

Planning and Highways Committee

Tuesday 2 July 2013 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillors Alan Law (Chair), Trevor Bagshaw, David Baker, Janet Bragg, Tony Downing (Deputy Chair), Jayne Dunn, Ibrar Hussain, Bob Johnson, Bob McCann, Peter Price, Peter Rippon, Garry Weatherall and Joyce Wright

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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

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

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

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

FACILITIES

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

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

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
2 JULY 2013**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**
Minutes of the meeting of the Committee held on 11 June, 2013
- 6. Sheffield Conservation Advisory Group**
Minutes of the meeting of the Committee held on 21 May 2013
- 7. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 8. Applications Under Various Acts/Regulations**
Report of the Director of Development Services
- 9. Enforcement of Planning Control: 23 Briar Road**
Report of the Director of Development Services
- 10. Record of Planning Appeal Submissions and Decisions**
Report of the Director of Development Services
- 11. Date of Next Meeting**
The next meeting of the Committee will be held on 23 July 2013

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

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

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

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

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

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 11 June 2013

PRESENT: Councillors Alan Law (Chair), Trevor Bagshaw, Janet Bragg, Tony Downing (Deputy Chair), Jayne Dunn, Bob Johnson, Mohammad Maroof, Joe Otten, Bob McCann, Peter Price, Peter Rippon, Garry Weatherall and Joyce Wright

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1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors David Baker and Ibrar Hussain and Councillors Joe Otten and Mohammad Maroof attended the meeting as the duly appointed substitutes, respectively.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meetings of the Committee held on 15 and 21 May 2013, were approved as correct records.

5. SITE VISIT

- 5.1 **RESOLVED:** That the Director of Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Thursday 27 June 2013, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. PROPOSED DIVERSION OF A PUBLIC FOOTPATH BETWEEN CHORLEY DRIVE AND SLAYLEIGH LANE, FULWOOD

- 6.1 The report of the Director of Development Services in respect of a proposed diversion of a public footpath between Chorley Drive and Slayleigh Lane, Fulwood was withdrawn from consideration to allow officers to consider further representations from the applicant's representative.

7. VARIATION OF PLANNING OBLIGATIONS IN RESPECT OF LAND AT ALSING ROAD, BLACKBURN MEADOWS

- 7.1 The Director of Development Services submitted a report seeking authority to enter into a deed of variation, to effect the deletion of an unnecessary and unworkable planning obligation, which formed part of the planning permission for the construction of a bio-mass fired renewable energy plant, with associated flood management works, landscaping and improvements to an existing access, in respect of land at Alsing Road, Blackburn Meadows (Case No. 08/01225/OUT). The report stated that the modification was in respect of a required highway access that was not practicable due to topographical and flood risk issues.
- 7.2 The former Section 106 Legal Agreement dated 23 September 2008 and the proposed varied Agreement were attached to the report now submitted.
- 7.3 **RESOLVED:** That (a) the deletion of clause 1.7 of schedule 2 contained within the Section 106 Agreement, dated 23 September 2008 and attached to Planning Permission Case No. 08/01225/OUT, by entering into a deed of variation of planning obligations as attached to the report now submitted or in a substantially similar form, be authorised; and
- (b) The Director of Legal and Governance be authorised to take all steps necessary to effect the variation to the Section 106 Agreement, including applying the City Council's common seal to the deed of variation of planning obligations.

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 as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;
- (b) having noted an additional representation, as detailed in a supplementary report circulated at the meeting and an oral representation made at the meeting by the applicant's representative, an application for planning permission for the use of a building for A2 (Financial and Professional) purposes at 193 to 195 Main Road, Darnall (Case No. 13/01043/FUL) be granted, conditionally;
- (c) an application for planning permission for the erection of 20 dwellinghouses at land south of Queen Elizabeth Court and Queen Anne Court, Raeburn Place (Case No. 13/00720/FUL) be granted, conditionally, subject to the completion of a Legal Agreement, but in the event that the Heads of Terms are not concluded by the date of 14 June 2013, the application be refused in accordance with the dual recommendation;
- (d) an application for planning permission for a single-storey front extension and creation of shop fronts for use of the ground floor as two retail units (use class A1/A2/A3/A5) and use of the first floor as four residential units, with associated landscaping works (revised scheme) at the Windsor Hotel, 35 to 39 Southend Road (Case No. 13/00207/FUL) be granted (i) conditionally, subject to Condition 6

being amended in respect of an alarm being fitted to the door giving access to the flat roof and to the fire escape stairs, as detailed in a supplementary report circulated at the meeting and (ii) with a request that officers, in the event of the need for a Breach of Condition Notice to be served, inform this Committee accordingly;

(e) having heard an oral representation from the applicant's representative and notwithstanding the officer's recommendation, an application for planning permission for the erection of a dwellinghouse within the curtilage of Wadsley Lodge, 1 Laird Road (Case No. 13/00199/FUL) be granted (i) as the Committee considered that the scale and massing of the proposed dwelling would be appropriate in the location and not out of character, in view of the variety of different dwelling types and (ii) with standard conditions attached in respect of (A) the planning permission term, (B) the approved plans, (C) materials, (D) car parking, (E) Permitted Development Rights (F) landscaping and (G) boundary treatments, (iii) with a standard directive attached in respect of the felling of an existing highway tree, as now mentioned by the Director of Development Services and (iv) with a requirement that the aforementioned condition referred to in paragraph (ii)(C) be amended to include natural stone to be used for the building elevations and finishes; and

(f) having noted an amendment to information provided in the report now submitted in respect of site archaeology, mobility/access issues and Affordable Housing/Open Space contribution and the associated Heads of Terms, as detailed in a supplementary report circulated at the meeting, and having heard an oral representation from the applicant at the meeting, an application for planning permission for the demolition of a building and erection of 128 self-contained student flats with ancillary facilities in a 7 storey block (amended plans received 18/04/13) at Portobello House, 3 Portobello Street (Case No. 12/03338/FUL) be granted, conditionally, subject to (i) the completion of a Legal Agreement, (ii) (A) Condition 2 being amended in respect of the submitted plans, (B) additional conditions being attached in respect of (1) demolition and groundworks, (2) the retrieval of the ornamental concrete Yorkshire rose and its deposition with the Sheffield Industrial Museums Trust, (3) the relocation of the existing public art from the existing Q park site, (4) the provision of a level threshold to the building entrance and (5) the details of the 15 mobility units, all as detailed in the aforementioned supplementary report and (iii) the aforementioned condition referred to in paragraph (B)(2) be amended to include a requirement for the applicant to provide details on the provision and location of an interpretation plaque in respect of the history of the site.

9. RECORD OF PLANNING APPEAL 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.

10. DATE OF NEXT MEETING

- 10.1 It was noted that the next meeting of the Committee will be held on Tuesday 2 July 2013 at 2.00 pm at the Town Hall.

Agenda Item 6

SHEFFIELD CONSERVATION ADVISORY GROUP

Meeting held 21st May, 2013

PRESENT:	<u>Name</u>	<u>Organisation</u>
	Mr. Tim Hale (Deputy Chair)	Sheffield Chamber of Commerce
	Prof. Clyde Binfield	20th Century Society
	Mr. Patrick Burns	Co-opted Member
	Mr. Howard Greaves	Hallamshire Historic Buildings Society
	Mr. Graham Hague	Victorian Society
	Dr. Roger Harper	Ancient Monuments Society
	Mr. Stanley Jones	Hunter Archaeological Society
	Mr. Bob Marshall	Royal Town Planning Institute
	Mr. Philip Moore	Sheffield Society of Architects
	Dr. Malcolm Tait	University of Sheffield

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1. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Dr. Philip Booth (Co-opted Member).

2. **MINUTES,**

The minutes of the meeting held on 19th March, 2013 were approved as a correct record, subject to (a) the deletion in the attendance, of the words "Mr. Graham Hague (Victorian Society)" and (b) the substitution (i) in item 5 (b)(i) of the words "Low Matlock Waterwheel" for the words "Lower Matlock Waterwheel", (ii) in item 8 of the words " on the condition of" for the words "on condition of" and (iii) in item 8(b) of the words "if it was lost" for the words "if it was lost; and";

and, arising therefrom, the Group noted (a) a written response from the Director of Planning to a letter from the Chair (Dr. Philip Booth), on behalf of the Group, regarding the development of Barnes Hall Farm and (b) that:-

- (i) the Haqqani House Mosque had been demolished because it had become structurally unsound. The Head of Planning would report on the relevant legislation, which was flawed to the extent that no action could be taken to punish any wrongdoing in the case. As a result of the loss of the building, it was likely that a further triangular site would be lost ;
- (ii) the developer was in the process of discharging conditions at the Crookes Valley Methodist Church, Barber Road. It was anticipated that new plans would be submitted regarding the floor levels, as the contractors had hit rock;
- (iii) listing had not been granted in respect of (A) Knowle Hill Mill, Station Road,

Mosborough and (B) Cow Mouth Farm;
(iv) it was considered that the Moor View Farm, which was part of the Crosspool Manor scheme, was of listable quality; and
(v) the Head of Planning would (A) hold a meeting in the near future with the owners of Loxley Old Chapel and would consider serving, if appropriate, an urgent works notice regarding the property and (B) consider taking similar action regarding a barn at Onesacre.

3. CHAIR'S REPORT

The Deputy Chair reported, on behalf of the Chair (Dr. Philip Booth), that:-
(a) it was anticipated that application would be made for judicial review and an injunction regarding the former Jessop's Hospital's Edwardian Wing;
(b) overall, the refurbishment of the Sellars Wheel had been carried out to a good Standard;
(c) a recent legal case regarding the siting of a wind farm close to a National Trust property had established that "special regard" must be given to the desirability of preserving the setting of a heritage asset and planning permission for the development had been revoked.

The Group (i) noted the information and (ii) agreed that a visit of inspection should be made each year, to a suitable heritage asset within the City, following its re-development.

4. HEAD OF PLANNING'S REPORT

The Head of Planning reported that (a) public consultations regarding the draft City Centre Masterplan would end on 30th June next. The Plan proposed the installation of additional track for the Supertram. A report would be made to the next meeting on the implications of the Plan for the conservation areas and heritage assets which could be affected.

The Group noted the information.

5. SHEFFIELD SUSTAINABLE DEVELOPMENT AND DESIGN PANEL

The Group noted that the scheduled meeting of the Sheffield Sustainable Development and Design Panel in May 2013 had been cancelled and its next meeting would be held on 27th June, 2013.

6. HERITAGE ASSETS

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

- (a) Erection of 4 detached dwellinghouses (Resubmission of withdrawn planning application 12/01095/OUT) on land at rear of 315 to 329 Baslow Road (Case Number: **13/01273/OUT**)

The Group felt that there was no objection, in principle, to the outline development, although considerable detail regarding the application was still required.

- (b) Phase 1 - Full application - alterations to existing buildings for use as

educational facility (Class D1) and for Classes B1 (Business), A1 (Shops), A3 (Restaurants and Cafes), A4 (Drinking Establishments), D1 (Non-residential Institutions) and D2 (Assembly and Leisure) purposes including ancillary student common room areas and associated plant and storage space and erection of an 18 storey high building to provide 51 student cluster flats with ancillary accommodation and a commercial unit for Class A1 (Shops), A3 (Restaurants and Cafes) and A4 (Drinking Establishments) purposes at the former Head Post Office, Fitzalan Square (Case Number: **13/00770/FUL & 13/00771/LBC**)

The Group felt that the height of the development was unacceptable, the design made no acknowledgment of the colour, scale, form and materials of the heritage assets and the huge tower looked incongruous and would severely damage the setting of the nearby heritage assets and the streetscape. The Group considered that, in view of the planning permission which had been granted, a nine storey building could be acceptable, but the present scheme had no character and its impact on the area and the listed buildings was totally unacceptable. The Group felt that the site was very prominent, poor justification for its use had been made and a full development appraisal of the site should be made. The Group affirmed its previous decision regarding the development and observed that the development of what was a public building, would have no public benefit unless it was also open to the public in some way.

- (c) Erection of 3 dwellinghouses, laying out of driveway and associated parking and landscaping on land adjacent to driveway to Tapton Park Gardens, Tapton Park Road, (Case Number: **13/01458/FUL**)

The Group felt that the design was fussy and inappropriate and it bore no relation to the design of the adjacent houses. The Group considered that a reduced scheme with amended design could be acceptable, but the loss of mature trees was unacceptable and the development would have a damaging impact on the conservation area. The Group welcomed the proposed use of natural materials.

- (d) (NOTE) an application for the demolition of existing outbuildings and the erection of a two storey building, containing 4 self contained 1 bedroom units, at Abbeyfield House, 24 Broomhall Road (Case Number: **13/01398/FUL**) was withdrawn from consideration.

7. MISCELLANEOUS ITEMS

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

- (a) In the opinion of Mr. Jones, the Old Hall, Brightholmlee deserved to be listed at Grade II*;
- (b) a number of buildings within the City had been demolished which, in the opinion of Mr. Hague, had been significant buildings, although they had

not been listed, including the Southview Methodist Church, Saint John's Church, Sharrow Lane, the Knowle Hill Corn Mill, Mosborough, the National School attached to Holy Trinity Church, Nursery Street, part of Butler's Terrace and the Traveller's Inn, Penistone Road. Accordingly it was essential to be vigilant and to draw attention to the potential loss of further important buildings;

- (c) the Fairfield Inn, Neepsend was in poor condition;
- (d) the Brincliffe Oaks Public House, which had been largely demolished, would be rebuilt;
- (e) the Head of Planning would (i) investigate and report back on the installation of new fenestration at the nursery adjoining the Francis Newton Public House, Clarkehouse Road and the possibility that Old May House Farm, Mayfield Valley, was listed or of listable quality and (ii) keep a watching brief on the former Sawmill, Wicker which was still in a parlous state;
- (f) In the opinion of Mr. Moore, a planning application regarding Mylnhurst School which had been submitted, was worthy of close attention;
- (g) a planning application had been submitted for the conversion, to flats, of the upper floors of the Loch Fyne Restaurant, Glossop Road;
- (h) the grounds at the rear of Abbeydale Hall, which were of wildlife importance, were being dug up pursuant to a planning consent which had been granted on appeal;

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



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of Development Services

Date: 02/07/2013

Subject: Applications under various acts/regulations

Author of Report: John Williamson 2734218
Lucy Bond
Chris Heeley

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

Category of Report: OPEN

Application No.	Location	Page No.
13/01483/FUL	Land To The Rear Of 22 To 92 Owler Lane Skinnerthorpe Road Sheffield	17
13/01343/FUL (Formerly PP-02495948)	Bradway Hotel Bradway Road Sheffield S17 4QW	40
13/00915/OUT (Formerly PP-02534292)	Curtilage Of 54 Westwood Road Ranmoor Sheffield S11 7EY	55
13/00499/CHU	354 - 356 Bluebell Road Sheffield S5 6BS	64
13/00418/FUL (Formerly PP-02434000)	1 Workhouse Green Mayfield Road Sheffield S10 4PN	72
12/03596/LBC (Formerly PP-02017994)	Site Of 1 - 7 Allen Street, 7, 9, 11, 13 And 15 Smithfield And Snow Lane Sheffield S3 7AW	80
12/03595/FUL (Formerly PP-02017994)	Site Of 1 - 7 Allen Street, 7, 9, 11, 13 And 15 Smithfield And Snow Lane Sheffield S3 7AW	94

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the City Centre and East Planning and Highways Committee
Date Of Meeting: 02/07/2013

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

Case Number	13/01483/FUL
Application Type	Full Planning Application
Proposal	Erection of a two-storey building for use as a primary school and nursery with associated landscaping and car parking
Location	Land To The Rear Of 22 To 92 Owler Lane Skinnerthorpe Road Sheffield
Date Received	30/04/2013
Team	West and North
Applicant/Agent	Bond Bryan Architects (Church Studio)
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:

448/005M
448-006C

(07)001 PL0
(07)002 PL0
(08)001 PL0
(09)001 PL0
(G09)104 D0
(G09)100 D1

Canopy and entrance detail received via email on 17/06/13
001B
0001 A04

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Details and samples of the following proposed external materials and finishes:

- Brick work
- Block work
- Canopies
- Roofing
- Cladding
- Glazing

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 Prior to the commencement of development detailed drawings of the pedestrianised approach along Bagley Road and adjacent landscaped area to the east shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include

- A high quality boundary treatment across the line of the vehicle and pedestrian entrances and to the west of Bagley Road
- Public art
- Signage
- Hard surfacing details
- Tree planting details

The development shall not be used until the scheme of works approved by this condition have been implemented and thereafter such works shall be retained.

In order to ensure an appropriate quality of development.

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

Windows
Window reveals
Eaves and verges
Entrances
Canopies
Rainwater goods
Cladding fixing

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

In order to ensure an appropriate quality of development.

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

In order to ensure an appropriate quality of development.

- 7 There shall be no external rainwater goods unless otherwise agreed in writing with the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 8 Details of all boundary treatments 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. The development shall not be used unless such means of boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

In order to ensure an appropriate quality of development.

- 9 Before the development is commenced, full details of the proposed servicing arrangements and times (including for example delivery of school dinners) shall have been submitted to and approved in writing by the Local Planning Authority, and thereafter adhered to.

In the interests of pedestrian safety and the amenity of the locality.

- 10 During the construction period, a Travel Plan to reduce dependency on the private car, which shall include clear and unambiguous objectives and modal split targets, together with a time bound program of implementation, monitoring and regular review and improvement, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented.

In the interests of reducing dependence on the private car by facilitating and encouraging the use of alternative modes of transport and in accordance with Council policy and the National Planning Policy Framework.

- 11 The Local Planning Authority shall be consulted with and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan, following the submission of progress performance reports as timetabled in the programme of implementation. All future owners/occupants of the site shall operate a Travel Plan and will adhere to the approved Travel Plan unless otherwise varied and agreed with the Local Planning Authority prior to occupation.

In the interests of reducing dependence on the private car by facilitating and encouraging the use of alternative modes of transport and in accordance with Council policy and the National Planning Policy Framework.

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

- Construction method statement.
- Phasing of construction works.
- Site safety and segregation.
- Any temporary site access for construction traffic.
- Location of site compound and temporary car parking arrangements for contractors.
- Haulage routes.
- Times when construction works and movement of construction traffic will be restricted.

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

- 13 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.

- 14 Prior to works starting on site, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

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

- 15 Notwithstanding the submitted plans, prior to the development becoming occupied, suitable and sufficient, secure and sheltered bicycle/motorcycle parking accommodation (plus storage/changing/shower facilities) shall have been provided in accordance with details that shall have been submitted to

and approved in writing by the Local Planning Authority (ideally avoiding the use of 'butterfly' systems which have a tendency to buckle wheels). Thereafter the bicycle/motorcycle parking shall be retained/maintained for the sole purpose intended.

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

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

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

- 17 The development 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.

- 18 The development shall not be begun until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either:
- a) been carried out, or;
 - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvement Works:

- Any accommodation works to general street furniture, including traffic signs, road markings, drainage and street lighting columns associated with the new access arrangements;
- Promotion of Traffic Regulation Orders in the local area (waiting/loading restrictions) and the making of Orders subject to usual procedures, including the provision of road markings and signs as necessary;
- Promotion of a prohibition of driving of motorised vehicles (subject to usual procedures) and pedestrianisation of Bagley Road;
- New staff car park vehicular access;
- New vehicular turning-head for Skinnerthorpe Road;
- Replacement signed cycle route connecting Rushby Street/Owler Lane to Earl Marshal Road and Barnsley Road.

To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development.

- 19 Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

- 20 Prior to the development becoming occupied, details shall have been submitted to and approved in writing by the Local Planning Authority of how the car parking accommodation will be managed and allocated, with the approved details thereafter being operated (including operation of barriers/gates & the times when access in and out of the car park will be restricted).

