

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

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**Tuesday 7 May 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**

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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.

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## **PUBLIC ACCESS TO THE MEETING**

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

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

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

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## **FACILITIES**

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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.

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**WEST AND NORTH PLANNING AND HIGHWAYS COMMITTEE AGENDA  
7 MAY 2013**

**Order of Business**

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- 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 16 April 2013.
- 6. Sheffield Conservation Advisory Group**  
Minutes of the meeting of the Committee held on 19 March 2013.
- 7. Applications Under Various Acts/Regulations**  
Report of the Director of Development Services.
- 8. Record of Planning Appeal Submissions and Decisions**  
Report of the Director of Development Services.

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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](mailto:lynne.bird@sheffield.gov.uk)

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## SHEFFIELD CITY COUNCIL

### West and North Planning and Highways Committee

#### Meeting held 16 April 2013

**PRESENT:** Councillors Peter Rippon (Chair), Trevor Bagshaw, Janet Bragg, Adam Hurst, Bob McCann, Roy Munn, Garry Weatherall, Roger Davison and Ibrar Hussain

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#### **1. APOLOGIES FOR ABSENCE FROM MEMBERS OF THE COMMITTEE**

- 1.1 Apologies for absence were received from Councillors Talib Hussain, Denise Reaney and Joyce Wright. Councillors Ibrar Hussain and Roger Davison attended the meeting as the duly appointed substitutes for Councillors Hussain and Reaney but there was no substitute appointed for Councillor Wright.

#### **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 a personal interest as a Member of Ecclesfield Parish Council who were opposing the application for planning permission for the demolition of existing Public House and erection of convenience store (Use Class A1) and hot food takeaway (Use Class A5) at the site of Old Cart and Horses Inn, 2 Wortley Road, High Green (Case No. 12/03543/FUL). Councillor Weatherall did not sit on the Planning Board of the Parish Council who were recommending refusal of the scheme and stated that he came to this meeting with an open mind.
- 3.2 Councillor Adam Hurst declared an interest in an application for planning permission for demolition of existing Public House and erection of convenience store (Use Class A1) and hot food takeaway (Use Class A5) at the site of Old Cart and Horses Inn, 2 Wortley Road, High Green (Case No. 12/03543/FUL) as he was speaking as a member of the public in opposition to the application on behalf of his constituents. Following representations made by Councillor Hurst he left the room and took no part in the discussion or vote on the item.

#### **4. MINUTES OF PREVIOUS MEETING**

- 4.1 The minutes of the meeting of the Committee held on 26 March 2013 were approved as a correct record.

**5. SITE VISIT**

- 5.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 7 May 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 in respect of Case No. 13/00498/FUL and other applications considered to be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose; and

(b) following consideration of (i) a correction to the report on page 42, line 16, additional representations, and consideration of amendments to condition 2 to replace plan entitled "Landscape Details Dwg. No. R/1409/1" with "Landscape Details Dwg. No. R/1409/1A" and condition 7 to exclude the delivery of newspapers from the restriction, and additional conditions, as detailed in a supplementary report circulated at the meeting and (ii) additional representations at the meeting from Councillor Adam Hurst, Councillor Andrew Bainbridge, Ecclesfield Parish Council, 4 local residents and two pupils from High Green Infant Junior School, speaking in opposition to the application and from the agent for the applicant speaking in favour of the application, and, notwithstanding the officer's recommendation, an application for planning permission for the demolition of existing Public House and erection of convenience store (Use Class A1) and hot food takeaway (Use Class A5) at the site of Old Cart and Horses Inn, 2 Wortley Road, High Green (Case No. 12/03543/FUL) be refused as the Committee considered that the application would be detrimental to the free and safe flow of traffic and pedestrian safety and would not provide adequate servicing arrangements, and furthermore, the design of the store was also out of character with the area and would detract from the amenities of the locality.

**7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

- 7.1 The Committee received and noted a report of the Director of Development Services detailing a planning appeal recently submitted to the Secretary of State.

