) and 4133/11. These plans show extensive planting across the site and include the provision of over 40 heavy standard trees (12cm/14cm girth with two short stakes) and over 100 standard trees (8/10cm girth with single stake). The scheme also includes the planting of feathered trees, native woodland mix, native hedgerow, climbing plants, and ornamental shrubs/garden mixes. Also, the revised layout plan shows the mature elm tree that stands adjacent to Wood Lane between Plots 67 and 68 would be retained as part of the site's redevelopment.

It is proposed to use block paving for the access roads serving Plots 13-33 and the shared drives serving Plots 10-12, 43-46, and 47-50. Resin bound gravel would be provided along the driveways serving Plots 13-14 and 27-28.

It is considered that the proposed landscaping of the development site is of a very high quality and would enhance the character and appearance of the site. A particular feature is the provision of a wide avenue some 20m across that would run through the centre of the site (between the two plateaus), which, once established, should provide an attractive vista through to the rear of the site to the positive benefit of the Green Belt and Loxley Valley.

RESPONSE TO REPRESENTATIONS

Many of the issues highlighted by objections to this application raise matters that were considered as part of the outline permission or/and are the subject of planning conditions on the outline consent, which will be considered separately. These include enclosure details, sustainability issues, the provision of both public art and informal and formal open space, land contamination, delivery of affordable housing and the formation of sports pitches on the lower part of the site's developed area. It is not considered necessary therefore that these issues/matters are reported again here. Reference to these issues can be found in the outline approval.

With regard the comments raised by CPRE and Sport England, as detailed within the body of the report, the incorporation of sustainable design and renewable energy technologies, the delivery of affordable housing and the management of open spaces and playing pitches etc) will be secured through the discharge of conditions process.

SUMMARY AND RECOMMENDATION

The application relates to Loxley College on Wood Lane, Stannington. The college lies within the Green Belt and is made up of the former Loxley College buildings, car parking areas, hard playing courts and playing pitches. The site comprises some 8.94 hectares of land consisting of two areas of buildings, most of which are

derelict; one group on Wood Lane, the other lower down the slope of the Loxley Valley.

An application to demolish the existing buildings and develop the upper part of the site for housing with the lower part on the site laid out for open space and sports pitch provision was granted in outline in December 2012 under planning reference No. 11/00915/OUT. Only access was considered under the outline approval with appearance, landscaping, layout and scale all reserved for future consideration. The principle of developing the site for housing has therefore been established.

The application is seeking approval of all remaining Reserved Matters. The submitted scheme shows the erection 69 two-storey detached and semi-detached houses. There are eight different house types, each comprising either 3 or 4 bedrooms.

As Members may recall, the applicant submitted an indicative layout as part of the outline application, which showed the erection of 71 dwellinghouses with a single access point serving the large part of the site from Wood Lane. The details submitted under this RM application follow closely to the indicative layout with the internal access road and general layout of the houses consistent to this original scheme. Following discussions with officers during the course of this RM application, it is considered that the latest scheme represents an appropriate form of development that would preserve the open character and appearance of the Green Belt. The applicant has agreed to make a number of changes to the scheme that has significantly lifted the design quality of the development. The development incorporates house types that have a similar form to local housing with features that include hipped roofs, chimneys, bay windows, a hierarchy of windows, simple flat-roofed porches. The use of render is used relatively sparingly on properties in significant locations within the townscape, such as at junctions or terminating a view. The dwellinghouses have been arranged to establish a relatively consistent building line, a hierarchy of boundary treatments have been employed including low walls, railings and hedging, which reinforce corresponding changes in the construction and arrangement of the highway and key vistas which are satisfactorily enclosed by buildings. It is accepted that the proposed house types are not innovative or of any particular architectural merit. However, the dwellinghouses generally have well proportions elevations, with reasonably generous windows aligned one above the other, and reflect the character of the surrounding area.

The development is also considered to be acceptable from a highway perspective with the amount of car parking provision in line with national and local guidelines. Although a number of concerns have been raised that the development would lead to a significant increase in traffic in the area, these issues were addressed and agreed by Members at the outline stage. It is considered inappropriate under this RM application to revisit issues of traffic generation when an assessment on this has already been made.