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

- 21 Notwithstanding the submitted plans, before the development is commenced, full details of the sites northern boundary treatment and interface with rear garden walls shall have been submitted to and approved in writing by the Local Planning Authority. The northern boundary treatment shall have been carried out in accordance with the above-mentioned approved details prior to the school being brought into use.

In the interests of pedestrian safety.

- 22 All teaching rooms shall be designed in accordance with the noise levels given in Building Bulletin 93 (BB93) and noise level from plant and equipment shall not exceed minus 5 dB(A) below background noise levels (L90) when measured at the nearest noise sensitive properties.

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

- 23 All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy by Waterman Structures Consulting Engineers, dated April 2013. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

- 24 Upon completion of the measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development or any

part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 25 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

- 26 The multi-use games area and sports pitches shall only be used between the hours of 0800 and 2100 on any day.

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

- 27 The development permitted by this permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision A dated 13 April 2013 by Ecus and the following mitigation measures detailed within the FRA:

1. Surface water run-off generated by the site shall be limited to 'green field' runoff rate, if discharged to Bagley Dike
2. finished floor levels shall be set no lower than 300mm above the existing site ground level

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupiers.

- 28 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building and within the curtilage of 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 inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

- 29 Unless otherwise approved in writing by the Local Planning Authority, no construction of buildings or other structures shall take place until measures to divert or otherwise formally close the sewer and water mains that are laid within the site have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

To ensure satisfactory drainage arrangements.

- 30 No new tree planting shall be located over or within 5.0 (five) metres either side of the centre line of the water mains or sewer which cross the site.

In order to protect the structural integrity of the pipes from tree root infestation.

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

To ensure satisfactory drainage arrangements.

- 32 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

To ensure the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

- 33 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

To ensure satisfactory drainage arrangements.

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

In order to mitigate against the risk of flooding.

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

In the interests of the visual amenities of the locality.

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

In the interests of the visual amenities of the locality.

- 37 Details of appearance and location of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority and such features shall be installed prior to the development being brought into use.

In the interests of biodiversity.

- 38 No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

In the interests of biodiversity.

- 39 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.

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

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

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

Attention is drawn to the following directives:

1. As the proposed development will involve the closing/diversion of a highway(s) you are advised to contact the Principal Engineer of Highway Information and Orders, Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH, as soon as possible.
2. 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.

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

You should apply for a consent to: -

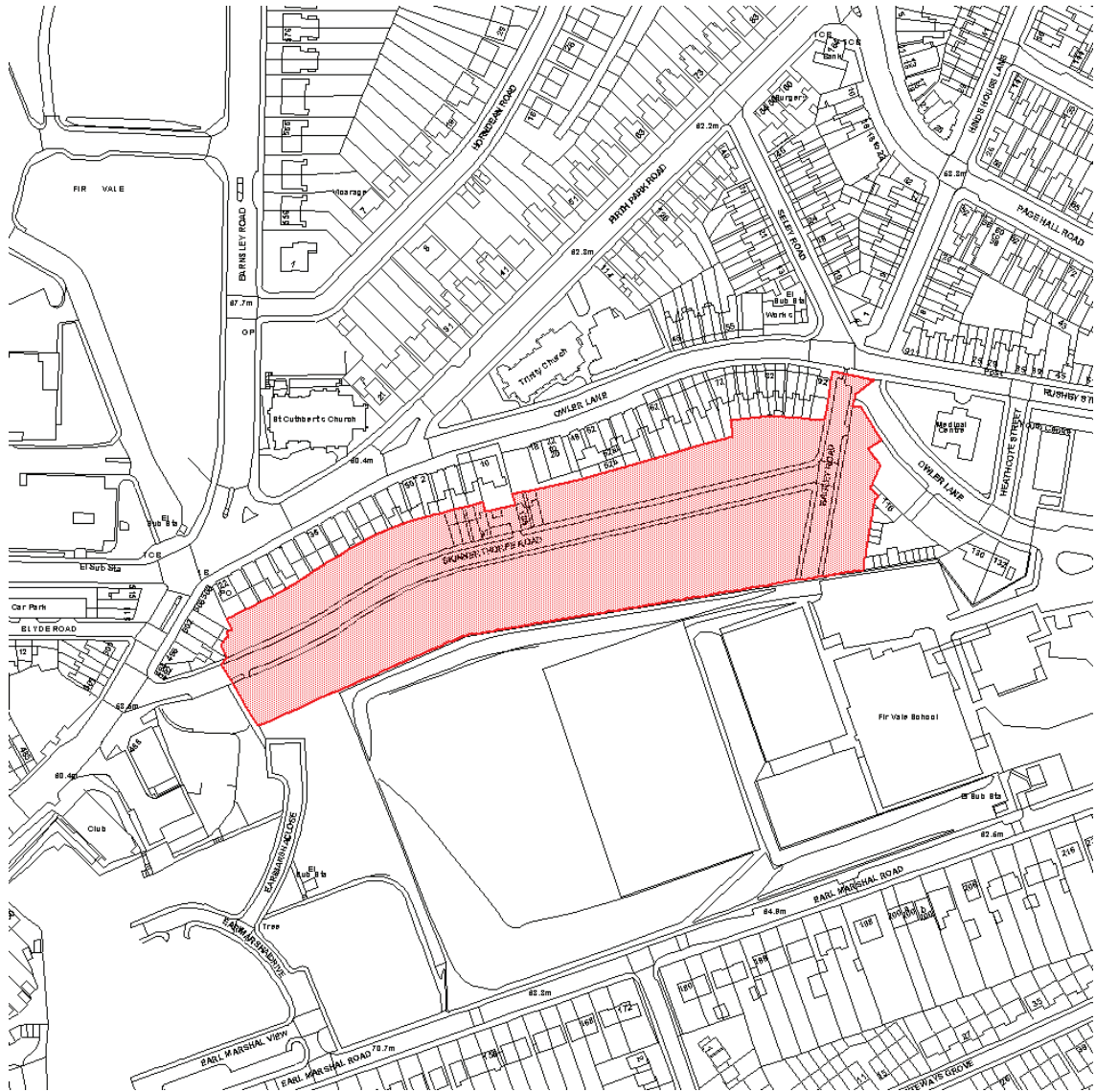
Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield

S1 2SH

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

4. 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. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. For advice regarding the preparation of school Travel Plans, please contact Gay Horsfield (0114 2735828) Transport Planning.
7. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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LOCATION AND PROPOSAL

The application relates to a linear site which runs between Fir Vale School to the south and the rear of properties on Owler Lane to the north.

The site occupies an area of approximately 1.69 hectares and although relatively flat does have a slight fall from west to east and rises to the north. At present the site has a highway running through the centre which prior to demolition works provided access to approximately 130 terraced dwellings which formerly occupied the site, landscaped areas lie to either side of the central highway.

The rear of properties on Barnsley Road and Owler Lane run adjacent to the north boundary of the site. Generally these properties are in retail/commercial use at ground floor level with residential accommodation above. The Northern General Hospital lies beyond this and in combination with main highways and the shopping parade results in a very busy highway network.

The land to the south comprises playing fields and sports pitches associated with Fir Vale School.

The site falls within a Housing Area as allocated in the adopted Sheffield Unitary Development Plan. Part of Owler Lane to the north of the site is located in a Local Shopping Centre whilst part is within a Housing Area and the playing fields to the south of the site are classed as Open Space.

The site formed part of the South Yorkshire Housing Market Renewal Area (established in 2002) and was identified for clearance and redevelopment owing to perceived problems with the housing stock. The Fir Vale Master Plan 2005 set out a vision for the redevelopment of the site to include the shops to the north on Barnsley Road and Owler Lane. The scheme included flats and housing on Skinnerthorpe Road with community facilities on Bagley Lane and new shops and mixed use development on Barnsley Road/Owler Lane. Although the site has been cleared, redevelopment in accordance with the Fir Vale Master plan has not commenced and the site is now vacant. Furthermore revised flood risk maps produced by the Environment Agency have resulted in the site now falling partially within a high risk flood zone. Core Strategy Policy CS67 limits the construction of new housing in high risk flood zones until 2016/2017. Given the above limitations in combination with increased pupil numbers in the northeast of the city the cleared site is now proposed to be redeveloped as a primary school.

The proposed Primary School will accommodate 420 pupils incorporating foundation, Key Stage 1, Key Stage 2 and a nursery school. The proposal comprises a one and a half-storey multi-purpose accommodation block and a two-storey teaching block. The school buildings are proposed to be located towards the east of the site with the main vehicular and pedestrian entrance being taken off Owler Lane. Landscaping and play areas are proposed to the north of the school building with a Multi Use Games Area (MUGA) to the west of the site.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

5 letters of representation have been received, four of these are from the same resident; the points raised are detailed below:

- Pleased that the school is moving ahead, however query on behalf of local residents about parking spaces
- In June 2012 a petition was given to a local Councillor, signed by residents for parking
- Difficulty parking at present due to main roads, would appreciate any updates or news with regards to parking for residents
- Residents were told that knocking down the houses would result in parking provision but so far nothing has been brought forward
- Residents are having to park their cars on Selby Road or behind Page Hall medical centre to avoid penalties if they park outside their houses
- It is very difficult to find a safe place to park on the streets because of vandalism
- There are many time restrictions on parking

A letter of representation has also been received from the Head teacher and Business Manager at Fir Vale School. The points raised are detailed below:

- The authors of the letter are from the adjoining secondary school and so have a vast knowledge of activity in the area
- Proposed vehicular access is via Heathcote Street and Owler Lane. This is a heavily congested area and is the pedestrian route for around 600 secondary school pupils. Suggest that the opening up of Bagley Road onto Rushby Street could help to alleviate some of the additional traffic along Heathcote Street
- Single access to the school is via Owler lane, could the design incorporate an access point at the far end of Skinnerthorpe Road to alleviate congestion at the school entrance
- Skinnerthorpe Road is currently the pedestrian route taken by Fir Vale Students. The alternative is to walk down Rushby Street which is very busy. Suggest that the contractor provides a pathway along the inside boundary of the secondary school to allow pupils to still use this route
- The extremely limited car parking within the grounds of the school will lead to a need for on-street parking. This is already limited and will lead to frustration for drivers in the area. This is a major concern and should be given more thought.
- The addition of a nursery to the design will add to the parent drop-off issue as parents will drop-off children on route to work

The development of a new primary school will be a great facility for the local community however the above issues need to be addressed for safety reasons.

PLANNING ASSESSMENT

Principle of Use

The site lies within a Housing Area and as such UDP Policy H10 "Development in Housing Areas" applies. This policy defines housing as the preferred use and Community facilities and institutions (D1) as acceptable uses within housing areas subject to compliance with relevant criteria set out in Policy H14.

Unitary Development Plan Policy CF1 "Provision of Community Facilities" encourages the provision of community facilities particularly where they would be located where there is a shortage, be easily accessible by public transport and be located within the community which they are intended to serve. The purpose of proposed new school is to accommodate the increase in pupils in the current primary catchment area and therefore the scheme complies fully with Policy CF1.

Core Strategy Policy CS43 "Schools" is also relevant. This states that "provision of schools where they are needed and their development to meet the demands of a modern curriculum are important aspects of the city's aspirations for successful neighbourhoods and learning". Several schools in the north east of the city have already undergone expansion works to accommodate the increased number of pupils but the capacity to expand in this way has now been exhausted. As such it is now considered necessary to construct new primary schools; it is considered that the proposal broadly complies with the aspirations of CS43.

Design

Core Strategy Policy CS74, Design Principles states that "High-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city". Furthermore, Policies H14 and BE5 of the Unitary Development Plan require buildings to be well designed, use high quality materials and be of an appropriate scale.

There are a number of site specific constraints which have been of relevance in the siting of the school. These include the presence of services below the existing highway which require the provision of easements for the maintenance of services; the presence of an underground culvert to the southern boundary which again requires an easement and flood zone issues.

Consequently and logically the adopted design is for a linear building which runs on an east west axis avoiding the restrictive easements. The main public entrance to the building is located to the north east corner of the site; this is the most publicly visible part of the site with views being gained from Owler Lane and Bagley Road. The expression of the entrance has undergone design improvements since the scheme was presented to the Sheffield Design Panel. Legibility has been improved by relocating the entrance to the east elevation so that it is visible from Owler Lane, and highlighting its presence through the use of a canopy. The alterations to the entrance are welcome particular given the desire for the school to link with and provide adult learning services for the community.

The plans include improvements to the public realm along Bagley Road which will be the main pedestrian route into the site. The proposals include treatment to the road to emphasis its pedestrian nature, the planting of a line of trees and the including of public art/signage to increase the presence of the school.

The building is single-storey to the east of the site accommodating the visitor entrance, office accommodation, multi-purpose halls and shared teaching area, before increasing to two-storeys to accommodate the main teaching areas. The differentiation in heights across the building is viewed positively and along with the mono-pitch roofs provides a well-articulated and visually interesting roof scape. This articulation is further expressed in the elevations which have projecting elements including well designed canopy areas which will provide sheltered outside areas and effectively break up the massing of the building. The canopies have undergone design alterations throughout the course of the application and now incorporate brightly colour side elevations which add visual interest to the scheme.

The materials palette comprises red brick, red fireborn clay blockwork, kalwall panel system to the hall area and aluminium standing seam cladding. These materials are considered to be of appropriate quality (subject to approval of final samples) and will also reflect the predominant material in the locality which is red brick.

Owing to the location of the site the school will not be highly visible from public areas; nevertheless the design is considered to be appropriate to the area and will integrate well owing to the materials palette as described above.

A car park will be provided to the east of the site and a Multi Use Games Area and sports pitches to the west, these will not have a harmful impact visually.

Landscaping

Policy GE15 of the UDP "Trees and Woodland" requires the protection of trees and woodland through requiring development to retain mature trees and copses wherever possible and replace any lost trees.

There are several trees within the site boundary and a tree survey has been commissioned to assess these. The report identifies the removal of several trees and the retention of others. The loss of trees is necessitated by the proposed development; these are not protected by Preservation Orders and are not of such a quality that their loss will be harmful to the amenities of the area. The trees to be retained will be protected in accordance with the relevant British Standard document. Furthermore, the plans illustrate the planting of news trees within the site; these will make up for the loss of trees and will be more appropriately positioned in relation to the development.

A habitat survey has been submitted in support of the application. This indicates a variety of diverse landscape habitats will be provided on the site including wetland planting, wildflower meadows, spring bulbs and mixed species hedgerows. Such landscaping will produce a variety of habitats thus encouraging biodiversity. The school are also agreeable to providing bat and bird boxes which will again increase biodiversity.

The plans illustrate a mixture of hard and soft landscaping which will provide an attractive environment for the school and will include amongst other things a nature trail. The pedestrian approach to the school via Bagley Road will benefit from a tree lined hard landscaping scheme which will provide an attractive approach to the school.

Details of fencing will be secured via condition; however the plans indicate standard security mesh fencing to all boundaries but the entrance. The fencing adjacent to the pedestrian entrance has yet to be agreed but will be of particular importance to ensure a high quality route to the building is provided.

Amenity

Policy H14 of the Unitary Development Plan "Conditions on Development in Housing Areas" states that development will be permitted where "the site would not be over-developed or deprive residents of light, privacy or security".

Residential properties are located to the north of the site, these comprise terraced dwellings and some flats above commercial premises. The school building itself will be set a minimum of 27 metres away from the northern boundary and will be approximately 2 metres lower than land at the boundary. This separation distance is sufficient to ensure that the development is not unacceptably overbearing, overshadowing or overlooking to residents to the north.

Landscaping including a nature trail, play areas and sports pitches will be located up to the boundaries with residential properties. There are existing boundary treatments which comprise a variety of walls to the rear of properties on Owler Lane. These will to some extent provide a screen which in accordance with the proposed new northern boundary fence will prevent unacceptable overlooking. Details of the boundary fences will however be conditioned to ensure they are of an appropriate quality and are not overbearing or overshadowing to neighbouring residential properties.

It is reasonable to assume that there will be increased noise as a result of children playing outside during break time and during sports lessons. Nevertheless, this noise will be mainly restricted to school opening hours, although the sports pitches may be used by the local community outside of school hours. The impact of such use is likely to be minimal; however a condition will be attached to ensure that the hours of use are not harmful to residential amenity. The plans indicate that the MUGA and sports pitches will not have flood lighting and therefore nearby residents will not suffer light pollution.

The car park area is proposed to be illuminated and an illuminance survey has been undertaken. The supporting submission from DW Windsor Lighting shows that the proposed lighting levels comply with the guidance given in The Institution of Lighting Engineers "Guidance Notes for the Reduction of Obtrusive Light" which recommends a level of lighting not exceeding 10 Lux for this type of area. As such the proposal will not lead to light pollution.

A noise assessment has been undertaken to measure background noise levels and these results will inform plant noise limits. The report suggests a maximum daytime plant noise limit of 40dB; this is 5dB below the lowest measured daytime background noise level and so will ensure that noise disturbance does not occur to nearby residents.

Flooding

The site falls within Flood Zones 2 and 3. Flood zone 3 is defined as an area with a high probability of flooding assessed as having a 1 in 100 or greater probability of flooding in any year. Flood zone 2 refers to an area assessed as having between a 1 in 100 and 1 in 1000 probability of flooding in any year.

Core Strategy Policy CS67 "Flood Risk Management" recognises that in some cases there may be overriding reasons for allowing development in zones with a high probability of flooding. In these cases the policy states that development will only be permitted where

- (m) more vulnerable uses, including housing, would be above ground floor level
- (n) the lower floor levels of any other development with vulnerable equipment would remain dry in the event of flooding
- (o) the building would be resilient to flood damage
- (p) adequate on and off-site flood protection measures would be provided

The National Planning Policy Framework (NPPF) states that "inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere". It then goes on to state that "Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impact of climate change".

The Technical Guidance to the National Planning Policy Framework sets out the appropriate uses in flood zones. A school (D1) is defined as a "more vulnerable use" and is acceptable in a Flood Zone 3 provided that the sequential and exception tests are passed.

The sequential test seeks to determine if there are any alternative sites available for the development within areas at lower risk of flooding, if any such sites are available then development should not be allowed in the higher risk flood area. A detailed sequential test has been carried out in support of the development. This initially looked at a total of 19 sites before narrowing it down to nine, then four and then the application site. The other sites all had issues such as lack of availability, wrong location, access problems. The Skinnerthorpe Road site was considered to be the most suitable site due to its size and location. The sequential test is usually meant to be city wide, however owing to catchment area requirements the search area in this instance was restricted, this is considered to be a reasonable approach. The test shows that there are no sequentially preferable sites available and therefore the development passes the sequential test.

The Exception Test must demonstrate that

- The development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment ; and
- A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In this case the school will bring benefits to local people, who cannot currently access sufficient primary school places in the area. This will be important for new housing development in the area and will offer space for community activities. The development provides opportunity to join up wider community aspirations and provide a boost to the local area. As such it is considered that the first part of the Exception Test has been met.

The Flood Risk Assessment identifies that the site is most at risk of flooding by overland/surface water flow. This is as a result of the site lying at a low point in a shallow valley and as such if overland flow should be generated to the north, west or south of the site it would naturally flow to the site. Furthermore, if the culvert to the south of the site should become full then and overflow would also be over the site owing to its topography. However it is noted that the Environment Agency and Sheffield City Council do not hold any records of the site flooding.