# Agenda Item 6

## SHEFFIELD CONSERVATION ADVISORY GROUP

### Meeting held 19th March, 2013

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
	Prof. Clyde Binfield	20th Century Society
	Mr. Patrick Burns	Co-opted Member
	Mr. Howard Greaves	Hallamshire Historic Buildings Society
	Mr. Graham Hague	Victorian Society
	Dr. Roger Harper	Ancient Monuments Society
	Mr. Bob Hawkins	Council for the Protection of Rural England
	Mr. Stanley Jones	Hunter Archaeological Society
	Mr. Bob Marshall	Royal Town Planning Institute
	Mr. Andrew Shepherd	Society for the Protection of Ancient Buildings

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#### 1. **COUNCILLOR JANICE SIDEBOTTOM**

The Chair (Dr. Booth) referred, in warm terms, to Councillor Janice Sidebottom who had represented the City Council on the Group for a number of years. The Group endorsed his sentiments and observed a minute's silence in memory of Councillor Sidebottom.

#### 2. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr. Rod Flint (Georgian Group), Mr. Graham Hague (Victorian Society), Dr. Malcolm Tait (University of Sheffield), Mr. Philip Moore (Sheffield Society of Architects) and Dr. Alan Watson (Institution of Civil Engineers).

#### 3. **MINUTES,**

The minutes of the meeting held on 22nd January, 2013 were approved as a correct record, subject to the substitution in the attendance, of the words "University of Sheffield" for the words "Institution of Civil Engineers" and the words "Institution of Civil Engineers" for the words "University of Sheffield";

and, arising therefrom, the Group (a) noted that:-

(i) in the opinion of Mr. Hale, the new artwork at the TESCO supermarket site, Spital Hill

was particularly attractive;

(ii) (A) the west and north ranges of Barnes Hall Farm had been listed and the existing description of the Farm had been amended to include the medieval origins of the Farm; and

(B) the Head of Planning would send copies of the enlarged description, to Members of the Group;

(iii) the scale of development at Westbrook House, Sharrow Vale Road had been reduced, with a smaller building and less car parking, the proposed staircase had been moved within the scheme, the glazing between the old building and the new building would be larger and the cladding material would be brick;

(iv) the scale of the scheme for development of the Old Bull's Head, Dun Street had been reduced and there was better detailing in the scheme which, with careful conditioning, should be acceptable; and

(b) the Group (i) while accepting the principle of change, restated its opposition to the scheme regarding Barnes Hall Farm, which it considered to be out of character with the listed buildings on the site and would have a damaging impact on them, (ii) expressed its disappointment that the developer did not accept, that relatively small amendments to the scheme were required to make it acceptable (iii) felt that the application should be dealt with by a conservation officer in accordance with planning legislation and (iv) requested the Chair (Dr. Booth) to write to the Head of Planning to draw his attention to this decision and convey the depth of feeling of the Group in connection with it.

#### 4. **CHAIR'S REPORT**

The Chair reported that:-

(a) following the referral of the application regarding the former Jessop's Hospital's Edwardian Wing to the Secretary of State, it had been discovered that a number of Statutory Organisations had not been consulted regarding the application. They had then been consulted and the application had subsequently been re-approved by the City Centre South and East Planning Committee. It was possible that the application would be considered further at a public inquiry; and

(b) public consultations regarding the draft Stocksbridge Neighbourhood Plan would end on 22nd April next.

The Group (i) noted the information and (ii) stressed that it supported the aim of the University of Sheffield to provide a significant building and additional accommodation for its Engineering Department, but it considered that the scheme which had been considered by the Planning Committee was quite unacceptable.

#### 5. **HEAD OF PLANNING'S REPORT**

The Head of Planning reported that (a) the City Council, on public safety grounds, had paid for the scaffolding surrounding the Haqqani House Mosque to remain in place and then for partial demolition of the building, the cost of which would be recouped by way of land charge; and

(b) (i) the Lower Matlock Waterwheel had been omitted, inadvertently, in the transfer of property between companies, so the Wheel itself was now in the ownership of the Crown and (ii) it was anticipated that funding for restoring the Wheel should be available from English Heritage.