No objections are raised in terms of the proposed landscaping scheme, with the layout showing extensive planting across the site and include the provision of over 40 heavy standard trees, the planting of feathered trees, native woodland mix,

native hedgerow, climbing plants, and ornamental shrubs/garden mixes. The scheme also retains the mature elm tree that stands adjacent to Wood Lane between Plots 67 and 68.

Twenty of the units would be built to full mobility standards, all the houses have been laid out to satisfy the criteria set out in SPG 'Designing House Extensions, with a minimum separation distance of 21m between facing main windows and 12m from main windows and side gable walls. Given the distance from the development to neighbouring properties, any affect on these properties' residential amenity in terms of outlook, privacy and light would therefore be minimal.

For the reasons outlined above, it is considered that the development is acceptable and would be in general accordance with UDP Policies GE1, GE2, GE3, GE4, GE5, BE5, BE12 and H7 and Core Strategy Policies CS71 and CS74. The application is therefore recommended for approval.

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SHEFFIELD CITY COUNCIL **West & North Planning &** **Highways Committee**

Report of: Director of Development Services

Date: 12 February 2013

Subject: UPDATE REPORT – DIAL HOUSE, BEN LANE

Author of Report: K Mansell (0114 2736141)

Summary:

To provide information to Members on the status of the discharge of conditions imposed following the granting of planning permission

Reasons for Recommendations

For information

Recommendations:

For information

Background Papers:

Category of Report: OPEN

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DEVELOPMENT SERVICES

REPORT TO WEST & NORTH
PLANNING & HIGHWAYS COMMITTEE
12 FEBRUARY 2013

UPDATE REPORT – DIAL HOUSE, BEN LANE

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide information to Members on the status of the discharge of conditions imposed following the granting of planning permission and Listed Building Consent on appeal for the development of Dial House on Ben Lane and to confirm whether the development gives rise to any outstanding planning enforcement issues.

2.0 PLANNING HISTORY

- 2.1 Planning permission for the residential development of the Dial House site on Ben Lane to create 32 apartments as well as the conversion of Dial House to create three dwellings was refused by Sheffield City Council on 22nd June 2005 in accordance with application reference 04/04797/FUL. The accompanying Listed Building Consent for the works to Dial House (04/04808/LBC) was refused on 26th November 2004.
- 2.2 Both applications were the subject of a planning appeal, which was considered by a Planning Inspector at a Public Inquiry held in May 2006. The Inspector allowed both appeals such that planning permission and Listed Building Consent for the residential development of 32 apartments and the conversion of Dial House to 3 dwellings and the demolition of the rear institute building was approved subject to conditions by a decision dated 29th August 2006.
- 2.3 A list of the approved conditions is set out at Appendix 1 of this report.

3.0 PLANNING PROGRESS

- 3.1 The request for this update report follows Member concerns that the development has not been implemented in accordance with the requirements of the planning conditions as well as a primary concern in relation to the state of the bowling green to the rear of the site.
- 3.2 From the 6th April 2008, in accordance with Statutory Instrument 2008, No 958, Town and County Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008, the Government introduced new fees for the discharge of planning conditions. This requires the submission of a formal application and the

means to register and monitor the discharge of planning conditions. In this case, there is no record of a formal discharge of condition application having been submitted in relation to the conditions imposed by the Inspector on either the planning permission or Listed Building Consent. The applicant maintains that full details were submitted at a meeting previously held with officers and it would appear that some details were provided but there is no written evidence of the submission nor is there any record of a fee having been paid for the discharge of the planning conditions. Accordingly, there is no formal record of the discharge of planning conditions having been undertaken prior to works commencing.

3.3 However, it is evident from meeting notes and the advice of the Council's Conservation Officer and Planning Enforcement Officer who attended the meetings that the applicant did engage with Officers prior to the commencement of works and did verbally agree some of the key details required by the conditions such as the facing materials to the apartments, the roof materials to the apartments and the works to protect the Listed Building, the latter being secured separately as part of a Section 215 notice.