The Flood Risk Assessment identifies a range of mitigation measures to be employed in the construction of the building. These include that internal floor levels will be set 300mm above ground levels and that consideration will be given to using impermeable building materials up to 300mm above ground level. The entrances to the building fall within Flood Zone 3, ideally these would be outside of the flood zone in accordance with Environment Agency guidance but the restrictions to the siting of the school prevent this. Nevertheless, the site has a very shallow slope with a maximum gradient across the site of less than 1%; this indicates that any flow across the site would be at a relatively low speed. Furthermore, the depth of the water is likely to be very shallow; as such it is probable that any flow will be passable. It is however important to note that the school will benefit from a large first floor area which will allow for a temporary refuge if necessary. The Environment Agency have not objected to this part of the proposal and given the site specific circumstances and lack of alternatives it is deemed to be acceptable.

The development may increase surface water run-off volume and rates in comparison with greenfield rates. It is proposed to either discharge surface water into Bagley Brook depending on Environment Agency consent, or into the existing sewer system in Skinnerthorpe Road. If permission is granted for discharge into the Brook then some form of attenuation will be required to limit water discharge to greenfield rates.

Core Strategy Policy CS67 (m) requires more vulnerable uses to be above ground floor level. A school is classified as a more vulnerable development and part of the accommodation is at ground level. However as detailed above the development

has been designed to be flood resilient and will not increase flood risk elsewhere and is therefore deemed to be acceptable.

The development meets the Exception Test.

Sustainability

Core Strategy Policy CS64 "Climate Change, Resources and Sustainable Design of Developments" requires all new non-residential buildings with a gross internal floor area of over 500 square metres to be designed to reduce emissions of greenhouse gases and use resources sustainably. In order to satisfy this policy, the extension will achieve a BREEAM (Building Research Establishment Environmental Assessment Methodology) rating of very good. A pre-assessment has been carried out and indicates that the scheme will meet this target.

Policy CS65: Renewable Energy and Carbon Reduction of the Core Strategy, sets out objectives to support renewable and low carbon energy generation and also to further reduce carbon emissions. This policy requires all significant developments to (a) provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy and (b) to reduce the developments predicted carbon dioxide emissions by 20% providing it is feasible and viable.

The plans indicate the installation of photovoltaic panels and solar thermals on the roof area. It is predicated that these will generate 11.5% of the sites energy in compliance with CS65 (a). The development will meet BREEAM very good standards and therefore part (b) of Policy CS65 as there will be a reduction of 20% in the developments predicted carbon dioxide emissions.

In addition the development will benefit from high levels of natural light, rain water recycling and natural ventilation, all of which will increase the sustainability credentials of the development.

Highways

Policy H14 'Conditions on Development in Housing Areas' states that, "In Housing Areas new development will only be permitted where it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians."

Skinnerthorpe Road currently leads into Bagley Road and is a long cul-de-sac, having a junction with Barnsley Road (A6135) at its western end. There is currently no direct vehicular access from Bagley Road to Owler Lane, though pedestrians and cyclists do have freedom of movement between the two. In order to physically accommodate the development, Bagley Road would be pedestrianised and most of Skinnerthorpe Road would be stopped-up. A new turning-head would be provided to accommodate the manoeuvre of a large 4-axled refuse vehicle entering the remaining section of Skinnerthorpe Road from Barnsley Road. Tracking drawings have been submitted which indicate that the turning space is sufficiently large to accommodate such a vehicle.

Skinnerthorpe Road currently carries an un-signed recommended cycle route, which enables cyclist to avoid the busy Herries Road junction. The development proposal severs this route for cyclists. Consequently, an existing path will be upgraded (and signed as the replacement cycle route) which connects Rushby Street/Owler Lane to Earl Marshal Road and Barnsley Road, flanking the side of Fir Vale School (running up from the roundabout), thereby enabling cyclists to still avoid the busy Herries Road junction. Originally the proposal was to incorporate a cycle route to the northern boundary of the site, however major concerns were raised that this route would be very unsafe as it would be poorly overlooked, particularly outside of school hours and had blind corners where people could hide. The alternative route whilst perhaps slightly longer is much preferable as the route will have better surveillance and therefore will be safer for users.

Some on-street parking currently takes place in Bagley Street, most likely in association with local shops/businesses and residential properties. The above-mentioned pedestrianisation and stopping-up will result in the loss of this on-street parking. The existing parking will be displaced/scattered elsewhere, or alternatively a change in travel mode might be adopted. Whilst it is noted that there are various parking restrictions in the locality it is considered that it would be unreasonable to refuse the proposal which will provide a necessary community facility on the basis that some people currently use the highway to park their vehicles.

The stopping-up and pedestrianisation of the highway require formal processes to be followed of advertising and posting notices. Any objections to the pedestrianisation would be reported back to the appropriate committee; objections to the stopping-up will go direct to the Department for Transport as they are the order making body in this case.

Pedestrian access to the school will be via Bagley Lane and vehicular access will be from Heathcote Street. The segregation of vehicular and pedestrian access is viewed positively and will prevent potential conflict between users. The development will lead to an increase in traffic movements along Heathcote Street and Owler Lane as a result of both staff arriving and leaving and parents dropping off children, it is noted that this is a well used route to the secondary school. Staff movements are likely to be before the school opens and after it closes, as such it is considered that the traffic generated by staff will be relatively minimal and will not conflict with pedestrians.

The Traffic Survey submitted with the application has estimated the average number of trips to the school based upon information gained from the TRICS database for similar primary schools. This indicated a total of 171 vehicle movements between 8am and 9am and 142 movements between 3pm and 4pm. These figures are relatively high, however it is noted that the site is in a particularly sustainable location with 6,400 dwellings within 1 mile of the site. As such it is anticipated that the majority of people would walk to the site and so the above estimates are perhaps a little high. Additionally, the site benefits from seven existing bus stops within 400m walking distance of the site, ensuring it is highly accessible by public transport. It is noted that the route to the car park is fairly convoluted; this will result in slower speeds. Additionally, on-street parking in the

vicinity is very limited and this too should discourage people from driving to the site.

The plans indicate that 29 parking spaces will be provided for 45 members of staff. This level of provision exceeds Sheffield City Council's Interim Adopted Parking Standards of 1 space per 2 members of staff. It is also proposed to provide 15 secure cycle spaces in a covered cycle shelter and as mentioned previously the site is easily accessible by public transport.

On balance it is considered that the proposed development will not have an adverse impact on highway or pedestrian safety and will provide sufficient parking for staff.

Access

Policy H14 'Conditions on Development in Housing Areas' states that, "In Housing Areas new development will only be permitted where it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians."

The development has been designed to be fully accessible by disabled people. Amended plans have recently been received which show improvements to access, however these have not yet fully been assessed due to time limitations. As such it is considered necessary to attach a condition relating to disabled access, however the amendments will be assessed before committee and the condition removed if appropriate.

RESPONSE TO REPRESENTATIONS

The stopping up of Skinnerthorpe Road will result in this area being unavailable for on-street parking. Cars which currently use the highway for parking will be displaced to alternative locations in the vicinity. The fact that on-street parking will be lost is not a reason for refusal; if this were the case then it could prevent the redevelopment of the site.

Staff at Fir Vale School have suggested that Bagley Road is opened up onto Rushby Street to prevent all traffic travelling down Heathcote Street which is well used by secondary school pupils. If Bagley Road were opened up then the segregation between the vehicular and pedestrian entrances on the site would be lost. It is considered that Heathcote Street can accommodate the additional traffic.

It has also been suggested that access is provided from Skinnerthorpe Road as well as from Oowler Lane. The Skinnerthorpe Road end of the site could only potentially provide pedestrian access owing to the requirement to close the highway. This section of the site is not well overlooked and it is considered more desirable to concentrate pupil access to the site in one location which can be carefully monitored.

Consideration has been given to the provision of a footpath within the site to provide access through for pupils from Fir Vale School. Such a path would need to

be located towards the northern boundary of the site and would be very poorly overlooked with blind corners where people could wait and hide unseen. As such it is considered that such a path would be unsafe and so is not desirable. It is noted that at present some secondary school pupils walk down Skinnerthorpe Road to school and this would not be possible following the development. Nevertheless alternative routes exist including down Owler Lane and along Earl Marshall Road. There is also a public footpath leading south near the entrance to Skinnerthorpe Road and this provides access to Earl Marshall Road.

It has been suggested that more parking is required; however the development exceeds parking guidelines and so is deemed to be acceptable in accordance with the detailed description in the "highways" section of the report.

SUMMARY AND RECOMMENDATION

The proposed development complies with Unitary Development Plan policies H10, H14, CF1, BE5, BE7 and GE15 and Core Strategy Policies CS43, CS64, CS65, CS67, CS74 and the National Planning Policy Framework.

The proposed new building has been designed taking into account site specific constraints. The building is well articulated and includes attractive canopies which break up the massing and introduce visual interest to the building. The scheme will utilise materials which will reflect the character of the surrounding area and the entrance is sited so as to link with the surrounding area.

The development includes proposals for high quality hard and soft landscaping including the pedestrianisation of Bagley Road to provide a welcoming approach to the school. The scheme proposes the inclusion of a variety of habitat types which will increase biodiversity.

The development will not have an adverse impact on the amenities of nearby residential properties.

The development falls within a flood zone 3 but passes the Sequential and Exception Tests. The development has been designed to mitigate flooding and will not lead to increased flood risk elsewhere in the locality.

The scheme will employ a variety of sustainability features in order to achieve a BREEAM very good rating and comply with CS64, furthermore, 10% energy will be provided in accordance with CS65.

Having regard to the above it is recommended that permission is granted subject to conditions.

Case Number	13/01343/FUL (Formerly PP-02495948)
Application Type	Full Planning Application
Proposal	Demolition of public house (Use Class A4) and erection of retail store (Use Class A1) with associated landscaping, car parking and servicing (In accordance with amended plans and elevations received 11.06.2013)
Location	Bradway Hotel Bradway Road Sheffield S17 4QW
Date Received	19/04/2013
Team	South
Applicant/Agent	Turley Associates (Leeds)
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:

Project number 12/W9473, drawing numbers:

- 200
- 205 (received on 11/06/2013)
- 207
- 212 (received on 11/06/2013)
- 214 (received on 11/06/2013)
- 215 (received on 11/06/2013)
- 216 (advertisement/signage information only)
- 217 (advertisement/signage information only)
- 218 (advertisement/signage information only)

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 A1 use shall be used for the above-mentioned purpose only between 0700 hours and 2300 hours on any day.

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

- 5 External plant specifications and noise mitigation measures shall be in accordance with the design and assessment criteria detailed in the approved NSL 'Plant Noise Assessment Planning Report' (RF 84365/NIA; 29/05/2013).

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

- 6 The sales floor air conditioning units shall operate daytime only, between 0700 hours and 2300 hours on all days.

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

- 7 Before the use of the development is commenced, a Validation Test ensuring total external plant noise emissions comply with the agreed noise assessment criteria shall have been carried out, and the results submitted to and approved by the Local Planning Authority. Such Validation Test shall:
- a) Be carried out in accordance with an approved method statement,
 - b) Demonstrate that the following specified noise levels have been achieved at the position of the nearest residential receptor:
 - 29dB LAeq during the daytime (07:00 hours to 23:00 hours)
 - 23dB LAeq during the nighttime (23:00 hours to 07:00 hours)
 - c) In the event that the specified noise levels have not been achieved, then notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

- 8 No additional plant or extraction equipment other than that approved shall be installed on the building.
- In the interests of the amenities of the locality and occupiers of adjoining property.
- 9 All deliveries to and collections from the store, including waste collections, shall be the subject of a servicing management plan which shall be submitted to and approved in writing by the Local Planning Authority prior to use commencing. The plan shall detail restrictions to servicing arrangements with a view to preventing noise nuisance to occupiers of nearby residential properties and highway congestion.
- In the interests of the amenities of the locality and occupiers of adjoining property.
- 10 No deliveries or collections shall be undertaken in the rear car park area at any time between 2300 hours and 0700 hours on any day.
- In the interests of the amenities of the locality and occupiers of adjoining property.
- 11 No deliveries to the site shall be accepted from any vehicle parked on the main highway.
- In the interests of the safety of road users.
- 12 Before commencement of the development, details of the boundary treatment to the West of the car park of the site shall have been submitted and approved. Thereafter the treatment shall be implemented and thereafter retained.
- In the interests of the amenities of occupiers of adjoining property.
- 13 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins shall be carried on outside the building/s within the site of the development (shown on the plan) between 2300 hours and 0700 hours (on the following day) Mondays to Saturdays and between 2300 hours and 0900 hours on Sundays and Public Holidays.
- In the interests of the amenities of the locality and occupiers of adjoining property.
- 14 Before the use of the development is commenced, details of the proposed external lighting shall have been received and approved by the Local Planning Authority. Thereafter, the lighting shall be installed and retained in accordance with the approved details.
- In the interests of the amenities of the locality and occupiers of adjoining property.

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

In the interests of the visual amenities of the locality.

- 16 The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 17 Before the commencement of the use, details shall first have been submitted to and approved by the Local Planning Authority to show a suitable bin store area to the premises. Thereafter, this shall be provided and retained in accordance with the approved details.

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

- 18 Prior to any works commencing on site, full details of the following shall have been submitted to and approved in writing by the Local Planning Authority, and the demolition and construction works shall only be progressed in accordance with the approved details:
Construction method statement
Phasing of construction works
Any temporary site access for construction traffic
Times when construction works and movement of construction traffic will be restricted.

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

- 19 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.

- 20 The A1 unit shall not be used unless the car parking accommodation for 14 vehicles (including 2 disabled spaces) as shown on the approved plans has

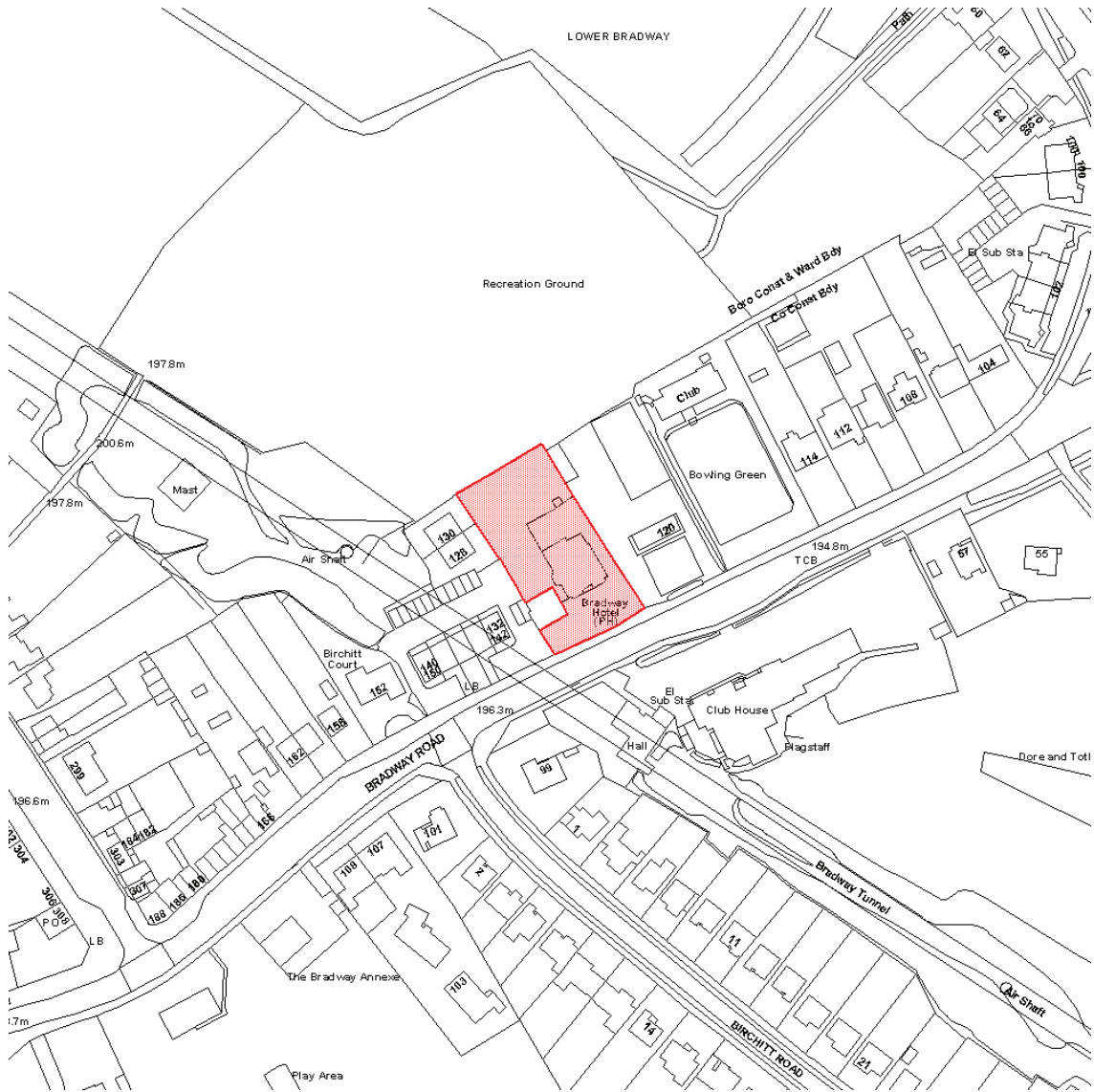
been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

Attention is drawn to the following directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document 'Guidance Notes for the Reduction of Obtrusive Light GN01: 2011'. This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Professionals website at <https://www.theilp.org.uk/documents/obtrusive-light/>.
2. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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LOCATION AND PROPOSAL

The application site comprises of a 0.15 hectare site that contains a public house building (The Bradway Hotel) and its grounds. The site extends around an existing Class A2 unit used as a betting shop. The site fronts Bradway Road and benefits from a forecourt to the front.

The surrounding area is varied, containing a range of commercial and residential uses in buildings of various ages and styles. Immediately to the east of the site is a petrol station, a modern housing estate and more traditional dwellings. To the west lies a small Shopping Centre which is within a functional modern block. Opposite the site lies a golf club and housing.

Planning permission is sought for demolition of the existing buildings and their replacement with a Sainsbury's Local supermarket with a footprint of 400 square metres and associated parking and servicing areas accommodated to the rear and front of the building respectively.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

Following the display of a site notice, and individual neighbour notification to over 40 neighbouring addresses, 21 representations have been received, and are summarised below:-

Objection (19no)

Traffic -

- Inadequate parking has been provided
 - There is no available street parking for users in addition to the car park
 - Additional traffic will be caused by users of the ATM, not just Sainsbury's customers
 - Customers for Coral (the neighbouring betting shop) park on the forecourt of the site, and will be displaced by the development, causing traffic problems
 - Delivery trucks will have to use Twentywell Lane or Queen Victoria Road to access, which are not suitable routes
 - Delivery trucks will cause traffic congestion when loading or off-loading on site.
- A comparison is made to Tesco Express on Abbeydale Road (a photo is shown with two delivery lorries on site, one parking obstructing the pavement)
- The proposed access will be next to the access to the neighbouring petrol station, causing additional hazards for pedestrians to navigate
 - The proposed front landscaping will reduce vehicle visibility and endanger other road and pedestrian users
 - Cars turning into the site will cause backlogs of traffic
 - Local car ownership is high, and Sainsbury's are underestimating the amount of likely car users

- The proposed road access would result in a dangerous junction on a busy stretch of road
- The proposal will cause additional on street car parking on Birchitt Road

Other Matters-

- The proposal will interfere with a designated right of way through the site (public footpath)
- Pedestrians using the right of way will be in conflict with road users
- The proposal will lead to an increase in local litter
- The loss of the Bradway Hotel building is regrettable, especially with the replacement building having little character
- The proposal will reduce local character
- Threat to other retailers
- Question of need

(The last two points raised are not material planning considerations, and will not be assessed as part of this application)

A representation from Councillor Otten has been received, raising concerns that the proposal will lead to greater traffic levels and congestion; greater levels of noise for local residents; and may threaten local retailers. The representation does however support bringing the site back into use.