The Group noted the information.

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

The Group noted that the scheduled meeting of the Sheffield Sustainable Development and Design Panel on 14th March, 2013 had been cancelled and, subject to confirmation, its next meeting would be held on 18th April, 2013.

7. **HERITAGE ASSETS**

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

- (a) **Demolition of existing extension, alterations to office building (Class B1/A2) for educational use (Class D1), erection of associated two-storey side extension; rear decked area with undercroft including provision for air source heat pumps; and covered external teaching area with ancillary external spaces and formation of new opening in boundary wall fronting Clarke Drive to provide level access at Belmayne House 99 Clarkehouse Road.  
(Case Number: 13/00470/FUL)**

The Group felt that there was no objection, in principle, to the development subject to the provision of glazing bars to the fenestration of the extension.

- (b) **Landscaping works including provision of footpath/cycle path link between Fitzwalter Road and Shrewsbury Road (Full application under Reg 3 1992) and demolition of retaining wall (Conservation Area Consent application under Reg 3 - 1992)  
(Case Number: 13/00390/RG3 & 13/00391/RG3)**

The Group welcomed the proposal to enable access to both roads and felt that, in principle, there was no objection to the scheme subject to the use of more sympathetic materials, to the satisfaction of the Head of Planning.

- (c) **Erection of a mixed-use development incorporating educational Facilities and associated functions (Class B1/D1), 53 student cluster flats containing 287 bed spaces and facilities together with associated works including access and ancillary facilities (Phase 1); conversion and refurbishment of former St Luke's School Building, for office use (Phase 2) 29 - 65 Garden Street  
(Case Number: 13/00576/FUL & 13/00577/CAC 13/00576/FUL & 13/00577/CAC)**

The Group felt that the scale and massing of the scheme was unacceptable and the development would be a monolithic block, which was clearly in breach of the principles established by the Urban Design Compendium and would obscure views down Rockingham Street.

- (d) **Erection of a two-storey dwellinghouse with rooftop terrace at 15 Napier Street (Case Number: 12/03892/FUL)**

The Group felt that there was, in principle, no objection to the scheme.

(NOTE: Mr. Shepherd declared an interest in this item, on the grounds that he had represented the nearby Baptist Church on a number of occasions).

## 8. MISCELLANEOUS ITEMS

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

- (a) the Head of Planning would investigate and report back on condition of the roof of the Crookes Valley Methodist Church, Barber Road;
- (b) In the opinion of Dr. Harper, the Don Valley Stadium was a fine building, although it was probably not of listable quality and it would be a great pity, if it was lost; and
- (c) the Guardian newspaper had published a letter referring to the practice, in the past, of blocking up windows to avoid paying a window tax and suggesting that the proposed so-called "bedroom tax" could be avoided by blocking up internal doors;
- (d) (i) a new series of the television programme "The Planners" was in preparation. In the opinion of the Chair, it would be useful if the City Council's Planning Service, or the Group itself was the subject of one of the programmes and (ii) the Sheffield Live Channel would commence broadcasting television programmes next autumn;
- (e) the Old Hall Farm, Brightholmlee was for sale. Mr. Jones aimed to gain access, to carry out inspection of its interior, which largely dated from the 16th Century, with a medieval section and a parlour dating from 1690 and to report back. Scaffolding had been erected to support a gable which had been unsafe, thanks to the intervention of the Society for the Protection of Ancient Buildings;
- (f) Mr Graham Hague had written a report on Knowle Hill Mill, Station Road, Mosborough and Mr. Greaves had applied for the building to be listed;
- (g) a number of windows had been removed from the former Blue Coats School, Psalter Lane. The re-roofing of the building was under way;
- (h) English Heritage had refused a further request from Mr. Greaves for the listing of Cow Mouth Farm, had recommended that it be considered for local listing and had confirmed that the listing description of 2009 accurately described the building. Local listing could be effective, depending on the resolve of the local authority involved;
- (i) in the opinion of Mr. Shepherd, the BBC4 Channel had recently broadcast an excellent television programme, on the growth of conservation law;