3.4 Officers have been in recent contact with the applicant and have advised that a formal discharge of conditions application for the conditions set out in both the planning permission and the listed building consent must be submitted to the Local Planning Authority on or before Friday 15th February 2013. Given that the applicant did undertake verbal discussions with the Council during the course of the construction, this period to formalise the discharge of conditions applications is not considered unreasonable. Furthermore, Members are advised that Officers are satisfied with the materials used in the construction of the apartments and with the details of the construction to date and the Conservation Officer is also satisfied with the repairs to Dial House such that the discharge of Conditions application will serve to formalise the works on site and also provide a basis for the completion of the development in terms of providing large scale details of windows and doors and landscaping etc.

3.5 Members have raised a specific concern about the state of the Bowling Green and whether there are any breaches of planning in this regard. The area for the bowling green is still in situ on site. Members will note that there are three conditions set out within the planning permission that relate specifically to the bowling green comprising Conditions 8, 9 and 10, which state the following:

8. No development shall take place until pedestrian access to the new bowling green has been provided. Pedestrian access shall be retained at all times.

9. No development shall take place until details of a pavilion to serve the new bowling green, including a programme for installation, have

been submitted to and approved in writing by the local planning authority. The pavilion shall be provided in accordance with the approved details and retained as such thereafter.

10. No development shall take place until details of a planned programme of maintenance for the Bowling Green and pavilion has been submitted to and approved in writing by the local planning authority. Maintenance shall be carried out thereafter in accordance with the approved details.

It can be noted from the above that the conditions requires details of a pavilion and a programme for installation and details of a planned programme of maintenance as well as the provision of a pedestrian access to the new bowling green. With the exception of the pedestrian access, whilst accepting that the details to the above conditions should have been formally submitted prior to works commencing, Conditions 9 and 10 require the applicant to submit a programme for installation and a programme for maintenance and it is unlikely that this programme would have required the works to be completed before development commenced although it is clearly appropriate that such details are provided imminently and a programme agreed with Officers for the delivery of the pavilion, as well as a programme of maintenance for the bowling green and pavilion. However, there are no conditions that require the Bowling Green to be available for use before first occupation of either the apartments or Dial House.

4.0 RECOMMENDATIONS

4.1 The role of the Local Planning Authority (LPA) is to remedy any breach of conditions; therefore initially the appropriate action is to seek to have the breaches remedied without recourse to formal action. In light of the recent discussions with the applicant, it is recommended that the contents of this report be noted and Members be advised that no formal action should be considered until the conclusion of the formal submission of the discharge of conditions application. In the absence of any such application being submitted by the 15th February 2013, Officers will consider whether it is appropriate to seek authority to serve a Breach of Condition Notice and/or take enforcement action and in these circumstances a further report will be presented to this Committee.

APPENDIX 1: LIST OF CONDITIONS

Following the decision of the Planning Inspector to allow the appeal against the Council's decision to refuse the application for the residential development of 32 apartments and the conversion of Dial House to 3 dwellings, the following conditions were imposed in relation to both the planning permission and the Listed Building Consent:

Planning permission (Appeal Reference: APP/J4423/A/05/1190189)

1. The development hereby permitted shall begin before the expiration of 5 years from the date of this decision.
2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the apartment buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority.
3. No development shall take place until large scale details, including samples if necessary, of the roof eaves, valleys, ridges and verges, roof-lights, rainwater goods, windows and details of their openings, including head, sill and jamb, external doors and details of their opening including head, sill and jamb, external balustrades and chimneys that form part of the apartment buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until full details of both hard and soft landscaped works have been submitted to and approved in writing by the local planning authority. These works shall include proposed finished levels or contours; means of enclosure, car park layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials, minor artefacts and structures, proposed and existing specifications and planting schedules, details of existing trees and hedges within the site and measures for their protection in the course of the development; boundary walls, gateways, steps, paths and hard standings around Dial House; and a programme of works.
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
6. No development shall take place until full details of the new access to Ben Lane, including the footway along the site frontage, the stopping up of existing accesses and vehicle/pedestrian visibility splays have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the

approved details and completed before occupation of any of the dwellings approved herein, and retained as such thereafter.

