

West and North Planning and Highways Committee

Tuesday 19 June 2012 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillors Peter Rippon (Chair), Talib Hussain, Garry Weatherall, Joyce Wright, Trevor Bagshaw, Bob McCann, Katie Condliffe and Richard Crowther

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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

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

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

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

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

FACILITIES

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

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

**WEST AND NORTH PLANNING AND HIGHWAYS COMMITTEE AGENDA
19 JUNE 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence from Members of the Committee**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**
Minutes of the meeting of the Committee held on 29 May 2012
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations**
Report of the Director of Development Services
- 8. Record of Planning Appeal Submissions and Decisions**
Report of the Director of Development Services

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

You will have a **personal interest** in a matter if it relates to an interest that you have already registered on the Register of Interests; relates to an interest that should be registered but you have not yet done so; or affects your well-being or financial position or that of members of your family or your close associates, to a greater extent than it would affect the majority of people in the ward affected by the decision.

The definition of family is very wide and includes a partner, step-relations, and in-laws. A "close associate" is someone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

If you have a personal interest you must: declare the existence and nature of the interest at the beginning of the meeting, before it is discussed or as soon as it becomes apparent to you; but you can remain in the meeting, speak and vote on the matter unless the personal interest is also prejudicial.

However, in certain circumstances you may have an **exemption** which means that you might not have to declare your interest.

- You will have an exemption where your interest arises solely from your membership of or position of control/management in a body to which you have been appointed or nominated by the authority; and/or a body exercising functions of a public nature (e.g. another local authority).

In these exceptional cases, provided that you do not have a **prejudicial interest** you only need to declare your interest if you intend to speak on the matter.

- You will have an exemption if your personal interest is simply having received a gift or hospitality over £25 which you registered more than 3 years ago.

When will a personal interest also be prejudicial?

Your personal interest will also be prejudicial if a member of the public who knows the relevant facts would reasonably think the personal interest is so significant that it is likely to prejudice your judgement of the public interest; and

- i. either the matter affects your financial position or the financial position of any person or body through whom you have a personal interest. For example, an application for grant funding to a body on your register of interests or a contract between the authority and that body; or
- ii. the matter relates to the determining of any approval, consent, licence, permission or registration that affects you or any relevant person or body with which you have a personal interest. For example, considering a planning or licensing application made by you or a body on your register of interests.

Exemptions: You will not have a prejudicial interest if the matter relates to:

- i. the Council's housing functions – if you hold a lease or tenancy with the Council, provided that the matter under consideration is not your own lease or tenancy;
- ii. school meals, transport or travel expenses – if you are the parent or guardian of a child of school age, provided that the matter under consideration is not the school the child attends;
- iii. statutory sick pay;
- iv. Members' allowances;
- v. ceremonial honours for Members; or
- vi. setting the Council Tax.

If you have a prejudicial interest, you must:

- (a) Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- (b) Leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter. If that is the case, you can also attend to make representations, give evidence or answer questions about the matter.

- (c) Once you have finished making representations, answering questions etc., you must leave the room. You cannot stay in the room whilst the matter is being discussed neither can you remain in the public gallery to observe the vote on the matter. In addition, you must not seek to improperly influence a decision about the matter.

FURTHER INFORMATION

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

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

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Agenda Item 5

WEST AND NORTH PLANNING AND HIGHWAYS COMMITTEE

Meeting held Tuesday 29th May 2012

PRESENT: Councillors Peter Rippon (Chair), Trevor Bagshaw, Richard Crowther, Talib Hussain, Bob McCann, Garry Weatherall and Joyce Wright

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1. **WELCOME AND HOUSEKEEPING ARRANGEMENTS**

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

2. **EXCLUSION OF PRESS AND PUBLIC**

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

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

3.1 An apology for absence was received from Councillor Katie Condliffe and Councillor Roger Davison attended the meeting as the duly appointed substitute.

4. **DECLARATIONS OF INTEREST**

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

5.0 **APPOINTMENT OF DEPUTY CHAIR**

5.1 **RESOLVED:** That Councillor Garry Weatherall be appointed Deputy Chair of the Committee for the 2012/13 Municipal Year.

6. **MINUTES OF LAST MEETING**

6.1 The minutes of the meetings of the Committee held on 8th May and 16th May 2012 were approved as correct records.

7. **SITE VISIT**

7.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 19th June 2012 at 10.00 am in connection with any planning applications requiring a site visit by Members prior to the next meeting of the Committee.

8. **APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

8.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report submitted to this Committee for this date in respect of Case Nos. 12/00898/OUT (12 Penistone Road), 12/00803/FUL (246 Main Road) and 12/00674/FUL (New Hall Farm) and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose; and

(b) in connection with the decision to grant an application for planning permission for the use of land as a tyre fitting, storage and car wash site, siting of two portable cabins and erection of a steel constructed building for the storage of tyres on the car park at the site of 490 Barnsley Road (Case No. 12/00134/FUL), amendments be made to (i) Condition 4 to require the collection and removal of silt on site, in connection with the measures to prevent surface water spilling onto the public highway and (ii) Condition 6 to ensure the appearance of the temporary buildings is maintained whilst on site.

9. **RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS**

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

Agenda Item 7

Application No.	Location	Page No.
12/01138/FUL	Harpams of High Green 39 Wortley Road High Green Sheffield S35 4LQ	5
12/00695/FUL (Formerly PP-01744463)	Land Between 522 and Wood Hill Grange Care Home 526 Grimesthorpe Road Sheffield	17

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REPORT TO WEST AND NORTH PLANNING AND
HIGHWAYS COMMITTEE

DATE 19/06/2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES ITEM

SUBJECT APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

SUMMARY

RECOMMENDATIONS

SEE RECOMMENDATIONS HEREIN

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

FINANCIAL IMPLICATIONS N/A

PARAGRAPHS

CLEARED BY

BACKGROUND PAPERS

CONTACT POINT FOR
ACCESS

Kate Mansell

TEL
NO:

0114 2736141

AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

Application No.	Location	Page No.
12/01138/FUL	Harpams Of High Green 39 Wortley Road High Green Sheffield S35 4LQ	5
12/00695/FUL (Formerly PP-01744463)	Land Between 522 And Wood Hill Grange Care Home 526 Grimesthorpe Road Sheffield	17

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To The NORTH & WEST Planning And Highways Committee
Date Of Meeting: 19/06/2012

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

Case Number	12/01138/FUL
Application Type	Full Planning Application
Proposal	Conversion of shop (Class A1) to a two bedroomed ground floor flat, demolition of front and side extensions and erection of new front elevation and boundary wall (as amended plans dated 7 June 2012)
Location	Harpams Of High Green 39 Wortley Road High Green Sheffield S35 4LQ
Date Received	10/04/2012
Team	NORTH & WEST
Applicant/Agent	Mr P Harpham
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:

Plan Nos. 01G and 02G dated 7 June 2012

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

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

In order to ensure an appropriate quality of development.

- 4 The apartment shall not be occupied unless details of shared private amenity space have been submitted to and approved in writing by the Local Planning Authority, and implemented, within the rear garden area of No. 39 Wortley Road. Such provision shall take account of approvals for apartments in the other two storeys of No. 39 Wortley Road and the approved amenity space shall thereafter be retained.

In the interests of the amenities of the future occupiers of the building.

- 5 The apartment shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

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:

H5 - Flats, Bed-sitters and Shared Housing

H10 - Development in Housing Areas

H14 - Conditions on Development in Housing Areas

BE15 - Areas and Buildings of Special Architectural and Historic Interest

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

BE18 - Development in Areas of Special Character

The proposal for a change of use of a ground floor shop to a two bedroom apartment will result in an extra residential unit, within a building that currently has residential use on two floors and benefits from approval for conversion of that unit to two and four apartments, the latter not now capable of being implemented in the form that was approved. Thus this proposal could potentially result in up to five apartments being accommodated in the building, subject to the submission of an acceptable

amended four apartment scheme. The change of use is acceptable in principle as the site is within a Housing Policy Area and the design of the apartment is such that the amenities of occupiers of the apartment and surrounding housing are not adversely affected. Adequate amenity space will be provided for up to five apartments.

Improvements to the front of Millcorn House will result from the demolition of a projecting shop front and the reinstatement of the front elevation of the building with materials and windows that complement the existing frontage. The proposal thus accords with Policies H5, H10, H14, BE15, BE17 and BE18 of the Unitary Development

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.