One representation has been received from Bradway Action Group, objecting on the basis that:

- The car users for the site will be in conflict with other pedestrian and traffic users, especially for Bradway Primary School and meetings in the neighbouring Community Hall, as well as journeys to Meadowhead School
- The provision of car parking to the rear of the site raises issues that users will access the site without knowing if there is suitable car access. Disabled users may not wish to reverse into the spaces provided
- Parking congestion will occur from the displaced users of the Coral betting shop, who presently use the forecourt of the Bradway Hotel for parking
- HGV deliveries will involve vehicles navigating across the traffic flow as routes from the West are unsuitable for HGV travel
- The proposal will cause traffic congestion compared to the existing situation
- The proposed right of way across the site will be interrupted, and information is required on how this route will be protected and demarcated

Support (2no)

- The proposal will bring the site back into use
- The proposal will bring more retail choice to the local area

PLANNING ASSESSMENT

Principle of the Proposed Use

The site falls within a Local Shopping Centre within the Unitary Development Plan (UDP) and UDP Policy S7 "Development in District and Local Shopping Centres" is relevant. This states that shops (A1) are the preferred use, and this development therefore accords with the policy aim.

Policy CS39 "Neighbourhood Centres" states that "new development for local shops and community facilities to serve the everyday needs of the community will be encouraged in Neighbourhood Centres". Neighbourhood Centres are the successor to Local Centres identified in the UDP and so the proposal is consistent with this policy.

The National Planning Policy Framework (NPPF), in paragraph 24, sets out that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses to require applications for main town centre uses to be located in town centres. This example is situated within a Local Centre and, as such, accords with the principle of this aim. Paragraph 23 sets out the criteria for ensuring the vitality of town centres. This says that competitive centres should be promoted with diverse retail facilities on offer. Issues of competition have been raised in representations. However, national guidance contained in paragraph 23 of the NPPF says that competitive town centre environments should be promoted so this issue cannot be taken into account in the assessment for this proposal.

Design and Layout

Core Strategy Policy CS74, Design Principles states that "High-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city." Policy S10 from the Unitary Development Plan "Conditions on Development in Shopping Centres" requires that development is well designed and of a scale and nature appropriate to the site. Furthermore, Policy BE5 requires buildings to be well designed, use high quality materials and be of an appropriate scale.

The footprint of the proposed building will be quite large, but will be in scale with the footprint of several large buildings nearby, such as the Petrol Station complex and golf club house opposite. The proposed building is to be constructed from stone on the elevation fronting Bradway Road. This material will reflect the materials common to the local area, including the neighbouring betting shop with which this unit will be seen in context. The cedar boarding proposed above the entranceway will add some visual interest to the building, and will not form a discordant feature. The side and rear elevations will be in a light coloured brick. This will match some of the lighter coloured bricks seen on some of the more functional buildings in the local area. Although not of such high quality as stone, the brick will not appear out of character given the secondary nature of the side and rear elevations.

The entrance to the store is proposed to face Bradway Road. This will ensure that the proposal links well with the existing Local Shopping Centre and connects to the surrounding area. A large amount of glazing in aluminium frames is proposed for the main elevation, and part of the side elevation (to reduce the perception of

enclosure to the side). This will add visual interest, allows views into the store and adds legibility to the main entrance.

The building has a simple rectangular footprint and represents a contemporary design approach whilst still reflecting the character of the area through the use of stone and a pitched roof. The building has been designed so as to retain linkages with the Local Shopping Centre and to address Bradway Road. The elevations facing the rear are functional and not overly attractive, but are acceptable in the context of relating to the servicing area of the building, in common with the functional appearance of rear elevations elsewhere in the Shopping Area.

The proposed totem sign indicated on the drawings will similar to existing signage in the streetscene, such as the petrol station sign, but will require separate Advertisement Consent.

Overall, it is considered that the design of the store utilises a simple palette of materials that will result in a building with a clean appearance. Whilst not distinctive or original in design, the store will be adequately designed and of an appropriate scale and siting, utilising appropriate materials. The proposal is therefore in accordance with Policy BE5 of the UDP and Policy CS74 of the Core Strategy.

Demolition of the Public House

Consideration has been given to the impact of the loss of the Bradway Hotel building. It is a building of character, being in the Arts and Crafts style, and the assessment has looked into whether it can be protected. It is not of such historic or architectural importance to justify its listing, nor is it within a Conservation Area. Policy BE20 "Other Historic Buildings" from the Unitary Development Plan (UDP) states that the retention of historic buildings which are of local interest but not listed will be encouraged wherever practicable. Current legislation would allow the developer to demolish the building via the prior approval process, where the method of demolition and any site restoration are the only considerations. The character of the building, and its loss in principle, are not able to be considered through the prior approval process. This significantly limits the ability to reasonably consider the potential harm caused by the demolition of the building. Given this fact, it is not practicable to require the retention of the building, and a refusal based purely on the demolition would be difficult to substantiate.

Amenity issues

Policy S10 (part c) of the Unitary Development Plan requires that new development would not deprive residents of light, privacy or security and would not result in unacceptable noise nuisance.

The closest residential properties are sited to the North West of the site and comprise of two bungalows. These two properties have rear windows in close proximity to the site (5m from the boundary with the car park), due to the fact that they have narrow rear gardens. There is a tall hedge at present between the car park site and the bungalows, which will provide protection from the car park area.

Given the operating times where the unit will close at 23.00 hours, there will be limited scope for the car park to generate late night noise. To protect the amenities of this neighbour, a condition will be added for details of the boundary treatment to be provided, which may include retention of the hedge, or additional features to demonstrate that a suitable barrier will remain between the bungalows and car park to protect the amenities of these neighbours.

The proposed plant will comprise of air conditioning, ventilation and refrigeration plant. The nearest noise sensitive receptor to the proposed external plant area is a single-storey bungalow (128 Bradway Road) located approximately 12m northwest of the proposed plant area. A noise assessment from Noise Solutions Limited has been submitted by the applicant to support the application. Following mitigation measures to add a screening wall, the Council's Environmental Protection Service are satisfied that the report identifies plant noise would be suitably mitigated so as not to cause a statutory nuisance. In the event that the report's recommendations are not achieved, it is recommended that conditions are added for a validation test to be undertaken before the equipment is brought into full time use. Conditions are also recommended to require the turning off of the non-essential equipment outside of store opening hours.

The new build will be relatively low profile, and will not feature any walls that will overshadow neighbouring properties. The development is set an adequate distance away from all other properties to ensure the direct impact on residential amenity is limited.

Deliveries to the site will be through a loading bay to the front. This is suitably distant from neighbouring residential properties so as to not cause noise nuisance, especially in context with the neighbouring petrol station site. The closest residential units to the loading area will be at first-floor level above shops to the West, over 10m from the loading area of the site, which are suitably distant so as to not be significantly affected.

Refuse collection and small deliveries may occur to the rear of the unit, closer to the neighbouring bungalows. Conditions to require the submission of a report to control deliveries and refuse collection here will be sought so as to ensure no late night or early morning activity occurs here.

Lighting to the building is proposed. The location of lighting is not in direct sight of neighbouring residential windows. Full details of the lighting will be reserved by condition so as to insure no high power disruptive lighting is sought.

Accessibility

Policy BE7 of the UDP "Design of Buildings Used by the Public" states that "In all buildings which are to be used by the public, provision will be expected to allow people with disabilities safe and easy access to the building and to appropriate parking spaces. The provision of other facilities for people with disabilities or with young children will be encouraged"

The site will accommodate a suitable proportion of disabled parking spaces, which will be within easy walking distance of the main door. There will be a suitable vehicle free pedestrian access to the side of the spaces towards the main entrance, and a level threshold.

A suitable width pavement is proposed to the side of the unit, which will provide a safe pedestrian walking route from the main car park to the front of the building.

Amended plans received on 11/06/2013 have added improved pedestrian approaches to the main entrance, including a marked informal crossing. A second crossing is also shown within the car park. This crossing is diagonal, and not of the most ideal design, but is a suitable compromise considering the confines of the site to allow for safe access to the pedestrian right of way through the site, and is an improvement over the shared vehicular/pedestrian route that is presently sited here.

Highways

Highway/traffic issues

UDP policy S10 (part f) requires development to provide safe access to the highway network with appropriate off street parking. Many of the issues raised through neighbour representations related to concerns over the impact on the highway network. The site is located on Bradway Road which is a local classified road that connects outer suburbs to the Outer Ring Road, and is also used as a route from Twentywell Lane and Queen Victoria Road/Prospect Road respectively. The site is 45m distant from the junction with Birchitt Road, with the busier junction with Twentywell Lane situated 150m to the West.

Bradway Road is reasonably well trafficked, especially at school collection and pick up times due to the proximity of a primary school.

The Transport Assessment submitted with the application anticipates that there will be between 37 and 38 cars using the site within an hour at peak traffic times, resulting in up to 75 car movements. The peak usage of the stores tends to be in the early evening (between 17.00 and 20.00 hours). Information has been also submitted following surveys of the car movements seen at other comparable stores. These show comparable figures in practice - the Paignton Store (with larger footprint and car park) achieves 76-77 car movements at peak times during the week (17.00 to 18.00 hours), the Bradford store achieves 69 car movements at weekday peak. Car numbers during the weekend are predicted to be lower, which corresponds with figures given for a store at Worcester Park which achieves a maximum number of vehicle movements of 42 during peak times on Saturday.

The access to the store will be via an access from Bradway Road. Vehicles turning right will not benefit from a right turning lane, and would block the highway temporarily should vehicles be travelling the other way. Within a single hour, less than one car a minute would be heading into the car park at peak times. Such a level of traffic movement is not sufficient to cause significant on road congestion at this point from cars turning right. The level of traffic generated at peak times is not

sufficient to cause concern over increasing traffic congestion. The movement of less than one car a minute would not be significant. It should also be added that most trips by vehicles will be by way of passing trips and it is suggested that people would already be using the existing highway, and that only the nature of this highway use would change slightly.

The development will have 14 associated parking spaces (including the disabled spaces). Consideration has been given to whether this provision is adequate. Survey information from the Paignton Sainsbury's store (with the highest traffic movements) indicates an average car stay of 10 minutes in the week, and 11 on Saturdays, with the maximum number of vehicles using the car park set at 11 on weekdays. These numbers do take account of staff parking in addition. This number is lower than the spaces being provided at the proposed Bradway store, and indicates that the number of proposed spaces should be sufficient. Looking at the car movements predicted, combined with the average length of stay, officers are satisfied that the provision of 14 spaces will be sufficient. It should also be noted that the proposed car park is spacious, and offers suitable manoeuvring space for vehicles which should encourage its use. There is a lack of on street parking capacity in the location due to the presence of double yellow lines immediately outside the site, and restrictions during peak travel times elsewhere on the main road, and this does limit any road congestion that may occur should the parking facility become overly used at any one time, as feared by several representations. Birchitt Road is the closest uncontrolled parking area, but is not within an easy walk, being 150m distant from the site - a not inconsiderable walk.

Servicing will take place within the site and therefore will not disrupt the flow of traffic on the highway. Questions have been asked by representations over the servicing arrangements, such as when two vehicles arrive at the site at once. This is a valid concern, as there is space for only one vehicle, when 3 visits by large vehicles are expected per day (the newspaper delivery is in a small van, which could be accommodated elsewhere on site). As a result, a delivery management plan will be required by condition to ensure that a plan is put into action to limit deliveries to one vehicle at a time. Given that the time of deliveries should be limited (with two of the vehicles requiring limited standing time), this should be possible. There is enough manoeuvring space on site to accommodate a large goods vehicle. It is noted that vehicles will most likely approach the site from the East and leave to the East. It has been demonstrated that a vehicle could enter the site in a forward gear from the East, and then manoeuvre up the side access road before exiting in a forward gear, and that this would be easy to achieve.

It is noted that some cars do park on the front hardstanding of the disused pub to use the neighbouring betting shop. This informal arrangement will be displaced by the proposal. However, given this parking is not authorised and could be prevented by the landowner at any moment, it is not considered appropriate to give this any weight. As a result, the displacement of this parking cannot form a suitable reason to recommend refusal of this application.

The site is accessible on foot from the surrounding residential catchment, and is within 100m of bus stops on Bradway Road, with the 25 and 25A services

providing a frequent service. It is therefore considered that the site is in an accessible location by all forms of transport.

Consultation with Highways Development Control indicates that the scale of the case would not require a travel plan, which is reserved for sites where there are over 80 car movements an hour, or for food retail schemes of over 1000 square metres of floorspace. This application example is well below these figures.

Overall it is considered that the highway impacts of the proposal are acceptable, and satisfy the requirements of UDP policy S10.

Air Quality

The vehicle movements to and from the site have the potential to add to air pollution. Policy CS66 of the Core Strategy states that action to protect air quality will be taken in all areas of the City, across the built up area and in particular where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Attention is also given to the emerging policy from the Sheffield City Policies and Sites document Pre-Submission version(draft policy F1 "Pollution Control"), since the National Planning Policy Framework (NPPF) does allow emerging policy to be considered. This emerging policy states that significant development needs to demonstrate that it has been designed to mitigate against air pollution generated by the development. The policy defines 'significant development' for food retail use as a store of at least 1000 square metres. This is more than twice the floor space of the proposed store. In addition developments with more than 60 vehicle movements per hour are also defined as 'significant'. However, in this particular case, this number of movements is predicted by the traffic information to occur on only an infrequent basis. In this context, the mitigation required by the emerging policy is not considered necessary.

Nevertheless, the assessment has also looked into whether air quality levels in the local area exceed EU limit values, in which case more information on the impact of the development and potential mitigation measures would be provided. The traffic levels experienced in this part of the city are below the level that would result in the area exceeding national and EU limit values for NO₂. Taking this into account, along with the small scale nature of the store it is considered that the development will not result in significant air quality problems for the local area.

Landscaping

The proposal incorporates soft landscaping proposals to the front of the unit. This will involve a relatively thin strip of planting next to the pavement, and will improve the appearance of the site from the front. Fuller details of this will be sought by condition. Its height should not be sufficient to cause a highway obstruction, nor hiding places. Elsewhere, hard landscaping is proposed, which will largely be out of view, limiting its impact.

Public footpath

The proposal will involve the diversion of a public footpath. This is separate to the planning consent, and requires the permissions of the relevant authority. The layout of the proposed pavements is suitable to ensure the access can be maintained. Amended plans showing a pavement up to the gate across the car park should improve the access somewhat.

SUMMARY AND RECOMMENDATION

The application proposes a retail food store with a footprint of 400 square metres replacing the existing Bradway hotel building.

The principle of the proposed use is acceptable within the Local Shopping Area, and accords with the principle of UDP policy S7. It is also supported by the main thrust of National Planning Policy Framework Policy.

With regards to the design, the loss of the Bradway Hotel building is regrettable. However, it is not protected and levels of control against its demolition are limited, reducing the weight given to UDP policy BE20. The proposed replacement is acceptable, with a stone and cedar boarded front and low height and suitable scale for the location. Improvements to the landscaping to the front are positive, as are amendments to add additional glazing to the proposed building. On balance, the design is considered to be in accordance with UDP policies BE5 and S10 as well as Core Strategy policy CS74.

The proposal will offer suitable disabled parking spaces and level access, and will accord with policy BE7 from the UDP.

In terms of the highways impact, detail studies of the traffic impact of similar Sainsbury's Local stores reveal traffic levels and parking that should ensure a limited traffic impact and indicate that the level of parking sought is adequate. Given this, there should be no significant danger to road users or pedestrians. The access for goods vehicles is acceptable, and turning areas are available for goods vehicles arriving and leaving from the East.

The scale of the development is such, that there should be no significant air quality issues arising from traffic to and from the site, especially given that local air quality levels in the vicinity of the site do not exceed the EU NO_x limit.

The scheme is considered to meet the relevant policy criteria, and is considered acceptable. It is therefore recommended that planning permission is granted.

Case Number 13/00915/OUT (Formerly PP-02534292)

Application Type Outline Planning Application

Proposal Erection of dwellinghouse

Location Curtilage Of 54 Westwood Road
Ranmoor
Sheffield
S11 7EY

Date Received 21/03/2013

Team West and North

Applicant/Agent Paul Humphries Architect

Recommendation Refuse

For the following reason(s):

- 1 The proposed development does not include sufficient car parking accommodation within the site and the Local Planning Authority considers that, in the absence of such car parking accommodation, the proposed development could lead to an increase in on-street parking in the vicinity of the site which would be detrimental to the safety of road users and, as such, contrary to Unitary Development Plan Policy H14.
- 2 The Local Planning Authority considers that the proposed development would constitute an overdevelopment of a site of restricted dimensions which would result in insufficient amenity space, and have an overbearing impact and create overlooking of adjoining residential properties. The scale and layout of the proposal would also be detrimental to the visual amenity of the street scene. This would be contrary to Policy H14 of the Unitary Development Plan.

Attention is drawn to the following directives:

1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with a planning application, it has not been possible to reach an agreed solution in this case.

Site Location



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LOCATION AND PROPOSAL

The application relates to the site of a single storey, brick built, detached garage, now converted to a garden room, which fronts onto Frickley Road, but which serves a property located on Westwood Road. The garage is set at the bottom of the garden of No.54 Westwood Road. However, there is a steep level difference between Westwood Road and Frickley Road, with the Frickley Road properties being set at almost equal to first floor level of the properties on Westwood Road. The gardens to No. 54 and No.56 Westwood Road therefore step up with the land.

No.54 Westwood Road is a large two storey semi-detached property which is set up from the highway. To the rear is a two storey off shot, which is a typical feature for the majority of properties on Westwood Road. No.54 has a large garden which extends to meet Frickley Road, and also cuts behind the garden of No.56. The garden to No.56 is smaller and more akin to those further along Westwood Road than the adjoining property.

The subject property No.54 is set towards the head of Westwood Road, which is a no through road and leads to Hangingwater Allotment gardens. The fronts of the properties to Westwood Road face over Whitley Woods.

Frickley Road, onto which the proposed development site fronts consists predominantly of two storey terraced properties with bay windows, which are all of a similar appearance and typical of the area. There are two other infill properties towards the head of the cul-de-sac and a further stone built property which is set within its own plot. At the far head of Frickley Road is a small development of flats which are two storeys in height and set within their own plot.

The site is located within an area designated as a Housing Area in the adopted Unitary Development Plan.

This application seeks outline planning consent for the erection of a dwelling house on the site of the former garage and part of the garden to 54 Westwood Road. Outline approval is sought for access, layout and scale. The new dwelling is shown to be two storeys in height and of relatively modern appearance. The proposal is for a three bedroom, five person dwelling with decking to the rear and garden beyond.

RELEVANT PLANNING HISTORY

There is no relevant planning history for this development.

SUMMARY OF REPRESENTATIONS

There have been representations received from 31 properties regarding this application.