7. No development shall take place until details of equipment for the effective cleaning of the wheels and bodies of vehicles leaving the site, and its use, have been submitted to and approved in writing by the local planning authority. This equipment shall be operated in accordance with the approved details and properly maintained for the duration of the demolition and construction works.
8. No development shall take place until pedestrian areas to the new bowling green has been provided. Pedestrian access shall be retained at all times.
9. No development shall take place until details of a pavilion to serve the new bowling green, including a programme for installation, have been submitted to and approved in writing by the local planning authority. The pavilion shall be provided in accordance with the approved details and retained as such thereafter.
10. No development shall take place until details of a planned programme of maintenance for the bowling green and pavilion has been submitted to and approved in writing by the local planning authority. Maintenance shall be carried out thereafter in accordance with the approved details.

Listed Building Consent (Appeal Reference: APP/J4423/E/05/1192253)

1. The works hereby authorised shall begin not later than 5 years from the date of this consent.
2. All masonry repairs, new areas of masonry and pointing shall match the existing surrounding masonry in material, bonding, colour, size, shape and texture.
3. No work shall take place until large scale details, including samples if necessary, of roof materials, eaves, valleys, ridges and verges, new windows and details of their openings, including head, sill and jamb and new external doors and details of their opening including head, sill and jamb have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.
4. No work shall take place until large scale details, including samples if necessary, of new roof and floor timbers, floorboards, partitions, internal doors, skirting's, architraves and cornices have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

5. No works shall take place until details, including samples if necessary, of fire protection measures, soundproofing and all electrical and mechanical services have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.



SHEFFIELD CITY COUNCIL West & North Planning & Highways Committee

Report of: Director of Development Services

Date: 12 February 2013

Subject: QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

Author of Report: Lee Brook 27 34590

Summary:

THE PURPOSE OF THIS REPORT IS TO INFORM COMMITTEE MEMBERS OF PROGRESS ON THE WORK BEING UNDERTAKEN BY THE ENFORCEMENT TEAM

Reasons for Recommendations

TO NOTE THE CONTENTS OF THE REPORT

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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DEVELOPMENT SERVICES

REPORT TO NORTH AND
WEST PLANNING AND
HIGHWAYS COMMITTEE
12th FEBRUARY 2013

QUARTERLEY OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the quarterly report to advise members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1st October to 31st December.

2. ACTIVITY DURING THE QUARTER

- A total of 207 enforcement complaints were received. Of these 50% concerned unauthorised development and 35% failure to comply with conditions or approved plans. The percentage of cases involving houses in multiple occupation, adverts and Section 215 (untidy land/buildings) are similar to the previous quarter at between 6% and 9%.
- Notices served in the period: -

Notice type	Quarter 3 Oct – Dec 2011	Quarter 4 Jan – Mar 2012	Quarter 1 Apr – Jun 2012	Quarter 2 Jul – Sep 2012	Quarter 3 Oct - Dec 2012
Breach of conditions	10	1	2		2
Discontinuance (adverts)		1		2	1
Enforcement	10	2	8	6	8
Stop				1	1
Temporary Stop	1				1
Section 215 (untidy land)	3	2	4	8	6
Section 225 (signs)	6	12	1		2
Total	30	18	15	17	21
Prosecutions	1	6	5	1	3

- The number of cases resolved within the target of 6 months was 55% of all the cases closed in the period, an improvement on the 46% of the last quarter. The figure is still low compared to the 68% achieved in quarter 4 of 2012. As with the previous quarter the low percentage is in fact due to the team making a concerted effort to close older cases in recent months, evidenced by the fact that 272 cases were closed in this quarter compared with 160 in quarter 1. A total of 558 cases remain on hand.
- Cases of note include land at Cookswood Road where damaged vehicles were being stored in the midst of a housing area. The service of an enforcement notice and a stop notice have resulted in most of the vehicles being removed and a forthcoming prosecution will hopefully conclude the matter. S215 action at Haywood Lane, Stocksbridge has achieved the demolition of a derelict works and the clearance of the land.
- Also, the demolition of the Ritz Cinema on Southey Green Road is proceeding due to action taken within the Stuck Sites Programme using S215 powers. It is hoped that a scheme for the residential development of the site will now be brought forward.