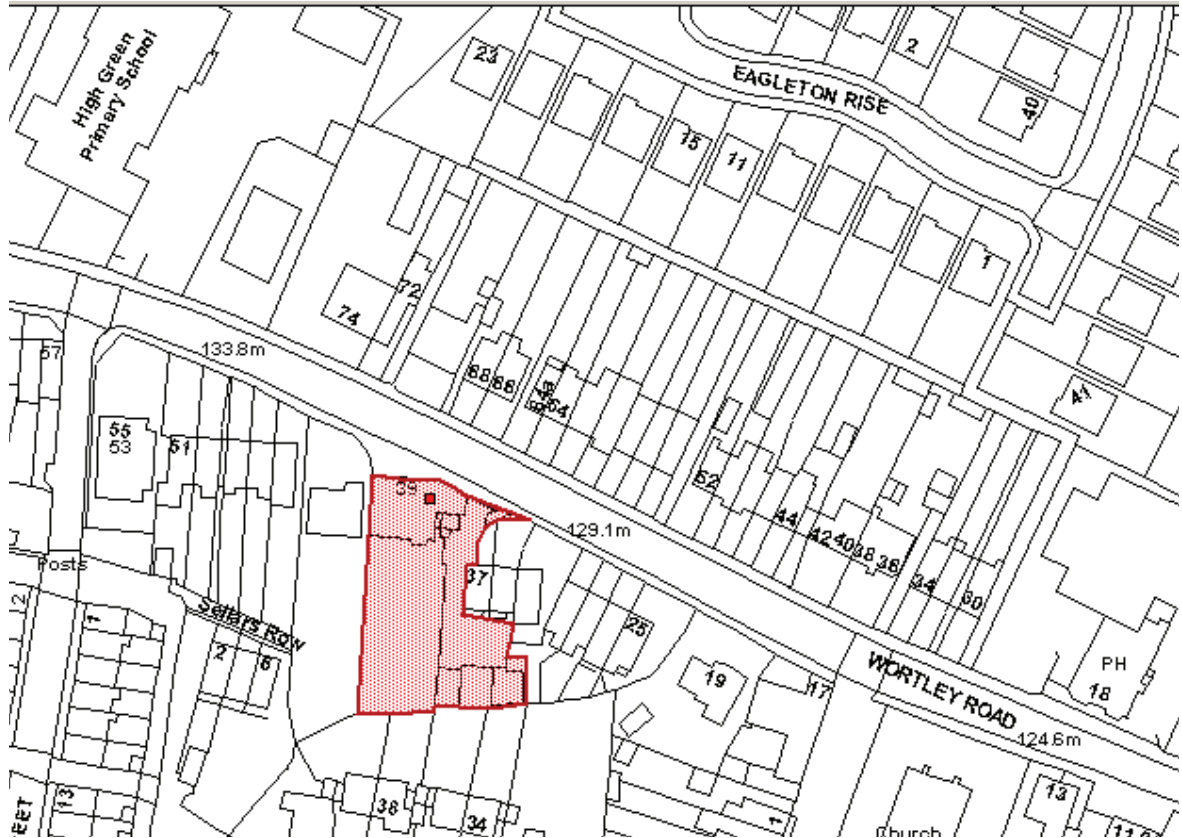
Attention is drawn to the following directives:

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. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.
3. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £85 or £25 if it relates to a condition on a householder application for development.

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

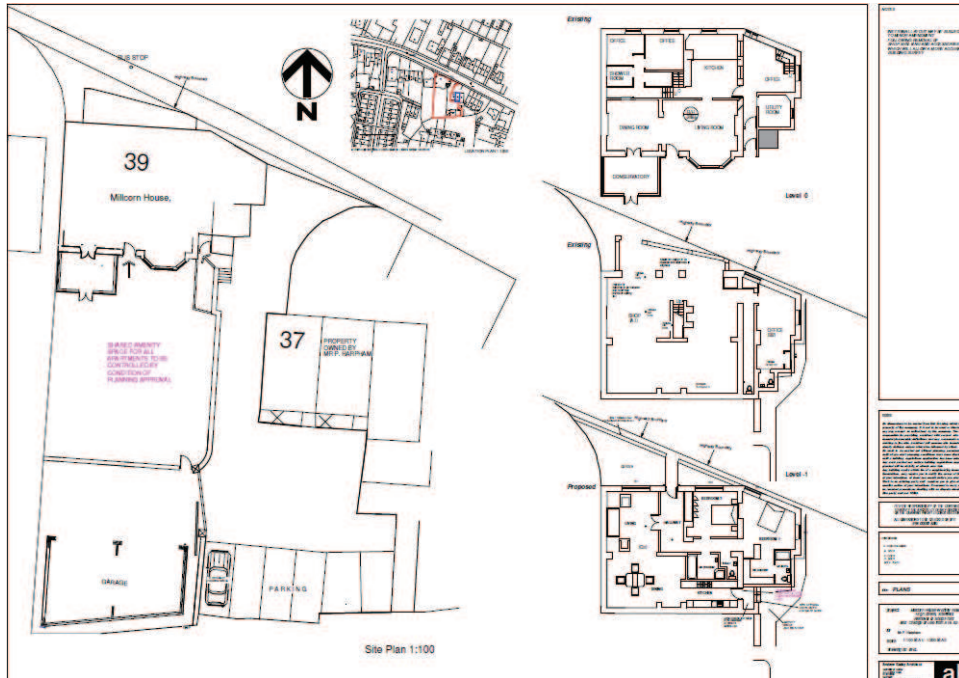
4. The applicant is advised that the site includes two previous approvals for apartment development on the site (reference numbers 09/03684/FUL and 10/01249/FUL), and a residential unit already exists on the site. Such units must be taken into account if this approval for an extra apartment is implemented, particularly in respect to private amenity space. The applicant should also be aware that application reference no 09/03684/FUL cannot be implemented as per the approved plans as the parking provision has been changed by development approved by application reference no 10/01002/FUL. Thus an amended application would need to be submitted to amend the approved plans for the four apartment scheme on the site.

Site Location



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INTRODUCTION

This application is a further application for residential development within 39 Wortley Road to be considered by this Committee. There have been a number of previous applications relating to this site, which are listed below.

LOCATION AND PROPOSAL

The site consists of a three storey detached stone-clad building fronting Wortley Road, which is known as Millcorn House. It has a three storey extension in stone and render to its eastern elevation. As land rises to the south, the building is two storeys to the rear. Several uses are accommodated within the building. On the ground floor is a small convenience store with ancillary office space. The upper two floors contain more offices and residential accommodation. On the rear of the building is a conservatory and large bay window, which are positioned either side of the entrance to the residential area. The rear garden is large extending to approximately 15 metres in depth and relatively level, but set approximately 0.5 metre below the back of the building. In the rear section of the garden is a large stone clad garage with a pitched roof. Around the garden is a boundary wall/fence that is approximately 2 metres high.

Access to the rear of the site is via a driveway which rises steeply by approximately 2 metres from Wortley Road, bringing it up to the level of the rear garden. This access way serves a parking area and the garage built in the rear garden of the site and provides pedestrian, and in part vehicular, access to a group of two terraces of cottages to the east of the site at 37-33 and 31-25 Wortley Road.

The surrounding area is predominantly residential in nature with houses at a lower level to the south and the site is adjacent to the rear garden of 41 Wortley Road to the west.

This application seeks to convert the ground floor shop to residential use to create a self contained two bedroom flat with a combined living/dining and kitchen area. The existing forward projecting shop front will be demolished and the windows reinstated on the original elevation of the building. To the side of the demolished shop front is a former doorway, which will be replaced by a window. A new low boundary wall and railings are proposed to enclose the cleared shop front area.

RELEVANT PLANNING HISTORY

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

10/01249/FUL: Alterations to building to form two apartments.
Approved by the Planning Committee of 29 June 2010.
This application relates to the top two floors of the building.

10/01002/FUL: Provision of parking spaces for shop and offices and erection of a garage to serve apartments.
Approved by the Planning Committee of 29 June 2010.

09/03648/FUL: Alterations to first and second floors to form 4 apartments and associated car parking accommodation (Re-submission of 09/01938/FUL, which was withdrawn)
Approved by the Planning Committee of 24 February 2010

This planning application cannot be implemented as approved as the parking provision as proposed within this application has been amended by the subsequent application 10/01002/FUL such that were this application to be implemented, a revised parking arrangement would need to be agreed by means of a material amendment application.

09/03600/OUT: Erection of a dwellinghouse (resubmission of application 09/01937/OUT).
Refused on 3 February 2010.

09/00034/WR; Use of shop as shop with offices (Use Class B1 Business) with associated car parking accommodation. Appeal upheld 29.09.09 by the Inspector following the refusal of planning application 08/05994/CHU, by the Area Board of 8th April 2008. The application was refused as it was considered that the use of the area of car parking (for 8 cars) would result in a loss of privacy to residents of neighbouring properties, that the access would be hazardous for both vehicles and pedestrians and the proposal would be out of scale and character with the surrounding residential area.

09/01938/FUL: Alterations to first and second floors to form 4 apartments and associated car parking accommodation.
Withdrawn on 09.09.2009.

09/01937/OUT: Erection of a dwelling house
Withdrawn on 09.09.2009.

SUMMARY OF REPRESENTATIONS

One email has been received raising the following concerns about the proposal:

- Development work previously undertaken on the site took place early in the morning and in the late evening and the access way to the rear of the site and access to other properties was blocked.

The other issues raised were not planning matters.

Ecclesfield Parish Council noted the above comments and requested that, due to the previous and contentious planning applications at this property, the application should be determined by Committee.

PLANNING ASSESSMENT

Policy Issues

The proposal site is located in a Housing Area in the Unitary Development Plan and, as such, the development is subject to Unitary Development Plan Policies H5 - Flats, Bedsitters and Shared Housing, H10 'Development in Housing Areas' and H14 'Conditions on Development in Housing Areas'. It is also located in a Housing Area in the Sheffield Development Framework Draft Proposals Map.