The following concerns and comments have been raised:

- Loss of privacy

- Loss of view
- Access to garages on the road would be blocked by building materials and lorries
- The land is classed as flood plain and cannot be built on
- The land would be better used for parking
- Loss of light
- The topography of the site will exacerbate the problems of light and overbearing
- The development will result in overbearing
- The proposal conflicts with the aims of the UDP
- The proposed dwelling would be an eye sore in the street scene
- The proposed dwelling would exacerbate existing parking problems in the street scene
- The construction traffic would cause problems on street
- Siting a dwelling next to a private garage used for the repair and storage of classic cars would likely cause a noise conflict arising from the tuning of engines etc
- The off street parking provision proposed is insufficient for the needs of the property
- Development will result in inconvenience from noise during construction and parking once completed. This will be public inconvenience with only private gain, and there will be no affordable housing. There is no social benefit to the development
- Removing the turning area at the head of Frickley Road will result in cars having to reverse the length of the street, and overall this will be detrimental to highway safety
- The house will be out of character in the street scene
- The dwelling would be overdevelopment of the plot
- Not being able to park is already a problem for families and those who are disabled, the proposed development will exacerbate this
- The proposal would be detrimental to overall highway safety
- A wildlife survey should be undertaken as there are often bats, badgers and foxes visiting the site
- The area is already densely populated and the schools are over-subscribed, the proposed development would increase this
- The proposal does not accord with the core strategy
- The proposal will be detrimental to the setting of Manor Cottage
- Many drains and culverts are badly blocked with cement and debris from minor building works
- The development will impact upon the water table with underground steam and cause cellars to the flood, as the council appears to have abandoned routine inspections and flushing of street drains
- The development will infringe upon neighbour's quality of life
- A neighbour's house was purchased at a premium as there weren't any parking issues, will adverse parking conditions count when the property is valued for the highest band of council tax
- The granting of this development may set a precedent
- The proposal is out of scale and character and does not reflect the building line
- The proposal will result in a loss of trees

A letter has also been received from Nick Clegg MP raising concerns on behalf of constituents. Concern is raised about the extent of neighbour consultation,

overcrowding and overdevelopment of an established and densely populated neighbourhood. Concerns regarding parking are also noted, as is the view that because the roads are dead ends, residents feel that having adequate space to turn around is essential.

Councillor Alston has commented that that the property would be accessed from Frickley Road, and that creating an access near the end of this Road would reduce the space available for parking. This would then in turn make the turning of a car at the end of the road even more difficult. The road commonly has cars parked along both sides for most of its length as the terraced properties do not have space for vehicle parking. Councillor Alston also states that the site appears small for a residential property and would overlook homes on Westwood Road and that the proposal would result in overdevelopment of the area.

Councillor Alston's comments also state that if this proposal is referred to planning board, then it is requested that the board be asked to make a site visit, to see the issues raised by residents for themselves.

PLANNING ASSESSMENT

As the property is located within an area designated as a Housing Area in the adopted Unitary Development Plan, Policy H10; 'Development in Housing Areas' and H14 'Conditions on Development in Housing Areas' are the most relevant policy.

Policy H10 states that in Housing Areas, housing will be the preferred use. In this respect therefore the proposal is acceptable in principle.

Policy H14 set out wider ranging conditions on development and states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood and it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Design

Policy CS74 'Design Principles' of the Core Strategy states 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.

Policy BE5 'Building Design and Siting' of the adopted Unitary Development Plan states that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions and sets out how this should be achieved.

As this planning application seeks outline consent only, it is not appropriate to consider in any great detail the design as proposed. Approval is however, sought for scale and layout. The scale of the proposal in the sense of design is relevant,

with regards how the property will sit within the street scene. In this respect, it is appropriate that any dwelling on this site should be two storeys in order to sit well within the street scene, notwithstanding the design of how this may be achieved. The scale of the proposal at two storeys, from a design perspective only, is therefore considered to be acceptable.

In terms of the layout, the proposed dwelling will breach the front building line created by the terraced properties. The layout shows a two storey projection, which would be out of character in the street scene and harmful to the overall visual amenity of the street scene. From a layout perspective the proposal is not considered to be appropriate in design terms and would be contrary to the aims of Policy CS74 of the Core Strategy and BE5 and H14 of the adopted Unitary Development Plan.

Impact upon Amenity

In considering amenity the Supplementary Planning Guidance note on Designing House Extensions provides a useful means of assessing the proposal. Whilst the document explicitly refers to house extensions, the scenarios and issues are much the same as for assessing a house extension given the close proximity of residential properties. It is therefore considered reasonable to use this document to assess this infill development as a supplement to the more general provisions of Policy H14.

The proposed development by reason of its scale and siting, relative to the topography of the site, is considered to be unacceptable and harmful to the amenities of neighbouring properties.

The level difference between Frickley Road and Westwood is such that the proposed new dwelling would be viewed as a particularly dominant addition to the street scene when viewed from Westwood Road. The impact would be particularly significant for No.56 and No.54. The sections and 3D view submitted as part of the application demonstrate this significant difference, and also help to illustrate the potential harm to the properties at the rear by reason of dominance.

There is a distance of 19metres between the rear elevation of the off shot to the existing properties on Westwood Road and the rear elevation of the single storey element to the proposed new dwelling. On a level site we would consider 12 metres between an elevation with main windows and a blank elevation to be sufficient distance to overcome concerns regarding overbearing, but on this site given the level differences between the existing and proposed properties, and the mass and nature of the development on top of this level difference, it is considered that 12metres is not a sufficient distance. It is also considered that even at 19metres the nature of the proposed new dwelling would create a sense of enclosure, overbearing and dominance, which can be most closely felt when standing at ground level on Westwood Road.

It is noted that further along Frickley Road there are terraced properties and one infill dwelling which back onto Westwood Road and in distance terms, the relationship is similar. However, it is considered that the nature and massing of the

property on what was formerly an open site, combined with the loss of privacy will have an unacceptable impact upon the amenities of the occupiers of the existing dwellings to Westwood Road, which are set directly behind.

The height and nature of the property, which includes an area of decking to the rear of the property, is considered to also compromise the privacy of the properties directly to the rear, and to the gardens of these properties also. Whilst it is accepted that the overall design of the property can change, being an outline application only, the layout of the plot is to be approved as part of this submission, and is likely to cause harm to these properties on Westwood Road. The minimum distance between facing windows is 21 metres, on a relatively level site, without significant level difference, in this instance the distance between the first floor window to No.54 Westwood Road and the ground floor rear window to the proposed new dwelling is 22.5metres. Given the level difference between the properties it is not considered that this is a sufficient distance to overcome the problem of overlooking. When combined with the terraced area it is likely that there will be a significant loss of privacy, and the perception of privacy even to ground floor windows and the garden area, which are in part shielded by retaining walls will be lost. There is also the potential for oblique overlooking, particularly to the garden of No.52 as a result of the decking.

It is considered to be unreasonable to require that there be no windows in the rear elevation, or only roof lights and obscurely glazed windows in any reserved matters application, as this would be detrimental to the amenities of future occupiers of the property.

Overall, it is considered that the proposed development would be detrimental to the amenities of the properties to Westwood Road, in particular No.56 and No.54 in terms of overbearing and Nos. 56, 54 and 52 in terms of loss of privacy, and is therefore contrary to the aims of policy H14 of the adopted Unitary Development Plan.

It is not considered that there will be any unreasonable overlooking or loss of privacy to the properties facing the front of the proposed new dwelling.

Amenity Space

Gardens to residential properties should have a distance of at least 10 metres to the rear boundary and provide at least 50 square metres of amenity space. The proposed dwelling will only have 6metres to the rear boundary and whilst this may be similar to other properties on Frickley Road, as this is a new build property it is reasonable to apply a higher standard. In respect of external amenity space it is considered that there is insufficient to meet the needs of the property.

Highways

During the course of the application a number of objections have been received, regarding the matter of on street parking and highway safety. The proposed dwelling will have one parking space, formed through the creation of an internal garage. The parking guideline for a 2 - 3 bedroom dwelling is 2 spaces. Whilst

these are maximum guidelines, the area is one of higher than average car ownership and already has quite extensive parking problems. It is therefore considered that in this instance it would not be appropriate to allow this development with provision below the maximum level. To allow the proposal as it currently stands would be to exacerbate existing parking problems, which would be inappropriate. The proposed development is therefore considered to be contrary to the aims of H14 which require appropriate car parking to be provided.

Trees

It is noted that the development will result in the loss of a Yew tree on the site, and that the potential for this to be the subject of a Tree Preservation Order has been raised independently of this planning application. The Yew tree concerned is not of sufficient visual amenity value to warrant protection by a TPO as it is small in stature and insignificant from the Frickley Road frontage. It is also leaning towards the garages belonging to the flats as a result of its confined root spread against the garage of No 52. Given that the Council's landscape team would be unwilling to recommend a TPO, it would be unreasonable to resist this development on the grounds of the tree being lost. It would be reasonable that a replacement tree be conditioned on the site, as part of any landscape scheme submitted as part of a reserved matters application.

RESPONSE TO REPRESENTATIONS

The concerns relating to loss of privacy, light and overbearing are upheld, as are comments that the topography of the site will exacerbate these issues. The acceptability of the development with regards planning policies is the subject of this report.

Loss of view is not a material planning consideration.

Short term inconveniences arising as a result of the construction process are not a material planning consideration.

For the purposes of clarification, the subject site is not located within the flood plain and is not within a flood risk zone.

Concerns regarding the proposed dwelling being an eyesore in the street scene are noted, but as design is a reserved matter in this application it is not appropriate to consider this beyond scale and layout.

The concerns regarding the exacerbation of the existing parking problem are noted and upheld.

In terms of the restoration of classic cars in the adjacent garage, then so long as this is a hobby and not a business then it is unlikely that the planning authority would have any concerns with this use continuing. The Council's environmental protection service may have some involvement if this was occurring at unreasonable hours of the day/night and was causing a nuisance.

With regards the inability to turn, this arises due to the narrowness of the road and the on street parking. The way to ameliorate this would be to implement waiting restrictions on the road, but this would be likely to be objected to by existing residents. Given the planning authorities' overall concerns with the proposal it is not necessary to consider this further within this application. Should there be further separate issues regarding parking on street then this would need to be raised as a concern with traffic management for further investigation.

It is not considered likely that the garage/garden room will be home to bats/badgers/foxes. However, if any bat roost or badger sett was found then this would be covered by separate legislation which would require its protection.

It is not considered that this infill property would have a significant impact upon the schools and areas facilities such that the refusal of the application could be justified. The scale of the development is also not sufficient to meet the threshold of requiring a financial contribution towards such services.

Details of drainage would be required by condition, if the proposal was considered to be acceptable. The maintenance of the current drainage network by the Council is not a material planning consideration.

The quality of life of neighbouring residents has been taken into account with regards privacy, overbearing and parking/highway safety.

Council tax bands and the value of property are not a material planning consideration.

The loss of trees is considered within the main body of this report.

SUMMARY AND RECOMMENDATION

The proposed new dwelling is considered to be harmful to the amenities of the properties on Westwood Road in terms of overbearing, over dominance and loss of privacy, which is contrary to the aims of Policy H14 of the UDP. The scale and layout of the proposal is also considered to be harmful to the street scene, which is contrary to Policy CS74 of the Core Strategy and BE5 and H14 of the adopted UDP. The subject site is located within a high car ownership area, which already suffers from excessive on street parking. It is therefore considered that the one off street parking space in the form of an internal garage is insufficient and likely to lead to additional on street parking, which is also contrary to the aims of policy H14 of the UDP. Overall, it is considered that the proposal is unacceptable and a recommendation is made for refusal.

Case Number 13/00499/CHU

Application Type Planning Application for Change of Use

Proposal Use of medical centre as supported living accommodation for 16 to 25 years old persons

Location 354 - 356 Bluebell Road
Sheffield
S5 6BS

Date Received 08/02/2013

Team City Centre and East

Applicant/Agent Steve Mosley

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:

Dwg No: 212/30/01

Dwg No: 212/30/02

Design and access statement received 20th March 2013

Email received 18th June 2013

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The building shall be staffed 24 hours a day unless otherwise agreed in writing with the Local Planning Authority.

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

Attention is drawn to the following directives:

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

Site Location



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LOCATION AND PROPOSAL

The application site comprises of the vacant former Bluebell Medical Centre a two storey brick built detached building located on the south side of Blue Bell Road close to the junction with Wincobank Avenue. The application site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP).

Planning permission is sought to change the use of building from a Health Centre (Class D1 use) to supported living accommodation for 16-25 year olds (sui generis use).

The building will accommodate 7 residential bedrooms, ancillary shared living space at ground floor with additional staff and office space at ground and first floor. No external alterations are required to accommodate the change the use of the building. Occupants will be referred to the premises through Social Services and the Local Authority and may include clients who require short term housing before being found a permanent residence or have previously been in care or involved in the youth justice system. Residents can stay on a short and long term basis with the aim of the use to provide a safe and stable environment to encourage young people to learn and develop independent living and social skills in order to eventually live independently.

RELEVANT PLANNING HISTORY

No relevant planning history.

SUMMARY OF REPRESENTATIONS

19 letters of representation and a 78 signature petition have been received objecting to the proposal. The issues raised are summarised as follows;

Noise and disturbance issues;
Increase in crime in an area that already suffers from crime issues;
Reduction in house prices;
Increase in gangs;
Anti-social behaviour issues;
There is not suitable infrastructure to support high dependency groups;
The number of residents will cause disturbance;
The use of the premises is not compatible with neighbouring uses;
There is limited on street parking available and the proposal will give rise to parking issues;
Older residents will feel vulnerable.

PLANNING ASSESSMENT

The application is located within the area designated as a 'Housing Area' in the Council's adopted Unitary Development Plan (UDP).

UDP Policy H10: 'Development in Housing Areas' identifies preferred acceptable and unacceptable uses in the policy area. Housing (C3) uses are preferred and residential Institutions (C2) and hostels which are considered to have similar characteristics to the proposed use are identified as acceptable uses in policy area. A number of other uses including food and drink uses (A3/A5), Business (B1) and leisure and recreation uses (D2) are also considered acceptable in the policy area. Policy H10 does however identify that sui generis uses, which fall within a classification of their own must be considered on their own merits.

UDP Policy H14: 'Conditions on Development in Housing Areas' part i) seeks to ensure that for non-housing uses development should only occupy a small area and not lead to a concentration of non-housing use which would threaten the residential character of the Housing Area. Appendix 1 of the UDP defines 'dominance' as 'usually meaning that non-preferred uses do not occupy more than half of the area.'

Policy CS41 of the Core Strategy seeks to create mixed communities by limiting new purpose built or conversions of existing premises to hostels or houses in multiple occupation. This will be achieved by limiting this form of housing where more than 20% of residences within 200 metres of the site are in shared occupation. Although the use of the premises is considered sui generis, as noted above it does share similar characteristics to hostels and shared housing and as such must be considered in light of the policy. In this case only 1% of properties in 200m of the site are in shared occupation and as such the proposal would not result in an unacceptable concentration of shared housing and is not contrary to policy CS41.

The application site is currently empty following the closure of the medical centre several months ago. It is argued that the application proposal will bring the building back into an active use which is residential in character. The proposed change of use does not affect the dominance of preferred Housing (C3) uses in the Housing Policy Area. The proposed change of use is considered to be residential in character and as such is considered acceptable in terms of UDP Policies H10, H14 part i) and CS41.

Amenity Issues

UDP Policy H14 part k) seeks to ensure that new development does not lead to air pollution, noise, smell, excessive traffic or other nuisance, part l) of the same policy all seeks to ensure that development is consistent with the residential character of the area, meets local needs and occupies an existing building set in its own grounds.

The property is detached located within its own grounds with a garden area for residents to the rear of the premises, no external alterations are required to convert the building and acceptable living conditions will be provided for future residents.

The building was previously used as a medical centre which is considered to have generated significant activity throughout the day. The proposed use is residential in character and is considered to generate significantly less activity than the previous

use of the property. Whilst there is likely to be more activity generated by the proposed use than if the building was used as a single dwelling, the use of the premises for assisted living is not considered to generate significant movements or activity that would give rise to any unacceptable noise and disturbance or be out of character with the residential character of the area.

Residents have noted concerns that the change of use is likely to generate anti-social behaviour issues. The Police Architectural Liaison Officer has confirmed that majority of existing problems in the area are centred around anti-social behaviour and concerns have been noted that the proximity of the site to bus stops, shops and the public open space on Wincobank Avenue. The appropriate management and staffing of the premises is key to minimising anti-social issues from arising. The applicant has confirmed that customers will be referred to the premises through Social Services or the Local Authority and as such will have a registered social worker when taking residence. The building will be staffed 24 hours a day 7 days a week which will provide a high degree of supervision and assistance to residents helping to minimise any instances of disturbance or anti-social behaviour.

The property operates a curfew whereby residents are required to be inside the property by 2200 hours which will minimise any perceived anti-social issues in the evening time. In instances where anti-social behaviour issues do arise or residents of the premises do not abide by the curfew the applicant will report the matter to the police and the resident's social worker who will take the appropriate action is to address the matter. If anti-social behaviour issues persist the resident will be removed from the premises.

In light of the above it is clear that the applicant has appropriate management procedures in place to minimise any anti-social behaviour issues from arising. The property is detached and its operation as supported living accommodation is not considered to give rise to any unacceptable noise and disturbance. The proposal therefore complies with policy H14 part k) and l).

Highways Issues

Policy H14 part d) seeks to ensure that that new development provides safe access to the highway network, appropriate off street parking and does not endanger pedestrian safety. It is not possible to provide off street parking within the site. The application site is located in a highly accessible location with a number of bus stops within 100 metres of the site located on Wincobank Avenue and Shiregreen Lane which provides links to the City Centre and Meadowhall. The site is also located in walking distance of local shopping facilities and services. Given the nature of the use it is highly unlikely that residents will have their own vehicles. The applicants supporting statement does however indicate that three staff will be present on site. If staff did arrive by car there is considered to be adequate on street parking available on Bluebell Road to accommodate any staff or visitor vehicles without detrimentally affecting highway safety. The previous use of the premises as a medical centre would have generated a number of vehicle trips throughout the day associated with patients arriving for appointments. The proposed use is considered to generate significantly lower levels of traffic and an associated reduction in demand for on street parking in comparison to the previous

use. As such the proposed change of use is not considered to give rise to any major highways issues and therefore complies with policy H14 part d).

RESPONSE TO REPRESENTATIONS

The perceived effect of the proposed use on property values is not a planning matter. There is no evidence to suggest that the development will give rise to anti-social behaviour issues, increase in gangs or lead to the intimidation of elderly residents in the area. Should any such issues arise management procedures are in place to ensure the appropriate authorities including the police are involved. The site is considered to be in an appropriate location with access to shopping facilities and public transport links which provide access to other parts of the city. All other issues are covered in the main body of the report.

SUMMARY AND RECOMMENDATION

This application seeks permission to change the use of a former medical centre (use class D2) to supported living accommodation (sui generis use) for 16-25 year olds.

Proposed occupants of the property will be referred to the premises through Social Services and the Local Authority and may include clients who require short term housing before being found a permanent residence or have previously been in care or involved in the youth justice system. Residents can stay on a short and long term basis with the aim of the use to provide a safe and stable environment to encourage young people to learn and develop independent living and social skills in order to eventually live independently

The property will provide 7 bedrooms with ancillary shared living space and office space for staff. The application site is in a Housing Area as defined in the adopted Sheffield Unitary Development Plan. Policy H10 identifies housing (C3) as the preferred use of land in the policy area. The proposed development is considered to be sui generis, falling in a classification of its own. However it is residential in character and is considered to share some similarities with hostels and residential institutions both of which are defined as acceptable use in the policy area. The proposed change of use would not affect the dominance of preferred C3 uses in the area or result in an unacceptable concentration of shared housing. The proposed change of use is therefore considered acceptable in principle in accordance with Policy H10 of the UDP and CS41 of the CS.

The property will be staffed 24 hours a day 7 days a week which will provide a high level of supervision of residents. The applicants have confirmed that appropriate management procedures will be put in place should any anti-social behaviour issues arise. The proposed change of use is therefore not considered to give rise to any detrimental amenity issues and complies with policy H14.

The proposal is not considered to give rise to any highways issues.

For the reasons given above, it is concluded that the development complies with the relevant policies and proposals in the Unitary Development Plan and would not

give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance.