- (j) the Head of Planning was investigating reported activity at the former Jessop Hospital's Edwardian Wing and would investigate the condition of the paving on the periphery of Fargate, which had been lifted carelessly by various contractors;
- (k) English Heritage had been requested to consider listing Crosspool Manor. It was hoped that Moor View Farm would be retained; and
- (l) The Head of Planning would investigate the condition of Loxley Old Chapel and would consider whether urgent works should be carried out at the property.

(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

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**Report of:** Director of Development Services

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**Date:** 07/05/2013

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**Subject:** Applications under various acts/regulations

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**Author of Report:** John Williamson 2734218

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**Summary:**

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### Reasons for Recommendations

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

**Recommendations:**

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**Background Papers:**

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**Category of Report:** OPEN

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Application No.	Location	Page No.
13/00199/FUL	Curtilage Of Wadsley Lodge 1 Laird Road Sheffield S6 4BS	17



SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the West and North Planning and Highways Committee  
Date Of Meeting: 07/05/2013

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.

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Case Number	13/00199/FUL
Application Type	Full Planning Application
Proposal	Erection of a dwellinghouse
Location	Curtilage Of Wadsley Lodge 1 Laird Road Sheffield S6 4BS
Date Received	17/01/2013
Team	West and North
Applicant/Agent	Hooley Tratt Partnership Ltd
Recommendation	Refuse

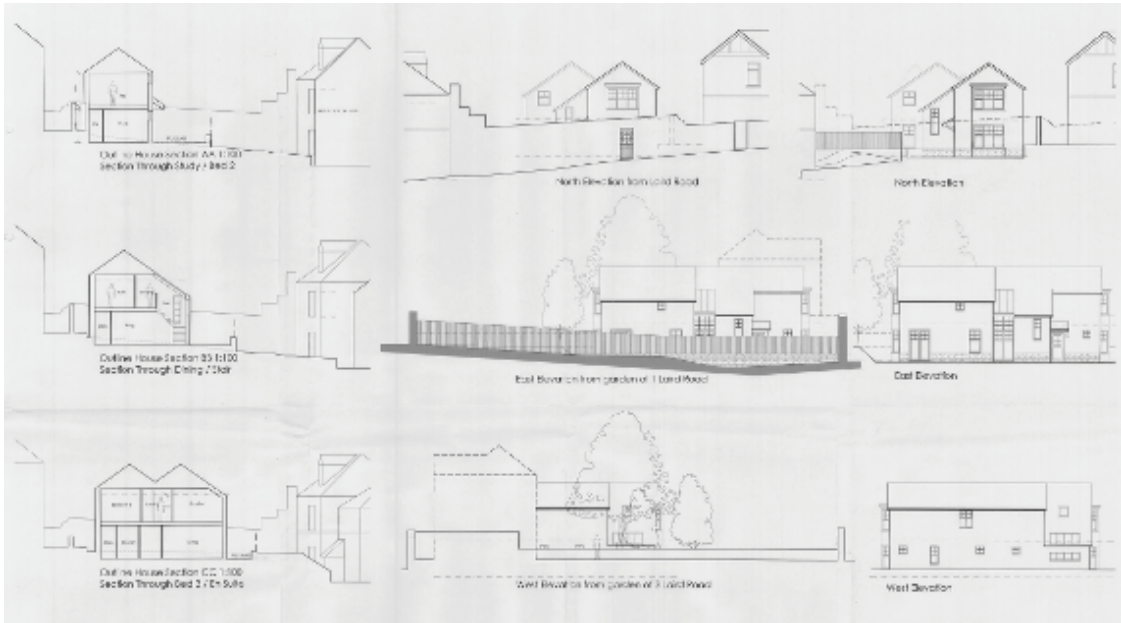
For the following reason(s):

- 1 The Local Planning Authority considers that the erection of the proposed dwellinghouse by reason of its scale and massing and facing materials gives rise to an unsatisfactory form of development that would be harmful to the character and appearance of the surrounding area and therefore contrary to the aims of Policies H14 and BE5 of the Unitary Development Plan and Policy CS74 of the Sheffield Core Strategy.