3 CONCLUSION

- 3.1 The current purge of older cases has meant that a lot have been closed in the period giving the impression that the teams performance is well short of the Service Plan Target of resolving at least 70% of cases within 6 months. This is expected to be a temporary distortion of the statistics that will improve now that the older cases have been closed.

4. RECOMMENDATION

- 4.1 It is recommended that Members note the report.



SHEFFIELD CITY COUNCIL West & North Planning & Highways Committee

Report of: Director of Development Services

Date: 12 February 2013

Subject: ENFORCEMENT REPORT

PROGRESS REPORT ON ENFORCEMENT ACTIONS AUTHORISED BY
COMMITTEE, OR UNDER DELEGATED POWERS IN THE WEST AND
NORTH AREA

Author of Report: Lee Brook 27 34590

Summary:

THE PURPOSE OF THIS REPORT IS TO INFORM COMMITTEE MEMBERS
OF PROGRESS ON CURRENT ENFORCEMENT CASES IN THE WEST
AND NORTH AREA.

Reasons for Recommendations

TO NOTE THE CONTENTS OF THE REPORT

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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UPDATE ON LIVE ENFORCEMENT CASES IN WEST AND NORTH AREA FOR QUARTER ENDED 31 DECEMBER 2012

Report abbreviations

BCN	Breach of Condition Notice	PD	Permitted Development
DN	Discontinuance Notice	PP	Planning Permission
EN	Enforcement Notice	S215N	Section 215 Notice, (to remedy untidy land / buildings)
ESP	Enforced Sale Procedure	S330	Notice under Section 330 of the Act requiring details of interest in land
NFA	No Further Action	TPO	Tree Preservation Order
PCN	Planning Contravention Notice		

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

(Strikethrough = closed cases awaiting the OK by committee to remove from report)

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
1.	Rear of 7 Southey Hill	Use for motor Vehicle Repairs	04/12/12	The use is reported to have ceased. Site visit to be carried out to check Jan 2013.
2.	Land adjacent to 4 Mowson Hollow	Timber Building used for store / studio	13/11/12	Jan 2013, details sent to Legal Services for service of EN requiring removal of building, EN expected to be served by 1/2/12.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
3.	52-54 Church Street, Oughtibridge	Unauthorised refrigeration unit fitted to rear of shop.	23/10/12	Application ref. 12/02621/FUL refused with enforcement authority. EN served 12/12/12 & appeal lodged 14/1/13 against that EN, appeal in progress.
4.	Land between 12 & 14 Cooks Wood Road	Unauthorised Use of Land for storage of damaged vehicles & erection of 2m high fence and gates	31/7/12 & 21/8/12	Prosecution file prepared and case in court on 20/2/13. Also new 2 nd EN served requiring removal of the fence and gates. EN & STOP NOTICE served 13/6/12 & it came into effect 14/9/12 requiring unauthorised use for storing vehicles to cease by 12/10/12. Majority of vehicles have been removed but EN not fully complied with so reminder letter sent to owners warning of prosecution unless quick compliance (deadline 18/11/12).
5.	Land adjacent to 2A Stanley Road, Burncross	Change of use to Residential Curtilage & storage & associated works, including fence & gates.	13/9/11	23/1/13, work stalled again, considering prosecution. 31/7/12 – earth bank part restored, work ongoing. Fence erected to separate Land from house, container removed so that work can start of re-contouring. Officers have met with owner 6/3/12 & agreed a course of action for satisfying the EN with owner. EN served,