The application is therefore considered to be acceptable and it is recommended that planning permission is granted conditionally for the proposed change of use.

Case Number 13/00418/FUL (Formerly PP-02434000)
Application Type Full Planning Application
Proposal First-floor side extension to dwellinghouse
Location 1 Workhouse Green
Mayfield Road
Sheffield
S10 4PN
Date Received 07/02/2013
Team West and North
Applicant/Agent DLP Planning Ltd
Recommendation Grant Conditionally

Subject to:

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

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

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

- Planning 001V3 Revision A (Ground and First Floor Plans as Existing);
- Planning 002V3 Revision A (Front Elevation as Existing);
- Planning 003V3 (Rear Elevation as Existing);
- Planning 004V3 Revision A (Side/End Elevation as Existing);
- Planning 005V3 Revision A (Ground and First Floor Plans as Proposed);
- Planning 006V3 Revision A (Front Elevation as Proposed);
- Planning 007V3 Revision A (Rear Elevation as Proposed);
- Planning 008V3 Revision A (Side/End Elevation as proposed); and
- Planning 009V3 (Location Plan);

received on the 6 June 2013 from Neil Pritchard Associates

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 representative samples when requested shall be submitted to and approved in writing by the Local Planning Authority before the development is

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

In order to ensure an appropriate quality of development.

Attention is drawn to the following directives:

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

Site Location



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LOCATION AND PROPOSAL

The application relates to a traditional modest 1-bedroom end terrace property (No. 1 Workhouse Cottage) at Workhouse Green. The property is one of three traditional stone cottages that date back to the mid 1800s. They are situated some 120m to the south of Mayfield Road and accessed via a narrow track. The track is a public right of way and provides shared access for the three cottages. The property is situated within the Green Belt and backs onto open fields behind a high stone retaining wall.

The property is two storey in height, faced in natural coursed stone and is roofed under natural slate. To the side of the main bulk of the property is an attractive single storey lean-to stone extension. This extension is understood to have been built in the 1950's/60's.

The existing dwellinghouse comprises a small ground floor living area and kitchen with a single bedroom above that is accessed by a staircase. The overall volume of the building as extended is 163.2 cubic metres, of this, 37.2 cubic metres is made up of the existing single storey side extension. The property's external amenity space is restricted to a small parcel of land immediately in front of the building. There is no off-street parking associated with the cottage.

Full planning permission is being sought to erect a first floor extension over the property's existing ground floor extension to provide a second first floor bedroom. The proposed extension would be dual-pitched to reflect the existing building and would be set approximately 300mm below the main ridgeline of the existing roof. It would be constructed in natural stone and be roofed under natural slate to match the existing dwellinghouse.

The application initially included a small extension of the property's rear curtilage into the adjacent field. This element has now been removed from the proposed scheme.

PLANNING HISTORY

A single storey rear extension was built in the 1950s/60s. There is no planning record on file of the proposed extension.

REPRESENTATIONS

One letter of objection has been received from the resident of the end cottage (No. 3 Workhouse Green). He has commented that the cottage is of significant historical importance and knows of no other remaining dwellings that were affiliated to the workhouse and owned by the Guardians of the Poor.

The application represents a 67% increase in volume of the existing house with the proposal representing the overdevelopment of the original dwellinghouse.

The development demonstrates a lack of importance and value placed upon the original appearance of the cottages. The original look and historic value of the

cottage should be preserved and it will not clear where the extension begins and ends. Concerned that even with adequate materials, the cottage will have the appearance of a new build.

Concerns are also raised that the development will cause difficulty with access and parking during its construction as there is only a single track for access to the cottages.

Considers that a site notice should have been posted at the entrance to the footpath on Mayfield Road to allow members of the public other than those living at Workhouse Cottages the opportunity to comment on the application.

PLANNING ASSESSMENT

Principle of Development

The building lies within the Green Belt and Policy GE3 and GE6 of the UDP applies. Policy GE6 states that, in the Green Belt, extensions to existing houses will be permitted, but only where the proposed extension would form a minor addition to the original house and use matching materials as well as be sited and designed to complement the style of the original dwellinghouse.

Supplementary Planning Guidance on Designing House Extensions gives further guidance regarding the design and materials of house extensions in the Green Belt. It acknowledges that house extensions can detract from the general openness of the Green Belt and their size should be limited to account for this. For smaller houses, a minor addition is defined by the Council as up to one third of the cubic content of the original house. Although each case will be determined on its merits, the main considerations will be the impact of the proposed extension on the character of the original house and on the open character of the Green Belt. It details that in all cases, sympathetic consideration should be given to the need to provide basic modern amenities, such as an adequate-sized bathroom or kitchen.

The applicant has provided a percentage breakdown to establish the amount of volume that would be added to the cottage under this proposal when compared to both the volume of the original building and the building as extended (ie as existing). As existing, the volume of the previous extension previously added to the property (37.2 cubic metres) amounts to 29.5% above the volume of the original house (126 cubic metres). The proposed first floor extension would add a further 47 cubic metres to the overall volume of the house, which equates to an approximate 65% increase above the volume of the original cottage.

It is clear from the above calculations that the proposed development would significantly exceed the volume tolerances normally permitted by SPG - Designing House Extensions for house extensions in the Green Belt. The combined volume of the existing and proposed extensions would therefore represent approximately twice the amount normally allowed in the Green Belt.

In support of the application, the applicant has detailed in her D&A Statement that the proposed extension would improve the property's basic facilities. The layout

has been carefully considered against the need to protect the openness and character of the Green Belt whilst maximising living space. It is proposed to re-position the staircase to allow better access into the upper floor accommodation with the extension providing additional bedroom space, and allow room for a shower, basin and toilet within the existing bedroom. The supporting D&A Statement also details that owing to the site being located within a valley bottom and its secluded location and large tree coverage, the development would have minimal impact upon the openness of the Green Belt.

Officers would accept this view and consider that the proposed development, whilst exceeding the volume tolerances set out in the SPG can be justified. It is not considered that the extension is disproportionately large or would result in the overdevelopment of the site. It is considered reasonable to allow the building to be upgraded to provide a second modest sized bedroom and improve its basic modern amenities with a shower and toilet facilities.

Also material in officers' opinion is the location of the cottages at the valley bottom, with the proposed first floor extension unlikely to detract or result in any significant loss of openness that would be harmful to the character of the Green Belt. The proposed extension would be read in conjunction with and continue the linear form of the existing cottages as well as being viewed against the backdrop of the existing tree cover to the rear of the building.

For these reasons it is considered that on balance, the principle of extending the cottage by more than one third of the cubic content of the original cottage can be justified, with the extension likely to have minimal impact on the open character of the Green Belt.

Design and Siting Issues

Policy BE5 (c) states that good design and use of good quality materials and craft skills will be expected in all new and refurbished buildings and extensions. It goes on to state that all extensions should respect the scale, form, detail and materials of the original building.

The applicant agreed to amend the design of the extension on the advice of officers and would be designed with a dual-pitched roof that would be set down from the existing ridge-line by approximately 300mm. The extension would be built off the existing lean-to extension and be designed with two timber framed windows, one within its front elevation and the second within its side gable wall. At ground floor, the existing window within the building's existing extension side gable wall would be replaced with bi-folding patio doors.

It is considered that the design quality of the proposed extension is acceptable with officers satisfied that the extension would not unduly harm the character or appearance of the cottage. The applicant's agreement to reduce the height of the extension would ensure that it forms a subservient element to the main body of the house and is welcomed. Conditions seeking the use of natural stone and natural slates together with the use of timber windows should be attached to any grant of planning permission.

Policy BE5 (c) is therefore considered to be met.

Highway Issues

It is not considered that the development raises any highway implications. Although the cottage is accessed via a narrow track that is a public right of way, owing to the small scale nature of the development, it is not considered that the addition of a further bedroom would result in any material increase in parking requirements. It is also considered that any disruption caused during the course of the construction of the extension would be limited and unlikely to result in any undue parking difficulties or impediment of persons using the track to the detriment of highway safety.

Residential amenity

It is not considered that the proposed development would result in any disamenity to neighbouring properties from loss of privacy, outlook or overshadowing. The proposed first floor extension would be built to the eastern side of the property and therefore would be clearly separated from the adjacent and attached cottages. No properties are located to the front, rear or side of the extension that could be affected by the development.

Other Issues

A concern has been raised that a site notice should have been posted to allow people, other than the residents of the adjoining cottages to make comment on the application. While this is noted, there was no statutory requirement to post a site notice in respect of this householder application.

CONCLUSION

The application relates to a traditional two-storey end terrace cottage that is situated in the Green Belt.

Planning permission is being sought to erect a first floor extension above the property's existing single storey side extension. The extension is being sought to provide a first floor bedroom and forms part of a range of alterations to the property that includes the re-positioning of the staircase, the addition of a toilet and shower within the building's existing upper floor bedroom and new patio door.

The proposed extension would increase the cubic content of the original house by approximately 65% and therefore would exceed the volume tolerances set out under Policy GE6 and SPG on 'Designing House Extensions'. However, it is considered that the proposed extension, whilst increasing the volume of the property beyond the amount normally permitted for houses in the Green Belt can be justified with the extension being sought to improve the property's basic modern amenities with the addition of a modest second bedroom and an upper floor shower, basin and toilet.

It is also considered that the extension is of acceptable design quality and would not harm the integrity of this traditional stone cottage or open character of the Green Belt. The extension has been reduced in height on the advice of officers with the ridge set approximately 300mm below the property's ridgeline, while the property's location within the valley bottom and backdrop of mature trees would mean that any loss of openness would be minimal and not such that would be harmful to the character of the Green Belt.

The development is not considered to raise any significant highway implications, while the siting of the extension to the east of the cottage and away from the adjoining properties would mean that it would not lead to these properties being unduly harmed by any loss of privacy, overshadowing or loss of outlook.

For the reason outlined above, it is recommended that the application be approved subject to the conditions listed.

Case Number	12/03596/LBC (Formerly PP-02017994)
Application Type	Listed Building Consent Application
Proposal	Erection of 16 terraced dwellinghouses with associated landscaping and parking, and the refurbishment and conversion of the former Kutrite Works into 20 apartments (Amended as per plans received on 21/5/2013 and 12/6/2013)
Location	Site Of 1 - 7 Allen Street, 7, 9, 11, 13 And 15 Smithfield And Snow Lane Sheffield S3 7AW
Date Received	19/11/2012
Team	City Centre and East
Applicant/Agent	Coda Studios Ltd
Recommendation	Grant Conditionally

Subject to:

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

In order to comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

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

Drawing refs:

1855-001 Rev A
1855-007 Rev A received on 19/6/2013

1855-008 Rev C
1855-009 Rev B
1855-010 Rev C
1855-011 Rev C
1855-014 Rev A
1855-015 Rev A
1855-016 Rev B received on 12/6/2013

1855-017 received on 21/5/2013

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made.

To ensure that premature demolition does not take place and result in an undeveloped site, some time before rebuilding, which would be detrimental to the visual character of the locality.

- 4 Details of the extent and specification of brick/stone repair and cleaning shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

In order to ensure that the fabric of the building is not damaged.

- 5 Rooflights shall be conservation style whereby no part of the rooflight shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 6 Chimney stacks and pots shall be retained in situ and, where repaired, should be reinstated to their original appearance using materials to match existing unless otherwise approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 7 Existing windows shall be retained and repaired unless otherwise approved in writing by the Local Planning Authority.

In order to ensure that the fabric of the building is not damaged.

- 8 Details of all new joinery and timber structural elements and/or the repair, alteration or replacement of existing timber elements (including roof and floor timbers, partitions, stairs, balustrades, screens, wainscoting) shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter, the development shall be carried out in accordance with the approved plans.

In order to protect the character of the original building.

- 9 Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract

and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

In order to protect the character of the original building.

Attention is drawn to the following directives:

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

Site Location



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LOCATION AND PROPOSAL

The application site, which is bound by Snow Lane to the east and Smithfield to the west, is located at the northern end of the St Vincent's Quarter, in the Furnace Hill Conservation Area and a General Industry Area as defined in the Unitary Development Plan (UDP). The site, which slopes steeply down from south to north toward the Inner Relief Road at its northern end, comprises of two distinct halves - a range of historic character buildings including the grade II listed offices and workshops of the Kutrite Works on Snow Lane, and a series of late 20th century purpose built single and two storey industrial buildings fronting Smithfield. The northern tip of the site is occupied by a two storey retail unit occupied by a (sports) kit and leisurewear supplier.

Though industry in the wider area is undeniably in decline, buildings in the area immediately surrounding the application site still house a variety of thriving businesses, largely housed in 20th century industrial buildings. These include:

- Johnson and Allen (non-destructive metal component testers) who occupy Neocol Works to the east of the application site at the southern end of Smithfield and have just bought a property on nearby Cross Smithfield;
- Egginton Bros on Allen Street (makers of sharpening steels and pocket knives) who bound the site to the north;
- Ogley Bros (Engineers Merchants) who occupy works on Smithfield;
- Carlton Press (printers) based at Lincoln Works on Smithfield;
- Saunders and Co (suppliers of abrasives, grinding wheels, scissors and surgical instrument forgings) at 35-39 Trinity Street whose premises back on to Snow Lane; and
- Yates Bros (cutlery handle and component manufacturers) at 33 Trinity Street.

Planning permission and listed building consent are sought for the erection of 16 terraced dwellinghouses with associated landscaping and parking, and the refurbishment and conversion of the former Kutrite Works into 20 apartments (amended from the 19 new build terraced dwellinghouses and conversion of Kutrite Works into 7 houses and 8 apartments as submitted).

RELEVANT PLANNING HISTORY

11/01667/FUL In December 2011, an application for the use of 9-11 Smithfield as a skateboarding/bmxing venue, including external alterations to door and window openings, was approved.

SUMMARY OF REPRESENTATIONS

English Heritage commented on the proposals in their letter dated 16 January 2013. They did not object in principle to the proposed development, but wished to see every effort made to retain significant features of the listed complex and to ensure that the new build is designed and detailed to appropriately respond to its context.

English Heritage were concerned that the application, as submitted, did not demonstrate a fully informed understanding of the significant features of this building group, particularly in terms of the detailed historic fabric and plan form. For example, the street elevation retains a number of original features - chimney stacks, doors and gates - which every effort should be made to repair and retain.

They also note that internally, while much altered, there are significant features - staircases, enquiries hatch, chimney breasts, early floor boards - that need to be fully understood and where practicable incorporated into the proposed scheme.

Importantly, the rear wall of the listed building retains a number of original openings and English Heritage consider that the demolition and rebuilding of this wall would result in a loss of significance of the building which would be contrary to the National Planning Policy Framework (NPPF) and the scheme should be redesigned to incorporate the existing rear elevation.

English Heritage were also concerned about certain elements of the detailed design of the new-build proposals. While comfortable with the proposed use of brick and metal cladding and the stepped roof line, they queried the introduction of the projecting porches and staircase towers, which they considered to jar with the street scene.

They recommended that the scheme be redesigned to incorporate the rear wall of the listed building and other significant features, that further information be submitted to enable a full assessment of the impact of the new build on the setting of the listed buildings and character of the conservation area, and that the inclusion of the stair towers and porches in the new build proposals be reconsidered.

The Ancient Monuments Society were also consulted and, in their response received on 16 January 2013, they noted that the submitted Heritage Statement lacked a detailed description of the listed building's interior and detailed demolition plan, and thought that additional illustrations of the new build proposals - which they describe as promising - would be helpful to assess its impact on the wider area. They also commented on the importance of protecting surviving business in the area.

The Conservation Advisory Group (CAG) considered the proposals at their meeting on 11 December 2012. They felt that the submitted information was inadequate and inaccurate, that the development did not respect or enhance the conservation area and that the proposed demolitions were unjustified, though they felt that use of the listed building was acceptable in principle subject to careful treatment of the building.

In addition, 6 representations were received from neighbours, local businesses and organisations. Five, including Cllr Jillian Creasy and SKINN (Shalesmoor, Kelham Island and Neepsend Network), either objected or raised significant concerns about the proposals and one wrote in support of the scheme.

Objectors to the proposals raised the following issues:

- this is an industrial area with limited parking and is not suitable for private dwellings.
- as access is limited, any building work would cause severe problems for companies trading in the area.
- The proposed houses will be surrounded by works units.
- If this goes ahead it will set a precedence for further housing in the area.
- We regularly have 3 delivery companies collecting from our premises and articulated lorry deliveries of products which will not mix well with housing. We work throughout the year and school holidays. Heavy industrial vehicles and children will not mix.
- We envisage that future residents will complain about noise (for example from our tannoy system, grinding, compressors etc) and in the summer we regularly do overtime till 8-9pm.
- Our manufacturing operations may eventually be constrained if this were to go ahead.
- Light commercial use/industry, offices, craft and artists workshops would be more in-keeping with the area.
- There are no play areas for children.
- The land is likely to be contaminated as a result of past uses.
- Our operations in preparing and making cutlery, steels and knives generate a level of noise and disturbance which could lead to residents of the proposed new houses making complaints. It is essential that, as an important and long standing local business employing the equivalent of 30 people our current operations are not curtailed.
- Our business opens at 06:00 and closes at varying times but certainly after 18:00, though we are not restricted in our operating hours. The machinery on site operates over 07:00 to 17:00 from Monday to Saturday.... It is essential that a noise assessment and suitable mitigation be installed to the residential properties.
- Policy IB11 of the UDP refers to land allocated for General Industry without Special Industries. The policy clearly states that residential redevelopment will only be permitted where it would: not further constrain industrial or business development to protect the environment of this new housing; and be next to an existing residential area; and not suffer from unacceptable living conditions, including air pollution, ground contamination, nearby hazardous installations, noise and other nuisance or risk to health and safety.
- Emerging planning policy is to encourage housing within the city centre and to move industry to the east end, but the reality is that several 'metal bashing' small to medium enterprises have survived and are even expanding in this particular area of the city centre. Some of these support advanced manufacturing ... and do not wish to relocate - one has recently moved into the area, another is looking to expand.
- The area is not empty as stated in the Design and Access Statement. In fact the only vacant properties are the ones recently vacated by Bbraun. Two of these are undergoing purchase by surrounding companies.
- The reference to the 'lack of activity outside working hours' (p.13 in the D&A) is inaccurate as CADS and Smithfield Skate Plaza are open late into the evening.
- Development of the site is desirable, even the introduction of houses to the Snow Lane side would be a very welcome way to preserve the listed building and

bring more uses into the area. However, the plan of using Smithfield for family housing is very rushed. This should be a buffer zone.

- The area is very desirable to small and start-up businesses. Existing buildings in the area accommodate around 20 companies.
- The current mix of uses - manufacturing, start-up, creative - works in this area of the city centre.

The supporter of the scheme welcomed the proposals, but felt that efforts should be made to preserve the character and historical significance of the area.

PLANNING ASSESSMENT

Land use

The application site lies within a General Industry Area as defined in the adopted Unitary Development Plan (UDP). Policy IB5 of the UDP describes general industry and warehousing as the preferred uses in General Industry Areas, with small shops, food and drink outlets and business uses all considered to be acceptable.

Policy IB5 describes housing as an unacceptable use in General Industry Areas as the living conditions in industrial environments are not considered to be satisfactory and the presence of housing can prejudice the viability of existing and potential industrial uses.

However, the Core Strategy has identified this area as one where industrial uses are no longer appropriate. Policy CS6 (Manufacturing in the City Centre - Transition Areas) advises that, in some areas, the city centre is no longer a suitable location for metal industries and related manufacturing because of topography and restricted accessibility, as well as competition from other more suitable uses. It states that, in these transition areas, there are long term advantages for the efficient operation of business and the regeneration of the city centre if the industry can be relocated. Parts of St Vincent's, Kelham and Neepsend are identified as transition areas, where manufacturing should not be allowed to expand where it would detract from the regeneration of the city centre, although policy CS6 also states that the process of transition needs to be managed so as to allow important businesses and employment to relocate within Sheffield where this is also the ambition of the companies themselves.