# Site Location



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**LOCATION AND PROPOSAL**

The application relates to part of the side garden curtilage of an attractive two and a half storey stone constructed detached dwellinghouse in Wadsley. The host dwellinghouse (No. 1 Laird Road) is situated on the southern side of Laird Road and is situated in a Housing Area and at one time was previously used as a small school.

The dwellinghouse has two road frontages, with Laird Road to the north and Wadsley Park Crescent to the south. To Laird Road is an attractive 3m high stone wall that encloses the site from this road. Vehicular access is taken from Wadsley Park Crescent through a set of double gates that leads into a hardstanding area for the parking of at least 2 vehicles. The property sits within a very generous and well landscaped garden curtilage of some 0.13 hectares. A number of trees are located within the site; these are located mainly to the site boundaries to the south, east and west. The property itself is an attractive Victorian 'villa type' dwellinghouse that is faced in coursed natural stone with a natural slate roof. It is sited towards its Laird Road frontage. The property has two key outlooks with its main habitable windows facing south and west.

The surrounding area contains a mix of dwelling types both in terms of its materials and design. To the west of the site and situated behind a high stone boundary wall is Nos. 3 and 3a Laird Road. This neighbouring property is two storeys in height (part render, part brick) and comprises a first floor obscured bathroom window within its gable elevation facing the site. This property is significantly screened from the application site by high stone walling and high dense landscaping and trees along its western boundary.

The application site is situated to the west of the host property and measures approximately 0.04 hectares. It is roughly rectangular in area (33m by 16m at its widest points) and stretches from Laird Road to Wadsley Park Crescent. The ground levels of the application site are approximately 1.5m higher than the siting of 1 Laird Road.

The applicant is seeking full planning permission to erect a 3-bedroomed two storey detached dwellinghouse on this site. The property would be effectively 'L' shaped in appearance consisting of two front and rear sections that would be offset to each other. It would be sited to the north west corner of the site towards its Laird Road frontage. Off-street parking for two vehicles would be provided to the rear of the site from Wadsley Park Crescent. A new opening would be created within the existing high stone boundary wall to Laird Road to allow pedestrian access onto this road. To accommodate the dwellinghouse, two outbuildings that are situated adjacent and that abut up against the high stone boundary wall to Laird Road would be demolished. A new boundary with low stone walling and timber close boarded fence would be erected to a maximum height of 1.8m to demarcate the boundary between the new dwellinghouse and 1 Laird Road.

#### RELEVANT PLANNING HISTORY

Planning permission was refused to erect a detached bungalow on this site in March 2003, under planning reference No. 04/00364/FUL. It was refused on two grounds, firstly that the proposed dwellinghouse would result in the significant loss of garden space to No. 1 Laird Road and would appear to be 'squeezed in' that would have an adverse impact upon the character of the locality, and secondly, that the proposed dwellinghouse would result in unacceptable overlooking of adjacent property and gardens as well as resulting in overlooking of the new dwellinghouse.



The decision of the Council to refuse the application was appealed against by the applicant, under appeal reference No. APP/J4423/A/04/1150958. The Planning Inspector considered that both the proposed dwelling and the existing house would have adequate garden space and did not agree with the Council that it would appear 'squeezed in'. The Inspector did however raise significant concerns with regard overlooking between the proposed dwellinghouse and the existing house. He considered that owing to the bungalow being sited close to the rear and side elevation of 1 Laird Road that comprises a number of windows, the erection of the bungalow would result in an unacceptable level of overlooking and loss of privacy between the two properties and dismissed the appeal.