Policy H5 sets out that planning permission will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if:

- a concentration of these uses would not cause serious nuisance to existing residents;
- living conditions would be satisfactory for occupants of the accommodation and their immediate neighbours;
- There would be appropriate of-street car parking for the needs of people living there.

H10 states that housing is the preferred use in Housing Areas

H14 states that in Housing Areas, new development or change of use will be permitted provided that:

- a) new buildings and extensions are well designed and would be in scale and character with neighbouring buildings; and
- c) 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; and
- d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians;

The site is also located in an Area of Special Character and is subject to Unitary Development Plan Policies BE15 'Areas and Buildings of Special Architectural or Historic Interest', BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' and BE18 'Development in Areas of Special Character'. These state the following:

BE15 'Buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.'

BE17 'In Conservation Areas and Areas of Special Character a high standard of design using traditional materials and a sensitive and flexible approach to layouts of buildings and roads will be expected for:

- a) new buildings, walls, roads and footpaths;
- b) alterations and extensions to existing buildings;
and encouraged for:
- c) repairs to buildings, walls, roads and footpaths'

BE18 'In Areas of Special Character the following will be expected:

- a) the submission of planning applications which provide enough information to enable an assessment to be made of the impact of the development on the Area; and
- b) the retention of buildings, walls, trees, open spaces and other features that contribute to the character of the Area; and
- c) new development which respects the appearance and character of the Area'

The proposed change of the ground floor shop to residential use to create a two-bedroom flat is acceptable in principle as it accords with Policy H10 of the Unitary Development Plan, which identifies housing as the preferred use within a Housing Policy Area.

It is the case that an increase in the number of residential units within Millcorn House has already been established by previous planning approvals 09/03638/FUL and 10/01249/FUL for 4 and 2 apartments respectively, in the top two floors of the building. Both applications are still live and the latter one could be implemented in tandem with this proposal. The earlier application for four flats could also be implemented albeit that it would require the submission of an amended application as the approved parking provision has been superseded by the later approval for a garage on the site (10/01002/FUL).

Accordingly, it is acknowledged that in addition to the two-bedroom flat proposed as part of this application, up to 5 apartments could potentially be located in the building. Given that approval has already been given for four apartments to be created in the two floors above the shop and given that the proposed ground floor apartment provides a generous two-bedroom apartment, it is considered that the building is of such a size that it can adequately accommodate five apartments in

this case without creating a concentration of uses that would cause serious nuisance to existing residents, in accordance with Policy H5. The proposal would thus not be overdevelopment. Other issues such as amenities of residents and parking are dealt with in other sections of this report below.

The loss of a shop is not considered to contravene Unitary Development Plan Policies as it is not located within a Local Shopping Area and other convenience stores are located within close proximity to the site.

It is therefore considered that the proposed change of use of the ground floor to residential use accords in principle with Policies H5, H10 and H14 of the Unitary Development Plan.

Design Issues

The main elevation of the proposed apartment fronts on to Wortley Road. There is currently a shop front, projecting forward of the first and second floor elevations, which is out of character with the building and will be demolished as part of this application. Amendments to the front elevation will also create two large windows with stone cills and heads with surrounding walls of coursed stone to match existing facing materials. A new entrance door is framed with stone or wooden surrounds of a design sympathetic with the style of a late Georgian house and set between the two new windows. The area of the demolished shop front is to be enclosed by a low boundary wall of coursed stone and railings.

Changes to the front elevation are intended to restore its character to that prior to the erection of the shop front extension. These changes, including the use of stonework to match the existing elevation and the new windows, are considered to enhance the character and appearance of Millcorn House and thus not to adversely affect its setting or the Area of Special Character. In this respect it accords with Policies BE5, BE15, BE17, BE18 and H14(a) of the Unitary Development Plan.

Amenity Issues

Due to changes in levels, the current ground floor to the front of the building is set below the rear garden area of Millcorn House, which is in line with the rear first floor level. Thus, the proposed apartment will only have aspects to the highway and to the access road to the east of the site. However, the new large windows to the front elevation will provide light into the living/dining area and to bedroom two. Natural light to the kitchen is provided by a glazed door on the side elevation of the building. Bedroom one will have two windows - one created by the replacement of a former doorway and the other an existing window. Overall, it is considered that the amount of natural light entering the apartment is sufficient.

In terms of privacy for occupants of the apartment, the large front windows are set back from the highway and the new boundary wall will create defensible space. This is particularly important as a bus stop is located by Millcorn House.

As submitted, the proposal included a small area of private amenity space outside the kitchen door, which also included a bin store. Such a small area was not considered to be adequate for the size of apartment proposed. An amended plan has therefore been submitted to indicate that the large garden to the rear of Millcorn House is to be utilised to provide better facilities for occupiers of all the apartments. Thus, the rear garden area would also provide amenity space for the other previously approved apartment schemes, 09/03648/FUL and 10/01249/FUL. As submitted, these approvals included division of the garden for each apartment but if this application is to be implemented in conjunction with either of these approvals, it is intended that the amenity space will be shared and a condition is proposed to ensure that such shared amenity space is provided.

Overall, it is concluded that a new residential unit in the location proposed will not result in any overlooking or over dominance of adjoining residential properties as it is at a lower level and forward of them such that there is no detriment to the amenity of existing adjoining occupiers.

The above details thus accord with Policy H14 (c) of the Unitary Development Plan.

Highways Issues

Approval has previously been granted for a garage and parking spaces for 8 cars, (10/01002/FUL), which has been constructed. Such provision will be adequate to meet any combination of residential units including the current proposal that may be implemented such that sufficient off-street car parking and safe access to the highway network can be provided in accordance with Policy H14.

RESPONSE TO REPRESENTATIONS

The hours of operation when building work takes place can be controlled by Environmental Health legislation and a directive giving details of hours of operation will be included in the approval notice. The concern regarding the blocking of a private access way is not a planning matter.

SUMMARY AND RECOMMENDATION

The proposal for a change of use of a ground floor shop to a two bedroom apartment will result in an extra residential unit within a building that currently has residential use on two floors and benefits from approval for the conversion of the upper floors into either two or four apartments. Thus, this proposal could potentially result in up to five apartments being accommodated in the building in total.

The change of use is acceptable in principle as the site is within a Housing Policy Area where housing is preferred and the design of the apartment is such that the amenities of occupiers of the apartment and surrounding housing are not adversely affected. Adequate amenity space and off-street parking will be provided for this application and up to five apartments overall if required.

Improvements to the front of Millcorn House will result from the demolition of a projecting shop front and the reinstatement of the front elevation of the building with materials and windows that complement the existing frontage. The proposal thus accords with Policies BE5, H10, H14, BE15, BE17 and BE18 of the Unitary Development Plan.

It is therefore concluded that the proposed development accords with up-to-date planning policy and it is therefore recommended that the application be approved subject to conditions.

Case Number 12/00695/FUL (Formerly PP-01744463)

Application Type Full Planning Application

Proposal Erection of 2 residential care homes with associated landscaping works, access, car parking accommodation and storage facilities (as amended plans received 22nd and 31st May 2012)

Location Land Between 522 And Wood Hill Grange Care Home
526
Grimesthorpe Road
Sheffield

Date Received 13/03/2012

Team NORTH & WEST

Applicant/Agent Michael Edgar

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;

370-007-1000 Rev C, 370-007-1001 Rev C, 370-007-1001 Rev B, 370-007-1003 Rev B 370-007-1004 Rev B, 370-007-1005 Rev B, 370-007-1006 Rev B, 370-007-1007 Rev B, 370-007-1008 Rev B, 370-007-1012, 370-007-1013 Rev B, 370-007-1014 Rev A and WRD29 and WRD30 received 14th March 2012

370-005-1002 Rev G, 370-005-1004 Rev F, 370-005-1003 Rev G, 370-005-1005 Rev H, 370-005-1006 Rev F, 370-005-1007 Rev F, 370-005-1008 Rev F, 370-005-1014 Rev F, 370-005-1009 Rev G, 370-005-1012 Rev F, 370-005-1013 Rev G received 14th March

WHH133, WHH130, WHH132 received 25th May 2012 and WWH 137a (Page 1 of 2)received 31st May 2012

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

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

In order to ensure an appropriate quality of development.

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

Windows
Window reveals
Doors
Entrance Canopy
Details of boundary walls and gates

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

In order to ensure an appropriate quality of development.

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

In the interests of the visual amenities of the locality.

- 6 Before any development commences on site, full details of the following shall be 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) A construction method statement;
- (ii) Details of any temporary site access for construction traffic;
- (iii) The location of any site compound and temporary car parking arrangements for contactors;
- (iv) A map to detail haulage routes for contractors accessing the site, which should be restricted to Petre Street, Botham Street and Grimesthorpe Road for all construction related traffic and details of measures to ensure that construction traffic utilise the above routes only;
- (v) Any times when construction works and the movement of construction traffic will be restricted.

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

- 7 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.