The 2004 St. Vincent's Action Plan also developed an alternative 10 year vision for the area and is a material consideration when assessing planning applications.

The Action Plan identifies the application site as falling within a new Business Area where business uses are preferred but housing is an acceptable use where it helps to deliver substantial office space, the rationale at the time being that St Vincent's is adjacent to the Cathedral Quarter and the Central Business District and therefore provides a natural route for the expansion of business space.

However, other than the corridor along Tenter Street and the Inner Relief Road (IRR), more recent policy CS4 of the Core Strategy (Offices in the City Centre)

does not identify St Vincent's as a priority office area and, apart from its northern most tip, the application site is set well back from the Inner Relief Road (IRR). Furthermore, policy CS17 (City Centre Quarters) describes St Vincent's as a 'mixed business, residential and educational area' though it ends the description with the caveat that it includes 'a number of manufacturing companies that will require sensitive attention.'

In recent years a number of local businesses have investigated relocation to purpose built accommodation outside of the city centre but the options are currently financially unviable. As a result, a number have sought to consolidate on their existing and adjoining sites in St Vincent's. Issues relating to how these businesses and the proposed residential development could function in close proximity will be assessed later in this report. However, in land use terms, though a departure from the UDP, the proposed development is considered to be an acceptable use on this site given the policy steer and long term vision for the area.

Conservation and Archaeology

The proposals, as amended, comprise of 16 new build four bedroom terraced dwellinghouses fronting Smithfield and the refurbishment and conversion of the former Kutrite Works into 20 one and two bedroom apartments. The application site lies within the Furnace Hill Conservation Area, originally one of the most important industrial areas in the city, with strong links to Sheffield's metal trades. It took the form of dense back to back terraced housing built around central courtyards with outbuildings and industrial works amongst the housing, but by the 19th century the housing was overcrowded and unsanitary and by the 20th century slum clearance programmes had removed a lot of the original buildings, replacing them with larger light industrial units. The grade II listed Kutrite Works is one of a number of important metal trades buildings that survives in the conservation area, described in the list description as a mid-19th century cutlery works built from red brick with ashlar dressings and slate roofs.

An Archaeological Assessment and Building Appraisal were submitted with the planning application as required by the National Planning Policy Framework (NPPF). The aim of the assessment was to define the nature, location and relative significance of known and potential heritage assets within the application site, while the building appraisal sought to provide a more detailed understanding of the chronological development of the buildings in order to identify the elements of greatest heritage significance. Following a request for further information, particularly in relation to the interior of Kutrite Works, an addendum to the original assessment was submitted in April this year.

The assessments confirm that Kutrite Works was likely constructed c.1770-1787, and was previously known as Bee Hive Works and then the Moorfield Works. The first known occupants of Bee Hives Works were Richard Groves and Sons, saw manufacturers and steel converters who would have originally bought in steel from off site, but who later added a crucible furnace to produce their own steel from 1837.

The Hale Brothers acquired the now expanded Bee Hive Works in the late 1880s and renamed them the Moorfield Works. The company traded from this site under several names, producing saws, cutlery, fish hooks and knives. By 1905 Hale Bros Ltd had acquired many of the neighbouring buildings, including the adjacent court

of back to backs, and in the 1930s expanded south into the former premises of the clay tobacco pipe manufacturer Benjamin Twigg.

The premises were renamed Kutrite Works in the 1960s when Hales Bros Ltd merged with Ernest Wright and Sons. The crucible furnace within the former Beehive Works had been demolished by 1978, but there were no other significant changes to the layout of the works on Snow Lane during this period.

The works closed in the early 2000s and remained empty for a few years before the implementation of its current use as an art space. The exterior of Kutrite Works retains many features dating back to when it was occupied by Richard Groves and Sons, including window openings and frames and architectural details. The plan of the works also remains legible, preserving the form of Groves and Sons original works and the building forms of the adjacent back to back houses. This is reflected internally with good retention of original forms and structural features and the survival of a small number of historic fixtures and fittings. In addition to the surviving structures and internal details, there is potential for below ground remains relating to former industrial processes, in particular the site of the crucible furnace and original 18th century buildings.

It is clear from the evidence submitted that the application site has considerable archaeological potential and that the proposals are likely to impact on important remains. A condition is therefore proposed requiring a Written Scheme of Investigation (WSI) to be submitted that sets out a strategy for archaeological investigation. The WSI must include a programme and method of site investigation and recording, the requirement to seek preservation in situ of identified features of importance and a programme for post-investigation assessment, analysis and reporting.

The NPPF advises that, when considering the impact of a proposed development on the significance of a designated heritage asset, in this case the listed building and the conservation area, great weight should be given to the asset's conservation.

Policy BE19 of the UDP (Development Affecting Listed Buildings) states that proposals for internal or external alterations which would affect the special interest of a listed building will be expected to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest. Policy BE16 (Development in Conservation Areas) also expects development to preserve or enhance the character or appearance of the conservation area.

In order to comply with these requirements, amendments to the originally submitted scheme were requested in order to preserve the listed and adjoining buildings' original features. This included the rear wall of the back to back houses, chimneys, original door and window openings, staircases and chimney breasts. Modern interventions were also minimised.

The conversion of Kutrite Works into 20 apartments, as amended, will safeguard its future for generations to come and, with its significance - and as many original features as possible - retained, it is considered that the building will continue to make a positive contribution to the character and appearance of the Furnace Hill Conservation Area, thus complying with the requirements of the NPPF and policies BE16 and BE19 of the UDP.

However, the conversion and resulting conservation of Kutrite Works is a critical element of the overall proposals without which the benefits of the scheme may be more difficult to establish. That is, given all other considerations, it is questionable

whether consent for the erection of the 16 new build houses would be granted without securing the appropriate conversion of Kutrite Works. In the event that planning permission and listed building consent are granted, it is therefore considered necessary to propose a condition requiring the conversion of Kutrite Works to be completed prior to the erection of the new build houses.

Design Issues

Policy BE16 (Development in Conservation Areas) states that new developments will be expected to preserve or enhance the character or appearance of the conservation area, and that the redevelopment of sites which detract from a conservation area will be encouraged where it would enhance the character or appearance of the area.

Policy BE5 of the UDP (Building Design and Siting) states that original architecture will be encouraged, but that new development should complement the scale, form and architectural style of surrounding buildings.

The NPPF also states that good design is a key aspect of sustainable development.

Existing buildings along the Smithfield site frontage comprise of late 20th century purpose built single and two storey industrial and business premises which contribute to the industrial character of the area but, arguably, not its appearance. Planning permission is sought to replace them with 16 contemporary terraced dwellinghouses. An existing building at the northern end of Smithfield, adjacent 25/31 Allen Street, which was to be replaced, is now being retained to provide a buffer between the new dwellinghouses and Eggintons to the north.

As amended, the proposed terraced dwellinghouses comprise of three storey, 4 bedroom properties, each with direct access from the street, a roof garden and small yard to the rear. They have simple, regular window openings and are clad in brick, save for the projecting porch which extends to the full height of the house and is clad in metal cladding (to be agreed). This contemporary version of the brick terrace model is intended to reflect the simple aesthetic of many of the neighbouring industrial properties, while making reference to the original back to back housing and the uncomplicated style of the London Mews.

To the rear of the terrace is a central parking area for 21 vehicles, with access from either the northern end of Smithfield or the southern end of Snow Lane and a bin store is proposed at the southern end of the Snow Lane range of buildings which is bound by a 2.6 metre high simple curved brick wall.

Separation distances (which are a minimum of 18 metres though the impression of overlooking is improved by boundary treatments and changes in level across the site) are considered to be acceptable in this dense urban area and levels of outdoor amenity space are suitable given the urban context.

The proposed terraced dwellinghouses are considered to be a suitable response to the character of the area and as such are considered to comply with policies BE5

and BE16 of the UDP. The development's success will largely be determined by the quality of the materials and execution of the minimal detailing. The specification of materials is reserved by condition.

Sustainability

The proposed development is situated on land on the edge of the city centre, a sustainable location well served by public transport and central facilities. It includes the reuse of an historic building, seeks to reduce energy consumption and carbon emissions and to generate renewable energy. The proposals will therefore help to reduce the city's impact on climate change as required by Policy CS 63 (Responses to Climate Change).

Policy CS 64 of the Core Strategy (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient and to use resources sustainably. It also advises that all new developments of 5 dwellings or more should achieve Code for Sustainable Homes Level 3, or equivalent.

The submitted sustainability statement identifies a number of measures which will contribute to the new build element of the scheme achieving Code for Sustainable Homes Level 3. These include maximising solar gain, installing high levels of insulation and thermally efficient glazing, the use of a sustainable urban drainage system and lower water consumption taps, baths and showers, as well as low energy appliances and recycling facilities.

Converted buildings must also be designed to reduce the emission of greenhouse gases and use resources sustainably. Roof insulation, new double-glazed windows and doors and lower water consumption taps, baths and showers will help to achieve improvements in the energy efficiency of the grade II listed Kutrite Works.

Policy CS 65 (Renewable Energy and Carbon Reduction) requires new developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy. The developer has indicated their intention to generate energy on site through the installation of photovoltaic panels and/or the use of air source heat pumps. Compliance with this requirement is reserved by condition.

Residential Amenity

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) requires new development to safeguard residents from unacceptable living conditions. In this instance, proposed future residents need to be protected from existing traffic and industrial noise. Thus, the applicant submitted a noise report which sought to characterise the noise in the vicinity based upon measurements taken at 5 positions at the site boundary between 1400 and 1700 hours and between 2300 and 0100 hours. The report concluded that the site is suitable for residential use, subject to various noise mitigation measures. Indeed, despite the

presence of a number of active industrial uses, the area has always been very quiet during officer site visits.

The noise report did pick up noise from the use of a crane at Ogley Bros on Smithfield, a high frequency tonal noise with the potential to cause disamenity to the occupiers of properties with sensitive rooms on this façade. However the report also suggests that this could be mitigated by a higher specification of noise reduction measures in this location.

It was considered, however, that further measuring should be undertaken in order to assess other possible contributory noise sources, particularly in the morning at locations such as the Saunders and Co delivery bay on Snow Lane, and in order to establish a detailed design specification for appropriate noise mitigation measures. Following submission of the updated noise report, which did not identify any other significant noise sources, the Environmental Protection Service recommended that the proposals were acceptable subject to the installation of an approved scheme of sound attenuation works, which is reserved by condition. Largely as a precautionary measure, the proposals were also amended to include the retention of number 5 Smithfield, which provides a buffer between the proposed residential scheme and Eggintons premises to the north.

Despite the installation of comprehensive noise mitigation measure, the inability to control the hours of operation of many of the neighbouring businesses raises the potential for noise to harm the amenities of future residents. However, given the nature of the specific businesses surrounding the application site, the low levels of noise measured during testing and the policy ambition to relocate metal industries and related manufacturing and encourage more suitable uses in areas such as St Vincent's and neighbouring Kelham, it is considered that such events would be few and far between and will eventually be eliminated.

Highways

The principle of providing residential accommodation on the application site does not raise any significant highway concerns subject to minor amendments including minor radius improvements to the junction of Smithfield and Snow Lane, the provision of a 2 metre wide footway along the Smithfield frontage and the reconstruction of all footways abutting the site in the Council's secondary palette of materials.

Affordable Housing

Policy CS40 of the Core Strategy (Affordable Housing) states that, in all parts of the city, developers of new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. It proposes a target of 30 - 40% affordable housing on sites of more than 15 units. In this instance, the developer felt that they were unlikely to be able to provide any affordable housing for reasons of economic viability. They therefore entered into a process of appraisal by the District Valuers Office (DVO) who concluded that the scheme would make a developer's profit lower than the expected norm. No affordable housing can therefore be delivered.

Open Space Enhancement

Policy H16 of the UDP (Open Space in New Housing Developments) requires that the developer make a financial contribution towards the provision or enhancement of public open space within the vicinity of the application site. The applicant has entered into a unilateral planning obligation and agreed to pay the Council the sum of £56,892.05. The monies will be distributed in consultation with the relevant Area Panel.

Education Provision

Policy CF5 of the UDP (Community Benefits) states that planning obligations will be sought where they would enhance development proposals, provided that they are necessary, relevant and directly related to the development, and it is recognised that new housing developments may create new demand on existing community facilities, including schools.

However, in this instance, the School Organisation Team felt that additional demand resulting from the proposed development could be absorbed by the existing system such that no additional capacity would have to be built in order for the development to go ahead. As a result, in this instance, no contribution toward education provision is necessary.

SUMMARY AND RECOMMENDATION

Though a departure from the UDP, the erection of 16 terraced dwellinghouses and the conversion of the former Kutrite Works into 20 apartments is considered to be an acceptable use on this site given the policy steer and long term vision for the area.

The development comprises the sensitive refurbishment of Kutrite Works and the erection of new buildings which will enhance the character and appearance of the Furnace Hill Conservation Area, and it is considered that the short term potential for conflict between existing businesses and future residents is low.

It is therefore recommended that Members grant planning permission and listed building consent subject to the proposed conditions.

Case Number 12/03595/FUL (Formerly PP-02017994)

Application Type Full Planning Application

Proposal Erection of 16 terraced dwellinghouses with associated landscaping and parking, and the refurbishment and conversion of the former Kutrite Works into 20 apartments (Amended in accordance with plans received 21.05.2013 and 12.06.2013)

Location Site Of 1 - 7 Allen Street,
7, 9, 11, 13 And 15 Smithfield And Snow Lane
Sheffield
S3 7AW

Date Received 19/11/2012

Team City Centre and East

Applicant/Agent Miss Lisa Jepson

Recommendation Grant Conditionally

Subject to:

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

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

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

Drawing refs:

1855-001 Rev A
1855-007 Rev A received on 19/6/2013

1855-008 Rev C
1855-009 Rev B
1855-010 Rev C
1855-011 Rev C
1855-014 Rev A
1855-015 Rev A
1855-016 Rev B received on 12/6/2013

1855-017 received on 21/5/2013

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

- 4 Works to construct the 16 terraced dwellinghouses hereby approved shall not commence until the conversion of Kutrite Works has been completed to the satisfaction of the Local Planning Authority.

In order to ensure the satisfactory conversion of the listed building..

- 5 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.

- 6 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
Eaves and verges
External wall construction
Rainwater goods

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

In order to ensure an appropriate quality of development.

- 7 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy.

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.

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

In the interests of the visual amenities of the locality.

- 9 The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 10 The residential accommodation hereby permitted shall not be occupied unless the approved scheme of sound attenuation works has been installed in full. Such scheme of works shall:
- a) Be based on the recommendations of the Blue Tree Acoustics Noise Assessment Report (ref no.1509.11/1; 12/07/2012), as amended by the Blue Tree Acoustics letter (ref. 1509.11/2; 04/03/2013).
 - b) Be capable of achieving the following noise levels;
Bedrooms: LAeq (15 min) 30 dB; LAmx 45dB - (23:00 to 07:00),
Living Rooms: LAeq (15 min) 40 dB - (07:00 to 23:00),
External Amenity Areas: LAeq (16 hour) 55 dB - (07:00 to 23:00).

- c) Include a system of alternative ventilation to all habitable rooms, acoustically treated in accordance with the approved scheme of works.

Once installed, the approved scheme of sound attenuation works shall thereafter be retained and maintained in accordance with the approved details.

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

- 11 Before the use of the development is commenced, a Validation Test of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Test shall:

- a) Be carried out in accordance with an approved method statement,
- b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved, then notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

In order to protect the health and safety of future occupiers and users of the site.

- 12 The intrusive investigation and gas monitoring recommended in the Phase I Geo-Environmental Assessment Report by Allan Wood & Partners (ref.JS/AHB/32992-Rp001; April 2012) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency; 2004).

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

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

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

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

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

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

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

- 16 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

- 17 The development shall not be used unless the car parking accommodation for 21 cars 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.

- 18 Before the development hereby permitted is occupied arrangements shall be agreed with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the city at any time.

In order to define the permission.

- 19 No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
- a) been carried out; or
 - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvements:

- 1) Reconstruction of footways to Snow Lane and Smithfield that abut the site to secondary palette of materials standards, including replacement lighting columns.
- 2) Radius improvements to Snow Lane/Smithfield junction.
- 3) Review and amend (where agreed) the waiting restrictions on roads abutting the site.
- 4) Provision of a minimum footway width of 2m along the site frontage of Smithfield.

To enable the above-mentioned highways to accommodate the increase in vehicular and pedestrian traffic, which, in the opinion of the Local Planning Authority, will be generated by the development.

- 20 Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

- 21 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.

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

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

- 23 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.

- 24 Before the development is commenced, or within 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/or Core Strategy).

- 25 The development 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 development commencing, and shall thereafter be retained.

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

- 26 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development unless otherwise authorised in writing by the Local Planning Authority.

In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

Attention is drawn to the following directives:

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

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

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

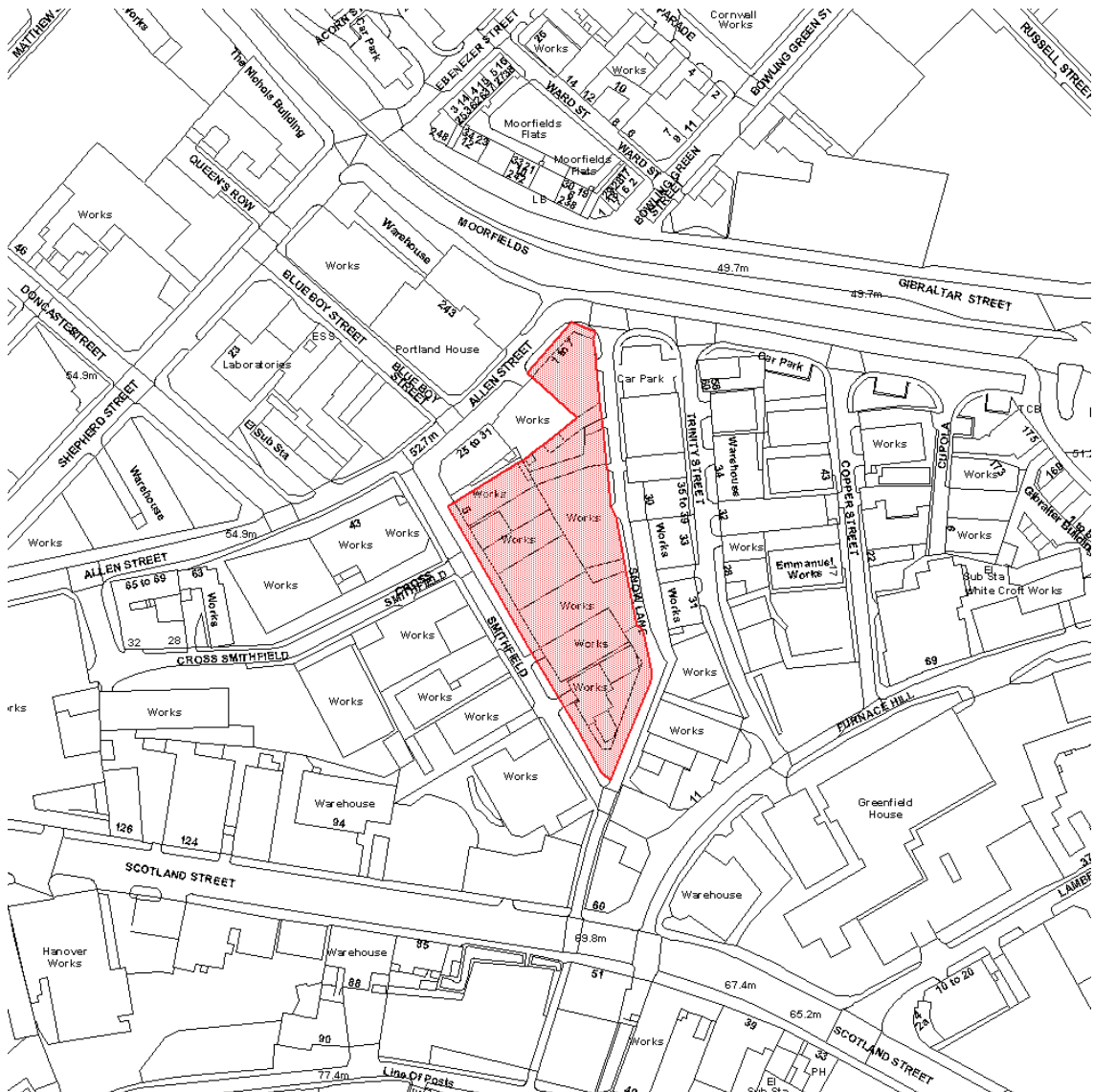
You should apply for a consent to: -

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

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

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

Site Location



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FOR REPORT SEE PREVIOUS APPLICATION: 12/03596/LBC



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report



Report of: Director of Development Services

Date: 02.07.2013

Subject: Enforcement Report

Author of Report: Abby Wilson

Summary: UNAUTHORISED UPVC REPLACEMENT BAY WINDOW IN ARTICLE 4 (2) DIRECTION, NETHER EDGE CONSERVATION AREA

Reasons for Recommendations

It is considered that the unauthorised new UPVC windows are of an unsatisfactory appearance due to poor design, detailing and use of non traditional materials. The incremental loss of such traditional features threatens the character and appearance of the Conservation Area, and is in direct conflict with the purpose of the Article 4(2) direction.