## SUMMARY OF REPRESENTATIONS

The residents of both No. 3 and 3a Laird Road have raised an objection to the application for the following reasons:-

- The development will severely impact on traffic on Laird Road;
- Unless the dwellinghouse is constructed in matching materials as the existing property it will be out of keeping with the surrounding buildings;
- Noise disruption during the construction of the dwellinghouse;
- The stone boundary wall (western boundary) needs significant repair and;
- The foliage and trees have been left to overgrow resulting in no sunlight reaching the garden of the property.
- The reason the previous application was refused is still valid with the house being squeezed in and the lack of privacy.
- The development of a greenfield site and loss of open space;
- Loss of mature trees;
- Affect the integrity of the adjacent house's foundations

## PLANNING ASSESSMENT

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

- (i) The principle of development - Policy and Land Use;
- (ii) Highway Issues;
- (iii) Design Issues and its affect on the character and appearance of the surrounding area; and
- (iv) Impact on the amenity of any adjoining residential properties.

These are considered in turn below.

### (i) Principle of Development

The application site is situated in a Housing Area, where housing is the preferred use under Policy H10.

While the development would accord with Policy H10 of the UDP in terms of use, consideration should also be given to the development of a greenfield site, given that the application site currently forms part of the side garden of the existing house. The relevant policy position with regard the use of previously developed

land for new housing is Policy CS24. This policy states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that the development of greenfield sites may be acceptable on small sites within the existing urban areas and larger villages, where it can be justified on sustainability grounds.

With regard to this, the latest figures show that the Council is exceeding its target of achieving 88% of all development on previously developed land. The site is situated within Wadsley and close to Hillsborough that benefits from a range of shops, schools and good public transport service within walking distance of the site.

The erection of a single dwellinghouse on this site is therefore unlikely to prejudice or undermine the Council's targets for the development of previously developed land across the city, while its location close to shops and good public transport links can be justified on sustainability grounds.

The principle of erecting a single detached dwellinghouse is therefore accepted and would meet the terms of UDP Policy H10 and Core Strategy Policy CS24.

#### (ii) Highway Issues

It is not considered that the development raises any significant highway implications. The plans show that the proposed dwellinghouse would be provided with two off-street parking spaces that would be provided on a hardstanding adjacent to Wadsley Park Crescent. Access would be taken from this highway and involve removing part of the site's rear stone boundary wall. The existing dwellinghouse would continue to be provided with off-street parking for two vehicles. This level of parking is considered acceptable and unlikely to lead to any significant pressure for on street parking that would prejudice highway safety.

It is noted that to implement the proposed vehicular crossing onto Wadsley Park Avenue, a large highway tree is likely to require felling. This tree is not protected under a TPO. It is recommended therefore that along with the standard highway conditions, as a condition of planning approval, a condition is attached that secures a replacement tree at the expense of the applicant.

#### (iii) Design Issues and the Affect of the Development on the character and appearance of the surrounding area

UDP Policy H14 relates to conditions on development in Housing Areas. It details at Part (a) that new buildings and extensions are well designed and would be in scale and character with neighbouring buildings.

UDP Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style of surrounding buildings, the use of special

architectural treatment be given to corner sites and that designs should take advantage of the site's natural features.

Core Strategy Policy CS74 sets out the design principles that would be expected in all new developments. It details that high quality development respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods. At Part (c) it includes the townscape character of neighbourhoods with their associated scale, layout and built form, building styles and materials.

The proposed dwellinghouse would be erected adjacent to the respective side elevations of both No. 1 Laird Road and Nos. 3 and 3a and Laird Road with its principal outlook facing front (street) and back (garden). The main body of the dwellinghouse would be effective 'L' shaped in appearance and be designed with two separate two storey sections that are off-set from one another. The two sections would be linked by a side lean-to structure with extended roof. The roof slope of the rear two storey section of the dwellinghouse would comprise an extended roof slope that would extend over the south western and lower section of the dwellinghouse's gable wall. To each of the dwellinghouse's front and rear gable walls would be a full height square bay window. Features of the property's design include glazed screens along part of the lower section of the roof and walling of the lean-to section facing 1 Laird Road and at the south western section (roof section only), entrance canopy and timber eaves. It would be faced principally in white render above a natural stone base. The roof would be finished in slate.