- 8 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.

- 9 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.

- 10 Before any work commences on site, a dilapidation survey of the highway adjoining the site shall be jointly undertaken with the Council, the results of which shall be submitted to and approved by the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority prior to the first occupation of the development or in accordance with an alternative timescale to be approved.

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

- 11 The care homes hereby approved 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 use of the care homes commencing, and shall thereafter be retained.

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

- 12 The care homes shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

- 13 Before the development is commenced, full details of any reprofiling works to the rear of the existing highway retaining structure flanking Grimesthorpe Road shall have been submitted to and approved in writing by the LPA (to include materials, method of compaction etc). The public highway shall be supported for the duration of construction works & thereafter. The works shall be completed only in accordance with the approved details.

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

- 14 Notwithstanding the submitted plans, the development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which shall have been entered into which will secure the construction of a two metre wide footway along the Grimesthorpe Road frontage of the site, which shall be implemented before the development is brought into use (including any accommodation works to existing traffic calming features and highway drainage). The detailed materials specification shall also have first been approved in writing by the Local Planning Authority and implemented in accordance with the approved details thereafter.

In the interests of pedestrian safety.

- 15 Notwithstanding the submitted plans, the development shall not be begun until full details of the recycling and waste management strategy have been submitted to and approved in writing by the Local Planning Authority, and they shall thereafter be operated. Any subsequent changes to the strategy shall first have been approved in writing by the Local Planning Authority.

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

- 16 Prior to the development becoming occupied, a car park management strategy (looking at the allocation of spaces for staff and visitors) shall have been submitted to and approved in writing by the local Planning Authority and thereafter operated. Any subsequent changes to the strategy shall first have been approved in writing by the Local Planning Authority.

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

- 17 Prior to being provided, full details shall have been submitted to and approved in writing by the Local Planning Authority of any gates/barriers to the basement car park (including location and type of mechanism/operation). Gates/barriers shall only be approved in accordance with the above-mentioned approved details

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

- 18 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.

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

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield and PPG13.

- 20 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 completed development being obtained from decentralised and renewable or low carbon energy.

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

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

- 21 The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' 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.

Attention is drawn to the following justifications:

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

BE5 - Building Design and Siting
BE6 - Landscape Design
H7 - Mobility Housing
H8 - Housing for People in Need of Care
H10 - Development in Housing Areas
H14 - Conditions on Development in Housing Areas
GE13 - Areas of Natural History Interest and Local Nature Sites
CS25 - Priorities for Releasing Land for New Housing
CS26 - Efficient Use of Housing Land and Accessibility
CS74 - Design Principles
CS64 - Climate Change, Resources and Sustainable Design of Developments
CS65 - Renewable Energy and Carbon Reduction

Guidance within the National Planning Policy Framework.

The proposed development of two care homes for the elderly on land which already benefits from extant planning permission for residential development is considered to represent development of a sufficiently residential character to ensure that it is appropriate to the Housing Area and will not cause disturbance to people living there. It is also considered acceptable with regard to its scale, design and appearance, taking into account the adjoining and existing Wood Hill Grange development. In all other respects, it is considered that the development complies with the relevant policies and proposals in the development plan, and would not give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at www.sheffield.gov.uk/planningonline or by calling the Planning Help Line at (0114) 273 4215.

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. The Council is responsible for allocating house numbers and road names to both new developments and conversions of existing buildings. Developers must therefore contact the Council's Street Naming and Numbering Officer on (0114) 2736127 to obtain official addresses for their properties as soon as construction works commence.
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.

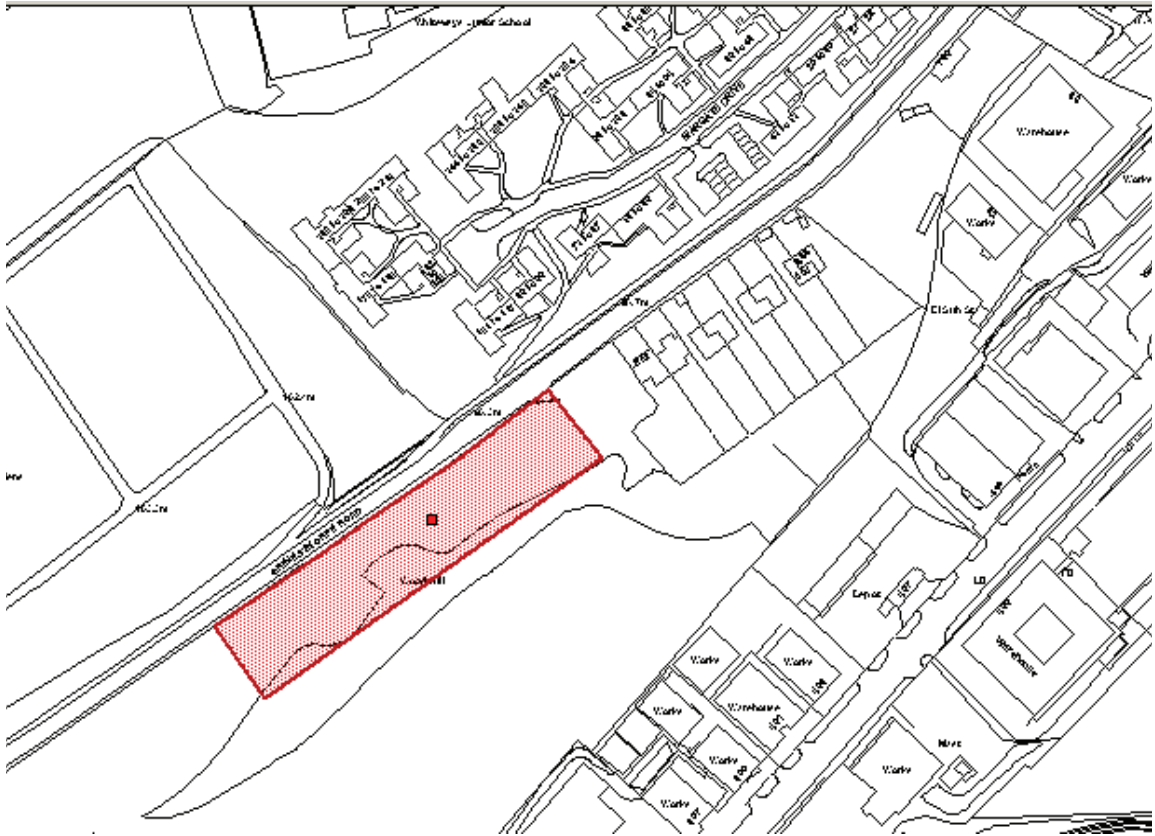
If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

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

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

7. The proposed development will have implications for the existing retaining structure supporting Grimesthorpe Road. You are advised under Section 167 of the Highways Act to contact Mr T Basford, 0114 273 5843, Bridge Management, Street Force, in order to secure the necessary approvals.
8. The applicant is advised to contact Mark Simons as soon as possible (SCC Highways Development Control, 0114 273 6369) to discuss the new footway provision along Grimesthorpe Road.

Site Location



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LOCATION AND PROPOSAL

This application relates to a plot of land between 522 Grimesthorpe Road and the Wood Hill Grange Care Home at 526 Grimesthorpe Road. The application site already benefits from planning permission for the construction of 63 apartments as part of application 08/01989/REM (Land at 1-63 Wood Hill House Apartments) and also 11 family dwellings as part of planning permission 08/01999/REM, which in its entirety, related to the construction of 24 dwellings.

The site is situated on the southern side of Grimesthorpe Road and presently comprises 0.047 hectares of land that has been cleared pending re-development. To the east, the site is adjoined by the existing Wood Hill Grange Care Home, which is also run by the applicant. This care home provides 70 beds and is specifically designed for people living with dementia.

To Grimesthorpe Road, the building appears as predominantly 3 storey with additional accommodation within the roof space with the provision of dormer windows and two front gables. From the rear, the building has the appearance of an additional floor due to the level difference between the front and rear of the site and the lower ground parking area. To the rear of the site is an area of grassland and scrub (known locally as Wood Hill, Smith's or Smithies Field), which is relatively level and then drops away steeply to the grassland. To the rear, the site

has extensive views across the Lower Don Valley and is visible from a wide area. To the west, the application site is adjoined by land that benefits from planning permission for the construction of the remaining 13 of 24 dwellings approved in accordance with 08/01999/REM, which extend to four storeys although these have yet to be constructed. Opposite the site on Grimesthorpe Road are some landscaped gardens associated with the flats on Margate Drive, which sit two to three metres above the level of Grimethorpe Road and also an area of allotments.

This application proposes the construction of two new residential care homes for the elderly with particular care for those suffering with Alzheimer's and Dementia. The applicant has advised that immediately adjacent to Wood Hill Grange, they propose to construct Wood Hill House, which will accommodate 82 bedrooms and adjacent to that will be Wood Hill Grange, which will provide a further 84 bedrooms to create a total provision of 166 bedrooms. Each floor of accommodation is provided with a Nurses station, two dining and communal lounge rooms, a multi-use activity room and bathrooms. At the ground floor, there is also an entrance level reception with a further staff room, laundry room and medical room within the basement.