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Stanley Road contd from p.2			took effect 14/11/11- requires use as house curtilage & storage to stop, removal of container & any stored plant & removal of metal fencing & gates by <u>5/3/12</u> .
6.	51 Thompson Hill	Unauthorised Erection of 1 st floor extension to rear of house – ref.11/01679/FUL	2/8/11	25/10/12 meeting held with owner & it was agreed that Council would consider amended proposal, which was submitted 11/12/12. 12/03865/FUL now under consideration at Jan'13. Appeal dismissed. Inspector extended compliance period to 4 months giving owner until 2 nd January 2013 to comply with EN. PP refused 2/8/11. 6 months given, (from 2/2/12) to owner to alter extension to comply with PD limits. Work not done – EN served 2/4/12 requiring extension to be altered to PD limit by 17/7/12. Appeal lodged against EN.
7.	183 Fox Street	Broken & boarded front ground floor window to terraced house.	10/5/11	Quotes for works being sought from 3 different sources to cost up the work. Direct action after 31/8/12 if S215N still not complied with by that date. Not complied with at 31/1/12, considering options of

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	183 Fox St contd from page 3			prosecution or direct action. S215N served 11/5/11 requiring new window by 1/8/11 following failed negotiations since 1/12/10. The street is otherwise well kept & tidy & although wouldn't usually use s215 for this type of low level problem, in this case it is justifiable.
8.	Former Ritz Social Club, Southey Green Road	S215 – Empty building in state of disrepair in a prominent position.	13/7/12	S215 Notice served 1/8/12 requiring demolition of building and clearance of site. Demolition of building began Dec 2012 and is in progress.
9.	290-308 Pitsmoor Road	(1) Use of Ground floor for retail shop, 1 st & 2 nd floors as HIMO, (11/00050/FUL refused) (2) Canopy to front of Shop refused PP	19/4/11	(1) 24/1/13 - EN proposed regarding discharge of conditions of 11/00050/FUL as agent pulled out and no sign of progress. 31/10/12. Officers talking with agent regarding discharge of conditions before application submitted for same. 31/7/12. Discharge of conditions application being prepared for this PP. (1) New application 11/01912/FUL to improve the scheme taking account of reasons for refusal of HMO/Shop, (amendment to refusal of broadly similar

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Pitsmoor Road cont ^d from page 4			<p>scheme ref.11/00050/FUL), was granted conditionally 11/8/11. Shop and HMO now has PP.</p> <hr/> <p>(2) 11/03370/FUL now granted 3/1/12, implementation will superseded the EN. EN not complied with at 30/12/12. Holding back from prosecution for time being due to new application 11/03370/FUL for alternative canopy to the one built. EN served 8/6/11, took effect 13/7/11 & requires removal of canopy by 31/8/11.</p>
10	Youth Club Building, Burgoyne Road,	Non payment of planning obligation monies £10,897.40 in relation to 05/00551/FUL. Change of use taken place and flats now occupied	25/1/11	31/10/12 - Litigation still pursuing original owner who signed the s106. Legally the new owner cannot be sued. Solicitors are examining ownership to decide who to pursue for the money. 06/04/11 Developer Mr Dempsey still owns the site. Case with litigation and prosecution next step to be considered.

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
11	1, 2, 3 and 4 Pheasant Lane, Ewden Village (also see case no.11)	Four unauthorised houses (not in compliance with PP 05/04528/FUL) New PP 11/03443/FUL for 4 bungalows dated 24/1/12	23/11/10 & 24/1/12	Summons sent for Initial Court hearing set for 20/2/13, (no.3 only). Houses at nos. 1, 2 and 4 are no longer in breach of the EN's. 4/10/12 – Legal proceedings begun / prosecution statement sent to Litigation in relation to no.3, which has not been removed from its incorrect footprint position as deadline set in the letter 30/5/12 passed without any progress on site. 20/6/12 – Owner has agreed to adhere to original 2m separation between <u>nos.3</u> & 4 & has submitted plans to show this. Also it appears that the letter sent 4/5/12 was not received by owner, so a new letter dated 30/5/12 sent given deadline of 31/8/12 for no.3 to be altered in accord with PP before legal proceedings begin. Applic 12/00769/FUL for <u>no.3</u> can now be considered with an amendment. It will involve taking down part of house and rebuilding it closer to no.4- because the external appearance will be different it requires new PP. New PP granted 24/1/12 ref11/03443/FUL for 4 bungalows instead of 4 houses. Letter 4/5/12 sent to owner requesting that implementation must begin