Recommendations:

That the Director of Development Services or Head of Planning be authorised to take any appropriate action including the institution of legal proceedings to secure the removal of the unauthorised windows.

The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

UNAUTHORISED UPVC REPLACEMENT BAY WINDOW IN ARTICLE 4 (2) DIRECTION, NETHER EDGE CONSERVATION AREA

1. PURPOSE OF THE REPORT

The purpose of this report is to inform committee Members of a breach of planning control and to make a recommendation on any further action required

2. BACKGROUND AND LOCATION

- 2.1 23 Briar Road is a traditional three storey stone built terraced property within the Nether Edge Conservation Area and a Housing Area as designated in the Unitary Development Plan. The property is also within the Nether Edge Article 4(2) Area.
- 2.2 The property is a rental property comprising of 3 separate flats.
- 2.3 A complaint was received 1st November 2012 stating a UPVC bay window had been fitted at the property within the last few days.
- 2.4 An officer visited the site the day of the complaint and found the works to the new bay window were being completed. The window fitter was present at the time of the site meeting. They confirmed the UPVC windows were to replace existing rotting wooden frames. The window fitter provided the telephone details of the owner.
- 2.5 The Owner was contacted the same day to ensure no further windows were replaced and explained that there are no permitted development rights for alterations to flats or dwelling houses fronting the highway in the area due to the Article 4(2) Direction. The Owner expressed his objections stating he had five properties in the Nether Edge area however he had never received notification of the Article 4(2) Direction. It was advised that an application was needed for more appropriate replacement windows although the owner stated his intention to apply to authorise the new UPVC windows.
- 2.6 The owners son in law contacted planning enforcement to obtain the details of the breach. He advised officers that he would now be dealing with the matter due to the owners ill health and would be making the application to authorise the existing UPVC replacement bay windows against officers advice. The details of the breach of control were sent in writing to the son in law. It was highlighted that as the property was

subdivided into flats, an application was required regardless of the Article 4 (2) Direction, as flats do not benefit from permitted development rights.

- 2.7 The son in law requested a hard copy of a planning application form which was delivered in December 2012 to his home address.
- 2.8 A reminder was sent in March 2012 offering assistance as no reply had been received.
- 2.9 No response has been received at the time of this report and the windows remain unauthorised.

3. ASSESSMENT

- 3.1 Unitary Development Plan Policy BE5 'Building Design and Siting' states that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions.
- 3.2 Unitary Development Plan Policy BE15 'Areas and buildings of special architectural or Historical Interest' states that development which would harm the character or appearance of a Conservation Area will not be permitted.
- 3.3 Unitary Development Plan Policy BE16 'Development in Conservation Areas' states that in Conservation Areas permission will only be given for proposals which contain sufficient information to enable their impact on the area to be judged acceptable and which would preserve or enhance the character or appearance of the Conservation Area.
- 3.4 Unitary Development Plan Policy BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' requires a high standard of design using traditional materials.
- 3.5 Unitary Development Plan Policy H14 'Condition on Development in Housing Areas' states that developments should be well designed and in scale and character with the neighbouring buildings.
- 3.6 The previous windows as shown in Appendix B were timber framed with 3 upper panels with top hung openings above 3 non opening larger glass panels below. The replacement windows are now all white UPVC with 2 top hung openings with a central glazing bar, this can be seen in appendix C and D.
- 3.7 It is considered that the unauthorised new UPVC windows are of an unsatisfactory appearance due to the poor design and detailing. The traditional styles of windows in this area were timber sliding sash. One of the most important aspects of these are the top sash that projects over the bottom sash and the method of opening which has not been replicated in these replacements. This has the effect of a flush appearance. The second important characteristic is the slender box frame. The replacements have lost this slender detail and have a much heavier chunky appearance to the frame and use inappropriate UPVC

material. Examples of appropriate window detailing can be seen in the photos, (appendices E and F) which have been taken from neighbouring properties on Briar Road. As the installed windows have a non-traditional method of opening this is further exacerbated when the windows are left in the open position.

- 3.8 The Nether Edge Conservation Area Appraisal was adopted in 2005 and refers to the loss of original architectural features and poor quality replacements which have eroded the quality of the Conservation Area. This was one of the reasons for the introduction of the Article 4 direction in late 2005, which limits certain permitted developments.
- 3.9 The incremental loss of such traditional features threatens the character and appearance of the Conservation Area, and is in direct conflict with the purpose of the Article 4(2) direction. The aim of the direction is to halt the erosion of traditional character, by exerting greater control, and to gradually restore it with suitable alterations that enhance the appearance of the Conservation Area. The works undertaken are typical examples of the alterations identified by the Conservation Area Appraisal as having a negative impact on the conservation area.
- 3.10 Given the circumstances the windows fail to preserve or enhance the character of Nether Edge Conservation Area and as a result are contrary to the aims of the policies BE5, BE15, BE16, BE17 and H14 of the Unitary Development Plan.
- 3.11 The photo images below show the property in question before and after the changes and clearly demonstrate that the unauthorised windows are not appropriate for the property and their appearance is deemed not to be in keeping with the character of the Conservation Area.

4. REPRESENTATIONS

- 4.1 One anonymous complaint was received about the replacement UPVC window.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

The service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 enables the Local Planning Authority to issue Enforcement Notices where there has been breach of planning control. In this case the notice would require remedial measures to ensure that the perceived harm is remedied. In this case this would be that the ground floor bay windows on the elevation facing Briar Road are removed. There is a right of appeal to the Planning Inspectorate against the service of an Enforcement Notice. However recent appeal decisions have supported the Council in taking similar action.

6.1 There are no equal opportunity implications arising from the recommendations in this report.

7. FINANCIAL IMPLICATIONS

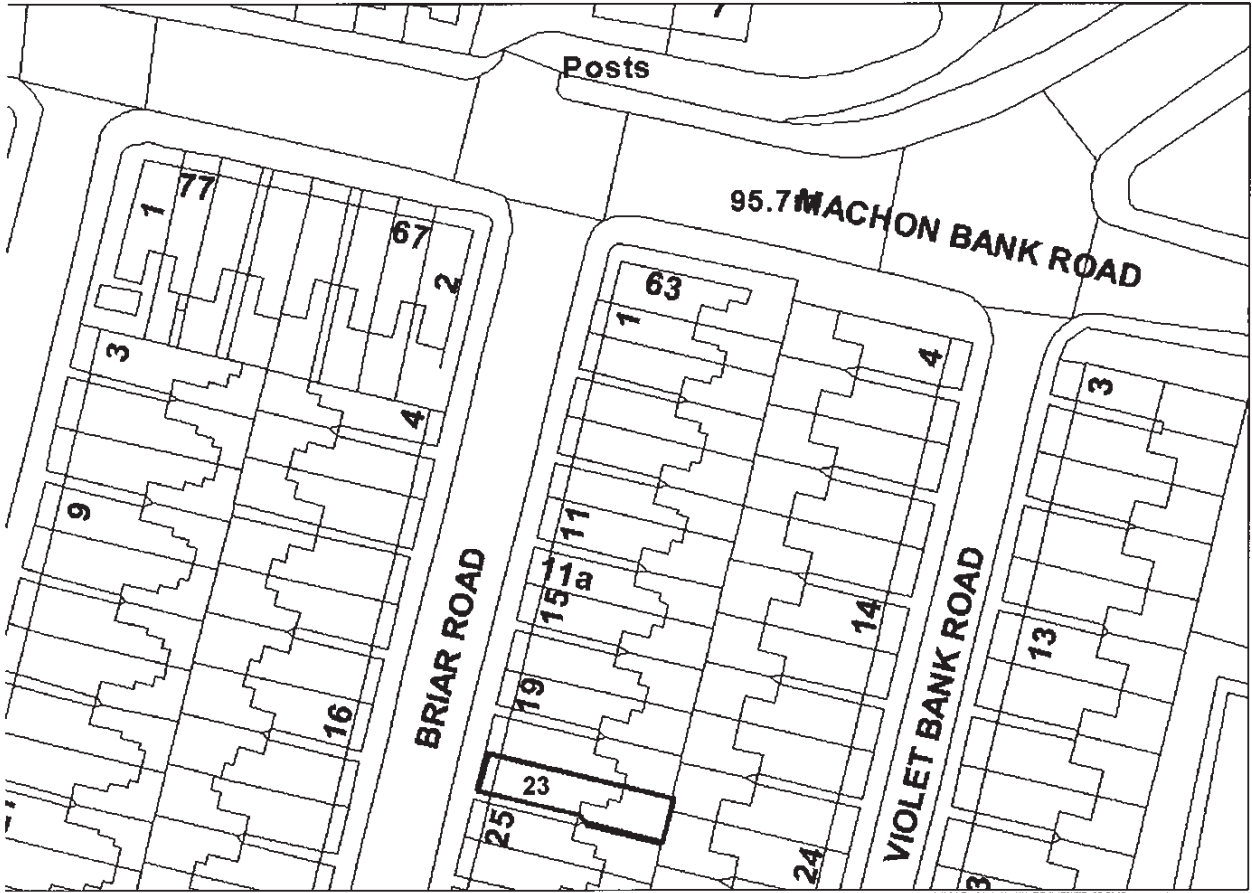
7.1 There are no financial implications arising from the recommendations in this report.

8. RECOMMENDATION

8.1 That authority be given to the Director of Development Services or Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised windows.

SITE PLAN & PHOTOS

Appendix A - Number 23 Briar Road Outlined in Black



Appendix B – Photo of 23 Briar Road, 2009



Appendix C - 23 Briar Road with replacement UPVC windows



Appendix D - 23 Briar Road, close up of UPVC replacement window



Appendix E - example of traditional bay windows on Briar Road





SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Development Services

Date:

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

Summary:

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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
02 July 2013

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

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

2.0 NEW APPEALS RECEIVED

An appeal has been submitted to the Secretary of State against the delegated decision of the City Council for alterations to existing detached double garage at rear of dwellinghouse to form ancillary living accommodation (Resubmission of 12/03301/FUL) at 60 Clifton Crescent (Case No 13/00112/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for two storey side extension to dwellinghouse (As amended by plans dated 4 March 2013) at 36 Briers House Lane has been dismissed (Case No 13/00319/FUL)

Officer Comment:-

The site is in the Green Belt. The Inspector considered the main issues to be whether the development would be inappropriate in the Green Belt, what the effect would be on the openness, character and appearance of the Green Belt, and whether there were very special circumstances that would justify such a development.

The proposed extension would exceed the 33% guideline for extensions within the Green Belt as set out in our Supplementary Planning Guidance – Designing House Extensions. The property had already been extended with a conservatory and it was considered that the cumulative effect would be disproportionate and therefore inappropriate and so, by definition, harmful.

The extension would be in full public view and would result in some harm to the openness of the Green Belt.

The extension would in keeping with the design of the other houses in the terrace and would not harm the character and appearance of the Green Belt.

The extension was not an infill scheme which, again, militated against the proposal.

The fact that existing house is small and the room sizes were not excessive did add some weight in favour of the development but this did not outweigh the harm to the Green Belt and so contrary to national and local policies. The appeal was therefore dismissed.

(ii) To report than an appeal against the decision of the Council at it s meeting of 23 October 2013 for erection of 3 detached dwellings with associated garages and landscaping at Land At Rear Of 1 To 5 Austin Close, Loxley Road has been dismissed (Case No 12/01599/FUL)

Officer Comment: -

The Inspector considered that the main issue in this case was that of highway safety.

The site slopes steeply down from north to south and the proposal involved extending the existing driveway from Loxley Road.

Refuse vehicles would not be prepared to access the site due to the safety issues with the potential for the grounding of vehicles and any run-off down the slope creating the potential for vehicles to slide or skid out of control onto Loxley Road. There was also a potential hazard with larger vehicles having to swing into the path of oncoming traffic when exiting / entering the site.

This would require bins to be left by the Loxley Road access point. The suggestion for a bin store to be provided here requiring occupiers to either walk or drive down the slope was considered impractical and inappropriate resulting in additional journeys by foot and vehicle on a steeply sloping unlit road without clear pedestrian routes to the detriment of highway safety

The Fire and Rescue Service was also concerned about the inability for them to access properly and manoeuvre within the site. No information was provided to show these concerns had been overcome.

The Inspector also raised concerns about access to the site for other large service vehicles delivery and removals vehicles and found that the development would be difficult to access by any means other than by car and be particularly difficult for the elderly, disabled or people with prams.

The proposal would be harmful to highway safety contrary to UDP and Coer Strategy policies and the NPPF which require safe and suitable access for all people. Accordingly the Inspector dismissed the appeal

(iii) To report than an appeal against the decision of the Council at it s meeting of 2 January 2013 for Erection of 4 flats in a two-storey block and provision of associated car parking accommodation and landscaping works (amendments received on 07.12.12) at Rear Of 12-22 And 12A-22A Holme Lane has been dismissed (Case No 12/03117/FUL)

Officer Comment: -

The Inspector considered that the main issues were whether the development would provide adequate living conditions for occupiers of the development and the impact of the proposal on the living conditions of neighbouring occupiers.

The proposed building would be close to the existing shops and flats on Holme Lane and people using the existing external walkway and stairs would be able to look directly into the main living areas of the proposed flats. The proposed obscure glazing of the rear windows of the existing flats and obscured screening to the walkway would be to the detriment of the living conditions of the existing occupiers of the flats to Holme Lane.

All the rear bedrooms would suffer from a poor outlook especially those at ground floor level and adjoining buildings in close proximity would overbear the proposed flats. The existing properties fronting Holme Lane would also reduce the level of daylight reaching the proposed flats to the detriment of future occupiers living conditions.

The lack of suitable and sufficient amenity space for occupiers of the proposed flats coupled with the poor outlook will lead to unacceptable living conditions for future occupiers and would also harm the living conditions of existing occupiers. This is contrary to UDP and Core Strategy policies.

The Inspector agreed that the site would be overdeveloped and the impact on living conditions resulting from the proposal demonstrates the harm arising from the development. Accordingly the appeal was dismissed.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning consent for Erection of a two-storey block on land to the rear of Rosebank Care Home to provide 3 supporting living units (resubmission of planning application 12/01059/FUL) at Rosebank Residential Home 48 Lyons Road has been dismissed (Case No 12/02343/FUL)

Officer Comment: -

The main issues concerning the Inspector in this appeal were the effect of the development on the living conditions of neighbouring occupiers with regard to privacy and whether the proposal would provide acceptable living conditions for future occupants with regard to privacy, daylight and outlook.

The front elevation would have windows to both storeys within 6 metres of the adjoining property's boundary. This would harm the privacy of occupiers of the adjoining property and is contrary to the Supplementary Planning Guidance which is considered to provide helpful guidance.

The distance between the bedroom windows of the existing care home would be within 16 metres of the windows of the proposed building. At this distance, the Inspector considered that this would give rise to overlooking to the detriment of the occupiers of the care home and also to future occupiers of the proposed building. Landscaping would not mitigate the overlooking.

One of the proposed flats would have a bedroom with the majority of its windows being obscurely glazed. This would reduce light entering the room to an unsatisfactory level and also provide a poor outlook from the room to the detriment of the future living conditions of the occupier.

Taking all the findings into account, the Inspector concluded that the proposed development would harm the living conditions of neighbouring occupiers and would have an unacceptable impact on the living conditions of future occupiers in terms of privacy and daylight contrary to both the National Planning Policy Framework and UDP policies.

Factors such as the reduced height of the proposed building, the green roof and additional specialist care accommodation did carry some weight but not sufficient to outweigh the harm that would be caused.

For these reasons, the Inspector dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the decision of the Council at its meeting of 14th January 2013 for demolition of storage building and erection of two dwellinghouses including construction of temporary access road (As amended 23/11/12) at Fern Glen Farm, Hathersage Road, has been allowed (Case No 12/03177/FUL)

Officer Comment:-

Officer Comment:-

The site lies within the Green Belt. The Inspector considered the main issues to be whether the development was inappropriate development in the Green Belt and the impact of the development on the character and appearance of the Green Belt and Area of High Landscape Value.

The construction of new dwellings in the Green Belt is contrary to UDP Policy GE5 which reflects former national planning guidance in PPG2 (Green Belts). There was no dispute that the development is contrary to UDP policies but very little weight can be given to these policies due to the approach taken in the National Planning Policy Framework. The NPPF permits the redevelopment of previously developed sites in the Green Belt. 'Previously developed sites' excludes agricultural buildings. The existing storage building was originally an agricultural building but is now lawfully used for commercial storage purposes and is therefore 'previously developed'. In line with the Council's consideration of the scheme, the Inspector concluded that the proposals are not 'inappropriate development'.

The Inspector disagreed with the Council's view that the proposed development should relate to the original farmstead character of Fern Glen

Farm, the objective being to maintain the simplicity of form of a traditional farm layout. A single barn conversion style had been encouraged. The Inspector agreed that the orientation of the detached dwellings relative to the farm courtyard is 'slightly awkward' but did not consider this sufficient to withhold planning permission. He considered that there was no benefit in recreating a functional relationship between the buildings given that the site is no longer a working farm and the original farmstead grouping had been already been eroded by the storage building and a former farm workers bungalow in close proximity. He felt that the Council had been somewhat over-prescriptive and that the proposed design solution responds satisfactorily to its setting.

The appeal was allowed subject to conditions in respect of materials, reinstatement of the temporary access road following completion of the development and the removal of permitted development rights.

A concurrent application for a costs award was dismissed. The Inspector concluded that the Council was entitled to reach a decision based on its own interpretation of adopted policies and that it is proper to seek to promote or reinforce local distinctiveness. In these respects the Inspector felt that the Council had provided sufficient evidence to explain its position and to substantiate the reasons for refusal, despite the Inspector taking a different view on the merits of the proposals.

5.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

02 July 2013

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