The layout of each care home reflects that of Wood Hill Grange such that the developments provide a consistent building line and boundary treatment to Grimesthorpe Road, the latter comprising a boundary wall and landscaping to the front forecourt. The scale of development is also reflective of Wood Hill Grange with both new care homes extending to four storeys to Grimesthorpe Road with the top floor of accommodation provided within the roof space utilizing dormer windows. As per the design of Wood Hill Grange, each of the new care homes also present front gable features to Grimesthorpe Road. To the rear elevation, the change in land level enables basement accommodation, thereby giving a five-storey appearance when viewed over Smiths Field. The treatment of the external facades has been designed to utilize predominantly red brick with stone heads and cills to the windows. The main entrance to each care home and the main circulation space is centrally located within the block and is distinguished with full height glazing from ground level to just below the ridge level.

Landscaped areas are proposed to the front and rear of the buildings. The applicants state the landscaping focuses on sensory aspects for Alzheimer's and Dementia sufferers in order to enhance their quality of life and provide them with an interactive amenity space, which is both functional and visually attractive. In addition, a sensory garden is proposed at roof level.

Car parking for staff and visitors will be available in the underground car park within each block where 16 car parking spaces are provided. The basement parking is accessed via a single driveway from Grimesthorpe Road leading to the rear of each of the care homes in a similar arrangement to that at Wood Hill Grange.

The applicant has advised that the management of the facilities will replicate the operation at Wood Hill Grange, which is presently fully occupied and over-subscribed. The visiting hours will generally be 0900-2000 daily.

The applicant advises that the care homes will provide a specialist facility for sufferers of Alzheimer's and Dementia within a well designed and user friendly care home which offers a high quality of environment for both occupants and employees.

Finally, it is noted that the application site lies within a Housing Market Renewal Area.

RELEVANT PLANNING HISTORY

There is an extensive planning history relating to the application site, which forms part of a wider development site as detailed below:

03/02263/OUT: Residential Development
Refused: 19th August 2003

This application related to a larger site, of which the application site was a part. Planning permission was refused on the grounds of loss of open space, development of land identified as an area of natural history interest, noise from the industrial units on Petre Street and development of a Greenfield site. No appeal was lodged against this refusal.

05/03631/OUT: Residential development relating to land adjacent to 434 Grimesthorpe Road and 05/03624/OUT: Residential development relating to Land Between 434 And 652 Grimesthorpe Road (Numbered 476-522 Grimesthorpe Road).
Refused: 8th November 2005
Allowed on Appeal

05/01319/OUT: Land adjoining 652 Grimesthorpe Road.
Granted: 24th May 2005

08/01990/REM: Erection of 20 dwellinghouses on land adjacent to 434 to 652 Grimesthorpe Road.
Granted: 18th March 2010

08/01989/REM: Erection of 63 studio apartments on land adjacent to no.434 to 652 Grimesthorpe Road.
Granted: 16th March 2010

08/01999/REM: Erection of 24 dwellinghouses on land Between 434 And 652 Grimesthorpe Road Sheffield (Numbered 476 - 522 Grimesthorpe Road).
Granted: 10th November 2009

09/02110/FUL: Construction of a 70-bedroom residential care home adjoining 652 Grimesthorpe Road.
Granted: 18th March 2010

SUMMARY OF REPRESENTATIONS

This application was advertised by means of direct neighbour notification. Two letters of representation have been received from local residents; one provides a comment and the second objects to the proposed development.

The objector raises the following issues:

- The proposed developments are far taller than the structures that were originally planned;
- The addition of two extra care homes for the elderly in an area which already has a lot of care homes, will place a heavy burden on local services, in particular health services;
- The proposed footprint of the two care homes, plus gardens, seems to be wider than the area that was originally given outline planning permission;
- On-road parking for the existing care home and the houses built by the same developer is already causing dangerous traffic problems (accident on 9th March 2012).

The representation that comments on the applications raises the following issues:

- Whether the height of the buildings will exceed any of the buildings already in place along this stretch of Grimesthorpe Road up to and including the new houses.
- A major concern about car parking as car parking outside the existing new care home has already caused problems along this stretch of Grimesthorpe Road and seems at a dangerous level, blocking half of the entire road and thereby forcing vehicles into the roadway used by oncoming vehicles. The residents queries whether on-road parking for these new care homes will be banned, as it should be for the existing one, and if not how can such an unsafe risk be justified?

PLANNING ASSESSMENT

This application proposes the construction of two new residential care homes for the elderly with particular care for those suffering with Alzheimer's and Dementia. The applicant has advised that immediately adjacent to Wood Hill Grange, they propose to construct Wood Hill House, which will accommodate 82 bedrooms and adjacent to that will be Wood Hill Grange, which will provide a further 84 bedrooms to create a total provision of 166 bedrooms.

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

- i. Principle of development: Policy and Land Use;
- ii. Design and appearance of the proposed development;
- iii. Highways
- iv. Impact on the amenity of adjoining residential occupiers;

v. Sustainability.

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

Policy and Land Use

The National Planning Policy Framework (NPPF) published on 27th March 2012 sets out the Government's planning policies for England and how these are expected to be applied.

Paragraph 11 of the NPPF confirms that Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At Paragraph 12, it is confirmed that the National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision-making. It 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'. Accordingly the National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

Paragraph 14 of the NPPF clarifies that at the heart of the document is a presumption in favour of sustainable development, which, for decision-making, means approving development proposals that accord with the development plan without delay. Paragraph 6 of the NPPF states that the Government's view as to what constitutes sustainable development is set out in Paragraphs 18-219 of the NPPF (i.e. taken as a whole) but has economic, social and environmental dimensions. With regard to the economic role, it relates to contributing to a strong, responsive and competitive economy by ensuring that 'sufficient land of the right type is available in the right places and at the right times to support growth'. The social role relates to the need to support 'strong, vibrant and healthy communities by providing the supply of housing to meet the needs of present and future generations and by creating a high quality environment with access local services'. Finally, the environmental role is to protect and enhance the natural, built and historic environment, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change, including moving to a local carbon economy.

In this case, the up-to-date development plan includes the Unitary Development Plan where that has not been superseded by more recent planning guidance and the Sheffield Development Framework (SDF) documents, including the Core Strategy (CS).

With regard to land use designation, the Unitary Development Plan Proposals Map remains up-to-date and in this case, the application site falls predominantly within land designated as Housing in the adopted Sheffield Unitary Development Plan

with a small area to the rear of the site designated as Open Space and an area of Natural History Interest. It is also the case that the National Planning Policy Framework gives weight to the City Policies and Sites document and the Draft Proposals Map, which acknowledges the extant planning permissions and identifies the application site as a housing area with a site specific proposal (P00014) for housing (Use Class C3) or residential institutions (Use Class C2).

Policy H10 of the Unitary Development Plan advises that within such areas, housing within Use Class C3 is preferred but a range of other uses including residential institutions (Use Class C2) as proposed are also acceptable as long as they are not so large or numerous so as to damage the appearance and residential character of a Housing Area or cause disturbance to people living there.

In this case, it is acknowledged that the adjoining site is also a Care Home. However, the predominant land use in the locality is housing within Use Class C3. Moreover, a residential care home has the characteristics of a residential property and will not damage the residential character of the area nor cause disturbance to people living there such that the principle of the development is considered to accord with Policy H10 of the Unitary Development Plan.

Policy H8 of the Unitary Development Plan advises that New sheltered accommodation, care homes and nursing homes will be permitted in suitable areas provided that it would:

- (a) Be within easy reach of a shopping centre and public transport; and
- (b) Be suitable for people with disabilities; and
- (c) Provide a reasonable and attractive area of accessible private open space or be immediately next to an area of public open space; and
- (d) Not involve extensions that would remove essential open space.

In this case, the proposed care home would be adjacent to an existing care home that demonstrates the appropriateness of the environment and its location within a Housing Area is deemed suitable. In terms of access to local services and facilities, it is 1km from the Spital Hill District Centre but only 575 metres from the Owler Lane local centre with the nearest bus stop only 250 metres away on Margate Drive. There is also a 10-minute bus service to Hillsborough and the Northern General Hospital from Ellesmere Road, which is also in close proximity to the site. It is noted that the proposed care homes will provide specialist care for residents with Alzheimer's and Dementia who may not, in any event, access local services independently but it is the case that the site is within easy reach of a shopping centre and public transport. It will also be compliant with Building Regulations and therefore suitable for people with disabilities. With regard to landscaped space, the application will not remove essential open space and it proposes landscaped areas to the front and rear of the development as well as a roof garden, which have been designed specifically for the visual and sensory needs of the residents. The application is therefore considered to accord with Policy H8.

Policy H13 of the Unitary Development Plan specifically identifies the land at Grimesthorpe Road as a Housing Site. On such sites, Policy H13 advises that only

housing (Use Class C3) or open spaces on sites over one hectares (the application is not in excess of one hectare) will be permitted provided that the development would occupy only a small area, community facilities will also be acceptable provided that they would not occupy more than a small proportion of the total capacity of sites listed within Policy H13. In this case, the application site forms part of a wider development site for which the remainder has approval for residential development. Whilst acknowledging that this application will result in three care homes adjacent to each other, they still occupy less than 50% of the overall site at Grimesthorpe Road and the majority of other sites listed within Policy H13 have either been developed for housing, have approval for housing or remain allocated for housing such that the application is not considered to conflict with Policy H13.