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Ewden Village continued from page 6			<p>without delay or in the alternative the EN must be complied with without delay. Following this letter, nos. <u>1, 2 & 4</u> were reduced in height during Feb & March in accord with this new PP & they are each in their correct footprint positions. No.3 has been reduced in height to one storey & then work has stopped mid March so that no.3 remains in wrong position 6.5m away from no.4 instead of the approved 2m separation. An application was submitted 12/3/12 for no.3 (ref 12/00769/FUL) to regularise this position but officers have written to the agent refusing to consider that application (this is allowed by the Planning Act in certain circumstances, which now apply here). The letter also insists that no.3 be demolished (it can be built in accord with plans under 11/03443/FUL - 2m from no.4). A couple of weeks to be allowed for a response There should be a clear direction identified by 10/4/12 if not – Legal Services will be instructed to prosecute for failing to comply with the EN as it applies to no.3. Appeals, dismissed 18/7/11 & EN's upheld but a</p>

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Ewden Village continued from page 7			<p>longer compliance period of 6 months was given by the Inspector to demolish all 4 houses. Compliance is now required by 23/1/2012, (Appeal hearing 21/6/11). <u>No.1-</u> EN's & STOP NOTICE's served 24/11/10. Requiring demolition of 4 houses as they are unacceptably larger than approved – take effect 29/12/10 & give 4 weeks to comply. <u>Nos.2, 3 & 4</u> - EN & STOP NOTICE served 9/12/10, requires demolition of houses – Takes effect 12/1/11, 16 wks to comply, (4 houses/4 wks per house), expires 4/5/11</p>
12	Parker's Yard, Stannington Road	Unauthorised use as self storage & metals recycling facility. 09/02757/CHU refused PP.	10/6/10	The business is overcoming problems with their bank & with the vendor for the site due to the economic climate but progress is being pushed by the company, albeit slowly due to increasing demands being asked of them. The company is determined to resolve this. 18/7/12, still delayed by solicitors, expecting contract sign for Pearson Forge soon. 1/3/12, Land contamination survey completed awaiting results of analysis, (takes 4-6wks =approx

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Parker's Yard continued from p8			10/4/12). Owner reports on 28/3/12 there shouldn't be further obstacles if analysis shows the land is ok. Business owner continues to update officers with progress reports. Work on site now likely to be later, March, due to owners Bank requiring more info on structural stability of site buildings & land contamination. Relocation to new site - the legal process begun & discharge planning conditions also taking place now. Initial estimate is mid Dec'11 for work on site to begin at Pearson Forge. Alternative site that would be suitable for relocation of business identified & 11/01953/CHU granted 13/9/11 for former Pearson Forge at Livesey St. Appeal against EN was dismissed 14/3/11; new compliance period ends 2/7/11. EN served requiring uses to stop by 20/4/11. Appeal against refusal (09/02757/CHU) dismissed.
13	Land south of 4 Pheasant Lane, Ewden Village, off New Mill Bank (also see case no.9)	Siting of a Log Cabin Style Building for use as Living Accommodation	16/3/10	Initial Court hearing set for 20/2/13. 4/10/12 – Prosecution Statement sent to Litigation as deadline set in the letter 30/5/12 passed without any progress on

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Pheasant La continued from page 9			<p>site The building remains in position and occupied by a tenant. 25/6/12 - No progress since April on completing one of the houses in case 13, which has knock on implication for occupier of this unauthorised living accommodation. Deadline of 31/8/12 given to remove building or legal proceeding will begin. The owner stated 14/3/12 that either no.1 or no.2 (item 9 above) can be completed for the tenant currently living in this cabin, which can then be removed as per the EN. EN not complied with at March 2012 but not to be prosecuted until the cases above at item 9, 1-4 Pheasant La are resolved, which should result in at least one house being built in accord with the fall back position of one of the PP's. The cabin is occupied by the tenant of one of the demolished huts (that is now the appeal site of 4 Pheasant La, item 9 & therefore she would be homeless if the EN was successfully prosecuted. Other personal circumstances make it inappropriate to prosecute at this point. EN served 29/3/10 requiring removal of living accommodation,</p>