The application as submitted improves upon the scheme that was submitted at pre-application stage with the retention of the high stone boundary wall and the dwellinghouse's revised siting to Laird Road particularly welcome. However, despite the amendments made to the scheme, concerns remain with the scale and massing of the proposed dwellinghouse, its predominant use of render for its external appearance and to a lesser extent the design that includes a plethora of roof pitches, gables and extrusions, which creates somewhat of a cluttered visual appearance.

It is accepted by officers that the application site (0.04 hectares) is large enough to accommodate a modest dwellinghouse without resulting in any significant harm to the character and appearance of the surrounding area. However, it is considered that the overall scale and massing of the dwellinghouse, particularly its rear two storey section is not appropriate to the context of the site. It is considered that the house would appear somewhat cramped on the site, particular when viewed alongside the much larger property to its east. The host property in officers' opinion merits a large setting and a measure of separation from the proposed house. While 1 Laird Road would still benefit from a large garden curtilage, and a separation distance of 12m would be maintained between the side elevation of the two properties, it is considered that the house would be effectively 'shoehorned' in the narrower section of the site. The appearance of the property would be exacerbated by the fact that it would be sited in very close proximity to the proposed new side boundary wall/fence, in parts only 1m away, and the site's higher ground levels (approximately 1.5m) to 1 Laird Road. Despite the high boundary treatment, the building would be clearly seen in context with the host property from both adjacent highways. Lowering the rear section to the house in

officers' opinion would significantly reduce the overall massing of the building and allow the building to sit more comfortably on site and form a more subservient and sympathetic addition to the setting of the host property. This suggestion however was not accepted by the applicant.

It is also considered that the predominant use of render is inappropriate to its context given the facing materials of the host property (natural stone) and its close relationship to the host property. While it is accepted that 3 Laird Road is part rendered, the proposed house would be viewed more in context with 1 Laird Road than No 3 Laird Road owing to the high western boundary wall and planting along this boundary. Reference should therefore be taken from the host property in terms of the proposed material palette. The applicant has suggested that she would be prepared to consider using natural stone along its front elevation facing Laird Road, but in officers' opinion, this would only address how the property would be viewed from parts of this road and fails to account other key views of the property, namely from Wadsley Park Crescent.

For the reasons set out above, it is considered that the development is contrary to UDP Policies H14 (a) and Policy BE5 and Core Strategy CS74.

#### (iv) Residential Amenity Issues

It is considered that the properties most affected by the development are Nos. 3 and 3a Laird Road to the west of the site and the host property (1 Laird Road). All other neighbouring properties are adequately distanced and screened from the proposed dwellinghouse that any affect on their residential amenity as a result of the development in terms of overlooking and loss of outlook is likely to be minimal.

With regard Nos. 3 and 3a Laird Road, this building has a first floor window within its gable wall facing the application. This window is understood to serve a bathroom of the property and is obscured glazed. Also, with exception to a secondary ground floor kitchen window, the proposed dwellinghouse would have no other windows that serve habitable rooms along its western elevation facing this neighbouring property and rear garden. The western boundary also benefits from a high stone boundary wall and dense shrubbery along its boundary.

The applicant has also demonstrated that the proposed development would comply with the 45 degree rule in that the furthest part of the furthest part of the dwellinghouse (2 storey rear section) would not project out further than the distance from the 1st floor window of the adjacent property to the furthest part of the rear section.

Any affect on these two western neighbouring properties' residential amenity would therefore be minimal.