It is also noted that the site lies within a Housing Market Renewal Area. Within the SDF Core Strategy, Policy CS25 identifies the 'Priorities for Releasing Land for New Housing' and advises that priority will be given to housing renewal areas in the Housing Market Renewal Pathfinder area and other housing renewal areas. The application site lies within the Burngreave and Fir Vale Market Renewal area, which is also a Market Renewal Pathfinder. Within the Burngreave and Fir Vale Masterplan, which was published in May 2005, the four key objectives for such locations are:

- To match the supply of housing to the demand and to increase housing choice;
- To improve housing quality;
- To transform unsuccessful neighbourhoods, and
- To create sustainable communities with a distinctive sense of place

In this case, the applicant maintains that the development proposal is an opportunity to diversify the accommodation available to the community by changing the balance of tenure and type of development across the larger site. They advise that the demand for care home accommodation in this area has surpassed expectations and, as such, the proposal to drop an element of family housing as well as the previously approved apartments and replace this with further care facilities is considered to be an entirely appropriate response to these circumstances and the economic realities with no means to finance the delivery of the flats at this time.

It is accepted that the proposed development will provide additional housing choice within the Burngreave area and will also transform a site that remains undeveloped. It is evident that the adjoining Wood Hill Grange Care Home is successfully managed and occupied and that the development of this site for a residential care home does comply with the aspirations to prioritise development within Housing Market Renewal Areas as well as meeting the aspirations of the Masterplan. It is therefore consistent with Policy CS25.

Finally, it is noted that Policy CS26 of the Core Strategy relates to the efficient use of housing land and sets out a range of possible densities in different locations, which will meet the balance between efficient use of housing land and accessibility of sites. In the majority of the urban area outside the City Centre, a design of 30 to 50 dwellings per hectare is advised. In this case, the development of two

residential care homes on this site equates to a density of 357 dwellings per hectare, which is clearly significantly in excess of the guidance within Policy CS26. However, it must be acknowledged that this development is within Use Class C2 rather than C3 such that there is a substantial difference between the nature of accommodation and that experienced in traditional housing. Moreover, Policy CS26 advises that 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 site area of Wood Hill Grange, which extends to 1,960m² and accommodates 70 bed spaces results in a similar density of 357dph such that the density proposed is consistent with the character of the adjoining development and is appropriate in this case such that the application is not considered contrary to Policy CS26 to warrant a refusal on these grounds.

As advised above, the application site also includes a small area designated for open space within the Unitary Development Plan that is also designated as an Area of Natural History Interest to the rear of the site. However, clearly, the site already benefits from a residential consent for a block of apartments and houses such that the principle of the loss of open space has already been established by the extant permissions and there is therefore no need in this instance to re-evaluate the proposal on this basis. Moreover, within the City Policies and Sites document and the Draft Proposals Map, which are afforded some weight by the National Planning Policy Framework, they acknowledge the extant planning permissions and identify the application site as a housing area with a site specific proposal (P00014) for housing (Use Class C3) or residential institutions (Use Class C2) such that the proposal is in accordance with up-to-date planning guidance within the SDF City Policies and Site.

Policy GE13 of the Unitary Development Plan seeks to ensure that development affecting Areas of Natural History Interest should be sited and designed to protect and enhance such areas. This application has the same characteristics as the adjacent Wood Hill Grange care home, which has been developed without detriment to the adjacent Area of Natural History Interest. Indeed, the proposed development will result in the completion of a currently vacant site that it will enhance the outlook from the area of open space such that it will be protected and enhanced in accordance with Policy G13.

Overall, a residential care home within Use Class C2 is considered to have a sufficiently residential character to ensure that it is appropriate to the Housing Area and will not cause disturbance to people living there, in accordance with Policy H10 of the Unitary Development Plan. It is also within easy reach of shopping facilities and public transport and will be suitable for people with disabilities such that it is a suitable area for a care home in accordance with Policy H8 of the Unitary Development Plan. It will not conflict with the requirement that the housing sites identified within Policy H13 shall be developed predominantly for housing on the grounds that on this site alone, the care homes will form less than 50% of the overall site area. Significantly, the proposed care home will result in development within a Housing Market Renewal Area, which is the priority for the release of land in accordance with Policy CS25 of the SDF Core Strategy whilst the provision of the care facilities will provide additional housing choice within the Burngreave area and will also transform a site that remains undeveloped to contribute towards the

aspirations of the Burngreave and Fir Vale Masterplan. Whilst the density of development is significantly in excess of the 30-50 dwellings per hectare identified in Policy CS26 of the SDF Core Strategy, this is the consequence of the nature of the development, comprising individual bedrooms and the density is equivalent to the adjoining development such that it reflects the character of the area in accordance with Policy CS26. With regard to the small part of the site that is designated within the Unitary Development Plan as open space, the loss of this area has already been established by the extant permissions. Moreover, the City Policies and Sites document and the Draft Proposals Map, which is afforded some weight by the National Planning Policy Framework, acknowledges these extant permissions and identifies the application site as a housing area with a site specific proposal (P00014) for housing (Use Class C3) or residential institutions (Use Class C2) such that the proposal is in accordance with up-to-date planning guidance within the SDF City Policies and Site.

Finally, it is considered that the proposed development will result in the completion of a currently vacant site such that it will enhance the outlook from the area of open space and area of Natural History Interest in accordance with Policy G13 of the Unitary Development Plan. In conclusion, the development is therefore considered to accord with relevant up-to-date policies such that it is acceptable in principle.

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 H14 relates to development in Housing Areas and advises at Policy H14 (a) that new buildings and extensions must be well designed and in scale and character with neighbouring buildings. In addition, Policy BE5 of the Unitary Development Plan 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 whilst Policy CS74 of the SDF Core Strategy advises that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

In this case, the scale and form of the proposed development has been strongly influenced by the adjoining Care Home at Wood Hill Grange and has largely been designed to replicate the appearance of that building, which was approved in accordance with 09/02110/FUL.

With regard to layout, the position of the buildings within the site are designed to be consistent with the adjacent Wood Hill Grange such that both care homes are set back approximately 10.7 metres from the back edge of pavement and each extend to a building depth of approximately 16.3 metres. In comparison, the previously approved apartments on part of the application site (adjacent to Wood Hill Grange) were set back 9.4 metres from the back edge of pavement and extended to a

depth of 16.4 metres such that the layout of the proposed care homes is consistent with the adjoining development and the previous approval for 63 studio apartments in accordance with 08/01989/REM. It is acknowledged that the care homes are positioned on land for which consent has previously been granted for 11 residential units as part of a development of 24 units in accordance with 08/01999/REM, which were also positioned 9.4 metres from the back edge of pavement but extended to a depth of approximately 9 metres such that the care home scheme does result in a deeper footprint. However, this is to the rear of the site overlooking Smiths Field to the rear, where there are no residential properties such that the additional depth is not visible to the streetscene and will therefore have no undue impact.

The scale of development has also been determined by existing development and the scale of previously approved schemes. Each care home proposed as part of this application extends to three storeys fronting Grimesthorpe Road with additional accommodation within the roofspace. As a result, the scale of development extends to 8 metres to the eaves and a predominant height of 12.9 metres to the ridge level. The adjacent development at Wood Hill Grange extends to 8 metres to eaves and a predominant ridge level of 12.4 metres. The housing approved as part of 08/01999/REM, which will adjoin the site to the west, extends to a ridge height of 7.6 metres and a predominant ridge height of 10.2 metres. Accordingly, the care homes proposed as part of this application are marginally higher than the existing care home and the adjacent future residential development. However, the proposed development faces onto allotments to the north/north-east and Smithies Field to the south such that there will be no overlooking as a result of the scale of development. Moreover, the increase in height in relation to Wood Hill Grange extends to only 0.5 metres and will provide some variation in roofline along the street that will not be unduly noticeable or over-bearing. Indeed, this development sits within the central part of the development site in its entirety such that it is not unreasonable for the scale of development to moderately step up within the centre of the site but to then step down adjacent to the existing built form. As such, the scale of development is not considered to have any undue impact to warrant a refusal of the scheme on these grounds.

Architecturally, the care homes have been designed to replicate the appearance of Wood Hill Grange albeit that the scheme has been the subject of some amendment in the course of the application to simplify the design and improve the relationship to Wood Hill Grange. However, it sits appropriately with Wood Hill Grange in terms of the fenestration treatment, the use of a ground floor plinth utilising an alternative material to the upper floors and the introduction of two main front gables. These gables project 430mm from the main building line and 215mm from the walls immediately beside the gables to provide some visual relief to the elevations. With specific regard to materials, Wood Hill Grange is constructed in stone to the ground floor with red brick to the upper floors and a cream render to the front gables. The application scheme has been modified in the course of the application to remove render from the proposal and to simplify the materials palette to result in walling stone to the ground floor with red brick to the upper floors including the gables. The lintels and cills to the windows will also be detailed with artstone and will include a 75cm window reveal to provide some depth to the window treatment. In addition, each block is separated centrally by a fully glazed

central core, which is intended to distinguish the main entrance and central circulation space to provide legibility within the streetscene but also serves to reduce the overall building mass. The rear elevation proposes similar detailing with the exception that the windows are full height to maximize the views of the City for residents. Within the streetscene, it is also noted that a strong boundary treatment is proposed consistent with that established at Wood Hill Grange to comprise a main boundary wall with an additional planting buffer to the front of that adjacent to the highway to provide a green buffer to the street.