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
	Pheasant La continued from page 10			concrete base, gas storage tank & shed & to restore land, the living accommodation is currently occupied & compliance required in 56 weeks-by April 2011.
14	Dial House Club, Far Lane / Ben Lane	Non-compliance with conditions attached to PP04/04797/FUL, Cond 2-materials for external surfaces, C3-design details for new apartment building, C4-landscaping for grounds, C6-highway access & finishes to frontage, C8-pedestrian access to new bowling green, C9-new pavilion details, C10-bowling green maintenance.	15/12/09 (delegated authority)	Development ongoing at January 2013 . PP being implemented at 26/9/11, so BCN now complied with. Work began March 2011. Meeting inc developer, officers & Members was held in Dec'10 & a promise to start work along agreed lines was made to start Jan'11. Discharge of conditions agreed in principle with applicant at meeting 6/8/10 subject to submission & approval of application. BCN served 21/12/09. Details for each condition required by 29/3/10.

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SHEFFIELD CITY COUNCIL West & North Planning & Highways Committee

Report of: Director of Development Services

Date: 12 FEBRUARY 2013

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Sue McGrail 0114 2734404

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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DEVELOPMENT SERVICES

REPORT TO WEST AND NORTH
PLANNING AND HIGHWAYS
COMMITTEE
12 FEBRUARY 2013

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

2.0 NEW APPEALS RECEIVED

Appeals have been submitted to the Secretary of State against the decision of the City Council to refuse planning permission :

- a) at its meeting held on 24 September 2012 for the erection of a two-storey block to provide 3 supporting living units at Rosebank Residential Home, Lyons Road (Case No 12/02343/FUL) and;
- b) at its meeting held on 2 January 2013 for 4 flats in a two-storey block and provision of associated parking accommodation at the rear of 12 to 22 and 12A to 22A Holme Lane (Case No 12/03117/FUL).

3.0 APPEALS DECISIONS - DISMISSED

An appeal has been dismissed by the Secretary of State against the decision of the City Council, under delegated powers, for the demolition of an existing garage, alterations to the roof, two-storey side extension, two/single-storey rear extension, two front dormer windows and a rear dormer window at 84 Earl Marshall Road (Case No 12/02049/FUL)

Officer Comment:-

The application was an amendment to an earlier approved application. This submission added dormer windows to the front elevation.. Given that the rest of the scheme had planning permission, the Inspector concentrated on the two front dormer windows that we found to be objectionable.

The Inspector noted that Earl Marshal Road has a variety of house types and styles. However, along the section of road containing the appeal site, there is a great deal of uniformity in the street scene.

In the Inspector's opinion, the addition of the two front dormers would represent prominent additions to the roofscape. The dormers would also be out of keeping with other houses in this stretch of road and would disturb the existing sense of uniformity around the roofscape. Due to the elevated

position of the houses here, the dormers would be visible over a wide area and so would cause material harm to the street scene. Accordingly, the Inspector dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

An appeal has been allowed by the Secretary of State against the decision of the City Council to refuse planning permission, under delegated powers, for the installation of a telecommunications base station comprising a 15 metres high monopole, 3 antennas, 2 dishes, 2 equipment cabinets and ancillary development at land at Oak Lodge Farm, Thompson Hill (Case No 12/00963/TEL).

Officer Comment:-

The mast falls within the Permitted Development rights and as such, the mast cannot be considered as inappropriate development in the Green Belt. The main issue therefore is the effect on the openness and visual amenity of the Green Belt.

The site is on the edge of a housing area and close to a bulky 16 metre tall water tower. The mast would be 15 metres in height and along with the associated base cabinets would reduce the openness to a moderate degree. The mast would be able to be seen from a number of vantage points and would harm the visual amenity of the Green Belt, again, to a modest degree.

The National Planning Policy Framework (NPPF) advises that planning authorities should support the expansion of telecommunications networks, especially where other sites and buildings have been considered but found unsuitable as in this case.

An ICNERP (International Commission on Non Ionising Radiation Protection) certificate was provided so health concerns were not considered further.

The Inspector concluded that the need to provide up to date, high quality equipment coupled with the lack of alternative sites outweighed the impact on the character and openness of the Green Belt and so allowed the appeal.

5.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

12 February 2013