With regard 1 Laird Road, while this neighbouring property has a number of ground and first windows within its side elevation and includes a side dormer window that serve main and habitable rooms of the house, it is not considered that the erection of the proposed house would result in any significant loss of outlook or overlooking to the detriment of this property. To avoid any significant loss of privacy between

properties, the internal layout of the house has been arranged to avoid main rooms of the house being primarily lit by windows along its side (eastern) elevation. With exception to two secondary windows serving the living room and a third serving the study room (obscured glazed and non-opening), no other main windows of the house would be inserted within its side elevation facing 1 Laird Road. The applicant has also agreed to obscure the first floor side bedroom window to avoid overlooking of the rear garden of the proposed dwellinghouse. Subject to appropriate conditions being attached to any grant of planning, it is not considered that the development would result in any significant problems of overlooking between the two properties.

On the ground floor, the property has two ground floor side windows, one serving one of the property's three reception rooms and the other a kitchen. The kitchen window is also lit by a large window within its rear elevation. Of the property's three first floor side windows, two serve bedrooms and the other serves a stair/landing window. These bedrooms however are also lit by windows that have a south facing aspect, although it is noted that one of these is the secondary means of light and outlook into the bedroom and gains its main outlook and light from the window that faces west towards the application site. With regard to these windows, while it is noted that some main windows face onto the application site, a separation distance of approximately 12m would be maintained between the side elevation of the proposed house and these main side windows. This distance would accord with the guidance contained in SPG Designing House Extensions (Guideline 5) and subsequently should mean that the house would not appear overbearing or result in any significant loss of outlook to the detriment of this neighbouring property.

In terms of the attic bedroom, inspection of the cross section drawings show that views from the side dormer window that lights this room would be mainly taken across and above the property's roof. Owing to this, and that the distance between the dormer window and roof slope is approximately 14m should avoid any significant loss of outlook from this attic room.

#### Other Issues

It is noted that concerns have been raised by residents of the two neighbouring properties regarding the state of the western stone boundary wall, the loss of trees, noise and disruption during the course of the development and affect of the development on the foundations of the neighbouring property.

The issues raised in terms of the boundary wall and the affect of the development on neighbouring properties are not planning related and should be disregarded in terms of the merits of this application. The trees are not protected under a TPO and can be felled without the need to seek approval, while in terms of noise disturbance, given that the development is small scale and situated by a high stone boundary wall, any affect on these neighbouring properties' amenity is unlikely to be significant that would require special protection measures during its construction.

#### SUMMARY AND RECOMMENDATION

Full planning permission is being sought to erect a two storey detached house within part of the side garden curtilage of an attractive two and half storey detached house that is situated on the southern side of Laird Road in Wadsley.

The principle of erecting a house on this site is considered to be acceptable and is unlikely to prejudice or undermine the Council's targets for the development of previously developed land across the city. It is considered that subject to careful design and siting, the erection of a modest dwellinghouse can be accommodated without harming the noted character and appearance of the existing property or the visual amenity of the surrounding area. However, serious concerns are raised with regard to the scale and massing of the proposed dwellinghouse and its predominant use of render for its external appearance. It is considered that the proposed development is not appropriate to the context of the site and would detract from the overall character of the immediate vicinity of the site.

The proposed parking and access arrangements are considered acceptable and can be adequately secured by condition.

It is considered that the development would not result in the residential amenity of neighbouring properties to be significantly affected. Although the host property comprises a number of windows along its side facing the application site, the siting of the dwellinghouse to this host property (approximately 12m) and the fact that this property has open aspect windows within its rear elevation should avoid this neighbouring property to be subject to any significant loss of amenity from a loss of privacy or loss of outlook.

For the reasons given above and having regard to all other matters raised, it is considered that the development fails to accord with UDP Policies H14 (a) and BE5 and Core Strategy CS74 and is recommended for refusal.



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

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**Report of:** Director of Development Services

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**Date:** 7 May 2013

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Claire Woods 0114 2734219

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**Summary:**

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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO WEST AND NORTH  
PLANNING AND HIGHWAYS  
COMMITTEE  
7 May 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 Delegated decision of the Council to refuse planning permission for a two storey side extension at 36 Briers House Lane (Case No13/00319/FUL ).

### 3.0 RECOMMENDATIONS

That the report be noted.

David Caulfield  
Head of Planning

7 May 2013

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