Overall, it is considered that the development of Wood Hill Grange adjacent to the application site has set the form for the development of the application site and given the consistency of the proposed care homes with Wood Hill Grange in terms of their scale, form and architectural appearance the proposal cannot be determined unacceptable within the streetscene. Indeed, they will result in a coherent streetscene with the use of materials that are appropriate and of a sufficiently high quality. On this basis, the proposed development is considered to be in scale and character with neighbouring buildings and takes advantage of the distinctive features the neighbourhood. It is therefore considered to accord with Policy H14a and Policy BE5 of the Unitary Development Plan and Policy CS74 of the SDF Core Strategy.

Highways

Policy H14 (d) of the Unitary Development Plan advises that within Housing Areas, new development must provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians. In this case, the applicant is providing 16 car parking spaces within each care home primarily for the use of staff. They advise that there is no resident vehicle ownership due to the nature of the residents and they also advise that whilst they employ a significant number of staff, the majority do not drive such that the car park at Wood Hill Grange has never had more than 10 cars in it at any one time such that in the experience of the operators, the proposed level of car parking will be sufficient.

In addition, the applicant has advised that the site is accessible to public transport with the following main services available to provide access to Sheffield City Centre and other main districts including Meadowhall, Hemsworth, Wincobank and Hillsborough. The regular services available from stops within close proximity to the site are:

- Service No. 20 – Hillsborough to Hemsworth (Via Southey Green, Sheffield, Heeley, Norton Lees)
- Service No. 20A – Hillsborough to Hemsworth (Via Southey Green, Sheffield Heeley, Woodseats). In conjunction with service No. 20, these services run every 10 minutes to Sheffield City Centre.
- Service no. 36 – Longley Clock Tower to Sheffield City Centre (via Fir Vale Northern General Hospital, Wincobank, Meadowhall Interchange, Burngreave and Kelham Island). This serve runs ever half-hour.

- Service no. 5 – Firth Park to Sheffield City Centre (via Grimesthorpe, Ellesmere, Burngreave, Wicker, Castle Market and Arundel Gate). This service runs every hour.

It is noted that the consultation responses raise concerns with regard to on-street car parking and make reference to a road accident on 5th March 2012. In response, the Council's Highways Officer has advised that based upon the experience at Wood Hill Grange, which has been visited by the Officer, the level of provision within the proposed care homes, which exceeds that at Wood Hill Grange is considered acceptable, particularly given that the residents are not car owners and the car parking is available for staff and visitors.

With regard to the traffic accident, data in relation to this specific accident is presently unavailable but the Council's Highways Officer advises that Grimesthorpe Road has been traffic calmed such that there is no reason to conclude that the proposed development would compromise road safety even if a level of on-street car parking continues. Furthermore, given the accessibility to the site to public transport, it is considered to be sustainably located such that it is concluded that the development does provide safe access to the highway network and appropriate off-street parking and will not endanger pedestrians and is therefore in accordance with Policy H14 (d) of the Unitary Development Plan.

Amenity

Policy H14(c) of the Unitary Development Plan advises that within Housing Areas, new development must not be over-developed or deprive residents of light, privacy or security. In this instance, the site overlooks Smiths Field to the rear, where there are no residential properties and Grimesthorpe Road to the front, with the allotments directly opposite the site and the gardens that serve the flats at Margate Drive. Indeed, Margate Drive is set back from the road and at a higher level such that the proposed development is not considered to impact upon the amenity of existing residential occupiers and is therefore in accordance with Policy H14(c).

It is acknowledged that there may be a detrimental impact on the amenity of the proposed housing unit that forms part of 08/01999/REM as the proposed development is deeper than the dwellings previously approved. However, this scheme has yet to be implemented and may yet be subject to further alteration if the scheme is to be commenced such that it is not considered to warrant the refusal of this application.

Landscaping

Policy BE6 of the Unitary Development Plan 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).

In this case, the applicant has submitted a landscape Masterplan, which indicates that the proposed development concentrates on the provision of landscaping in the context of the sensory garden features at the rear of the building and on the roof terrace to each care home although further greening and planting of the space in front of the care homes will be provided to break up the built frontage and provide an attractive setting to the streetscene. The Council's Landscape Officer has advised that the planting designs are broadly acceptable in principle although more varied planting to the roof terrace is recommended. Overall, however, subject to a condition to require the implementation of the submitted landscape scheme, the proposed development is considered to comply with the objections of Policy BE6 to achieve good landscape design.

It is advised that there is a group Tree Preservation Order to the south of the application site and protection of this group of trees was raised in pre-application discussions. In response, the applicant has confirmed and indicated on a plan that no built footprint is proposed within that TPO area.

Indeed, the area of protected trees is at a substantially lower level of land than the proposed care homes, being at the bottom of the slope towards Smiths Field.

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 non-residential developments over 500 square metres should achieve a BREEAM rating of very good (or equivalent). The applicant has confirmed in writing that the building is, in any event, being designed to meet the BREEAM Very Good rating as a minimum with an aspiration towards 'Excellent', which will be secured by means of a planning condition. The development is therefore 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

In this case, the applicant has advised that they are actually striving to meet Passivhaus standards for their care home. The aim of the Passivhaus Standard is to dramatically reduce the requirement for space heating and cooling, whilst also creating excellent indoor comfort levels. This is primarily achieved by adopting a fabric first approach to the design, specifying high levels of insulation to the thermal envelope with exceptional levels of airtightness and the use of whole house mechanical ventilation. The applicant has also confirmed by letter dated 04.05.2012 that they will achieve in excess of 10% of on-site energy generation from renewable sources through the use of ground source heat pumps for space and water heating and solar panels to supplement solar hot water such that the application is also in compliance with Policy CS65 and this will be confirmed by condition.

Access

Policy H7 of the Unitary Development Plan states that all new housing shall provide a proportion to be constructed to allow conversion for use by people with disabilities. In this case, the applicant has advised within the Design and Access Statement that this is a residential care home for the elderly, the majority of whom have some form of dementia or confusion and the building has been designed with this in mind such that the building will be entirely accessible in accordance with Building Regulations and will provide level access throughout. It also includes the provision of suitable accessible parking commensurate with that existing at Wood Hill Grange, based upon the applicant's experience of operating that site. It is therefore considered to be sufficiently in compliance with Policy H7.

RESPONSE TO REPRESENTATIONS

In response to the objections raised, the following is advised:

(i) The proposed developments are far taller than the structures that were originally planned; This application lies on a site for which planning permission was previously granted for 63 apartments in accordance with 08/01989/REM, which extended to 5 storeys (including the top floor within the roofspace) such that this development is not taller than the structures originally planned on this part of the site and is broadly consistent with the scale of the adjacent development. It is the case that the care homes proposed as part of this application are marginally higher than the previously approved residential development, part of which will adjoin the site in the future (08/01999/REM) but these dwellings also extended to four stories and as noted above, there is no residential development either in front of or to the rear of the Wood Hill Lodge, which effectively replaces the 11 dwellingshouses approved under 08/01999/REM such that there is no over-looking, over-dominance or undue loss of privacy as a result of the proposed development as noted above.

(ii) The addition of two extra care homes for the elderly in an area which already has a lot of care homes, will place a heavy burden on local services, in particular health services; The impact on local services is not a direct

planning issues but it is noted within the Design and Access Statement that 20% of the population within Burngreave area are of retirement age and the proposed development will enable the local community to remain in that area should they need care and wish to do so. They also advise that Wood Hill Grange is over-subscribed, which is evidence of the demand.

(iii) The proposed footprint of the two care homes, plus gardens, seems to be wider than the area that was originally given outline planning permission; as noted in the report above, the previously approved apartments extended to a depth of 16.4 metres such that the layout of the proposed care homes is consistent with the adjoining development and the previous approval for 63 studio apartments. The 11 residential units extended to a depth of approximately 9 metres such that the care home scheme does result in a deeper footprint on part of the site; however, this is to the rear of the site overlooking Smiths Field where there are no residential properties such that the additional depth is not visible to the streetscene and will have no undue impact.

(iv) On-road parking for the existing care home and the houses built by the same developer is already causing dangerous traffic: this is fully addressed in the report above.

(v) Query whether the height of the buildings will exceed any of the buildings already in place along this stretch of Grimesthorpe Road up to and including the new houses: this is addressed fully in the report above.

(vi) The residents queries whether on-road parking for these new care homes will be banned, as it should be for the existing one, and if not how can such an unsafe risk be justified? This is addressed fully in the report above.

SUMMARY AND RECOMMENDATION

This application proposes the construction of two new residential care homes for the elderly with particular care for those suffering with Alzheimer's and Dementia. The applicant has advised that immediately adjacent to Wood Hill Grange, they propose to construct Wood Hill House, which will accommodate 82 bedrooms and adjacent to that will be Wood Hill Grange, which will provide a further 84 bedrooms to create a total provision of 166 bedrooms.

Within the Adopted Unitary Development Plan, the majority of the site is allocated as a Housing Area and it is determined that a residential care home within Use Class C2 has a sufficiently residential character to ensure that it is appropriate to the Housing Area and will not cause disturbance to people living there such that it is in accordance with Policy H10 of the Unitary Development Plan. It is also within easy reach of shopping facilities and public transport and will be suitable for people with disabilities such that it is a suitable area for a care home in accordance with Policy H8 of the Unitary Development Plan. It will not conflict with the requirement that the housing sites identified within Policy H13 shall be developed predominantly for housing on the grounds that on this site alone, the care homes will form less

than 50% of the overall site area. Significantly, the proposed care home will result in development within a Housing Market Renewal Area, which is the priority for the release of land in accordance with Policy CS25 of the SDF Core Strategy whilst the provision of the care facilities will provide additional housing choice within the Burngreave area and will also transform a site that remains undeveloped to contribute towards the aspirations of the Burngreave and Fir Vale Masterplan. Whilst the density of development is significantly in excess of the 30-50 dwellings per hectare identified in Policy CS26 of the SDF Core Strategy, this is the consequence of the nature of the development, comprising individual bedrooms and the density is equivalent to the adjoining development such that it reflects the character of the area in accordance with Policy CS26. With regard to the small part of the site that is designated within the Unitary Development Plan as open space, the loss of this area has already been established by the extant permissions. Moreover, the City Policies and Sites document and the Draft Proposals Map, which is afforded some weight by the National Planning Policy Framework, identifies the application site as a housing area with a site specific proposal (P00014) for housing (Use Class C3) or residential institutions (Use Class C2) such that the proposal is in accordance with up-to-date planning guidance within the SDF City Policies and Site. Finally, it is considered that the proposed development will result in the completion of a currently vacant site such that it will enhance the outlook from the area of open space and Natural History Interest to the rear in accordance with Policy G13 of the Unitary Development Plan.

With regard to design, the development of Wood Hill Grange adjacent to the application site has set the form for the development of the application site and given the consistency of the proposed care homes with Wood Hill Grange in terms of their scale, form and architectural appearance the proposal cannot be determined unacceptable within the streetscene. It is therefore considered to accord with Policy H14a and Policy BE5 of the Unitary Development Plan and Policy CS74 of the SDF Core Strategy.

In terms of the impact of development on the amenity of adjoining occupiers, it is concluded that the site overlooks Smiths Field to the rear, where there are no residential properties and Grimesthorpe Road to the front, with the allotments directly opposite the site and the gardens that serve the flats at Margate Drive. Indeed, Margate Drive is set back from the road and at a higher level such that the proposed development is not considered to impact on the amenity of existing residential occupiers and is therefore in accordance with Policy H14(c). Whilst there may be some detrimental impact on the amenity of the proposed housing unit that forms part of 08/01999/REM, this scheme has yet to be implemented and may yet be subject to further alteration if the scheme is to be commenced such that it is not considered to warrant the refusal of this application.

With regard to landscaping, the planting designs are considered to be broadly acceptable to comply with the objectives of Policy BE6 of the Unitary Development Plan and it is confirmed that no built footprint is proposed within the TPO area to the south of the application site such that they are protected.

Finally, as detailed in the report above, the scheme is aiming for a BREEAM rating of 'Excellent' and will certainly achieve the BREEAM Very Good rating as a

minimum in accordance with Policy CS64 and will achieve in excess of 10% of on-site energy generation from renewable sources through the use of ground source heat pumps for space and water heating and solar panels to supplement solar hot water such that the application is also in compliance with Policy CS65 of the SDF Core Strategy. It is also sufficiently accessible in accordance with Policy H7 of the Unitary Development Plan.

In conclusion, in accordance with the NPPF, which confirms that proposed development that accords with an up-to-date Local Plan should be approved, on the basis that the proposed development is considered to accord with relevant up-to-date policies as set out in the report above, the application is recommended for approval subject to conditions.

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DEVELOPMENT SERVICES

REPORT TO WEST AND NORTH
PLANNING AND HIGHWAYS
COMMITTEE
19 JUNE 2012

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

2.0 NEW APPEALS RECEIVED

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

- a) the erection of detached living accommodation in the back garden for use as a granny flat at 166 Oldfield Road (Case No 12/00080/FUL); and;
- b) the erection of a detached double garage to the front of a dwellinghouse at 12 Burnt Stones Close (Case No 12/00593/FUL).

3.0 APPEALS DECISIONS - DISMISSED

i) An appeal has been dismissed by the Secretary of State against the decision of the City Council, at its meeting held on 6th December 2011, to refuse planning permission for the erection of a dwellinghouse and garage within the curtilage of 17 Moorland Place (Case No 11/03126/FUL).

Officer Comment:-

The Inspector considered that the main issues were the effect of the proposal on the character and appearance of the streetscene in Uppergate Road and the surrounding area, and on the living conditions of the occupiers of the host dwelling and neighbouring dwellings with regards to privacy and outlook.

The appeal site is part of the rear garden of No. 17 and has a frontage onto Uppergate Road. It would occupy a substantial proportion of the garden area and would appear cramped in relation to other properties in the area, detracting from the open character and appearance of this part of Uppergate Road.

The proposed dwelling would be close to the street frontage and be set forward of and be significantly higher than the neighbouring dwellings and would relate awkwardly to its surroundings and be dominant and an incongruous element in the streetscene. It would also detract from the character and appearance of the adjoining Area of Special character.

The proposed dwelling would allow direct overlooking between the existing and proposed dwellings at a distance significantly under the distance set out in the Supplementary Planning Guidance. This distance was considered to be beyond any margin for flexibility.

The Inspector considered that there was nothing in the National Planning Policy Framework that would support the proposal or be sufficient to offset the strong policy objections.

For these reasons, the Inspector dismissed the appeal.

ii) An appeal has been dismissed by the Secretary of State against the decision of the City Council to refuse planning permission, under delegated powers, for the erection of a dwellinghouse and garage at 45 to 47 Rodney Hill (Case No 11/01115/FUL).

Officer Comment:-

The main issues were whether the site was Greenfield or Brownfield and the consequences of that in terms of policy, and the character of the area, the effect on living conditions of adjoining properties, and the effect on trees.

The Inspector considered that the site was Greenfield and the Council's reliance on Brownfield land to accommodate development did not appear to be misplaced. This along with the open ambiance of the existing open gardens weighted against its suitability to accommodate additional development. The gardens are visually quite sensitive and the development would be potentially intrusive as a consequence of its topography.

The proposed house would be an overbearing presence and would severely harm their living conditions and those of No.47. The house would be overshadowed by the trees on site and, if permission were to be granted, it would be unreasonable to retain them at any significant height. To remove them however, would expose the neighbouring houses to unacceptable overlooking. The development was considered to lead to the harmful loss of protected trees.

In conclusion, the proposed development would lead to serious harm to the living conditions of neighbouring properties and loss of trees and so the appeal was dismissed.

iii) An appeal has been dismissed by the Secretary of State against the decision of the City Council to refuse planning permission, under delegated powers, for the erection of a 15m high telecommunications monopole and associated equipment at Redmires Road near the junction with The Ridge (Case No. 11/03661/TEL)

Officer Comment:-

The one main issue in this case related to the effect of the proposed mast on the character and appearance of the surrounding area.

The surrounding area is predominantly residential and has an open, spacious character. The proposed mast would be partly screened by existing mature trees but it would be substantially taller than trees on the northern side of the road and the two and three storey houses and flats. Consequently, it would be a prominent and stark feature, clearly visible in views from open countryside and from open space.

There are existing masts in the vicinity but it was felt that the proposed mast, in conjunction with the existing, would detract from the character and appearance of the area.

A ICNIRP Certificate had been provided as part of the planning application and as such, the Inspector considered that the health matters raised had been covered.

For these reasons, the Inspector dismissed the appeal.

iv) An appeal has been allowed by the Secretary of State against the Decision of the City Council to refuse advertising consent, under delegated powers, for a gantry (Totem) sign adjacent to Spital Hill and a banner sign adjacent to Savile Street at land at the junction with Spital Hill/Savile Street (Case No 11/01523/ADV)

Officer comment:-

The main issue in this appeal was the visual impact of the totem and banner signs.

The banner sign would be close to the vehicular access and was considered to be in scale and in keeping with the store and its commercial setting and would not be unduly intrusive or out of character.

The totem sign is also close to the access and is a relatively large sign, seen in context with the streetscene and also, the listed (Grade II) Wicker Arches. The sign would relate essentially to the new store and would be in scale with it without adding to visual clutter. The sign was not felt to be intrusive or out of character.

Accordingly, the Inspector allowed the appeal.

4.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

19 June 2012

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